

AGENDA

REGULAR MEETING OF CITY COUNCIL

2012 09 24

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2012 09 10 be approved.

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

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

Resolved that the Agenda for 2012 09 24 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- a) Reeve Ken Lamming, Township of Prince will be in attendance to make a presentation to the City.
- b) Jodi Nastor, 2012 United Way Volunteer Campaign Chair will be in attendance concerning proclamation – United Way Day.

- c) Phil Wong, Public Health Inspector will be in attendance concerning proclamation – Environmental Public Health Week.
- d) Brandy Sharp Young, Manager Marketing and Resource Development, Sault Ste. Marie YMCA will be in attendance concerning proclamation – Active Aging Week.
- e) Dan Fraser, Fire Prevention Officer will be in attendance concerning proclamation – Fire Prevention Week.
- f) Matt Trainor – Chair, Community Advisory Committee for Learning Disabilities Sault Ste. Marie will be in attendance concerning proclamation – Learning Disabilities Awareness Month.
- g) Amie Woods, Community Outreach & Marketing Coordinator, Brenda Cooper, Volunteer Engagement Coordinator and Alexandra Benson, Community Outreach & Marketing Coordinator will be in attendance concerning proclamation – World Habitat Day.
- h) Nick Apostle, Commissioner of Community Services will be in attendance to present the Community Services Department 2012 budget and year-to-date financial information. See agenda item 5.(f).

PART ONE – CONSENT AGENDA

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

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

Resolved that all the items listed under date 2012 09 24 – Part One – Consent Agenda be approved as recommended.

- a) Correspondence from AMO is attached for the information of Council.
- b) A letter from the City of Elliot Lake concerning the recent donation by Sault Ste. Marie to their community is attached for the information of Council.
- c) A letter from the Chair, Historic Sites Board concerning the Heritage Discovery Centre – Project Update is attached for the information of Council.
- d) Correspondence requesting permission for private liquor license extension is attached for the consideration of Council.

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

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

Lifeforia Wellness Club

681 Pine Street

Grand Opening Celebration – September 29, 2012 from 1:00 p.m. to
1:00 a.m. (September 30th).

- e) The current list of Outstanding Council Resolutions is attached for the information of Council.
- f) Financial Statements (budget and year-to-date) from the Community Services Department are attached for the information of Council.

g) Staff Travel

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

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

Resolved that the report of the Chief Administrative Officer dated 2012 09 24 concerning Staff Travel requests be approved as requested.

h) Property Tax Appeals

A report of City Tax Collector is attached for the consideration of Council.

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

Resolved that Pursuant to Section's 334 and 357 of the Municipal Act, 2001, that the adjustments for the tax accounts outlined on the City Tax Collector's report of 2012 09 24 be approved and that the tax records be amended accordingly.

i) Asset Management Plan

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

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 09 24 concerning an asset management plan be received and the recommendation that City staff by authorized to proceed to a Request for Proposal for a facility condition assessment of major buildings and the funding be provided from the Facility Maintenance Reserve, be approved.

j) **Corporate Strategic Plan 2011-2014 Progress Report #4**

A report of the Deputy City Clerk and Manager of Quality Improvement is attached for the consideration of Council.

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

Resolved that the Report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 09 24 concerning Progress Report #4 – 2011-2014 Corporate Strategic Plan be received as information.

k) **Algoma Bioseptic Technologies Biosolids Composting Pilot Indemnity Agreement**

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

The relevant By-law 2012-177 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

l) **Central Creek (small) Aqueduct Reconstruction First Phase**

A report of the Director of Engineering is attached for the consideration of Council.

The relevant By-law 2012-178 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

m) **Roosevelt Pedestrian Bridge – Replacement**

A report of the Director of Engineering Services is attached for the consideration of Council.

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

Resolved that the report of the Director of Engineering Services dated 2012 09 24 concerning Roosevelt Pedestrian Bridge - Replacement be accepted and the recommendation to replace the bridge at an estimated cost of \$30,000 funded from the 2012 miscellaneous construction budget be approved.

n) **2013 Capital Construction – Consulting Engineering Assignment**

A report of the Director of Engineering Services is attached for the consideration of Council.

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

Resolved that the report of the Director of Engineering Services dated 2012 09 24 concerning 2013 Capital Construction - Consulting Engineering Assignment be accepted and the recommendation to enter into an agreement with Genivar for services related to the reconstruction of Kohler Street be approved.

o) Solar Photovoltaic Fit Applications

A report of the Environmental Initiatives Coordinator is attached for the consideration of Council.

The relevant By-law 2012-175 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

p) Banning Wild/Exotic Animal Acts and Travelling Animal Circuses

A report of the Solicitor/Prosecutor is attached for the consideration of Council.

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

Resolved that the report of the Solicitor/Prosecutor dated 2012 09 24 concerning Banning Wild/Exotic Animal Acts and Travelling Animal Circuses be received as information.

q) City Noise By-law Update

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

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

Resolved that the report of the City Solicitor dated 2012 09 24 concerning City Noise By-law Update be accepted and the recommendation to strike a committee consisting of members of Council, City staff and community stakeholders including representation from Algoma University, seniors housing and the Downtown Association to review the existing noise by-laws and make recommendations as to possible amendments be approved.

r) Easement Required for Storm Water Retention Pond Discharge for Mar-Li Investments Access to City Owned Property – Part of PIN 31561-0088 Part of Lot 1 H744

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

The relevant By-law 2012-176 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

s) Digital Signs By-law

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

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 24 concerning the Digital Signs By-law be received and that City Council defers a decision on the Digital Signs By-law and extend the moratorium on Digital Signs until October 9, 2012.

- t) **Agreement with the Ministry of Transportation (MTO) Winter Maintenance of Highway 550 (Second Line) and Highway 565 (Airport Road) Within Prince Township**

A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council.

The relevant By-law 2012-180 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

- u) **Landfill Tipping Fee Rebate – Pilot Project Not-For-Profit Organizations**

A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council.

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 09 24 concerning Landfill Tipping Fee Rebate - Pilot Project Not-For-Profit Organizations be accepted and the recommendation to implement a pilot project for 2013 as outlined in the report be approved.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) **ADMINISTRATION**

(2) **COMMUNITY SERVICES DEPARTMENT**

(3) **ENGINEERING**

(4) **FIRE**

(5) **LEGAL**

- a) **Solar Photovoltaic Fit Application and WECC Lease Agreement**

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

The relevant By-laws 2012-174 and 2012-181 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

(6) PLANNING

- a) **Application No. A-17-11-Z.OP and 57T-11-501 – Ruscio Investments Inc. – 184 Queensgate Boulevard**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-17-11-Z.OP and 57T-11-501 – filed by Ruscio Investments Inc. – 184 Queensgate Boulevard be received and that City Council permit the requested 94 unit Single Detached residential development subject to the 4 conditions contained in the report.

- b) **Application No. A-27-12-Z.OP – GNR Business Center Limited – 733 Great Northern Road**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-27-12-Z.OP – filed by GNR Business Center Limited – 733 Great Northern Road be received and that City Council approve Official Plan Amendment No. 130 and re-designate the entire parcel as 'Commercial' on land use schedule 'C' of the Official Plan, subject to a notwithstanding clause to permit the entire building to be utilized as a medical clinic; and

Furthermore that City Council rezones the subject property by amending the existing Special Exception (214) subject to the 4 conditions contained in the report.

- c) **Application No. A-29-12-Z.OP – Palumbo Investments Inc. – 58 Blake Avenue**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-29-12-Z.OP – filed by Palumbo Investments Inc. – 58 Blake Avenue be received and that City Council denies the applicant's request to rezone and re-designate the subject property for future residential development purposes.

- d) **Application No. A-30-12-Z.OP – Riversedge Developments Inc. – 75 Huron Street**

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

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 09 24 concerning Application No. A-30-12-Z.OP – filed by Riversedge Developments Inc. – 75 Huron Street be received and that City Council approve the request for Official Plan and Zoning amendments to permit the subject property to be used for various commercial, residential and institutional uses including a bio-energy technology campus with pilot plants relating to renewable energy subject to the 4 conditions contained in the report.

(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) Mover: Councillor S. Myers
Seconder: Councillor T. Sheehan

Whereas our current bylaw does not limit the number of cats or dogs an owner, tenant or occupant of a dwelling unit can keep, own or harbour or permit to be kept, owned or harboured in the dwelling unit; and

Whereas a recent issue in Ward Two has brought this matter forward; and

Whereas other municipalities such as Ajax, Barrie and Niagara Falls, Ontario do in fact limit the number of cats and dogs permitted in a dwelling unit;

Therefore Be It Resolved that the legal staff look into this matter, review our current bylaw and report back to City Council with recommendations to include possible amendments to the bylaw to limit the number of cats and dogs in a dwelling unit; and

Further Be It Resolved that the Humane Society be consulted for input.

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 TO BE PASSED which do not require more than a simple majority.

AGREEMENTS

a) 2012-177

A by-law to amend By-law 2012-106 (a by-law to authorize an indemnity agreement between the City and PUC Services Inc. and Algoma Bioseptic Technologies for the provision of biosolids from the East End Plant for a pilot composting project).

A report from the Land Development and Environmental Engineer is on the agenda.

b) 2012-178

A by-law to authorize the execution of an agreement between the City and STEM Engineering Group Inc. for the design and contract administration for the small Central Creek Aqueduct Reconstruction.

A report from the Director of Engineering Services is on the agenda.

c) 2012-180

A by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the provision of winter maintenance of Highway 550 and Highway 565 in Prince Township.

A report from the Deputy Commissioner of Public Works and Transportation is on the agenda.

d) 2012-181

A by-law to authorize the execution of a lease agreement between the City and PUC Services Inc. for the installation of Photovoltaic Equipment on a portion of the roof on the building located at 556 Goulais Avenue, Sault Ste. Marie (West End Community Centre).

A report from the Assistant City Solicitor is on agenda.

EASEMENT

e) 2012-176

A by-law to grant an easement to Mar-Li Investments over a part of Lot 1 RCP H744 being Part 1 on 1R12214 for a stormwater retention pond discharge.

A report from the City Solicitor is on the agenda.

PARKING

f) **2012-179**

A by-law to adopt appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie.

RESOLUTIONS

g) **2012-174**

A by-law to authorize the execution of one (1) Municipal Council Support Resolution to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program.

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

h) **2012-175**

A by-law to authorize the execution of four (4) Municipal Council Support Resolutions to support four (4) solar photovoltaic applications being submitted to the Ontario Power Authority Feed-In-Tariff Program.

A report from the Environmental Initiatives Coordinator is on the agenda.

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

Resolved that this Council now adjourn.

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 09 10

4:30 P.M.

COUNCIL CHAMBERS

Present: Mayor D. Amaroso, Councillors L. Turco, S. Butland, S. Myers, M. Bruni, J. Krmpotich, B. Watkins, R. Niro, P. Christian, F. Fata, T. Sheehan, P. Mick

Absent: Councillor F. Manzo

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, B. Freiburger, J. Dolcetti, D. McConnell, J. Luzka, M. Provenzano

1. ADOPTION OF MINUTES

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2012 08 13 be approved. CARRIED

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

3. APPROVE AGENDA AS PRESENTED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the Agenda and Addendum #1 for 2012 09 10 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Mayor Lynn Watson, Township of MacDonald, Meredith and Aberdeen Additional was in attendance to make a presentation to Council.
- b) Karey Stewart Co-Run Director was in attendance concerning Proclamation – Canadian Breast Cancer Foundation - CIBC Run for the Cure Day.
- c) Lou St. Jules, Public Relation Coordinator, Wendy Andres, Honoured Royal Lady, Ladies Lodge and Trevor Purvis, Exalted Ruler, Mens Lodge 341 were in attendance concerning Proclamation – Elks and Royal Purple Oncology Van Program Week.
- d) Rom Kwolek and Nathan Mudge were in attendance concerning Proclamation – Terry Fox Run.
- e) Jacqueline Febbraro, Volunteer President/Treasurer and Arthritis Programs Facilitator was in attendance concerning Proclamation – Arthritis Month.
- f) Lise Joyal was in attendance concerning Proclamation – Francophone Day.
- g) John Luszka, Commissioner of Human Resources was in attendance to present the Human Resource Department 2012 budget and year-to-date financial information. See agenda item 5.(d).
- h) Marcel Provenzano, Chief of Fire Services was in attendance to present the Fire Services 2012 budget and year-to-date financial information. See agenda item 5.(e).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that all the items listed under date 2012 09 10 – Part One – Consent Agenda and Addendum #1, save and except item 5.(c) be approved as recommended. CARRIED

- a) Correspondence from AMO, OGRA was received by Council.
- b) Correspondence from the Deputy Minister of Northern Development and Mines to the Chief Administrative Officer concerning the Northern Policy Institute was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that Sault Ste. Marie City Council receives as information the email that was sent by the CAO on August 30, 2012 to George Ross, Deputy Minister of Northern Development and Mines concerning the Northern Policy Institute announcement and general concerns regarding the implementation of the Northern Growth Plan, as well as the reply that was received back that same day by the CAO;

And further that the Deputy Minister be thanked for agreeing to meet with the CAO's of the five large northern cities to discuss the much expressed concerns regarding the process and the plans for implementation of the Growth Plan Initiatives, including Sault Ste. Marie's position that the draft model for the Northeast Regional Economic Development Planning Initiative is inconsistent with the spirit and intent of the Growth Plan and simply will not work in achieving its objectives. CARRIED

(copies to Minister R. Bartolucci, MPP, David Orazietti, Cal McDonald, NAC, Northern CAO's group, Tom Vair, Tom Dodds, Robert Reid and Dr. Richard Myers)

- c) Letters from citizens Tom Brason and Helen and Marcel Girard to Mayor Amaroso were received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that letters from citizens Tom Brason and Helen and Marcel Girard be referred to the Legal Department for review and report back to Council at a future meeting. CARRIED

- d) Financial Statements (budget and year-to-date) from the Human Resources Department were received by Council.
- e) Financial Statements (budget and year-to-date) from Fire Services were received by Council.
- f) **Appointment – Cultural Advisory Board**

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that citizen Nora Ann Harrison be appointed to the Cultural Advisory Board from September 10, 2012 to December 31, 2012. CARRIED

g) **Staff Travel**

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

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Chief Administrative Officer dated 2012 09 10 concerning Staff Travel requests be approved as requested. CARRIED

Pecuniary interest – Councillor Krmpotich – family member listed in the report.

h) **Tender for Supply and Delivery of One (1) 58,000 GVW Tandem Truck C/W Plow, Wing, Harness and 14' Contractor Type Dump Box**

The report of the Manager of Purchasing was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the Report of the Manager of Purchasing dated 2012 09 10 be endorsed and that the tender for the supply and delivery of one (1) 58,000 GVW Tandem Truck c/w Plow, Wing, Harness and 14' Contractor Type Dump Box as required by the Public Works and Transportation Department be awarded as recommended. CARRIED

i) **Tender for Supply and Delivery of One (1) 3-5 Ton Rigid Frame Steel Drum Roller**

The report of the Manager of Purchasing was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the Report of the Manager of Purchasing dated 2012 09 10 be endorsed and that the tender for the supply and delivery of one (1) 3-5 Ton Rigid Frame Steel Drum Roller as required by the Public Works and Transportation Department be awarded as recommended. CARRIED

j) **Mayor and Council Travel Expenses – January 1 – June 30, 2012**

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the Report of the Commissioner of Finance and Treasurer dated 2012 09 10 concerning Mayor and Council travel expenses for the period January 1 to June 30, 2012 be received as information. CARRIED

k) Collective Bargaining and Amalgamated Transit Union Local 1767 Memorandum of Settlement 2012-2015

The report of the Commissioner of Human Resources was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the Report of the Commissioner of Human Resources dated 2012 09 10 concerning Collective Bargaining and Amalgamated Transit Union Local 1767 Memorandum of Settlement 2012-2015 be accepted and further that the Memorandum of Settlement for Amalgamated Transit Union Local 1767 and the City of Sault Ste. Marie be approved for ratification by City Council and that the appropriate by-law be presented at a future Council Meeting be approved.
CARRIED

l) Cemetery Price List

The report of the City Clerk is attached for the consideration

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the City Clerk dated 2012 09 10 concerning 2012 Cemetery Price List be accepted and the recommendation to approve the amended price list be approved. **CARRIED**

m) Request for Financial Assistance for National/International Sports Competitions – Shane Rock

The report of the Manager of Recreation and Culture was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Manager Recreation and Culture dated 2012 09 10 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to Shane Rock (2012 Canadian Age Group National Swimming Championships) be approved. **CARRIED**

n) Contract 2012-10E – Bridge Cleaning and Installation of a Bird Barrier System at Wellington Street Underpass

The report of the Design and Construction Engineer was received by Council.

The relevant By-law 2012-173 is listed under Item 10 of the Minutes.

o) Great Lakes Sustainability Fund

The report of the Land Development and Environmental Engineer was received by Council.

The relevant By-law 2012-172 is listed under Item 10 of the Minutes.

p) **Earl Thompson – 226 River Road – Zoning By-law 2012-148 – Planning Application A-21-12-T**

The report of the City Solicitor was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the City Solicitor dated 2012 09 10 concerning Earl Thompson – 226 River Road – Zoning By-law 2012-148 – Planning Application A-21-12-T OMB Appeal be accepted and that despite the appeal Council confirms its wish to proceed with the by-law. CARRIED

Pecuniary Interest – Councillor Watkins – applicant is a business competitor.

q) **Council Travel**

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Be It Resolved that Councillor Sheehan be authorized to travel to Blind River for the Algoma District Municipal Association (ADMA) September meeting at a cost of \$100. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Be It Resolved that Councillor Turco be authorized to travel to the FONOM Board meeting being held in Parry Sound (2 days in September) at no cost to the City and the AMO Board of Directors meeting being held in Toronto (2 days in September) at the cost to the City of \$300. CARRIED

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

- a) **Application No. A-17-11-Z.OP and 57T-11-501 – Ruscio Investments Inc. – 184 Queensgate Boulevard**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 10 concerning Application No. A-17-11-Z.OP and 57T-11-501 – filed by Ruscio Investments Inc. – 184 Queensgate Boulevard be received and that the application be deferred to the September 24, 2012 Council meeting. CARRIED

- b) **Application No. A-11-12-Z.OP – Premiere Landscaping – 1465 Maki Road**

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that agenda item 6.(6)(b) – Application A-11-12-Z.OP – Premiere Landscaping – 1465 Maki Road be deferred to the October 9, 2012 Council Meeting. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2012 09 10 concerning Application No. A-11-12-Z.OP – filed by Premiere Landscaping and Garden Centre Inc. – 1465 Maki Road be received and that City Council deny the applicant's request to rezone and re-designate the subject property to legalize the existing dwelling unit and permit the outdoor storage of goods in association with a landscaping contractor's yard on the subject property.
OFFICIALLY READ NOT DEALT WITH

- c) **Archaeological Site Potential Assessment**

The report of the Planning Division was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2012 09 10 concerning the Archaeological Site Potential Assessment be received and that City Council approve Official Plan Amendment No. 188 concerning requirements for development within areas of archaeological potential. CARRIED

(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) Moved by: Councillor S. Butland
Seconded by: Councillor P. Christian
Whereas there are presently five Bell Canada cell towers under consideration to be erected in the immediate future; and
Whereas there is a likelihood of more required on a needs basis; and
Whereas the City does not presently have an official comprehensive protocol that deals with all aspects of tower locations: location rational, permits required, aesthetics, financial consideration, consultation process;
Now Therefore Be It Resolved that appropriate staff formalize a protocol that incorporates the above wherever possible. CARRIED
- b) Moved by: Councillor S. Myers
Seconded by: Councillor T. Sheehan
Whereas residents on Euclid Road have reported concerns regarding the speed of motorists traveling on this residential street; and
Whereas Euclid Road is being reconstructed at this time; and
Whereas following the McGregor Avenue pilot project for speed humps a Traffic Calming Management process was put in place for staff to review requests for traffic calming; and
Whereas at that time it was noted by the Ward Two Councillors that other requests are best considered during reconstruction in order to minimize any cost implications;
Therefore Be It Resolved that Euclid Road be reviewed for consideration for a traffic calming through the process established by Public Works and staff report back to City Council in the near future. CARRIED
- c) **NOTICE OF MOTION**
Moved by: Councillor S. Butland
Seconded by: Councillor P. Christian
Be It Resolved that a temporary moratorium on additional cell towers be implemented until such time as the Federation of Canadian Municipalities (FCM), in consultation with the Canadian Wireless Telecommunications Association tables a model protocol for Canadian cities to follow.
- 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 B. Watkins

Seconded by: Councillor R. Niro

Resolved that all by-laws listed under Item 10 of the AGENDA under date September 10, 2012 be approved. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-80 being a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision Plan 7882 be READ a THIRD time and PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-164 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 181 John Street be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-165 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 400 Shannon Road be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-166 being a by-law to adopt Amendment No. 190 to the Official Plan (Maple Leaf Forest Products Inc) be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-167 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 418 Fourth Line West be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-168 being a by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-169 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to

amend Schedule "A" to By-law 90-305 be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-170 being a by-law to amend Schedule "A", Schedule "F", Schedule "G", Schedule "H", and Schedule "O" to Traffic By-law 77-200 be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-171 being a by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-172 being a by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment who is responsible for Environment Canada for the Urban Stormwater Control and Monitoring project be PASSED in open Council this 10th day of September, 2012. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that By-law 2012-173 being a by-law to authorize a contract between the City and S & T Electrical Cont. Ltd. for the bridge cleaning and installation of a bird barrier system at Wellington Street East underpass. (Contract 2012-10E) be PASSED in open Council this 10th day of September, 2012. CARRIED

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that this Council now adjourn. CARRIED

Mayor

City Clerk

Malcolm White

From: communicate@amo.on.ca
Sent: September 18, 2012 5:08 PM
To: Malcolm White
Subject: AMO Breaking News - Ontario PC Party Introduces "Ability to Pay Act, 2012"

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

September 18, 2012

Ontario Progressive Conservative Party Introduces
"Ability to Pay Act, 2012"

Issue: Arbitration Process**Background:**

On September 12, 2012, a Private Member's Bill was introduced which contains the PC Party of Ontario's proposed changes to the current arbitration system.

The Act highlights three key points:

- An arbitrator's decision must factor in specific economic and budgetary factors, like the taxpayers' ability to pay, when making decisions and to explain those decisions in writing;
- Establish a panel of independent arbitrators to decide public sector cases within three months; and
- Dedicate an "Ability to Pay Division" that would publish data and comparative information on compensation, as well as proactively disclose all arbitration decisions.

The Act is expected to go to the second reading on October 4, 2012. For more detailed information on the Bill, please visit the Ontario PC's website. The Bill is available at <http://www.ontla.on.ca>. AMO is analyzing the Bill and will keep members informed of this and its on-going status.

Earlier this year, the government wrote municipalities indicating that during the current legislative session it would re-introduce its arbitration provisions that were originally contained in its Budget Bill. Those provisions were not extensive and did nothing to clarify the ability to pay criteria. At this point, we are not aware of the government's plans, whether to work with this Bill or introduce its own.

AMO and others believe that the clarity on ability to pay is important to re-balancing the process in a way that supports accountability and transparency of decisions made by arbitrators since their decisions impact municipal costs, budgets and taxes. Arbitration continues to be an important issue to AMO and its members. Arbitration awards are contributing to ever rising emergency services costs across Ontario, rising faster than other municipal services, the cost of living and the rate of inflation. These disproportionate increases stretch municipal budgets and draw funds away from other vital programs and services.

For more information, visit "Advocacy" at www.amo.on.ca.

AMO Contact: Monika Turner, Director of Policy, MTurner@amo.on.ca or 416-971-9856 Ext. 318.

Collaborate. Innovate. Discover.

Counties, Regions, Single Tiers Symposium - 2012

25-26
October
2012

99.7%* of Ontario Can't Be Wrong

- What's your piece of the \$615 million* events and festival municipal tax revenue pie?
- What is the economic impact of the arts in Ontario?

Over 10.9 million* Ontarians attended an arts, heritage or culture event or facility in 2010. Simply put, **Arts makes Cent\$**. Real life case studies demonstrate how municipalities can work with the arts communities to generate revenue.

New Solutions to Old Problems

- What is social innovation?
- What are the new ideas or movements that can help with the challenges municipalities face?

Ontario's social innovation leaders take you on a journey to **uncover new ways to face the challenges** the current municipal funding models for our most vulnerable residents.

In Dire Need of a Human Capital Injection

- What makes Ontario attractive to immigrants?
- What does your municipal welcome mat look like?
- Is your municipality an immigrant-friendly community?

Immigration fuels the economy in Ontario. 42.1% of permanent residents to Canada settle in Ontario. **How are municipalities attracting immigrants and what more can be done?**

Location:

Grand Central Lodge, Blue Mountain

Hotel reservations:

Please call Blue Mountain resort at 1.877.445.0231 citing group code GRP103997 details on group rates can be found at AMO.on.ca

Symposium registration:

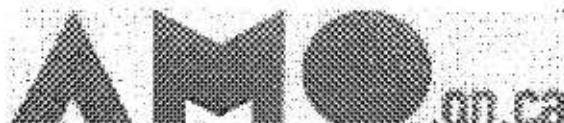
Download the registration form from AMO.on.ca or use the attached form.

Full program:

The complete program, including details on these sessions and more can be found on AMO.on.ca as well as on the new AMOmobile app.

AMOmobile available for download for Apple, Android and Blackberry products.

Get into the discussion.
Register today.





Counties, Regions & Single Tier Symposium Registration Form

Grand Central Lodge, Blue Mountain | October 25 + 26, 2012

PLEASE PRINT IN BLOCK LETTERS

First Name: _____ Last Name: _____
 Title or Function: _____
 Municipality/Organization: _____
 Address: _____
 City: _____ Province: _____ Postal Code: _____
 Tel: _____ Fax: _____ E-mail: _____

REGISTRATION FEES (does not include hotel accommodation)

	Full Registration	Amount
AMO Member	\$450.00	_____
Provincial/Federal Government and Non-Members	\$550.00	_____
	add 13% HST \$	_____
	TOTAL DUE \$	_____

PAYMENT METHOD

Cheque Payable to: Association of Municipalities of Ontario 200 University Avenue, Suite 801 Toronto, Ont., M5H 3C6	<input type="checkbox"/> MasterCard	<input type="checkbox"/> Visa
	Card Number:	
	Name on Card:	
	Expiry Date:	
	Signature:	

Refund Policy: Cancellations must be made in writing and received by AMO no later than September 21, 2012. An administration fee of \$75.00 plus 13% HST (\$84.75) will apply. Cancellations received after September 21, 2012 will not be refunded.

PLEASE SEND COMPLETED REGISTRATION FORM TO:

Association of Municipalities of Ontario
 200 University Avenue, Suite 801,
 Toronto, ON., M5H 3C6
 Fax: 416.971.6191

The official venue and hotel for the CRST Fall Symposium is The Blue Mountain Resort in Collingwood, reservations can be made by contacting the resort by calling 1-877-445-0231 or visiting www.bluemountain.ca/lodging_online_reservations.htm using group code GRP103997. For room rate details please visit the AMO website at www.amo.on.ca



Office of the
DIRECTOR OF FINANCE
ph (705) 848-2287 ext. 2107
fax (705) 461-7244
dawn.halcrow@city.elliotlake.on.ca

September 12, 2012

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

Attention: Joseph M. Fratesi
 Chief Administrative Officer

Dear Mr. Fratesi

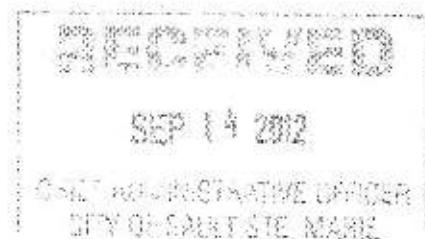
On behalf of the Mayor, Council and the citizens of Elliot Lake, we want to thank the City of Sault Ste. Marie for its generous donation of \$7,500.00 to the Elliot Lake Relief Fund.

The support of our Northern neighbors, such as yourselves, encourages the entire Elliot Lake Community and your support will go to assist individuals in need as they move forward after this tragedy. All funds raised will be donated back into the community of Elliot Lake and will help as our community rebuilds.

Yours truly,

Dawn Halcrow
 Director of Finance

DH/ea!



Recreation & Culture Division
Box 580, Civic Centre
Sault Ste. Marie, ON
P6A 5N1

Phone: (705)759-5310
Fax: (705)759-6605



5(c)

Historic Sites Board

September 24, 2012

Mayor Debbie Amaroso and
Members of City Council

ERMATINGER-CLERGUE NATIONAL HISTORIC SITE - HERITAGE DISCOVERY CENTRE

The status of this project was reported to Council on May 28, 2012, and with our recent press release on Federal funding, I felt it time to provide you with a further update of the project.

We now have approved funding of:

\$1,778,000 from Canadian Cultural Spaces Fund – Canadian Heritage
\$140,000 from the 1812 Fund – Canadian Heritage
\$1 million from N.O.H.F.C.
\$200,000 from the City and HSB
\$3,118,000 TOTAL secured to date

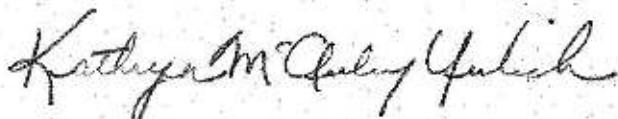
We have been working very diligently to secure the balance of the funds from private / corporate sources. We expect to come to City Council very soon with a positive response from one or more of the prospective contributors to our capital campaign.

At that time we will also require Council's endorsement to enter into the funding agreements with the three government funders.

We are very excited to be in this position and so close to tendering this project.

We look forward to your support and to being able to update you again very soon.

Respectfully,



Kathryn McAuley Yukich
Chair, Historic Sites Board

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5(d)

Vince Colizza
Lifeforia Wellness Club
681 Pine Street
Sault Ste Marie, Ontario
P6B 3G2
August 29, 2012

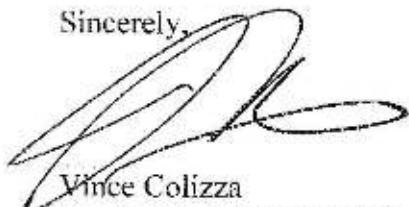
Municipal Clerk Department
Level IV - Civic Centre
99 Foster Drive,
P.O. Box 580
Sault Ste. Marie, ON
P6A 5N1

RECEIVED	CITY CLERK
SEP 12 2012	
NO.	52561
DATE:	Agenda

Dear Sir/Madam:

This letter is to inform you that Lifeforia Wellness Club will be having their Grand Opening celebration on September 29, 2012. We are located at 681 Pine Street (title address at 390 McNabb Street). We have applied for a Temporary Extension Application – Liquor Sales License for the courtyard adjacent to our club from 1:00pm to 1:00am. We are seeking your approval (“no objection”) for the proposed extended licensed area.

Sincerely,



Vince Colizza
President – Lifeforia Wellness Club

OUTSTANDING COUNCIL RESOLUTIONS

COUNCIL DATE	SUBJECT OF RESOLUTIONS	SPONSORED BY	REPORTING DEPARTMENT	COMMENTS/STATUS
11-May-09	Report on increasing safety measures possibly lowering speed limit on Great Northern Road from Fifth Line into City	P. Mick L.Turco	Police PWT	December 2013 (litigation pending)
28-Jun-2010	Report on possible regulation of motorcycle noise limits	S. Myers T. Sheehan	Legal	October 2012
9-May-2011	Review of parking requirements – Kohler and Simpson Streets, Leo, McGregor and Riverview Avenue; public consultation and report back	M. Bruni T. Sheehan	PWT	October 2012
9-Jan-2012	Request that Algoma Public Health test fountain drinking water and suggest possible ways to maintain hygienic safety at fountains	S. Butland P. Christian	Algoma Public Health	December 2012
14-May-12	Report on petition requesting renaming an existing street Heritage Drive	F. Fata T. Sheehan	Engineering and Planning	November 2012

OUTSTANDING COUNCIL RESOLUTIONS

COUNCIL DATE	SUBJECT OF RESOLUTIONS	SPONSORED BY	REPORTING DEPARTMENT	COMMENTS/STATUS
28-May-12	Report by the City Solicitor on how City Council can enact a by-law that will prohibit circuses that use animal acts	T. Sheehan S. Myers	Legal	September 24, 2012
28-May-12	Review issues and bring forth solutions regarding downtown parking	S. Myers B. Watkins	Engineering and Planning, PWT	March 2013
28-May-12	Report on the possible use of all-terrain vehicles on municipal roadways	S. Butland L. Turco	Legal	January 2013
12-Jun-12	Report on possible reduction to landfill fees for Kidney Clothes and similar organizations	R. Niro S. Butland	PWT, Legal	September 2012
16-Jul-12	Report on what mobility devices and other motorized vehicles should be allowed access to the Hub Trail	S. Butland L. Turco	CSD (PRAC), Legal, Police	January 2013
16-Jul-12	Report on possible Local Improvement Act regulation amendment allowing that process to be used to finance energy and water/energy retrofits	S. Butland P. Mick	Engineering, Finance	November 2012

OUTSTANDING COUNCIL RESOLUTIONS

COUNCIL DATE	SUBJECT OF RESOLUTIONS	SPONSORED BY	REPORTING DEPARTMENT	COMMENTS/STATUS
13-Aug-12	Report on installing adult-oriented fitness equipment in waterfront area parkland	S. Butland P. Christian	PRAC/CSD	January 2013
10-Sep-12	Report recommending protocol with respect to cell towers – location rationale, required permits, P. Christian aesthetics, financial consideration, consultation	S. Butland	Planning	
10-Sep-12	Report outlining timelines, etc. for traffic calming – Euclid Road	S. Myers T. Sheehan	PWT	

5(e)

**City of Sault Ste Marie
COMMUNITY SERVICES DEPARTMENT
For the Eight Months Ending August 31, 2012**

Department	August	YTD		Variance	Percentage Budget-Ram	2011 Actual
		Actual	Budget			
REVENUE						
Fees and user charges	(\$432,763.55)	(\$3,240,288.35)	(\$4,671,679.00)	(\$1,431,381.65)	30.64%	(\$4,752,826.25)
Government grants	(15,605.10)	(168,114.33)	(\$104,180.00)	\$63,934.33	(61.37%)	(\$182,127.77)
Contribution from own funds		(10,199.98)	\$0.00	\$10,199.98	0.00%	(\$48,715.00)
Other income	(17,372.44)	(61,858.25)	(\$25,600.00)	\$36,258.25	(141.83%)	(\$43,698.35)
	<u>(465,741.09)</u>	<u>(3,480,460.91)</u>	<u>(\$4,801,450.00)</u>	<u>(\$1,320,989.09)</u>	<u>27.51%</u>	<u>(\$5,027,387.37)</u>
EXPENDITURES						
Salaries	434,019.47	3,410,476.34	\$5,352,648.00	\$1,942,168.66	36.28%	\$5,302,657.61
Benefits	82,380.76	678,634.71	\$1,058,865.00	\$380,230.26	36.91%	\$963,496.40
Travel and training		4,415.32	\$15,880.00	\$11,464.68	72.20%	\$5,675.49
Vehicle allowance, maintenance and repairs	438.29	2,540.69	\$7,255.00	\$4,714.31	64.98%	\$3,337.69
Utilities and Fuel	73,151.05	713,428.86	\$1,242,325.00	\$528,896.14	42.57%	\$1,228,942.26
Materials and supplies	36,569.41	290,635.84	\$483,985.00	\$203,349.16	41.17%	\$393,874.04
Maintenance and repairs	53,956.68	452,506.21	\$621,020.00	\$168,513.79	27.14%	\$736,053.62
Program expenses	4,028.57	142,625.77	\$82,950.00	(\$59,675.77)	(71.94%)	\$97,369.72
Goods for resale	56,990.98	451,912.70	\$584,320.00	\$132,407.30	22.66%	\$689,663.34
Rents and leases		10,118.13	\$12,850.00	\$2,731.87	21.26%	\$11,786.82
Taxes and licenses	68.33	976.68	\$1,385.00	\$408.32	29.48%	\$1,549.98
Financial expenses	3,803.66	19,015.71	\$42,730.00	\$23,714.29	55.50%	\$23,829.26
Purchased and contracted services	21,193.05	109,128.92	\$201,375.00	\$92,246.06	45.81%	\$178,111.51
Grants to others	128.47	253.47	\$14,410.00	\$14,156.53	98.24%	\$5,827.86
Transfer to own funds	11,119.89	11,119.89	\$26,630.00	\$15,510.11	58.24%	\$28,706.48
Capital expense	2,812.89	29,473.59	\$50,580.00	\$21,106.41	41.73%	\$64,887.61
Depreciation			\$0.00	\$0.00	0.00%	\$1,330,558.36
Less: recoverable costs	(2,700.00)	(2,700.00)	\$0.00	\$2,700.00	0.00%	\$0.00
	<u>777,961.50</u>	<u>6,324,562.83</u>	<u>\$9,809,205.00</u>	<u>\$3,484,642.17</u>	<u>35.52%</u>	<u>\$11,112,287.85</u>
NET (REVENUE)EXPENDITURE	312,220.41	2,844,101.92	\$5,007,755.00	\$2,163,653.08	43.21%	\$6,084,920.48

(5)(c)

City of Sault Ste Marie
RECREATION & CULTURE
For the Eight Months Ending August 31, 2012

Department	August	YTD		Varfance	Percentage Budget-Rem	2011 <i>Actual</i>
		Actual	Budget			
REVENUE						
Fees and user charges	(\$68,429.92)	(\$293,900.67)	(\$359,755.00)	(\$65,854.33)	18.31%	(\$369,754.19)
Government grants	(9,809.25)	(162,318.48)	(\$104,180.00)	\$58,138.48	(55.81%)	(\$167,344.37)
Contribution from own funds		(10,199.98)	\$0.00	\$10,199.98	0.00%	(\$27,264.35)
Other income	(14,301.40)	(24,888.68)	(\$10,800.00)	\$14,288.68	(134.80%)	(\$20,767.72)
	(92,540.57)	(491,307.81)	(\$474,535.00)	\$16,772.81	(3.53%)	(\$585,130.63)
EXPENDITURES						
Salaries	118,468.23	686,150.79	\$982,035.00	\$295,884.21	30.13%	\$1,014,681.98
Benefits	15,634.12	113,878.16	\$189,955.00	\$76,076.84	40.08%	\$155,024.71
Travel and training		139.98	\$2,450.00	\$2,310.01	94.29%	\$632.95
Vehicle allowance, maintenance and repairs	51.34	341.89	\$1,450.00	\$1,108.11	76.42%	\$296.84
Utilities and Fuel	5,077.33	53,977.61	\$99,215.00	\$45,237.39	45.60%	\$92,456.31
Materials and supplies	16,091.08	87,843.97	\$80,340.00	(\$27,303.97)	(45.25%)	\$90,343.23
Maintenance and repairs	4,610.70	57,767.95	\$82,235.00	\$24,467.05	29.75%	\$90,130.28
Goods for resale	24,468.17	99,687.99	\$103,000.00	\$3,312.01	3.22%	\$128,772.32
Rents and leases		10,118.13	\$12,850.00	\$2,731.87	21.26%	\$11,766.62
Taxes and licenses		430.00	\$565.00	\$135.00	23.89%	\$730.00
Financial expenses	1,045.93	3,275.30	\$4,565.00	\$1,289.70	28.25%	\$5,762.33
Purchased and contracted services	16,452.69	62,116.41	\$121,675.00	\$59,558.59	48.95%	\$92,282.76
Grants to others	128.47	253.47	\$14,410.00	\$14,156.53	98.24%	\$5,827.86
Transfer to own funds	11,119.89	11,119.89	\$26,630.00	\$15,510.11	58.24%	\$11,810.58
Capital expense	61.54	1,647.67	\$11,150.00	\$9,502.33	85.22%	\$2,657.37
Less: recoverable costs	(2,700.00)	(2,700.00)	\$0.00	\$2,700.00	0.00%	\$0.00
	210,529.49	1,185,849.22	\$1,712,525.00	\$526,675.78	30.75%	\$1,703,176.14
NET (REVENUE)EXPENDITURE	117,988.92	694,541.41	\$1,237,990.00	\$543,448.59	43.90%	\$1,119,045.61

(5)C1

City of Sault Ste Marie
HSB - OLD STONE HOUSE
For the Eight Months Ending August 31, 2012

Department	August	YTD		Variance	Percentage Budget-Rem	2011	
		Actual	Budget			Actual	Actual
REVENUE							
Fees and user charges	(\$2,700.44)	(\$10,324.84)	(\$30,100.00)	(\$19,775.16)	65.70%	(\$30,410.25)	
Government grants	(1,256.85)	(3,946.08)	(\$18,780.00)	(\$14,833.92)	78.99%	(\$25,862.97)	
	<u>(3,957.29)</u>	<u>(14,270.92)</u>	<u>(\$48,880.00)</u>	<u>(\$34,609.08)</u>	<u>70.80%</u>	<u>(\$56,279.22)</u>	
EXPENDITURES							
Salaries	15,298.39	87,816.10	\$137,745.00	\$49,928.90	36.25%	\$135,020.73	
Benefits	2,452.70	17,981.60	\$28,945.00	\$8,983.40	33.34%	\$25,210.30	
Travel and training			\$950.00	\$950.00	100.00%	\$632.95	
Vehicle allowance, maintenance and repairs		63.19	\$100.00	\$36.81	36.81%	\$6.00	
Utilities and Fuel	747.82	5,933.15	\$10,680.00	\$4,746.85	44.45%	\$11,343.32	
Materials and supplies	1,057.01	7,848.54	\$14,140.00	\$6,291.46	44.49%	\$39,406.01	
Maintenance and repairs	769.51	7,745.70	\$10,000.00	\$2,254.30	22.54%	\$9,106.30	
Goods for resale	390.89	930.31	\$250.00	(\$680.31)	(272.12%)	\$3,003.29	
Financial expenses	61.27	471.86	\$600.00	\$128.14	21.36%	\$748.19	
Purchased and contracted services	800.29	5,361.23	\$6,750.00	\$1,388.77	20.57%	\$9,148.68	
Transfer to own funds			\$20,630.00	\$20,630.00	100.00%	\$0.00	
Capital expense		487.17	\$100.00	(\$387.17)	(387.17%)	\$1,248.42	
	<u>21,577.88</u>	<u>134,618.85</u>	<u>\$228,890.00</u>	<u>\$94,271.15</u>	<u>41.19%</u>	<u>\$234,868.19</u>	
NET (REVENUE)EXPENDITURE	17,620.59	120,347.93	\$180,010.00	\$59,662.07	33.14%	\$178,588.97	

(5)(C)

City of Sault Ste Marie
ESSAR CENTRE
For the Eight Months Ending August 31, 2012

Department	August	YTD		Variance	Percentage Budget-Rem	2011 <u>Actual</u>
		Actual	Budget			
REVENUE						
Fees and user charges	(\$154,428.60)	(\$1,134,199.29)	(\$1,574,320.00)	(\$440,120.71)	27.96%	(\$1,518,738.91)
Government grants			\$0.00	\$0.00	0.00%	(\$900.00)
Other income		(33,030.87)	(\$9,000.00)	\$24,030.87	(267.01%)	(\$15,032.25)
	<u>(\$154,428.60)</u>	<u>(1,167,230.16)</u>	<u>(\$1,583,320.00)</u>	<u>(\$416,039.84)</u>	<u>26.28%</u>	<u>(\$1,534,751.16)</u>
EXPENDITURES						
Salaries	29,801.50	460,736.01	\$866,975.00	\$406,238.99	46.66%	\$767,217.14
Benefits	7,503.05	72,803.42	\$111,285.00	\$38,481.58	34.58%	\$105,984.03
Vehicle allowance, maintenance and repairs			\$0.00	\$0.00	0.00%	\$373.26
Utilities and Fuel	14,983.47	212,225.36	\$368,500.00	\$156,274.64	42.41%	\$393,909.89
Materials and supplies	5,704.83	61,903.49	\$109,600.00	\$47,696.51	43.52%	\$85,107.25
Maintenance and repairs	11,613.02	124,952.65	\$194,745.00	\$69,792.35	35.84%	\$227,772.54
Program expenses	4,028.57	139,063.85	\$80,000.00	(\$59,063.85)	(73.83%)	\$93,699.12
Goods for resale	20,932.55	223,871.43	\$330,000.00	\$106,128.57	32.16%	\$317,885.11
Financial expenses	2,105.45	10,481.30	\$29,410.00	\$18,928.70	64.36%	\$14,375.40
Purchased and contracted services	1,084.80	21,191.60	\$22,000.00	\$808.40	3.67%	\$38,142.80
Transfer to own funds			\$0.00	\$0.00	0.00%	\$51,863.95
Capital expense	393.40	13,478.05	\$29,000.00	\$15,521.95	53.52%	\$18,442.97
	<u>98,150.64</u>	<u>1,340,707.16</u>	<u>\$2,141,515.00</u>	<u>\$800,807.84</u>	<u>37.39%</u>	<u>\$2,114,753.46</u>
NET (REVENUE)/EXPENDITURE	(56,277.96)	173,477.00	\$558,195.00	\$384,718.00	68.92%	\$580,002.30

(f)5

City of Sault Ste Marie
JOHN RHODES COMMUNITY CENTRE
For the Eight Months Ending August 31, 2012

Department	August	YTD		Variance	Percentage Budget-Rent	2011	
		Actual	Budget			Actual	
REVENUE							
Fees and user charges	(567,303.98)	(645,776.47)	(1,057,995.00)	(412,218.53)	38.96%	<u>(1,126,220.02)</u>	
Government grants	(4,539.00)	(4,539.00)	\$0.00	\$4,539.00	0.00%	<u>(3,268.00)</u>	
Other income	(3,071.04)	(4,175.00)	(5,900.00)	(1,725.00)	29.24%	<u>(57,911.37)</u>	
	(74,914.02)	(654,490.47)	(1,063,895.00)	(349,404.53)	38.48%	<u>(1,137,399.39)</u>	
EXPENDITURES							
Salaries	85,073.63	694,979.46	\$1,054,615.00	\$359,635.54	34.10%	<u>\$1,075,453.81</u>	
Benefits	16,160.26	123,718.95	\$139,390.00	\$15,671.05	11.24%	<u>\$174,691.00</u>	
Travel and training		483.98	\$4,445.00	\$3,961.02	89.11%	<u>\$800.00</u>	
Vehicle allowance, maintenance and repairs	76.28	108.78	\$445.00	\$336.22	75.56%	<u>\$0.00</u>	
Utilities and Fuel	43,397.11	361,998.43	\$668,380.00	\$304,381.57	45.68%	<u>\$643,052.58</u>	
Materials and supplies	4,443.37	33,957.78	\$53,790.00	\$19,832.22	36.87%	<u>\$84,566.06</u>	
Maintenance and repairs	31,542.02	195,850.10	\$263,510.00	\$67,659.90	25.68%	<u>\$297,153.70</u>	
Program expenses		3,561.92	\$2,250.00	(\$1,311.92)	(58.31%)	<u>\$3,559.44</u>	
Goods for resale	2,462.13	51,913.49	\$63,120.00	\$11,206.51	17.75%	<u>\$144,827.32</u>	
Financial expenses	640.58	4,419.90	\$5,650.00	\$1,230.10	21.77%	<u>\$6,156.66</u>	
Purchased and contracted services		954.50	\$1,500.00	\$545.50	36.37%	<u>\$5,041.56</u>	
Transfer to own funds			\$0.00	\$0.00	0.00%	<u>\$2,007.58</u>	
Capital expense	2,051.00	2,051.00	\$2,200.00	\$149.00	6.77%	<u>\$1,463.31</u>	
	188,849.38	1,473,998.29	\$2,257,295.00	\$783,296.71	34.70%	<u>\$2,438,773.02</u>	
NET (REVENUE)/EXPENDITURE	113,932.36	819,507.82	\$1,193,400.00	\$373,892.18	31.33%	<u>\$1,301,373.63</u>	

(+)C5

City of Sault Ste Marie
MCMEKEN
For the Eight Months Ending August 31, 2012

Department	August	YTD	YTD	Variance	Percentage	2011
		Actual	Budget		Budget-Rem	
REVENUE						
Fees and user charges		(\$63,505.40)	(\$156,295.00)	(\$92,789.60)	59.37%	(\$113,994.76)
Other income		286.30	(\$100.00)	(3088.30)	366.30%	\$82.99
		(63,239.10)	(\$156,395.00)	(\$93,155.90)	59.56%	(\$113,911.77)
EXPENDITURES						
Salaries	86.71	52,943.42	\$134,345.00	\$81,401.58	60.59%	\$129,895.77
Benefits	131.38	1,504.67	\$47,430.00	\$45,925.33	96.83%	\$4,665.23
Vehicle allowance, maintenance and repairs			\$50.00	\$50.00	100.00%	\$0.00
Utilities and Fuel	1,256.72	43,549.26	\$64,860.00	\$21,310.74	32.86%	\$62,037.95
Materials and supplies		832.27	\$2,220.00	\$1,387.73	62.51%	\$893.67
Maintenance and repairs	1,004.88	23,850.56	\$29,305.00	\$5,454.44	18.61%	\$53,166.33
Program expenses			\$700.00	\$700.00	100.00%	\$111.16
Goods for resale	(266.90)	(62.98)	\$11,600.00	\$11,682.98	100.72%	\$3,087.44
Financial expenses		(151.66)	\$300.00	\$451.66	150.55%	(\$337.55)
Purchased and contracted services			\$1,200.00	\$1,200.00	100.00%	\$0.00
Capital expense			\$2,000.00	\$2,000.00	100.00%	\$0.00
	2,212.79	122,445.54	\$294,010.00	\$171,564.46	58.35%	\$253,323.00
NET (REVENUE)/EXPENDITURE	2,212.79	59,206.44	\$137,615.00	\$78,408.56	56.98%	\$139,411.23

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4

City of Sault Ste Marie
WEST END COMMUNITY CENTRE
For the Eight Months Ending August 31, 2012

Department	August	YTD		Variance	Percentage Budget-Rem	2011	
		Actual	Budget			Actual	Actual
REVENUE							
Fees and user charges	(\$1,920.00)	(\$36,348.92)	\$0.00	\$36,348.92	0.00%		\$0.00
	(1,920.00)	(36,348.92)	\$0.00	\$36,348.92	0.00%		\$0.00
EXPENDITURES							
Salaries	660.52	16,040.54	\$0.00	(\$16,040.54)	0.00%		\$0.00
Utilities and Fuel	4,053.35	22,491.22	\$0.00	(\$22,491.22)	0.00%		\$0.00
Materials and supplies	51.26	2,057.43	\$75,000.00	\$72,942.57	97.26%		\$0.00
Maintenance and repairs	99.95	14,457.94	\$0.00	(\$14,457.94)	0.00%		\$0.00
Goods for resale		1,496.95	\$0.00	(\$1,496.95)	0.00%		\$0.00
Financial expenses		(1.54)	\$0.00	\$1.54	0.00%		\$0.00
Capital expense		1,428.50	\$0.00	(\$1,428.50)	0.00%		\$0.00
	4,865.08	57,971.04	\$75,000.00	\$17,028.96	22.71%		\$0.00
NET (REVENUE)/EXPENDITURE	2,945.08	21,622.12	\$75,000.00	\$53,377.88	71.17%		\$0.00

(+) \$

City of Sault Ste Marie
DAY CARE
For the Eight Months Ending August 31, 2012

Department	August	YTD		Variance	Percentage Budget-Rem	2011	
		Actual	Budget			Actual	
REVENUE							
Fees and user charges	(\$116,931.36)	(\$940,626.83)	(\$1,312,885.00)	(\$372,258.17)	28.35%	(\$1,425,230.89)	
Government grants			\$0.00	\$0.00	0.00%	(\$1,050.00)	
Contribution from own funds			\$0.00	\$0.00	0.00%	(\$21,450.65)	
	<u>(116,931.36)</u>	<u>(940,626.83)</u>	<u>(\$1,312,885.00)</u>	<u>(\$372,258.17)</u>	<u>28.35%</u>	<u>(\$1,447,731.54)</u>	
EXPENDITURES							
Salaries	95,568.27	824,192.55	\$1,218,250.00	\$394,057.45	32.35%	\$1,264,085.38	
Benefits	23,529.57	198,872.59	\$300,505.00	\$110,632.41	35.74%	\$287,600.54	
Vehicle allowance, maintenance and repairs	97.64	272.31	\$1,440.00	\$1,167.69	81.09%	\$594.77	
Utilities and Fuel	1,961.70	15,558.89	\$34,015.00	\$18,458.11	54.26%	\$29,753.75	
Materials and supplies	6,744.72	63,750.68	\$115,695.00	\$51,944.32	44.90%	\$98,815.12	
Maintenance and repairs	3,184.44	22,291.67	\$26,835.00	\$3,543.33	13.72%	\$27,480.00	
Taxes and licenses	68.33	546.68	\$820.00	\$273.32	33.33%	\$819.98	
Financial expenses	67.60	584.22	\$1,755.00	\$1,170.78	66.71%	\$867.20	
Purchased and contracted services	2,941.14	18,136.42	\$43,800.00	\$25,663.58	58.59%	\$29,718.88	
Capital expense	306.95	10,048.85	\$2,490.00	(\$7,558.85)	(303.57%)	\$39,946.96	
	<u>134,470.36</u>	<u>1,154,252.86</u>	<u>\$1,753,805.00</u>	<u>\$599,352.14</u>	<u>34.18%</u>	<u>\$1,779,682.58</u>	
NET (REVENUE)/EXPENDITURE	17,539.00	213,626.03	\$440,720.00	\$227,093.97	51.53%	\$331,951.04	

510

Joseph M. Fratesi, B.A., J.D. (LL.B.)
Chief Administrative Officer



Celebrate 100!
1912 - 2012

5(9)
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

2012 09 24

Mayor Debbie Amaroso and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

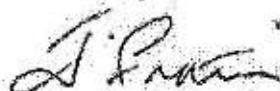
Dear Council:

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

- 1. Don McConnell – Engineering & Planning – Planning Division**
NE Ontario Planning Authorities Workshop
October 22 - 24, 2012
Sudbury, Ontario
Estimated total cost to the City - \$489.75
Estimated net cost to the City - \$489.75
- 2. Peter Tonazzo – Engineering & Planning – Planning Division**
NE Ontario Planning Authorities Workshop
October 22 - 24, 2012
Sudbury, Ontario
Estimated total cost to the City - \$663.41
Estimated net cost to the City - \$663.41
- 3. Rick Cobean – Social Services – Housing Division**
Northern Service Manager's Housing Group Meeting
September 24 – 25, 2012
Parry Sound, Ontario
Estimated total cost to the City - \$698.47
Estimated net cost to the City - \$698.47
- 4. Mike Lebel – Public Works & Transportation Department**
Snow & Salt Management
October 21- 24, 2012
Mississauga, Ontario
Estimated total cost to the City - \$1,257.71
Estimated net cost to the City - \$1,257.71
- 5. Bill Wallace – Fire Services**
Spartan Chassis Training Centre
October 13 – 18, 2012
Lansing, Michigan
Estimated total cost to the City - \$1,232.95
Estimated net cost to the City - \$1,232.95

6. **Rick Pihlaja – Fire Services**
Incident Management Practice
October 22 - 25, 2012
Gravenhurst, Ontario
Estimated total cost to the City - \$400.00
Estimated net cost to the City - \$400.00
7. **Stan Martynuck – Fire Services**
Incident Management Practice
October 22 - 25, 2012
Gravenhurst, Ontario
Estimated total cost to the City - \$400.00
Estimated net cost to the City - \$400.00
8. **Jim Beach – Fire Services**
Hazardous Materials – Technician Level
October 29 – Nov. 2, 2012
Gravenhurst, Ontario
Estimated total cost to the City - \$400.00
Estimated net cost to the City - \$400.00
9. **Damon Ferris – Fire Services**
Hazardous Materials – Technician Level
October 29 – Nov. 2, 2012
Gravenhurst, Ontario
Estimated total cost to the City - \$400.00
Estimated net cost to the City - \$400.00
10. **Gary Barnes – Public Works & Transportation**
Managing Construction & Demolition Materials
October 1 - 4, 2012
Barrie, Ontario
Estimated total cost to the City - \$2,286.50
Estimated net cost to the City - \$2,286.50
11. **Bob Camirand & Mike Vanderloo – P.W.T. – Transit Division**
Inspection of Used Buses
October 1 – 2, 2012
Ottawa, Ontario
Estimated total cost to the City - \$1,490.30
Estimated net cost to the City - \$1,490.30

Yours truly,



Peter A. Liepa
City Tax Collector



Finance Department
Tax & Licence Division

Celebrate 100!
1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: Property Tax Appeals

PURPOSE

Council approval is required pursuant to Section's 334 & 357 of the Municipal Act.

BACKGROUND

Listing of applications received for adjustment of realty taxes pursuant to Section's 334 & 357 of the Municipal Act.

ANALYSIS

The Municipal Property Assessment has recommended the amount of assessment to be adjusted.

IMPACT

There is an annual budget allocation for tax write-offs.

STRATEGIC PLAN

Not applicable

RECOMMENDATION

That the report of City Tax Collector dated 2012 09 24 pursuant to Section's 334 & 357 of the Municipal Act be approved and that the tax records be amended accordingly.

