

AGENDA

REGULAR MEETING OF CITY COUNCIL

2012 05 14

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2012 04 16 be approved.

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

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the Agenda for 2012 05 14 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- a) Mark Barsanti, Dealer – Sault Ste. Marie Canadian Tire will be in attendance concerning proclamation – Jumpstart Day.
- b) Lynn Ingram, Chair of Council, Community Living Algoma as well as Representative of North 4 Region, Council of Community Living Ontario and Chris Dunn, Team Leader, Manager of Transportation Services, Community Living Algoma will be in attendance concerning proclamation – Community Living Awareness Month.
- c) Kerry Foster will be in attendance concerning proclamation – Falun Dafa Day.

- d) Margaret Nicholson, Member of the Royal Purple will be in attendance concerning proclamation – Royal Purple and Hearing Society.
- e) Jack Wetherall, Honourary Chair of Theatre Ontario Festival 2012 will be in attendance concerning proclamation – Theatre Ontario Festival Week.
- f) Bill Marks, Producer of the film “Compulsion” and Rosalie Chilelli, Managing Director – Edge Enterprises will be in attendance concerning recent filming activities.
- g) Kathy Fisher and Cindy Ellen Crawford, Algoma 1812 will be in attendance concerning item 6.(8)(a).
- h) Dominic Parrella, Vice President Operations & Engineering PUC Inc. and representatives from Kresin Engineering and Stantec will be in attendance in response to a Council resolution passed at the 2012 04 16 Council meeting.

PART ONE – CONSENT AGENDA

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

Mover: Councillor M. Bruni

Seconder: Councillor S. Myers

Resolved that all the items listed under date 2012 05 14 – Part One – Consent Agenda be approved as recommended.

- a) Correspondence from AMO is attached for the information of Council.
- b) Correspondence from the Municipality of Meaford and the Towns of Markham, Tillsonburg and Niagara-On-The-Lake (concerning payments in lieu of taxes), City of Sudbury (concerning a national dementia strategy), County of Oxford (concerning moratorium on landfills), the Township of MacDonald, Meredith and Aberdeen Additional (concerning the Ontario Society for the Prevention of Cruelty to Animals Act, 1990) and the Township of Wainfleet (concerning industrial wind turbines) is attached for the information of Council.
- c) A copy of a letter from the Ministry of Transportation to the Township of Prince concerning winter maintenance operations on Highways 550 and 565 is attached for the information of Council.
- d) A letter from Dan French, Parks Canada concerning the impacts of the Government of Canada's Economic Action Plan on operations at Pukaskwa National Park and the Sault Ste. Marie Canal National Historic Site is attached for the information of Council.

- e) A letter from the Deputy Minister, Ministry of Natural Resources concerning changes to the Bear Wise program is attached for the information of Council.
- f) A copy of a letter from the Sault Ste. Marie Public Library Board to the Minister of Industry concerning the cancellation of Community Access Program sustainability funding is attached for the information of Council.
- g) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from January 1, 2012 to March 31, 2012 is \$331,195 is attached for the information of Council.
- h) Correspondence concerning a request for permission to hold a special occasion permit event at an outdoor municipal facility is attached for the consideration of Council.

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that the following requests to hold Special Occasion Permit events at a municipal facility on the stated dates and times be endorsed by City Council:

Roberta Bondar Pavilion

Musicfest XVIX – Bratwurst, Beer and Beethoven

June 10th from 12:00 noon – 9:00 p.m.

Ride for Sight

June 29th from 8:00 p.m. – 12:00 midnight

June 30th from 4:00 p.m. – 12:00 midnight

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

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

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

Dock's Riverfront Grill, 89 Foster Drive

June 29 and 30, 2012 from 12:00 noon to 2:00 a.m. (June 30 and July 1)

Canada Day – July 1, 2012 from 12:00 noon to 2:00 a.m. (July 2)

Independence Day – July 4, 2012 from 12:00 noon to 2:00 a.m. (July 5)

j) **Staff Travel**

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

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the report of the Chief Administrative Officer dated 2012 05 14 concerning Staff Travel requests be approved as requested.

k) Tender for Asphaltic Concrete

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

Mover: Councillor M. Bruni

Seconder: Councillor S. Myers

Resolved that the report of the Manager of Purchasing, dated 2012 05 14, be endorsed and that the tender for the supply of Asphaltic Concrete products required during the 2012 construction season by the Public Works and Transportation Department be awarded as recommended.

l) Property Tax Appeals

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

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that Pursuant to Section 357 of the Municipal Act, 2001, the adjustments for the tax accounts outlined on the City Tax Collector's report of 2012 05 14 be approved and that the tax records be amended accordingly.

m) Transit Services and United Steelworkers 2251A (Transit Mechanics) Three (3) Year Renewal Collective Agreement February 1, 2012 to January 31, 2015

A report of the Commissioner of Human Resources is attached for the consideration of Council.