Respectfully submitted,

Peter A. Liepa
City Tax Collector

Recommended for approval,

William Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

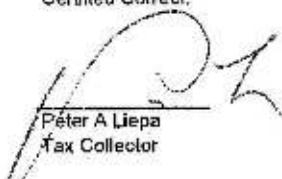
APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 334 & 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
357 TAX APPEAL'S
2010

DATE: 24-Sep-12
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.		CANCELLATIONS		TOTAL	
							TAXES	INTEREST	ADJUSTMENT	
020-042-163	00617 Queen St East	Algoma University College	RT	B	10-059	\$ 21,374.69	0.00	\$ 21,374.69	0.00	\$ 21,374.69
					TOTAL	\$ 21,374.69	0.00	\$ 21,374.69	0.00	\$ 21,374.69
					2011					
020-042-163	00617 Queen St East	Algoma University College	RT	B	11-055	\$ 35,317.62	0.00	\$ 35,317.62	0.00	\$ 35,317.62
					TOTAL	\$ 35,317.62	0.00	\$ 35,317.62	0.00	\$ 35,317.62
					2012					
030-016-008	00006 Village Cr	Comegna, Arturo & Tammy	RT/CT	F	12-007	\$ 3,873.62	0.00	\$ 3,873.62	0.00	\$ 3,873.62
					TOTAL	\$ 3,873.62	0.00	\$ 3,873.62	0.00	\$ 3,873.62
					334 TAX APPEAL 2012					
030-038-009	00044 Great Northern Rd	Riocan Holding Inc	CT/ST	E	12-008					CONFIRMED
										REPORT TOTAL \$ 60,565.93

Certified Correct:



Peter A. Liepa
Tax Collector

- A. REALTY TAX CLASS CONVERSION (COMMERCIAL TAX CLASS TO RESIDENTIAL TAX CLASS)
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

5(h)

William Freiburger, CMA
 Commissioner of Finance
 and Treasurer



Finance Department

Celebrate 100!
 1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
 Members of City Council

RE: ASSET MANAGEMENT PLAN

PURPOSE

The purpose of this report is to obtain approval to proceed with an asset management plan for the City of Sault Ste. Marie.

The first phase of the asset management plan is to issue a Request for Proposal to have a third party undertake a facility condition assessment to determine what expenditures are projected over the next twenty five years to maintain the City's major buildings and facilities in a safe and productive condition.

Suggestions that generate efficiency or other savings from existing budgets will be considered.

The City also wants suggestions for energy conservation enhancements that would achieve short term paybacks.

BACKGROUND

The Province of Ontario is moving towards requiring municipalities to have long term detailed asset management plans in place in order to be eligible to obtain any future capital funding. The Province has stated that an asset management plan will help needs to be prioritized over wants, and the right investments to be made at the right time.

The City had completed a full asset inventory as required under the financial reporting requirement of PSAB (Public Sector Accounting Board) 3150.

An asset management plan will assist with our long term capital and debt plans by guiding us in maintaining our current infrastructure, to the benefit of current and future ratepayers.

-More-

Asset Management Plan

2012 09 24

Page 2.

ANALYSIS

There are several types of assets that must be reviewed and incorporated into an overall asset management plan.

The Province requires the following asset groups to be included in an asset management plan with financial projections for a minimum of 10 years. The plan should be updated regularly and we recommend a review every five years.

1. Buildings – Request for Proposal to be issued shortly to review major facilities as listed in Exhibit A.
2. Sewage Treatment Plants and Pumping Stations
3. Bridges
4. Roadways
5. Storm water management
6. Landfill Site
7. Water – included in submission to Province under Ontario Regulation 453/07
8. Social Housing – DSSAB to undertake an asset review

The Engineering Department will contract the appropriate expertise to undertake a review of items 2 through 6.

City staff will take the results of the above asset reviews, prioritize the needs, determine the financing requirements and then provide recommendations to Council. Many of the above listed asset classes have a current funding source: roadways/storm water financed from an annual budget allocation; sewage plants financed from the sewer surcharge; landfill site financed from tipping fees; water financed from water rates; and social housing financed from the DSSAB levy.

The result of this evaluation will determine if we are dedicating sufficient funds to maintain our current asset base and allow for possible future improvement opportunities.

We are planning to issue a Request for Proposal for the buildings and facilities in the next two weeks. The Engineering Department will develop a schedule and undertake the reviews of the above items 2 through 6.

We will update Council as this process evolves.

Asset Management Plan

2012 09 24

Page 3.

IMPACT

The City has a Facility Maintenance Reserve that is funded from net rental revenues from the Ontario Works building. The balance is currently at \$398,355 and it is recommended that the costs relating to the asset management plan be funded from the Facility Maintenance Reserve.

Currently, we do not have an estimate of the total cost for all the reviews required to complete the asset management plan.

STRATEGIC PLAN

Objective 1C of the Strategic Plan deals with Property Management and Development under the general category of Developing Solid Infrastructure. At the next revision of the Strategic Plan, a corporate Asset Management Plan will be added as an activity that may replace many of the specific individual property items.

RECOMMENDATION

That the report of the Commissioner of Finance and Treasurer concerning asset management plan be received and the recommendation that City staff be authorized to proceed to a Request for Proposal for a facility condition assessment of major buildings and the funding be provided from the Facility Maintenance Reserve be approved.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachment

RECOMMENDATION APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

Exhibit A**City of Sault Ste Marie****Asset Management****Building Condition Audits/Assessments**

Building	Address	Division
Main Branch Library	50 East Street	Library
1		
2 Steelton Senior Citizens Centre	235-283 Wellington Street West	CSD
3 Senior Citizens Drop-in Centre	619 Bay Street	CSD
4 Jesse Irving Children's Centre	84 Ruth Street	CSD
5 Maycourt Children's Centre	13 Salisbury Street	CSD
Bondar Park/Marina Buildings and Structures	65 Foster Drive	CSD
6		
7 Civic Centre	99 Foster Drive	Admin.
8 Public Works Administration Building	128 Sackville Road	PWT
Equipment Storage Garage, Stores; Public Works (A)	128 Sackville Road	PWT
Storage Building (Carpentry Shop); Public Works (B)	128 Sackville Road	PWT
10		
11 Laboratory Building; Public Works (H)	128 Sackville Road	PWT
12 Central Fire Station #1	72 Tancred Street	Fire Services
13 Fire Station #2	363 Second Line West	Fire Services
14 Fire Station #3	100 Bennett Blvd.	Fire Services
15 Fire Hall #4 / EMS Complex	65 Old Garden River Road	Fire Services
16 Transit Centre, Bus Depot	111 Huron Street	Transit
17 Transit Terminal Building	160 Queen Street	Transit
18 Police Headquarters	580 Second Line East	Police Services
19 Ontario Works Office Building	540 Albert Street	Social Services
20 Sault Event Centre (Essar Centre)	Bay/Bruce/Queen	CSD
21 John Rhodes Community Centre	280 Elizabeth Street	CSD
22 West End Community Centre	556 Goulais Avenue	CSD
23 Ermatinger Old Stone House	831 Queen Street East	CSD
24 SSM Museum	690 Queen Street East	CSD
25 Cemetery Chapel, Office, Storage	27 Fourth Line East	PWT

Rachel Tyczinski
Deputy City Clerk and Manager
of Quality Improvement



City Clerk's Department

2012 09 24

Mayor Debbie Amaro and
Members of City Council

RE: CORPORATE STRATEGIC PLAN 2011-2014 – PROGRESS REPORT #4

PURPOSE

The 2011-2014 Corporate Strategic Plan was approved by Council on September 26, 2011. Staff will report quarterly as to progress on activities outlined in the plan. The fourth progress report is attached under separate cover.

IMPACT

There is no direct budgetary impact related to updating the Strategic Plan.

STRATEGIC PLAN

This is the fourth progress report of the Strategic Plan. A mid-term refresh of the Strategic Plan will be conducted over the next few months. This will involve meetings of both Council and senior staff to discuss what initiatives should be added to the document so that it accurately reflects the activities of this Council term.

RECOMMENDATION

"That the report of the Deputy City Clerk and Manager of Quality Improvement concerning Progress Report #4 – 2011-2014 Corporate Strategic Plan be received as information."

Respectfully submitted,

Rachel Tyczinski
Deputy City Clerk and
Manager of Quality Improvement

Recommended for approval,

Malcolm White
City Clerk

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(K)

Jerry Dolcetti, RPP
Commissioner

Catherine Taddo, P. Eng.
Land Development & Environmental
Engineer



Engineering & Planning
Department

2012 09 24

File: B-07-05

Mayor Debbie Amaroso and
Members of City Council

**Re: ALGOMA BIOSEPTIC TECHNOLOGIES BIOSOLIDS COMPOSTING PILOT
INDEMNITY AGREEMENT**

PURPOSE

The purpose of this report is to recommend that Council authorize an amendment to the indemnity agreement between Algoma Bioseptic Technologies (ABT), the City, and PUC, which would result in an extended completion date of December 31, 2012.

BACKGROUND

At the May 28, 2012 council meeting Council authorized an indemnity agreement with Algoma Bioseptic Technologies for the provision of biosolids from the East End Plant for a pilot composting project. In order for the project to proceed the City requires an insurance certificate with wording that clearly reflects the proposed work. The amended certificate is expected to be submitted in the near future. The original Agreement referenced work to be completed between May 28, and August 31, 2012. Therefore, an amendment to the completion date is required.

IMPACT

There is no budgetary impact to the City.

STRATEGIC PLAN

Initiatives of this nature are linked to Objective 1A, Environmental Leadership under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended that Council authorize an amendment to the indemnity agreement with Algoma Bioseptic Technologies that would result in an extended completion date of December 31, 2012. By-law 2012-177 can be found elsewhere on this evening's agenda.

2012 09 24

Page 2

5(K)

Respectfully submitted,

C. Taddo

Catherine Taddo, P. Eng.
Land Development & Environmental Engineer

Recommended for Approval:

J. Dolcetti

Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL

J. M. Frazee

Joseph M. Frazee
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 09 24

A-12-6-02

Mayor Debbie Amaro and
Members of City Council

RE: Central Creek (small) Aqueduct Reconstruction First Phase

PURPOSE

The purpose of this report is to recommend that Council authorize an agreement with STEM Engineering for the small Central Creek Aqueduct reconstruction.

BACKGROUND

At the 2012 06 25 meeting, Council approved the diversion of \$1M of 2012 capital from the Fort Creek aqueduct reconstruction to the first phase of the reconstruction of the small Central Creek aqueduct. It is necessary for the City to enter into an agreement for engineering services with STEM Engineering for design and contract administration services for this work.

ANALYSIS

It is routine procedure for the Engineering Division to seek Council's approval to authorize an agreement for engineering services.

IMPACT

The impact to the budget is the engineering fee estimate of \$172,020 plus HST. This amount is covered in the \$1M budget.

STRATEGIC PLAN

Reconstruction of the small Central Creek Aqueduct is linked to Objective 1A, Environmental Leadership under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended that Council authorize entering into an agreement for engineering services with STEM Engineering Group Inc. for the design and contract administration for the small Central Creek Aqueduct Reconstruction, First Phase, with an engineering fee estimate of \$172,020 plus HST. By-law 2012-178 authorizing the execution of the agreement can be found elsewhere on this evening's agenda.

Respectfully submitted,



Don Elliott, P. Eng.
Director of Engineering Services

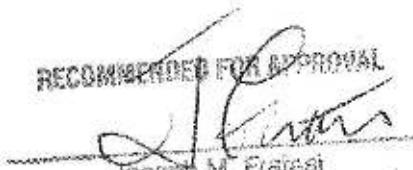
Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

DE/bb

RECOMMENDED FOR APPROVAL



Joseph M. Platzer
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 09 24

Our File: 4.140.4

Mayor Debbie Amaroso and
Members of Council

Re: Roosevelt Pedestrian Bridge – Replacement

PURPOSE

The purpose of this report is to obtain Council approval to replace the Roosevelt Avenue pedestrian bridge.

BACKGROUND

Under the 2012 biennial bridge inspections, our consultant has advised that the Roosevelt pedestrian bridge has outlived its useful life and is in need of replacement.

ANALYSIS

The Engineering Division recommends the bridge be replaced this fall. The fabrication and installation of the bridge can be completed by the Public Works and Transportation Department, and the work can be designed and inspected by Tulloch Engineering, which is the firm retained by the City to complete the biennial bridge inspections.

IMPACT

The estimate for replacement is \$30,000, including an engineering allowance of \$4,000 for bridge and abutment design and field review by Tulloch Engineering. This amount can be covered by the \$50,000 allowance in the 2012 miscellaneous construction budget set aside for unforeseen or emergency items.

STRATEGIC PLAN

Bridge maintenance and improvements are linked to the Transportation Network Improvements objective under the Developing Solid Infrastructure strategic direction.

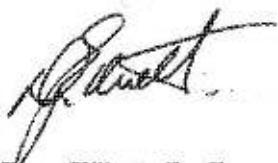
RECOMMENDATION

It is recommended that Council authorize the replacement of the Roosevelt Avenue pedestrian bridge using a portion of the \$50,000 emergency funds in the 2012 miscellaneous construction budget.

2012 09 24
Page 2

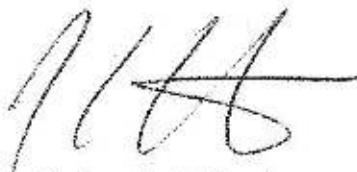
5(m)

Respectfully submitted,



Don Elliott, P. Eng.
Director, Engineering Services

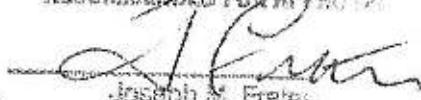
Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

DE/bb

RECOMMENDED FOR APPROVAL



Joseph M. Frates
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 09 24

Our File: B-97-09

Mayor Debbie Amaroso and
Members of City Council

RE: 2013 Capital Construction – Consulting Engineering Assignment

PURPOSE

The purpose of this report is to recommend that Council authorize the assignment of a 2013 capital construction project to a consulting engineer.

BACKGROUND

At the 2012 06 25 meeting, Council approved the 2013 capital construction program. With the exception of the design and construction of Kohler Street from Queen Street to Wellington Street, all projects have either already been assigned to consultants or will be designed and administered in house by City staff.

ANALYSIS

In accordance with City policy for retaining consulting engineering services, it is recommended that the firm of Genivar Consulting Engineers be retained to provide design and contract administration services for the 2013 proposed reconstruction of Kohler Street.

IMPACT

The engineering fees will be included in the 2013 Capital Works budget.

STRATEGIC PLAN

Reconstruction of deficient roads is linked to Objective 1B, Transportation Network Improvements under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended that Council authorize entering into an agreement for engineering services with Genivar for the reconstruction of Kohler Street. An engineering agreement with an estimate of Engineering fees will be brought to Council for approval at a later date.

2012 09 24
Page 2

5(h)

Respectfully submitted,



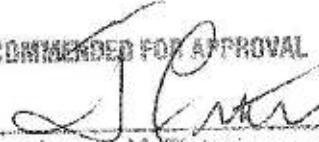
Don Elliott, P. Eng.
Director of Engineering Services

DE/bb

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL

Joseph M. Piroli
Chief Administrative Officer

Jerry D. Dolcetti, RPP
Commissioner

Madison Zuppa, MES
Environmental Initiatives Coordinator



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: SOLAR PHOTOVOLTAIC FIT APPLICATIONS

PURPOSE

The purpose of this report is to request Council approval to support four (4) solar photovoltaic applications being submitted to the Ontario Power Authority Feed-In-Tariff program.

BACKGROUND

The Feed-In-Tariff (FIT) is a provincial program administered by the Ontario Power Authority (OPA), which provides a pre-determined rate per kWh generated depending on the project type (i.e. rooftop solar, ground mounted solar, etc.). The OPA initiated a review of the program on October 31, 2011. Applications submitted prior to the review that did not receive a contract could be subject to the new rules and regulations depending on the date of submission and project scope.

Version 2.0 of the FIT Program Rules became available on August 10, 2012, and the OPA announced that from October 1 through November 30 both previously submitted and new applications would be accepted for evaluation. Under the FIT 2.0 rules, priority points could be awarded to projects that receive municipal Council endorsement in the form of an OPA prescribed "Municipal Council Support Resolution". Proponents for the following projects have requested Council support (see Schedule A):

1. PUC Services Inc., 510 Second Line East, Administration and Service Centre, 267 kW rooftop solar photovoltaic system;
2. F. J. Davey Home, 733 Third Line East, 250 kW rooftop solar photovoltaic system;
3. Mar-li Investment Ltd., 803 Great Northern Road, Northside Toyota, 90 kW rooftop solar photovoltaic system; and
4. Garken Properties Ltd. 105 Black Road, ServiceMaster, 48 kW rooftop solar photovoltaic system

These projects support the Alternative Energy Capital of North America declaration carried at the regular Council meeting dated 2008 09 08:

Moved by Councillor S. Butland; Seconded by Councillor T. Sheehan: Resolved that Council adopt the mantle of being the "Alternative Energy Capital of North America".

The projects are also important to the development and maintenance of the community's role in the alternative energy sector. The presence of solar energy generation and manufacturing has positively influenced the economic and environmental landscape of the community.

ANALYSIS

Information for the proposed projects was provided by Karen Mascardelli, F.J. Davey Home, and Mathew Lajoie, Superior Energy Solutions.

IMPACT

There is no budgetary impact. Building permits will be required for the rooftop solar photovoltaic projects proposed, but local zoning and by-laws do not apply.

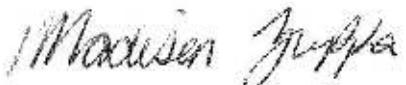
STRATEGIC PLAN

The Corporate Strategic Plan contains numerous references to environmental awareness and a reduction in CO₂ emissions; however, renewable energy projects are not included.

RECOMMENDATION

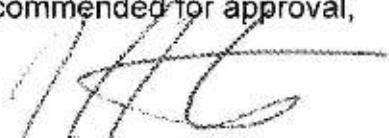
That the report of the Environmental Initiatives Coordinator concerning the solar photovoltaic FIT applications be received. By-law 2012-175 appears elsewhere on the agenda authorizing four (4) Municipal Council Support Resolutions and is recommended for approval.

Respectfully submitted,



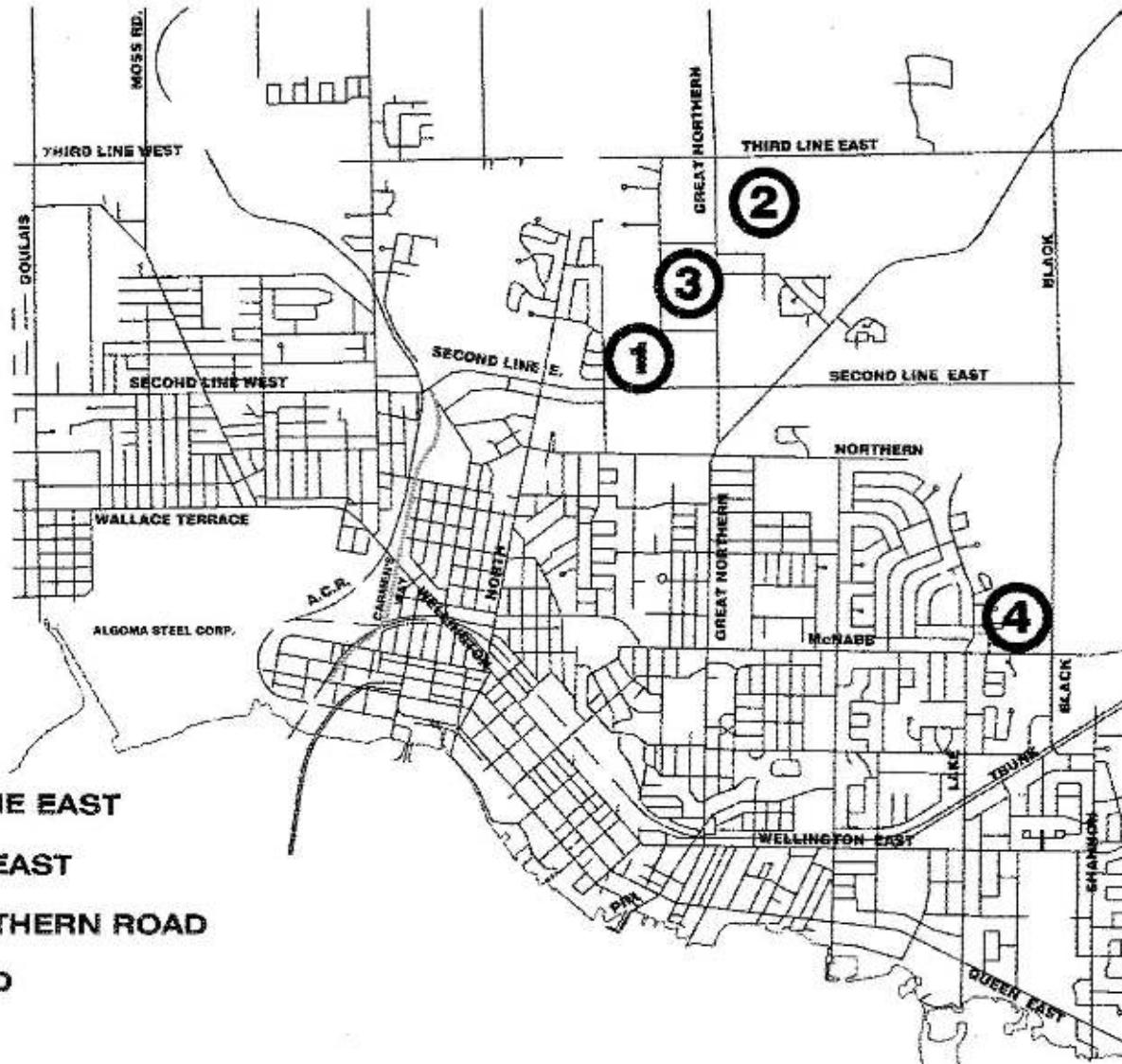
Madison Zuppa, MES
Environmental Initiatives Coordinator

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

Attach.



NOTES:

- ① 510 SECOND LINE EAST
- ② 733 THIRD LINE EAST
- ③ 803 GREAT NORTHERN ROAD
- ④ 105 BLACK ROAD



THE CORPORATION OF THE CITY
OF SAULT STE. MARIE, ONTARIO

REF ID:	N12-100000000000
DATE:	SEPTEMBER 24 2012

SCHEDULE "A" PROPOSED LOCATIONS OF FIT PROJECTS

(015)

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012

File No. R.1.2.3

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: BANNING WILD/EXOTIC ANIMAL ACTS AND TRAVELLING ANIMAL CIRCUSES

PURPOSE

On May 28, 2012, City Council passed the following resolution moved by Councillor Sheehan and seconded by Councillor Myers:

"Whereas Cirque du Soleil show was thoroughly enjoyed by many residents of Sault Ste. Marie; and
 Whereas Essar Centre staff were estimating that thousands of visitors would come to our City to see Cirque du Soleil Quidam; and
 Whereas there are a number of traveling circuses that no longer use animal acts;
 Whereas 29 municipalities across Canada have chosen to prohibit circuses that use animal acts;
 Now Therefore Be It Resolved that the City Solicitor prepare a report on how City Council could enact a by-law that would prohibit circuses that use wild/exotic/travelling animal acts."

The purpose of this report is to respond to the above resolution and recommend that Council not enact such a by-law.

BACKGROUND

Previously, the City of Sault Ste. Marie has hosted various entertainment performances that utilized animal acts as a part of their shows. These performances received criticism for taking these animals out of their natural habitats, and for teaching them to perform tricks that they would not do in their

-More-

2012 09 24

Page 2

natural environment. There have also been claims of abuse of the animals during their training.

This issue was before Council in 2004. Council accepted the report by the Assistant City Solicitor which recommended that no action be taken by Council based on the fact that there was only one animal circus in the City at that time, and that they treated their animals humanely and with respect.

While in the past, wild/exotic animal acts and travelling animal circuses performed in Sault Ste. Marie, this is no longer the case.

ANALYSIS

In the early 2000's, the City of Windsor passed a by-law that restricted animal acts from performing in that City. The Windsor By-law was challenged and the matter was heard in the Superior Court of Justice in 2004. The judge declared the Windsor By-law unconstitutional and determined that it was outside of the jurisdiction of the City. In his decision, the Judge further determined that the showing of exotic animals in a circus-like show was "expression", and therefore the Windsor By-law infringed the right to "freedom of expression" guaranteed in the Canadian Charter of Rights and Freedoms (the "Charter").

A by-law that infringes a Charter Right may still be "saved" and thereby be maintained provided that it passes the Court's analysis under Section 1 of the Charter. With respect to the Windsor By-law, the Court determined that it did not satisfy the Section 1 requirements. The City of Windsor had advanced that the Windsor By-law was enacted to protect the safety of their citizens. The City of Windsor had argued that the exhibition of exotic animals could be dangerous to the people of Windsor. The Court found that this rationale was not supported by any evidence, specifically, there were no facts supporting injuries or deaths that were received by any patrons through their contact with circus animals. The Court found that the discussion at the Council Meeting that preceded the passing of the Windsor By-law focused on the protection of the animals themselves. The Court therefore declared the Windsor By-law to be in violation of the Charter. The City of Windsor did not appeal the decision nor attempt to pass another by-law.

Further, Norm Fera, Manager of Community Centres and Marine Facilities has stated that a general ban on animal acts could cause a problem attempting to entice performances to our City. Performances such as the RCMP Musical Rides, dog/cat shows, and other performances where animals are used would be restricted if such a by-law were passed by Council.

Although the *Municipal Act* authorizes cities to pass by-laws respecting animals generally, it does not authorize municipalities to pass by-laws contrary to the

-More-

2012 09 24

Page 3

Charter. A by-law prohibiting animal acts would violate the constitutional freedom of expression.

IMPACT

Not Applicable.

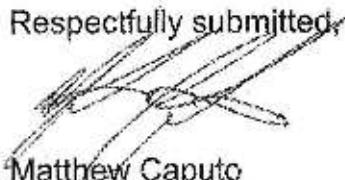
STRATEGIC PLAN

No impact on the Strategic Plan.

RECOMMENDATION

It is recommended that City Council take no action at this time.

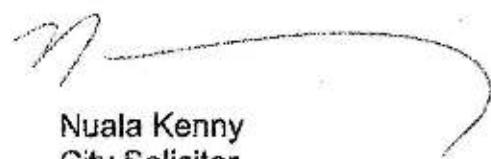
Respectfully submitted,



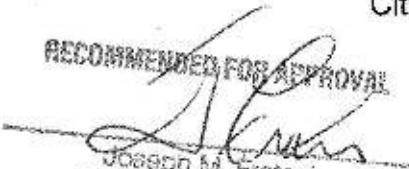
Matthew Caputo
Solicitor/Prosecutor

MC

Recommended for approval,



Nuala Kenny
City Solicitor



RECOMMENDED FOR APPROVAL
Joseph M. Fratassi
Chief Advisor COUNCIL REPORTS

\citydata\Departments\cityhall\LegalDept\LegalStaff\COUNCIL REPORTS\2012\Circus Animal Ban - Sept 24, 2012.doc

56

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012

File No. R1.1

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: CITY NOISE BY-LAW UPDATE

PURPOSE

The purpose of this report is to recommend that City Council create a committee that will review the existing noise by-laws and make recommendations to Council as to updating noise by-laws for the City.

BACKGROUND

The City of Sault Ste. Marie has two noise by-laws. By-law 4100 was passed in 1967. It prohibits various types of noises including noises "likely to disturb the inhabitants". The other noise by-law is By-law 80-200. This by-law was passed in 1980. While By-law 80-200 is more specific than its counterpart it is out of date. Specifically, it cuts the City into two sections, a residential area and a quiet zone. The quiet zone encompasses the area of the former Sault Area Hospital site. With the hospital's relocation this is no longer relevant.

ANALYSIS

Regularly City staff and Police receive complaints about noise. Often there are problems with enforcement due to the vagueness or inaccuracy of the noise by-laws. Additionally there may be times when competing interests make it difficult to lay a charge. For example where a property is properly zoned and operating within its normal course it may be still creating noise that is "likely to disturb the inhabitants". Such is the case when local establishments attempt to host outdoor musical events. The situation is made more acute by the recent relocation of Algoma University residence located in the downtown core. In order to ensure that the competing interests are properly balanced it is recommended that

-more-

2012 09 24

Page 2

Council strike a committee comprised of members of Council, relevant City staff and community stakeholders including representation from Algoma University, seniors housing and the Downtown Association.

56g)

IMPACT

The financial impact of the by-law update is nominal.

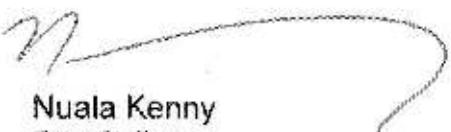
STRATEGIC PLAN

Updating the noise by-law is consistent with the Corporate value of committing to the citizens and the community to enrich the quality of life.

RECOMMENDATION

It is recommended that Council strike a committee to make recommendations as to updating the existing noise by-laws and report back to Council.

Respectfully submitted,



Nuala Kenny
City Solicitor

NK/cf



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Staff/council reports/2012/update noise bylaw sept24.12

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012*

File No. P.4.2.168

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

**RE: EASEMENT REQUIRED FOR STORM WATER RETENTION POND
DISCHARGE FOR MAR-LI INVESTMENTS ACCESS TO CITY OWNED
PROPERTY ~ PART OF PIN 31561-0088 PART OF LOT 1 H744**

PURPOSE

The purpose of this report is to recommend to Council that it authorize an easement for a Stormwater Retention Pond Discharge to be acquired by Mar-Li Investments from the City for a part of Lot 1 RCP H744 being Part 1 on 1R12214; City of Sault Ste. Marie ("City Property"). This property is shown on the attached plan.

BACKGROUND

The site plan agreement dated March 31, 2011 between Mar-Li Investments and the City, Mar-Li Investments acknowledges that it would have to obtain an easement. The easement would be obtained from the City for drainage pipe access and maintenance. Mar-Li Investments agreed to provide drawings to the satisfaction of the Commissioner of Engineering and Planning or his designate. Mar-Li Investments also agreed to have the easement finalized and drawings approved by the Commissioner of Engineering and Planning or his designate prior to the issuance of an Occupancy Permit.

-more-

2012 09 24

Page 2

The necessary reference plan has been prepared and approved as required. The Legal Department has confirmed with the City's Engineering and Public Works and Transportation Departments that the easement is adequate in providing access and maintenance for the drainage pipe.

ANALYSIS

According to the site plan agreement dated March 31, 2011 this easement is required.

IMPACT

There is no financial impact to the easement referenced herein.

STRATEGIC PLAN

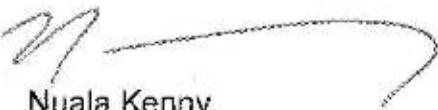
Not applicable.

RECOMMENDATION

The recommendation is that the City of Sault Ste. Marie authorize the easement with Mar-Li Investments.

By-law 2012-176 appears elsewhere on the agenda and is recommended for your approval.

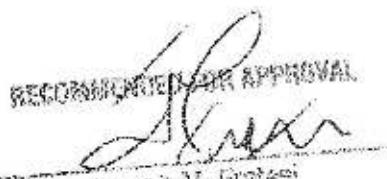
Respectfully submitted,



Nuala Kenny
City Solicitor

NK/cf

attachment(s)



RECOMMENDED FOR APPROVAL

Joseph M. Presti
Chief Administrative Officer

5(r)

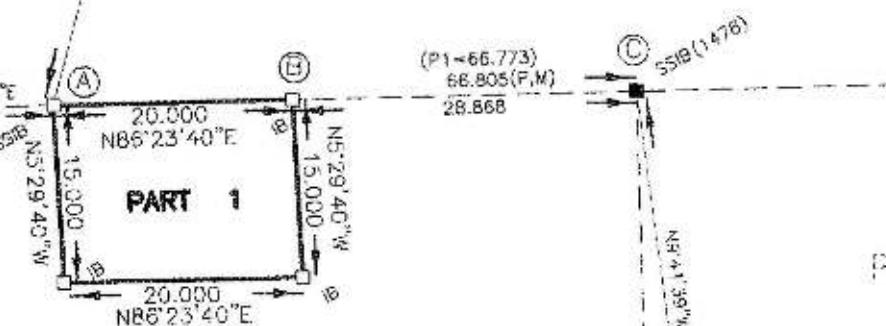
Part of Plan
IR 12214

PIN 315

6

H-74X

803 Great Northern Road



City owned
Ravine Land

No Non
Court

REGI

THIS PLAN ARE IN
CONVERTED TO FEET

iso Surveying Ltd.
Surveyors & Canada Land Surveyors
Planning Consultants

PEA 2T1 TEL: (705) 254-7851
FAX: (705) 254-5577

AWN BY: KF/FEW FILE:
ECKER RY. EEW

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



ENGINEERING & PLANNING DEPARTMENT

Planning Division

Tel: (705) 759-5368
Fax: (705) 541-7165

Celebrate 100!
1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: Digital Signs By-law

PURPOSE

The Signs By-law Committee is requesting that City Council defer a decision on the proposed Digital Signs By-law, until the October 9, 2012 meeting.

BACKGROUND

On June 25, 2012, City Council passed the following resolution:

"Resolved that the report of the Planning Division dated 2012 06 25 concerning the Digital Signs By-law be received and that City Council defers approval of the Digital Signs By-law and extends the current moratorium on digital signage to September 24, 2012; and

That City Council authorize the Committee to have the proposed Digital Signs By-law reviewed by the Transportation Master Plan Consultant."

ANALYSIS

Comments from the Consultant were received on September 19, 2012. It is recommended that a decision on the draft by-law be deferred until City Council's October 9, 2012 meeting, in order to give the Signs By-law Committee time to review the consultant's recommendations.

RECOMMENDATION

That City Council defers a decision on the Digital Signs By-law, and that the moratorium on Digital Signs be extended until October 9, 2012.

Respectfully submitted,

Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,

Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT/ps

attachment(s)

RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

5(4)

S. Hamilton Beach, P. Eng.
Deputy Commissioner



Public Works and
Transportation

Celebrate 100!
1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

**RE: AGREEMENT WITH THE MINISTRY OF TRANSPORTATION ('MTO')
WINTER MAINTENANCE OF HIGHWAY 550 (SECOND LINE) AND
HIGHWAY 565 (AIRPORT ROAD) WITHIN PRINCE TOWNSHIP**

PURPOSE

The purpose of this report is to seek Council's approval to enter into an agreement with the MTO for the provision of winter maintenance services of Highway 550 and Highway 565 in Prince Township.

BACKGROUND

A report was presented at the meeting of Council 2011 11 21, which described the notification that the City had received from MTO that our services were no longer required in this area. Negotiations have since been underway with the MTO. Staff has reviewed the agreement recently provided by MTO (found elsewhere on Council's agenda) and recommend its approval.

PWT has provided this service before the Winter of 2011/12 and we anticipate a continued relationship with the MTO for the winter maintenance of these roads in Prince Township.

ANALYSIS

PWT understands that this agreement allows for an adequate compensation for the provision of these services.

IMPACT

There is a positive budgetary impact for PWT as this fee for service will allow for the efficient service for all of the Prince Township roads, the provincial highways and those rural roads abutting the provincial highways.

2012-09-24
Page 2

STRATEGIC PLAN

Winter Maintenance and the addition of new streets to Public Works and Transportation's list of responsibilities is included in the Corporate Strategic Plan.

RECOMMENDATION

"That the report of the Deputy Commissioner concerning the agreement with the MTO for the provision of winter maintenance of Highway 550 and 565 be approved and furthermore that the by-law found elsewhere on Council's agenda be approved."

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval,



Larry Girardi
Commissioner



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

S. Hamilton Beach, P. Eng.
Deputy Commissioner



**Public Works and
Transportation**

Celebrate 100!
1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

**RE: LANDFILL TIPPING FEE REBATE – PILOT PROJECT
NOT-FOR-PROFIT ORGANIZATIONS**

PURPOSE

This report is in response to the Council resolution dated 2012 06 11:

"Whereas the local non-profit organization for the Kidney Foundation of Canada operates under the name of Kidney Clothes; and

Whereas Kidney Clothes raises money for kidney research by collecting used clothing at some 35 drop off boxes throughout the City of Sault Ste. Marie; and

Whereas each year they divert more than 2 million pounds from the City's landfill site through their recycling program; and

Whereas each month Kidney Clothes pays anywhere from \$200 to \$300 per month in landfill fees to discard broken furniture and other non-sellable items which are left at the drop off boxes by people looking to avoid paying landfill fees;

Now Therefore Be It Resolved that the appropriate City staff be requested to review and report back to Council on the impact of possible reductions in landfill fees for Kidney Clothes and other similar organizations seeking to offset the cost of discarding non-useable items left at their drop off boxes."

BACKGROUND

Following Council's direction, Public Works and Transportation staff has communicated with several other northern communities. It is our understanding that Sudbury and North Bay both facilitate and support an annual rebate program.

In order to qualify for a rebate, the organization must meet the following criteria:

- that the organization is a non-profit organization – meaning a corporation formed as a non share capital corporation under the Corporations Act, R.S.O. 1990, c.C.38, Part III and an unincorporated association, which was formed for the purpose of carrying on without gain for its members and which uses any profits or other accretions to the corporation or unincorporated association in promoting its objects and not for the benefit or gain of its members; and
- the operations for which the rebate is requested is within the City limits; and
- that it is a significant purpose and role of the non-profit organization to accept donations of used goods for the purpose of:
 - i) distribution of the used goods to persons in need in the City; or
 - ii) sale for the purpose of raising funds for charitable or benevolent purposes within the City; and
- signage and public education be included at the collection locations clearly indicating acceptable items; and
- a submission is made by the organization by January 31st for the calendar year prior, with proof of the tipping fee paid to the municipality for material not reusable.

A qualification form will be designed by PWT to be submitted by the organization and approved by the City as well as an annual submission form will be prepared to accompany the receipts submitted by the group.

ANALYSIS

In talks with other municipalities it is anticipated that approximately 90% of the material collected for the intentions noted above are reused and appropriate for the program. The rebate would then apply to the 10% which is taken to the landfill for disposal. We would anticipate approximately 150 tonnes annually qualifying for the rebate program. This would mean approximately \$10,500. of revenue would be rebated each year.

It is staff's recommendation that the program be established (ie. policy set, communicated to the not-for-profit organizations, qualification forms approved, etc.) for the calendar year of 2013. Following January 31, 2014 staff will be able to report back to Council the actual results and be able to better estimate the impact to revenues. A determination at that time can be made as to the program's success, implementation issues and whether the rebate should remain 100% of the tipping fees or adjustments made. As such, a pilot project is recommended.

IMPACT

The positive impact to the landfill site life needs to be considered. Ultimately, an estimate is required as the clothing and other reusable items do not make their way to the landfill. It is our understanding the volume may be approximately 1300 – 1500 tonnes annually that is diverted through the efforts of not-for-profit organizations. As it is a goal of the municipality to extend the life of the landfill site, these efforts make a notable contribution. There will be negative impact to the budget as the tipping fee rebate will directly reduce the landfill reserve.

2012 09 24

Page 3

STRATEGIC PLAN

The Corporate Strategic Plan – Objective 1A – Environmental Leadership includes the completion of the EA for Solid Waste Disposal. The desired result of this activity is to reduce waste/refuse and increase waste disposal capacity. *Reuse* of materials, in general, works towards this goal. A pilot project offering a tipping fee rebate to the not-for-profit organizations running reuse programs throughout the community will assist these groups.

RECOMMENDATION

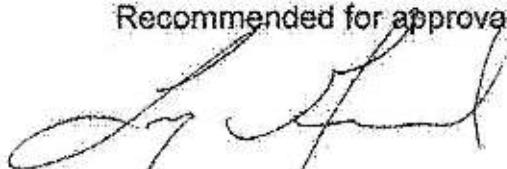
"That the report of the Deputy Commissioner be approved and that a pilot project be run for 2013 offering a tipping fee rebate to not-for-profit organizations involved in material reuse throughout the community."

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval,



Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR
File No. E2.1



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: SOLAR PHOTOVOLTAIC FIT APPLICATION AND WECC LEASE AGREEMENT

PURPOSE

The purpose of this report is two-fold, namely:

- a) To request Council's approval of a Lease Agreement between the City and PUC Services Inc. (the "Lease Agreement") for a portion of the roof at the West End Community Centre ("WECC") for solar photovoltaic power and, if so approved, to direct that two (2) copies of the signed Lease Agreement be submitted to the Board of Directors of PUC Services Inc. ("PUC") for approval and signature; and
- b) In the event that Council approves the Lease Agreement, to request Council's support of the PUC FIT Application, by endorsing a prescribed Ontario Power Authority "Municipal Council Support Resolution", on the condition that PUC approve and sign the Lease Agreement.

BACKGROUND

At the May 30, 2011 Council meeting, the following resolution as moved by Councillor Bruni and seconded by Councillor Sheehan was carried:

Resolved that the report of the Environmental Initiatives Coordinator dated 2011 05 30 concerning Solar Photovoltaic Rooftop Lease WECC – Proponent Selection be accepted and the recommendation that staff be authorized to negotiate an agreement with PUC Services Inc. for a 20 year lease of the WECC roof for solar photovoltaic power based on the proposal as submitted and conditional upon acceptance of the project by the Ontario Power Authority for the Feed-In-Tariff program.

-more-

The Corporation of the City of Sault Ste. Marie
P.O. Box 580 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 759-5400 ~ Fax: (705) 759-5405
www.cityssm.on.ca

2012 09 24

Page 2

The above referenced report is appended as Schedule "A" to this report. The Proposal submitted by PUC (the "Proposal") is attached as Schedule "B" herein.

Certain portions of the Proposal should be highlighted for Council's consideration of the Lease Agreement. PUC's Proposal made numerous representations as to the extensive experience of its contractor for this project, the comprehensive warranties it secured for the necessary equipment and the insurance it would obtain to cover the installed equipment for the duration of the Lease Agreement. The Proposal detailed two "Revenue Options" for the City, namely:

- a) A "*Fixed Revenue Option*" wherein PUC would pay the City \$11,076.00 per year over a period of twenty (20) years (the "Term"); or
- b) A "*Variable Revenue Option*" wherein PUC offered two scenarios. First, PUC would pay the City 8% of the actual revenues earned in each year of the Term. PUC estimated the payment in year one to the City of \$14,778.27. Second, PUC would pay the City 12% of the actual revenues earned starting in year four of the Term.

In June 2011, City Staff and PUC commenced negotiating the Lease Agreement terms. The Finance Department recommended that the Rent clause should require the PUC to pay to the City an annual rent equal to the greater of the "Fixed Revenue Option", namely \$11,076.00 or 8% of the actual revenues earned (the "Variable Option") in each year of the Term (hereinafter referred to as the "Greater Of Option"). This would guarantee the City a minimum payment for the Term, and also provide the City with a share of the revenues in excess of the minimum payment. A Draft Lease Agreement was forwarded to the PUC for review. On October 31, 2011, the Ontario Power Authority (OPA) reviewed the Feed-In-Tariff (FIT) program and all efforts were placed on hold until further notice.

No significant events took place until July 2012, when word was received that the FIT program would be resurrected. On July 19, 2012, PUC forwarded to the City a Revised Lease Agreement which requested various changes. Most importantly, the PUC directed the City's attention to the Proposal and stated that the City must choose a variable option or a fixed rate option for Rent. Because the cost of the solar panels had decreased, the PUC increased the variable rate from 8% to 10%. This translated to the City receiving an annual Fixed Revenue of \$11,777.00 or 10% of the actual revenues generated from the project, now estimated to be \$15,703.00 for the first year of the Term.

The Legal Department further amended the Lease Agreement to address the concerns raised by PUC, and maintained the "Greater Of Option" for Rent. City

2012 09 24

Page 3

Staff met on September 6, 2012 to review the Second Revised Lease Agreement. PUC's comments with respect to the Rent Clause were not accepted by City Staff and a conference call was arranged between City Staff and Brian Curran, President and CEO of PUC to discuss this issue.

On September 7th, 2012, a conference call was held between City Staff and Mr. Curran of PUC. City Staff advanced that the City should be guaranteed a minimum payment and that the City should receive some benefit if actual revenues exceeded the minimum fixed payment. This is consistent with the risks associated with the project. Mr. Curran finally verbally agreed that PUC would offer the City the "Greater Of Option" for Rent. By this time, the OPA released revised rules for FIT 2.0, such that applications could be submitted on October 1, 2012 through to November 30, 2012 for evaluation. Under the FIT 2.0 rules, priority points could be awarded for projects that received the endorsement of municipal Council in the form of an OPA prescribed "Municipal Council Support Resolution". Given that the terms of the Lease Agreement appeared to be finalized, City Staff agreed to forward the final version to PUC and have the Lease Agreement before Council to consider at the September 24, 2012 meeting.

On September 13th, 2012, Mr. Curran of the PUC contacted the City Legal Department to request three (3) changes to be made to the Final Lease Agreement. Notably, the PUC took no issue with respect to the "Greater Of Option" for the Rent Clause. The Final Lease Agreement was amended further to incorporate the requested minor changes. Again, it appeared that the City and PUC had successfully negotiated the Lease Agreement.

On Friday September 14th, 2012 at 5:30 p.m., matters took a significant turn. Specifically, Mr. Curran of PUC gave notice to the City that the PUC would require the addition of a further paragraph. Mr. Curran expressed his concern that given the high mortality rate of Photovoltaic Equipment firms, the supplier may cease operations in ten or fifteen years, thereby causing difficulties for the PUC to realize their minimum twenty (20) year warranties. The PUC stated that it would provide the City with a draft clause the following week, stating that the PUC would not be required to make the minimum payment if such an event arose.

This was the first time the PUC expressed any concern with the viability of the equipment suppliers, the warranties, or the ability of the PUC to make the minimum payment which it offered in the original Proposal. This request from PUC came at the eleventh hour, after the parties had already finalized terms for the Lease

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2012 09 24

Page 4

Agreement. At 2:18 p.m. on September 17, 2012, Mr. Curran forwarded to the City Legal Department the following draft clause to be inserted in the Lease Agreement (the "New Clause"):

If through no fault of the Tenant the electricity production of the PV equipment and Related Equipment substantially deteriorates that total annual revenues to the tenant are less than \$115,770 and such deterioration is not corrected by the original equipment supplier, the tenant will pay to the Landlord 10% of total revenues only. If the deterioration is subsequently corrected to the point that total revenues exceed \$115,770 the minimum payment would resume."

Again, the PUC did not take issue with the "Greater of Option" clause.

The City Legal Department immediately responded by stating that the Lease Agreement should not speak to a potential issue developing between the PUC and its equipment suppliers. The City directed the PUC to the representations contained in the Proposal and advised that the PUC should negotiate these issues with the equipment supplier or canvass other suppliers who might provide a more suitable or low risk warranty policy. Again, the Legal Department reminded the PUC that the Council report was required to be finalized by the end of that business day and requested a comment from the PUC.

On September 18, 2012, Mr. Curran contacted the City Legal Department to discuss the New Clause. When Mr. Curran was advised that the New Clause would not be inserted in the Agreement, Mr. Curran advised that the PUC would now give the City the following two options:

- 1) That the City add the New Clause to the Lease Agreement and the "Greater Of" Option could remain; or
- 2) That the City refuse the addition of the New Clause to the Lease Agreement and the "Fixed Revenue Option" would only be available to the City.

Mr. Curran thereafter contacted City Staff to request an emergency meeting which was held on September 19th, 2012. During the meeting, Mr. Curran represented that the PUC had a twenty (20) year plus warranty for all equipment relevant to this project. Further, the PUC could purchase insurance to cover the equipment for a period of ten (10) years. His concern was the ability of the PUC to enforce warranty provisions between the ten and twenty year portion of the Lease Agreement given the alleged high mortality rate of equipment suppliers. Nevertheless, Mr. Curran admitted that there was a "low risk" to the PUC that these issues would even arise.

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2012 09 24

Page 5

In an effort to address these concerns, City Staff proposed an alternative Rent Clause which would require the PUC to pay Rent on the basis of the "Greater Of Option" for the first ten years of the Term. For years eleven through twenty of the Term, the City would receive the minimum Fixed Revenue, namely \$11,777.00, with the option for the City and the PUC to negotiate a percentage of actual revenues in the event that the issues regarding warranties and insurance are moot.

Mr. Curran of the PUC refused the above compromise. He reaffirmed that the City had only the two options as given by Mr. Curran on September 18, 2012.

ANALYSIS

The City and PUC have reached an agreement with respect to most terms to be included in the lease agreement. At issue remains whether or not to include the New Clause and the appropriate Rent Clause for the Lease Agreement.

It is the recommendation of City Staff who negotiated the Lease Agreement that the New Clause not be inserted in the Lease Agreement. The PUC Proposal contains representations that PUC will obtain insurance to cover the equipment for the entire duration of the agreement. The issues raised in the New Clause are the sole responsibility of PUC to manage and under no circumstances should the City be required to bear any risk regarding the maintenance of the equipment. The PUC has various means to deal with these concerns, namely warranties, insurance, and negotiations with the equipment suppliers themselves. The New Clause as drafted disregards the fact that the PUC Proposal offered a fixed guaranteed payment of \$11,076.00 per year, making no contingency for a warranty issue arising.

City Staff recommends that Council authorize the Lease Agreement, which contains a Rent Clause reflecting the compromise offered by City Staff to the PUC on September 19, 2012. This Rent Clause addresses the concerns raised by PUC given that the PUC has secured warranties and insurance for the equipment for the first ten years of the Term. For the last ten years of the Term, the PUC would only be required to make the minimum fixed payment, which it offered in the Proposal regardless.

The OPA opening date for submission is October 1, 2012. To ensure that the PUC is able to submit its Application, it is recommended that Council approve the Lease Agreement and direct that the approved Lease Agreement be immediately forwarded to the PUC Board of Directors for approval and signature by October 9, 2012.

-more-

2012 09 24
Page 6

IMPACT

The Lease Agreement would provide the City with a revenue stream of a minimum of \$11,777.00 per year for twenty years. For the first ten years of the Term, if the total revenues exceed a minimum threshold amount, the City would receive 10% of such revenue each year of the first ten years of the term (which would exceed \$11,777.00). Again, the Lease Agreement provides the City with the opportunity to enter into negotiations with the PUC at the ten year mark of the Term for a percentage of revenues received from years eleven to twenty of the Term.

STRATEGIC PLAN

The installation and use of solar photovoltaic power is consistent with the strategic direction of environmental leadership.

RECOMMENDATION

By-law 2012-181 appears elsewhere on the agenda and authorizes a Lease Agreement between the City and PUC Services and is recommended for approval. Further City Council directs that the Lease Agreement be forwarded to the PUC Board of Directors for their review and signature by October 9, 2012.

By-law 2012-174 appears on the agenda and authorizes the Municipal Support Council Resolution, on the condition that PUC approve and sign the Lease Agreement as drafted and is also recommended for approval.

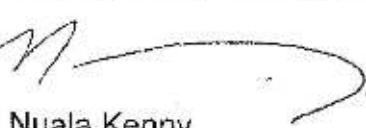
Respectfully submitted,


Melanie Borowicz-Sibenik
Assistant City Solicitor

MBS/cf

attachment(s)

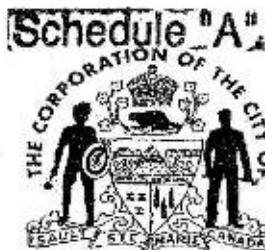
Recommended for approval,


Nuala Kenny
City Solicitor


RECOMMENDED FOR APPROVAL
Joseph M. Frazee
Chief Administrative Officer

6(5)(a)

5(w)



Jerry D. Dolcetti, RPP
Commissioner

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

ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

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

2011 05 30

Mayor Debbie Amaroso and
Members of City Council

[Handwritten signature]

Re: Solar Photovoltaic Rooftop Lease WECC – Proponent Selection

At the meeting of 2011 02 22, Council supported staff for the completion of a Request for Proposals to establish if there are private Proponents willing to enter into a contractual arrangement for the use of the proposed West End Community Centre (WECC) roof for the generation of solar power.

In accordance with the City's policy, a Request for Proposal was issued. Eight (8) proposals were received from the following Proponents:

- Algoma Energy Solutions/EFAN Green, Sault Ste. Marie, ON/Markham, ON
- ARISE Technologies Corporation, Waterloo, ON
- Essex Energy Corporation, Oldcastle, ON
- EverEnergy, Toronto, ON
- G3 Renewable Energy, Desbarats, ON
- PUC Services Inc., Sault Ste. Marie, ON
- Tioga Energy Inc., Toronto, ON
- Trec Solarshare/Heliene/AGT Solar, Toronto, ON

All proposals were reviewed and evaluated based on set criteria by a committee consisting of:

- Nick Apostle, Commissioner of Community Services Department;
- Jacob Bruzas, Financial Analyst, Finance & Administration Division;
- Tim Gowans, Senior Purchaser, Purchasing Division;
- Susan Hamilton Beach, Land Development and Environmental Engineer, Engineering & Construction Division; and
- Madison Zuppa, Environmental Initiatives Coordinator, Engineering & Construction Division.

It was the consensus of the committee to recommend the acceptance of the proposal as submitted by PUC Services Inc.

The lease agreement between the City and PUC Services Inc. would run for a period of twenty (20) years. Upon successful approvals from the Ontario Power Authority (OPA), the Proponent would receive a Feed-In-Tariff (FIT) contract with a set rate per kWh produced. The lease payment proposed will vary from a 20 year average of \$11,000 to \$17,000 per year depending on the option selection. The Finance Department will assist in determining the most suitable compensation arrangement based on the options offered. All regular PV system maintenance requirements will be the responsibility of PUC Services Inc. during the term of the lease.

It is difficult to determine what programs will be available after the twenty (20) year contract expires, but there are various options for liquidation, including the renegotiation of the lease, acquiring the system or removing the system. This item shall be negotiated in the agreement with the successful Proponent.

Consideration was given to a City-owned installation, but is not recommended. It is understood that a FIT rate price review will occur in October 2011, which creates urgency in submitting an application. Leasing the roof would allow an application to be made more quickly to the OPA, as the Proponents existing resources and expertise would be utilized. Leasing the roof will provide the least amount of risk and liability to the City and additional staff training and job responsibilities for system maintenance would be avoided. All capital investments related to the project would be the Proponents responsibility, and the City's investments can continue to be allocated to major infrastructure projects. If the City was to implement this Project on its own, consultation would be required for the design, application, and implementation of the project. Given these reasons, staff recommends that the City not own and operate the rooftop system, but rather lease the rooftop to PUC Services Inc.

Summary

- The OPA is currently accepting FIT applications for rooftop solar PV projects, but a rate review is anticipated in October 2011;
- It is the consensus of the Evaluation Committee to recommend the acceptance of the proposal as submitted by PUC Services Inc;
- The Commissioners of Engineering and Planning, Community Services and Finance support the recommendation submitted by the Evaluation Committee; and
- All staff involved support that any revenue resulting from the lease agreement be applied to the WECC operational expenses.

Recommendation

It is recommended that staff negotiate a legal agreement with PUC Services Inc. for a 20 year lease of the West End Community Centre roof for solar photovoltaic power based on the proposal as submitted and conditional upon acceptance of the project by the Ontario Power Authority for the Feed-In-Tariff program.

Respectfully submitted

Madison Zuppa
Environmental Initiatives Coordinator

Recommended for Approval

Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

FORM OF PROPOSAL**WEST END COMMUNITY CENTRE ROOFTOP LEASE FOR
SOLAR PHOTOVOLTAIC POWER PRODUCTION**

Mayor Debbie Amaroso and
Members of City Council
Civic Centre
Sault Ste. Marie, ON

I/We the undersigned, hereby submit the attached proposal to satisfy the requirements as laid out by the Corporation of the City of Sault Ste. Marie.

I/We agree that this proposal shall be irrevocable from the time and date that the proposals are opened until the time the contract is awarded.

I/We declare that this proposal is made without any connection, knowledge, comparison of figures or arrangements with any other person or persons submitting a proposal for the same purpose and is in all respects fair and without collusion or fraud.

It is hereby understood and agreed that upon acceptance and execution of this proposal by the City of Sault Ste. Marie, this request for proposal together with the terms and conditions hereto attached, shall constitute a valid and binding contract between the parties hereto.

It is further understood and agreed that the highest or any proposal will not necessarily be accepted, and that the City Corporation reserves the right in its absolute discretion to reject any or all proposals or accept that proposal or proposals deemed most acceptable to the City Corporation.

PROPOSAL SUBMITTED BY:

PUC SERVICES INC.

NAME OF COMPANY

(SEAL)

765 QUEEN ST. E

ADDRESS

SAULT STE. MARIE

CITY

P6A 6P2

POSTAL CODE

H.J. BRIAN CURRAN

SIGNING OFFICER SIGNATURE

WITNESS' SIGNATURE (must be present
if Corporate Seal not affixed to the Form of
Proposal)

H.J. BRIAN CURRAN

SIGNING OFFICER (PRINT NAME)

705-759-6538

TELEPHONE NUMBER

APRIL 6, 2011

DATE

705-759-6596

FAX NUMBER

**Proposal for the Installation of a Photovoltaic Power
System at the West End Community Centre**

Experience and Qualifications

1. Primary Contact: Brian Curran, President & C.E.O.
PUC Services Inc.
P.O. Box 9000
765 Queen St. E.,
Sault Ste. Marie, ON P6A 6P2
Email: brian.curran@ssimpuc.com
Tel: 705-759-6538
2. PUC Services Inc. is a utility services company that operates electrical, water and telecom utilities. It currently has a 5.2 kW DC PV system installed on the roof of a pump station at 391 Second Line West. The system has been operating under a 20 year micro FIT contract with the OPA since June, 2010. The system was installed by Superior Energy Solutions (SES) and has exceeded forecasted kWh production.
3. PUC Services plans to commence installation of a 116.7 kW DC PV system on the roof of the water treatment plant on Second Line in April 2011. PUC Services has a 20 year conditional FIT contract with the OPA. The company also has an agreement with Algoma University to install a 159.3 kW DC PV system on the roof of the George Leach Centre. Installation is scheduled to begin in June. PUC Services will own the PV equipment and will have a FIT contract. Both the Public Utilities Commission and Algoma University will receive payments for the use of their roofs. Both installations will be designed and installed by SES.

PUC Services will contract with SES to design and install the PV system for the community centre. SES has installed PV systems with a total value exceeding \$1 million. The company has secured contracts for the installation of over 100 FIT facilities, 8 of which exceed 100 kW. The company is based in Sault Ste. Marie with a satellite office in Blind River. The company's Programme Manager, Shane Miller, has completed numerous PV installations among which were three PV systems of 477 kW each. References of installed systems and additional information on SES can be found in Appendix A.