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

Resolved that the report of the Commissioner of Human Resources dated 2012 05 14 concerning Renewal of Collective Agreement – USW Local 2251 – Transit be accepted and further that the Memorandum of Settlement for USW Local 2251 – Transit 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.

n) Municipal Coat of Arms

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

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 05 14 concerning Municipal Coat of Arms be accepted

and that Council authorize proceeding with accreditation of an official coat of arms.

o) Pilot Project Children's Recreation Programming at Greco Pool/Etienne Brule Playground

A joint report of the Commissioners of Social Services and Community Services is attached for the consideration of Council.

Mover: Councillor M. Bruni

Seconder: Councillor S. Myers

Resolved that the report of the Commissioners of Social Services and Community Services dated 2012 05 14 concerning Pilot Project Children's Recreation Programming at Greco Pool/Etienne Brule Playground be received as information.

p) Homelessness Partnering Strategy (HPS) – Community Entity Review Committee's (CERC) Approval of HPS Funding

A report of the Manager Housing Programs is attached for the consideration of Council.

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that the report of the Manager Housing Programs dated 2012 05 14 concerning Homelessness Partnering Strategy (HPS) – Community Entity Review Committee's (CERC) Approval of HPS Funding be received as information.

q) West End Community Centre Library

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

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

Resolved that the report of the Commissioner of Community Services dated 2012 05 14 concerning West End Community Centre Library be accepted and the recommendation to name the new branch library the Korah Branch Library be approved.

r) West End Community Centre (WECC) – Northern Ontario Heritage Fund Corporation (NOHFC) Amendment to the Loan and Conditional Contribution Agreement

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

The relevant By-law 2012-95 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

s) Alcohol Risk Management Policy Revisions

A report of the Manager of Recreation and Culture is attached for the consideration of Council.

A copy of the policy is attached under separate cover.

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the report of the Manager of Recreation and Culture dated 2012 05 14 concerning Alcohol Risk Management Policy Revisions be accepted and the policy revisions recommended in the report be approved.

t) Contract 2012-4E – Reconstruction of Euclid Road – Pim Street to Wemyss Street

A report of the Design and Construction Engineer is attached for the consideration of Council.

The relevant By-laws 2012-90 and 2012-91 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

u) Solar Photovoltaic FIT Application – F. J. Davey Home

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

Mover: Councillor M. Bruni

Seconder: Councillor S. Myers

Resolved that the report of the Environmental Initiatives Coordinator dated 2012 05 14 concerning Solar Voltaic FIT Application – F. J. Davey Home be accepted and the recommendation that Council express its support for this project be approved.

v) Wellington Street Underpass – Maintenance and Improvements

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

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that the report of the Director of Engineering Services dated 2012 05 14 concerning Wellington Street Underpass – Maintenance and Improvements be accepted and the recommendation that M. R. Wright and Associates be retained to complete design and contract administration with funding from the \$65,000 allowance in the 2012 miscellaneous construction budget be approved.

w) Biennial Bridge Inspections – Consulting Services

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

Mover: Councillor F. Fata
Seconder: Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2012 05 14 concerning Biennial Bridge Inspections – Consulting Services be accepted and the recommendation that M. R. Wright and Associates be retained to complete the 2012 biennial bridge inspections for an estimated fee of \$48,850 funded from the 2012 miscellaneous construction budget be approved.

x) **Contract 2012-5E – Second Line East Widening and Construction of the Second Line/Pine Street Intersection**

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

The relevant By-law 2012-94 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

y) **Single Lane Bridge Rehabilitation – Four Shared Bridges with Prince**

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

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

Resolved that the report of the Director of Engineering Services dated 2012 05 14 concerning Single Lane Bridge Rehabilitation – Four Shared Bridges with Prince be accepted and the recommendation to negotiate an agreement with Prince Township to retain M. R. Wright and Associates for the geotechnical investigation, environmental assessment and predesign work be approved; and Further that \$128,000 (excluding HST) engineering fee be shared equally between the two municipalities with the City's share funded from the carry-over from previous miscellaneous construction budgets.

z) **711/719 Bay Street – Seawall**

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

Mover: Councillor M. Bruni
Seconder: Councillor S. Myers

Resolved that the report of the Director of Engineering Services dated 2012 05 14 concerning 711/719 Bay Street – Seawall be accepted and the recommendation to retain M. R. Wright and Associates to design and supervise interim repairs to the seawall at a cost of \$15,575 with funding from the 2012 miscellaneous construction budget be approved.

aa) **Queen Street Conversion from Four Lane to Three Lane and Queen Street Reconstruction Engineering Fee Revision**

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

Mover: Councillor M. Bruni
Seconder: Councillor T. Sheehan

Resolved that the report of the Director of Engineering Services dated 2012 05 14 concerning Queen Street Conversion – Four Lane to Three Lane – Engineering Fee Revision be accepted and the recommendation to increase the engineering fee estimate for AECOM from \$355,000 to \$440,400 to allow for added scope of work and an allowance for a study on the possible conversion be approved.

bb) 358 McNabb Street – Single Family Dwelling Order to Remedy Issued August 5, 2009

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

Mover: Councillor F. Fata
Seconder: Councillor S. Myers

Resolved that the report of the Chief Building Official dated 2012 05 14 concerning 358 McNabb Street – Order to Remedy be accepted and the recommendation to demolish the structure at this site, remove all debris and cap the services; and to add the estimated \$12,000 costs to the property taxes of 358 McNabb Street be approved.

cc) Sault Area Hospital's Actions to Address Excessive Off Load Delays (OLD) for Sault Ste. Marie Fire Services' EMS Division Paramedics

A report of the Manager of Emergency Medical Services is attached for the consideration of Council.

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

Resolved that the report of the Manager of Emergency Medical Services dated 2012 05 14 concerning Sault Area Hospital's Actions to Address Excessive Off Load Delays for Sault Ste. Marie Fire Services' EMS Division Paramedics be received as information.

dd) Sale of Property at the Corner of McNabb Street and South Market

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

Mover: Councillor M. Bruni
Seconder: Councillor S. Myers

Resolved that the report of the City Solicitor dated 2012 05 14 concerning Sale of Property at the corner of McNabb Street and South Market be accepted and the recommendation to sell the property to Dick's Garage Limited for the amount of \$85,000 be approved.

ee) Repeal of By-law 73-223, A Temporary Special Use Exception Zoning By-law for Lots 6 to 9, Inclusive, Gore Subdivision, Plan 3599, City of Sault Ste. Marie

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

The relevant By-law 2012-92 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

ff) **Agreement Between the City and the Sault Ste. Marie Airport Development Corporation**

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

The relevant By-law 2012-93 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

gg) **Lane Closing Application – Tagona Subdivision, Plan 7882**

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

The relevant By-laws 2012-79 and 2012-80 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

hh) **Permission to Purchase One (1) 40-Foot Low Floor Nova Bus**

A report of the Manager of Transit and Parking is attached for the consideration of Council.

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that the report of the Manager of Transit and Parking dated 2012 05 14 concerning Purchase of One 40-Foot Low Floor Nova Bus be accepted and the recommendation to purchase subject bus at a cost of \$390,000 (HST excluded) with funding from capital from current (\$75,000) and Federal gas tax revenue (\$315,000).

ii) **Lions Club – Pointe Des Chenes Campground**

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

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

Resolved that the report of the Commissioner of Public Works and Transportation dated 2012 05 14 concerning Lions Club – Pointe Des Chenes Campground be accepted and the recommendation to renew the existing agreement with the club for operation of the campground for a period of one year be approved.

jj) **PWT Ditching Program – 2012**

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

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 05 14 concerning PWT Ditching Program – 2012 be received as information.

kk) Public Works New Equipment Needs 2012

A report of the Manager of Equipment and Building Maintenance is attached for the consideration of Council.

Mover: Councillor M. Bruni

Seconder: Councillor S. Myers

Resolved that the report of the Manager of Equipment and Building Maintenance dated 2012 05 14 concerning Public Works Equipment Needs – 2012 be accepted and the recommendation to proceed with preparing specifications and tendering the equipment be approved.

ll) Business Plan – Results Year Two

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

A copy of the Business Plan 2010-2012 is attached under separate cover.

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that the report of the Chief of Police dated 2012 04 30 concerning Business Plan – Results Year Two be received as information.

mm) Application No. A-16-12-Z – Minor Amendments to Zoning

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

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

Resolved that the report of the Planning Division dated 2012 05 14 concerning Application No. A-16-12-Z – Minor Amendments to Zoning By-law #6 be received as information and staff authorized to give Public Notice for Council's June 11, 2012 meeting.

nn) Petition – Heritage Drive

A petition is attached for the consideration of Council.

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the petition concerning naming an existing street Heritage Drive be received and referred to the Engineering and Planning Department for review and report back to Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

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

Mover: Councillor F. Manzo

Seconder: Councillor J. Krmpotich

Resolved that agenda item 6.(6)(a) be deferred to the May 28, 2012 Council meeting.

a) **Application No. A-13-10-T – Premiere Landscaping and Garden Centre Inc.**

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

Mover: Councillor M. Bruni

Seconder: Councillor S. Myers

Resolved that the report of the Planning Division dated 2012 05 14 concerning Application No. A-13-10-T – 1151 Second Line West be received and that City Council approve the request to permit a topsoil stripping operation on the subject property for a period not to exceed one (1) year, subject to an agreement as per Section 142 of the Municipal Act, with Premiere Landscaping and Garden Centre Inc. The agreement will include, but not be limited to the 13 conditions contained in the report.

b) **Application No. A-14-12-Z.OP – 1704608 Ontario Limited**

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

Mover: Councillor M. Bruni

Seconder: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2012 05 14 concerning Application No. A-14-12-Z.OP – 181 Greenfield Drive be received and that City Council approve Official Plan Amendment No. 185 and re-designate the property from Rural Area to Residential on Land Use Schedule “C” of the Official Plan, and that City Council rezone the subject property from “RA” (Rural Area) zone to “R3” (Low Density Residential) zone, subject to the following conditions:

1) That the property be deemed subject to Site Plan Control;

- 2) That the applicants either purchase the right-of-way or enter into an easement agreement with the Municipality, in relation to the use and maintenance of the right-of-way and underground services.

c) **Application No. A-15-12-Z – Helen and George Johnson**

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

Mover: Councillor F. Fata

Seconder: Councillor S. Myers

Resolved that the report of the Planning Division dated 2012 05 14 concerning Application No. A-15-12-Z – 39 Stevens Street be received and that City Council approves the rezoning of the subject property from “R2” (Single Detached Residential) zone to “R3” (Low Density Residential) zone, subject to the following:

- 1) That the required rear yard setback be reduced from 10 metres to 7.5 metres;
- 2) That the property be designated as an area of Site Plan Control.

d) **Application No. A-18-11-Z – Antonio M. Ruscio**

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

Mover: Councillor F. Fata

Seconder: Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2012 05 14 concerning Application No. A-18-11-Z – 849 Second Line East be received and that City Council approve the rezoning of the subject property from “RA” (Rural Area) zone to “R4” (Medium Density Residential) zone, subject to the following conditions:

- 1) That the maximum building height be increased from five (5) to six (6) story's;
- 2) That the required front yard setback be reduced from 7.5m to 7.0m;
- 3) That the required landscape area be reduced from 30% to 27%; and
- 4) That the property be designated as an area of Site Plan Control.

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) **By-law Exemptions**

A report of the Regional Project Manager, Algoma 1812 is attached for the consideration of Council.

The relevant By-laws 2012-85 and 2012-86 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

b) **2012 First Quarter Shareholder Report**

A report of the President and C.E.O. PUC Inc. is attached for the consideration of Council.

Mover: Councillor S. Myers

Seconder: Councillor T. Sheehan

Resolved that the report of the President and C.E.O. PUC Inc. dated 2012 04 30 concerning 2012 First Quarter Shareholder Report be received as information.

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

a) Mover: Councillor T. Sheehan

Seconder: Councillor S. Butland

Whereas the film and television industry has provided many economic, social and cultural benefits to the community of Sault Ste. Marie; and

Whereas the Vortex Words and Pictures movie Compulsion with a budget of \$4 million currently being shot in our City is a fabulous example of these benefits; and

Whereas Compulsion stars some of biggest talent to appear in a Sault-shot film, including: Heather Graham (The Hangover, Austin Powers: The Spy Who Shagged Me), Carrie-Anne Moss (The Matrix, Memento, Snow Cake), Kevin Dillon (Entourage, Platoon) and Joe Mantegna (Criminal Minds, The Simpsons); and

Whereas the production is directed by Sault Ste. Marie's own Egidio Coccimiglio; and

Whereas, in addition to several hundred "extras", local actors Matt Connors, Gary Vena, Ann Sarich, Allyson Niro and Angela Sauve have speaking roles in the film; and

Whereas many local businesses and organizations are benefiting from this great production; and

Now Therefore Be It Resolved that Council of the City of Sault Ste. Marie extend its heartfelt thanks to all of the wonderful people involved in this production and further that all be encouraged to come back to the Sault to work in this great City.

b) Mover: Councillor S. Myers

Seconder: Councillor T. Sheehan

Whereas Queen Street will be closed from Simpson to Pim Streets this summer; and

Whereas the 90th Annual Rotary Parade which is scheduled for Saturday July 21 follows a route that requires closure of Queen Street from Pim to Gore Streets; and

Whereas Bay Street will also be closed on that day from Brock to Pim Streets for the parade line-up because of the Queen Street east closure; and

Whereas it is expected that traffic coming in to the downtown area on the day of the parade will be extraordinarily heavy on Wellington and Albert Streets and on

many of the side streets in the downtown core and may lead to safety concerns; and

Whereas this is a special anniversary year for the Rotary parade, the City and many other organizations who plan to participate and create increased numbers of public participation and attendance;

Now Therefore Be It Resolved that the appropriate staff be requested to prepare a brief report for City Council to consider providing free city bus service to the downtown area on that day to encourage people to leave their vehicles at home and include any other suggestions to ease anticipated challenges in accessing the downtown and report back to City Council within one month with estimated costs.

c) Mover: Councillor P. Christian

Seconder: Councillor B. Watkins

Whereas Council has recently completed budget deliberations for 2012; and

Whereas during these deliberations, it was agreed that Council, in concert with city staff, continue to look for opportunities to minimize expenditures and improve efficiencies within city operations; and

Whereas it has not yet been determined what impact the recent provincial and federal budget announcements will have on future municipal operations; and

Whereas the city currently provides a variety of discretionary services for citizens of Sault Ste. Marie; and

Whereas changing demographics and citizen preference require a review of these services to determine the appropriateness and need now;

Now Therefore Be It Resolved that Council request that staff prepare a list of discretionary services that are currently being offered by the City of Sault Ste. Marie; and further that as part of the report, staff include financial data over the last five years that includes costs associated with providing these services as well as user fee and participation/user data where available.