4. SES will have project management responsibility for the project. The Project Manager will be Ted Curry, President and C.E.O. of Superior Energy. Mr. Curry has extensive experience in the design and installation of PV systems.
5. SES has been selected to design and install the PV system because of its demonstrated capability in the design and installation of PV systems not only for PUC Services but for other clients as well. Superior Energy's electrical contractor license number is 7007811.
6. SES is on the Ontario Power Authority's Renewable Energy Technology Vendor List. Selected equipment vendors will be also on the list to ensure compliance with the OPA's Ontario content requirements.

ROI?

Financing and Pricing

- PUC Services Inc. had net earnings of \$641,532 and revenues of \$11,838,584 in 2009. Non audited net earnings for 2010 are \$292,544 and revenues of \$11,863,030. The company has a strong balance sheet and is capable of providing equity investment in the solar project and obtaining any necessary debt financing.
- The total cost estimate to design and install the PV system is \$1,523,125. Forecasted monthly electricity production in the first year of operation and revenue generation at the FIT contract price of 71.3 ¢/kWh is as follows.

Month	Forecasted Production (kWh)	Forecasted OPA Contract Revenue
January	0	0
February	0	0
March	28,367	\$20,225.73
April	33,249	\$23,706.68
May	36,377	\$25,936.63
June	38,587	\$27,512.33
July	37,594	\$26,804.56
August	34,354	\$24,494.75
September	24,130	\$17,204.64
October	17,502	\$12,479.28
November	8,925	\$6,363.82
December	0	0
Total	259,086	\$184,728.42

Due to the shallow slope of the roof and snow accumulation no production is anticipated during the winter months. Annual maintenance costs are \$6,000 escalated at 3% per annum. An estimate of \$100,000 for the removal of all equipment at the end of 20 years is included in the financial analysis for the project.

- Revenues to the City can be based on forecasted production, which will be variable, or on the area of roof that is required for the solar panels, which would be fixed for the 20 year contract period. Payments under whatever option is selected would be made quarterly.

If the city prefers a lease based on a share of production, PUC Services can offer two options. One option would be 8% of the contract revenue to the city starting in year one of the project. In the first year of the contract the city would receive estimated revenues of \$14,778.27. However, the output from solar cells degrades on average 1% annually so that in the last year of the contract the revenue share to the city would be \$11,970. Over the 20 year contract period the City could expect to receive \$267,486. The other variable option would have the City share in 12% of revenues starting in year 4. In the first year of revenue sharing the City would receive an estimated \$21,502. Over 17 years total estimated revenue shared with the City would total \$335,392.

If the city prefers the fixed option, PUC Services would pay the city .50¢/sq.ft. for the use of 22,152 sq. ft. of roof space or \$11,076 per year. Over 20 years the City would receive \$221,520.

Between the fixed and variable options, either of the variable options should be more attractive to the City. In the revenue estimate, no generation is shown for the winter months due to snow accumulation on the PV panels. This is a conservative estimate and because micro inverters will be used in this project it is likely that some panels will not be snow covered all winter and would therefore generate electricity.

PUC Services would be open to transferring ownership of the PV equipment to the City after 20 years, as the equipment has a service life of 25 to 30 years. While there would no longer be a contract with the OPA, the system would displace grid supplied power, which will likely cost at least 20¢/kWh. Minimum annual savings would be \$40,000. PUC Services would also be willing to retain ownership of the equipment after 20 years and work out a new agreement with the City at that time.

PV Supplies, Monitoring and Maintenance

1. An assessment of the roof area for the community centre indicates that it could accommodate 807 solar panels each with an output capacity of 300 watts. It is proposed that micro inverters be used in order to ensure maximum production from each module. A layout for the solar panels on the roof is contained in Appendix B.

Our choice of solar panel is the locally manufactured Heliene HEE 300 MA 78 unit. If a change in panel supplier is necessary for any reason, PUC Services will ensure the panels selected will comply with the OPA provincial content criteria. The system will employ 807 Enecsys SMI 360 micro inverters. A flush mounted racking system that does not require perforation of the roof cover will be installed to support the panels. A description of the specifications for the panels, inverters and racking system is contained in Appendix C.

Total weight of the installed PV system will be 3 pounds/sq. ft. which we understand is the load allowed for solar panels by the building's structural engineer. The maximum generating capacity of the system at the utility meter will be 198.52 kW AC. The minimum warranted power rating is 90% of nominal output up to 10 years and 80% of nominal output up to 25 years. Each panel will generate 14.92 watts/sq. ft. The efficiency of the solar modules is 15.4% at standard test conditions. The micro inverters have a 20 year warranty.

2. The qualifying percentage of each of the nine activities designated by the OPA to determine domestic content requirements is shown in Appendix D. The total domestic content for the materials and labour to be supplied by PUC Services will be 65%.
3. Any removal and reinstallation of PV equipment that is required due to any fault by PUC Services or its suppliers will be the responsibility of PUC Services. The cost of any removal and reinstallation of PV equipment that is required by the City will be the responsibility of the City.

4. PUC Services will be responsible for the removal and disposal of all PV and ancillary equipment at the end of the contract. PUC Services will maintain all installed equipment during the contract. Warranties from the major equipment suppliers, i.e. solar panels and micro inverters are described in Appendix C.
5. Electrical output will be metered by PUC Distribution. Monthly statements showing kWh production and revenue will be issued by Distribution to PUC Services. Copies of the monthly statements will be provided to the City.
6. A project schedule is contained in Appendix E. In addition to the tasks identified in the project schedule, meetings would be held with city staff four weeks after contract award, a week prior to start of installation and a week after commissioning.

Accountability

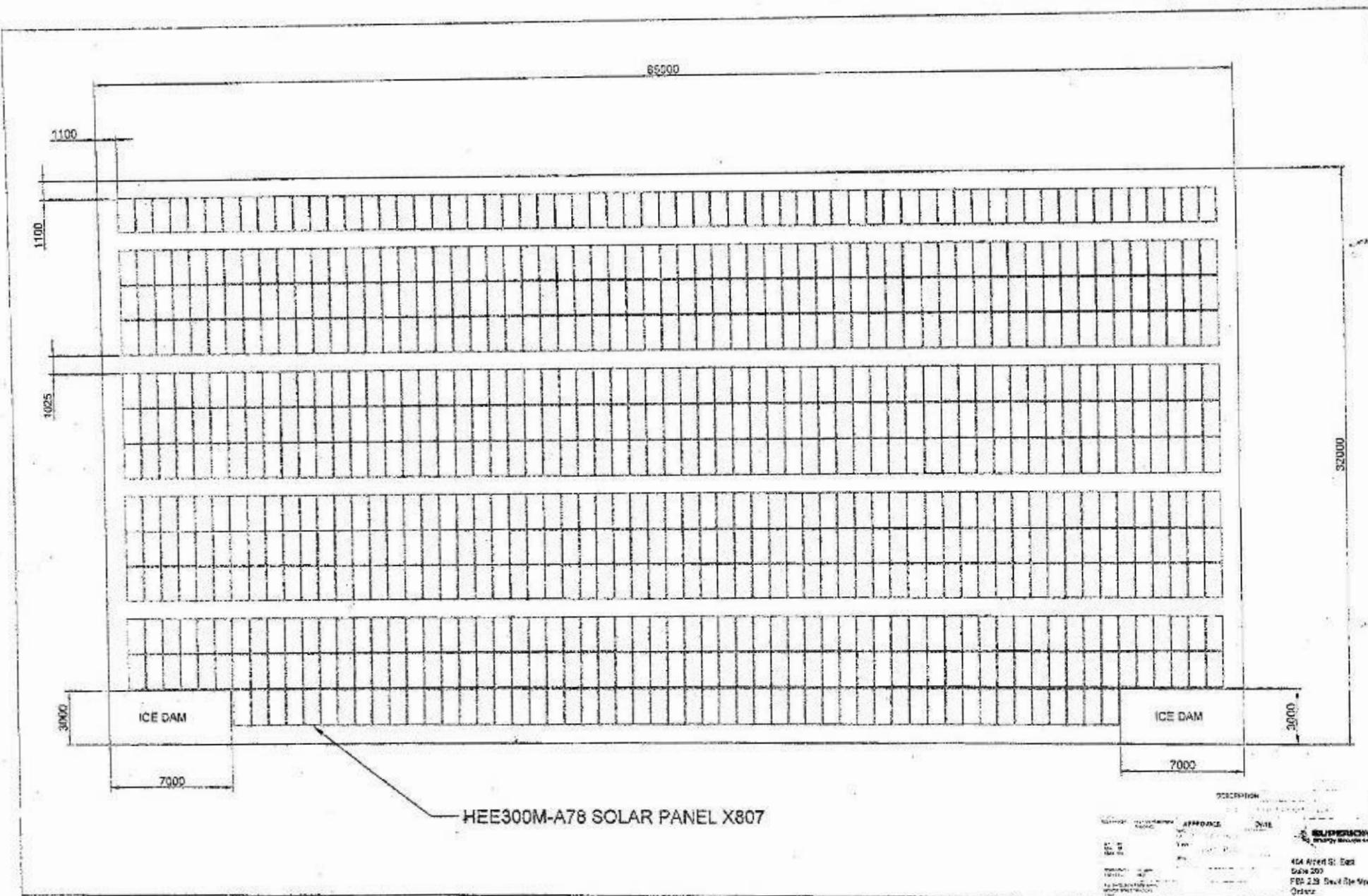
1. PUC Services will make an application to the OPA for the FIT contract and to PUC Distribution for a connection impact assessment study and a connection agreement. PUC Services will be responsible for all required permits. The cost of obtaining permits and agreements is contained in the project cost estimate.
2. PUC Services will be responsible for the total cost of the project as described in the request for proposal dated March 4, 2011.
3. Any property taxes directly attributable to the PV system will be the responsibility of PUC Services. Any such taxes will be subtracted from the rooftop lease payments paid by PUC Services to the City.
4. PUC Services will provide the necessary warrants for equipment and installation to protect existing warranties on the roof structure.
5. Operation & Maintenance manuals and as built drawings will be supplied to the City.
6. PUC Services will obtain insurance with a deductible acceptable to the City to cover the installed equipment for the duration of the agreement.
7. PUC Services will obtain liability insurance with the City named as an additional insured for the duration of the agreement.
8. PUC Services and SES will comply with all of the City's Health and Safety policies and procedures as described in the request for proposal dated March 4, 2011.

6(5)(a)

APPENDIX B

SOLAR PANEL LAYOUT

6(5)(a)



Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Celebrate 100!
1912 - 2012

ENGINEERING & PLANNING DEPARTMENT

Planning Division
Tel: (705) 759-5368
Fax: (705) 541-7165

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-17-11-Z.OP & 57T-11-501 – filed by Ruscio Investments Inc.

PURPOSE

The applicant is requesting City Council's approval to permit the development of 94 single-detached homes on the former Queensgate Golf Course. Prior to any development, an Official Plan Amendment, Zoning By-law amendment, as well as Draft Plan approval is required for the proposed subdivision.

PROPOSED CHANGE

To amend the City's Official Plan by re-designating the subject property from Parks and Recreation to Residential, to amend Zoning By-law 2005-150, rezoning the subject property from "PR" (Parks and Recreation) zone to "R2" (Single Detached Residential) zone and to obtain Draft Plan Approval for a 94 lot subdivision.

Subject Property:

- Location – Part of Blocks 1,6 & 8 and Blocks 2,4,7 &9, Plan 1M-523, located approximately 100m (328') east of the intersection of Trunk Road and Queensgate Boulevard, civic no. 184 Queensgate Boulevard
- Size – Approximately 258m (846.5') x 574m (1,883') irregular; 12.9 ha (31.84 acres)
- Present Use – Vacant Land (former Queensgate Par 3 Golf Course)
- Owner – Ruscio Investments Inc.

BACKGROUND

The subdivision is proposed for lands formerly used for the Queensgate Golf Course. The golf course has been closed for a number of years and has remained vacant since its closure. Discussions on a proposed subdivision date back to 2008, with an

application submitted in 2009 by Ruscio Masonry and Construction Limited. That application was subsequently withdrawn and the property was then sold to Ruscio Investments, the current applicant. Ruscio Investments also intends to develop a subdivision, made up of single-detached dwelling units, and submitted an application in September, 2011. The application was not scheduled at that time due to insufficient information required to review the application. The applicant has now completed the necessary technical reports and wishes to proceed with the required land-use approvals. The applicant hosted a public open house on the proposed subdivision on January 26, 2011, at White Pines Collegiate and Vocational School.

The proposed subdivision abuts the original Queensgate Subdivision, which was approved by Council in 1993.

The applicant's current proposal is to develop the subdivision in two phases. Phase 1 includes 33 lots, five of which front directly onto Queensgate Boulevard. Phase 2 includes 61 lots, which will take their access from the proposed Miranda Drive and Kurtis Court. Phase 2 also includes an access onto Trunk Road through lands also owned by the applicant. Should Council approve the requested Official Plan and Zoning Amendments and Draft Plan, the applicant will be required to enter into a subdivision agreement with the City prior to any development. The subdivision agreement ensures that all conditions of Council's approval are met, and ensures all technical and infrastructure standards are implemented in the final development.

ANALYSIS

Conformity with the Official Plan

The subject property is designated Parks and Recreation on Schedule "C" of the City of Sault Ste. Marie Official Plan. To enable the future development of a single-detached subdivision, an Official Plan amendment, re-designating the property to Residential is required. The portions of the subject property containing the drainage course and the unnamed creek are also regulated by Sault Ste. Marie Conservation Authority. These areas are identified on Schedule "B" of the Official Plan.

Comments

The current Parks and Recreation designation of the subject property originated from the 1993 Queensgate Subdivision approval. As part of that approval, the current subject property was designated Parks and Recreation to facilitate the development of the former Queensgate Golf Course. The application before Council is seeking to amend the current designation to Residential, which would allow for a future subdivision development.

The Parks and Recreation designation serves to provide lands that can be used for park and open space opportunities for the general public. Although golf courses fall under the Parks and Recreation designation within the urban area, the subject lands did not provide open space access or recreation opportunities for the general public. As well, the private golf course did not provide the park space amenities that a

typical residential neighbourhood park provides, such as park equipment and open space that is publicly accessible to any resident of either the neighbourhood or the community at large.

Given that the golf course is no longer operational and that the lands are under-utilized, re-designating the subject property to facilitate residential development is appropriate.

The conversion of these lands to enable the development of a single-detached subdivision is supported by the Residential policies of the Official Plan. Specifically, Policy R.8 states:

- R.8. In order to ensure a sufficient supply of land for development and intensification and to create opportunities to meet the needs of a full range of present and expected households, the City shall:
1. Maintain a continuous ten year supply of residentially designated land; and,
 2. Maintain at least a three year supply of residential land available for impending development (i.e. draft approved/registered plans of subdivision).

The proposed development supports the opportunity to provide a range of housing throughout the City and encourages a choice of housing in this part of the community.

When looking at recent subdivision approval in the community, it should be noted that there have not been any new subdivision approvals in over three years, with the exception being the recent condominium approvals granted to the Crimson Ridge Golf Course.

Planning staff encourage a mix of housing choices to be available in all areas of the community; however, in reviewing the serviced, urban density subdivisions that have been approved in past six years, only one small subdivision has been approved in the eastern urban area.

Over the past six years, most of the subdivisions that have been approved are located either in north-central urban area, or in the west end urban area. In the north-central area, the Lang Court, Fox Run and Windsor Farms subdivision have all been approved, and are currently under development.

In the west end urban area, three smaller subdivisions have been approved, including the 15 lot Central Creek Subdivision, a 15 lot subdivision near the top end of Korah Road, as well as a 15 lot subdivision at the west end of Rossmore Road. In addition to these recently approved subdivisions, the Greenfield Subdivision located along Third Line, provides additional serviced housing choice in the west end of the community.

In the east end of the community, a 20 lot subdivision was approved in 2006; however, it is uncertain when this proposal will proceed to development. The only other recently approved subdivision, located at the eastern limit of River Road, is a

39 lot, rural estate subdivision. The Parkinworth subdivision, which was approved a number of years ago, is nearly fully built out, while Denwood Subdivision has approximately 47 lots remaining undeveloped.

The annual average of single-detached homes constructed over the last six years has been 96 units per year, with 62 of those units being developed with the urban settlement area (see Development Trends - Single-Detached Development Chart attached to this report). The Official Plan encourages the municipality to maintain to "maintain at least a three year supply of residential land available" for immediate development.

Given the subdivisions that have been approved in the last six years, it is estimated that there are approximately 260 urban lots that can be developed for single-detached dwelling units (see recently approved Subdivision Chart attached to this report). However, if we project the annual average for another six years, it is estimated that 372 (62 lots x 6 years) lots would be required to accommodate the existing average over that time period. It should be noted however, that based on the City's recent population and housing projections, in order to accommodate increased labour demand, housing projections are estimated well above the current annual average (see Annual Housing Projections Chart attached to this report)

The existing proposal to convert the former Queensgate Golf Course would add 94 lots to the recently approved supply of lots that could be developed for single-detached dwelling units. This would total 354 (260 + 94) lots that would be readily available. This amount, along with the various lots that are still available in other older subdivisions would be appropriate, both in accommodating the projected demand in housing over the next six years, as well as providing locational choice for those looking to building a single-detached home.

The proposed single-detached subdivision will also be compatible with the surrounding area, both in terms of character and scale of development. The proposed development will be nestled between Queensgate Boulevard and Ruscio Crescent, both of which are characterized by single-detached development. The Official Plan encourages that new development be designed to integrate with the existing urban fabric. As well, the proposed change in zoning from PR, Parks and Recreation zone to R2, Single Detached Residential will ensure a compatible built form between the existing and proposed subdivision.

The subdivision proposed also includes a sizeable park area (Block 35). Currently, there is no neighbourhood park space provided within over a 1 kilometre radius of the proposed park. Given the size of the proposed development, 0.534 ha (1.32 acres) of parkland is required. However, the applicant is proposing to provide 0.947 ha (2.34 acres) of parkland. Block 35 will be zoned R2, Single Detached Residential, but will be dedicated to the Municipality for park land. Blocks 34 and 36, which will be used for stormwater management and noise attenuation respectively (discussed later in the report), will retain the Parks and Recreation designation and zoning.

In addition to the provision of parkland, the layout of the park was planned to increase visibility and access routes in and out of the park. As well, the applicant is proposing to provide pedestrian connections through the park, which will improve overall safety by encouraging more residents to walk through the space. Park equipment is subsequently provided by the City, based on funding availability through the Parkland Reserve account, and based on neighbourhood demand.

Neighbourhood pedestrian circulation is also supported with the provision of sidewalks on the one side of Miranda Court and the interior loop of Kurtis Crescent. It is also recommended that the sidewalk on Miranda Court extend to Trunk Road, in order to establish a pedestrian access to any future commercial development.

Technical Review

In reviewing this application, there are a number of technical issues that should be discussed (all technical reports are available in the Planning Division for review). First is the issue of noise attenuation. The subject lands are located within close proximity to three prominent noise sources, specifically Highway 17 East (Trunk Road), the Huron Central Rail line, and the Husky Truck Stop. To review what impact these noise sources would have on the proposed development, the applicant has retained HGC Engineering, a firm specializing in noise, vibration and acoustic analysis.

Although these sources can exceed Ministry of Environment guideline limits on acceptable noise, HGC Engineering has recommended a number of measures that would mitigate the impact of these noise sources to acceptable levels. These include upgraded ventilation and noise warning clauses to inform future residents of the road and rail traffic noise excesses, as well as a noise barrier (combination of a berm and/or wall) and additional warning clauses to prospective purchasers informing them of the presence of the nearby commercial and industrial facilities and the possibility that their operations may change in the future. The recommendations of HGC are recommended for inclusion in any future subdivision agreement prior to development.

It should be noted that the proposed noise barrier is proposed for Block 36 and a portion of Block 34. City staff does not recommend the noise barrier be maintained by the City. Therefore prior to the subdivision agreement, a separate block should be shown on the final plan showing lands for which the noise barrier is proposed. This block shall be retained by the applicant.

A second technical item assessed as part of this application was the potential for archaeological resources on the subject property. As part of the City's Archaeological Potential review, conducted in 2010, a portion of the subject lands were identified as lands with archeological potential.

Archaeological Services Inc. was retained by the applicant to conduct a Stage 1 and 2 Archeological Assessment of the Draft Plan of Subdivision. Due to the extensive land alterations consistent with the construction of the former Queensgate Golf Course, the majority of the subject property was found to have no archaeological

potential. However, the wooded areas found on the site were found to exhibit archaeological potential and were subject to test pitting at five metre intervals (Stage 2 assessment). Despite careful scrutiny, no archaeological resources were encountered and it is recommended by Archaeological Services Inc. that no further archaeological assessment of the property be required. However, if any archaeological remains are found during construction activities, the consultant archaeologist, approval authority and the Cultural Programs Unit of the Ministry of Tourism and Culture should be notified immediately. This and other recommendations by Archaeological Services Inc. are included in the conditions of subdivision agreement.

The third technical element addressed by the applicant was the environmental impacts associated with the conversion of lands associated with a golf course to residential uses. The conversion of lands from a non-residential use (e.g. commercial use) to a residential use requires a Record of Site Condition to be submitted to the Ministry of Environment prior to any development.

To accommodate this requirement, Cairns Engineering, on behalf of the applicant, conducted a Phase 1 Environmental Site Assessment (ESA), which indicated that the property's former use as a golf course was a potentially contaminating activity that made the entire site an area of potential environmental concern. In order to address this situation, Cairns Engineering recommended the collection of soil samples throughout the site (Phase 2 ESA) at selected locations in order to verify the presence or absence of any potential contaminants.

From the Phase 2 ESA conducted for the property, it was found that no chemicals were measured at concentrations that exceed the applicable MOE Table 9 Standard. As a result of the findings of the Phase 2 ESA, no Areas of Potential Environmental Concern remain at the subject property.

Another environmental concern is the condition of the existing un-named creek that runs along the north-easterly edge of the subject property, and forms part of Block 34. In reviewing correspondence from the original Queensgate subdivision, there was concern that there may be some level of contamination due to an existing sewage lagoon from the Husky Truck Stop. In the original Queensgate Subdivision application, it was recommended that prior to the dedication of the ravine lands, the Municipality should only accept ownership of the lands abutting the creek if the applicant has shown that the creek bed and lands are free of contaminants. In order to do this, the applicant should have samples taken and analysed with a report prepared for review in accordance with MOE guidelines.

In reviewing the environmental report submitted by the applicant, the bore-hole samples were done on the former golf course lands, and not in the ravine areas. As such, if the applicant is proposing to dedicate these lands to the municipality, an environmental assessment should be completed, in accordance with MOE guidelines, prior to finalizing the subdivision agreement.

Consultation

The following departments/agencies commented on the application as part of the consultation process:

- See attached letters – Building Division, Engineering Division, PUC Services, Public Works and Transportation, and Conservation Authority.
- No objections/comments – Fire Services, CSD, Municipal Heritage Committee, and Accessibility Advisory Committee

Building Division reiterated in their comments that a Record of Site Condition will be required prior to development and that a number of lots planned appear to be on lands that were previously filled. As such, these lots will require foundations to be designed by a professional engineer. This will be addressed at time of building permits.

The City's Engineering Division has advised that the applicant shall be required to enter into a Subdivision Agreement with the City prior to any development. As part of the finalization of the Subdivision Agreement, a sediment control and stormwater management plan, as well as plans and specifications showing final presale grades should be reviewed and approved. Additional comments are included in Engineering staff's letter attached to this report, and shall form conditions of the final subdivision agreement.

PUC has commented that given the size and location of the proposed subdivision development, they will need to complete a water system modeling study, the cost to be funded by the developer, to review the proposed watermain design. The reason for the study is that it is anticipated that a requirement for a looped supply, along Trunk Road from the area of White Pines school, will be needed to meet system reliability and water quality requirements, and possibly allow for a smaller watermain within the subdivision. They have also advised that depending on the results of the modeling study, the developer may be required to fund part of the loop main on Trunk Road.

PUC has also remarked that the Geotechnical report provided indicates the presence of silt and a high water table which require a geotechnical engineer to be on-site during the excavation and placement of pipe bedding material. It is recommended that the items raised by the PUC form part of the final subdivision agreement.

Staff from Public Works and Transportation has commented that the proposed subdivision shall be allowed access and egress from Queensgate Boulevard, however, all additional phases, regardless of the number of lots, will require the provision of the planned access point onto Trunk Road.

PWT has also advised that the access road into the stormwater management pond be constructed to accommodate maintenance vehicles and equipment. The applicant has also indicated the use of rear yard swales to facilitate drainage throughout the subdivision. PWT does not maintain rear yard swales and the

drainage design and agreement needs to ensure that future residents are made aware of their responsibility for the care and maintenance of drainage swales.

The Sault Ste. Marie Region Conservation Authority has no objection to the proposed subdivision and has commented that a portion of the property is within the lands regulated by the Authority. A permit will therefore be required prior to development. The Authority has also made number of other comments with respect to foundation design, geotechnical requirements, stormwater design, sediment control, and the use of fill. These comments are attached at the end of this report and shall form part of the final subdivision agreement.

At time of writing, two letters of concern were received. The first is from a resident of Queensgate Boulevard. Although not opposed to the application, the resident does outline a number of concerns.

First, it is advised that all construction related access, with the exception of lots 1 through 5 of Phase 1 be taken from Trunk Road. Planning staff is of agreement with this request, and recommend this be included as a condition of approval.

A second point raised is in regards to the access point of Lot 1 of Phase 1. Given its proximity to the s-curve of Queensgate Boulevard, it is suggested that the driveway for this proposed lot be located at the southeasterly portion of the lot. Planning staff are also in agreement and recommend that this provision be included in the final subdivision agreement.

Third, the resident advocates that the existing pond, proposed to be filled as part of Phase 2, be filled as part of the development of Phase 1. Given the proximity of the proposed Phase 1 lots to the existing pond, Planning staff is also in agreement and recommend this as a condition of Council's approval.

A final point raised by the neighbor deals with the use of traffic calming measures on Queensgate Boulevard. Although the issue does have merit, the implementation of traffic calming measures is an operational concern of the City's Public Works and Transportation department, and is independent of the proposed subdivision application. As the neighbor notes, the residents have made repeated request (prior to the submission of this current application) to the City to install traffic calming devices given the observed speed and volume of traffic. A review was conducted in 2010 by PWT staff and there was no warrant for traffic calming (see comments from PWT). Planning staff are recommending that the should the neighbours wish to pursue traffic calming measures further, that this matter be referred back to PWT staff for additional review.

A letter of objection, as well as a neighbourhood petition, was submitted by a resident of the Neeland Subdivision (Tamarack, Talon and Teal). The concern is that the proposed noise barrier/berm will re-direct sound from the Husky Truck Stop to the Neeland Subdivision.

HGC was contacted for comment on this concern. While the neighbor raises valid point, HGC advises that it is not expected to be a concern if the vertical noise barrier

is built from sound absorbing materials to reduce reflections. As well, utilizing a berm comprised of earth and covered with vegetation tends to absorb and not reflect incident sound. In addition, a berm is not a vertical surface as they are generally constructed with 2:1 or 3:1 side slopes, which tend to reflect any residual sounds upwards, not in a lateral horizontal direction (comments from HGC Engineering are attached to the report).

To ensure that the proposed sound mitigation measures implemented by the applicant do not negatively impact the residents of the Neeland Subdivision, it is recommended that prior to finalizing the subdivision agreement for lots 1-16 of Phase 2, a professional engineer qualified to provide acoustical engineering services review the proposed height and extent of the noise barrier, to ensure that the barrier either absorbs or reflects sound upwards, and not towards the Neeland Subdivision.

IMPACT

There are no anticipated negative fiscal impacts associated with the proposed subdivision application.

SUMMARY

The applicant is proposing a 94 lot, single-detached subdivision on lands formerly used for the Queensgate Golf Course. The subdivision is planned in two phases, and includes the provision of 0.947ha (2.34 acres) of parkland.

The Official Plan re-designation of the subject lands from Parks and Recreation to Residential is appropriate as the golf course lands are under-utilized and do not serve as publicly accessible recreational space.

The conversion of these lands is also supported by the Residential policies of the Plan, which state that the Municipality maintain a minimum three year supply of residential land available for impending development. The re-designation of these lands will assist in providing an adequate supply of land to accommodate the projected demand for single-detached development, and provide locational choice for this type of development in the east end urban area.

The proposed development is also compatible with the surrounding area, and rezoning these lands to R2, Single Detached Residential zone will ensure a harmonious built form between the existing and proposed subdivision.

The applicant is also proposing more than the required park space and is intending to provide pedestrian connections through the park, which will encourage more use and general safety within the space.

All technical issues have been appropriately addressed and will form part of the conditions that the applicant will have to meet prior to finalizing any future subdivision agreement.

The proposal is also consistent with Provincial Policy, which encourages opportunities for redevelopment and encourages growth that minimizes land consumption (i.e. not needing to expand into rural areas) and utilizes existing services.

Planning staff are recommending approval of the required Official Plan, Zoning and Draft Plan approvals to facilitate the proposed development.

STRATEGIC PLAN

The mission statement of the City of Sault Ste. Marie's Strategic Plan is "to provide quality and cost-effective municipal services in a responsible and supportive manner". The proposed development supports this mission as the lands proposed for development are within the urban area, which allow for a more easy connection into existing infrastructure such as water and sewer, and encourage more efficient use of other services, such as public transportation, garbage collection and snow removal.

RECOMMENDATION

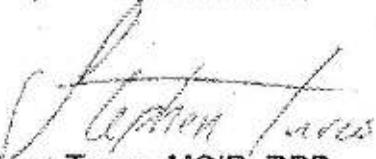
That City Council permit the requested 94 unit Single Detached residential development, subject to the following:

1. That Council approve Official Plan Amendment No. 192, re-designating the subject lands (as shown on the proposed Official Plan amendment schedule) from Parks and Recreation to Residential,
2. That Council approve rezoning the property (as shown on the proposed zoning schedule) from PR, Parks and Recreation zone, to R2, Single Detached Residential zone
3. That Council provide Draft Plan approval for the proposed 94 lot subdivision, as shown on the attached subdivision layout plan
4. That prior to the finalization of the subdivision agreement(s), the following items be addressed and/or included in the final agreement:
 - a. That Block 35 on the attached plan be dedicated to the Municipality for park land.
 - b. That all sidewalks on the attached plan be implemented in the final development, including the proposed walkways through the park lands, and that the sidewalk proposed for Miranda Drive be extended to Trunk Road.
 - c. That the recommendations in the report completed by HGC, numbers 1 through 4, be implemented in the final development;
 - d. To ensure that the noise mitigation recommendations identified by HGC are properly implemented in the design of the site and buildings, it is recommended that:
 - i. Prior to final approval, a Professional Engineer qualified to provide acoustical engineering services in Ontario shall review the final site plan and grading plans to specify the height and extent of the noise barrier, and to ensure that the noise barrier either absorbs or reflects sound upwards, and not towards the Neeland Subdivision.

- ii. Prior to the issuance of occupancy permits for this development, the City's Chief Building Official or a Professional Engineer qualified to provide acoustical engineering services in Ontario certify that the noise control measures, as approved, have been properly installed and constructed.
- e. That a separate block be shown on the final plan showing lands which will be utilized for the noise barrier and that this block be retained by the applicant.
- f. That in the event any archaeological remains are found during subsequent construction activities, the consultant archaeologist, the Municipality and the Cultural Programs Unit of the Ministry of Tourism and Culture should be immediately notified, and
 - i. That all compliance with legislation, as outlined in the report by Archaeological Services Inc., be met
- g. That Block 34 shown on attached plan be dedicated to the Municipality for the purpose of Storm Water Management, and
 - i. That prior to the dedication of the ravine lands within Block 34, an environmental assessment be completed, in accordance with Ministry of Environment guidelines
- h. That a Record of Site Condition be filed with the Ministry of Environment
- i. That where lands have been previously filled, future development will require foundations to be designed by a Professional Engineer
- j. Comments outlined in the letter from the City's Engineering Division, attached to this report
- k. Comments outlined in the letter from the City's PUC, attached to this report
- l. Comments outlined in the letter from the Sault Ste. Marie Region Conservation Authority, attached to this report
- m. That the proposed subdivision be allowed access and egress from Queensgate Boulevard and that all additional phases, regardless of the number of lots, will require the provision of the planned access point onto Trunk Road
- n. That all construction related access, with the exception of lots 1 through 5 of Phase 1 be taken from Trunk Road
- o. That the access road into the stormwater management pond be constructed to an acceptable standard to handle City maintenance vehicles and equipment
- p. That operation and maintenance of rear yard swales will be the responsibility of future lot owners and that this be considered at the time of the drainage design and agreement
- q. That the driveway for the proposed lot 1 of Phase 1 be located at the southeasterly portion of the lot
- r. That the existing pond be filled as part of the development of Phase 1

66)(a)

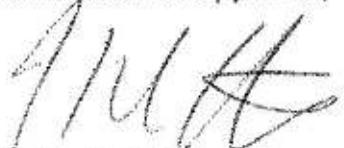
Respectfully submitted,


Steve Turco, MCIP, RPP
Planner

Recommended for approval,

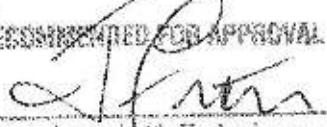

Donald B. McConnell, MCIP, RPP
Planning Director

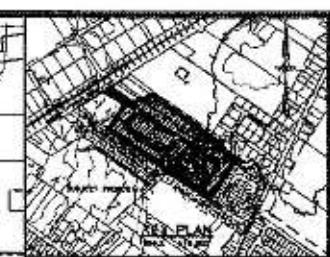
Recommended for approval,


Jerry Dolcetti, RPP
Commissioner Engineering & Planning

ST/ps
attachment(s)

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer



DRAFT PLAN OF PROPOSED SUBDIVISION
BLOCKS 1,2,4,6,7,8 AND 9
REGISTERED PLAN IM-523
RANKIN LOCATION
IN THE
CITY OF SAULT STE. MARIE
DISTRICT OF ALCOMA

ADDITIONAL INFORMATION REQUIRED
UNDER SECTION 54 (17) OF PLANNING ACT

1. ZONING:
2. DRAINAGE SYSTEM:
3. EASEMENTS:
4. SURVEYOR'S CERTIFICATE:
5. OTHER:

SURVEYOR'S CERTIFICATE

STATE THAT THE SURVEYOR OF THE PLAN HAS BEEN ADVISED OF THE PROPOSED USES OF THE LAND AND THAT THE SURVEYOR HAS CONSIDERED THE PROPOSED USES.

NAME: _____

DATE: _____

OWNER'S AUTHORIZATION

STATE THAT THE OWNER OF THE LAND HAS BEEN ADVISED OF THE PROPOSED USES OF THE LAND AND THAT THE OWNER HAS CONSIDERED THE PROPOSED USES.

NAME: _____

DATE: _____

REMARKS:

STATE THAT NO REMARKS ARE MADE TO THE PLAN.

NAME: _____

DATE: _____

BEARING NOTE:

STATE THAT NO BEARING NOTES ARE MADE TO THE PLAN.

NAME: _____

DATE: _____

METRIC NOTE:

STATE THAT NO METRIC NOTES ARE MADE TO THE PLAN.

NAME: _____

DATE: _____

CAIRNS ENGINEERING INC.

13 MARY STREET, SUITE 2, BILLING, ONTARIO,
CANADA N0B 1M0, (905) 825-1000

FAX: (905) 825-1001

WWW.CAIRNS.COM

RUSCIO INVESTMENTS INC.

QUEENSGATE EXPANSION

SUBDIVISION PROPOSAL

SCALE 1:1000

SAULT STE. MARIE

ONTARIO, CANADA N0B 1M0

CONTRACT 2010-141 | 1

(a)

GROCERY TRUCK STOP

ROUTE 17 (TRAILER ROAD)

REGISTERED PLAN IM-564

REG. PLAN IM-549

WHITE RIVER COLLEGE & VOCATIONAL SCHOOL

QUEENSGATE BOULEVARD

AREA CALCULATIONS:

PHASE 1

LOTS 1-33 + MERIDIAN DR. = 3.042 HA (7.52 ACRES)
5% PARK LAND REG'D = 0.152 HA (0.38 ACRES)

PHASE 2

LOTS 1-61
+ KURRIS CRESCENT
5% PARK LAND REG'D = 7.836 HA (18.87 ACRES)
= 0.392 HA (0.94 ACRES)

BLOCK 34

= 0.313 HA (0.77 ACRES)
BLOCK 35 (PARK LAND) = 0.947 HA (2.34 ACRES)

K.C.P. H-702

PINEWOOD SCHOOL

**AMENDMENT NO. 192
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

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

LOCATION:

Part of Blocks 1, 6 & 8 and Blocks 2, 4, 7 & 9, Plan 1M-523, located approximately 100m (328') east of the intersection of Trunk Road and Queensgate Boulevard, civic no. 184 Queensgate Boulevard.

BASIS:

This Amendment is necessary in view of the request to rezone the subject property and provide Draft Plan approval for the development of a residential subdivision.

The proposal does not conform to the existing Parks and Recreation policies as they relate to the subject property.

Council now considers it desirable to amend the Official Plan, redesignating the subject property from "Parks and Recreation" to "Residential".

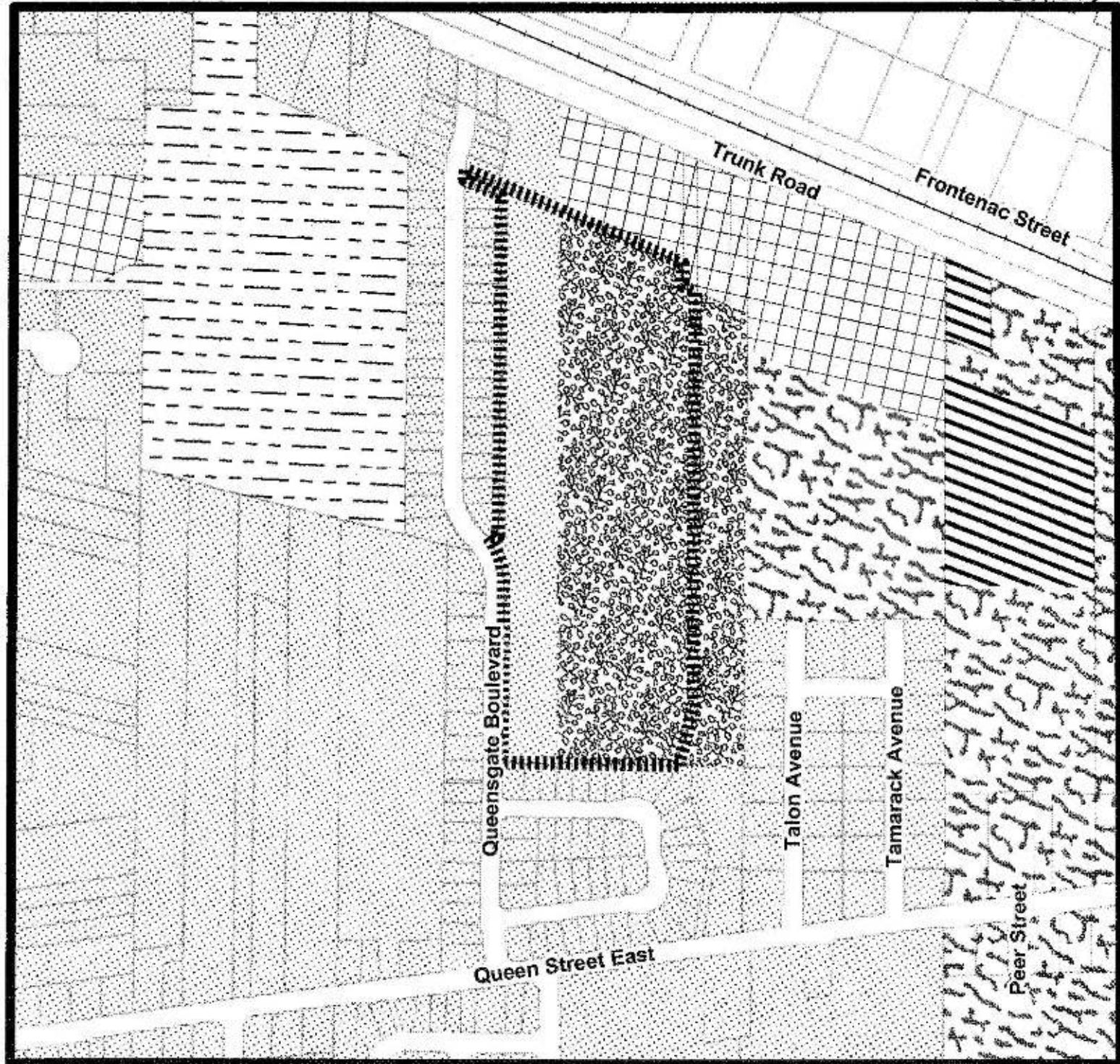
DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the Sault Ste. Marie Official Plan is hereby amended redesignating Part of Blocks 1, 6 & 8 and Blocks 2, 4, 7 & 9, Plan 1M-523, located approximately 100m (328') east of the intersection of Trunk Road and Queensgate Boulevard, civic no. 184 Queensgate Boulevard, more specifically shown on the attached schedule, from "Parks and Recreation" to "Residential".

INTERPRETATION

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

(c)(6)(A)



OFFICIAL PLAN LANDUSE MAP

184 QUEENSGATE BOULEVARD

Planning Application: A-17-11-Z-OP

Subdivision Reference: 57T-11-501



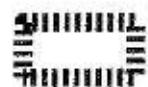
Metric Scale
1 : 5500

OFFICIAL PLAN
Schedule "C"
AMENDMENT No. 192

OFFICIAL PLAN LANDUSE

Land Use Designation

- Residential
- Commercial
- Institutional
- Parks Recreation
- Industrial
- Rural Area



Subject Area [to be re-designated from "Parks & Recreation" to "Residential"]

(6)(b)(a)

Recent Development Trends - Single Detached Dwellings
(In/Outside Urban Settlement Area [USA])

Year	In USA	Outside USA	Total	% in USA
2005	61	25	86	70.93%
2007	76	37	113	67.26%
2008	87	34	121	71.90%
2009	46	37	83	55.42%
2010	46	32	78	58.97%
2011	57	40	97	58.76%
Totals	373	205	578	
Yearly Average	62	34	96	63.87%

Source: City of Sault Ste. Marie Building Permit Data, City of Sault Ste. Marie Planning Division

66(a)

Recently Approved Urban Subdivisions

Area	Subdivision	Year Approved	Single-Detached Lots
East	Bay Road	2006	20
North	Lang Court	2011	7
	Fox Run	2007	100
	Windsor Farms	2007	88
West	Central Creek	2009	15
	Korah Road	2009	15
	Rossmore Road	2008	15
TOTAL			260
	Proposed Queensgate Subdivision		94
	<i>Total including Queensgate Subdivision</i>		<i>354</i>

Source: City of Sault Ste. Marie Planning Division

6(6)(a)

Annual Housing Projections
Housing Demand by Type

	2006-2011 Per Year	2011-2016 Per Year	2016-2021 Per Year	2021-2026 Per Year	Total 06-26
Single Detached	Up to 70	Up to 160	Up to 210	Up to 150	2,850 Units
Semi-Detached	Up to 10	Up to 15	Up to 20	Up to 15	240 Units
Row Housing	Up to 10	Up to 15	Up to 15	Up to 5	200 Units
Apartments	Up to 25	Up to 90	Up to 90	Up to 60	1,450 Units

Source: City of Sault Ste. Marie Planning Division: Population and Housing Projections

Pat Schinners

From: Don Maki
Sent: August 08, 2012 10:11 AM
To: Don McConnell; Pat Schinners
Subject: Rezoning application A-17-11-Z.OP 184 Queensgate Blvd

Hi Don

The site was used for a commercial golf course. A record of site condition will have to be filled prior to the issuance and a number of lots that appear to be on lands that will be filled. These lots will require engineers to design the foundation
Don

Don Maki CBCO
Chief Building Official
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
Phone (705) 759-5399
d.maki@cityssm.on.ca

www.cityssm.on.ca
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Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 08 20

Our File: A-17-11-Z.OP

Donald B. McConnell, MCIP, RPP
Planning Director
Engineering and Planning Department
City of Sault Ste. Marie

Dear Mr. McConnell:

**RE: RECIRCULATION OF APPLICATION A-17-11-Z.OP & 57T-11-501 – 184 QUEENSGATE BOULEVARD
REQUEST FOR AN AMENDMENT TO THE OFFICIAL PLAN, ZONING BY-LAW AND DRAFT SUBDIVISION APPROVAL**

The Engineering and Construction Division has reviewed the above noted application and provides the following:

- The applicant shall be required to enter into a Subdivision Agreement with the City;
- A sediment control plan and storm water management plan must be submitted to the satisfaction of the Commissioner of Engineering and Planning or his designate, and the Sault Ste. Marie Conservation Authority;
- Plans and specifications showing final presale grades should be reviewed and approved by the Commissioner of Engineering and Planning or his designate. Lot grading plans should show existing contours, and proposed grades for each lot. As constructed drawings should be modified to show only final grades;
- Confirmation is required in relation to the existing condition of 900mm CSP culvert, in conjunction with the proposed subdivision;
- Further clarification will be required showing how stormwater is entering the proposed stormwater system from the 900mm CSP culvert;
- As part of Queensgate Subdivision Phase IV, curb returns were placed off of Queensgate Boulevard between civic number 186 and 182. If the current subdivision is approved, full curbs will be required to replace existing curb returns, should the existing entrance be removed;
- The side slopes for the proposed stormwater management pond shall be as per Ministry of the Environment guidelines;

- A sanitary easement runs through the subject property and traverses parts of Lots 15, 16, 17, and 18;
- When grading plans are available a revised analysis should be conducted to specify top of noise barrier elevation;
- The Geotechnical Evaluation prepared by M.R. Wright & Associates Co. Ltd. states that dewatering may be required during construction of this Subdivision. If the water from the dewatering process is to be discharged to the sanitary system, the developer's Consulting Engineer shall ensure that the downstream infrastructure, including but not limited to sanitary sewers and pumping stations, can handle the increased flow;
- The Geotechnical Evaluation prepared by M.R. Wright and Associates Co. Ltd. addresses many issues regarding the potential development. The applicant shall ensure that all of the potential issues are addressed prior to construction. Additional development and engineering costs should be expected due to the many geotechnical challenges associated with this site;
- The General Location Plan and the Borehole Location Plan provided in the Geotechnical Evaluation was copied incorrectly and is unreadable. New copies of these plans would be appreciated;
- The Geotechnical Evaluation specifies 30mm of surface course asphalt (HL3) and 40mm of base course asphalt (HL8) but the City requires 40mm of surface course asphalt and 50mm of base course asphalt for all new residential developments. The applicant's Consulting Engineer shall specify 40mm of surface course asphalt and 50mm of base course asphalt for all roads in the proposed Subdivision;
- The Noise Feasibility Study prepared by HGC Engineering Limited provides noise mitigation recommendations for the proposed development. The applicant shall ensure that these recommendations are implemented. The suggested warning clauses for specific lots in the Subdivision shall be included in the Information to Purchasers section of the Subdivision Agreement and registered on Title;
- Post development flows shall not exceed predevelopment flows up to and including the 100 year storm. Consideration of flows from Ruscio Court should be included, unless otherwise approved.

If you have any questions, please contact the undersigned.

Yours truly,



Daniel Perri, EIT
Engineering Intern

c: Jerry Dolcetti, Commissioner, Engineering & Planning
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT

(066KA)



PUC SERVICES INC.
ENGINEERING DEPARTMENT
550A SECOND LINE EAST, P.O. Box 9000
SAULT STE. MARIE, ONTARIO, P6A 6P2

August 17, 2012

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: Re-circulation of Application No. A-17-11-Z.OP & 57T-11-501
Request for an amendment to the Official Plan,
Zoning by-Law and Draft Subdivision Approval**

PUC's preliminary review of the above application has identified some concerns with the proposal that appear to be surmountable but will require further engineering design review. The following items are identified that will need to be considered.

Given the size and location of the proposed subdivision development PUC will need to complete a water system modeling study funded by the developer to review the consultants proposed watermain design. The large 10-inch main proposed by the developer as a dead end will introduce water quality management standard issues that we believe can be avoided with an improved system design. We anticipate a requirement for a looped supply, along Trunk Road from the area of White Pines school, will be needed to meet system reliability and water quality requirements and hopefully allow a smaller watermain within the subdivision. Depending on the results of the modeling study the developer may be required to fund part of the loop main on Trunk Road.

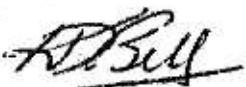
The Geotechnical report provided indicates presence of silt and a high water table and includes recommendation for geotechnical engineer to be on-site during excavation of subgrade and placement of pipe bedding material. This should be included as a requirement for the subdivision construction. Given these field conditions PUC will also need to be consulted directly by the design engineer to review thrust restraint requirements for the watermain design.

Page 2 of 2

The last item noted from the design materials provided indicate an assumed minimum 3.0m separation between homes. This should be identified for addition to any zoning and City building permits requirements.

Yours truly,

PUC SERVICES INC.



Kevin D. Bell, P.Eng.
Manager Engineering

(6)(a)

S. Hamilton Beach, P. Eng
Deputy Commissioner



Larry Girardi
Commissioner

August 30, 2012

Donald McConnell
Planning Director

Subject: Re-circulation of Application A-17-11-Z.OP and 57T-11-501
(amended application); Request for an Amendment to the Official Plan and Zoning By-law and Draft Subdivision Approval

Applicant: Ruscio Investments Inc.

Subject Property: 184 Queensgate Boulevard

Staff from Public Works and Transportation has reviewed this application and have no objections. PWT would require that the following traffic concerns be incorporated into the approval as conditions:

- Phase I of the proposed subdivision will be allowed access and egress from Queensgate Boulevard. However, all additional phases will require the provision of the planned access point onto Trunk Road;
- all construction related access for all phases beyond Phase I will be required to be taken from the planned Trunk Road access;
- PWT recommends that parkland be dedicated to the City of Sault Ste. Marie and suggests that the developer consider developing a neighbourhood park at this location;

Page 2...184 Queensgate Boulevard

- The access road into the stormwater management pond needs to be constructed to an acceptable standard to handle our maintenance vehicles and equipment; and
- Maintenance of the rear yard swales is deemed to be critical in the Stormwater study. PWT does not maintain rear yard swales. The drainage agreement and design needs to ensure that the resident is made aware of their importance and are held responsible for their care and maintenance.

If you have any further questions please contact me at (705) 759-5207.



Susan Hamilton Beach, P. Eng.
Deputy Commissioner
Public Works and Transportation

c.c. Dan Perri, EIT

H:\Planning Reports\Rezoning & OP Amend\Queensgate Expansion.doc

(6)(a)



1100 Fifth Line East
Sault Ste. Marie, ON P6A 5K7
Tel: (705) 946-8530
Fax: (705) 946-8533
Email: nature@ssmrca.ca
www.ssmrca.ca

August 15, 2012

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

Re: Application No. A17-11-Z.OP and 57T-11-501 (Amended Application)
Ruscio Investment Inc.
184 Queensgate Boulevard

Dear Mr. McConnell:

The Sault Ste. Marie Region Conservation Authority (SSMRCA) has reviewed the Draft Plan of Subdivision and supporting information for the above proposed development which includes a 94 residential lot subdivision.

The SSMRCA has no objections to the proposed development provided the following concerns are addressed:

1. A portion of the subject property at north-east side along an un-named creek is located within the jurisdiction of O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses. A permit from the SSMRCA will be required for lot development, stormwater retention pond construction and slope stabilization work associated with the development. Therefore, Lots 13 to 24 will require a permit and Lots 39 to 41 may require permit for development from the SSMRCA
2. An Engineered foundation design is required prior to commencing the work to support the foundations of lots 23, 24, 25 and any residential construction within the near vicinity of the pond. A site specific geotechnical study or design may be required for these lots.
3. Section 5.0 Geotechnical Design Recommendations of the Report "Geotechnical Evaluation Queensgate Subdivision Expansion" must be properly followed during design, pre and post development of the Subdivision.
4. The application for an Environment Compliance Approval for the Stormwater System must indicate that the system is designed for "Normal" protection corresponding to the end-of-pipe storage volumes required for the long-term

average removal of 70% of suspended solids. This application must be submitted for review to the SSMRCA prior to submission to MOE.

5. The subdivision will be municipally serviced by water and sanitary sewage facilities and no subsurface disposal or well water sources are planned.
6. A Sediment Control Plan acceptable to the SSMRCA's Engineer be developed and implemented to control off site migration of sediments from the subdivision prior to clearing the site, during and following construction until vegetation has been re-established in critical areas.
7. The developer undertakes to remove all wastes from the site prior to commencing site clearing and development operations. This action is especially necessary in the vicinity of Lot # 8 to 17 and 36.
8. Prior to any work taking place that siltation control measures be installed along the creek and maintained until such time as all construction has been completed and all disturbed areas have been properly re-vegetated.
9. Prior to final plan of Subdivision Approval the SSMRCA will designate which properties will remain under the regulatory requirements of Regulation 176/06. For example, this designation would read:

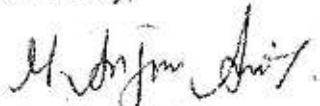
Lots 17 to 23 are located in an area under the jurisdiction of the Sault Ste. Marie Region Conservation Authority (SSMRCA) with regard to the O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses. A permit from the SSMRCA is required for any development on the said lots prior to commencing the proposed work.

10. All fill to be used in the development of the subdivision shall be clean fill as defined by the SSMRCA.

We have discussed above noted proposal with our Drinking Water Source Protection (DWSP) section. The DWSP staff has no concerns with the proposed subdivision in relation to their mandate.

If we may be of any further assistance please do not hesitate to contact us.

Yours truly,



Anjum Amin, P.Eng.
Water Resources Engineer

c.c. Daniel Perri, City Engineering & Planning Department



65 Queensgate Blvd., Sault Ste Marie, Ontario P6A 6T4

27 August, 2012

Mr. Steve Turco,
Planner,
City of Sault Ste Marie,
99 Foster Drive,
Sault Ste Marie, Ontario P6A 5X6

Re: Planning Application Nos.: **A-17-11-ZOP and 57T-11-501**
Ruscio Investments Inc.

Dear Mr. Turco:

We have received notice of the noted application before City Council to amend the Official Plan and Zoning By-law to permit development of 94 single family dwellings on property directly across the road from our home. Please be advised that we have no objection to the proposed amendments, and are supportive of the efforts to establish viable use for the vacant land but do wish to offer several comments which may improve the proposed development for all concerned.

1. Site Access during Construction

We are aware that a number of our neighbours on Queensgate Blvd have expressed concerns with respect to the proposal and the impact which the development will have upon their peace and enjoyment of their property due to construction traffic, associated noise and dust during the phased construction period. Notes on the proposed plan of subdivision indicate that the developer intends to create a new road "Miranda Drive" as the primary access to the subdivision, but that it will not be open to Trunk Road until Phase II of the project.

To reduce the negative impacts and nuisance to neighbours it is recommended that the City:

- a) require the developer to open and develop Miranda Drive south from Trunk Road as a preliminary to any construction activity. The roadway could be constructed as a construction access and not be completed to full municipal standards until Phase II of the project is undertaken. All construction traffic would be required to access the site from Trunk Road.
- b) establish a 1 ft reserve at the intersection of the proposed Miranda Drive and Queensgate Blvd which would have the effect of not allowing construction traffic to travel on Queensgate Blvd to access the development site.
- c) construction traffic associated with development and construction of Lots 1-5 of Phase I would be exempted from these restrictions.

In the context of the total cost of the project, limiting site access as suggested would be minimal and would have significant safety benefits while providing peace of mind for existing residents.

2. Traffic Calming and Safe Access to Parkland

The access / egress for the proposed Block 35 "Parkland" is shown on the plan to be in the apex of the S-curve on Queensgate Blvd. In the longer term, it is likely that this access will be used as a route for school children who will travel to/from Pinewood Public School and White Pines Collegiate. Since the sidewalk is on the west side of Queensgate Blvd, consideration should be given to improving the safety of any crossing from the new development to the existing sidewalk.

Residents of Queensgate Blvd have made repeated requests to City Council to install traffic calming devices on Queensgate due to increased traffic volumes being experienced and the speed of vehicles using this residential street as a short-cut from Trunk Road to Queen Street. Queensgate is increasingly becoming an undefined collector road but is not designed for that purpose.

To address the issues associated with safe crossing of the street and to reduce the impacts of fast moving vehicles on the residential street, it is recommended that as a condition of approval of the subdivision, the City require the developer to install appropriate traffic calming devices (speed humps) as the City may determine to be located to the North and South of the S-curve on Queensgate Blvd.

3. Access to Lot 1 Phase I

In similar context as the previous comment, the Northerly boundary of Lot 1 of Phase I is located close to the Southerly transition from the S-Curve which exists on Queensgate. It is recommended that this lot be developed with driveway access along the Southerly boundary of the lot to increase the separation from the S-curve and minimize potential for mishaps on the curve and access to the proposed Parkland.

4. Block 35 and Filling of the Pond

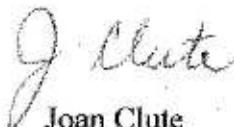
The draft plan proposes that the existing pond in Block 35 will be filled-in in Phase II of the development. It may be appropriate to require that the developer fill the pond area as part of the Phase I activity, since Phase II of the development may be years in the future. In the interim, an open pond in the middle of dedicated parkland will introduce safety and liability issues.

All of which is respectfully submitted in accordance with your direction and notice given. Please keep us informed of any decision / deferrals / or future public notices associated with this matter. We may request the opportunity to speak in support of the proposal and to these issues before Council.