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) 2012-90

A by-law to authorize a contract between the City and Palmer Construction Group Inc. for the reconstruction of Euclid Road from Pim Street to Wemyss Street. (Contract 2012-4E)

A report from the Design and Construction Engineer is on the agenda.

b) 2012-93

A by-law to authorize an agreement between the City and the Sault Ste. Marie Airport Development Corporation for the installation and maintenance of one advertising display.

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

c) 2012-94

A by-law to authorize a contract between the City and Avery Construction Limited for the Second Line East widening and construction of the Second Line/Pine Street intersection. The contractor will be authorized to complete the widening only if sufficient connecting link grant funds are provided by the MTO. The Engineering fee limit be revised to \$674,000.

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

d) 2012-95

A by-law to authorize an amendment agreement between the City of Sault Ste. Marie and the Northern Ontario Heritage Fund Corporation (NOHFC) for the funding for the West End Community Centre (WECC).

A report from the Commissioner of Community Services is on the agenda.

APPOINTMENTS

e) 2012-81

A by-law to appoint inspectors under the Building Code Act, 1992 and Municipal Law Enforcement Officers under the Police Services Act.

HISTORIC SITES

f) 2012-77

A by-law to designate plaques and monuments as being of architectural or historic value or interest.

LANE ASSUMPTION

- g) 2012-79**

A by-law to assume for public use and establish as a public lane, a lane in the Tagona Subdivision, Plan 7882.

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

LEASE AGREEMENT

- h) 2012-82**

A by-law to authorize a Lease Agreement between the City of Sault Ste. Marie and 1866486 Ontario Incorporated carrying on business as RHP Training Centre (Sault Ste. Marie) Inc. for the use of a designated area within the John Rhodes Community Centre.

PARKING

- i) 2012-84**

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.

PARKS

- j) 2012-86**

A by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 80-128 being a by-law for the use, regulation, protection and government of the municipal parks of the City of Sault Ste. Marie.

A report from the Regional Project Manager, Algoma 1812 is on the agenda.

REGULATIONS

- k) 2012-85**

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

A report from the Regional Project Manager, Algoma 1812 is on the agenda.

STREET ASSUMPTION

- l) 2012-83**

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

TAXES

- m) **2012-87**
A by-law to provide for 2012 final tax billing.
- n) **2012-88**
A by-law to provide for the adoption of recovery percentage for the 2012 taxation year.
- o) **2012-89**
A by-law to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential Property Classes.

TEMPORARY STREET CLOSING

- p) **2012-91**
A by-law to permit the temporary closing of Euclid Road from Pim Street to Wemyss Street from May 15, 2012 until October 31, 2012 to facilitate the reconstruction of Euclid Road.

ZONING

- q) **2012-92**
A by-law to repeal By-law 73-223 being a by-law to permit a vacant service station located on lots 6 to 9, inclusive, in the Gore Subdivision, Plan 3599 at the intersection of Andrew and Albert Streets to be used for the purpose of an appliance sales and service shop.

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

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

LANE CLOSING

- r) **2012-80**
A by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision Plan 7882.

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

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

LANE CLOSING

s) **2012-47**

A by-law to stop up, close and authorize the conveyance of a lane in the Laurentian Park Subdivision, Plan H535.

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 F. Fata

Seconder: Councillor S. Myers

Resolved that this Council now adjourn.

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 04 16

5:30 P.M.

COUNCIL CHAMBERS

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

Absent: Councillor R. Niro

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, B. Freiburger, N. Apostle, D. Elliott, J. Dolcetti, D. McConnell, A. Starzomski, D. Scott

1. ADOPTION OF MINUTES

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the Minutes of the Regular Council Meeting of 2012 04 02 and the Joint Council Meeting of 2012 03 12, 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 B. Watkins

Seconded by: Councillor M. Bruni

Resolved that the Agenda and Addendum #1 for 2012 04 16 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Joe Krmpotich, 1st Vice President, Sault Ste. Marie and District Labour Council was in attendance concerning proclamation – Day of Mourning.
- b) Theresa Mudge, Executive Director for ARCH was in attendance concerning proclamation – Hike for Hospice Day.
- c) Captain John and Shellie Kerschman and Mildred Brodie, Family Service Worker were in attendance concerning proclamation – Salvation Army Red Shield Month.
- d) Dan Krmpotich, Co-ordinator, Local Immigration Plan was in attendance concerning – Cultural Diversity Week.
- e) Stephanie Blaney, Registered Nurses Association of Ontario, Chapter President was in attendance concerning proclamation – Nurses Week.
- f) Maarit and Mitchell Steinwedel were in attendance concerning – Free-cycle Saturday – May 12, 2012.
- g) Guido Caputo, Chair and Dr. Allan Northan, Algoma Public Health were in attendance concerning an award presentation.
- h) Patti Jo Duggan, a Very Grateful Organ Recipient and Volunteer Member of the Provincial Volunteer Committee, Trillium Gift of Life Network was in attendance concerning proclamation – National Organ and Tissue Donation Awareness Week.