Yours truly



Douglas A. Clute



Joan Clute

Cc: Mr. Bob Paciocco
Laidlaw, Paciocco, Spadasfora

Steve Turco

From: Andy Starzomski(ManTraf)
Sent: September 12, 2012 10:27 AM
To: Steve Turco; Susan Hamilton Beach
Subject: RE: Traffic calming - Queensgate

Hi Steve

Comments as per speed humps on S curve:

- 1) the general nature of S curve's is to force traffic to slow down
- 2) in 2010 volume and speed studies were conducted approximately 500 vehicles per day and 85th percentile speed of 56 km/h (low volume and speed) would not warrant traffic calming device.

Let me know if you require anything else.

Thank you
Andy Starzomski
Manager of Traffic and Communications
Public Works & Transportation
The Corporation of the City of Sault Ste. Marie
128 Sackville Rd
Sault Ste. Marie, ON P6B 4T6
Phone: 705-541-7000 ext. 237
al.starzomski@cityssm.on.ca

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From: Steve Turco
Sent: September 11, 2012 1:29 PM
To: Susan Hamilton Beach
Cc: Andy Starzomski(ManTraf)
Subject: RE: Traffic calming - Queensgate

Would it be possible to provide a brief summary (perhaps a sentence or two) that I can include in the report.

From: Susan Hamilton Beach
Sent: September 11, 2012 1:28 PM
To: Steve Turco
Cc: Andy Starzomski(ManTraf)
Subject: FW: Traffic calming - Queensgate

Hi Steve,

A process has been approved by Council by which a traffic calming application undergoes a warrant evaluation. Andy can provide the background information...if initiated - this can be one of our first examples....

Regards,

Susan Hamilton Beach, P. Eng.

6(6)(a)

Deputy Commissioner
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s.hamiltonbeach@cityssm.on.ca

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From: Steve Turco
Sent: September 11, 2012 9:15 AM
To: Susan Hamilton Beach
Subject: Traffic calming - Queensgate

Hi Susan, please see the letter from Doug Clute, specifically his second point. Planning staff are of the opinion that although the comment has merit, the implementation of traffic calming measures is a City operations issue, and is independent of whether Council approves the subdivision (as he notes, there have been historical requests, even before the proposed subdivision). Do you have any comments? Please feel free to call me to discuss. Thanks. Steve.

From: Steve Turco
Sent: September 10, 2012 2:54 PM
To: 'Bob Paciocco'
Subject: Noise Study - Queensgate Golf Course

Hi Bob, we have a petition from the residents of the Neeland subdivision concerned that the proposed noise berm/wall will re-direct noise to their homes. Can you please contact HGC for comment. I've also included a letter from Mr. Doug Clute. Thanks. Steve.

Stephen Turco MCIP RPP
The Corporation of the City of Sault Ste. Marie
Civic Centre, 5th Floor, 99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

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F. 705.541.7165
[E. s.turco@cityssm.on.ca](mailto:s.turco@cityssm.on.ca)



Please remember the environment before printing this email

To: Steve Tarco, Planner August 30/2012 (66)(a)

Regarding Application No. A-17-11-Z.O.P
+ 57T-11-501

From: John Donovan
68 Talon Ave.
S.S. Marie P6A 5K9
Ph. No. 705-7591662



I would like to speak to City Council about my neighbor's and my concern over the increased noise we will be forced to live with if the Queen's Gate Golf Course rezoning development is approved due to the sound berm that is proposed.

I wish to be notified of the adoption of this rezoning application.

John W. Donovan
68 Talon Ave
705 759 1662

60 Tawanae Ave
 56 Tawanae Ave
 19 Lorraine Ave
 4/248 Queen St E
 Beach
 41 Talon Ave.
 60 Tawanae Ave
 59 Tawanae Ave
 68 Tawanae Ave
 60 Tawanae Ave
 Address

Albany
 M Blunt
 C. Doss
 Brian J. S. Simon
 Diana S. Louis
 Susan D. J. Ue
 Kiyoshi Iwai
 FERKIN SONOC
 DEE LEDEPKEY
 John Don ocean
 DAREEN SIE
 First Name

We believe that our neighborhood
 will be affected because the proposed
 sound berm intended to deflect the
 noise from the Queen's gate
 development will cause the noisy
 from the Husky to be reflected
 at us.

* 577-11-501
 Subdivision Application No. A-17-11-2.
 oppose the development of Queen's gate
 under signed of Needful Subdivision

Aug 31 2013

From John Don ocean 68 Talon Ave 735-25-91662
 Planning Division
 (6)(a)



6(6)(a)



August 2012

The undersigned of Meelnd Subdivision oppose the development of Queen's gate subdivision. Application No. A-17-11-Z.QD + 57T-11-501

We believe that our neighborhood will be affected because the proposed sound berm intended to deflect the noise from the Queen's gate development will cause the noise from the Husky to be directed at us.

Print Name

Louis Muio

Andre Gionet

Signature

Address

40 Talon Ave,
32 Talon Ave

Steve Turco

From: Bob Paciocco <paciocco@lpslawyers.com>
Sent: September 11, 2012 1:45 PM
To: Steve Turco
Subject: FW: Noise Study - Queensgate Golf Course

Steve – For your info. Bob

From: Bill Gastmeier [mailto:bgastmeier@hgcengineering.com]
Sent: September-11-12 1:16 PM
To: Bob Paciocco
Cc: Mandy Chan
Subject: RE: Noise Study - Queensgate Golf Course

Hi Bob,

In response to your request we have reviewed the letter from John Donovan expressing his and his neighbours' concerns about sound reflections from the proposed berm to be constructed as a noise barrier between the Husky facility and Phase 2 of the proposed Queensgate Subdivision. The concern they have expressed is that sound may reflect laterally from this berm and increase any noise they may currently experience originating from the Husky facility.

The issue of sound reflections from noise barriers has been a concern for various residential projects in the past, generally with regard to highway or rail traffic. It is possible, that if a high noise barrier is constructed to shield adjacent residential properties from a traffic corridor, sound levels could increase at properties on the other side of the corridor due to reflections from the barrier. In theory the increase is could be up to 3 decibels for a high hard surfaced vertical noise wall. Such an increase is considered to be minor, but could be measureable and may be perceptible to some individuals. That is why the high noise vertical noise barriers along highways and railways are often built from sound absorbing materials, to reduce reflections.

In this case, we do not expect the proposed berm to be a source of significant reflected sound at the Neelon subdivision. There are two reasons for this. Firstly, the berm will be comprised of earth covered with vegetation, which tends to be an absorb, not reflect incident sound. Secondly, a the berm is not a vertical surface. Berms are generally constructed with 2:1 or 3:1 side slopes which tend to reflect any residual sound upwards, not in a lateral horizontal direction.

Thank you for the opportunity to provide this information. We trust it is sufficient for the present purposes.

Cheers,

Bill Gastmeier, MSc, PEng
HGC Engineering NOISE | VIBRATION | ACOUSTICS
Howe Gastmeier Chapnik Limited

From: Bob Paciocco [mailto:paciocco@lpslawyers.com]
Sent: September-10-12 6:58 PM
To: Bill Gastmeier
Cc: s.turco@cityssm.on.ca
Subject: FW: Noise Study - Queensgate Golf Course

Bill – Please review the letter from John Donovan in the attachment (2nd letter)and provide me with your comments. As mentioned the Council hearing is Sept. 24, 2012. Thanks Bob

From: Steve Turco [mailto:s.turco@cityssm.on.ca]
Sent: September-10-12 3:01 PM
To: Bob Paciocco
Subject: Noise Study - Queensgate Golf Course

6(6)(a)

Hi Bob, we have a petition from the residents of the Neeland subdivision concerned that the proposed noise berm/wall will re-direct noise to their homes. Can you please contact HGC for comment. I've also included a letter from Mr. Doug Clute. Thanks. Steve.

MCIP, RPP

The Corporation of the City of Sault Ste. Marie
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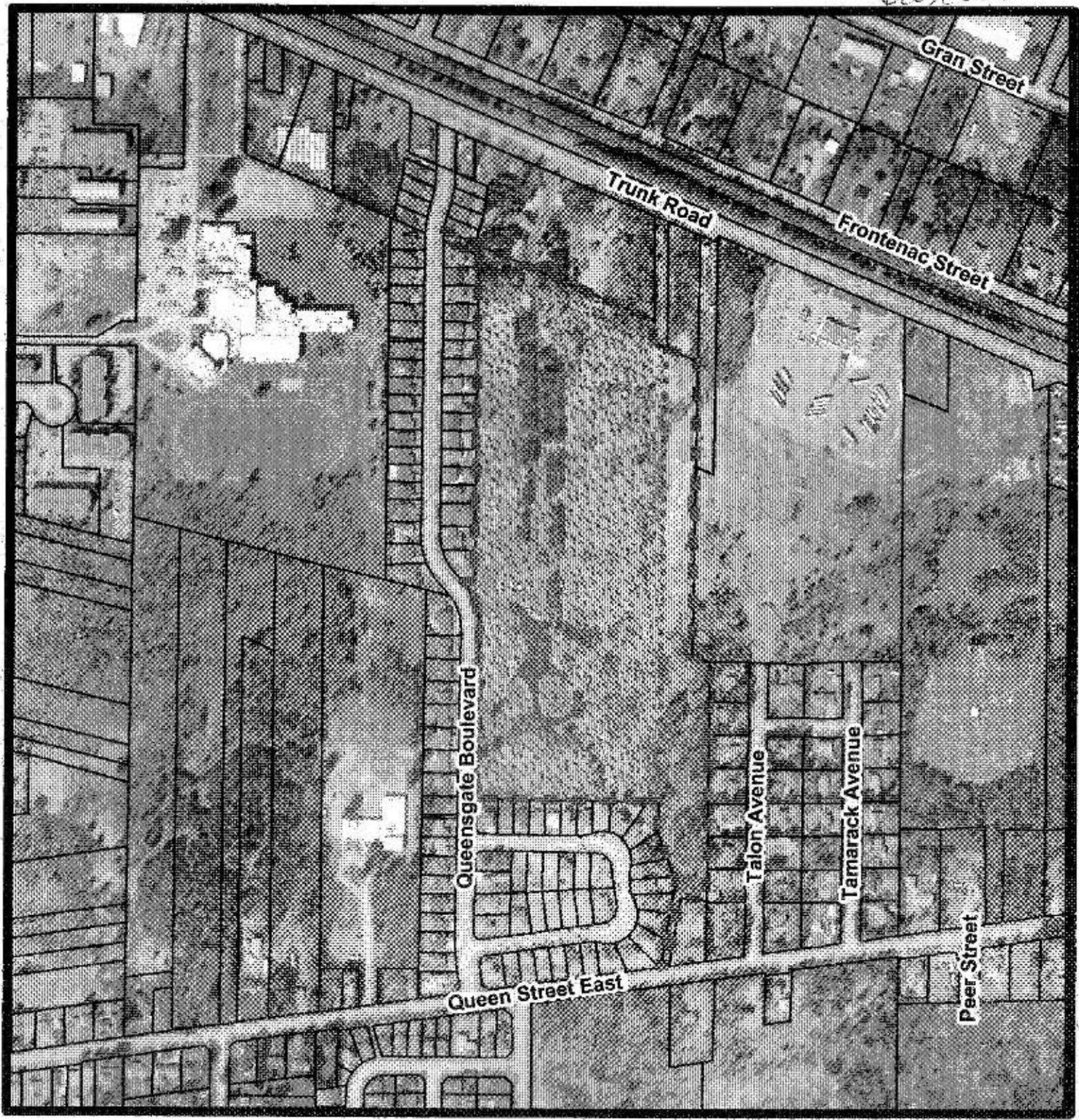
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SUBJECT AREA MAP 184 QUEENSGATE BOULEVARD

Planning Application: A-17-11-Z-OP
Subdivision Reference: 57T-11-501

Metric Scale
1 : 5500

Maps
64 & 1-43



Subject Property = 184 Queensgate Blvd

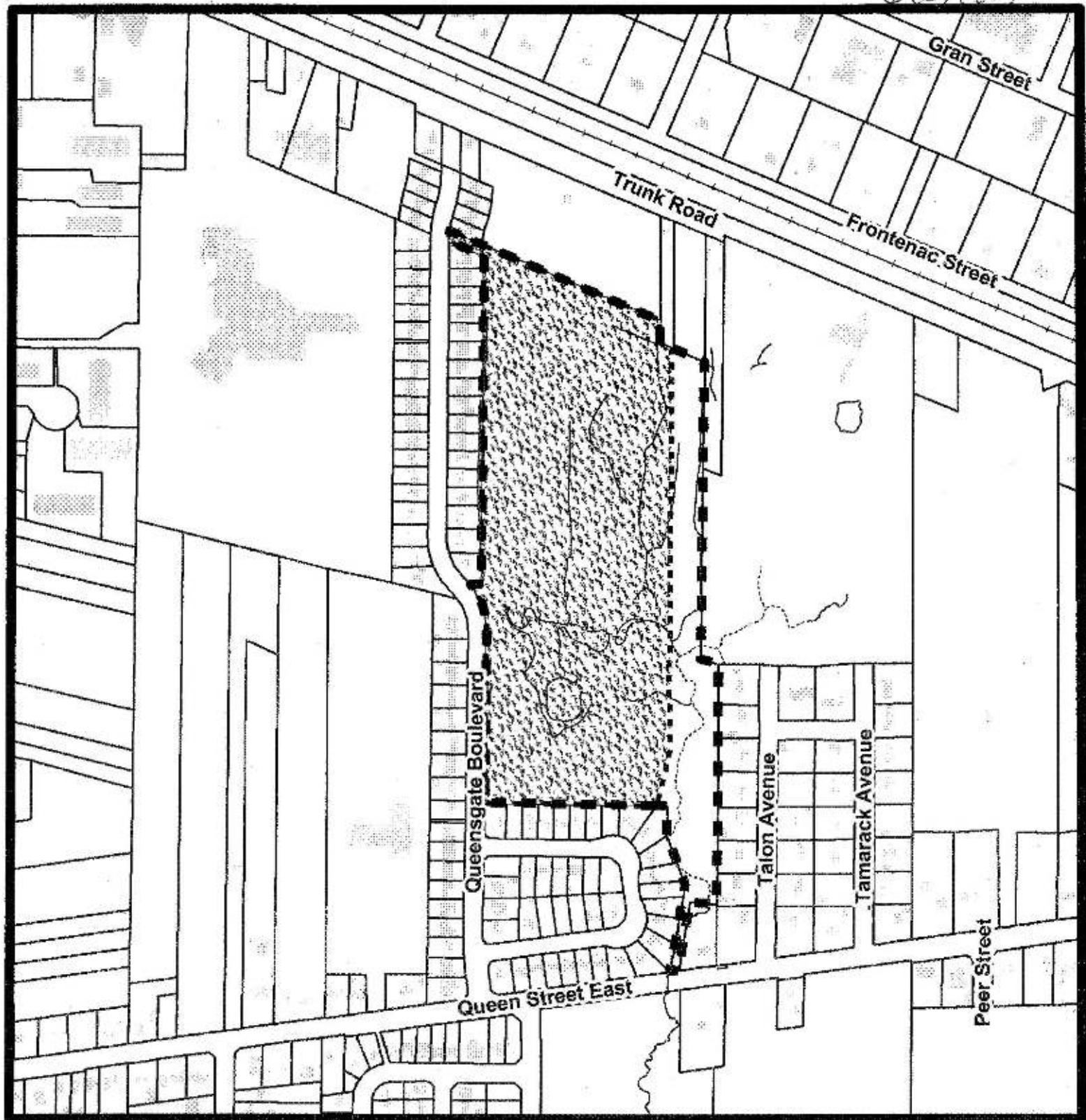
Subject Area [to be redesignated & rezoned]

Mail Label ID
GolfCourse

September, 2012



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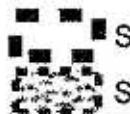


SUBJECT AREA MAP 184 QUEENSGATE BOULEVARD

Planning Application: A-17-11-Z-OP
Subdivision Reference: 57T-11-501

Metric Scale
1 : 5500

Maps
64 & 1-43



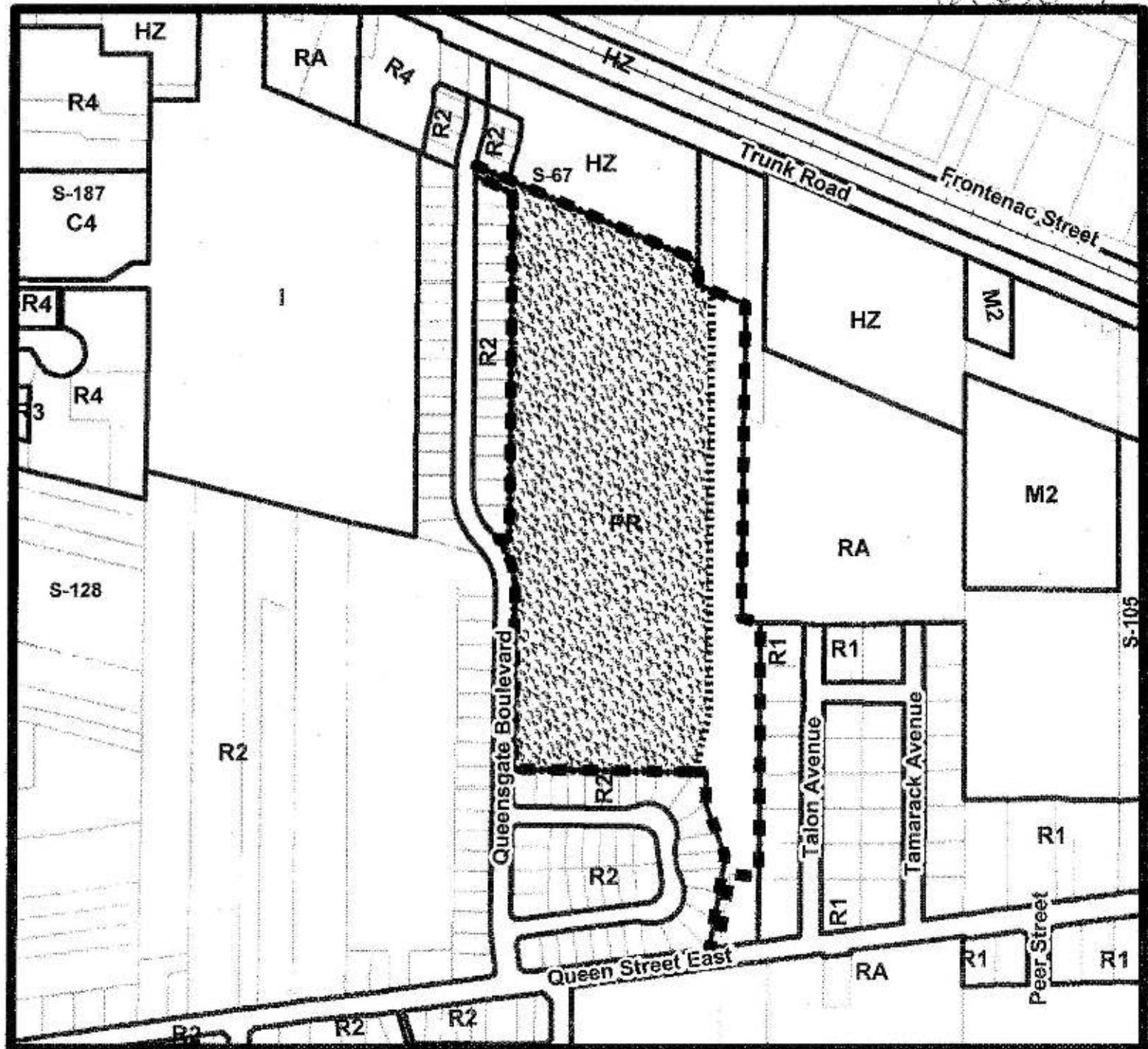
Subject Property = 184 Queensgate Blvd

Icon representing the subject area [to be redesignated & rezoned]



Mail Label ID
GolfCourse

September, 2012



EXISTING ZONING MAP 184 QUEENSGATE BOULEVARD

Planning Application: A-17-11-Z-OP
Subdivision Reference: 57T-11-501

Metric Scale
1 : 5500



Subject Property = 184 Queensgate Blvd

Subject Area [to be rezoned to R2, Single-Detached Residential Zone]

Maps
64 & 1-43

R1 - Estate Residential Zone	HZ - Highway Zone	S-# = Special Zoning
R2 - Single Detached Residential Zone	M2 - Medium Industrial Zone	
R4 - Medium Density Residential Zone	I - Institutional Zone	
RA - Rural Area Zone; RAhp	PR - Parks and Recreation Zone	

Mail Label ID
GolfCourse

September, 2012

Sept2012 Queensgate Greens

**SUBMISSION BY THE COMMITTEE FOR THE RESIDENTS OF
QUEENSGATE GREENS**
[QUEENSGATE BOULEVARD and RUSICO COURT]

SUBJECT: Application No. A: -17-11-Z.OP & 57T-11-501

A. DO NOT APPROVE the REZONING APPLICATION

We request council to **re-affirm** their **PR zoning** of the subject golf course property by denying this rezoning application. We also request that the property owner **remove and restore the unapproved egress** presently onto Queensgate Boulevard from the subject property, and do not approve further egress' onto Queensgate Blvd. We do not consider this a justifiable reason to amend the official Plan to reduce PR Land availability.

B. AREA & RESIDENTS POSITION

The area residents, that abut this property, have been overwhelmingly opposed the rezoning of this PR land over the past number of years. City staff and councillors have sat in on all meetings with applicants and know first hand of the total opposition present. Only about 3% of residents contacted have voted to abstain or do not oppose this application. The greater **97% OPPOSE** this application.

In all aspects, our primary concerns are to our families, especially the children, our seniors and our disabled, both now and into the future. This subdivision was named **Queensgate Greens**, by Mr. Ruscio. We want to continue to protect that 'green' vision and the present quality of life. The name, Queensgate Greens, is displayed on both sides at the Queen Street entrance to Queensgate Blvd, in 16" high brass letters on the five foot high 800' subdivision concrete enclosure.

The unique aspect of Queensgate Greens' is the natural environment and green space on both sides of the street and along the north and east parts of Ruscio Court. Behind the west side Queensgate homes is Algoma District School Board property. The immediate area includes not only the two established schools, White Pines and Pinewood, but also a very large bush and wetlands area. With the significant natural bush areas adjacent to the neighbourhood on both sides, wildlife is very abundant and enjoyed. Deer, coyotes, fox, rabbits, squirrels and an abundant variety of fowl flourish. They present a natural zoo at our doorstep is cherished by residents and was a major factor in their home purchase here.

Over the years, in consultation with the ADSB and through volunteer work from the residents, we solicited material from suppliers and built a new bridge for the children to cross the wetlands. We also repair and maintain the trail system between the schools. The area residents take advantage to walk and enjoy this natural environment. To date over 200 trees have been obtained and planted by residents on the Pinewood school playground, along the joining trail to enhance the area and as wind breaks for the children walking to and from the schools.

On the east side of Queensgate homes is the present golf course. It was designed, submitted, recommended by Planning and approved by Council as "PR" land for a commercial golf course; it was successfully operated as a golf course for many years; it was twice sold as a golf course; and it remains 'golf course' land to this date. Many homes were designed, built, purchased and landscaped to specifically enjoy its green growth and vistas. The numerous lines of trees on the golf course **continue to protect and buffer our many homes to the noise** from the Husky Truck Stop; now recently renovated and enlarged.

Over the past almost 2 decades, residents have **paid thousands of dollars in additional assessment taxes** based on their proximity to this '**golf course**'; that assessment remains in effect today. As the city considers this property "*the former Queensgate Golf Course*", at least since 2009, we would appreciate

Sept2012 Queensgate Greens

knowing the date it ceased to be such, so that we may seek restitution for the excess assessments we have paid.

Equally important to all residents are the **limited accesses to Queensgate**, with only two authorized entrances, from Trunk Rd. and Queen St E, and two egresses from Ruscio Court. All of these and many other factors have brought all our neighbours very close and unanimous in their promotion and protection of the streets and the area.

C. DEVELOPMENT

Over the past 12 years, the Queensgate Greens residents have become somewhat aggravated in having to deal with repeated Engineering and Planning issues that have negatively impacted us. Since 2000, the residents of Queensgate have faced two (2) infrastructure issues and five (5) rezoning applications without the opportunity to address Council. Three of those applications were from this applicant, Mr. Anthony Ruscio. In addition, to date we had to put up with over 18 years of continual area road and home construction along with its associated traffic, dust and noise on our streets. This annoyance continues to date.

Please be assured; we are not against progressive development of any kind in our city. We promote, encourage and support issues that benefit inhabitants in accordance with the City Logo, Mission Statement and Corporate Values. We also join other citizens in looking to protect existing green spaces and encourage long term street planning and additional areas identified, zoned and shielded for our children, their children and potential new residents. In the 1990's, this subdivision development was conceived, discussed, amended, and accepted by the city. It was then discussed, debated, deferred, adjusted and approved by the City Council. This subdivision was developed in accordance with all applicable policies, practices and procedures and it was on that trust basis, along with the Parks and Recreation zoning of this subject land, that we bought our homes here. There is no substantiated reason to change it. Neither the city's desire for an increasing tax base nor the applicants' drive for profit will be hindered in any way by maintaining and protecting the present zoning of this property.

Our opposition to this application is not an example of 'NIMBY'. Our 'backyard' is finished. We support staff and council in their significant responsibilities to the individuals of this city; one of which is to **protect and enforce what they set in place** unless some overwhelming and superior need for the greater good supersedes that which is established.

D. HOUSING DEMAND

In reviewing the city's available documentation and information, we do not believe there is a need shown for present or future single family detached housing nor the unavailability of land for such units to justify rezoning this land.

In a 2009 Report to Council for this same property, the summary stated "The development (of this property) will also serve to accommodate the long-term **projected housing needs** of the community." Developed 3 years earlier, these projected housing stats were also presented to the council (*Population and Household Projections – Residential Demand 2006-2026*) in June 2008. It showed Planning's projections from **2006 to 2026**. This report remains on the City web site. This report also stated that the City of Sault Ste Marie, under requirement of the PPS, now has an inventory of at least 700 acres of vacant land available for residential development and an additional 287 zoned but not needed. The city also stated that based their projections, they only need 418 acres of land to accommodate **ALL housing type needs**. All are within the city service area and the majority are properly zoned, serviced or easily serviced. Many additional acres are also identified for SDR development and have remained undeveloped for decades. More importantly, there is certainly no demand or need for any Parks & Recreational land to be rezoned to further enlarge the existing SDR land inventory.

Planning based their projected housing needs on the two forecasts they did on Population and
20/09/2012 12:34 PM

Sept2012 Queensgate Greens

Housing for the period 2006 to 2026.

POPULATION FORECASTS (Attachment)

Our average growth in the past 15 years was .5% and the 2011 census data shows this city squeezed in at just **97th in population growth** amongst the top 100 Ontario municipalities. That and the current loss of businesses make these future projections appear to be **highly improbable**. Our stagnant population growth does not indicate any housing demand.

HOUSING (SDR) FORECAST (Attachment)

A historic review, as seen from attachment, of the 30 year history of the city SDR builds clearly shows that the average number of SF homes built per year is over **30 units less per year** than Plannings **projected average**. Again, we believe there is no housing or land demand that justifies the rezoning of Park & Recreation land to SFR.

E. PARKLAND/GREEN SPACE (Attachment)

All residents seek to have a park or green space, easily accessed, in their immediate area and that parents and children can walk to without the danger of crossing collector or arterial streets. East end residents have already lost two parks and have justifiable concerns about this application.

The first lost park was a **5 acre park**, west of Pinewood School and south of White Pines. When this subdivision application was initially submitted for consideration by this applicant, the Commissioner of Community Services noted in his 27th Nov 1990 comments to the Planning Director that "the proposal presents serious concerns for the amount of park space available." Five months later, a plan, dated May 14 1991 of the entire east end, from Dacey Road to Fournier and Truck to Queen, was developed by the Engineering & Planning Dept. It is unknown as to why it was developed but the plan noted that it was for 'discussion purposes only'. However, that plan soon became part of the 1991 06 04 Report To Council on the rezoning of this subdivision. In addition to the many imagined streets and lots, it showed sites for **three very large city parks**. A year later, in a 1992 09 16 letter to the Planning Director from the Commissioner of Community Services, he stated "In terms of park space requirements, it is our intention to site a 5 acre park site immediately west of Rankin (Pinewood) school we therefore request payment of cash in lieu of land." This in turn became the recommendation from the Planning Director to Council and subsequent approval. However, that plan, the letter and the approval left the future Queensgate and Ruscio Court residents, especially the children, without any parkland. We are **very aware of previous promises** for fair development of a neighbourhood parks when we read the RTC on this application.

The second park was signed as the '**East End Park**'. The site was mostly bush and wild grass with no equipment and not in an ideal location; sited next to the aromatic East End Sewage plant. In the 90's it was leased out for a number of years as a golf driving range then it became the dumping yard for the treatment plant rebuild. During the latter period the signage was removed and the '**East End Park**' was **removed from the listed city parks**.

East end residents were not consulted or informed on the demise of either park. As of this date, the closest park of any kind is a very small park two blocks west of Dacey. All five east end parks are minimally equipped with old structures and in all combined there are only two benches. The money obtained by permitting "in lieu of" is not used for neighbourhood parks for moms, but to restudy existing parks.

We ask that all zoned **Parks & Recreation** land be protected, especially this green area. The City has an abundance of both undeveloped and identified and protected SFR land available for development. PR land is for our children and their children's children. We have lost enough already.

Sept2012 Queensgate Greens

F. ACCESS TO QUEENSGATE (QG) BLVD

Major Contracting, (Mr 'Tony' Ruscio) developed and received approval in 1993 for his property to be rezoned from rural into three zoning blocks:

Block "A": to B.8 Highway Commercial w/special exemption for 3 uses:

1. accessory to the golf course
2. recreation uses
3. confectionary store

Block "B": to R.6 Single Detached Residential

- This Block includes all of the residential lots on each side of Ruscio Court and Queensgate Blvd plus the northwest section including the west easement.

Block "C": to Parks & Recreation

This block is the golf course property and includes the east utility easement from Queensgate to the east property border.

The northern section of Queensgate remained undeveloped private land until it was developed and further rezoned in the mid 2000's and finally taken over by the city about 2008. Mr. Ruscio had created an unapproved access along the eastern easement from the golf course to the unpaved section of Queensgate Blvd. This access became *184 Queensgate* when referred to by the applicant and the city. That access remains in use today. From 2006 to 2008 a number of actions were taken, through the Committee of Adjustment, and were somewhat complex in nature. In the end, Mr. Ruscio applied for and was approved for Phase IV which was 8 homes at the top of Queensgate with four homes on each sides QG, then zoned as R4 and HZ. After these actions, the eastern 4 lots were then reduced in size (legitimized) to permit wider access on the easement and the creation of a 'street' along the easement and curbing permitted at its access to QG.. This street shows on GPS'. We are now 18 years later and no action has ever been taken to develop or use the approved golf course entrance from Trunk Road. Golf course egress to Queensgate was never requested by, or approved for, this applicant and should not be considered.

Mr Ruscio had sold the golf course in 1995. As he owned all the land on the north, west and south around it, and with no approved egress to Queensgate or from the GC the land was, "land locked". Over the past decade we have asked Planning numerous times if there was approval for the egress to Queensgate. At various times we have been told, either directly or through one of our councillors, changing descriptions of this entrance. Examples such as: that the connection is really just a driveway ; or it was a primary entrance to the golf course. The '184 Queensgate' address has been used in many City documents in reference to the golf course, even though the City issued all addresses on this and other new streets in alternate sequences of number separate by 4 digits. The home numbers on each side of this supposed 'driveway' are 182 and 186. Between the two homes is the east utility easement or *184 Queensgate* as Planning calls it. Planning has also said that 'this is not a street', but this small strip across the easement, less than 100 meters long, has curved curbs that only street intersections have and shows up on GPS's as an unpaved road.

The applicant now formally seeks council approval for another access to Queensgate Boulevard from the subject property, after a decade of doing without authority or approval. Will Mr. Ruscio conform to what he has ignored for the last 18 years, that also being what the City of Sault Ste Marie and council agreed with, recommended and approved; Trunk Road access.

We therefore ask the council to require the existing access from the golf course property to Queensgate Blvd. be closed and restored as approved and no further access be granted.

G: TRAFFIC & NOISE

The actions that created Queensgate have resulted in a residential street that is quickly becoming a collector. It runs parallel to Dacey Road but bypasses three school zones and a 4-way stop. It is an increasing route from Queen Street to Truck Road for the residents of other east end streets that include Ruscio Court, Queen Street East, Parkinworth, Muriel Drive, River Road, Tamarack, Teal and Talon. We wish to ensure no additional traffic accesses to Queensgate or Ruscio Court.

The existing golf course configuration provides a number of bush and tree buffers that significantly reduce the noise impact on the residents from the 24 Hour Husky Truck Stop vehicles.

In Planning's Report To Council 2009 05 25 A-12-09-Z.OP (later withdrawn) regarding the rezoning of this same land, under the heading 'PREVIOUS APPLICATIONS' the following is quoted. *"The original proposal (1991) was for a 207 lot subdivision. The number of lots was reduced in a 1992 rezoning application, as the proximity to the Husky created a noise constraint for a number of the lots originally proposed in 1991. As part of the 1992 application, the central lots of the proposed subdivision were replaced with a proposed golf course block. Following the 1992 rezoning application, in 1993, City Council approved a Draft Plan of Subdivision for 83 lots as well as a block for the proposed golf course."*

The Husky has since significantly increased in size and volume with a corresponding increase in noise. The noise constraints are still there and louder.

H: THE GOLF COURSE

Mr. Ruscio initially developed this subdivision and in 1995 he sold it to a group that had extensive knowledge and greater experience in golfing operations. They obviously saw the value in their purchase and it became extremely successful in the late 90's and into the mid 2000's. There were a number of successful weekly leagues and weekends were usually occupied with corporate and office functions. Many of our residents golfed there and a number of their children took golf lessons with some also working on the course. Most of the residents paid premium lot prices for this area's benefit and the existence of this Parks & Recreation zoning. Home value would be very negatively impacted should any of the location benefits be diluted.

By 2008, due to issues related to ownership, the golf course infrastructure was permitted to decline and it went into receivership, along with its associated course. We understand that priorities at the other golf course limited the resources provided to this course. Fertilizing and watering were reduced to almost nil and grass cutting was limited.

A number of our residents, along with other outside parties inquired repeatedly to the agent of the receivership for an opportunity to discuss purchase of the property. They were each told that they could not discuss it further. All asked to be notified if the offer(s) did not proceed, but none were ever contacted.

After Mr. Ruscio bought the golf course, zoned PR, he established a Golf Course manager, had all the fairways and greens mowed and had renovation work done on the Pro Shop and Restaurant building. Then at the developer's 26th January 2011 meeting with residents, before the golf course had a chance to re-open, before the success or viability of it had even one month of operation behind it, Mr Ruscio told us that it would not be 'viable' as a golf course as it was, but might be viable, at $\frac{1}{2}$ the size it was.

Sept2012 Queensgate Greens

I. THE APPLICANT

Mr. Ruscio is a successful, knowledgeable, experienced and prosperous developer and businessman in the city. He is a "hands on" veteran in all aspects of land purchase, zoning, rezoning, adjustments, building, engineering and planning requirements. He conceived and developed "Queensgate Greens" to be the unique and prestigious neighbourhood it is today and *the residents want to carry on his vision.*

In Aug 2010 Mr Ruscio bought this subject PR zoned golf course without the condition of rezoning. The residents were expecting he would return the golf course to full operation. This was supported when he sought out and obtained the golf course manager, had all the grass cut to restore the fairways and also had work done to update the pro-shop and restaurant building. The purchase was **not a "subject to rezoning"** offer. Mr. Ruscio **bought this "PR" zoned property** outright, we ask you to allow him to develop it as such.

In 1993 Mr Ruscio agreed with the City of SSM to develop access to this golf course property from Trunk Road via the property identified then as Block "A" now called Block "D") on the initial approved plan. He did not do so.. Instead he developed an unauthorized egress from the Golf Course to Queensgate Boulevard and sold the property using this access that is still in use.

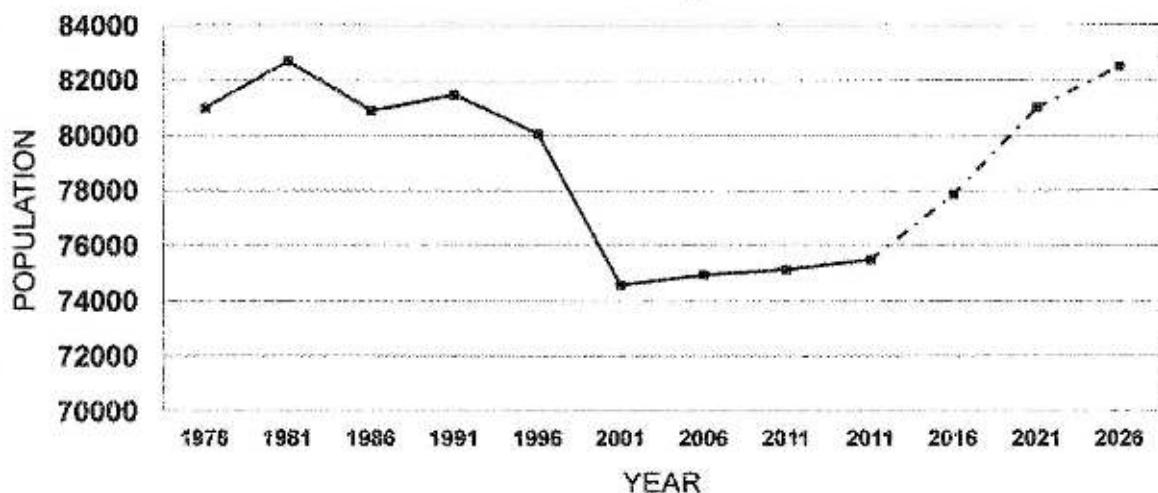
Residents really want to **resolve** the matter of this property's zoning. We ask the council to reaffirm **the PR zoning on this property and do not amend the Official plan to give away Parks & Recreational land.** If we are to promote our city and attract new residents in an environment of competition with thousands of other small towns, then let us advertise the "naturally gifted" aspect as green family focused neighbourhoods.

Thank you all for your consideration of these matters.

GA (Bud) Campbell OBO
Residents of Queensgate Greens

Population Forecast 2006-2026

SSM Census Population to 2006 and Future Projection



Planning said two things must happen: (Sault Star)

- 1 "More of the jobless of the city must find employment"
- 2 "Willing and capable workers must be convinced to move to the city"

"(Planning) doesn't know how that will happen because people won't move to the Sault just because they can find a job."

"The rest of the country is in the same situation as us."

Information From Planning Dept's 22nd Sep 2008 Presentation to Council

Data From	YEAR	Census Projection	Increase Decline	5 Year Pop Change	Average population increase 1977-2006 -1.2%
Census	1976	81000			
Census	1981	82697	2.1%	1697	Average population increase in last 15 years
Census	1986	80905	-2.2%	-1792	1997-2011 -6.0%
Census	1991	81476	0.7%	571	Average projected increase for next 15 years
Census	1996	80054	-1.7%	-1422	2012-2026 3.0%
Census	2001	74566	-6.9%	-5488	
Census	2006	74946	0.5%	380	
Census	2011	75141	0.3%	193	
PD Projection	2011	75500	0.7%	554	>> Staff another "Cross Country"
PD Projection	2016	77850	3.1%	2350	>> Staff another "SAH" and "OLC"
PD Projection	2021	81000	4.0%	3150	>> Staff another "Essar Steel"
PD Projection	2026	82500	1.9%	1500	>> Staff another three "AGERO's

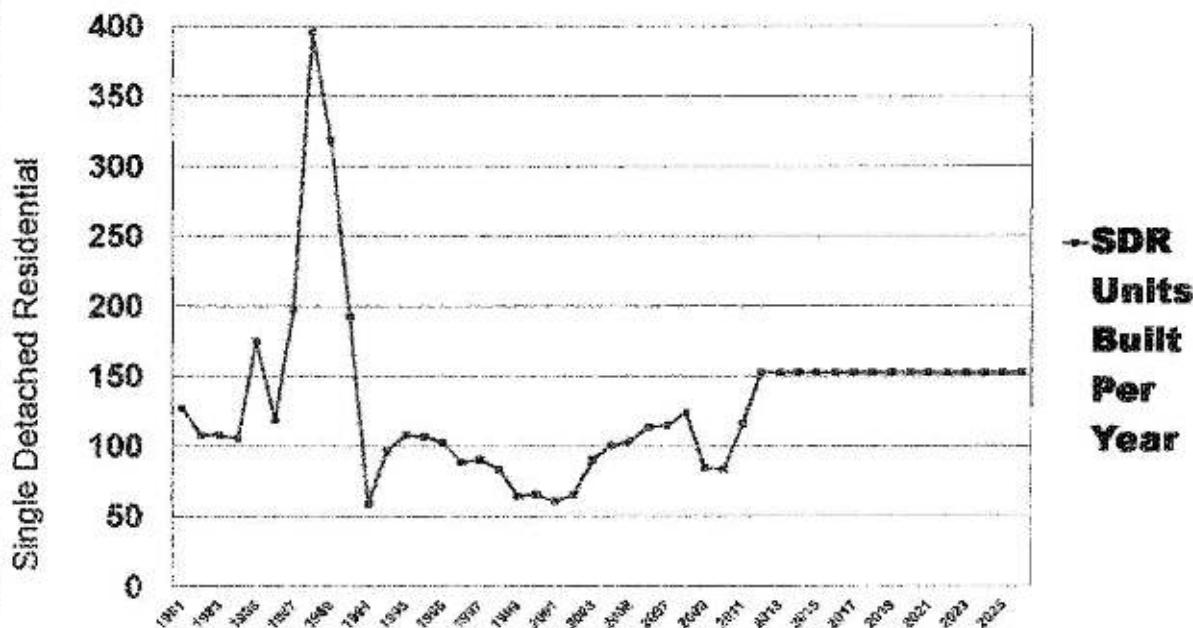
Of the 100 largest municipalities in Ontario, SSM came in 3rd lowest in growth from 2006 to 2011

D1

Single Detached Residential Units Information

Year	Single Family Units
1981	127
1982	108
1983	108
1984	106
1985	175
1986	119
1987	198
1988	396
1989	319
1990	193
1991	59
1992	97
1993	108
1994	107
1995	103
1996	89
1997	91
1998	84
1999	65
2000	66
2001	61
2002	66
2003	91
2004	101
2005	104
2006	114
2007	115
2008	124
2009	85
2010	84
2011	116
2012	153
2013	153
2014	153
2015	153
2016	153
2017	153
2018	153
2019	153
2020	153
2021	153
2022	153
2023	153
2024	153
2025	153
2026	153

Single Detached Residential (SDR) 1980-2011 Plus those Forecast to 2026



Planning's 2006 forecast, reinforced in the Sept 2008 presentation to council, is 2850 SDR units needed by 2026. Over that 20 year period, it requires an average of 142.5 SD units built each year.

It has been 21 years since even 125 SDR have been built in one year.

In 10 of the last 16 years there were less than 100 SFU built.

So far, from 2006 to 2011, only 524 SDR have been built.

The remaining # of SDR's to be built before 2026 to meet projected demand is 2326

To meet the forecast target of 2850 SDR by 2026, the required AVERAGE number of SDR to be built each year for next 15 yrs is 153

For each of the 15 remaining years not meeting the average, the remaining average increases.

In only 5 of the last 30 years has there been over 150 SDU's built in a year.

The average number of homes built in the last 6 years has been only 96

SHE'S LOOKING FOR
YOUR VOTES: E2

HE'S GOT A PASSION
FOR PRINGLES: E1

The Sault Star

SATURDAY, MAY 23, 2009

SAULT STE. MARIE, CANADA

SAULTSTAR.COM

■ HEALTH

From the Dunn to the Third World:
Clean water

MICHAEL PURVIS
Sault Star

"An impoverished child... a pot of murky water, linking through a pale... cube, and you've pretty much got the idea behind Lifestraws."

That's the image that greets visitors to the website of the water-treating device's manufacturer, Vestergaard Frandsen, a company also known for supplying insecticide-treated bed nets for malaria-prone areas.

We're looking at countries like Haiti and Mexico where there's people trying to get clean water; people sucking water out of ditches, and it really is kind of unfair."

Matt Horbatsuk
Grade 12 student, Sir James Dunn

A class of Sir James Dunn collegiate and vocational school students is raising money to pay Vestergaard Frandsen to send a crate of Lifestraws to the developing world.

"We're looking at countries like Haiti and Mexico where there's people trying to get clean water; people sucking water out of ditches, and it really is kind of unfair" that Canadians live surrounded by clean water, said Matt Horbatsuk, a Grade 12 student who is in the world issues class.

The students, led by teacher Bill Innes, will hold a fundraising barbecue May 28, and have T-shirts for the students, sold for \$1 each, students and staff at Sir James Dunn, will be posted in the school.

Horbatsuk said the class needs to raise \$5,000 to get a crate of 1,000 Lifestraws shipped out.

His class is linked with others worldwide through the U Ambassador Club, a school-based program started by talk-show host Oprah Winfrey and



■ POPULATION: To grow to 81,000 in next 12 years

Housing to go through the roof

CLAUDE DELLA-MATTIA
The Sault Star

The city's planning staff has identified areas of possible residential expansion that will meet the city's projected needs.

A report to city council focusing on the city's residential land inventory and rural service policies says that provincial requirements to ensure there is enough developable and suitable residential land available to meet the city's future housing needs.

Based on Census Canada data, city planning staff in 2008 forecast the city's population will rise between now and 2026 and with it, the demand for housing will increase.

"We believe we're on track. We may have a hiccup from year to year but in the long run we believe our projections are accurate," said Don McConnell, the city's planning director.

The projections show the population increasing to 81,000 by 2021 and 82,500 by 2026.

The rise in population means housing demands will also in-

crease with a need for a total 35,500 new houses by 2021 and an additional 1,000 by 2026.

Based on those projections, planning staff's calculations show 417.53 acres of land will be needed to accommodate an additional 2,115 single family residential homes, 171 semi-detached, 108 row houses and 1,156 condominium units.

There are now 1,737 acre-feet of vacant land available for residential development within the urban service area, the majority of properly zoned, serviced or easily serviced.

McConnell said that given the acreage of land available, expanding the urban settlement area is not recommended at this time. That process was undertaken about two years ago, mostly to the northern and eastern city limit lines, he said.

While not a lot of new subdivisions were planned between 1996 and 2006, new houses averaged about 100 per year and were done through infill.

see HOUSING (Page X2)

■ HISTORY: King George Medal to be auctioned off

Manitoulin family hopes for injunction to stop sale

ROSALIND RABY AND
FRANK DOBROVNIK

Sun Media/The Sault Star

It's not just an everyday medal. The King George III Medal has plenty of history behind it. It goes all the way back to 1763 and now it is on the auction

Niagara Falls, and signed into law in 1764," he said.

Alan Gyswink says he is fully aware of the medal's historical value — that's why he held on to it for 50 years and paid "a lot of money" over the years to conserve and restore it.

"Nobody ever in the last 50 years



Council: 1991 06 10 (00)(a)

RTC: 1991 06 04

1990 11 27

Mr. John M. Bain
Planning Director
Engineering and Planning Department
Civic Centre

Dear Sir:

RE: Application No. A-3-91-S.OP
Request for Amendment to the Official Plan and Zoning Bylaw

Applicant: Major Contracting (Algoma) Limited

We advise that we have reviewed this application and feel that the proposal presents serious concerns for the amount of park space available to serve such a development. The site plan proposed does not identify suitable neighbourhood park space. This would be a condition of our approval for such a development.

R. B. Avery, P. Eng.
Commissioner of Community Services

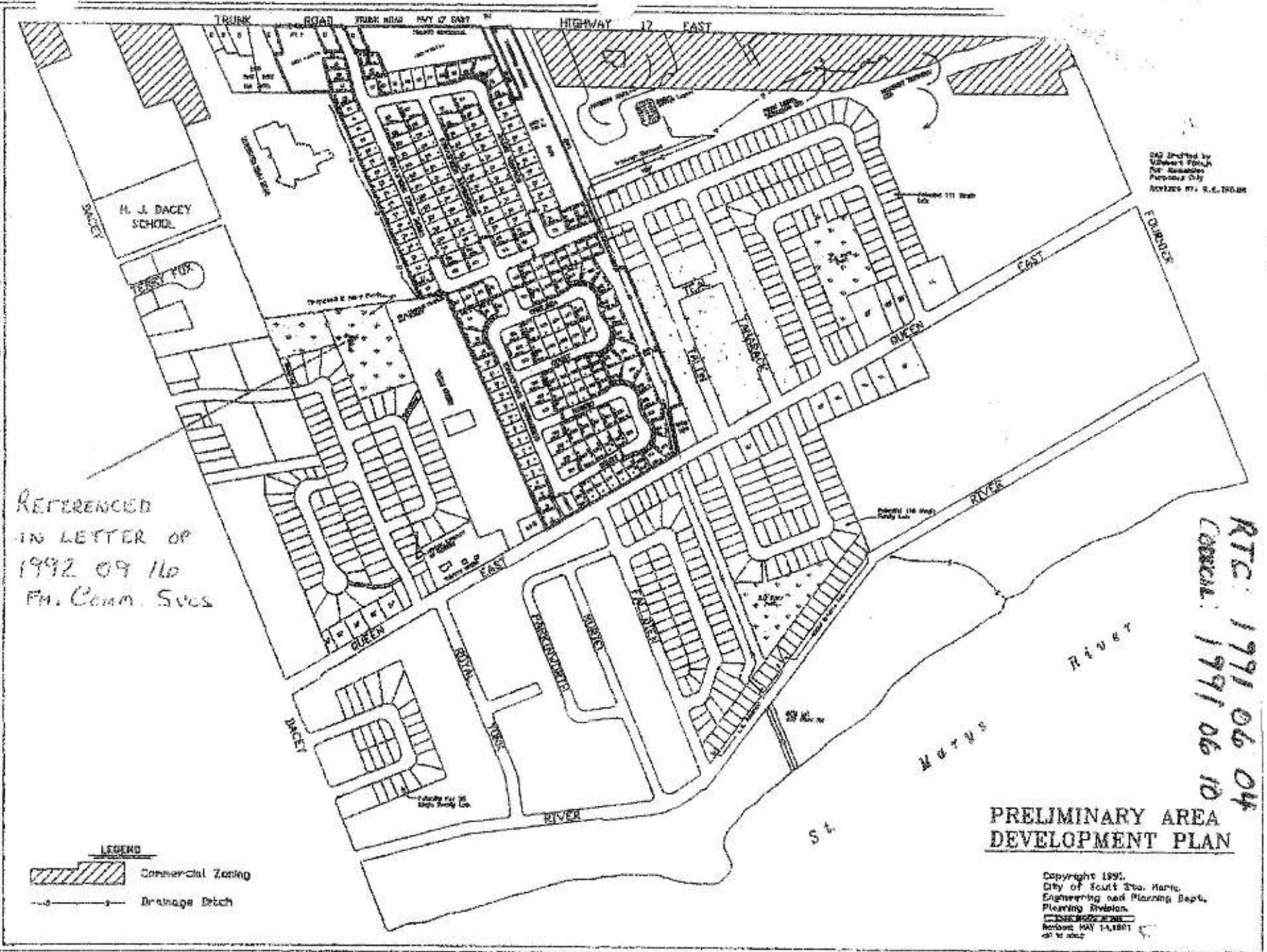
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RECEIVED

NOV 29 1990

SAULT STE. MARIE
PLANNING DIVISION

E-1



MAY 14 '91

E-2

(6)(a)

COUNCIL: 1992 11 16
ATC: 1992 11 04



1992 09 16

Mr. John M. Bain
Planning Director
Engineering & Planning Dept.
City of Sault Ste. Marie

APPLICATION NO. A-44-92-Z.OP--REQUEST FOR AMENDMENT TO THE OFFICIAL
PLAN AND ZONING BYLAW
APPLICANT: MAJOR CONTRACTING (ALGOMA) LIMITED

We advise that we have reviewed the subject rezoning application and do not object to this proposal. In terms of park space requirements, it is our intention to site a five acre park site immediately west of Rankin School at the southerly boundary of White Pines High School.

For phase I of the proposed subdivision to receive maximum benefit from the park space, a walkway will be required to access the north corner of Rankin School and a provision to cross the drainage ditch. This walkway will also facilitate access to the public and secondary schools.

Inasmuch as the proposed park site is beyond the subdivision limits, we therefore request payment of cash in lieu of land.

A further requirement will be the provision of street tree planting.

R. B. Avery, P. Eng.
Commissioner of Community Services

ba/141

RECEIVED

SEP 17 1992

SAULT STE. MARIE
PLANNING DIVISION

E 3

(6)(a)

RTC: 1993 06 29

COUNCIL: 1993 07 12



1993 04 27

MEMO TO: Bill Wierswicki, Coordinator, Current Planning
SUBJECT: QUEENSGATE SUBDIVISION

We advise that we have reviewed the subject application for subdivision. From both a park and recreation and public transit perspective, we do not object to the plan of subdivision proposed. Payment of 5% cash-in-lieu of land will be required.

R. B. Avery, P. Eng.
Commissioner of Community Services

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RECEIVED

APR 29 1993

SAULT STE. MARIE
PLANNING DIVISION

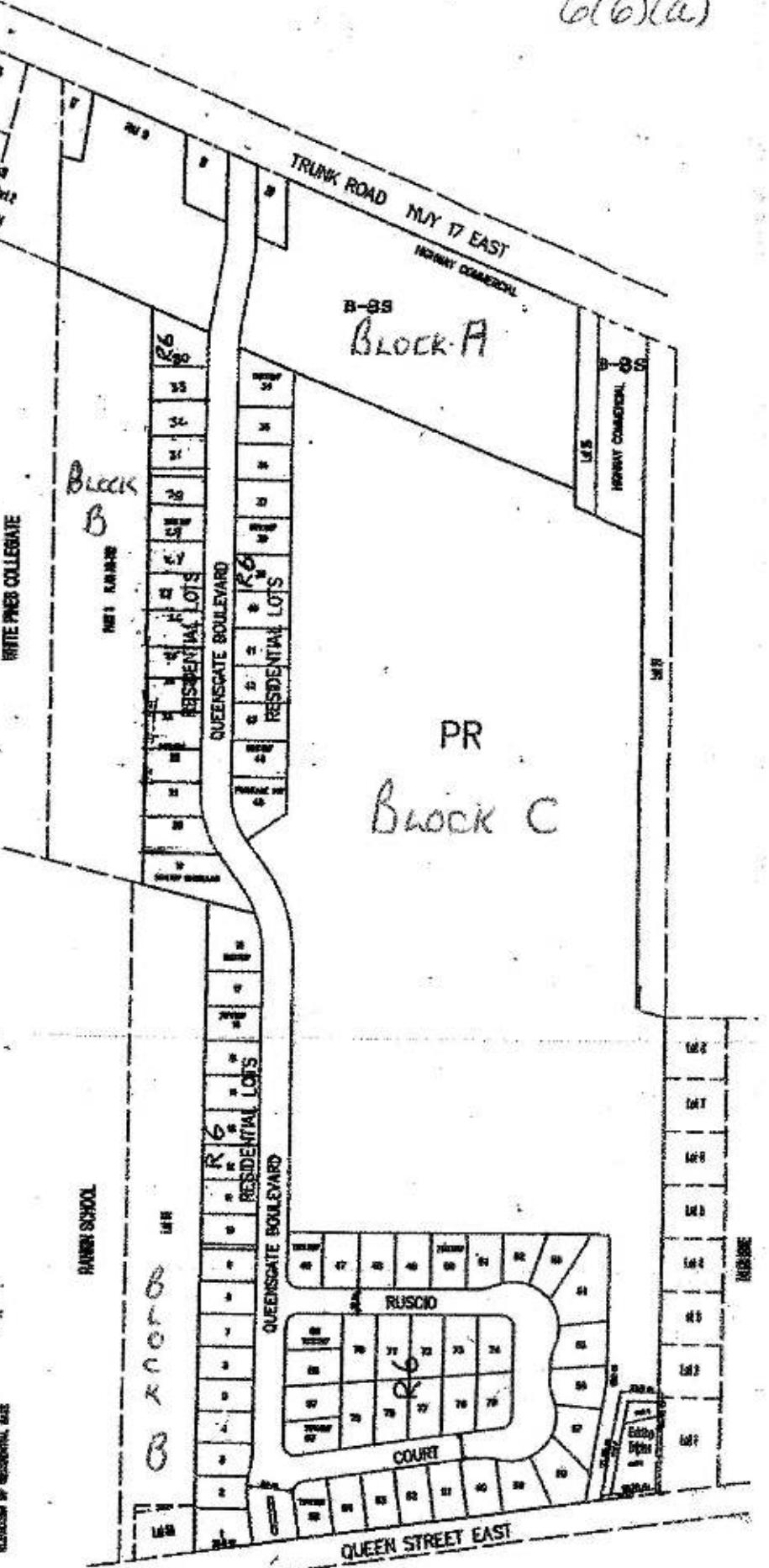
E4

(6)(a)

MAJOR CONTRACTING ALGOMA LTD.
PROPOSED REZONING - TRUNK RD. PROPERTY
Scale 1:1250 Date 82-03-28 Job No. 9108



SECTION OF RESIDENTIAL AREA

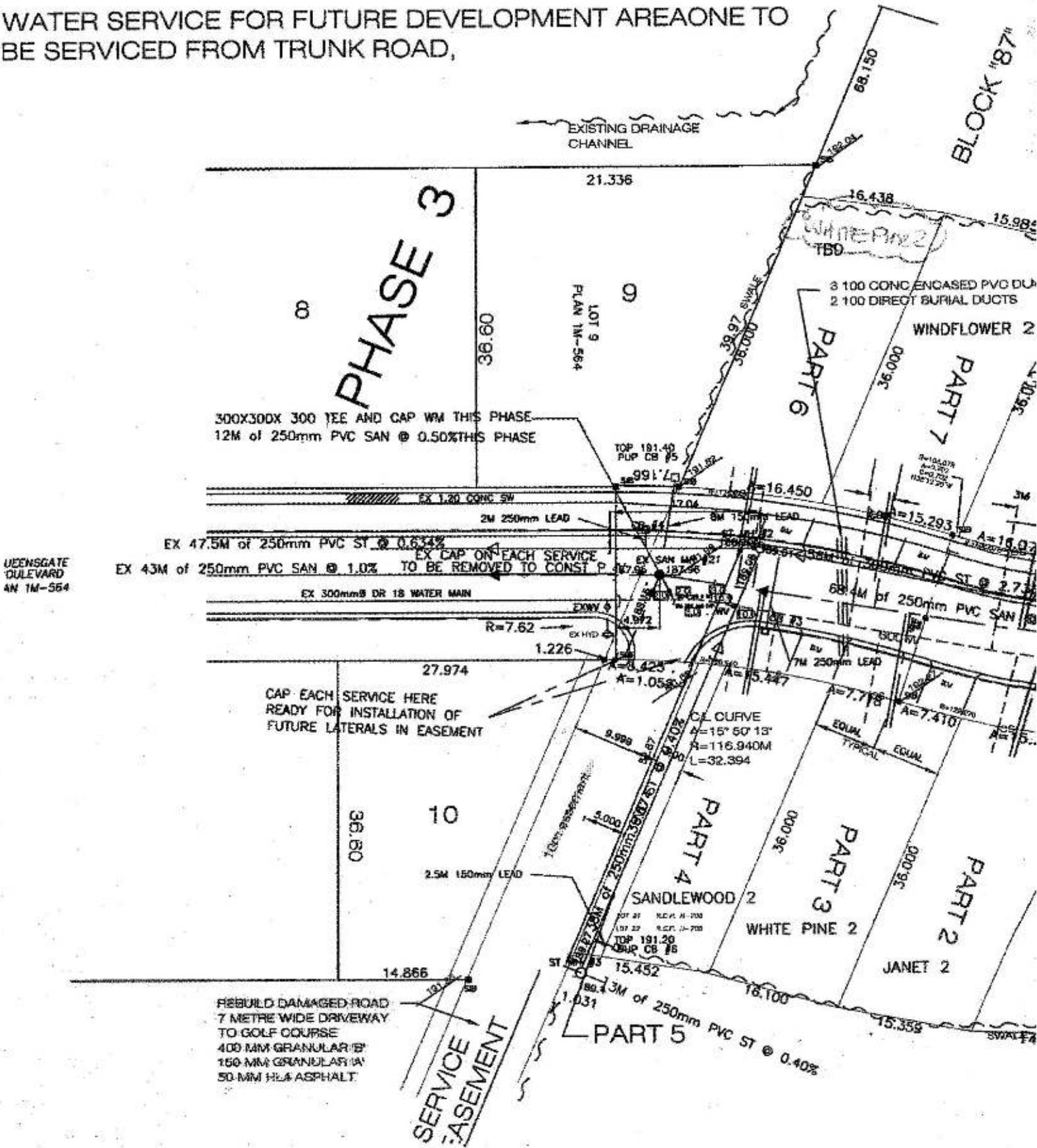


RTG 19930325

PLAN # 1R - 11450

(6)(a)

WATER SERVICE FOR FUTURE DEVELOPMENT AREA ONE TO BE SERVICED FROM TRUNK ROAD,





THE EXISTING ENTRANCE

66 Ma)

S



33
"The APPROVED" GOLF COURSE ENTRANCE FOR
TRUNK ROAD

(66)(a)



EAST EASEMENT

(616) 120

(66)(D)

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



ENGINEERING & PLANNING DEPARTMENT

Planning Division

Tel: (705) 759-5368
Fax: (705) 541-7165

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-27-12-Z.OP – filed by GNR Business Center Limited

PURPOSE

The applicant is requesting an Official Plan Amendment and Rezoning to permit a medical clinic, warehousing as an additional use and to increase the allowable general office space by 10%, in the former MicroAge building on Great Northern Road.