PART ONE – CONSENT AGENDA

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that all the items listed under date 2012 04 16 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) A letter of request for a temporary street closing was received by Council.
 - 1) On St. Mary's River Drive from Station Mall - Zellers entrance near 49 St. Mary's River Drive to Station Mall – Sears Entrance in conjunction with Kiwanis International Walleye Tournament Parade of Boats (July 13th).

The relevant By-law 2012-76 is listed under Item 10 of the Minutes.

c) **Staff Travel**

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

Moved by: Councillor L. Turco

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Administrative Officer dated 2012 04 16 concerning Staff Travel requests be approved as requested. CARRIED

d) **Tender for Traffic Marking Paint (2012WA02T)**

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Purchasing, dated 2012 04 16 be endorsed and the tender for the Supply and Delivery of Traffic Marking Paint, as required by the Traffic Division, Public Works and Transportation Department, be awarded as recommended. CARRIED

e) **Tender for Seasonal Security (2012CT01T)**

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Manager of Purchasing, dated 2012 04 16 be endorsed and the tender for Seasonal Security Services, required by various City Departments, be awarded as recommended. CARRIED

f) **RFP for Professional Collection Services – POA (2012LP01P)**

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Manager of Purchasing, dated 2012 04 16 be endorsed and the RFP for Professional Collection Services, as required by the POA Division, Legal Department, be awarded as recommended. CARRIED

g) **Celebrate 100! Anniversary Flower Garden and Commemorative Plaque**

The report of the City Clerk was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the City Clerk dated 2012 04 16 concerning Celebrate 100! Anniversary Flower Garden and Commemorative Plaque be accepted and the recommendation that the City of Sault Ste. Marie Celebrate 100! legacy project comprised of a commemorative plaque located at the new municipal flower garden on Civic Centre north property to be named the 100th Anniversary Flower Garden be approved. CARRIED

h) Renewal Collective Agreement – CUPE Local 3 Public Works and Transportation – Feb. 1, 2012 to Jan. 31, 2015

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Commissioner of Human Resources dated 2012 04 16 concerning Renewal of Collective Agreement – CUPE Local 3 Public Works and Transportation be accepted and further that the Memorandum of Settlement for CUPE Local 3 Public Works and Transportation 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

i) Bellevue Marina Dock and Launch Repairs

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Manager of Recreation and Culture dated 2012 04 16 concerning Bellevue Marina Dock and Launch Repairs be accepted and the recommendation to proceed with the repairs funded by \$18,000 from the Communities in Bloom reserve be approved. **CARRIED**

j) Contract 2012-1E – Reconstruction of John Street – Phase 2 – 90m South of Bloor Street to Elm Street

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

The relevant By-laws 2012-67 and 2012-68 are listed under Item 10 of the Minutes.

k) Contract 2012-2E – Reconstruction of White Oak Drive – North Street to Carmen's Way

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

The relevant By-laws 2012-69 and 2012-70 are listed under Item 10 of the Minutes.

l) Contract 2012-3E – Reconstruction of Queen Street East – Pim Street to Simpson Street

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

The relevant By-laws 2012-71 and 2012-72 are listed under Item 10 of the Minutes.

m) Standard Encroachment Agreement

The report of the Assistant City Solicitor was received by Council.

The relevant By-law 2012-66 is listed under Item 10 of the Minutes.

n) Licence Between the City and Algoma Sailing Club Inc.

The report of the City Solicitor was received by Council.

The relevant By-law 2012-64 is listed under Item 10 of the Minutes.

o) Memorandum of Settlement – Renewal Collective Agreement – CUPE 3 Local 3 – Community Services Group

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

Moved by: Councillor L. Turco

Seconded by: Councillor M. Bruni

Resolved that the report of the Commissioner of Human Resources dated 2012 04 16 concerning Memorandum of Settlement – Renewal Collective Agreement – CUPE Local 3 – Community Services Group be accepted and further that the Memorandum of Settlement – Renewal Collective Agreement for CUPE Local 3 Community Services Group 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

p) 2012 Budget

The report of the Manager of Budgets and Revenue was received by Council.

The relevant By-laws 2012-73, 2012-74 and 2012-75 are listed under Item 10 of the Minutes.

q) Correspondence from FONOM was received by Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

- (1) ADMINISTRATION
 - (2) COMMUNITY SERVICES DEPARTMENT
 - (3) ENGINEERING
 - (4) FIRE
 - (5) LEGAL
 - (6) PLANNING
 - (7) PUBLIC WORKS AND TRANSPORTATION
 - (8) BOARDS AND COMMITTEES
- a) **EDF Request - \$10,000 Sault Community Entrepreneur Network Exchange (SCENE) Proposal**