PROPOSED CHANGE

The applicant is requesting an Official Plan Amendment to re-designate the lands from Commercial and Industrial, to Commercial with a notwithstanding clause to increase the allowable area dedicated to general office space by 10%, and to allow the entire floor area to be utilized as medical offices, whereas current Official Plan policies require major office space to be located within the downtown. The applicant also wishes to rezone the subject property from "HZ.S" (Highway) zone with a Special Exception to "HZ.S" (Highway) zone with an amended Special Exception to permit an increase in general office space, a medical clinic, and a warehousing facility, in addition to those uses already permitted under the current zoning.

Subject Property:

- Location – Located on the southwest corner of Ro-Von Court and Great Northern Road: Zoning Map 1-112.
- Size – 45.7m (150') frontage by 183m (600') depth totaling 0.81ha (2 acres)
- Present Use – Mixed Commercial
- Owner – GNR Business Center Limited

BACKGROUND

In 1987 Council approved a rezoning by way of a Special Exception to permit the construction of the existing 2787m² (30,000sq.ft.) building to be utilized as a furniture store.

In 1994 Council approved a rezoning to permit 'computer related uses', and other commercial uses up to a maximum floor area of 10,000sq.ft.

ANALYSIS

Conformity with the Official Plan

The western half (91m) of the subject property is designated 'Industrial' on Land Use Schedule 'C' of the Official Plan, and the eastern half (91m) is designated 'Commercial'.

The applicant is requesting a map change, to consolidate the entire subject property to 'Commercial' on Land Use Schedule 'C' of the Official Plan. Applying the 'Commercial' land use designation to the western 91m (298') of the subject property will not impact the City's Industrial Land Strategy.

The applicant is also requesting an Official Plan Amendment by way of a notwithstanding clause to the Commercial Policies of the Official Plan, to allow the entire floor area of the existing building to be utilized as a medical clinic, whereas OP Commercial Policy 4 notes that the 'construction of major office buildings outside of the downtown area shall be discouraged and new office buildings shall be encouraged to locate in the downtown core.'

Finally, the applicant is requesting to increase the allowable floor area for general office uses by 10%, from 929m² (10,000sq.ft.) to 1022m² (11,001sq.ft.). A 93m² (1000sq.ft.) increase does not constitute 'major office' space as per Commercial Policy 4, and therefore an Official Plan Amendment is not required for this component.

Comments

Located on the southwest corner of Great Northern Road and RoVon Court, the subject property is directly across the street from the hospital access. The existing building on the site has a gross floor area of 2,787m² (30,000sq.ft.).

This application contains three (3) distinct requests, which are discussed separately below.

Medical Clinic

With the relocation of the new hospital as a catalyst, the character of this area is undergoing a change. The future development potential of the lands immediately surrounding this institutional area is mixed; however, it is likely that there will be development in relation to the institutional uses nearby.

Commercial Policy "C4" of the Official Plan notes that major office space should be located within the downtown. The applicant's proposal to allow the entire building to be utilized as a medical building is a major office development that is subject to this policy.

It is appropriate to locate medical centres close to the new hospital. Although some health care practitioners will choose to stay in the downtown area, it is likely that some with hospital privileges or those that must be on-call will choose to relocate near the new hospital.

In recognizing this trend, as part of the Comprehensive Official Plan Update, Planning staff reviewed the current policy which requires major office space to be located within the downtown and will propose an amendment exempting medical offices from this regulation. Given the new hospital location, it is neither practical nor good planning to require major medical office developments to stay within the downtown.

Having said this, the requested medical offices or clinic is considered a 'sensitive use' under the current Provincial definition. As such, the Ministry of the Environment's Minimum Distance Separation (MDS) Guidelines are applicable. According to the MDS Guidelines, Soo Foundry is categorized as a 'Class 2' industrial use, with a potential influence area from 70m to 300m. The concern is not only nearby industrial impacts on the proposed sensitive use, but equally important, impacts that the sensitive use could have on existing nearby industrial uses to continue operations or expand.

The attached correspondence from Mr. Cohen, President of Soo Foundry highlights this concern. Mr. Cohen notes that his business does produce off-site impacts, primarily noise.

The MDS Guidelines are general in nature and subject to a more detailed on-site review. It appears that the rear 1/3 of the building on the subject property, which faces Soo Foundry, is currently being utilized as a warehouse facility. Given the multiple requests that form this application, it is difficult at this time to determine if the entire building or only a portion would be occupied by the 'sensitive use' (medical centre).

It is therefore recommended that approval be conditional upon a sound attenuation study, conducted by a qualified professional, which ensures that Ministry of the Environment noise guidelines can be achieved for the medical offices. The sound attenuation study would only be required if the existing warehousing space, which occupies the west 1/3 of the building is to be converted to medical offices. Apart from medical centres, and accommodation services, none of the commercial uses permitted under the current zoning would be classified as 'sensitive' and as such, the condition requiring a sound attenuation study can be specific to medical centres and accommodation services.

Although the property is quite large, it appears very tight in its ability to support 2787m² (30,000sq.ft.) of medical offices. As per the current site plan, the property

has 88 parking spaces. Based on the required parking ratio for a Medical Clinic of 4.5 spaces/100m², a total of 125 parking spaces will be required. It appears as though the additional 37 spaces could be located at the rear of the building; however this would compromise the usability of the current loading space(s). There are currently a number of parking spaces within the required exterior side yard, whereas current Highway zone regulations note that parking is not permitted in a required exterior side yard, and that 100% of the required exterior side yard be landscaped. In recognizing that this development exists in the said manner, it is recommended that by way of a Special Exception, the existing parking and landscape reductions be recognized.

Permitting Warehousing as an Additional Use

The applicant is also requesting that warehousing be added as an additional use. While the current "HZ" (Highway) zone permits 'Road Transportation and Warehousing', there is some debate as to whether the current warehousing operation adheres to this use. While Planning staff will review this definition as part of the annual updates to the Zoning By-law, in the meantime, it is appropriate to explicitly permit warehousing, wholesaling and distribution centres as a permitted use. Approximately 929m² (10,000sq.ft.) of the building is currently operated as a legal non-conforming warehouse facility storing medical records. This type of use fits into the character of the area, as well as the overall concept of the Highway zone. The warehouse portion, which occupies the western third of the building, could also act as a buffer between the abutting industrial uses. Finally, given that it may be difficult to accommodate all of the required parking if the entire site were to be used as a medical clinic or any combination of offices, retail and/or medical clinic, which all require the same parking ratio of 4.5 spaces/100m², the warehousing facility with a much lower parking requirement, would provide some parking relief.

Increasing the Allowable General Office Space by 10%

The applicant is also requesting Council's approval to increase the allowable general office space by 10%. The current Special Exception zoning on the subject property allows up to 929m² (10,000sq.ft.) or 1/3 of the building to be utilized for general office space. A 10% increase represents an additional 93m² (1,000sq.ft.) of general office space. The requested increase is within the 300m² (3229sq.ft.) outlined in the zoning by-law, which is the current definition of 'major office space'.

Even though this request does not constitute major office space, over the past few years Council has approved a number of rezonings to permit major office space outside of the downtown. In most cases, the buildings in question have only been partially occupied by offices, if any. For this reason, one could argue that the demand for office space is relatively flat, especially outside the downtown.

As part of the Comprehensive Official Plan Review, planning staff is reviewing the current policies which restrict the development of major office space to within the defined downtown area. The policy has been applied to the construction of new buildings, and the conversion of existing buildings. Staff is currently reviewing the

overall impact of allowing existing buildings to convert, and requiring new office buildings to be located within the defined downtown.

Given the current zoning along with the potential for the building to be utilized as a medical clinic; the 1000sq.ft. increase in general office space is appropriate.

General office space is not considered a 'sensitive use' and as such, a sound attenuation study is not required prior to the issuance of a building permit.

Consultation

The following departments/agencies commented on the application as part of the consultation process:

- See attached letters – Conservation Authority, Accessibility Advisory Committee
- No objections/comments – Engineering Department, PWT, PUC Services, CSD, Municipal Heritage Committee, Fire Services

The Conservation Authority wishes to remind the applicant that prior to any development or site alteration, a permit from the Conservation Authority will be required.

The Accessibility Advisory Committee contains a number of design recommendations as they relate to accessible site features. The subject property is currently under Site Plan Control, with a Site Plan Agreement. If future renovations trigger an amendment to the Site Plan, the Accessibility Advisory Committee will be circulated for comment.

Having said this, given the nature of a medical clinic, the applicants are urged to contact the Accessibility Advisory Committee to discuss barrier free design elements.

IMPACT

Approval of this application will not directly impact the Municipality's finances.

SUMMARY

The existing building was constructed as a furniture store, and has been used for various commercial uses over the years. Given the three separate requests, this application is about increasing the applicants flexibility in attracting tenants.

The first request, to allow the entire floor area of the existing building to be utilized as medical offices is a direct result of the hospital relocation. While the subject property is directly across the street from the Great Northern Road access point to the new hospital, it is also located adjacent to the industrial park. Medical centres/clinics are considered 'sensitive uses' as per the Provincial definition, and as such, the Ministry of the Environment Minimum Distance Separation Guidelines are applicable. The goal is to ensure the medical use is not impacted by nearby industrial uses, and more

importantly, that the 'sensitive use' does not impact the ability of nearby industrial uses to continue to operate or expand.

In this instance, the main impact appears to be noise. It is therefore recommended that approval be conditional upon a sound attenuation study, conducted by a qualified professional, which ensures that Ministry of the Environment noise guidelines can be achieved for the medical offices. The sound attenuation study would only be required if the existing warehousing space, which occupies the west 1/3 of the building is to be converted to medical offices. Apart from medical centres, and accommodation services, none of the commercial uses permitted under the current zoning would be classified as 'sensitive' and as such, the condition requiring a sound attenuation study can be specific to medical centres and accommodation services.

The second request, to legalize the existing legal-nonconforming warehouse is an appropriate use. The warehousing facility could also form a suitable buffer between the proposed medical centre and the abutting industrial uses to the west and southwest.

It is also worth noting that the parking demands associated with a warehousing facility are much less than that of most commercial uses, including medical clinics.

Maintaining the warehousing at the rear of the building would result in fewer required parking spaces, whereas the required parking for 30,000sq.ft. of medical office space might be difficult to fit onto the subject property.

The third request is to increase the allowable general office space by 10%, from 929m² (10,000sq.ft.) to 1022m² (3353sq.ft.). The incremental increase is not considered to be 'major office space', and is appropriate given the existing zoning, and future development potential of the property. Not unlike planning's current OP review of medical office space outside of the downtown, a review is also being conducted to determine the impacts of allowing existing buildings to be converted into office space, but maintaining that new office buildings must be constructed in the defined downtown.

Finally, in 2005, the Highway zone was applied to this part of Great Northern Road. This zone was intended to provide high quality landscaping within the 'gateway' areas of the community. The current zoning regulations do not permit parking in a required exterior side yard, which must be 100% landscaped. In recognizing the existing development, it is recommended that the existing Special Exception be amended to legalize the parking spaces and landscaping as it currently exists within the exterior side yard. Because the property is subject to Site Plan Control, which requires staff approval of any exterior development or site alterations, staff will be able to monitor the existing situation and ensure that it is not altered, except in accordance with the Zoning By-law.

STRATEGIC PLAN

Approval of this application does not directly impact the Municipal Strategic Plan.

RECOMMENDATION

That City Council approve Official Plan Amendment No. 130 and re-designate the entire parcel as 'Commercial' on land use schedule 'C' of the Official Plan, subject to a notwithstanding clause to permit the entire building to be utilized as a medical clinic.

Furthermore, that City Council rezones the subject property by amending the existing Special Exception (214) to:

1. Permit the entire building to be utilized as a medical clinic;
2. Add as an additional permitted use, warehousing, wholesaling and distribution centres;
3. Increase the allowable gross floor area dedicated to general office to a total of 1022m²; and,
4. Legalize the parking spaces and landscaping within the required exterior side yard, as it currently exists, subject to the following condition:
 - If all or a portion of the existing western 1/3 of the building is to be converted into accommodation services or a medical clinic, a sound attenuation study will be required prior to the issuance of a building permit.

Respectfully submitted,

Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,

Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

Jerry Dolcetti, RPP
Commissioner Engineering & Planning

RECOMMENDED FOR APPROVAL
Joseph M. Pratesi
Chief Administrative Officer

PT/ps

attachment(s)

**AMENDMENT NO. 193
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is a map amendment to Schedule "C" of the Official Plan, as well as a text amendment to the commercial policies of the Official Plan.

LOCATION:

PT Lot 7 RCP H744 Tarentorus PT 5-8 1R7067, PIN 31561-0077 (LT), located at the southwest corner of Great Northern Road and Ro-Von Court. That being Civic Address 773 Great Northern Road.

BASIS:

This Amendment is necessary in view of the request to rezone the subject property to permit the lands to be utilized for commercial purposes and to consolidate the current land use designation from Industrial and Commercial, to Commercial.

Furthermore, the proposal to utilize the entire building for medical offices does not conform to Commercial Policy 4, as it relates to the subject property.

Council now considers it desirable to amend the Official Plan redesignating the subject property from "Industrial" and "Commercial" to "Commercial".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

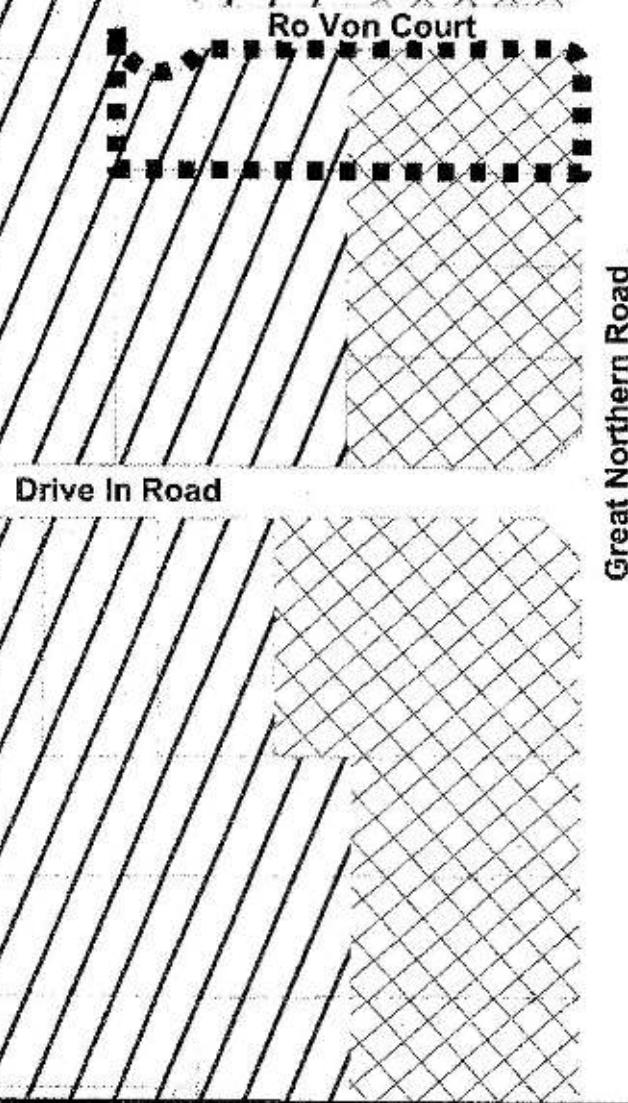
Schedule "C" to the Sault Ste. Marie Official Plan is hereby amended redesignating those lands shown on the attached schedule from "Industrial" and "Commercial" to "Commercial".

And;

130. Notwithstanding Commercial Policy 4, the property described as PT Lot 7 RCP H744 Tarentorus PT 5-8 1R7067, PIN 31561-0077 (LT), located at the southwest corner of Great Northern Road and Ro-Von Court. That being Civic Address 773 Great Northern Road, may be occupied by medical offices, throughout the entire building.

INTERPRETATION

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



Great Northern Road

Lukenda Drive

Killarney Road

Terrance Avenue

OFFICIAL PLAN MAP

PLANNING APPLICATION: A-27-12-Z-OP
773 GREAT NORTHERN ROAD

OFFICIAL PLAN
AMENDMENT
NUMBER 193

Subject Property = 773 Great Northern Road



Metric Scale
1 : 3000

Official Plan Land Use Commercial
Land Use Designation Institutional

Residential

Industrial

Maps
98 & 1-112

Mail Label ID
A-27-12-Z

Peter Tonazzo

From: Pat Schinners
Sent: September 04, 2012 12:19 PM
To: Peter Tonazzo
Subject: FW: Application #A-27-12-Z.OP
Attachments: AVG Certification.txt

Importance: High

Peter, please read attached.

Pat Schinners
Administrative Clerk
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
Phone (705) 759-5368
p.schinners@cityssm.on.ca

www.cityssm.on.ca
www.celebrate100saultstemarie.com
Celebrating 100 years as a city in 2012!

From: Robert Cohen [<mailto:robert.cohen@soofoundry.ca>]
Sent: September 04, 2012 12:16 PM
To: Pat Schinners
Subject: Application #A-27-12-Z.OP

Hi Pat;

I'm not sure how the process works, but as the property owner directly behind the applicants property (A-27-12-Z.OP), and having a large industrial building that is busy in manufacturing very close to the rear of the applicants property, I have some concern over the change in usage to "medical clinic"; Our property fronts on Drive-In Road in the Industrial Park. As we employ about 60 plus people, there is noise, heavy crane movements, and other things you would associate with manufacturing, common in the Industrial Park, on our site. Therefore while being pro business and development, I do not believe a medical clinic is a good or practical use of the applicants property, or a good mix of properties from a planning perspective. I'm undecided on the office space and 10% increase in size issue, but certainly the medical clinic idea bordering on an Industrial Park and a long standing manufacturing operation makes little sense from a property mix perspective. I would like to discuss this with someone in planning as this may also be the opinion of the planning dept., although I see Planning's report will be available to me after the 19th of September. Therefore can you advise me on what to do at this point, and please keep me posted on events regarding this application and it's movement towards council. Feel free to call if you prefer, 705-256-7456; thanks.....

Robert Cohen
President
Soo Foundry & Machine (1980) Limited
215 Drive-In Road

Pat Schinners

From: Marlene McKinnon <MMcKinnon@ssmrca.ca>
Sent: August 24, 2012 2:09 PM
To: Pat Schinners
Cc: Peter Tonazzo; Linda Whalen; Anjum Amin; Rhonda Bateman
Subject: SSMRCA Response - A-27-12-OP - 773 Great Northern Road

August 24, 2012

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-27-12-OP
GNR Business Center Limited
773 Great Northern Road
Sault Ste. Marie

The subject property is located in an area under the jurisdiction of the Conservation Authority with regard to the O. Reg.176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses and would require a permit for any development on the property.

The subject property is not under consideration of the Drinking Water Source Protection Program of the Conservation Authority with regard to Drinking Water Source Protection.

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



St. Catharines - Niagara Region

6 Sept. 2012

Ron MacDonald
Senior Planning Technician
City Planning & Engineering Division

SUBJECT: SITE PLAN REVIEW A-27-12-OP

773 Great Northern Road

Dear Mr. MacDonald

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

Exterior

1. Parking

- ♦ Insure accessible number of parking spots are available

2. Walkways & Sidewalks

- ♦ Apply according to FADS

3. Curb Cuts

- ♦ Apply according to FADS

4. Ramping

- ♦ Apply according to FADS

5. Transit Access

- ♦ Needs transit access on west side of Great Northern Road

6. Lighting

- ♦ In accordance with the Illuminating Engineers Society of North America Standards

7. Signage

- ♦ Accessible Parking signage in accordance with the HTA

8. Other

6(6)(b)



- ♦ If its going to be accessible to the public we recommend utilizing FADS

Please forward any revised site plans to my attention for additional comments.

Thank you for your attention to these recommendations.

Sincerely,

Gerard Taylor
Chair, Site Plan Sub Committee

(d)(6)(b)

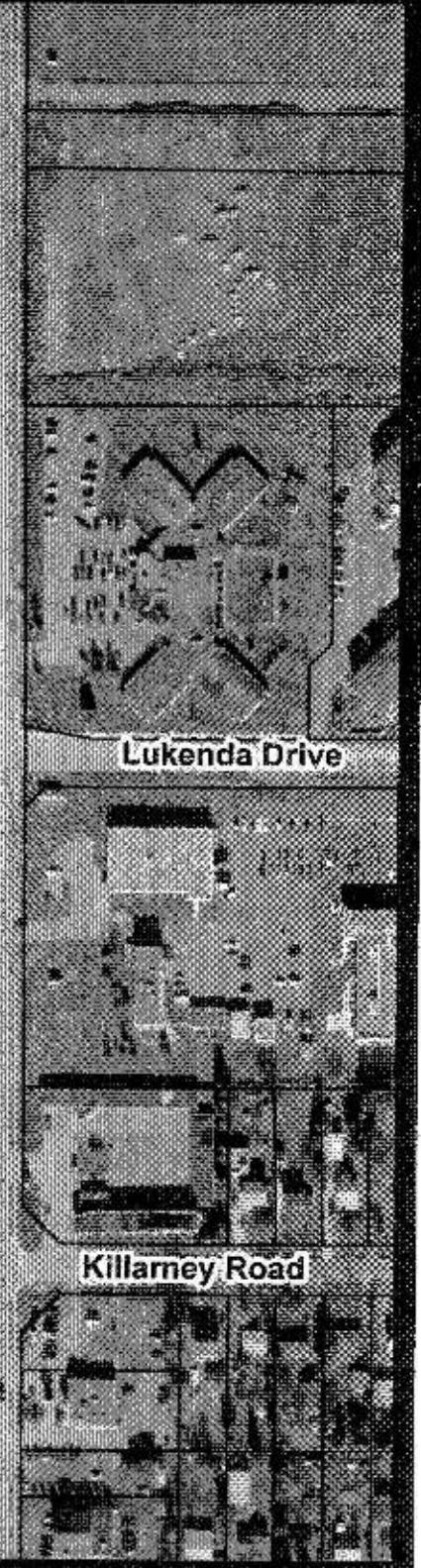
Industrial Park Crescent



Drive In Road



Great Northern Road



Metric Scale
1 : 3000

Maps
98 & 1-112

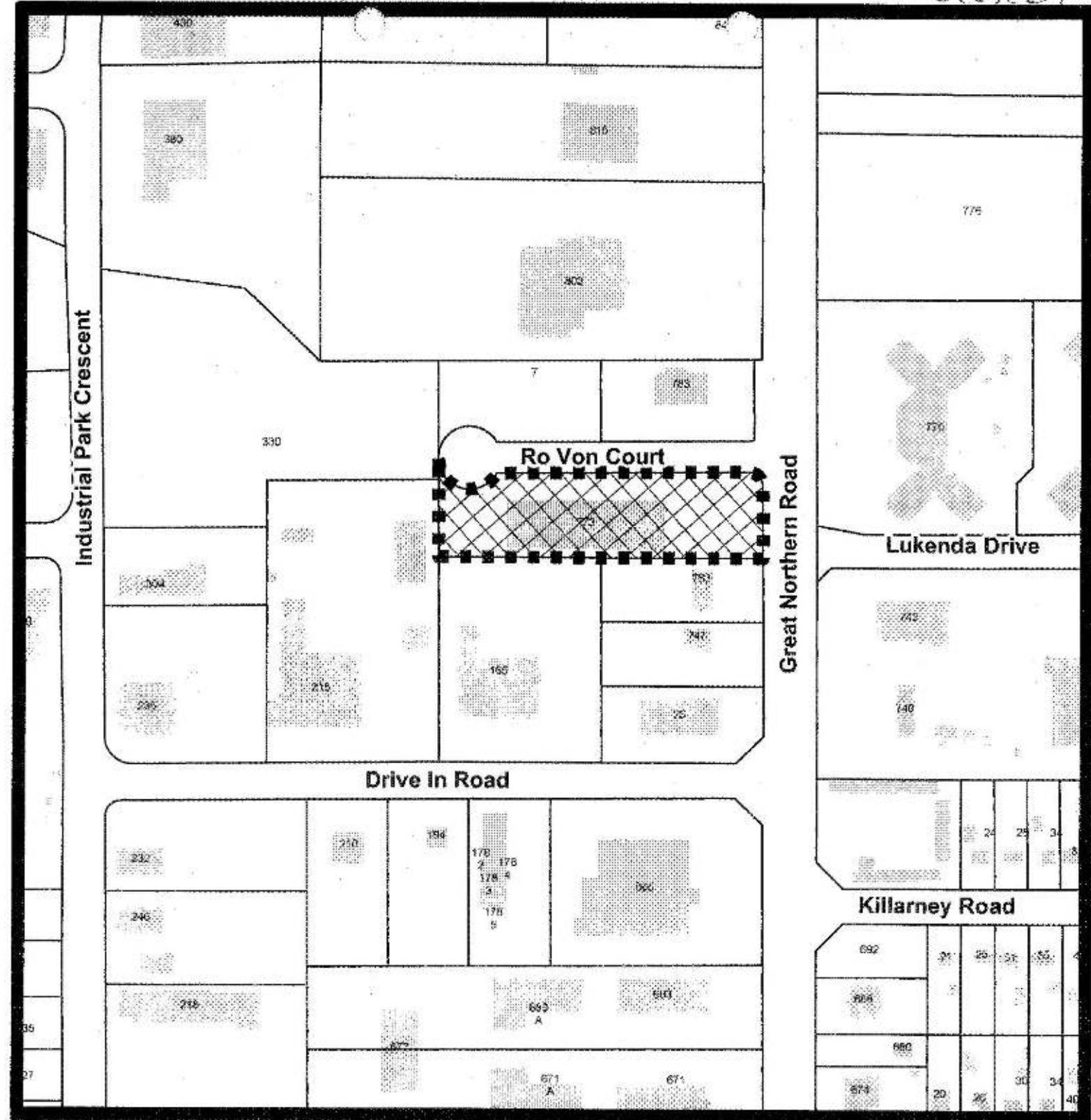
Mail Label ID
A-27-12-Z

2008 ORTHO PHOTO PLANNING APPLICATION: A-27-12-Z-OP

773 GREAT NORTHERN ROAD

Subject Property = 773 Great Northern Road

6261061

Metric Scale
1 : 3000Maps
98 & 1-112Mail Label ID
A-27-12-Z

SUBJECT PROPERTY MAP

PLANNING APPLICATION: A-27-12-Z-OP

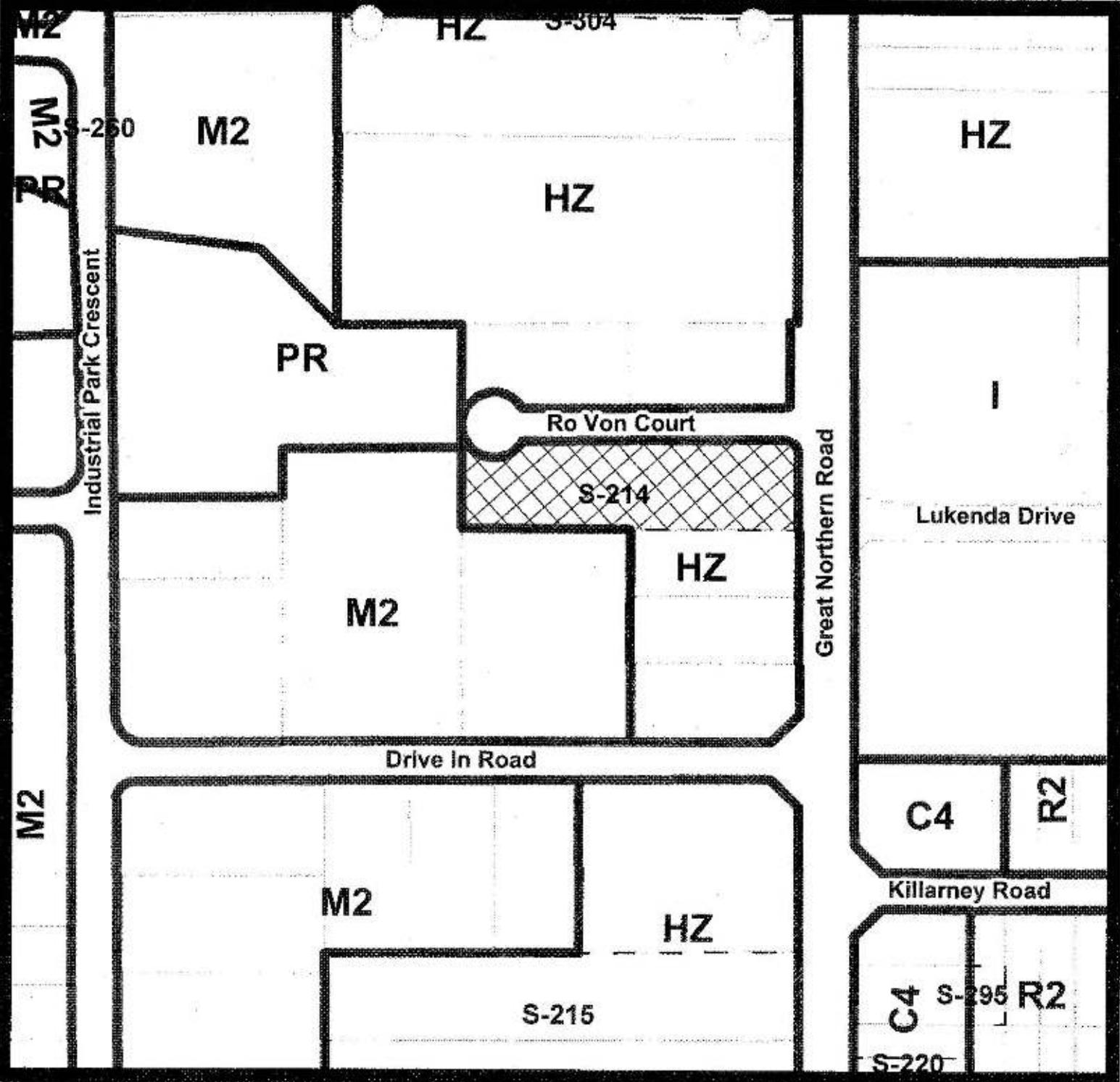
773 GREAT NORTHERN ROAD



Subject Property = 773 Great Northern Road



Subject Property



EXISTING ZONING MAP

PLANNING APPLICATION: A-27-12-Z-OP
773 GREAT NORTHERN ROAD



Metric Scale
1 : 3000

Subject Property

C4 - General Commercial Zone

HZ - Highway Zone

M2 - Medium Industrial Zone

R2 - Single Detached Residential Zone

I - Institutional Zone

PR - Parks and Recreation Zone

S-Number = Special Exception Zoning

Maps
98 & 1-112

Mail Label ID
A-27-12-Z

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Celebrate 100!
1912 - 2012

ENGINEERING & PLANNING DEPARTMENT

Planning Division

Tel: (705) 759-5368
Fax: (705) 541-7165

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-29-12-Z.OP – filed by Palumbo Investments Inc.

PURPOSE

The applicant is requesting an Official Plan Amendment and Rezoning to permit residential development on the subject property.

PROPOSED CHANGE

The applicant is requesting an Official Plan Amendment from Commercial to Commercial with a notwithstanding clause to permit the construction of a single detached, semi-detached or duplex dwelling. The applicant is also requesting a rezoning from "C4" (General Commercial) zone to "C4.S" (General Commercial) zone with a Special Exception (S268) to "R3" (Low Density Residential) zone.

Subject Property:

- Location – Located on the southeast corner of Blake Avenue and Champlain Street – 58 Blake Avenue – Map 1-49
- Size – 23m (75') frontage by 35m (115') depth, totaling 806m² (8676sq.ft.)
- Present Use – Vacant
- Owner – Palumbo Investments Inc.

BACKGROUND

The commercial properties fronting on Great Northern Road, between McNabb Street and Wawanash Avenue are shallow, which over time, has resulted in numerous encroachments onto the residential properties located on the east side of Blake Avenue. Recognizing this trend, in 2005 City Council requested that the Planning Advisory Committee review the possibility of re-designating the east side of Blake Avenue, between McNabb Street and Wawanash Avenue, from 'Residential' to 'Commercial' on Land Use Schedule 'C' of the Official Plan. Since the mid 1970's, City Council has approved twelve rezoning applications resulting in re-designating and rezoning roughly twenty residential properties to commercial. Since that time many of the properties have merged resulting in five (5) commercial blocks fronting upon the east side of Blake Avenue.

In 2006 City Council approved Official Plan Amendment 111, which among other things, re-designated the properties on the east side of Blake Avenue, between McNabb Street and Wawanosh Avenue, from 'Residential' to 'Commercial'. At that time, the neighbours recognized that development was occurring; however they were not comfortable with rezoning the area. The resulting change to the OP Land Use designation meant that commercial development would be reviewed by Council on a case-by-case basis.

In 2008 the applicant requested a rezoning of the subject property from "R2" (Single Detached Residential) zone to "C4" (General Commercial) zone, in order to legalize the existing automobile sales lot which was associated with the adjacent property at 61 Great Northern Road, which is now occupied by 'Northside Volkswagen'.

ANALYSIS

Conformity with the Official Plan

The subject property is designated 'Commercial' on Land Use Schedule 'C' of the Official Plan. The applicant is requesting an Official Plan Amendment to re-designate the property for future residential development purposes. Consequently, an Official Plan Amendment, by way of a map change, from 'Commercial' to 'Residential' is required.

Comments

The applicant, Palumbo Investments Inc. is applying to rezone and re-designate the subject property to "R3" (Low Density Residential) zone, to facilitate the future development of a single, semi or duplex dwelling. While the subject property could support the proposed low density residential development, the overall development potential of the area has been identified as commercial.

As previously discussed, the lack of depth of the commercial properties along Great Northern Road, between McNabb Street and Wawanosh Avenue, has resulted in numerous rezonings to allow the commercial properties to expand onto Blake Avenue.

When the applicant rezoned the subject property from residential to commercial, Northside Toyota occupied the adjacent site to the north. At that time, the site was experiencing a number of problems, originating from the fact that the site was not large enough to support the car dealership. Required setbacks and landscaping were not being adhered to, and parked display vehicles were encroaching on City road allowances. In an attempt to alleviate these space constraints, in 2008 the applicant rezoned the subject property to allow a commercial parking lot in association with Northside Toyota. The Applicant also explored the possibility of closing a portion of Champlain Avenue so that it could also be used in conjunction with the car dealership. Staff was generally supportive, however the proposal never materialized.

Northside Toyota has since relocated to a much larger parcel, and Northside Volkswagen currently occupies 61 Great Northern Road. The Volkswagen Dealership appears to require less space, and therefore, at this time, the subject property is not required for commercial purposes.

As previously discussed, in 2006, City Council approved the Planning Advisory Committee's recommendation to re-designate the east side of Blake Avenue, between McNabb Street and Wawanosh Avenue, from 'Residential' to 'Commercial' on Land Use Schedule 'C' of the Official Plan. The residential zoning remained on most properties, excluding the lots that

have been rezoned to commercial, in association with abutting commercial properties to the east. Therefore, the long term development potential on this portion of Blake Avenue is commercial. Existing residential uses are permitted to be altered or expanded, however rezoning a property from commercial back to residential would be contrary to the long term development potential outlined in the Official Plan. Although Northside Volkswagen does not currently require more commercial space, it is reasonable to assume that additional space may be required in the future.

The abutting properties to the north and east are zoned and occupied by commercial uses. The abutting vacant property to the south is designated 'Commercial' and is currently under the same ownership as the abutting strip mall to the east. Therefore, it is quite possible that the new residence could be surrounded by commercial development. The construction of a new residence, which involves significant investment, could exacerbate future land use conflicts as commercial development continues to expand west onto Blake Avenue.

Consultation

The following departments/agencies commented on the application as part of the consultation process:

- See attached letters – Engineering Department, Building Division
- No objections/comments – Accessibility Advisory Committee, PWT, CSD, PUC Services.

Correspondence from the Engineering Department notes that adequate storm and sanitary servicing for the proposed residential use shall be provided to the satisfaction of the Commissioner of Engineering or his designate.

Building Division notes that given the use of the property as a commercial parking lot, the applicant may be required to file a record of site condition with the Ministry of the Environment prior to the issuance of any residential building permits.

IMPACT

Approval of this application has no direct impact on Municipal finances.

SUMMARY

The history of this site and area forms the basis of Planning's recommendation that this application be denied. The commercial properties on the west side of Great Northern Road, between McNabb Street and Wawanosh Avenue are quite shallow, and over time, they have expanded west towards Blake Avenue. Recognizing this trend, City Council initially requested the Planning Advisory Committee to review and recommend a number of future development options in 1990. After a series of commercial encroachments onto Blake Avenue, the issue resurfaced in 2005, and after a comprehensive review and neighbourhood meeting, the Committee recommended that the residential properties on the east side of Blake Avenue between McNabb Street and Wawanosh Avenue be re-designated 'Commercial' in the Official Plan. City Council subsequently approved Official Plan Amendment No. 111. Therefore, while existing residences are permitted, the future development potential of the area, including the subject property is identified as commercial.

It is Planning's opinion that supporting this application would be short-sighted. Although the current Northside Volkswagen site does not require the additional commercial space, there was

(d)(6)(c)

also a time when Northside Toyota didn't require the additional space. The applicant has put significant investments into the facilities at 61 Great Northern Road, and it will most likely remain as a car dealership, on a property that is slightly undersized for such a use, given existing building footprints, and its corner lot location. It is also recognized that corporate requirements outline how many vehicles a particular dealership must maintain, and what types of facilities must be located on-site. Such requirements are subject to change.

Finally, there is the potential that new residential development on the subject property could either impact the expansion of commercial uses onto Blake Avenue or be surrounded on three (3) sides by commercial development.

STRATEGIC PLAN

Approval of this application has no direct impact on the Strategic Plan.

RECOMMENDATION

That City Council denies the applicant's request to rezone and re-designate the subject property for future residential development purposes.

Respectfully submitted,

Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,

Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT/ps

attachment(s)

(6)(c)

Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 09 06
Our File: A-29-12-Z.OP

Donald B. McConnell, MCIP, RPP
Planning Director
Engineering and Planning Department
City of Sault Ste. Marie

Dear Mr. McConnell:

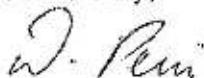
**RE: A-29-12-Z.OP – 58 BLAKE AVENUE
REQUEST FOR AN AMENDMENT TO THE OFFICIAL PLAN & ZONING BY-LAW**

The Engineering and Construction Division has reviewed the above noted application and provides the following:

- Adequate storm and sanitary servicing for the proposed use shall be provided to the satisfaction of the Commissioner of Engineering or his designate.

If you have any questions, please contact the undersigned.

Yours truly,



Daniel Perri, EIT
Engineering Intern

c: Jerry Dolcetti, Commissioner, Engineering & Planning
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT

6(6)(c)

Pat Schinners

From: Don Maki
Sent: August 23, 2012 11:39 AM
To: Don McConnell; Pat Schinners
Subject: Rezoning application A-29-12-Z.OP 58 Blake Street

Hi Don

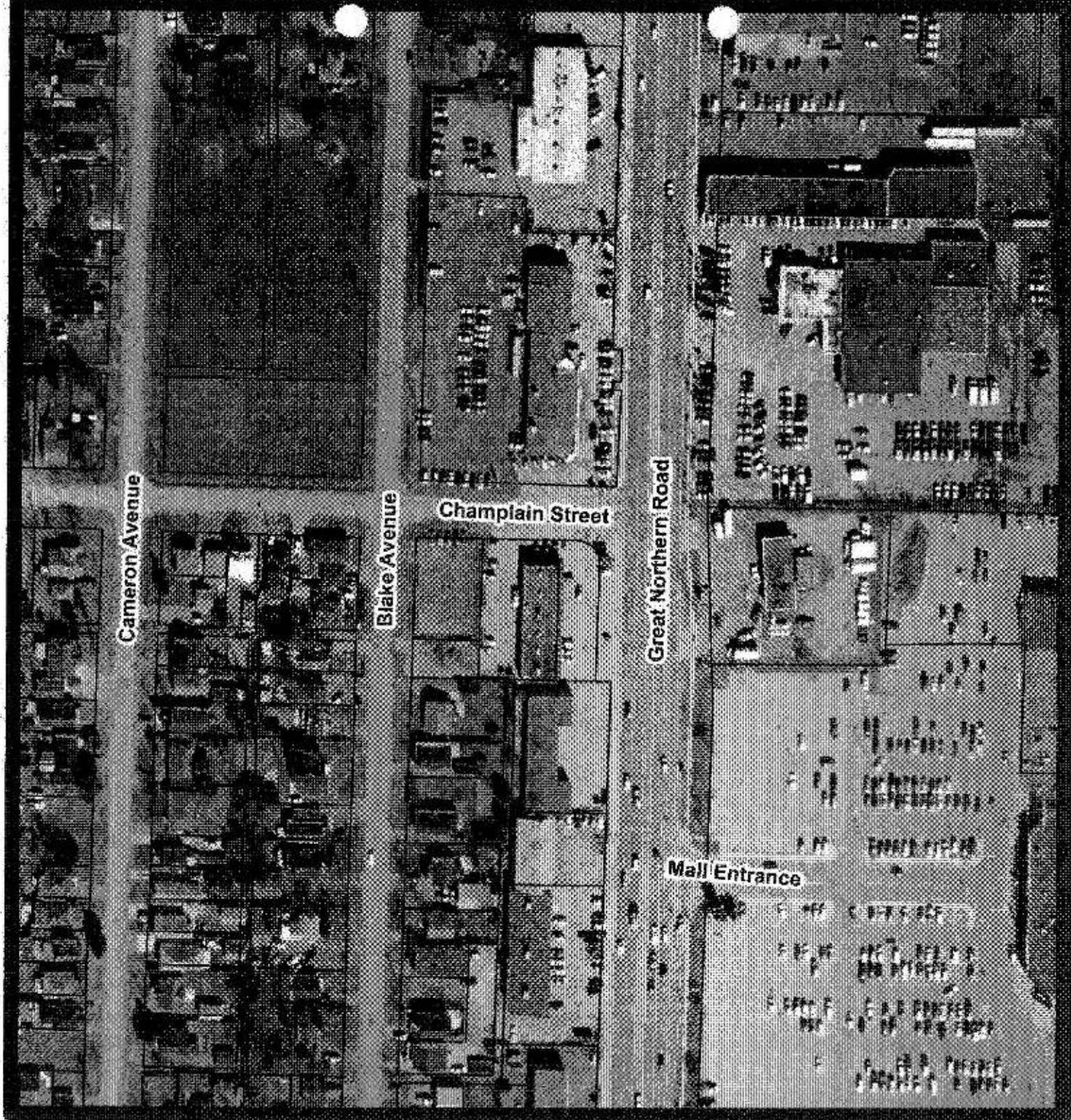
Please advised that this property has been used as an automobile parking lot associated with an automobile sales lot. Therefore may require a filing of a record of site condition with the ministry of the environment to convert this property to ministry no permits could be issued for residential development.

Don

Don Maki CBCO
Chief Building Official
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A 5X8
Phone (705) 759-5399
d.maki@cityssm.on.ca

www.cityssm.on.ca
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606X6



2012 ORTHO PHOTO

58 BLAKE AVENUE

Planning Application: A-29-12-Z-OP



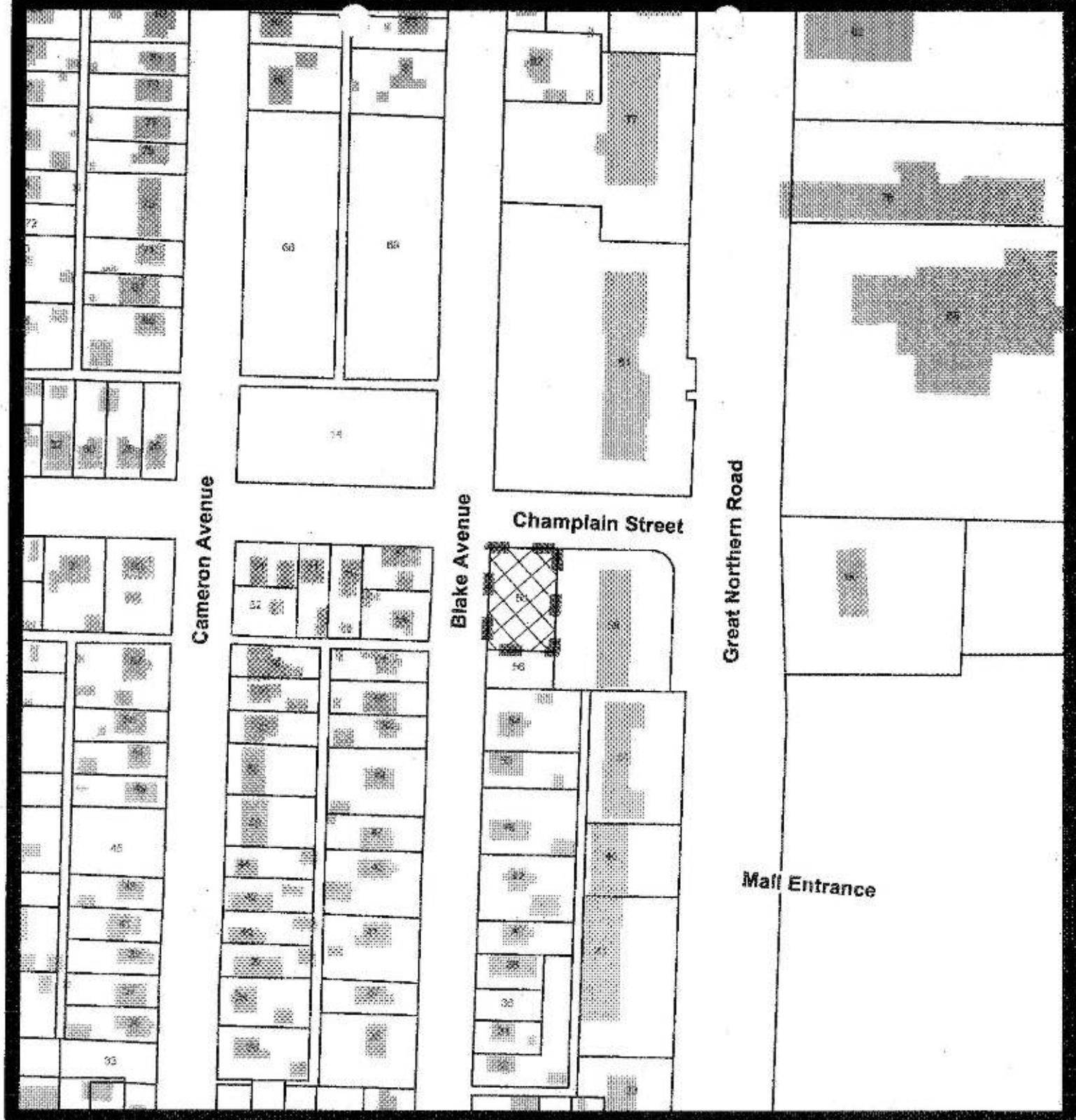
Metric Scale
1 : 1800

Maps
42 & 1-49



SUBJECT PROPERTY = 58 BLAKE AVE

Mail Label ID
A-29-12-Z



SUBJECT PROPERTY MAP

58 BLAKE AVENUE

Planning Application: A-29-12-Z-OP



SUBJECT PROPERTY = 58 BLAKE AVE



SUBJECT PROPERTY = 58 BLAKE AVE

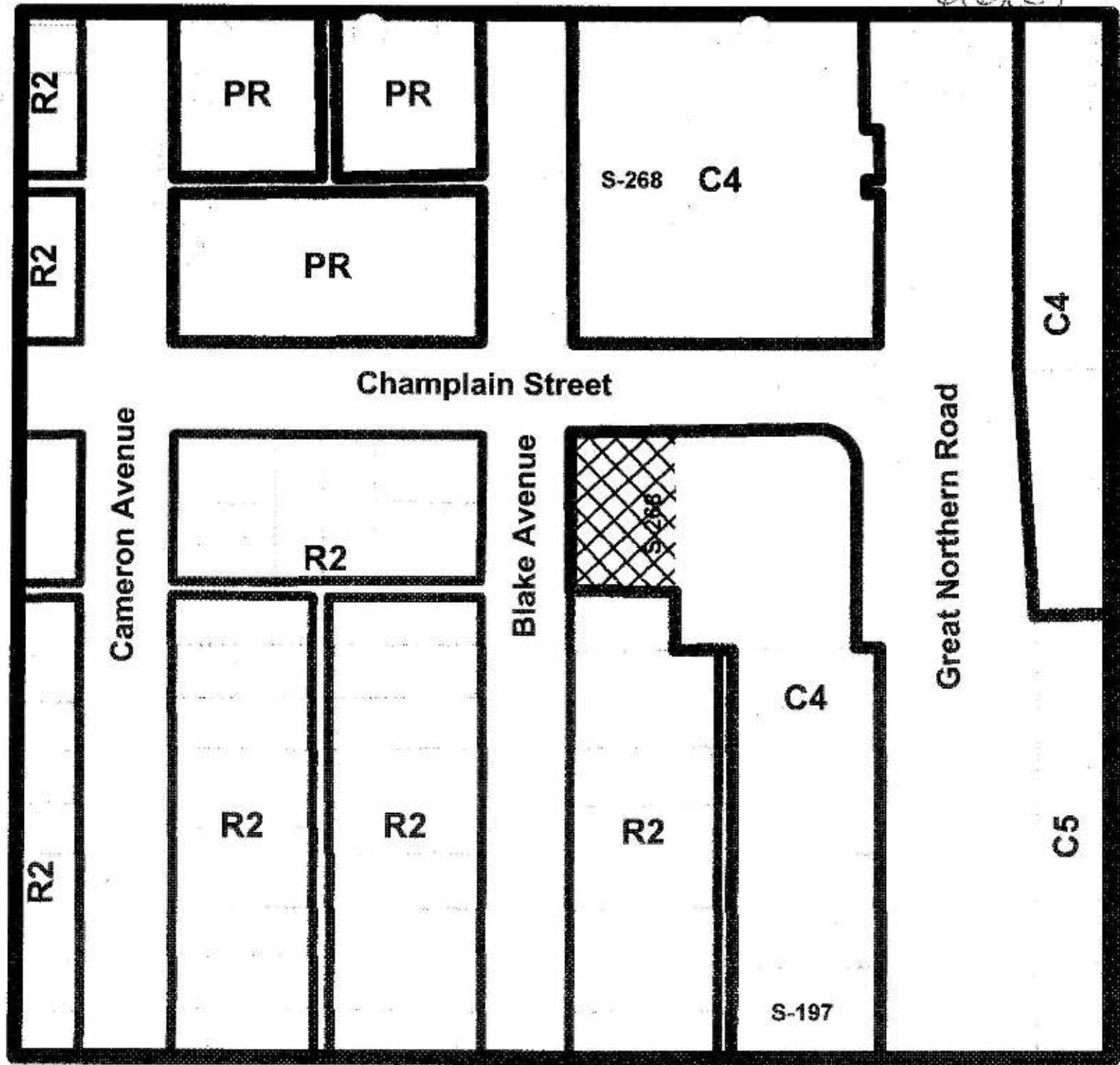


Metric Scale
1 : 1800

Maps
42 & 1-49

Mail Label ID
A-29-12-Z

(d6R6)



EXISTING ZONING MAP

58 BLAKE AVENUE

Planning Application: A-29-12-Z-OP



SUBJECT PROPERTY = 58 BLAKE AVE

Metric Scale
1 : 1200

C4 - General Commercial Zone

R2 - Single Detached Residential Zone

PR - Parks and Recreation Zone

S# = Special Exception Zoning

Maps
42 & 1-49

Mail Label ID
A-29-12-Z

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



ENGINEERING & PLANNING DEPARTMENT

Planning Division

Tel: (705) 759-5368
Fax: (705) 541-7165

Celebrate 100!
1912 - 2012

2012 09 24

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-30-12-Z.OP – filed by Riversedge Developments Inc.

PURPOSE

The applicant is requesting an Official Plan Amendment and rezoning to allow the former St. Mary's Paper Company property to be used for various commercial, residential and institutional uses including a bio-energy technology campus with pilot plants relating to renewable energy research. Bio-energy technology may be generally defined as the study of producing energy from sustainable sources.

PROPOSED CHANGE

The applicant is requesting an Official Plan Amendment to re-designate the subject property from Industrial to Commercial and to include these lands within the Official Plan's definition of the Downtown area. Further, the applicant is requesting a rezoning from "M3" (Heavy Industrial) zone to "C3" (Riverfront) zone with a Special Exception to permit various commercial, residential, institutional and renewable energy uses.

Subject Property:

- Location – This application consists of two properties. The larger property includes 14.37 hectares (35.52 acres) comprising the former St. Mary's Paper property located on the west side of Huron Street, between the Algoma Central Railway right-of-way and the Francis H. Clergue Generating Station but does not include the 0.44 hectares (1.90 acres) also owned by the applicant located west of the International Bridge lands. The smaller property 0.43 hectares (1.07 acres) is located on the east side of Huron Street and is the former St. Mary's Paper parking lot.
- Total Size – 14.81 hectares (36.59 acres)
- Present Use – Vacant Industrial
- Owner – 2319839 Ontario Inc. (Riversedge Developments Inc.)

BACKGROUND

The subject property has been used industrially since 1895 when the Sault Ste. Marie Pulp and Paper Company was incorporated as a subsidiary of the Lake Superior Power Company.

The property was acquired by Riversedge Developments Inc. earlier this year. Riversedge is currently in the process of preparing the site for redevelopment. They intend to retain the existing sandstone buildings as the basis for a new mixed use development.

This property is part of a major redevelopment area which includes the International Bridge Plaza and Gateway properties. Riversedge has expressed an interest in working co-operatively with any plans to develop the Gateway site.

The applicant has presented a site plan showing how the property could be used for commercial, institutional, parkland and residential uses. As part of their application they have also asked for approval to pursue the development of a College -- University Research Park with a focus on bio-energy technology. It should be noted that the applicant has cautioned that the site plan is conceptual and the details of development are not known at this time. Given the size of the proposed development it is anticipated that it will be constructed in several phases.

In order to create the partnerships and investment commitments necessary to proceed with development, the applicant has requested that City Council consider the necessary Official Plan and rezoning approvals at this time. Given that a number of the technical issues associated with this planned redevelopment cannot be determined until final project plans are known, approval is recommended subject to a Holding By-law as permitted by Section 36 of the Planning Act.

Section 36 allows City Council to grant approval subject to various conditions. The Holding By-law may be removed by City Council and development allowed to proceed once these issues are resolved. While notice of Council's intention to remove a Holding By-law is given to the public, notices are for information only since there are no rights of appeal regarding the application. This is the same approach that City Council used previously with the casino property.

ANALYSIS

Conformity with the Official Plan

The subject property is designated Industrial on Schedule C (Land Use) of the Official Plan. The applicant has requested a re-designation to Commercial and that the Official Plan definition of the Downtown be amended to include these lands.

Approval of this application to permit non-industrial uses will require an Official Plan amendment. It is unlikely that the property will be redeveloped for heavy industrial uses.

The subject property is also affected by a number of Official Plan policies which are described further as part of the comments below.

Consultation

The following departments/agencies commented on the application as part of the consultation process:

- See attached letters – Accessibility Advisory Committee, Building Division, CN Rail, Conservation Authority, Engineering, Great Lakes Power, Municipal Heritage Committee, Public Works and Transportation, PUC Services,
- No objections/comments – CSD, Fire Services

Each of the issues raised during consultation is discussed in the following section.

Comments

Riversedge Developments Inc. has acquired the former St. Mary's Paper property and is requesting approval of Official Plan and rezoning amendments to permit the property to be redeveloped for a combination of commercial, institutional, parkland and residential uses. In addition, they are requesting approval to pursue the development of a College -- University Research Park with a focus on bio-energy technology.

Specifically, the following uses are proposed:

- All uses currently permitted in the "C3" (Riverfront Zone) (attached).
- Assembly facilities, parks and playgrounds, places of worship and schools from the Institutional Zone uses.
- In order to accommodate the proposed "bio-energy technology campus" information and technology services, motion picture and sound recording studios, professional scientific and technical services and pilot plants relating to bioenergy research are also being requested.

Given that details of development are not known at this time, staff is recommending approval subject to a holding provision to allow a further review of various technical issues prior to construction. These issues are described below and are being recommended as part of the Official Plan Amendment requirements for removing the Holding By-law.

Downtown Area - The Official Plan defines the Downtown area as those lands bounded by or with frontage on Church Street, Wellington Street East, Gore Street, Queen Street West, Huron Street and the waterfront. Although the subject property has frontage on Huron Street, the larger parcel on the west side was not included within the Downtown area as shown on Schedule C of the Official Plan.

Given that the proposed redevelopment is consistent with the mixed use and high-density residential development policies relating to the Downtown area (OP policies C.4

through C.12) it is recommended that this property be included within the Downtown designation.

Fill Regulation – This property is subject to Ontario Regulation 176-06 which requires a review of any development that proposes the placement of fill or alterations to a shoreline or watercourse. This regulation is administered by the Conservation Authority and as such, is not required to be a condition of City Council's approval to remove the proposed holding provision. It should be noted that the subject property is separated from the St. Mary's River (Clergue Generating Station headrace) by a small section of Great Lakes Power property.

Fish Habitat – The St. Mary's River has been identified as a Type 1 fish habitat and no development is permitted in the water. Any proposed development which may impact the fish habitat is subject to review by Fisheries and Oceans Canada. This review process is coordinated by the local Conservation Authority.

Great Lakes Flood Line – The Conservation Authority will provide a review of any proposed development which may be impacted by the regulatory flood standard in effect in this area.

Heritage - The subject property contains two designated heritage structures. The first is a replica of a canoe lock that was built in 1896. This replica sits on the foundations of the original lock that was built by the North West Company in 1797. The second is the general office building of the Lake Superior Company which was constructed of sandstone in the early 1900s. This building is considered to be an excellent example of Richardson Romanesque revival architecture. The entire property was identified as an area of archeological potential during the recently completed archaeological potential site assessment study. Therefore, an archaeological assessment should be conducted prior to final development approvals in accordance with Ministry of Culture requirements.

Minimum Setbacks and Buffering – This property abuts the ACR (CN) rail line to the north, the Francis H. Clergue Generating Station and headrace to the east and south and the International Bridge to the west. Further west is the CP rail line to Michigan and the Essar Algoma Steel property. The subject property is approximately 640 m (2100 feet) from the nearest steel making related facility.

The Official Plan requires that where a sensitive use such as a residential, educational or health facility is being proposed near a rail line or industrial use, the developer may be required to complete noise and/or vibration assessments to determine the necessary control measures required to meet provincial guidelines. These guidelines were developed by the Ministry of Environment and are commonly referred to as the D Series Guidelines concerning compatibility between industrial facilities and sensitive land uses. The D-6 Guideline sets out requirements relating to noise, vibration, odour and dust emissions.

Attached to this report is a letter from Nick Coleman advising that CN does not object to the application providing that the regulations concerning appropriate mitigation between incompatible uses are compiled with. The issues associated with CN, CP and the

Essar Algoma Steel operations are similar and should be considered prior to removal of the holding provision.

Also attached is a letter from Liza Chikoski advising of Great Lakes Power easements on the property that will need to be respected as part of the overall development plan.

It is likely that in addition to separation distance, some form of physical barrier such as a berm or noise attenuation fence will be required. Landscaping will also be an important consideration when creating a new residential environment.

Municipal Services - Both Engineering and Public Works & Transportation Departments have requested a servicing study that would include both sanitary sewer and storm water management be completed as a condition of removal of the holding provision. PUC Services has noted that while municipal water and electrical services are available, a detailed review needs to be completed to confirm these assumptions.

Soil Remediation - The Official Plan requires that redevelopment of lands previously used for industrial purposes shall require an environmental report identifying the nature and extent of any site contaminants. In addition, the Ministry of Environment now requires that a Record of Site Condition be filed with the Province prior to the issuance of a building permit. This record includes among other items, an assessment of the environmental conditions, the standards that were applied to the site and confirmation of any site remediation activities.

Traffic - A development of the scale proposed will have an impact on the existing traffic patterns in the area. A traffic consultant should be retained during preparation of the development plan to identify any necessary improvements both onsite and to the existing road system.

Urban Design - Urban Design policies relating to accessibility, scale, streetscape improvements, and the retention of natural features and views are set out in the Official Plan. Approval of this application is recommended subject to the use of Site Plan Control which will provide an opportunity to review the massing and conceptual design of the proposed buildings along with the location of access points, loading and parking areas, public walkways, landscaping, lighting and other site facilities.

IMPACT

Given that this project will be developed by the private sector, the impact on the City's operations should be minimal. This project, which will improve the use of existing infrastructure, will create significant additional assessment without major new costs to the municipality. In addition, this development may increase the likelihood of development on the municipally owned Gateway site.

STRATEGIC PLAN

Approval of this request would not have a direct impact on any item in the City's Strategic Plan.

SUMMARY

The former St. Mary's Paper Company property has been acquired by Riversedge Developments Inc. This Company intends to retain the existing sandstone buildings as the basis for a new mixed-use development. The new owners are requesting City Council's approval of Official Plan and Zoning amendments to permit various commercial, residential, institutional and renewable energy uses.

Given that there are a number of technical issues associated with this redevelopment that cannot be adequately addressed until final project plans are known, approval is recommended subject to a holding provision as permitted by Section 36 of the Planning Act. This approval will allow the applicant to proceed with the partnerships and investment commitments necessary for this development.

Additional condominium and/or subdivision approvals may be required once plans are finalized.

The applicant has expressed interest in working with the community and has arranged a series of tours of the property to obtain public comment on possible future development.

This proposed mixed-use project is an excellent example of Brownfield redevelopment and should be encouraged

RECOMMENDATION

That City Council approve the request for Official Plan and Zoning amendments to permit the subject property to be used for various commercial, residential and institutional uses including a bio-energy technology campus with pilot plants relating to renewable energy research subject to the following:

1. Approval of Official Plan Amendment No. 191 to re-designate the subject property from Industrial to Commercial on Schedule C (Land Use) and to include this property within the defined Downtown area.
2. Rezone the subject property from "M3" (Heavy Industrial) to "C3" (Riverfront) with a Special Exception to add the following permitted uses:

assembly facilities, parks and playgrounds, places of worship, schools, information technology services, motion picture and sound recording studios, professional scientific and technical services, and pilot plants relating to bio-energy research.

(6)(d)

3. That the property be designated as subject to a Holding By-law as per Section 36 of the Planning Act. The Holding By-law to be removed when City Council is satisfied that the following issues have or will be adequately addressed as a condition of development: heritage, minimum setbacks and buffering, municipal services, soil remediation and traffic.
4. That the subject property be designated as an area of Site Plan Control as per Section 41 of the Planning Act.

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

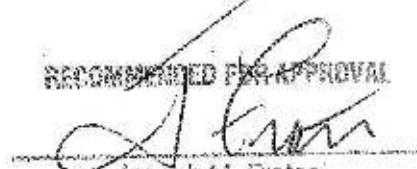


Jerry Dolcetti, RPP
Commissioner Engineering & Planning

DBM/ps

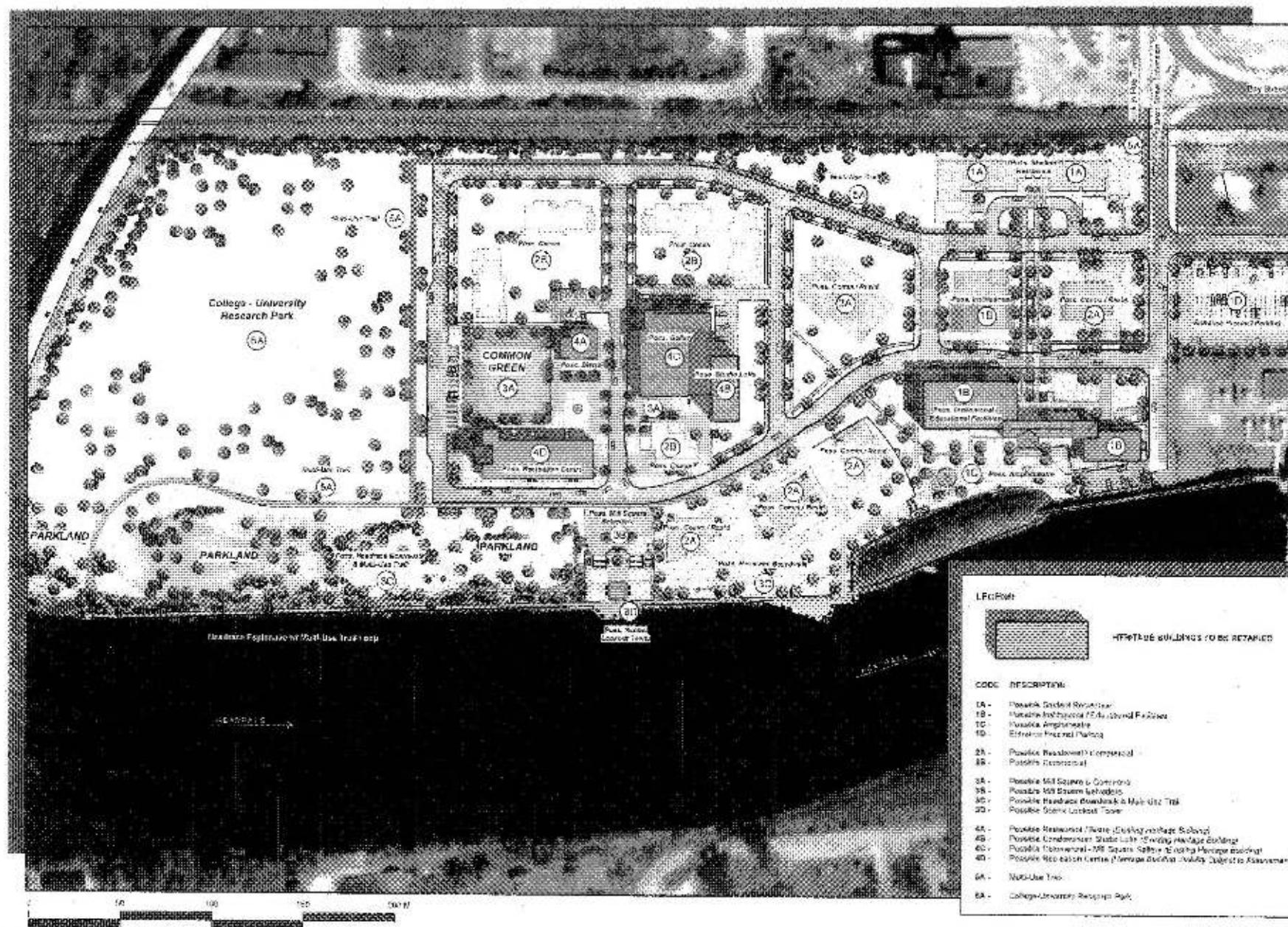
attachment(s)

RECOMMENDED FOR APPROVAL



Joseph M. Pratesi
Chief Administrative Officer

**Revitalization Concept Plan
Former St. Mary's Paper Site
Rivers Edge Development Inc.**



Overall Proposed Concept Plan	1200	1800
L1.0	Ex	Ex

(P)(2)(b)

**AMENDMENT NO. 191
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

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

LOCATION:

Those lands located on the west side of Huron Street bounded by the Algoma Central Railway line, Francis H. Clergue Generating Station and the International Bridge; and the property on the east side of Huron Street bounded by Canal Drive and the Francis H. Clergue Generation Station.

BASIS:

This Amendment is necessary in view of the request to re-develop the property for various commercial, residential and institutional purposes including a bio-energy technology campus with pilot plants relating to renewable energy research.

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

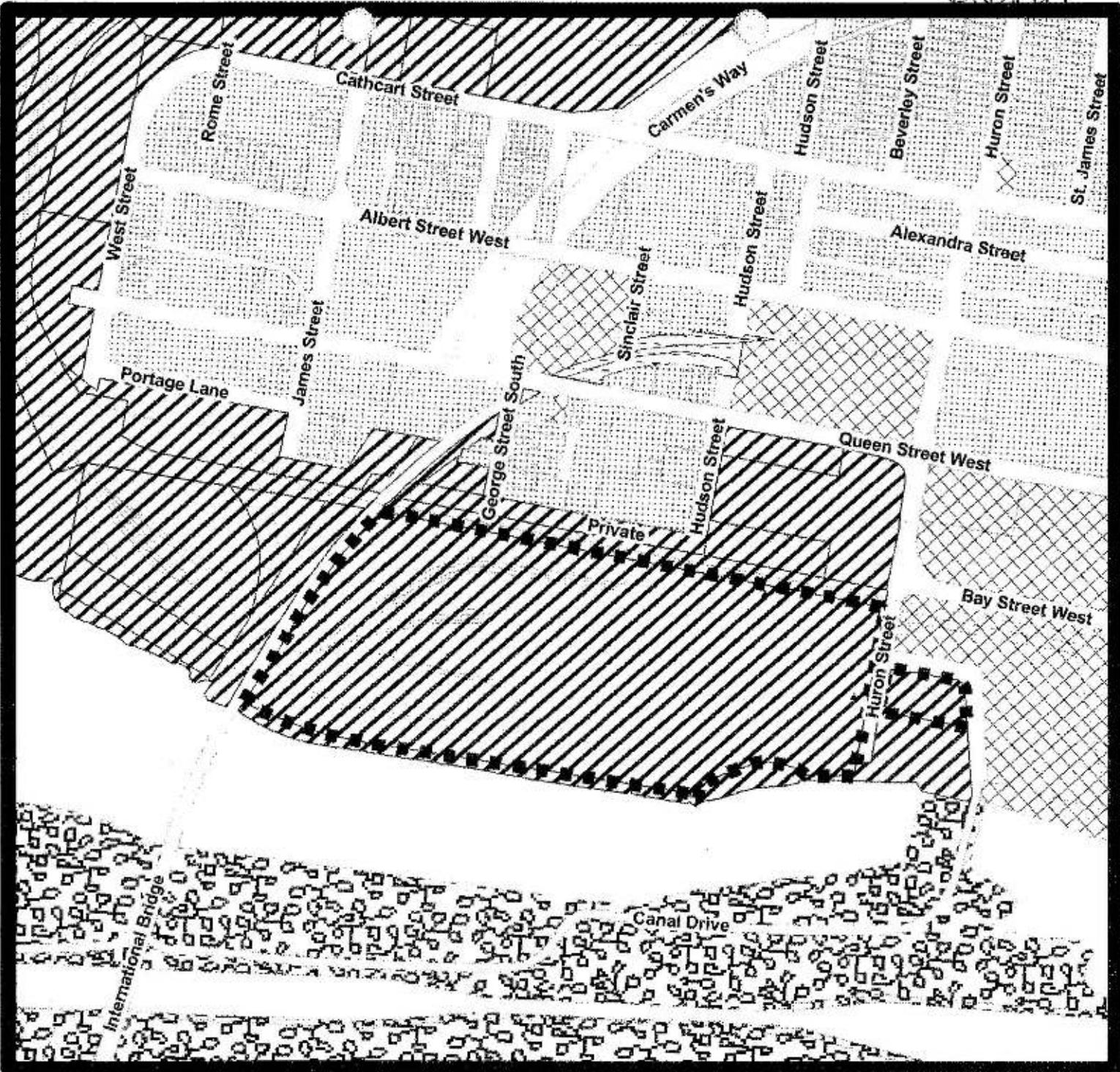
Council now considers it desirable to amend the Official Plan re-designating the subject property from "Industrial" to "Commercial."

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended by re-designating those lands shown on the attached schedule from "Industrial" to "Commercial" and further, that these lands be included within the "Downtown" boundary.

INTERPRETATION

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



OFFICIAL PLAN MAP

Schedule "C" Landuse

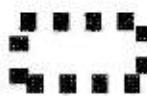
Planning Application A-30-12-Z-OP

75 HURON STREET

OFFICIAL PLAN
AMENDMENT
No. _____



Metric Scale
1 : 6000



Subject Area = 75 Huron Street

Mail Label ID
A-30-12-Z

Maps
15, 16 & 2-25



13.4 RIVERFRONT ZONE (C3)

Introduction

This zone is applied to the waterfront area south of Bay St. between the Gateway Site and the Hospitals. Additional setbacks from the water, a narrower scope of permitted uses, and high quality landscape requirements will create a pleasant park-like setting, catering to tourists and locals as they travel along the waterfront.

13.4.1 PERMITTED USES

- *Accessory uses*
- *{2007-105} Accessory use solar power installations* – Refer to Section 1.1.6 for additional regulations
- *{2008-200} Accessory use wind turbines* - Refer to Section 4.13 for additional regulations
- *Accommodation services*
- *Amusement and fitness facilities*
- *Arts, culture, and heritage institutions*
- *Assembly facilities*
- *Casinos*
- *Day care facilities*
- *Food services*
- *Home based business*
- *Movie theatres*
- *{2010-74} Nursing homes and residential care facilities*
- *Office uses*
- *Parking lots*
- *Personal services*
- *Recreational facilities*
- *Residential Dwellings*
 - *Multiple Attached*
 - *Apartment Dwellings*
- *Retail trade*
- *Similar uses*
- *Tourism related services*

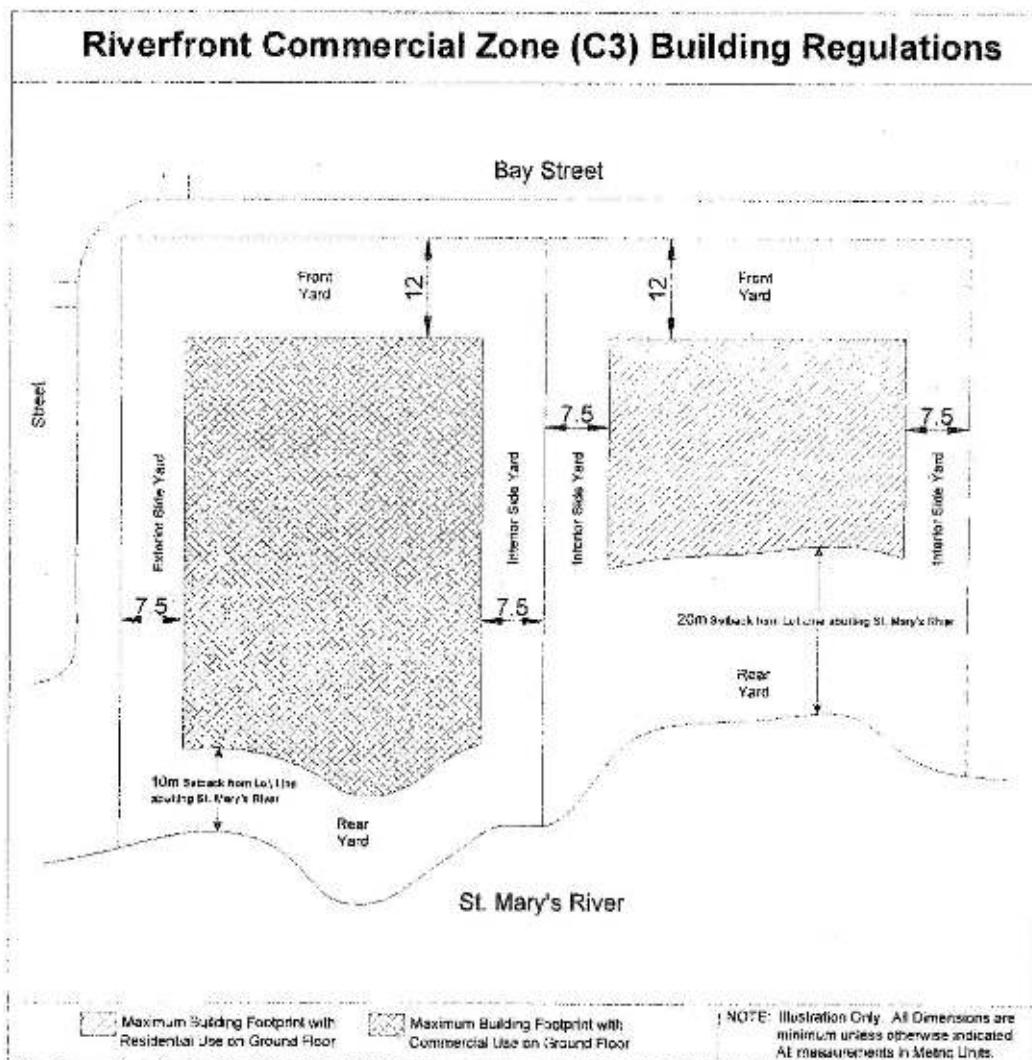


13.4.2 RIVERFRONT ZONE (C3) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
Setback from Bay Street	12m
Setbacks from any other lot line	7.5m
Setbacks from the lot line abutting St. Mary's River:	
• Residential uses on ground floor	20m
• Commercial uses on ground floor	10m
Landscaped open space	<i>100% of required front and exterior side yards excluding driveways</i>

Table 29 : Riverfront Commercial Zone (C3) Building Regulations





South Simcoe - Algoma Region

7/Sept 2012

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW – A-30-12-Z.OP

75 Huron Street

Dear Mr. McConnell

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

Exterior

1. Parking:
2. Walkways & Sidewalks:
3. Curb Cuts:
4. Ramping:
5. Transit Access:
6. Lighting:
7. Signage:
8. Other:

Thank you for your attention to these recommendations.

Yes We request a Site Plan

Sincerely,
Gerard Taylor
Chair, Site Plan Sub Committee
on behalf of The Accessibility Advisory Committee

Pat Schinners

From: Don Maki
Sent: September 05, 2012 10:37 AM
To: Don McConnell; Pat Schinners
Subject: rezoning application A-30-12-Z.OP 75 Huron Street

Hi Don

There is currently a demolition permit issued for a portion of the buildings on site. The site is currently undergoing an active demolition. The site will have to have a record of site condition registered with the ministry of the Environment prior to the issuance of any permits that would be considered a change of use under the current Brown field Act. This could involve a phase 1 or 2 environmental assessment depending on the level of contamination on site.

Don

Don Maki CBCO
Chief Building Official
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(d)(6)(d)

Don McConnell

From: Nick Coleman <Nick.Coleman@cn.ca>
Sent: September 10, 2012 1:24 PM
To: Don McConnell
Subject: 75 Huron Street, Riversedge Developments Inc., A-30-12-Z.OP
Attachments: SML pdf; Transfer of Easement - Corridor version.doc; Transfer of Easement (Yard Version).doc

Don, CN objects to new residential development in proximity to its railway operations without appropriate mitigation measures being implemented to address the inherent incompatibility.

Sault Ste. Marie has adopted regulations in its By-law (Sections 4.14.1 and 4.12.2) to address setbacks from railways and railway yards, and the Official Plan contains appropriate policies in 2.4 Transportation, subsection TR.8, to address noise vibration and safety.

The applicant's lands are adjacent the CN Soo Subdivision which is classified as a secondary main line, and though beyond 300 m of our Steelton Railway Yard, is still within the 1000m zone of influence, as well as other rail serviced industrial lands in the vicinity. I have attached CN's standard residential development requirements related to the Soo Subdivision. These and the requirement for the noise report to also assess whether railway yard noise will require additional mitigation, will be requested for inclusion as conditions of development approval, when a subsequent development application is circulated.

As adherence to the provisions of both the By-law and OP will ensure future development of the lands will need to address compatibility issues associated with existing railway operations, provided CN has assurance the rezoning and OPA will be governed by the provisions in the OP and By-law, we will have no objection to the applications.

Regards,
Nick

Nick Coleman B.Sc.

Manager, Community Planning & Development
905-760-5007 • Fax: 905-760-5010 • nick.coleman@cn.ca

CN Business Development & Real Estate
1 Administration Road, Concord, ON L4K 1B9



SECONDARY MAIN LINE REQUIREMENTS

- A. Safety setback of habitable buildings from the railway rights-of-way to be a minimum of 30 metres in conjunction with a safety berm. The safety berm shall be adjoining and parallel to the railway rights-of-way with returns at the ends, 2.0 metres above grade at the property line, with side slopes not steeper than 2.5 to 1:
- B. The Owner shall engage a consultant to undertake an analysis of noise. At a minimum, a noise attenuation barrier shall be adjoining and parallel to the railway rights-of-way, having returns at the ends, and a minimum total height of 4.5 metres above top-of-rail. Acoustic fence to be constructed without openings and of a durable material weighing not less than 20 kg. per square metre of surface area. Subject to the review of the noise report, the Railway may consider other measures recommended by an approved Noise Consultant.
- C. Ground-borne vibration transmission to be evaluated in a report through site testing to determine if dwellings within 75 metres of the railway rights-of-way will be impacted by vibration conditions in excess of 0.14 mm/sec RMS between 4 Hz and 200 Hz. The monitoring system should be capable of measuring frequencies between 4 Hz and 200 Hz, ±3 dB with an RMS averaging time constant of 1 second. If in excess, isolation measures will be required to ensure living areas do not exceed 0.14 mm/sec RMS on and above the first floor of the dwelling.
- D. The Owner shall install and maintain a chain link fence of minimum 1.83 metre height along the mutual property line.
- E. The following clause should be inserted in all development agreements, offers to purchase, and agreements of Purchase and Sale or Lease of each dwelling unit within 300m of the railway right-of-way: "Warning: Canadian National Railway Company or its assigns or successors in interest has or have a rights-of-way within 300 metres from the land the subject hereof. There may be alterations to or expansions of the railway facilities on such rights-of-way in the future including the possibility that the railway or its assigns or successors as aforesaid may expand its operations, which expansion may affect the living environment of the residents in the vicinity, notwithstanding the inclusion of any noise and vibration attenuating measures in the design of the development and individual dwelling(s). CNR will not be responsible for any complaints or claims arising from use of such facilities and/or operations on, over or under the aforesaid rights-of-way."
- F. Any proposed alterations to the existing drainage pattern affecting railway property must receive prior concurrence from the Railway and be substantiated by a drainage report to the satisfaction of the Railway.
- G. The Owner shall through restrictive covenants to be registered on title and all agreements of purchase and sale or lease provide notice to the public that the safety berm, fencing and vibration isolation measures implemented are not to be tampered with or altered and further that the Owner shall have sole responsibility for and shall maintain these measures to the satisfaction of CN.
- H. The Owner shall enter into an Agreement stipulating how CN's concerns will be resolved and will pay CN's reasonable costs in preparing and negotiating the agreement.
- I. The Owner shall be required to grant CN an environmental easement for operational noise and vibration emissions, registered against the subject property in favour of CN.

Pat Schinners

From: Marlene McKinnon <MMcKinnon@ssmrca.ca>
Sent: September 07, 2012 3:19 PM
To: Pat Schinners
Cc: Peter Tonazzo; Linda Whalen; Anjum Amin; Rhonda Bateman
Subject: SSMRCA Response - A-30-12-Z.OP - 75 Huron Street

September 7, 2012

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-30-12-Z.OP
Riversedge Developments Inc.
75 Huron Street
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 is required for any development on the subject property.

The subject property is not under consideration of the Drinking Water Source Protection Program of the Conservation Authority with regard to Drinking Water Source Protection.

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)(c)(d)

Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 09 11

Our File: A-30-12-Z.OP

Donald B. McConnell, MCIP, RPP
Planning Director
Engineering and Planning Department
City of Sault Ste. Marie

Dear Mr. McConnell:

**RE: A-30-12-Z.OP – 75 HURON STREET
REQUEST FOR AN AMENDMENT TO THE ZONING BY-LAW & OFFICIAL PLAN**

The Engineering and Construction Division has reviewed the above noted application and provides the following:

- The Owner agrees to enter into any development agreements as deemed necessary by the City;
- The sanitary pumping station on Huron Street shall be reviewed to ensure adequate capacity for the proposed use. If necessary, the pumping station shall be replaced at the Owner's expense;
- Based on the history of the subject property, an Environmental Assessment will be required if any portion of the site is to be used for Residential use;
- A sediment control plan and storm water management plan must be submitted to the satisfaction of the Commissioner of Engineering and Planning or his designate, and the Sault Ste. Marie Conservation Authority;
- Post development flows shall not exceed pre-development flows up to and including the 100-year storm;
- A Noise Feasibility Study may be required;
- A soils report will be required, prepared by a qualified professional, to the satisfaction of the City. The soils report should provide comment in relation to the stability of the soil and its ability to sustain superimposed loads from building and filling operations.

ENGINEERING DATA REZONING Huron Street - Civic 75 - A-30-12-Z.OP 2012 09 11 000x

The Corporation of the City of Sault Ste. Marie
P.O. Box 580~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 759-5385~ Fax: (705) 541-7165
www.cityssm.on.ca ~ d.perri@cityssm.on.ca

(6)(d)

and to furnish at no cost to the City certified copies of the results thereof for examination by the Commissioner of Engineering & Planning or his designate;

- A servicing report will be required, prepared by a qualified professional, to the satisfaction of the City. The servicing report should provide comment in relation to storm and sanitary sewer sizing in addition to capacity in the downstream infrastructure;
- Soil tests are required in the road allowances, including a report on the road base design, considering the use of geotextile fabric and weeping tile and which determines the depth of the road base. A brief outlining the pavement design is also required. The minimum city pavement design requirements for urban roads are: 600mm of Granular 'B', 150mm of Granular 'A', 50mm of HL8, and 40mm of HL3;
- Plans and specifications showing final presale grades should be reviewed and approved by the Commissioner of Engineering and Planning or his designate. Lot grading plans should show existing contours, and proposed grades for each lot. As constructed drawings should be modified to show only final grades;
- The discharge of stormwater, surface water, or ground water to a sanitary sewer is prohibited, as per conditions set out in the City's Sewer Use By-Law. The Owner has expressed the intent to redirect sump water to the storm sewer, if it has been shown to meet the Table 2 requirements of the Sewer Use By-Law;
- No work shall be commenced without the approval of the Commissioner of Engineering & Planning or his designate and any work which requires approvals from the City and the Ministry of the Environment shall not commence until such approvals and agreements are endorsed.

If you have any questions, please contact the undersigned.

Yours truly,



Daniel Perri, EIT
Engineering Intern

c: Jerry Dolcetti, Commissioner, Engineering & Planning
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT
Justus Veldman, River's Edge Developments Inc.

**Great Lakes Power
Transmission**

Great Lakes Power Transmission LP
2 Sackville Road, Suite B
Sault Ste. Marie, Ontario P6B 6J6

Tel 1 705 254-7444
Fax 1 705 941-5600
www.gplt.ca

(c)(6)(d)



September 10, 2012

The Corporation of the City of Sault Ste. Marie
Civic Centre, 99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6

Attention: Donald B. McConnell, Planning Director

Subject: Riversedge Developments Inc.
Application No. A-30-12-Z.OP
Request for Amendment to the Zoning By-law & Official Plan

Dear Mr. McConnell:

With respect to the above application for re-zoning, Great Lakes Power Transmission LP has no issues with the amendment to the by-law and official plan for this development project.

There are however two (2) existing 115kV double circuit free standing steel pole structures along the North end of the property that we have existing easements for as described in:

- Part 1 and Part 3 of IR-4290 which limits erecting any building or paving on the easement without consent. (see attached)

GLPT's position is no buildings, structures poles fences be constructed on this future development that would impede heavy equipment from entering and maintaining the structures; since the north side of the line is already inaccessible due to the railway. (see attached plans)

We are also requesting no digging within 10 m (33') of these structures do to the size of the existing foundations of these structures. Details of the foundations along the railway are as follows:

- At Structure #2 in Part 1 just west of Huron St the foundation is 5.5 m (18') long X 3.7 m (12') wide X 1.1 m (3'6") high at a depth of 3.5 m (11'6") and 20 m (66') from the edge of easement
- At Structure #3 in Part 1 south of the railway the foundation is 6.4 m (21') long X 4.5 m (14'6") wide X 1.2 m (4') high at a depth of 3.7 m (12') and 8 m (26') from the edge of the easement

(6)(d)

At this time Great Lakes Power Transmission (GLPT) will not pursue any changes to the existing easements. The easement in Part 1 is presently irregular, and does not follow the center line of the existing GLPT Right of Way (ROW).

Further on in the development GLPT would be willing to make slight modifications to Part 1 maintaining a 15 m (50') wide ROW from the existing centre line and relinquishing the parts of the existing easement that fall outside the 15 m from centre line. The costs of these changes would be borne by the property owner.

We appreciate your attention to this matter. We are requesting that GLPT be added to the mailing list for all correspondence with the respect to this development around these structures, to ensure the safety of the public and our employees.

Yours truly,

Liza Chikoski

Liza M. Chikoski, A.Sc.T.
Transmission Technologist
Great Lakes Power Transmission LP
Ph: 705-256-3844
Fx: 705-759-7706
lchikoski@glp.ca

cc: Bernard Mobach, GLPTLP

Don McConnell

From: Joe Cain
Sent: September 04, 2012 9:53 AM
To: Don McConnell
Cc: Peter Tonazzo
Subject: RE: 75 Huron

Thanks Don. I forgot to mention that I did have a conversation with one of the Riversedge reps who indicated that they were hoping to retain all of the sandstone structures subject to a structural assessment of each. Good to see Chris is involved.

Joe

From: Don McConnell
Sent: September 02, 2012 10:16 AM
To: Joe Cain
Cc: Peter Tonazzo
Subject: RE: 75 Huron

Good morning Joe -

The only thing that you or Peter may wish to mention is that the new owners have hired Chris Tossell to complete an assessment of the existing sandstone buildings. My understanding is that four or five buildings will be retained.

Don

From: Joe Cain
Sent: August 29, 2012 4:30 PM
To: Don McConnell
Cc: Joe Cain
Subject: 75 Huron

Hello Don

I received the copy of the application by Riversedge Developments regarding an amendment to the Zoning By-Law and Official Plan for 75 Huron. I'm sure that you are aware that there are 2 designated heritage structures on this property, the Office Building and the Northwest Company Lock. I have been in communication with the new owners re the heritage features on the property. I will bring this information to the Municipal Heritage Committee at their meeting on September 5. I don't see that there will be any issues forthcoming as long as assurance is given that the heritage features will be protected under any future plans for the property. If you have anything you wish to communicate to the MHC please let me know or you can have Peter comment on it at the meeting.

Thanks.

Joe

Joseph Cain
Manager, Recreation and Culture Division
Community Services Department
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
Phone 705-759-5312
j.cain@cityssm.on.ca

www.cityssm.on.ca
www.celebrate100saultstmarie.com
Celebrating 100 years as a city in 2012

(6)(d)

S. Hamilton Beach, P. Eng
Deputy Commissioner



Larry Girardi
Commissioner

September 7, 2012

Donald McConnell
Planning Director

Subject: Application Number A-30-12-Z.OP
Request for an Amendment to the Official Plan and Zoning By-law

Applicant: Riversedge Development Inc.

Subject Property: 75 Huron Street

Staff from Public Works and Transportation has reviewed this application and have no objection to the application subject to a holding provision. Prior to the release of the holding provision, PWT requests that a full servicing study and traffic impact study be completed to our satisfaction for the actual proposed development.

If you have any further questions please contact me at (705) 759-5207.

A handwritten signature in black ink, appearing to read "Susan Hamilton Beach".

Susan Hamilton Beach, P. Eng.
Deputy Commissioner
Public Works and Transportation

c.c. Dan Perri, EIT

H:\Planning Reports\Rezoning & OP Amend\Huron Street - 75.doc

1/1
(d)(6)(d)

PUC SERVICES INC.
ENGINEERING DEPARTMENT
550A SECOND LINE EAST, P.O. Box 9000
SAULT STE. MARIE, ONTARIO, P6A 6P2

September 7, 2012

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

Dear Sir:

**Re: Application No. A-30-12-Z.OP
75 Huron Street**

After review of the zoning and OP amendment application to change the site from the present Industrial uses PUC provides the following comments for consideration;

- In this area, availability of municipal water service capacity is generally expected to be available to support a new development given the change from the previous industrial use, however depending on the nature of the new development detailed review of needs would be necessary to confirm such assumptions.
- In this area, availability of electrical service capacity is generally expected to be available although local circuit capacity to the site may not be adequate depending on the proposed development. This industrial property has historically been supplied from the local transmission system provider and has not been serviced from the PUC Distribution system. With the potential for large development in both this location and the adjacent "Gateway" property area, the need for PUC system expansion could be needed to service the site. Depending on extent of work and the added complexity of the railway along the north side of these properties, construction of new feeder circuits could require a lengthy design and approval phase over more than 12 months.

Yours truly,

PUC SERVICES INC.

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

Kevin D. Bell, P. Eng.
Manager Engineering

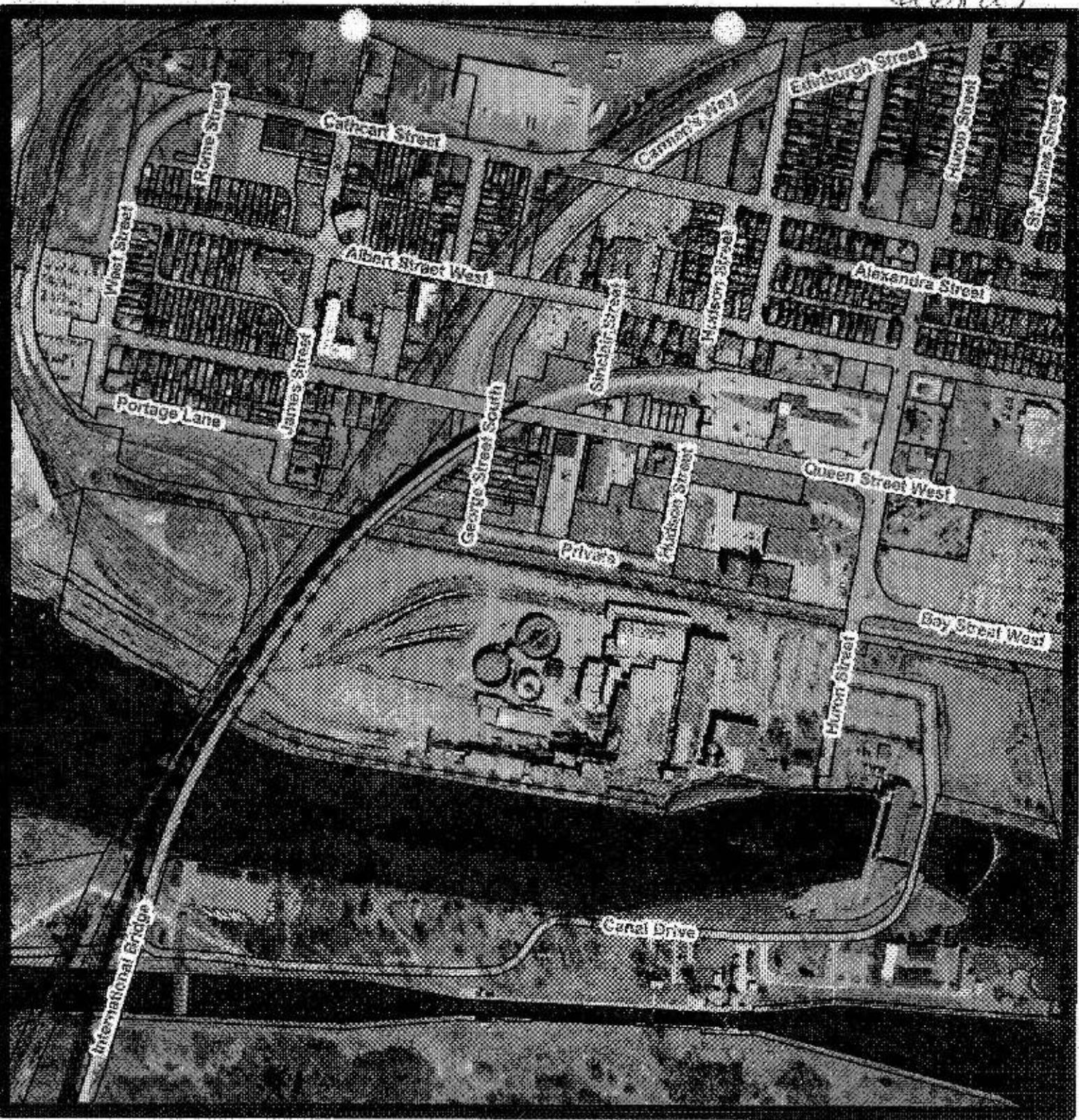
0505_Planning_Huron St [75] A-30-12-Z_OP

PUC DISTRIBUTION INC.
Tel. (705) 759-6578

PUC SERVICES INC.
Fax. (705) 949-0083

PUBLIC UTILITIES COMMISSION
Email: Eng-Dept@ssmpuc.com

(d6Vd)



2012 ORTHO PHOTO

Planning Application A-30-12-Z-OP

75 HURON STREET

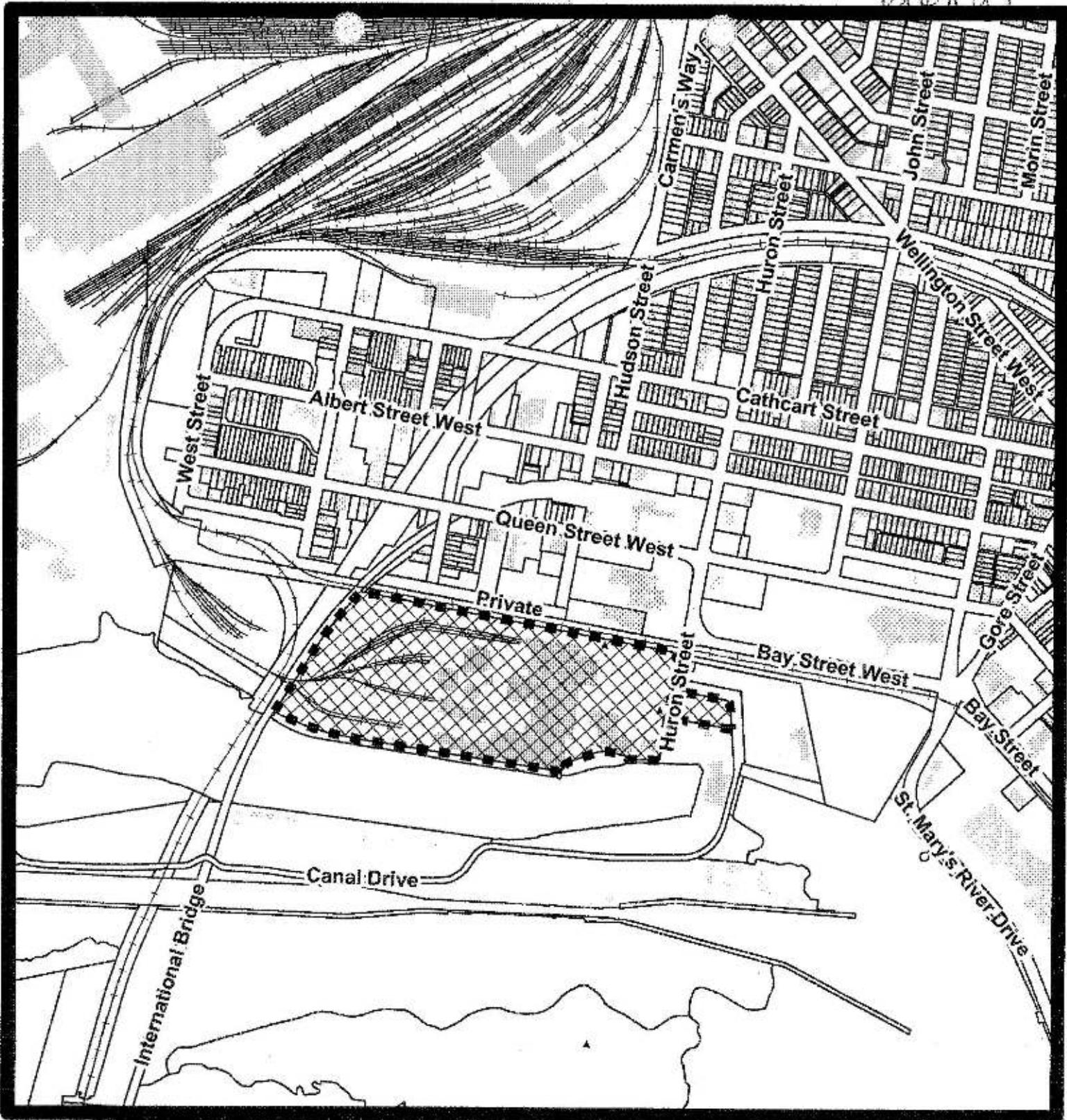


Metric Scale
1 : 6000

Maps
15, 16 & 2-25

Mail Label ID
A-30-22-Z

***** Subject Area = 75 Huron Street



SUBJECT AREA MAP

75 HURON STREET

Planning Application A-30-12-Z-OP



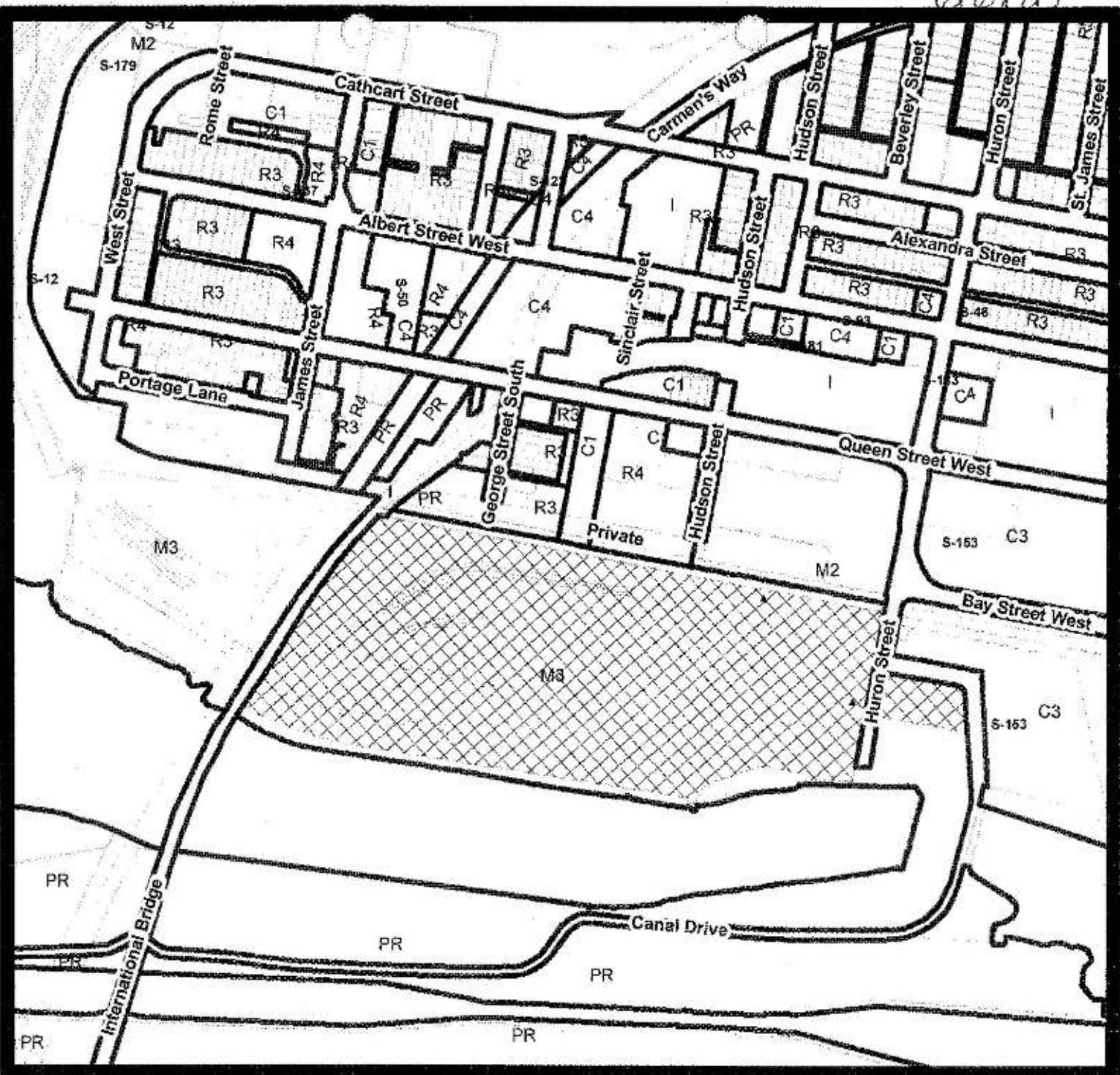
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Maps
15, 16 & 2-25

Mail Label ID
A-30-12-Z

Subject Area = 75 Huron Street

Subject Area = 75 Huron Street



EXISTING ZONING MAP

75 HURON STREET

Planning Application A-30-12-Z-OP

Subject Area = 75 Huron Street

R3 - Low Density Residential Zone

R4 - Medium Density Residential Zone

C1 - Traditional Commercial Zone

C3 - Riverfront Zone

C4 - General Commercial Zone

M2 - Medium Industrial Zone

M3 - Heavy Industrial Zone

I - Institutional Zone

PR - Parks and Recreation Zone

S-# = Special Exception Zoning



Metric Scale
1 : 6000

Maps
15, 16 & 2-25

Mail Label ID
A-30-12-Z

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-177

AGREEMENT: (G1.3) A by-law to amend By-law 2012-106 (a by-law to authorize an indemnity agreement between the City and PUC Services Inc. and Algoma Bioseptic Technologies for the provision of biosolids from the East End Plant for a pilot composting project).

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 9 of the *Municipal Act, 2001*, S.O. 2001, c.25, ENACTS as follows:

1. **AMENDMENTS TO BY-LAW**

By-law 2012-106 is amended by repealing paragraph 1 of Schedule "A" to By-law 2012-106 and replacing it with the following:

"1. The City and Services permit the Contractor to remove and load approximately 4,500 imperial gallons of POW from the East End Municipal Sewage Treatment Plant, City of Sault Ste. Marie, to its composting facility near Blind River at some time between September 24, 2012 and December 31, 2012 for a pilot project to be completed by the Contractor."

2. **EFFECTIVE DATE**

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

PASSED in open Council this 24TH day of September, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

Deputy City Clerk - Rachel Tyczinski

Staff/by-laws/2012/2012-177 amending 2012-106

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

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-178

AGREEMENT: (E2.3) A by-law to authorize the execution of an agreement between the City and STEM Engineering Group Inc. for the design and contract administration for the small Central Creek Aqueduct Reconstruction.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, ENACTS as follows:

1. **EXECUTION OF DOCUMENT**

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 an agreement in the form of Schedule "A" attached hereto, dated September 4, 2012 and made between the City and STEM Engineering Group Inc. for the design and contract administration for the small Central Creek Aqueduct Reconstruction.

2. **SCHEDULE "A"**

Schedule "A" 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 24th day of September, 2012.

MAYOR - DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

Deputy City Clerk - Rachael Lyczinski

cf Bylaws\2012\2012-178 STEM

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CITY SOLICITOR

Schedule "A"

(b)

AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES

MEMORANDUM OF AGREEMENT dated the 4th day of September

A. D. 2012

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

STEM ENGINEERING GROUP INCORPORATED

Hereinafter called the 'Consultant'

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to perform reconstruction work along the Central Street West Aqueduct which is to occur at two locations. The first location is south of Wallace Terrace for approximately 60M and the second is a 15M portion at the Bonney Street intersection.

HEREINAFTER called the 'Project' and has requested the Consultant to furnish professional services in connection therewith;

This work will include the replacement of the existing aqueduct which occupies this space plus associated sanitary and storm sewer work, plus catch basins as maybe required, including the road restoration work as required. This work is to include preparation of tender documents and contract administration and supervision.

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Consultant mutually agree as follows:

ARTICLE 1 - GENERAL CONDITIONS**1.01 Retainer**

The Client hereby retains the services of the Consultant in connection with the Project and the Consultant hereby agrees to provide the services described herein under the general direction and control of the Client.

In this Agreement the word Consultant shall mean professionals and other specialists engaged by the Client directly and whose names are party to this Agreement.

1.02 Services

The services to be provided by the Consultant and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.08 are hereinafter called the 'Services'.

1.03 Compensation

The Client shall pay the Consultant in accordance with the provisions set forth in Article 3. For purposes of this agreement, the basis of payment shall be as specified in Article 3.

1.04 Staff and Methods

The Consultant shall perform the services under this agreement with that degree of care, skill and diligence normally provided in the performance of such services as contemplated by the agreement at the time such services are rendered and as required by the Professional Engineers Act (RSO 1990, Chapter P, 28) and regulations therein. The Consultant shall employ only competent staff who will be under the supervision of a senior member of the Consultant's staff.

1.05 Drawings and Documents

Subject to Section 3.2.4 of Article 3, drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Consultant for the Client, including record drawings, may be used by the Client, for the Project herein described. In accordance with Article 1.06, the client indemnifies the Consultant for unauthorized use of the documents and deliverables.

1.06 Intellectual Property

All concepts, products or processes produced by or resulting from the Services rendered by the Consultant in connection with the Project, or which are otherwise developed or first reduced to practice by the Consultant in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be considered as Intellectual Property and remain the property of the Consultant.

The Client shall have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Consultant in connection with the Project and for no other purpose or project.

1.07 Records and Audit

- (a) In order to provide data for the calculation of fees on a time basis, the Consultant shall keep a detailed record of the hours worked by staff employed for the Project.
- (b) The Client may inspect timesheets and record of expenses and disbursements of the Consultant during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.

(c) The Consultant, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Consultant claims payment under this Agreement.

1.08 Changes and Alterations and Additional Services

With the consent of the Consultant the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Consultant shall be paid in accordance with Section 3 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3. In the event the client delays the project the consultant shall have the right to renegotiate the agreement.

1.09 Suspension or Termination

Either party may, at any time by notice in writing to the other party, suspend or terminate the Services or any portion thereof at any stage of the project. Upon receipt of such written notice, the Consultant shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Consultant shall be entitled to payment in accordance with Section 3 for any of the Consultant's staff employed directly thereon together with such expenses and disbursements allowed under Section 3.

If the Consultant is practicing as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Consultant to the date of such termination.

1.10 Indemnification

The Consultant shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer, to the extent the Consultant is legally liable as a result of the negligent acts of the Consultant, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Consultant from and against any and all claim, losses, damages, liability and costs of defense arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligent acts of the Consultant in the performance of consulting services to the Client within this project.

1.11 Insurance

The Client will accept the insurance coverage amount specified in this clause section (a) as the aggregate limit of liability of the Consultant and its employees for the Client's damages.

(a) Comprehensive General Liability and Automobile Insurance

The Insurance Coverage shall be \$5,000,000 per occurrence and in the aggregate for general liability and \$5,000,000 for automobile insurance. When requested, the Consultant shall provide the Client with proof of Comprehensive General Liability and Automobile Insurance (Inclusive Limits) for both owned and non-owned vehicles.

(b) Professional Liability Insurance

The Insurance Coverage shall be in the amount of \$1,000,000 per claim and in the aggregate. When requested, the Consultant shall provide to the Client proof of Professional Liability Insurance carried by the Consultant, and in accordance with the Professional Engineers Act (RSO 1990, Chapter P. 28) and regulations therein.

(c) **Change in Coverage**

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project then the Consultant shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Section 3.

It is understood and agreed that the coverage provided by these policies will not be changed or amended in any way nor cancelled by the Consultant until thirty (30) days after written notice of such change or cancellations has been personally delivered to the Client.

1.12 Contracting for Construction

Neither the Consultant, nor any person, firm nor corporation associated or affiliated with or subsidiary to the Consultant shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

1.13 Assignment

Neither party may assign this Agreement without the prior consent in writing of the other.

1.14 Previous Agreements

This Agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

1.15 Approval by Other Authorities

Unless otherwise provided in this Agreement, where the work of the Consultant is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Consultant, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Consultant with such other authority, department of government or agency.