The report of the Executive Director, Sault Ste. Marie Economic Development Corporation was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Executive Director, Sault Ste. Marie Economic Development Corporation dated 2012 04 16 concerning Sault Community Entrepreneur Network Exchange (SCENE) be accepted and the recommendation to provide \$10,000 in funding for the program from the 2012 Economic Diversification Fund be approved. CARRIED

Recorded Vote:

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

Against: Councillor F. Manzo

Absent: Councillor R. Niro

**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

Be It Resolved that Council request PUC to make presentation at the May 14 council meeting as to the status, progress and strategies pertaining to the introduction of free chlorine to the water distribution system. CARRIED

b) Moved by: Councillor S. Butland
Seconded by: Councillor P. Christian

c) Moved by: Councillor J. Krmpotich
Seconded by: Councillor F. Manzo

Whereas the Ontario Court of Appeal in the case of *Bedford v. Canada (Attorney General)* [2012] O.J. No. 1296 ("Bedford") recently struck down certain sections of the Criminal Code of Canada, effectively legalizing brothels and bawdy houses; and

Whereas the Ontario Court of Appeal in *Bedford* further suspended the declaration of these sections of the Criminal Code of Canada for a period of twelve (12) months to permit the Parliament of Canada an opportunity to re-draft a Charter-compliant provision; and

Whereas the City of Sault Ste. Marie Zoning By-law 2005-150 controls the use of land in the City by dividing the municipality into land use zones and specifying the uses permitted in each zone; and

Whereas the City of Sault Ste. Marie Zoning By-law 2005-150 is silent on what zone in the City of Sault Ste. Marie a brothel or bawdy house would be permitted; and

Whereas there has been no discussion or public input as to what zone in the City of Sault Ste. Marie Zoning By-law 2005-150 a brothel or bawdy house would be permitted;

Now Therefore Be It Resolved that Council institute a moratorium on all brothels and bawdy houses until such time as the Ontario Court of Appeal lifts the suspension of the invalidity of these sections of the Criminal Code of Canada; and

Further until such time as a formal review of the City's Zoning By-law has been completed with public input so that appropriate consideration can be made to the appropriate location of such brothels and/or bawdy houses.

d) Moved by: Councillor B. Watkins
Seconded by: Councillor S. Butland

Whereas at the April 2, 2012 Council meeting a \$20,000 from the Economic Diversification Fund was approved for the completion of a Combined Heat and Power (CHP) pre-feasibility study,

Therefore be it resolved that the study proponents be requested to consider the following sites as well as any others previously planned for the study – Public Works and Transportation and the new PUC site and

Further that the City Police Dept., Industrial Park, Sackville Road, Superior Heights High School, Ontario Finnish Rest Home, Croation Housing complex, Big Box development and Sault Area Hospital be considered as end users.

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

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins

Resolved that all by-laws listed under Item 10 of the Agenda under date April 16, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins

Resolved that By-law 2012-60 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 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins

Resolved that By-law 2012-64 being a by-law to authorize a Licence Agreement between the City and the Algoma Sailing Club Inc. for the use of the property at Bellevue Park, Sault Ste. Marie, Ontario be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-65 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 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-66 being a by-law to authorize a standard Encroachment Agreement for commercial and residential developments and to repeal By-law 85-29 be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-67 being a by-law to authorize a contract between the City and 1531161 Ontario Inc. (o/a Boyer Construction) for the reconstruction of John Street from 90m south of Bloor Street to Elm Street (Contract 2012-1E) be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-68 being a by-law to permit the temporary closing of John Street from 90m south of Bloor Street to Elm Street from April 17, 2012 until October 31, 2012 to facilitate the reconstruction of John Street be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-69 being a by-law to authorize a contract between the City and Palmer Construction Group Inc. for the reconstruction of White Oak Drive from North Street to Carmen's Way (Contract 2012-2E) be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-70 being a by-law to permit the temporary closing of White Oak Drive from North Street to Carmen's Way from April 17, 2012 until October 31, 2012 to facilitate the reconstruction of White Oak Drive be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco
Seconded by: Councillor B. Watkins
Resolved that By-law 2012-71 being a by-law to authorize a contract between the City and R. M. Belanger Limited for the reconstruction of Queen Street East from

Pim Street to Simpson Street (Contract 2012-3E) be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-72 being a by-law to permit the temporary closing of Queen Street East from Pim Street to Simpson Street from April 17, 2012 until October 31, 2012 to facilitate the reconstruction of Queen Street East be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-73 being a by-law to provide for the adoption of taxation transition ratios be PASSED in open Council this 16th day of April, 2012. CARRIED

Recorded Vote:

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

Against: Councillor F. Manzo

Absent: Councillor R. Niro

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-74 being a by-law to provide for the adoption of property tax rates for 2012 be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-75 being a by-law to provide for the adoption of property tax rates for 2012 for both Municipal and Provincial Education purposes be PASSED in open Council this 16th day of April, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that By-law 2012-76 being a by-law to permit the temporary closing of St. Mary's River Drive from Station Mall Zellers entrance to Station Mall Sears entrance on July 13, 2012 to facilitate the Kiwanis International Walleye Tournament Parade of Boats be PASSED in open Council this 16th day of April, 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 L. Turco

Seconded by: Councillor B. Watkins

Resolved that this Council now adjourn. CARRIED

MAYOR

CITY CLERK



AMO Policy Update
May 3, 2012

Provincial Budget

Provincial budget passed

On April 23, 2012 the government reached an agreement with the New Democratic Party to pass the provincial budget. Affecting municipalities is the agreement to increase Ontario Works benefits by 1%. This will increase municipal costs by \$6 million over three years starting in January 2013.