1.16 Principals and Executives

The use of Principals and Executives on a time basis by the Consultant will be in accordance with Section 1.23.1 (c).

1.17 Sub-Consultants

The Consultant may engage others as sub-consultants for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client plus the cost of the additional insurance incurred by the Consultant for the specialized services.

1.18 Inspection

The client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Consultant agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

1.20 Confidential Data

The Consultant shall not divulge any specific information identified as confidential, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein. These obligations of confidentiality shall not apply to information which is in the public domain, which is provided to the Consultant by a third party without obligation of confidentiality which is independently developed by the Consultant without access to the Client's information, or which is required to be disclosed by law or by court order. No such information shall be used by the Consultant on any other project without the approval in writing of the client.

1.21 Dispute Resolution

- (a) If requested in writing by either the Client or the Consultant, the Client and the Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of ninety [90] calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the rules of the province having jurisdiction or by an arbitrator appointed by the agreement of the parties.
- (b) No person shall be appointed to act as mediator or arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Consultant.
- (c) The award of the arbitrator, including an award for costs if applicable, shall be final and binding upon the parties.
- (d) The provisions of the Arbitration's Act, R.S.O., 1991, Chapter 17, as amended shall apply.

1.22 Time

The Consultant shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require.

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Consultant, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as not to delay the work of the Consultant.

1.23 Estimates, Schedules and Staff List**1.23.1 Preparation of Estimate of Fees, Schedule of Progress and Staff List**

When requested by the Client, and where payment is calculated on a time basis, the Consultant shall provide, for approval by the Client:

- (a) An estimate of the total fees to be paid for the Services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.
- (c) A Staff list showing the number, classifications and hourly rate ranges for staff, Principals and Executives, for which the Consultant will seek payment on a time basis. The Consultant shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Consultant's staff who is to be the liaison person between the Consultant and the Client.

1.23.2 Subsequent Changes in the Estimate of Fees, Schedule of Progress and Staff List

The Consultant will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees beyond those approved under Subsection 1.23.1 (a).
- (b) Any change in the schedule of progress which results in a longer period than provided in Subsection 1.23.1 (b).
- (c) Any change in the number, classification and hourly rate ranges of the staff provided under Subsection 1.23.1 (c).

1.23.3 Monthly Reporting of Progress

When requested by the Client, the Consultant shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

1.24 Additional Conditions**Electronic Data Files and CAD Files:**

The Consultant will deliver to the Client (electronically or on tangible electronic storage media or otherwise) certain CAD files or electronic data files (the "Files") prepared by the Consultant solely for its own use. It is acknowledged that due to the nature of such electronic "Files", information contained therein could inadvertently be altered or erased by any person having access to them. Therefore, the Consultant gives no warranty or condition to the Client with respect to the "Files" and the data contained therein. The "Files" will not be stamped, certified or signed by the Consultant. Any use of the "Files" by the Client will be at the sole risk of the Client.

ARTICLE 2 – SERVICES**2.01 Services to be provided by Consultant**

Refer to Appendix 1 (Schedule D – Services)

2.01.1 Services to be provided by Client

Refer to Appendix 1 (Schedule D – Services)

ARTICLE 3 – FEES AND DISBURSEMENTS**3.1 Definitions**

For the purpose of this Agreement, the following definitions shall apply:

(a) Payroll Cost

Payroll Cost is defined as hourly salary plus payroll burden.

- (i) The following formula shall be used to calculate the hourly salary for the billing purposes. Hourly salary equals:

$$\frac{\text{Annual Salary}}{\text{Hours per week} \times 52 \times .85}$$

- (ii) Payroll burden equals fringe benefits expressed as a percentage of salary that provides for health and medical insurance, group life and disability insurance, company and Canada pension employer contribution, Workers' Compensation and Unemployment Insurance, but excludes bonuses or profit sharing. For the purposes of this agreement payroll burden is 12.4 %.

(b) Cost of the Work:

- (i) The "Cost of the Work" shall mean the total cost of the Project including all materials, equipment, sales taxes, labour and contractor's overhead and profit, necessary to complete the work for which the Consultant prepares designs, drawings or specifications, for which he is responsible. Where sales taxes are not included in the cost of the work, the fee shall be adjusted upwards by the factor equivalent to the sales taxes. The adjusted fee may be computed to the nearest one-tenth of one percent (1/10%).
- (ii) Wherever the client furnishes labour or other service which is incorporated in the work, the current price of labour or other service when the work was executed shall be used to compute the Cost of the Work.
- (iii) Whenever used materials or equipment is furnished by or on behalf of the Client, the fair market value of such materials or equipment, as though it was purchased new, shall be used to compute the Cost of the Work.
- (iv) In computing the Cost of the Work, no deductions shall be made on account of any penalties or damages claimed by the Client from any contractor or on account of any other sum withheld from any contractor.
- (v) The Cost of the Work shall not include any fees and disbursements due to the Consultant, the Client's engineering and office expenses, or cost of land.

(c) Site:

Site includes the actual work site and other locations where the checking of materials, equipment and workmanship is carried out.

3.2 Basis of Payment

3.2.1 Fees Calculated on a Time Basis

The Client shall pay the Consultant a fee, calculated on a time basis, for that part of the Services described in Article 2. Fees on a time basis for all staff shall be as follows:

- (a) Principals and Executives on normal assignments \$130.00 per hour. This rate will be reviewed annually and adjusted accordingly.
- (b) Staff on normal assignments – Payroll Cost plus 100%.
- (c) Principals, Executives and staff rendering individual services on assignments for which they are eminently qualified and for which they require little or no assistance including providing expert testimony and attendance at hearings or courts - \$150.00 per hour.
- (d) Services during Construction
 - (i) For all services, except for staff full-time continuously on site:
 - (a) Principals and Executives on Normal assignments\$130.00 per hour.

This rate will be reviewed annually and adjusted accordingly.

b) Other Staff: Payroll Cost Plus 100%.

(ii) For site staff working full time continuously Payroll Cost plus 70%

For a project of over one (1) year duration, or for projects which become extended beyond one (1) year in duration, the consultant may from time to time seek approval from the client to adjust hourly rates and such approval shall not be unreasonably withheld.

Time Expended

All time expended on the assignment, whether in the Consultant's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports and specifications.

3.2.2 Reimbursable Expenses

In addition to the fee, the Consultant shall be reimbursed at cost plus an administrative charge of 5%, plus the cost of additional insurance incurred by the Consultant, for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, traveling and living expenses, long distance telephone charges, facsimile transmission charges, printing and reproductions, progress photography, advertising for tenders, special delivery and express charges, overtime premium costs, and the cost of providing and maintaining site offices, supplies and equipment, chemical and physical tests.

3.2.2.1 Information Technology and Reprographic (ITR) Expenses

Costs incurred by the Consultant shall be reimbursed at a standard charge rate of \$10.00 per labour hour expended. The assessment shall include all information technology resources required for purposes of providing the services contemplated under this agreement, including: computer equipment/systems, computer software, computer supplies, networking (local and wide area), and labour associated with computer management, administration and support. Computer systems include all types of computers, such as: general purpose microcomputers, PC-CADD microcomputers, graphic design workstations, and notebooks. The ITR charge shall also include all regular in-house convenience copying and printing. Cost for reproducing specifications and drawing sets shall not be included in this rate. (see above).

3.3 Payment

3.3.1 Fees Calculated on a Time Basis

(a) Monthly Payment

The Consultant shall submit an invoice to the Client for all Services completed in the immediately preceding month. All fees and charges will be payable in Canadian funds unless noted otherwise. Invoices will be due and payable, as presented, by the Client upon receipt. Interest at the annual rate of 12 percent (1 percent monthly) will be paid on the total outstanding unpaid balance commencing 30 days after the Client has received the Consultant's invoice.

(b) The Consultant reserves the right, without penalty, to discontinue services in the event of non-payment.

(c) If the project is abandoned or delayed for any reason beyond the Consultant's control, the Client shall pay a fee for services rendered to that date, plus the termination expenses.

3.4 Fee Estimate

Estimated Fees are contained in Appendix 1. The rates used in the estimates are representative of the type of individual who will perform the work, but the actual rates will be billed as per Article 3.

SIGNED, SEALED AND DELIVERED

in the presence of:

| J. Depelt
| _____
| _____
| _____

STEM ENGINEERING

The signatory shall have the authority to bind the corporation or company for purposes of this agreement

| M. P. Coleman
| _____
| _____
| _____
Mark P. Coleman, P. Eng.
Principal

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

The signatory shall have the authority to bind the municipality or its agency for purposes of this agreement

MAYOR - Debbie Amoroso

CITY CLERK - Malcolm White

APPENDIX 1

ESTIMATE SHEET



875 Queen Street East
Sault Ste. Marie, Ontario
P6A 2B3

p 705.942.6628
f 705.942.7515

ENGINEERING ESTIMATE

Project:	Central Street West Aqueduct	Project No.:	12080
Description:	Engineering of New Section of Aqueduct	Date:	June 6, 2012
	Survey, Design, Detailed Engineering Dwgs and Site Review		

TASK	DESCRIPTION	HOURS	RATE	COST
Preliminary		10	\$ 130.00	1,300.00
Field Data Collection	Survey			
	Exterior Survey - one man - 1 wk	40	\$ 75.00	3,000.00
Engineering	Structural - design	120	\$ 120.00	14,400.00
	Civil - Road and sewer design	80	\$ 90.00	7,200.00
	Design Checks - Sr. engineer review and discussions	40	\$ 130.00	5,200.00
Drafting	Structural Arrangement - Plans	50	\$ 80.00	4,000.00
	Structural Sections & Elevations	60	\$ 80.00	4,800.00
	Structural Engineering Details	40	\$ 80.00	3,200.00
	Structural Rebar Details	40	\$ 80.00	3,200.00
	Civil drawings	180	\$ 50.00	9,000.00
Checking	Structural - allow	40	\$ 120.00	4,800.00
	Rebar	25	\$ 120.00	3,000.00
	Civil	50	\$ 90.00	4,500.00
Site Services	2012 - Full time 15 weeks, 5.5 days/wk, @ 8 hrs / day	660	\$ 75.00	49,500.00
	Sr. En'g support (as req'd) - allow 8 hrs / week @ 30 wks	240	\$ 120.00	28,800.00
	Civil En'g support (as req'd) - allow	40	\$ 90.00	3,600.00
	Senior Engineering support allow	30	\$ 130.00	3,900.00
Supervision	design phase 50 hrs; constr phase 40 hrs	90	\$ 130.00	11,700.00
Clerical	allow	40	\$ 50.00	2,000.00
Meetings	allow 1 mtg / 2 wks over 15wks @ 2 hrs/mtg, engineer	16	\$ 120.00	1,920.00
Disbursements	allow (vehicle, mileage, print, dwg etc.)			\$ 3,000.00
		SUBTOTAL	1,891.00	\$ 172,020.00
			13% HST	\$22,362.60
		TOTAL		\$194,382.60

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-180

AGREEMENT: (P3.6) A by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the provision of winter maintenance of Highway 550 and Highway 565 in Prince Township.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25, ENACTS as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Deputy City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto attached and dated the 24th day of September, 2012 and made between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of Transportation for the provision of winter maintenance services of Highway 550 and Highway 565 in Prince Township.

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 24th day of September, 2012.

MAYOR – DEBBIE AMAROSO

DEPUTY CITY CLERK – RACHEL TYCZINSKI

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(c)

Schedule "A"]

This Agreement made in triplicate between:

HER MAJESTY THE QUEEN in right of Ontario as represented by the Minister of Transportation,

Hereinafter called the "Minister",

and -

THE CORPORATION OF THE CITY OF SAULT STE. MARIE,

Hereinafter called the "City".

WHEREAS the City has offered to carry out winter control maintenance operations on Secondary Highways 550 and 565 located in the Township of Prince in the District of Algoma for the Minister;

AND WHEREAS the Minister has accepted the City's offer subject to the terms and conditions hereinafter set out.

NOW THEREFORE this agreement witnesses that in consideration of the premises the Minister and the City agree as follows:

1. That in this agreement,

(a) "Area Engineer" means the Ministry's Area Contracts Engineer for the Sault Ste. Marie Area;

(b) "Ministry" means the Ontario Ministry of Transportation.

2. That the City shall carry out the winter control maintenance operations specified in Schedule 'A' attached hereto and forming part of this agreement which may be necessary from time to time or which may be directed by the Area Engineer, on Secondary Highways 550 and 565 in the Township of Prince in the District of Algoma.

3. That the City shall supply all necessary labour, materials and equipment required to carry out such winter control maintenance operations in accordance with the Ministry's winter maintenance standards.
4. That,
 - (a) The Minister shall pay the City the actual direct cost of winter control maintenance operations on Secondary Highways 550 and 565 in the Township of Prince as determined by the Area Engineer pursuant to this agreement; and
 - (b) For the purposes of this agreement the actual direct cost of winter control maintenance operations shall include the cost of the following:
 - (i) salaries and wages including supervisory standby and patrol time.
 - (ii) cost of equipment rental and equipment owned by the City at established costs + 15%;
 - (iii) abrasive materials or chemicals at established cost + 15% handling charges;
 - (iv) fringe benefits at the rate of 46.5% of salaries and wages, subject to annual review and revision by agreement of the parties; and
 - (v) such other direct costs as may be agreed to by the Ministry.

5. That the Minister shall pay to the City a sum of money equal to 7% of the actual direct costs to compensate for indirect and overhead costs of the City.
6. That the City shall keep separate and detailed records of the actual direct costs of winter control maintenance operations under this agreement and make these records available for examination and audit by the Ministry upon request during the 24-month period next following the receipt of the final payment for any winter control maintenance period covered by this agreement.
7. That the City will report work completed to the Area Engineer in a manner consistent with the Ministry's maintenance management system. This shall include performance measures and outcome targets defined in Schedule B. The Ministry will audit may audit Winter Performance and impose Consequences in accordance with Schedule B.
8. That,
 - (a) On or before the 20th days of December, January, February, March and April during the currency of this agreement the City shall render an account to the Ministry for winter control maintenance operations performed by the City on Secondary Highways 550 and 565 during the preceding calendar month; and
 - (b) the City shall submit its final billing for winter control maintenance operations to the Ministry when year end postings have been made and the books of the City have been closed.
9. That the Ministry shall pay the City's accounts within thirty (30) days of their receipt.

10. That the City shall indemnify and save harmless the Minister from any losses, costs, damages, suits, or expenses arising out of or connected with the performance of the winter control maintenance operations contemplated by this agreement and attributable to the negligence of the City or any person for whom the City is responsible at law.

11. That,

- (a) the City will maintain a motor vehicle liability insurance policy for both owned and non-owned vehicles with limits of not less than \$5,000,000.00 (five million dollars) inclusive per occurrence for bodily injury, death and damage to property;
- (b) the City will maintain a general liability insurance policy with limits of not less than \$5,000,000.00 (five million dollars) inclusive per occurrence against the risk of injury, loss or damage to the person(s) or property of others which policy shall include as an additional insured Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation but only in respect of and during services performed under this agreement on behalf of the Ministry;
- (c) the policy of general liability insurance shall contain a cross liability clause endorsement; and
- (d) the City shall provide the Area Engineer with proof of insurance upon request.

12. That the City shall carry out the winter control maintenance operations during the winter maintenance season designated by the Area Engineer.
13. That the winter maintenance season for 2012-13 shall commence on October 1st, 2012 and terminate on April 30th, 2013.
14. That the term of this agreement is one year from October 1st, 2012 to September 30th, 2013.
15. That the term of this agreement shall be automatically renewed from year to year unless the Minister or the City gives written notice sixty (60) days prior to anniversary date of his/its intention to terminate this agreement at the end of the initial term or any subsequent renewal thereof.
16. That any notice or other written communication intended for the Minister or the Ministry shall be effectively given if sent by ordinary mail or other appropriate means of delivery to the Area Contracts Engineer at 70 Foster Drive Suite 420 Sault Ste. Marie, Ontario, P6A 6V4.
17. That any notice or other written communication intended for the City shall be effectively given if sent by ordinary mail or other appropriate means of delivery to the City Clerk, at 99 Foster Drive (P.O. Box 580) Sault Ste. Marie, Ontario, P6A 5N1.
18. That the City covenants that it has the statutory authority to enter into this agreement and warrants that it has done all acts necessary to authorize it to do so.

IN WITNESS WHEREOF the Minister of Transportation has hereunto set his hand and seal and the City has caused its

10(c)

- 6 -

corporate seal to be affixed hereto attested by the hands
of its Mayor and Clerk.

Signed and Sealed at Sault Ste. Marie this 24th day of September, 2012.

The Corporation of the City
of Sault Ste. Marie

MAYOR - DEBBIE AMAROSO

Clerk - MALCOLM WHITE

Signed and Sealed at _____ this ____ day of _____, 2012

Her Majesty the Queen in right
of Ontario as represented by:

Ministry of Transportation

SCHEDULE 'A'

WINTER CONTROL MAINTENANCE OPERATIONS

		Maintenance Class
Highway 550	from Town Line Road to Intersection with Highway 565 (1km)	2
Highway 550	from Intersection of Highway 565 to End of highway. (8km)	3
Highway 565	from Intersection of Highway 550 to Baseline Road. (2km)	3

1. Snow clearing shall include:
 - (a) plowing;
 - (b) winging back;
 - (c) snow removal;
 - (d) placement of snowplow markers;
 - (e) clearance of snow from bridge walks.

2. Sanding shall include:
 - (a) spreading of sand on road surfaces;
 - (b) stockpiling;
 - (c) loading.

3. Salting shall include:
 - (a) spreading of salt on pavements;
 - (b) stockpiling; and
 - (c) loading.

4. Such other winter control maintenance operations as may be agreed upon by the parties from time to time.

Schedule B – PERF 2002 Winter Maintenance**TABLE OF CONTENTS*****PERFORMANCE REQUIREMENT 2002 – WINTER MAINTENANCE***

2002.01	<i>SCOPE</i>
2002.02	<i>REFERENCES</i>
2002.03	<i>DEFINITIONS</i>
2002.04	<i>CONTRACTOR RESPONSIBILITIES AND OBLIGATIONS</i>
2002.05	<i>CONTRACT SPECIFIC REQUIREMENTS</i>
2002.06	<i>OUTCOME TARGETS</i>
2002.07	<i>OUTCOME TARGET INDICATORS</i>
2002.08	<i>CONFORMANCE TO THE OUTCOME TARGETS</i>
2002.09	<i>CONSEQUENCES FOR NON-CONFORMANCE</i>
2002.10	<i>OTHER DOCUMENTS FOR INFORMATION PURPOSES</i>
2002.11	<i>APPENDICES</i>

2002.01 SCOPE

This Performance Requirement covers the obligations for winter maintenance and establishes the level of service for snow and ice control on all provincial highways. Winter maintenance operations are provided to maintain a consistent level of service across the province in varying classes of highway.

2002.02 REFERENCES

This performance requirement includes the mandatory use of the following documents in the performance of this Contract:

*OPSS 2502 Sodium Chloride
NSSP 104 June 2002 Winter Sand*

2002.03 DEFINITIONS

The following definitions are specific to this Performance Requirement. The complete list of definitions that apply to all of the Performance Requirements are contained in Section 2.1.

Accurate - means the information provided is a true representation of an actual situation, accomplishment or occurrence.

Bare Pavement - means achieved when 95% of the driving surface (edge line to edge line) is free of snow, slush and/or ice.

Bare Shoulders - means reached when the paved shoulder is free of snow, slush and/or ice.

Circuit Time for Plowing - means the total time required to fully service a designated plow Route calculated from the time the plow vehicle leaves the yard to the time it has completed the plowing operation on the entire plow Route.

Circuit Time for Salting/Sanding - means the total time required to fully service a designated salt or sand Route calculated from the time the spreader vehicle leaves the yard to the time it completes the Route.

Center Bare Pavement - means achieved when the center 2.5 metres of the driving surface is free of snow, slush and/or ice.

Complete - means that all required and relevant information has been provided

Deployment/Deployed – means that the winter equipment and operator have left the storage yard and are on the way to service a designated Route.

Deposition – means the direct phase transition from vapour to solid form.

End of Winter Event – means the time when snow or freezing rain stops falling on any portion of a Route, when drifting ceases to cause accumulation on the road surface of the road or when frost is no longer creating a slippery condition.

Ground Frost – means a slippery condition on the pavement resulting from the Deposition of frost or ice from water vapour in the air.

Isolated Slippery Conditions – means a slippery condition on the roadway that is isolated in nature, such as icing of bridges, shaded areas, hills, curves, etc.

Push Outs – means a widened portion of the shoulder to permit winter parking.

Route – means the documented configuration and path(s) traversed by a Winter Vehicle.

Snow Pack Condition – means achieved when the driving surface of the road has been plowed, and is free of loose snow, potholes, rutting, washboard and slippery areas.

Spreader means a vehicle capable of spreading salt and sand.

Start of Winter Event – means the time when snow or freezing rain starts falling on any portion of a Route with the expectation of accumulation on the driving surface of the road or when drifting snow begins to accumulate on the driving surface of the road, or when frost creates a slippery condition.

Timely – means that all required information is provided within the prescribed or Reasonable timeframe.

Tow or Trailer Plow – means a snow plow blade mounted on a ballasted trailer that is towed behind a conventional plow or combination plow/spreader truck. Controls in the towing vehicle deploy the tow plow into an adjacent lane, permitting two lanes to be plowed by a single tow vehicle

Weather Information – means using all available tools to identify the start of a Winter Event including but not limited to Internet and television weather forecasts such as The Weather Channel and Environment Canada, contact with adjacent patrol yards, Central Dispatch, RWIS, field observation through road patrol etc.

Winter Event – means any type of event or occurrence causing slippery road conditions including snow, freezing rain, sleet, ice, drifting snow and frost.

PERF 2002

WINTER MAINTENANCE

May 2010

Winter Season – means the period defined as winter with full equipment and staff readiness in this Performance Requirement.

Winter Transition Periods – means the 30 days prior to and after the Winter Season.

Winter Vehicle – means a snowplow, Spreader and/or a combination unit.

2002.04 CONTRACTOR RESPONSIBILITY AND OBLIGATIONS**2002.04.01 General**

- a) All conditions that are considered, or causing, a Hazard shall be Addressed Immediately by the Contractor upon Detection or Made Aware.
- b) The Contractor is responsible to use all available resources to assess weather conditions and make decisions and direct actions that maintain the Highways as safe as possible during Winter Events.
- c) The Contractor is responsible to use all available resources to maintain the Highways as safe as possible throughout the winter and to reach the prescribed level of service as soon as possible after Winter Events have abated or ceased.
- d) The Contractor is responsible for ensuring that all staff is aware of the Outcome Targets outlined in this Performance Requirement.

2002.04.02 Winter Maintenance

The Contractor is to provide and install all signs required as a result of a road closure requested by the police authority.

2002.04.03 Winter Season

The following dates identify the median for the first and last snowfall of 20mm or more. Depending on local needs, these dates may be considered when maintaining resources at full readiness. Staff and equipment, however, must be "phased in" a minimum of one month before and "phased out" a minimum of one month after the dates shown, in order to cope with early and/or late storms. This "phase-in" and "phase-out" period is referred to as the transition period.

DATE: October 22 – April 22

These dates have been established from compiling data from years of past experience and monitoring weather patterns. However, the Contractor shall be prepared to maintain the Highways at all times and under all weather conditions to the best of his/her ability, to prevent and to address any adverse conditions regardless of time of year, using all resources available.

Long-term forecasts shall be monitored to aide in deciding when equipment should be readied for unusually early and late storms including those outside the transition period. Previous local history and experience could also be obtained from the Contract Administrator.

Where the ministry authorizes the early mobilization of equipment above the phase-in plan or the re-mobilization of equipment during the phase-out period, the ministry will compensate the contractor for the costs, negotiated in advance of the storm, if possible. The ministry may also approach the contractor to initiate additional equipment arrangements, if necessary.

As there are risk-sharing agreements in place for materials such as sand and salt, any additional use of risk-shared material shall not be paid directly but shall be considered in the annual risk-sharing calculations.

Failure by a Contractor to proactively manage the Work, including not attempting to bring equipment in early or the removal of equipment from service when a contractor ought to have known of upcoming inclement weather, will be reviewed as possible contract non-compliance.

2002.04.04 Winter Equipment (Not Applicable)

- a) All Spreaders shall be equipped with an electronic control device, meeting or exceeding the minimum requirements identified in OPES 0910-1B in the APPENDICES of this Performance Requirement.
- b) All Winter Vehicles shall conform to the lighting specifications included in the APPENDICES of this Performance Requirement

Winter Materials

- a) Salt used for winter maintenance shall conform to OPSS 2502.
- b) Sand shall meet the requirements of NSSP 1004 and OPSS 1004 amended as follows:

Subsection 1004.05.05 of OPSS 1004, March 1993, is amended by the deletion of the last paragraph, and its replacement with the following:

When tested in conformance with the Micro-Deval Test, as described in MTO Laboratory Testing Manual Test Number LS-619, the loss of sand or screenings shall not exceed 25 percent by mass.

- c) Sand is to be applied at a minimum of 570 kg per 2-lane kilometre.
- d) Prewetting and direct liquid application materials shall meet the MTO Specification for Prewetting/Anti-Icing Products in section 2002.11 of this Performance Requirement.
- d) Dry rock salt is to be applied at a minimum of 130 kg per 2-lane kilometre.
- e) Dry rock salt application rates may be reduced by using on-board prewetted salt applied at a minimum of 5% and a maximum of 20% by mass of the dry material rate where the total dry equivalent of liquid and dry rock salt is equal to or exceeds the rates identified in the table below.
- f) Dry rock salt application rates may be reduced by using pre-treated salt. The application rate for pre-treated salt shall be the rate used for 5% pre-wetted salt.

Variable Salt Application Rates with On-Board Pre-wetting (kg/2-lane km)

Precipitation	Road Surface Temperature Range (°C)		
	Warmer than -5	-5 to -10	-10 to -18
Frost	50	70	70
Light Snow	70	100	130
Heavy Snow	130	130	170
Freezing Rain	130	170	170

1. The recommended application rates are based on on-board pre-wetting with liquid applied at a minimum of 5% by mass of the dry salt application rate.
2. "Light snow" refers to snowfall where plowing operations are not yet necessary (or anticipated), but there is a need to apply salt. "Heavy snow" refers to snowfall where plowing will be required during the Winter Event.

2002.04.05 Reporting Requirements**2002.04.05.01 Road/Weather Conditions Reporting (Not Applicable)**

The Contractor shall be responsible for communicating the daily road reports in the prescribed format and time to the Ministry Central Dispatch. Changes in weather or road conditions, start/end and changes in winter operations which occur between specified reporting times are to be reported to Central Dispatch.

2002.04.05.02 Winter Patrol Diary

The winter patrol diary (Supplied by the Contractor and Approved by MTO) shall be completed, dated, and signed daily, and submitted to the Contract Administrator bi-weekly. Each site shall maintain a sufficient quantity of diaries in the same numbered series with sequentially numbered pages. Information recorded in the Winter Operations records does not need to be recorded in the Winter Patrol Diary. The Contractor shall document daily the information, including but not limited to, in the Diary:

- *weather*
- *date*
- *printed name and signature*
- *when road patrols are completed, areas patrolled*
- *information provided to Central Dispatch regarding winter road reports.*
- *calls from the police and action taken*
- *accident information*
- *page number*

2002.04.05.03 Winter Operations Record

The Contractor shall complete the Winter Operations Record or a report of similar nature that will record the following information for each Winter Vehicle:

- *date and time each Winter Vehicle is called for work*
- *time operator arrived at yard*
- *time Winter Vehicle left yard*
- *MMIS operation code for type of work performed*
- *quantity of salt/sand/liquid used*
- *kilometres serviced*
- *rate of sand/salt application*
- *routes taken or area serviced*
- *total hours worked*
- *patrol yard*

- unit number
- page number (e.g. 1 of 2)
- comments
- time drivers dismissed or relieved

Each daily entry shall be signed by the equipment operator of the unit at the start of performing winter operations and at the end when relieved. Printed name is also required to clearly identify operator name. The Winter Operations Record is to be countersigned by an accountable person and submitted to the Contract Administrator on a bi-weekly basis.

Winter Operations Records shall also be kept for assigned winter maintenance contracts in Schedule I and submitted to the Contract Administrator on a bi-weekly basis.

2002.04.05.04 Bare Pavement System (Not Applicable)

The Bare Pavement System records winter events. The information is collected on Bare Pavement Data Collection Sheets during the Winter Season and inputted bi-weekly into the Bare Pavement System. The information collected consists of the time and date the event began and ended, the type of event, and the time and date bare pavement was lost and regained.

The Contractor will be responsible to gather this information on collection data sheets and input the data into the Bare Pavement System database through MMIS.

2002.04.05.05 Winter Materials Usage Spreadsheet (Not Applicable)

The Contractor will be responsible to complete the Winter Materials Usage Spreadsheet in Schedule G for each patrol location and submit to the Ministry on a bi-weekly basis.

Access to the Ministry server will be provided and all submissions will be made electronically.

2002.05 CONTRACT SPECIFIC REQUIREMENTS

The Contractor shall be responsible for all property damages resulting from winter operations including private and public property.

2002.06 OUTCOME TARGETS

The Contractor shall ensure that the work performed under this Performance Requirement, meets or exceeds the Outcome Targets specified in this Performance Requirement.

Feature	Outcome Target
Prior to Winter Event	
Deployment for salting operations during Winter Season	<ul style="list-style-type: none"> • 100% of the full winter complement of the assigned Spreaders by patrol location shall be Deployed within 30 minutes after the Start of a Winter Event on any Route as measured by Weather Information.
Deployment for plowing operations during Winter Season	<ul style="list-style-type: none"> • 100% of the full winter complement of the assigned Winter Vehicles excluding Spreaders by patrol location shall be Deployed upon accumulation of 2 cm of snow or slush on the road surface on any Route.
Ground Frost during Transition Periods	<ul style="list-style-type: none"> • No Ground Frost on roadway causing slippery conditions during Transition Periods
Isolated Slippery Conditions	<ul style="list-style-type: none"> • Isolated Slippery Conditions Addressed Immediately 100% of the time
During a Winter Event	
Circuit Times	<ul style="list-style-type: none"> • Meeting the total Circuit Time for Salting of 2.2 hours on any Class 2 Highway Route on every circuit • Meeting the total Circuit Time for Salting of 3.3 hours on any Class 3 Highway Route on every circuit • Meeting the total Circuit Time for Plowing of 2.2 hours on any Class 2 Highway Route on every circuit • Meeting the total Circuit Time for Plowing of 3.3 hours on any Class 3 Highway Route on every circuit
Sand/Salt Application Rates	<ul style="list-style-type: none"> • Application of salt and/or sand at or over the prescribed minimum application rates specified in this performance requirement 100% of the time
Calibration Rates	<ul style="list-style-type: none"> • 100% of spreader units within 10% of calibration settings.

<i>Feature</i>	<i>Outcome Target</i>
<i>Continuous Plowing</i>	<ul style="list-style-type: none"> • Continuous plowing to maintain the established level of service 100% of the time
<i>After The Winter Event</i>	
<i>Level of Service</i>	<ul style="list-style-type: none"> • Achieve Bare Pavement on any Route on Class 1 Highways within 8 hours after the End of the Winter Event
<i>Level of Service</i>	<ul style="list-style-type: none"> • Achieve Bare Pavement on any Route on Class 2 Highways within 16 hours after the End of the Winter Event
<i>Level of Service</i>	<ul style="list-style-type: none"> • Achieve Bare Pavement on any Route on Class 3 Highways within 24 hours after the End of the Winter Event
<i>Level of Service</i>	<ul style="list-style-type: none"> • Achieve Centre Bare Pavement on any Route on Class 4 Highways within 24 hours after the End of the Winter Event and be maintained until conditions permit baring the pavement to full width
<i>Level of Service</i>	<ul style="list-style-type: none"> • Achieve Snow Pack Condition on any Route on Class 5 Highways within 24 hours after the End of the Winter Event
<i>Snowbanks</i>	<ul style="list-style-type: none"> • Snow accumulation at any location impairing visibility removed or lowered within 48 hours after Detection or being Made Aware
<i>Snow accumulation</i>	<ul style="list-style-type: none"> • Snow accumulation that could cause ramping at any location removed or in the process of being removed within 4 hours after Detection or being Made Aware
<i>Shoulders/Medians</i>	<ul style="list-style-type: none"> • Shoulders/medians, including Push Outs, and median crossovers plowed within 24 hours of the End of Winter Event
<i>General</i>	
<i>Equipment Breakdowns</i>	<ul style="list-style-type: none"> • Any Route not serviced for more than 2 hours due to equipment breakdown or redeployment
<i>Reporting Requirements</i>	<ul style="list-style-type: none"> • All reporting requirements identified in section 2002.04.06 are Accurate, Complete and Timely 100% of the time

The Ministry, at its discretion, may collect Outcome Target Indicators. The collection may consist of up to 100% of the information requirements, at the Ministry's discretion. Additional data collection may be carried out if there is evidence of non-conformance which may include a review of the Contractor's records, plans and actions taken.

The Outcome Target Indicators that the Ministry collects will be shared with the Contractor and will be the only indicators used to apply consequences for non-conformance.

2002.08 CONFORMANCE TO THE OUTCOME TARGETS

Upon completing the collection of the Outcome Target Indicators the Ministry will make an assessment of Conformance or Non-Conformance to the Outcome Targets.

The Ministry will select the Outcome Target Indicators to use in determining Conformance. The assessment however, will include consideration for events that are beyond the care and control of the Contractor. The Ministry will examine all relevant factors involved with the situation including the Contractor's rationale as to why the situation occurred

If after completing the collection of the Outcome Target Indicators, assessing all the relevant data, including data provided by the Contractor; a non-conformance is determined, a Notice of Non-Conformance may be issued to the Contractor for features that do not conform to the Outcome Targets.

2002.09 CONSEQUENCES FOR NON-CONFORMANCE

The Ministry shall evaluate conformance to all outcome targets and may at its sole discretion terminate this agreement upon thirty days written notice to the City.

10(c)

PERF 2002 WINTER MAINTENANCE

May 2010

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-181

AGREEMENT: (LE 106) A by-law to authorize the execution of a lease agreement between the City and PUC Services Inc. for the installation of Photovoltaic Equipment on a portion of the roof on the building located at 556 Goulais Avenue, Sault Ste. Marie (West End Community Centre).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25, ENACTS as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Deputy City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto attached and dated the 24th day of September, 2012 and made between the City and PUC Services Inc. for the installation of Photovoltaic Equipment on a portion of the roof on the building located at 556 Goulais Avenue, Sault Ste. Marie (West End Community Centre).

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

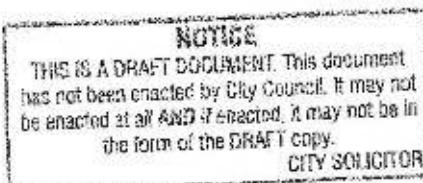
This by-law takes effect on the day of its final passing.

PASSED in open Council this 24th day of September, 2012.

MAYOR – DEBBIE AMAROSO

DEPUTY CITY CLERK – RACHEL TYCZINSKI

cf:LEGAL/STAFF/BYLAWS/2012/2012-181 Lease AGREEMENT PUC



10(d)

LEASE AGREEMENT

SAULT STE MARIE, ONTARIO

THIS LEASE AGREEMENT made this 24th day of September, 2012.

IN PURSUANCE OF THE SHORT FORMS OF LEASES ACT

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(the "Landlord")

OF THE FIRST PART

and

PUC SERVICES INC.

(the "Tenant")

OF THE SECOND PART

WHEREAS the Landlord is the registered owner of the property known as the West End Community Centre, located at 556 Goulais Avenue, Sault Ste. Marie, Ontario ("the Building");

AND WHEREAS the Tenant is desirous of installing Photovoltaic Equipment ("PV Equipment") on a portion of the roof of the Building, consisting of approximately 22,000 square feet on the south facing roof pitch of the Building, specifically as identified on Schedule "A" attached to this Lease (the "Leased Premise");

AND WHEREAS the Tenant is further desirous of installing cabling, and any other related equipment attachments ("Related Equipment") emanating from the Leased Premise and of having access to the Building and Leased Premise for the use of the Tenant, its agents, employees and contractors, to attach, adjust, operate, maintain and replace initial and additional PV Equipment and Related Equipment required for solar power electrical generation;

AND WHEREAS the Landlord is agreeable to allow the Tenant to use the Building and Leased Premise as herein described subject to the terms and conditions hereinafter contained;

NOW THEREFORE in consideration of the rents, covenants and agreements herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

1. DEMISE AND ACCESS RIGHTS

- (a) The Landlord hereby demises and leases to the Tenant the Leased Premise for the term set forth in paragraph 2 hereof. The Landlord hereby grants to the Tenant permission to install PV Equipment and Related Equipment on the Leased Premise. The Landlord hereby further grants to the Tenant access to the Leased Premise and the interior and exterior of the Building for the use of the Tenant, its agents, employees and contractors to adjust, operate, maintain and replace the initial and additional PV Equipment and Related Equipment during the Building's operating hours. In the event that the Tenant requires access to the Leased Premise and/or the Building after the Building's regular operating hours as a result of an emergency, the Landlord hereby grants such access to the Tenant, its agents, employees and contractors in accordance with paragraph 5 of this Lease.

(b) The Tenant hereby confirms that the Landlord has not provided any representation, warranty or other assurance regarding the suitability of the Building or any part thereof, for use by the Tenant. The Tenant acknowledges that it has carried out an inspection of the Building and Leased Premise specifically to satisfy itself concerning the suitability of same for its proposed use and further, that it is using the Building and Leased Premise on an "as is where is" basis. In the event that the aforesaid inspection by the Tenant generates any concern as to the suitability of Building and Leased Premise for its use, the Tenant shall not use same and shall report such concern(s) to the Landlord immediately.

2. TERM

The term of this Lease shall commence on the date of the approval of the Ontario Power Authority (OPA) FIT contract between the Tenant and the OPA (the "Lease Commencement Date") and consist of the following periods (collectively referred to as the "Term" in this Lease):

- (a) Construction Period. The Tenant shall complete the installation of the works required pursuant to this Lease, namely the installation of the PV Equipment and Related Equipment at the Leased Premises and any other matters related thereto commencing the Lease Commencement Date and ending as soon as the installation of the PV Equipment and Related Equipment are complete (the "Construction Period"), but under no circumstances shall the Construction Period exceed a period of time greater than six (6) months commencing from the Lease Commencement Date.
- (b) Operational Period. Upon completion of the Construction Period and for a period of twenty (20) years thereafter (the "Operational Period"), the Tenant shall operate, maintain and replace the PV Equipment and Related Equipment and complete any matters in accordance with the within Lease.
- (c) Decommissioning Period. Upon the expiration of the Operational Period of this Lease or upon the earlier termination of this Lease, the Tenant shall be permitted a period of six (6) months (the "Decommissioning Period") to complete the decommissioning of the Leased Premises, namely the removal and disposition of all PV Equipment and Related Equipment.

The Tenant shall provide to the Landlord written notification that the OPA FIT contract has been approved immediately upon receiving notice of same.

3. RENT

- (a) Rent Payable for Years One (1) through Ten (10) Inclusive of the Operational Period of the Term

During each of years one (1) through ten (10) inclusive of the Operational Period of the Term, the Tenant shall pay to the Landlord, its successors and assigns, an annual rent equal to the greater of:

- i. Ten (10%) percent of the revenue received for that particular year from the generation of electricity under the FIT contract between the Tenant and the OPA for the Leased Premise; or
- ii. Eleven Thousand, Seven Hundred and Seventy Seven (\$11,777.00) Dollars.

- (b) Negotiations in Year Ten (10) of Operational Period of Term

During year ten (10) of the Operational Period of the Term, the Landlord shall send written notice to the Tenant setting forth its proposal regarding the percentage of revenues the Tenant shall pay to the Landlord from the generation

of electricity under the FIT contract between the Tenant and the OPA for the Leased Premise, for years eleven (11) through twenty (20) of the Operational Period of the Term. Upon receipt of such written notice from the Landlord, the Landlord and Tenant shall enter into negotiations, in good faith, for a period not to exceed six (6) months, to determine the percentage of revenues payable by the Tenant to the Landlord for years eleven (11) through twenty (20) of the Operational Period of the Term.

(c) Rent Payable for Years Eleven (11) through Twenty (20) Inclusive of the Operational Period of the Term

During each of years eleven (11) through twenty (20) inclusive of the Operational Period of the Term, the Tenant shall pay to the Landlord, its successors and assigns, an annual rent equal to the greater of:

- i. Eleven Thousand, Seven Hundred and Seventy Seven (\$11,777.00) Dollars; or
- ii. The percentage of revenues received for that particular year from the generation of electricity under the FIT contract between the Tenant and the OPA for the Leased Premise as agreed to following negotiations as set out in paragraph 3(b) above.

In the event that the Landlord and Tenant do not reach an agreement with respect to the percentage of revenues payable pursuant to paragraph 3(b) above, the Tenant shall pay the Landlord during each of years eleven (11) through twenty (20) inclusive of the Operational Period of the Term an annual rent in the sum of Eleven Thousand, Seven Hundred and Seventy Seven (\$11,777.00) Dollars.

(d) The Tenant shall pay to the Landlord the annual rent for each year of the Operational Period of the Term as set out in paragraph 3(a) above in quarterly installments on dates as determined by the Landlord and the Tenant.

(e) The Tenant shall provide to the Landlord such information as may be reasonably required by the Landlord to verify the annual revenue.

(f) Any property taxes directly attributable to the PV Equipment and Related Equipment shall be the responsibility of the Tenant. Any such taxes shall be subtracted from the rent payments paid by the Tenant to the Landlord.

4. Tenant's Work

(a) The Tenant shall install, attach, repair, operate and maintain the PV Equipment and Related Equipment in a good, professional and skilled manner. All installation, reconfiguration, attachment, maintenance, repair and operations to be carried out under this Lease by the Tenant shall be done at the Tenant's expense and risk. Upon the expiration or earlier termination of this Lease, the Tenant shall forthwith repair at the Tenant's cost and expense to the reasonable satisfaction of the Landlord, all damages, structural or otherwise, save and except for reasonable wear and tear, that may be caused to the Building by reason of the installation, reconfiguration, attachment, maintenance, operation or removal of the PV Equipment and Related Equipment.

(b) The Tenant shall assume full responsibility for all activities, costs and expenses related directly or indirectly to the PV Equipment and Related Equipment. The parties hereto acknowledge and agree that it is the intention of this Lease that the City shall be at no risk or expense to which it would not have been put had the aforesaid PV Equipment and Related Equipment not been installed or otherwise attached to the Leased Premise and Building.

(c) The Tenant may make, at its sole risk and expense, any alterations and/or

improvements to the PV Equipment and Related Equipment during the Term and any extension thereof with the consent of the Landlord, which shall not be unreasonably withheld or delayed. Costs associated with the removal and reinstallation of the PV Equipment and Related Equipment that are payable due to any fault by the Tenant or its suppliers shall be the responsibility of the Tenant.

- (d) The Tenant shall secure the necessary financing, labour, services, equipment, permits and approvals prior to commencing any work relating to this Lease. The Tenant shall ensure that the PV Equipment and Related Equipment comply with the requirements of the Ontario Electrical Safety Code, Ontario Building Code, Ontario Energy Board, Occupational Health and Safety Act, and any other pertinent codes and legislation.
- (e) Prior to commencing any work under this Lease, the Tenant shall certify, through a third party consulting Engineer, that the PV Equipment and Related Equipment and its installation shall not cause damage to, or limit the warranties for, the rooftop structure as provided at time of construction of the Building, and upon expiration or early termination of this Lease.
- (f) The Tenant shall provide a copy of the Operation & Maintenance Manual and as-built stamped drawings to the Landlord.

5. ACCESS

- (a) The Landlord grants to the Tenant, its agents, employees and contractors all rights of direct access to the Leased Premise and such other rights as are necessary to enable the Tenant, its agents, employees and contractors to install, reconfigure, attach, operate, maintain and replace the PV Equipment and Related Equipment during the Building's regular operating hours.
- (b) In the event that the Tenant requires access to the Leased Premise and/or the Building after the Building's regular operating hours as a result of an emergency, the Tenant shall contact the scheduled Community Services Department On-Call Supervisor or his or her designate to facilitate such access. At the commencement of the Term of this Lease and on or before January 2nd of every year of the Term of this Lease thereafter, the Landlord shall provide the Tenant with the contact information necessary to facilitate such after hours' access.

When accessing the Building, the Tenant acknowledges and agrees that it shall not unduly interfere with or interrupt the normal business operations of the Landlord.

6. ELECTRICITY

The Tenant shall be responsible for all electrical connection costs and electrical consumption used on the Leased Premise that are associated with the PV Equipment, Related Equipment, or any other matters related to this Lease.

7. FAILURE TO PAY RENT

If the Tenant defaults at any time in any rental payment required under this Lease during the Term or any extension thereof, or fails or neglects at any time to fully perform, observe and keep all the covenants, terms and conditions herein contained, the Landlord shall give the Tenant written notice of such default and the Tenant shall correct such default within fifteen (15) days after receipt thereof and if the default remains outstanding on the sixteenth (16th) day the Landlord may terminate this Lease forthwith, except in the event that such default reasonably requires more than fifteen (15) days to correct in which case the Tenant shall have a reasonable time to cure such default.

8. OVERHOLDING

If the Tenant overholds the Leased Premise beyond the Term of this Lease or any extension provided herein the Tenant may continue such holding over as a tenancy from month to month, upon the same terms and conditions as contained in the Lease.

9. TERMINATION

(a) In the event of default the Landlord may, at its option, terminate this Lease. The following events constitute default:

- i. if the Tenant makes a material misrepresentation to the Landlord in connection with this Lease;
- ii. if the Tenant becomes bankrupt (voluntarily or involuntarily) or becomes subject to any proceeding seeking liquidation, rearrangement relief or relief of creditors;
- iii. if a receiver is appointed over any of the Tenant's property or undertakings; or
- iv. a material breach of this Lease.

(b) Prior to the expiration of the Term of this Lease, the Tenant may negotiate either of the following with the Landlord:

- i. The transfer of ownership of the PV Equipment and Related Equipment to the Landlord at no cost to the Landlord;
- ii. A new lease with the Landlord wherein the Tenant retains ownership of the PV Equipment and Related Equipment; or
- iii. The removal of the PV Equipment and Related Equipment at the Tenant's sole cost and expense.

(c) Upon expiration of the Term of this Lease or upon earlier termination of this Lease, and provided that the Landlord and Tenant fail to negotiate either the transfer of ownership of the PV Equipment and Related Equipment or a new lease as set out in paragraphs 9(b)(i) or 9(b)(ii) above, the Tenant shall promptly remove and dispose of all PV Equipment and Related Equipment in accordance with the Decommissioning Period as set out in paragraph 2(c) of this Lease. In the event that the Tenant fails to promptly remove all PV Equipment and Related Equipment from the Building as set out herein, the Tenant acknowledges and agrees that the Landlord may remove same and all charges for such removal shall be payable by the Tenant immediately upon demand by the Landlord.

(d) If the Landlord terminates the Lease prior to the expiration of the Term for any reason other than default on the part of the Tenant, the Landlord will reimburse the Tenant for the cost of removal and 100 % of the residual installed value, subject to verification by Landlord, of the PV Equipment and Related Equipment determined by straight line depreciation over twenty (20) years.

(e) The Tenant shall be responsible for the removal and disposal of all PV Equipment and Related Equipment at the expiration of the Term and the Tenant shall be required to make good any damage caused by such removal at its sole risk and expense, certified via a third party consulting Engineer, with the exception of reasonable wear and tear.

- (f) The termination of this Lease by expiry or otherwise shall not affect the liability of either party 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.

Paragraphs 3, 4, 6, 9, 10, 11, 13, 16 and 17 of this Lease survive the termination of this Lease.

10. INTERFERENCE, WASTE OR NUISANCE

- (a) The Landlord shall not during the Term of this Lease, or any extension thereof, use or permit others to use the Building for the installation of PV Equipment which may interfere in any manner with the operation of the Tenant's PV Equipment and Related Equipment. The Landlord shall not install or construct any attachments to the Building or anything on the property including the planting of any vegetation that will interfere with the incidence of the sun on PV Equipment and Related Equipment. The Tenant shall not remove any plants or vegetation that will interfere with the incidence of the sun on the PV Equipment or Related Equipment without written notification from the Landlord. Furthermore, if any portion of the property or any adjacent property owned by the Landlord is sold, the parties hereto agree that conditions will apply such that any buyer shall not be able to construct anything or plant any vegetation that will interfere with the incidence of the sun on the PV Equipment or Related Equipment during the Term of this Lease.
- (b) The Tenant shall not do or cause to be done, any action which would damage, waste, disfigure, or injure the Building or any part thereof, or otherwise cause a nuisance. Any such action to the Building by the Tenant or any of the Tenant's agents, employees or contractors in relation to or in connection with the Tenant's use of the Building or any other matters under this Lease shall be the financial responsibility of the Tenant to repair. The Tenant agrees that the Landlord will immediately undertake all work that the Landlord, in its sole view, deems necessary to repair the Building. Any costs incurred by the Landlord to repair the Building for such waste and nuisance as set out in this paragraph shall be payable by the Tenant immediately upon demand by the Landlord.

11. ASSIGNMENT AND TRANSFERABILITY

Except as otherwise provided in this Section 11, the rights and obligations created by this Lease are exclusive to and shall not be transferred or assigned by the Tenant, except by written agreement by the Landlord.

- (a) The Tenant may assign this Agreement and/or its rights or duties hereunder, in whole or in part, for financing purposes to another entity, with the consent of the Landlord. The parties agree that the assignee of the Tenant, if such an assignment should be made, shall be able to enforce the provisions of this Lease pursuant to such assignment.
- (b) The Tenant shall not assign or transfer this Lease and/or its rights or duties hereunder (by operation of law or otherwise) without the prior written consent of the Landlord.

12. REGISTRATION OF NOTICE

The Landlord authorizes the Tenant to register notice relating to this Lease at the sole expense of the Tenant in the appropriate Land Titles Office and covenants that it will not take proceedings to remove the said notice during the Term.

13. PROPRIETARY RIGHTS

The Tenant hereby agrees that this Lease in no way confers any rights, benefits or title in any way to the Tenant of the Building, and that Building and any part thereof is the property, title and right of the Landlord.

14. GOVERNING LAW

This Lease and all matters or issues incident hereto shall be governed by and construed under and in accordance with the laws of the Province of Ontario. The parties hereto attest to the jurisdiction of the Courts of Ontario. This Lease shall be treated in all respects as an Ontario contract.

15. INSURANCE

For the entire duration of the Term, the Tenant shall maintain at its sole expense, general liability insurance to the inclusive limit of not less than Two Million (\$2,000,000.00) Dollars per occurrence, insuring all claims for damage to property, personal injury or death, or any other losses or damages, both direct or indirect, including such other costs and expenses, however and whatsoever incurred, suffered or sustained in relation to or in connection with the Tenant's use of the Building, Leased Premise or any other matters under this Lease, including any losses or damages which have been caused or contributed to by any breach of the *Occupier's Liability Act* on the part of the Landlord, but not including intentional acts of the Landlord. This amount shall be reviewable every five (5) years and subject to adjustment at the sole discretion of the Landlord.

(a) For the entire duration of the Term of this Lease, the Tenant shall maintain at its sole expense, property insurance for the PV Equipment and Related Equipment insuring same on a full replacement cost basis.

(b) Each insurance policy referenced herein shall name the City of Sault Ste. Marie as an "Additional Insured". A Certificate of Insurance to the satisfaction of the Landlord, confirming the above coverage are in effect for the Term shall be provided to the Landlord on or before October 1st of each calendar year of this Lease.

(c) The taking out of insurance shall not limit the Tenant's liability under this Lease. The Tenant acknowledges and understands that liability insurance coverage responds only for the use of the Building and Leased Premise for the purpose(s) as specified in this Lease.

16. LIMITED LIABILITY AND RELEASE

The Tenant hereby releases and forever discharges the Landlord, including its elected officials, officers, employees, agents and contractors; and the Tenant further agrees that notwithstanding anything to the contrary contained herein, the Landlord, including elected officials, officers, employees, agents and contractors shall not be liable to the Tenant or to anyone for whom the Tenant may be in law responsible for any loss of or damage to property, personal injury or death or any other losses, actions, claims, causes of action, damages, both direct or indirect and such other costs and expenses, however and whatsoever incurred, suffered or sustained by the Tenant or any of the Tenant's agents, employees and contractors in relation to or in connection with the Tenant's use of the Building or Leased Premise or any other matters under this Lease except where the action, claim, demand, cost, loss or expense was caused or contributed to by an intentional act of the Landlord.

17. INDEMNITY

The Tenant shall indemnify and save the Landlord harmless, including the Landlord's elected officials, officers, employees, agents and contractors from and against any loss, cost (including without restriction legal costs on a substantial indemnity basis) and expense incurred by the Landlord because of any demand, action or claim brought against the Landlord as a result of any loss of or damage to property, personal injury or death, or any other losses or damages, both direct or indirect including such other costs and expenses, howsoever and whatsoever incurred, suffered or sustained in relation to or in connection with the Tenant's use of the Building or Leased Premise or any others matters under this Lease, including any losses or damages which have been caused or contributed to by any breach of the Occupier's Liability Act on the part of the Landlord.

- (a) The Tenant shall comply with all Laws, By-Laws, Rules and Regulations of any governing body respecting the Building and Leased Premise, and shall save harmless and fully indemnify the Landlord from and against all losses, costs, damages and expenses, of every kind or nature which the Landlord may suffer, be at or be put to by reason of or in consequence of the noncompliance by the Tenant with such Laws, By-Laws, Rules and Regulations.
- (b) The Tenant shall indemnify and save harmless the Landlord from any costs and expenses incurred by the Landlord that may result from its use of the Building and Leased Premise.

18. HEALTH & SAFETY, AND WSIB

The Tenant and any contractor(s) or subcontractor(s) employed by them shall comply with all requirements of the Occupational Health and Safety Act and its regulations; including, but not limited to, providing proof of compliance with WSIB requirements (maintain current WSIB Clearance Certificate on file with City for duration of onsite work), providing proof of Commercial General Liability Insurance (minimum of two million dollars (\$2,000,000) per occurrence) for duration of onsite work; and compliance with the City's Contractor Qualification Policy. The Tenant shall ensure that the requirements as set out herein apply to any subcontractors employed by the Tenant.

19. FORCE MAJEURE

- (a) In the event that the PV Equipment and Related Equipment are wholly or substantially destroyed and thereby rendered inoperable as a result of an act of God, fire or war, the Tenant shall complete the following within thirty (30) days following such an event:
 - i. The Tenant shall determine whether or not it will repair or replace the PV Equipment and the Related Equipment; and
 - ii. The Tenant shall notify the Landlord of its intention in writing.
- (b) If the Tenant determines that it will repair or replace the PV Equipment and Related Equipment following an event as described in paragraph 19(a) above, the parties hereto acknowledge and agree as follows:
 - i. the Tenant shall complete all work necessary to render the PV Equipment and Related Equipment operable commencing the date the notice required under paragraph 19(a)(ii) is received and ending as soon as the PV Equipment and Related Equipment are rendered operable (the "Repair Period"), however under no circumstances shall the Repair Period exceed of period of time greater than six (6) months from the event described in paragraph 19(a);

- ii. the Tenant's obligation to pay rent during the Repair Period ceases and does not accrue during the Repair Period;
 - iii. the Tenant's obligation to pay rent as set out in this Lease shall resume in accordance with the terms and conditions set out in this Lease immediately upon conclusion of the Repair Period; and
 - iv. the balance of the Tenant's obligations under this Lease shall remain in full force and effect during the Repair Period.
- (c) If the Tenant determines that it will not repair or replace the PV Equipment and Related Equipment as a result of an act of God, fire or war, the parties hereto acknowledge and agree that Lease shall terminate immediately on the date the notice required under paragraph 19(a)(ii) is received by the Landlord. The parties further acknowledge and agree that paragraphs 9(c)(d)(e) and (f) thereafter apply.

20. BINDING AGREEMENT

The Landlord covenants that he has good right, full power, and absolute authority to grant this Lease to the Tenant and this Lease shall be binding upon and shall ensure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, assigns and subsequent purchasers. The Tenant covenants that he has good right, full power, and absolute authority to grant this Lease to the Landlord and this Lease shall be binding upon and shall ensure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, assigns and subsequent purchasers.

21. NOTICE

Any notice required or permitted to be given under this Lease must be in writing and may be given by delivering or mailing the notice to:

in the case of notice to the Landlord to:

The Corporation of the City of Sault Ste. Marie
Attention: Assistant City Solicitor
Legal Department
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, Ontario P6A 5N1

in the case of notice to the Tenant to:

PUC Services Inc.
Attn: President & C.E.O.
765 Queen Street East
Sault Ste. Marie, Ontario P6A 6P2

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.

22. EXECUTION

This Lease shall not be in force or bind either of the parties hereto until executed by both the parties named herein.

23. ENTIRE AGREEMENT

This Lease contains the entire agreement between the parties hereto with respect to the Leased Premise and there are no prior representations, either oral or written, between them other than those set forth in this Lease. This Lease supersedes and revokes all previous negotiations, arrangements, options to lease, representations and information conveyed, whether oral or written, between the parties hereto. The Landlord acknowledges and agrees that it has not relied upon any statement, representation, agreement or warranty except such as are expressly set out in this Lease.

IN WITNESS WHEREOF the parties hereto have signed this Lease Agreement this 24th day of September , 2012.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

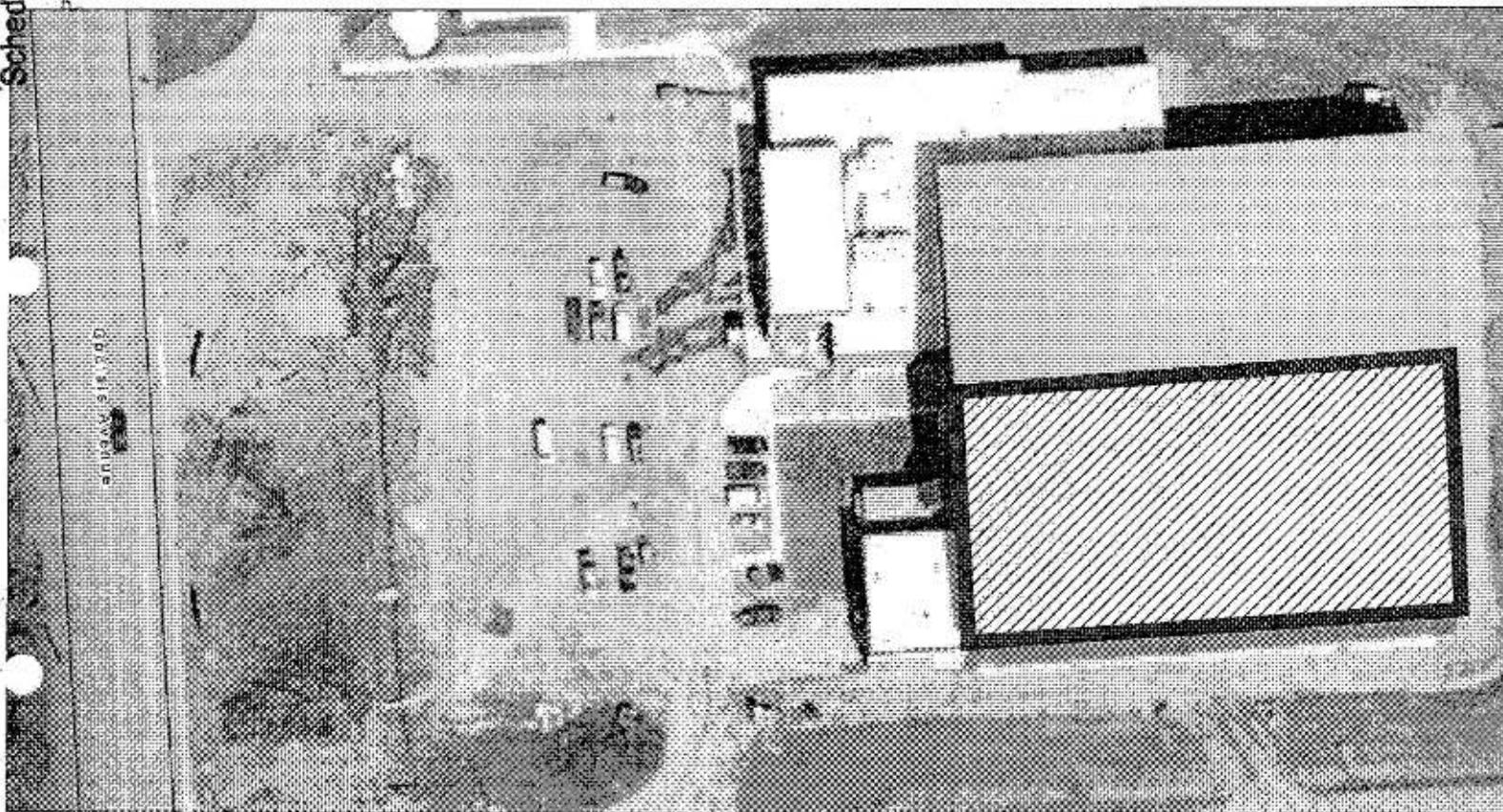
Per: _____
Name: Debbie Amaro
Position: Mayor

Per: _____
Name: Malcolm White
Position: City Clerk

PUC SERVICES INCORPORATED

Per: _____
Name: H. J. Brian Curran
Position: President & C.E.O.

Per: _____
Name: Claudio Stefano
Position: VP Customer Services & Business Development



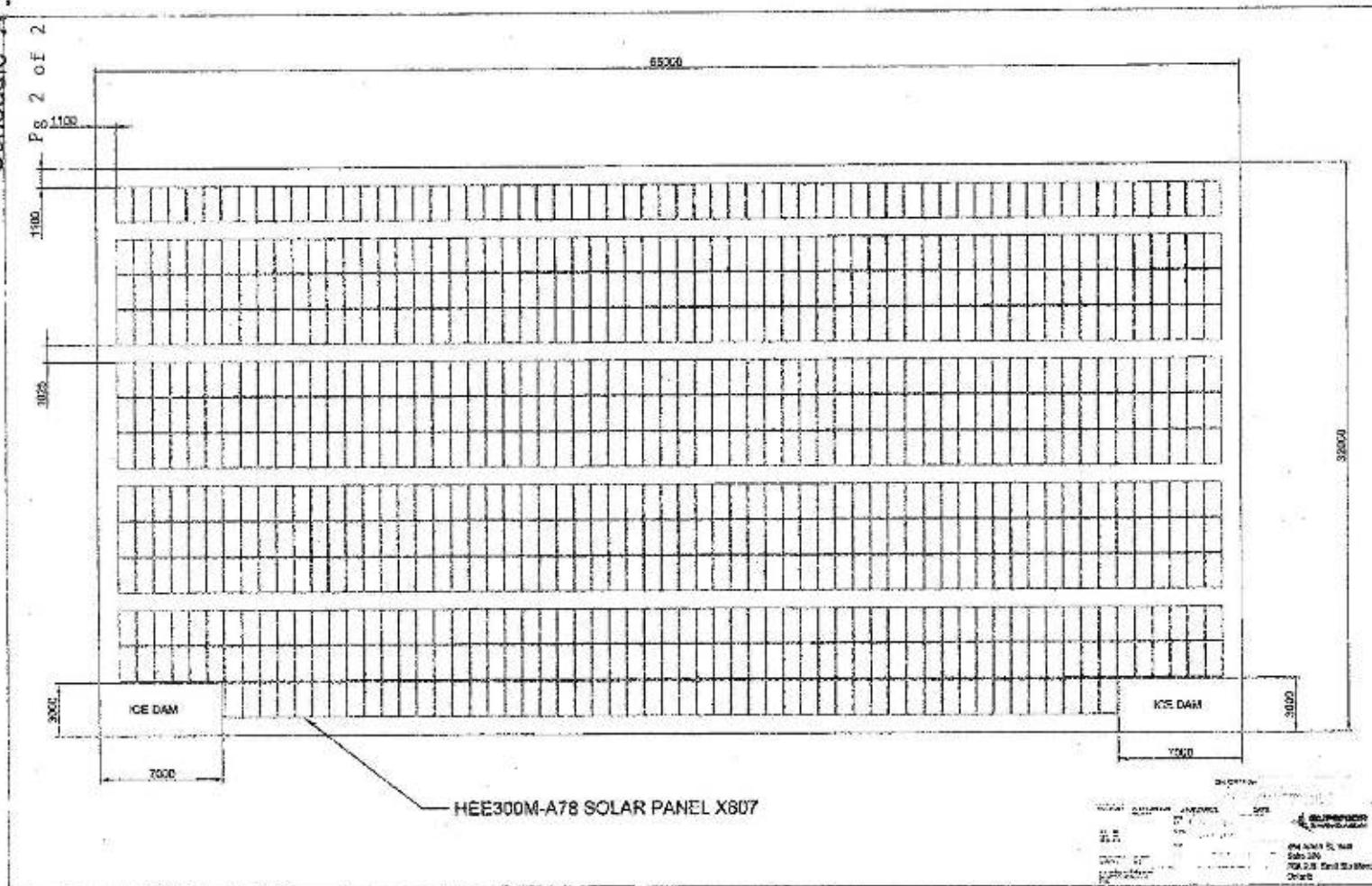
PLANNED INSTALLATION LOCATION

THE CORPORATION OF THE CITY
OF SAULT STE. MARIE, ONTARIO

REF ID: NTA - 104499900-DAY

DATE: SEPTEMBER 23, 2008

SCHEDULE "A"**PROPOSED LOCATION OF WECC
SOLAR PHOTOVOLTAIC SYSTEM**

Schedule "A"

PUC Solar WECC
Financing Options
Contract Details

Year	Estimated Tenant Revenue	Annual Rent Payment
1	\$ 157,032	\$ 15,703
2	\$ 155,360	\$ 15,636
3	\$ 153,705	\$ 15,571
4	\$ 152,068	\$ 15,507
5	\$ 150,449	\$ 15,446
6	\$ 148,846	\$ 14,885
7	\$ 147,261	\$ 14,726
8	\$ 145,693	\$ 14,569
9	\$ 144,141	\$ 14,414
10	\$ 142,606	\$ 14,261
11	\$ 141,087	\$ 14,109
12	\$ 139,585	\$ 13,958
13	\$ 138,098	\$ 13,810
14	\$ 136,627	\$ 13,563
15	\$ 135,172	\$ 13,517
16	\$ 133,733	\$ 13,373
17	\$ 132,309	\$ 13,231
18	\$ 130,893	\$ 13,090
19	\$ 129,505	\$ 12,951
20	\$ 128,126	\$ 12,813
Total	\$ 2,842,304	\$ 284,230

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-176

EASEMENT: (P.4.2.168) A by-law to grant an easement to Mar-Li Investments over a part of Lot 1 RCP H744 being Part 1 on 1R12214 for a stormwater retention pond discharge.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act 2001*, S.O. 2001, c.25, ENACTS as follows:

1. **EASEMENT TO BE GRANTED**

The Corporation shall grant to Mar-Li Investments an easement for a stormwater retention pond discharge on, over, under and through the lands described in Schedule "A" to this by-law for the consideration and on the terms and conditions therein set forth.

2. **EXECUTION OF DOCUMENTS**

The Mayor and the Deputy City Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

3. **SCHEDULE "A"**

Schedule "A" hereto forms 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 24th day of September, 2012.

MAYOR – DEBBIE AMAROSO

DEPUTY CITY CLERK – RACHEL TYCZINSKI

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

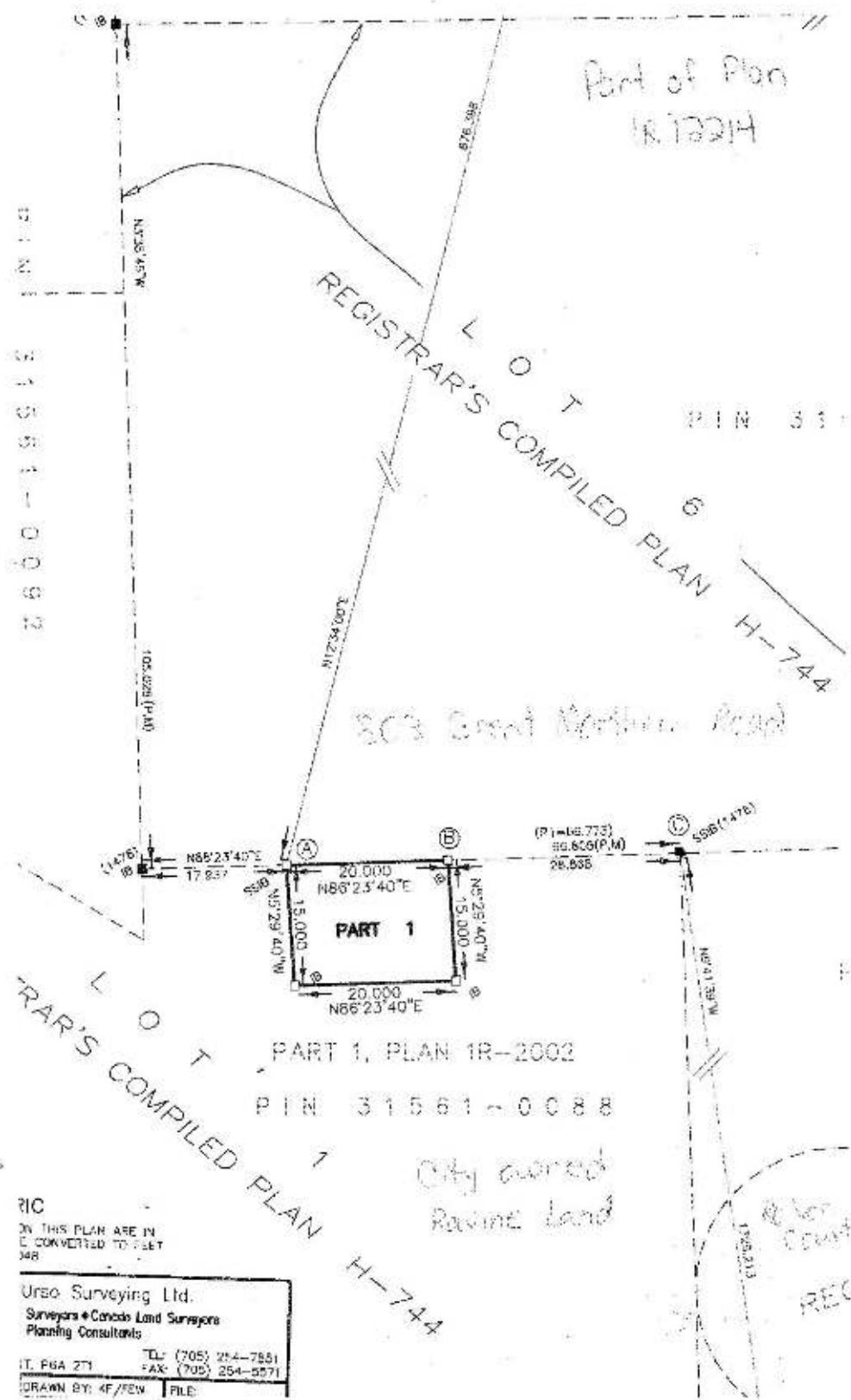
CITY SOLICITOR

10(e)

SCHEDULE "A" TO BY-LAW 2012-176

Legal Description: PART OF PIN 31561-0088 PT LT 1 RCP H744 PT 1 1R12214;
SAULT STE. MARIE

Consideration: Nil



10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-179

PARKING: (P3.9(4)) A by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie.

WHEREAS from time to time persons have been appointed by-law enforcement officers;

THEREFORE 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 93-165 REPEALED**

Schedule "A" to By-law 93-165 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 24th day of September, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

Deputy City Clerk - Rachel Tyczinski

cf Bylaws\2012\2012-179 City Parking Officers

NOTICE

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CITY SOLICITOR

SCHEDULE "A"

Don Scott	1
Sam Piraino	3
David Etchells	51 (Mechanic)
Renee Vanderklift	71
Frank Jolicœur	72
Alan Smith	81
Dave Devoe	84
Edward Pigeau	89
Joyce Whitmell	93
George Robinson	94

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2012-174

RESOLUTIONS: (E2.1) A by-law to authorize the execution of one (1) Municipal Council Support Resolution to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and the Deputy City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to one (1) Municipal Council Support Resolution in the form of Schedule "A" hereto attached and dated the 24th day of September, 2012, to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

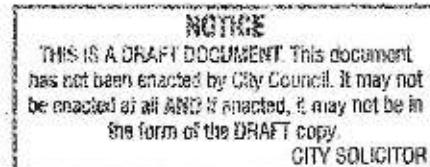
This by-law takes effect on the day of its final passing.

PASSED in open Council this 24th day of September, 2012.

MAYOR – DEBBIE AMAROSO

DEPUTY CITY CLERK – RACHEL TYCZINSKI

cf: LEGAL/STAFF/BYLAWS/2012/2012-175 SOLAR PHOTOVOLTAIC APPLICATIONS.DOC





Schedule "A"

10(g)

122 Adelaide Street West, Suite 1600
Toronto, Ontario M5H 1T1
T: 416-967-7574
F: 416-967-1547
www.ontariopower.ca

PREScribed FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

OPARY/FIT-015-1

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO:

Date: 24-Sep-12

WHEREAS PUC Services Inc. (the "Applicant") proposes to construct and operate a rooftop solar photovoltaic system

(the "Project") on 556 Goulais Avenue (West End Community Centre) (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of Sault Ste. Marie indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the Sault Ste. Marie supports without reservation the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Mayor - Debbie Amaroso

Deputy City Clerk - Maureen Tyczynski

FIT reference number: FIT-F6HUG1J
(Note: Must be inserted by Applicant to complete Application)

1D(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2012-175

RESOLUTIONS: (E2.1) A by-law to authorize the execution of four (4) Municipal Council Support Resolutions to support four (4) solar photovoltaic applications being submitted to the Ontario Power Authority Feed-In-Tariff Program.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and the Deputy City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to four (4) Municipal Council Support Resolutions in the form of Schedule "A" hereto attached and dated the 24th day of September, 2012, to support four (4) solar photovoltaic applications being submitted to the Ontario Power Authority Feed-In-Tariff Program.

2. **SCHEDULE "A"**

Schedule "A" 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 24th day of September, 2012.

MAYOR – DEBBIE AMAROSO

DEPUTY CITY CLERK – RACHEL TYCZINSKI

cf: LEGAL\STAFF\BYLAWS\2012\2012-175 SOLAR PHOTOVOLTAIC APPLICATIONS.DOC

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR



Schedule "A"

120 Adelaide Street West, Suite 1600
Toronto, Ontario M5H 1T1
T 416 967 7374
F 416 967 1947
www.ontario.ca/electricity/oia-a

PREScribed FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

Original document

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO:

Date: 24-Sep-12

WHEREAS Mar-li Investment Ltd. (the "Applicant") proposes to construct and operate a rooftop solar photovoltaic system

(the "Project") on 803 Great Northern Road (Northside Toyota) (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of Sault Ste. Marie

indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the Sault Ste. Marie supports without reservation the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Mayor - Debbie Amaroso

Deputy City Clerk - Rachel Tyczinski

FIT reference number: FIT-F25K5P
(Note: Must be inserted by Applicant to complete Application)



10(h)
120 Adelaide Street West, Suite 1000
Toronto, Ontario, M5H 1J1
319-967-2474
F-319-967-1982
www.powerauthority.on.ca

PREScribed FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

OF A MUNICIPALITY

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO:

Date: 24-Sep-12

WHEREAS _____ F. J. Davey Home _____ (the "Applicant") proposes to construct and operate a rooftop solar photovoltaic system _____
(the "Project") on _____ 733 Third Line East (F. J. Davey Home) _____ (the "Lands") in Sault Ste. Marie _____ under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of _____ Sault Ste. Marie _____ indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the _____ Sault Ste. Marie _____ supports without reservation the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Mayor - Debbie Amaroso

Deputy City Clerk - Hachel Tyczinski

FIT reference number: FIT-FJB0ZPS

(Note: Must be inserted by Applicant to complete Application)



120 University Street, West, Suite 1608,
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T 416 967 7474
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10(h)

PREScribed FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

OPARP/FIT-015r1

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO:

Date: 24-Sep-12

WHEREAS PUC Services Inc. (the "Applicant") proposes to construct and operate a rooftop solar photovoltaic system

(the "Project") on 510 Second Line East (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of Sault Ste. Marie

indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the Sault Ste. Marie supports without reservation the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Mayor - Debbie Amaroso

Deputy City Clerk - Rachel Tyczinski

FIT reference number: _____
(Note: Must be inserted by Applicant to complete Application)



120 Adelaide Street West, Suite 1100
Toronto, Ontario M5H 1T4
T 416.967.2474
F 416.967.1967
www.powerauthority.on.ca

10(h)

PREScribed FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION

Section 6.1(d)(i) - FIT Rules, Version 2.0

OFRM/P/FIT-003A

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO:

Date: 24-Sep-12

WHEREAS Garken Properties Ltd. (the "Applicant") proposes to construct and operate a rooftop solar photovoltaic system (the "Project") on 105 Black Road (ServiceMaster) (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of

Sault Ste. Marie

indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the Sault Ste. Marie supports without reservation the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Mayor - Debbie Amaroso

Deputy City Clerk - Rachel Tyczinski

FIT reference number: _____
(Note: Must be inserted by Applicant to complete Application)



City of Sault Ste. Marie

Corporate Strategic Plan

2011-2014

Progress Report #4—September 2012



Vision Statement

(the future of the City)

“The Corporation will be a leader in the provision of efficient, affordable and quality services supporting a progressive and sustainable community”

Mission Statement

(what the City does)

“To provide quality and cost-effective municipal services in a responsible and supportive manner.

Corporate Values

Integrity and honesty

We will demonstrate honesty, sincerity and fairness in carrying out our responsibilities.

Accountability and transparency

We will be accountable to our citizens and transparent in our decision-making processes.

Commitment to citizens and the community

Putting people first is a hallmark of success. We are committed to working together to provide inclusive and accessible services to protect, support and enrich quality of life in our community.

Respect and appreciation of employees

We will strive to create an environment where all employees share a common purpose and direction. We value energized and enthusiastic employees who make the most effective use of available physical and financial resources to deliver the best possible service.

Fiscal responsibility

We will manage municipal finances in a responsible and prudent manner to provide quality and affordable services. We pursue best practices to lower costs and ensure best value in service delivery.

Environmental stewardship

We will use resources wisely to maintain and create a livable city for future generations, minimizing the footprint of our activities on the environment.

Strategic Directions

Developing Solid Infrastructure

Environmental Leadership

Transportation Network Improvements

Equipment Renewal

Property Management and Development

Delivering Excellent Services

Communications

Process Improvement

Leadership and Staff Development

Technological Innovation

Enriching Our Lives

Recreational/Cultural Infrastructure

Planning for the Future

Strategic Direction 1: Developing Solid Infrastructure

Objective 1A – Environmental Leadership

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Solid waste management •Bio-solids management study (awaiting provincial compost guidelines) •Implementation Design Construction •EA for solid waste disposal	Underway	Underway 2014 2014 2014	Reduction in waste/refuse Increased waste disposal capacity	D. Elliott	Engineering, PUC, PWT, Consultants	\$65,000 \$750,000 \$11,250,000 \$750,000	\$65,000 \$750,000 \$11,250,000 \$750,000	Sewer Surcharge Operations Budget + Sewer Surcharge Capital Budget Waste Disposal Site Reserve	Approved Approved	2010-2011 2005 to unknown	Study scheduled for completion in 2012 Scheduled for completion in 2014
West End Sewer Investigative Study •Upgrades to west end sewage plant •Infiltration elimination/reduction	Underway	Underway	Improved wastewater quality and operations (Study within term of this plan, upgrades post- Reduce costs; Reduce bypasses and overflows to river (\$100,000/annually)	D. Elliott	Engineering, PUC, PWT, Consultants	\$120,000 TBD \$400,000	\$120,000 TBD \$400,000	Sewer Surcharge Capital Budget Sewer Surcharge Capital Budget	Approved Approved	2009 2011-2014	Scheduled for completion in 2012 Ongoing initiative
Implement SCADA system to monitor operations of waste water facilities •System construction/ installation/ commissioning •System improvements (check valves, removal of overflows)	Underway	2011	Improved operations and communications	D. Elliott	Engineering, PUC, PWT, Consultants	\$175,000	\$500,000	Sewer Surcharge Capital budget; COMRIF	Approved	2009	Scheduled for completion in 2012 Scheduled for completion in 2012
Rehabilitation of aqueducts/open channels •Fort Creek •Central Creek	2012 2012	2018 2015	Improved stormwater management Extend life of flood control facilities	D. Elliott	Engineering, PUC, PWT, Consultants, Conservation Authority	\$5,475,000	\$6,500,000	Capital Works (Urban Only) Budget + Federal gas tax			Phase 1 design underway Phase 1 construction underway
Review sanitary sewer construction – sewers not associated with roadways	Underway	Ongoing	\$100,000 annually	D. Elliott	Engineering	\$400,000	\$400,000	Sewer Surcharge Capital Budget	Approved	Ongoing	
Reconstruction of small pumping stations •Lake Street •McGregor Avenue •Industrial Court "A" •Tallack Boulevard •Pine Street	2011 2011 2012 2012 2012	2012 2012 2014 2014 2014	Upgrade/replace aging sanitary pump stations Reduce overflows	D. Elliott	Engineering PWT Consultants	\$600,000 \$500,000 \$500,000 \$500,000	\$600,000 \$500,000 \$500,000 \$500,000	Sewer Surcharge	Approved Approved	2011 2011	Complete Complete Study scheduled for 2012 Study scheduled for 2012 Study scheduled for 2012
Major pump stations •Clark Creek Pump Station - valves and sluice gates	2012	2013	Replace aging equipment	D. Elliott	Engineering Consultants	\$1,200,000	\$1,200,000	Sewer Surcharge	Approved	2011-12	Tendered – price was very high. Under evaluation.

Strategic Direction 1: Developing Solid Infrastructure

Objective 1A – Environmental Leadership

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Underground fuel tank replacement •Fire – Station 1 •Cemetery •PWT (Sackville)	2011 2011 2012	2011 2011 2012	Reduce liability	J. St. Jules J. King L. Girardi	Fire Cemetery PWT	\$60,000 \$70,000 \$135,000	\$60,000 \$70,000 \$135,000	Capital from Current Capital from Current Capital from Current	Approved	2011	Project complete Fall 2012 To be referred to 2013 budget

Strategic Direction 1: Developing Solid Infrastructure

Objective 1B – Transportation Network Improvements

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Environmental Assessments for: •Great Northern Road – Second Line/Third Line •Third Line East and Black Road – hospital to Second Line •Second Line – Old Garden River to Black Road •Northern Avenue extension	Underway Underway Underway 2014	2012 2012 2012 2015	Improved pedestrian and vehicular traffic flow	D. Elliott	Engineering, Consultants	\$50,000 \$55,000 \$50,000 \$50,000	\$50,000 \$55,000 \$50,000 \$50,000	Misc Construction budget Misc Construction budget Capital Budget w. Pine/connecting link Misc Construction budget	Approved Approved Approved	2009-2010 2010-2011 2011-2012	Complete To be completed fall 2012 Complete Future initiative
Connecting link reconstruction •Miscellaneous resurfacing Second Line – Gt. Northern to Pine Great Northern – Second Line to Third Line Second Line – Pine to Strathclair •Root River bridges (Gt. Northern)		2012 2013 2014 2011	Improved pavement Extend longevity	D. Elliott	Engineering, Consultants	\$500,000 \$500,000 \$500,000 \$703,500	\$6,000,000 \$2,800,000	Capital Works budget + connecting link funding	Approved	2011-2012 2011	To be completed fall 2012 To be completed fall 2013 pending MTO funding To be completed fall 2014 pending MTO funding Complete
McNabb/South Market connection	Underway	2011	Improved traffic flow at McNabb/ Boundary/	D. Elliott	Engineering, Consultants	\$1,800,000	\$1,800,000	Capital Works Budget	Approved	2009-2010	Complete
Pine Street extension – Northern Avenue to Second Line •Phase 1 – road construction •Phase 2 – intersection with Second Line	2011 2012	2011 2012	Improved traffic flow meets Master Traffic Plan	D. Elliott	Engineering, Consultants	\$1,600,000	\$4,200,000	Capital Works budget; Federal gas tax; sewer surcharge – urban only	Approved Approved	2011-2012	Surface works in Phase 1 to be completed in 2012 Phase 2 intersection scheduled for completion in 2012
Third Line extension	Underway	2011	Improved traffic flow meets Master Traffic Plan objective	D. Elliott	Engineering, Consultants	\$1,100,000	\$1,100,000	Capital Works Budget	Approved	2009-2010	Complete
Capital Works Road Reconstruction •John Street – Wellington to Elm •Queen Street – Pim to Simpson •Euclid Road – Wemyss to Pim •Glenholme Drive/Arthur Street •White Oak Drive – North to John •Queen Street Phase 2 – Simpson to Pine •Maretta – Wallace Terrace to Henrietta •Upton Road – Queen to Wellington •Queen Street – Pine to Gravelle	2011 2012 2012 2011 2012 2013 2013 2013 2013 2014	2013 2013 2013 2012 2013 2013 2013 2013 2013 2014	Improved longevity of infrastructure	D. Elliott	Engineering, Consultants	\$12,500,000 \$7,900,000 \$8,300,000	\$16,800,000 \$7,900,000 \$8,300,000	Capital Works Budget; Federal gas tax; sewer surcharge urban capital	Approved	2011-2012	Scheduled for completion fall 2012 Scheduled for completion fall 2013 Scheduled for completion fall 2013 Scheduled for completion fall 2013 Resurfacing scheduled for 2014

Strategic Direction 1: Developing Solid Infrastructure

Objective 1B – Transportation Network Improvements

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
•Forest Avenue – Putney to Upton •St. Andrew's Terrace – John to North Street •London Street – North to Tancred •March Street – Queen to Wellington •People's Road-Everett to Third Line (resurfacing)	2014	2014				\$11,600,000	\$11,600,000	\$750K Misc; \$600K Capital budget		2012	Scheduled for completion fall 2014 Scheduled for completion fall 2014 Scheduled for completion fall 2014 Scheduled for completion fall 2014 Complete
Bridge improvements for: •Base Line #14 and #15 •Town Line #12 and #13 (all shared with Prince Township) Preliminary design			Improved longevity Removal of load restrictions (shared with Twp. of Prince)	D. Elliott	Engineering, Consultants, Prince Twp.	\$64,000	\$128,000	Misc construction 50% cost share with Prince Capital Works budget	Approved	2012	Pre-design scheduled for 2012
	2011	2012				\$2,000,000	\$4,000,000				
		2015	Contingent upon Prince Twp. obtaining funding								
Improved transportation systems – assume lead role as transportation hub for Northern Ontario (Northern •Rail •Harbour Phase 1 – Study •Air	2011	2014	Monitor implementation of capital improvement approved in 2010	J. Fratesi							Underway
	2011	2014	Shipping access to expedite ingress of raw materials and egress of finished products (SSM and Northern Ontario) Improve air service	Transportation Committee Air Services Committee	EDC, Consultant Essar Ports	\$200,000	\$200,000		Approved	2008	Study for business case underway.
	2011										Ongoing efforts with Airport Development Corporation
Transportation master plan update	2012	2012	Transportation master plan for capital forecasting	D. Elliott	Engineering, Consultants, PWT	\$200,000	\$200,000	Capital Works Budget	Approved	2012	Underway. Scheduled for completion early 2013.

Strategic Direction 1: Developing Solid Infrastructure

Objective 1C – Property Management and Development

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
PWT Equipment Program Review •adding public works, landfill and cemetery equipment needs to 10 year capital plan •review credit system	2010	2011	Report with recommendations for financing equipment renewal/ replacement	S. Schell	L. Girardi M. Blanchard, M. Pinder, J. King, J. Bruzas				Report only		To be completed in 2013
Transit •Replace one parabus •40-foot transit buses	2011	ongoing	Transit vehicles replaced on a managed timeline Four buses funded in 2011/2012	L. Girardi D. Scott B. Freiburger	J. Bruzas, PWT, Finance, AAC	\$100,000 \$500,000	\$100,000 \$2,000,000	Capital from Current Federal gas tax; Surplus	Approved	2011-2012	Currently being tendered Completed
Fire – replace 55' Quint (pumper/aerial apparatus)	2013	2014	Replace 15-year-old apparatus in compliance with insurance underwriter's guidelines	M. Provenzano	J. St. Jules F. Brescacin	\$812,000	\$812,000	Fire Capital Equipment Reserve		2013-2014	Planning phase has begun with preliminary concept ideas discussed
Corporate fuel adjustment	2012	2012	Mitigate volatile fuel prices	S. Schell	PWT Finance	\$2,400,000	\$2,400,000	General Levy		2012-2014	Adjustment of \$350,000 in 2012 budget. Complete
Civic Centre •Flooring upgrade •Council Chambers refresh (A/V etc.) •Service elevator upgrade •Window replacement	Underway 2012 2013	2013 2012 2013 2013	Building upgrades to maintain integrity and \$50,000/year – 2011-2013	J. Dolcetti R. Caron	Engineering Clerk's Clerk's	\$150,000 \$100,000 \$200,000 \$500,000	\$150,000 \$100,000 \$200,000 \$500,000	Capital from Current Capital from Current Capital from Current Capital from Current	Approved	2011-2013 2012 2013 2013	Phase 1 complete. Phase 2 tender currently being prepared Currently looking at different technologies. Scheduled for completion in 2013 Scheduled for completion in 2013
Fire •Roof replacement – Station 4 •Lighting fixture upgrades Stations 1, 2, 3 •Direct capture exhaust systems Stations 2, 3 •Station 1 office reconfiguration •Energy upgrades - Station 1 stall heating system •Resurface parking lot–Station 1 •Electronic fuel card lock dispensing system	2011 2011 2011 2012 2012 2012 2013	2011 2011 2011 2012 2012 2013 2013	Eliminate leaks and protect building and contents Energy cost savings, reduce carbon footprint Improved health and safety Optimize efficiency Energy cost savings, reduce carbon footprint Eliminate trip hazards Enhanced tracking system to improve	M. Provenzano J. St. Jules M. Provenzano M. Provenzano J. St. Jules J. St. Jules	J. St. Jules J. St. Jules J. St. Jules J. St. Jules J. St. Jules J. St. Jules	\$470,000 \$12,000 \$68,000 \$18,500 \$52,200 \$250,000 \$50,000	\$470,000 \$12,000 \$68,000 \$18,500 \$52,200 \$250,000 \$50,000	Capital from Current +DSSAB rent revenue Capital from Current Capital from Current Capital from Current Capital from Current Fire Capital Reserves Capital from Current Capital from Current	Approved	2011-2013 2011 2011 2012 2012 2013 2013	Project completed in 2011 Project completed in 2011 Project completed in 2011 Completed September 2012. Design phase completed. Going to tender. Anticipated completion fall 2012 Subject to Council approval in 2013 Subject to Council approval in 2013

Strategic Direction 1: Developing Solid Infrastructure

Objective 1C – Property Management and Development

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
PWT •Admin building energy retrofit – HVAC •Lighting retrofit •Shop exhaust •Overhead doors •Equipment storage garage •Sand storage	2012 2011 2011 2012 2013 2014	2012 2011 2011 2012 2014 2014	Improved energy conservation (Project is dependent upon OPA funding) Improved health and Replace 26 wooden Expand equipment storage facility Sand storage	L. Girardi M. Blanchard Green Committee Green Committee	PWT/Finance Green Committee Green Committee	\$32,000 \$73,000 \$90,000 \$130,000 \$550,000 \$550,000	\$32,000 \$85,000 \$90,000 \$130,000 \$550,000 \$550,000	Capital from Current Ontario Power Authority, Green Committee Reserve Capital from Current	Approved Approved	2010 2011	HVAC system – complete Lighting Retrofit – complete Shop exhaust-expected completion in 2012 P.O. is issued – 80% complete
Fencing east side landfill site	2011	2012	To provide site security	M. Pinder	PWT	\$80,000	\$80,000	Landfill site reserve	Approved	2011	Fencing to be installed fall of 2012
Cemetery – Mausoleum Phase XIII	2011	2012		J. King	PWT	\$600,000	\$600,000	Cemetery Reserve Fund	Approved	2011-2012	Project has been tendered – projected completion in 2012
PWT – parts for vehicles – transit addition	2010	2012	Budget for increasing costs of replacement	B.Freiburger L. Girardi	M. Blanchard J. Bruzas	\$150,000	\$150,000	General Levy			Reviewed during 2012 budget Completed
Transit – Replace roof – vehicle storage building (Huron Street)	2013	2014	Maintain building integrity	D. Scott	Transit	\$550,000	\$550,000	Capital from Current			Projected completion by 2014
Downtown development initiative •Part 1 •Part 2	Underway 2011	2011 2011	Revitalization of downtown area Report to Council identifying potential next steps	D. McConnell D. McConnell	Planning Downtown	65000	184000	FedNor, OMAFRA	Approved Report only	2007-2011	Part 1 of the Downtown Development Initiative is complete. Recommendations concerning a second phase are being prepared in consultation with the Downtown Association. A report will be presented to City Council in fall 2012 concerning an approach to the redevelopment of Gore Street.

Strategic Direction 2: Delivering Excellent Services

Objective 2A – Communications

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Council-to-Council communications •Electronic bulletin boards; blogs; mass e-mail	Underway	2011	Review technology and report to Council outlining potential tools	M. White F. Coccimiglio	Clerk's Legal				Report only		To be reviewed in 2013
External corporate communications strategy •Citizen satisfaction survey and other methods to receive client/stakeholder input i.e. Internet surveys, feedback forms •Blogs, Internet forums, FaceBook •Social networking – Twitter	2012 2011	2013 2012	Improved accessibility Integrate with website refresh Report with respect to impact, recommendations Dissemination of news releases, corporate information	M. White	Clerk's IT				Report only		2013 initiative Report to Council by end of 2012 Report to Council by end of 2012
Electronic message board for employees: safety notices; new employees, social event reminders, OMERS updates, etc.	Underway	2012	Expansion of Intranet	F. Coccimiglio	Clerk's IT	\$10,000	\$10,000	General Levy			Completed in 2012
Improved communications /relationships with employees •Communication of policies and procedures to staff	Underway	2012	Ease of access Encourage expanded use of corporate Intranet	F. Coccimiglio J. Luszka	Clerk's , IT Human Resources				Report only		On-going: Currently Health and Safety Policies entered; job advertisements with related employment information and firefighter recruitment process. IT investigating software and hardware implementation platform.

Strategic Direction 1: Delivering Excellent Services

Objective 2B – Process Management

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Review of corporate programs and services on a departmental basis to ensure effective and efficient delivery •Transit operational review	Underway	2014	Improved efficiencies Cost savings	B. Freiburger J. Fratesi D. Scott	Finance Committee J.Fratesi		\$0	\$80,000	Provincial gas tax	Approved	2011-2012 Complete. Recommendations to be implemented.
Customer service/Best Practices •Pilot projects to be undertaken by each department annually to improve service	Underway	2014	Improved customer service, adoption of best practices (costs to be absorbed in existing operational budgets)	J. Fratesi	All Departments				n/a		Social Services: Completed cultural sensitivity training to improve response and customer service to those of different cultural and ethnic backgrounds HR: Corporate Training Calendar; Employee Life Insurance Beneficiary re-enrollment Fire: Delivered two presentations to Council to date (Smoke Alarm Program and Intravenous Drug therapy Program). Currently developing a presentation to Council on Fire Suppression's new deployment plan implemented in 2010. CSD: Presented two projects to Council. Day Care (curriculum) and Community Centres (interior digital information system) Clerks: will present in 2012 Legal: Information flyers explaining routine legal processes (i.e. lane closures, Freedom of Information requests) PWT: Best practices presentation to Council re: traffic calming presented March 2012
Corporate records management •New records retention by-law •Document management system	2011	2012	Update/revision of by-law and review of records management issues	M. White F. Coccimiglio	All Departments			n/a			Researching infrastructure requirements. Referred to 2013 budget
Framework for annual department/division operations plans to link with strategic plan, performance evaluation system and budget process – template for reporting, tracking	2011	2012	Consistent planning across the corporation Increased productivity and accountability	J.Fratesi	SMT, R. Tyczinski, S. McLellan	\$100,000	\$100,000	Capital from Current			Complete

Strategic Direction 2: Delivering Excellent Services

Objective 2C – Leadership and Staff Development

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Succession planning	Underway	2012	Updated report to Council concerning succession planning issues	J. Luszka					Report only		Complete for 2012. Further report in 2013.
Staff training plans to address specific training needs on a departmental basis			Assessment and analysis of individual training needs within departments	All Departments	Human Resources						<p>Social Services: Ontario Works manager has organized and co-ordinated training sessions and developed, co-ordinated and distributed resource material. Standardized orientation to Ontario Works developed and being delivered to new staff (perm/temp). Mental Health and Addiction training for all OW staff in fall 2012.</p> <p>Fire: Training is ongoing and regularly monitored and reviewed.</p> <p>CSD: Providing training required by legislation. No further development on training needs.</p>
Develop and implement annual employee and management development training to include:			Corporate-wide training – additional staff resources = \$100,000/annually x 3 yrs (2012-14)	J. Luszka <i>Departmental training absorbed through existing operational budgets</i>	A. Iacoe R. Tyczinski	\$300,000	\$300,000	General Levy		2012	<p>Training in conducting workplace investigations – May 2012</p> <p>Attendance management training to be scheduled for early 2013</p> <p>Complete and ongoing</p>

Strategic Direction 2: Delivering Excellent Services

Objective 2C – Leadership and Staff Development

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
<ul style="list-style-type: none"> •Legal issues (facility liability, risk management, etc.) •Workshops to update staff after collective agreements ratified 				J. Luszka	Legal Human Resources						Social Services - completed in June 2012 Further workshops to be scheduled as agreements are formalized
Wellness program	2012	2013	Establishment of parameters of a program for employees to address health promotion; disease prevention/management; then implementation <i>Add-on to Employee Assistance Program</i>	J. Luszka	SMT A. Iacoe			Absorbed through HR training budget			Participating with health benefit provider to develop targeted wellness programs "Lunch and Learn" wellness sessions commenced summer 2012
Healthy Workplace initiatives (NQI) <ul style="list-style-type: none"> •Physical exercise options available to staff •Employee recognition programs (e.g. perfect attendance) •Inspire camaraderie 	2011	2012	Analyze existing data and establish plan to address identified issues	J. Luszka	SMT A. Iacoe R. Tyczinski						Twice weekly fitness classes commenced July 2012. "Tip of the Week" e-mailed to City staff.

Strategic Direction 2: Delivering Excellent Services

Objective 2D – Technological Innovation

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Council administration software (electronic agendas, etc.)	2011	Dec. 2012	Increased accessibility to staff and public Cost savings of \$10,000/year +/- Software Hardware	M. White R. Tyczinski	IT Clerk's Legal	\$15,000 \$10,000	\$15,000 \$50,000	Cost savings offset initial cost		2012	Referred to 2013 budget
Election technology review – Election 2014	2013	2014	To ensure most efficient and appropriate use of technology	M. White	IT Clerk's				Report only		Scheduled for completion in 2014
Webstreaming – Council meetings	Underway	Spring 2012	Increased access to meetings Better archiving capabilities	M. White R. Tyczinski	IT Clerk's	\$75,000	\$75,000	General Levy			Scheduled for review in 2014
Refresh website	2012	2012		F. Coccimiglio	IT Clerk's	\$25,000	\$25,000	General Levy			Reviewing options and software
Electronic filing, e-commerce	2012	2012	Enhanced capabilities (e-commerce, virtual City ... Report to Council with respect to extent of improvements and costing (i.e. additional staff, etc.)	L. Ballstadt		\$15,000	\$15,000		Report only		Investigating software CMS software hardware platform. Referred to 2013 budget
Phone system upgrade, VOIP – investigate VOIP technology as alternative to traditional phone system	Underway	June 2014	Ensure most cost effective and up-to-date technology with minimal capital cost	R. Caron	IT				Report only		Two year extension has been applied. Continuing to look at alternatives

Strategic Direction 3: Enhancing Quality of Life

Objective 3A – Recreational/Cultural Infrastructure

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
West End Community Centre – Construction •Phases 1 and 2 •Phase 3 – Review with respect to rehabilitation/reconstruction of McMeeken Centre	Feb 2011 2014	March 2012 Arena, ice surface	Indoor turf, library N. Apostle	N. Apostle AAC		\$750,000	\$11,300,000	Invest Ontario Grant + debt issue + NOHFC grant/loan	Approved Report only	2011-2012	Substantial completion achieved in March 2012. Minor deficiencies and landscaping remain uncompleted. CIIF (FedNor) application submitted for several items (\$600,000) No further progress to date
Ermatinger-Clergue National Historic Site Discovery Centre •Identify source funding •Construction Drawings (contingent upon funding)	2011 2012	2012 2012	Completed project will include: Visitor Centre, summer kitchen redesign and site accessibility improvements	N. Apostle B.Freiburger Historic Sites Board AAC		\$200,000	\$4,000,000	Pursuing additional funding. \$1 m. NOHFC funding confirmed			Actively pursuing funding opportunities. Confirmed Cultural Spaces funding (\$1.779M) and 1812 funding (\$125,000) Construction drawings have been updated and are now complete, ready for tendering.
Hub Trail construction (as part of future construction •Fort Creek, Waterfront Walkway •Queen Street •Huron Street	Underway 2013 2014	2011 2013 2014	25 km multi-use trail <i>(Cost is \$1 m. but not noted as a net cost in this activity as the work)</i>	D. McConnell	Planning & Engineering PWT CSD STAC			Infrastructure Stimulus Funding grant + Invest Ontario grant	Approved	2009-2010	Trail construction complete. Additional signage to be installed – spring 2013.
Implement cycling master plan	Underway	2011	Report to Council identifying next steps now that hub trail is complete (address gaps in hub trail route system and identify priority cycling routes)	D.McConnell D.Elliott	Planning & Engineering PWT STAC				Report only		An open house was held to consider numerous possible actions. A report will be presented to City Council in fall 2012 with recommended next steps.
Seniors Drop-In Centre parking lot	2012	2014	Asphalt surface	J. Cain	AAC	\$75,000	\$75,000	Capital from Current			Referred to 2013 budget.
Strathclair Field lighting	2012	2013	Lighting of slo-pitch field "A"	N. Apostle	J. Cain T. Reid / Parks	\$90,000	\$240,000	Capital from Current, 5% Subdivider fees, user groups			No new funding has been identified. Still actively seeking funding opportunities.
Bellevue Park duck pond	2012	2013	Proper water circulation	M. Lebel	M.Lebel T.Reid	\$150,000	\$150,000	Capital from Current			Funding for engineered study approved in 2012 budget.

Strategic Direction 3: Enhancing Quality of Life

Objective 3B – Planning for the Future

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Master Strategy Plan – Parks, Recreation and Culture •Bellevue Park •Dog park •Strathclair •Other municipal parks and recreational properties/facilities	2011	2013	Replace 1986 plan	N. Apostle	J. Cain Cultural Advisory Board PRAC PWT AAC	\$25,000	\$25,000	5% Sub-dividers Reserve Account new costs are being compiled and will be presented to Council in fall of 2010	Approved	2012	Proceeding as directed - Nov 7/11 Council resolution Reports on Dog Park and Gravity Park forthcoming (as per June 11, 2012 resolution)
Implement plan for Community Archaeological Assessment	2011	2011	Adopt municipal policy consistent with provincial requirements	D. McConnell	Steering Com'tee Mun. Heritage Committee Cultural Advisory Board	\$11,000	\$11,000	Capital Works Budget	Approved	2009-2010	Project complete.
Environmental awareness – reduction in CO2 emissions •Equipment Renewal – Green Fleet Plan •No idling policy •Comprehensive property management plan linked to energy audits •Corporate energy management plan (as mandated by Ontario Regulation 397/11)	2010	2012	Completed action plans and strategies for improved environmental stewardship Identify actions to increase fleet efficiency, reduce fuel consumption	M. Zuppa	Green Committee				Report only		Information report to Council Sept. 26, 2011; Submission of an ecoEII application by Heliene Inc., with the City identified as a partner, for solar power charging stations and electric vehicles was not approved.
	2011	2012	Reduce unnecessary idling of corporate vehicles Identify energy efficiency opportunities	J. Dolcetti	All Departments				Report only		Reviewed best practices of other municipalities. Consultation with City staff underway.
	2011	2012	Establish targets, identify action items re: energy conservation and demand management – \$15,000/audit – target one to two buildings/year	J. Dolcetti	Engineering Finance	\$40,000	\$60,000	Ontario Power Authority, Union Gas, Environmental Initiatives project budget	Report only	2011-2014	Consultation with City staff underway. Completed energy audit on Fire Hall #1 and #2 in 2011 Evaluating bids for energy audits for Bellevue Park facilities – scheduled for fall 2012.

Strategic Direction 3: Enhancing Quality of Life

Objective 3B – Planning for the Future

Activity	Start Date	Completion Date	Results	Lead Role	Resources: People	Net Cost	Gross Cost	Funding Source	Approval Status	Budget Year (s)	Progress to Sept. 2012
Report facility energy consumption	2011	2012		M. Zuppa					Report only		Internal reporting to Council annually. Information collected and currently being verified for external reporting to Ontario government in 2013.
Develop three-year conservation plan	2012	2014		M. Zuppa	Engineering IT	\$15,000			Report only		Consultation with City staff underway. Scheduled for completion in 2014
•Energy management software	2011	2012	Monitor, track energy consumption and identify savings opportunities	M. Zuppa	Engineering IT						Consultation with City staff and review of available software underway.
Cultural attractions and activities; tourist attractions (Gateway)	Underway	2012	Feasible development opportunities	EDC Tourism SSM	Planning & Engineering Legal, Council			\$5 m NOHFC Grant , balance unknown, City to recover \$2 m	Report only		
Update industrial land strategy	2012	2012	Review industrial land strategy to ensure adequate supply for future development	D. McConnell EDC	Planning & Engineering Legal, EDC				Report only		Report to Council spring 2013.
Local immigration partnership plans	2011	2012	Community partnership to develop a range of immigration services to attract and retain new immigrants – \$150,000/annually	D. Krmpotich	IT Social Services	0	\$600,000	Federally funded	Approved	2011-2012	LIP continues to meet with community partners to work on implementation plans from 2010 Local Immigration Plan. Immigration Forum held in February 2012. Re-evaluation of workplan underway and exploring regional involvement with Algoma District municipalities.
Long term municipal housing plan	2011	2012	Housing plan per Ministry of Municipal Affairs and Housing legislation (DSSAB responsibility)	K. Streich-Poser	R. Cobean D. McConnell	\$0	\$300,000	DSSAB			A working group is being established and a draft template of the plan being completed. Community consultations will begin in fall/winter 2012/13.

ADDENDUM

REGULAR MEETING OF CITY COUNCIL

2012 09 24

4:30 P.M.

COUNCIL CHAMBERS

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

Resolved that the Addendum #1 for the 2012 09 24 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

p) Banning Wild/Exotic Animal Acts and Travelling Animal Circuses

Mover: Councillor T. Sheehan

Seconder: Councillor S. Myers

Resolved that agenda item 5.(p) – Banning Wild/Exotic Animal Acts and Travelling Animal Circuses be deferred until October 9, 2012 Council Meeting.

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

- c) **Application No. A-29-12-Z.OP -- Palumbo Investments Inc. -- 58 Blake Avenue**

Additional correspondence is attached for the consideration of Council.

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

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

- b) Correspondence is attached for the consideration of Council.

Mover: Councillor R. Niro

Seconder: Councillor L. Turco

Whereas the residents of Bridgeview Village have had difficulty entering North Street because of parked vehicles on the west side of North Street; and

Whereas these parked vehicles have blocked the view of oncoming traffic from both directions; and

Whereas the parked vehicles have caused some dangerous situations for the residents of Bridgeview Village;

Now Therefore Be It Resolved that the Manager of Traffic and Communications implement a complete parking prohibition on the west side of North Street and that the said prohibition extend from the most northern point of frontage to the most southern point of frontage of the Bridgeview Village;

Further that the letter from Harold McCarthy, Chairperson of the Bridgeview Homeowners Association be accepted by Council and that a copy be forwarded to the Manager of Traffic and Communications.

**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

Sept 23, 2012.

Peter Tonazzo, Planner
99 Foster Drive
Sault Ste. Marie ON P6A 5X6

Dear Peter Tonazzo:

I am writing this letter to notify the city that I am against the proposed Official Plan Amendment and rezoning of the property at 58 Blake Avenue (Application No.: A-29-12-Z-OP) filed by Palumbo Investments Inc. Please understand that I, Mario Coccimiglio own the Commercial Properties on the south and east sides of this property and am directly affected by this application. As stated in the Report of the Planning Division I agree that the long term development potential on this portion of Blake Avenue is commercial and I have some concerns which I will list below.

As stated above this application to rezone 58 Blake Avenue will directly affect me for the following reasons:

- i) If this property were to be changed to residential, any residential development would not fit in an area which all developments are commercial. This could create issues such as parking and complaining by residents in the new development because of traffic and other business related issues.
- ii) If this property were to be changed to residential, parking for this property would also create a concern if it was more than just a single dwelling. This property is shallow and surrounded by my commercial properties, and also on a corner so parking would be limited. In the winter this issue could be magnified when one could not park on the road.
- iii) The properties in this area are zoned commercial so as to allow for the commercial developments on this part of Great Northern Road to continue to operate effectively. Creating a residential property surrounded by commercial properties makes little sense.
- iv) If this property were to be rezoned to residential, I have environmental concerns for this property. This property has been used by an auto dealer as a parking lot and has had cars parked there over the past few years and there is a possibility of some ground contamination. Allowing for residential development I would think would require an environmental study to be done.
- v) There are options available for this property in my opinion. Northside Volkswagen may require the property for future expansion or it can be used for other commercial uses that would best fit that specific property.

It is my hope that City Council denies this request for rezoning, given the reasons I have listed above.

Sincerely,

Mario Coccimiglio

c.c. Malcom White
City Clerk

(d6KC)

BISCEGLIA
DUMANSKI
ROMANO
& JOHNSON LLP
LAW FIRM

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REPLY TO: ROBERT J. DUMANSKI

September 21, 2012

HAND DELIVERED

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

ATTENTION: Mr. Malcolm White, City Clerk

Dear Sir:

**RE: Application No. A-29-12-Z.OP - Palumbo Investments Inc.
58 Blake Street, Sault Ste. Marie**

Enclosed please find a petition in support of the Rezoning Application No. A-29-12-Z.OP. I would ask that you please provide copies of the petition to the Mayor and City Council prior to Monday's meeting.

I thank you for your cooperation in this matter.

Yours truly,

BISCEGLIA DUMANSKI
ROMANO & JOHNSON LLP



Robert J. Dumanski

RJD/msm
Enclosure



PETITION

TO: MAYOR DEBBIE AMAROSO
AND TO: MEMBERS OF CITY COUNCIL

WE, the undersigned neighbours, hereby support the rezoning application of Frank Palumbo to rezone the property located at 58 Blake Street from commercial to residential.

PRINT NAME	ADDRESS	SIGNATURE
1. Grant Phillips	53 Blake Ave	Grant Phillips
2. Jane McNabb	53 Blake Ave	Jane McNabb
3. Anna Khull	50 Blake Ave	Anna Khull
4. Gino Platano	47 BLAKE AVE	Gino Platano
5. HANS GROEN	43 BLAKE Ave	Hans Groen
6. N. Bierfeld	40 Blake ave	N. Bierfeld
7. S. Schubel	41 BLAKE	S. Schubel
8. MAE SULLIVAN	84 BLAKE	Mae Sullivan
9. Eugene Durso	82 Blake Ave	Eugene Durso
10. Jim Wilson	105 BLAKE	Jim Wilson
11. J. Stackpole	148 Blake	J. Stackpole
12. Rita Miller	156 Blake	Rita Miller
13. Kim Anderson	152 Blake	Kim Anderson
14. Mark Anderson	152 Blake	Mark Anderson
15. Taitha Denty	164 Blake	Taitha Denty
16. EDWARD RAYNER	169 BLAKE	Edward Rayner
17. Alana Kenopic	163 BLAKE AVE	Alana Kenopic
18. ALLEN Taylor	149 BLAKE AVE	Allen Taylor
19. VI Taylor	" " "	VI Taylor
20. MURRAY MacLeod	123 BLAKE AVE	Murray MacLeod

	PRINT NAME	ADDRESS	SIGNATURE
21.	Ginette Woolley	117 BLAKE AVE	Ginette Woolley
22.	Joyce Burrows	8 BLAKE AVE	Joyce Burrows
23.	Brian Petosa	15 Blake Ave	Brian Petosa
24.	Emily O'Neil	19 Blake Ave	Emily O'Neil
25.	Elvis Nixon	21 Blake Ave	Elvis Nixon
26.	Richard Gertson	23 BLAKE ST.	Richard
27.	John Tauro	25 Blake St	John Tauro
28.	Amber Yarrow	37 Blake Ave	Amber Yarrow
29.	Rachelle Merrifield	42 Blake Ave	Rachelle Merrifield
30.	Rick FRAIR	59 BLAKE ST	Rick FRAIR
31.	Shawne Rice	413 Boundary St	Shawne Rice
32.	Aurelia Pecton	413 Boundary Rd	Aurelia Pecton
33.	JANIS RICE	57 BLAKE ST	Janis Rice
34.	H. Turmaine	81 Blake Ave.	H. Turmaine
35.	Wendy Gagné	108 Blake	Wendy Gagné
36.	ART GAGNON	109 BLAKE	Art Gagnon
37.	Willi Sommer	"	Willi Sommer
38.	Craig Collier	110 "	Craig Collier
39.	John Lohr	127 "	John Lohr
40.	Doug Bliefer	132 "	D. J. Bliefer
41.	Jay Beagle	132 "	Jay Beagle
42.	Barb HARRIMAN	131 "	Barb Harriman
43.	MARY FILE	145 "	Mary File
44.	Ann Lundy	153 "	Ann Lundy
45.			
46.			
47.			

September 22, 2012

Councillors Niro and Turco

City of Sault Ste. Marie

Dear Sirs,

The issue of parking on North Street and the new school opening across the street has not and will not go away until such time as we can get the city to act upon the issue. I know that you have received communications from at least two residents of Bridgeview Village-Mr. Gus Ryckman and Mr. Ken Scarfone. I am writing on behalf of the entire village and its twenty-six units and the associated residents.

After sending you the pictures from Thursday evening past and talking with several residents I am requesting that something be done as the actions thus far are totally unsatisfactory. From the pictures you can certainly see that it was a dangerous situation. The police legitimately report that their hands are tied as the area is not posted so until an accident occurs they can do nothing.

The city traffic department does not appear to want to act without your direction. In spite of their reports that they saw no cars parked in the area I have on two occasions provided pictures to the contrary. We have communicated several times and I have kept copies of all said communications.

It would appear that the only recourse left will be to wait until a serious accident occurs, hopefully not a fatality. At that time it would seem to me that **legal action against the city would be a reasonable next step for failing to act on a potentially dangerous situation.**

If we could getting **NO PARKING signs posted on both sides of the Bridgeview entrance for at least three car lengths** it would be a sensible solution. I await your response with action.

Yours truly,

Harold McCarthy, Chairperson

Bridgeview Homeowners Association