In 2011-12, the estimated upload value for municipalities of the Ontario Disability Support Plan (ODSP) and Ontario Works (OW) is \$1.918 billion. On top of this, is the ODB which in 2008 was valued at \$173 million and we know that it has grown significantly too. These uploads were the result of the 2008 Provincial-Municipal Fiscal and Service Delivery Review agreement.



Meaford

the other big apple

5(b)

April 5, 2012

John Bolognone
City Clerk
City of Kingston
216 Ontario Street
Kingston, ON K7L 2Z3

RECEIVED
CITY CLERK
APR 16 2012
NO. 52372
DIST: Agenda file

Dear Mr. Bolognone:

Re: Increase in Provincial Payment-in-Lieu of Taxes

At its meeting of March 26th, 2012, Council of the Municipality of Meaford passed the following resolution:

WHEREAS in 1970 the rate of provincial payments in lieu of taxes for universities was arbitrarily set at \$25 per full time student; and

WHEREAS in 1973 that was doubled to \$50 per student and the payment was expanded to include hospitals and provincial correctional institutions; and

WHEREAS in 1987 that rate was increased by 50%, still without apparent justification, to \$75 per student and bed; and

WHEREAS that rate has remained constant since that time despite the fact that inflation would in 2012 require an almost doubling the payment (\$146); and

WHEREAS at least sixty-five communities have called for an increase in payments; and

WHEREAS heads of universities are supporting that call; and

WHEREAS Premier McGuinty has looked to the municipalities of the province to be the economic engine of Ontario; and

WHEREAS the payments in lieu of taxes do not meet the actual costs of municipalities to provide the necessary services for the various institutions, thus placing an unfair tax burden on their property tax payers, thereby jeopardizing a municipality's ability to meet infrastructure demands, and consequently weakening their ability to act as economic engines;

THEREFORE BE IT RESOLVED THAT the Municipality of Meaford calls on the government of the Province of Ontario to include in the budget now being prepared an increase to the payments in lieu of taxes; and

THAT the Municipality of Meaford calls on the Province of Ontario to meet with the host municipalities for the purpose of reviewing the basis for payments in lieu of taxes, and determining a stable foundation going forward for those payments that meets associated costs prior to the 2013 budget cycle; and

THAT copies of this motion be sent to: the Premier Dalton McGuinty; the Honourable Dwight Duncan, Minister of Finance; Bill Walker, MPP for Bruce-Grey-Owen Sound; all Ontario municipalities with any of hospitals, post secondary institutions or provincial correctional institutions; Ontario Small Urban Municipalities (OSUM) and the Association of Municipalities of Ontario (AMO).

5(b)

Should you require any further information, please do not hesitate to contact me.

Sincerely,

THE MUNICIPALITY OF MEAFORD



Pamela Fettes, BA, CMO

Municipal Clerk

Director, Legislative Services

PF/kp

cc: Hon. Dalton McGuinty, Premier
Hon. Dwight Duncan, Minister of Finance
Bill Walker, MPP Bruce-Grey-Owen Sound
OSUM / AMO
Municipalities in Ontario with hospitals and/or post-secondary institutions



www.meaford.ca

21 TROWBRIDGE ST WEST - MEAFORD ON N4L 1A1 - TEL 519-538-1060 FAX 519-538-1556



April 23, 2012

The Honourable Premier Dalton McGuinty
 Rm. 281, Main Legislative Building
 Queen's Park
 Toronto, ON M7A 1A1

RECEIVED
CITY CLERK
APR 27 2012
NO. 52387
DIST. Agenda

**RE: PROVINCIAL PAYMENTS IN LIEU OF TAXES
 -RATES FOR HOSPITALS, UNIVERSITIES AND
 COLLEGES AND CORRECTIONAL INSTITUTIONS (7.1)**

Dear Mt. McGuinty:

This will confirm that at a meeting held on April 17, 2012 , Council of the Town of Markham adopted the following resolution:

- "1) That the report entitled "Provincial Payment in Lieu of Taxes - Rates for Hospitals, Universities and Colleges and Correctional Institutions " be received for information; and,
- 2) That Council request that the Government of Ontario meet with municipalities to review an increase in the rates set by the Province as payments in lieu of taxes for hospitals, universities and colleges and correctional institutions; and,
- 3) That, as part of the review, a mechanism be investigated to provide for regular updates to the rates on a go forward basis; and,
- 4) That this request be forwarded to the Premier of Ontario, Minister of Finance, the Minister of Municipal Affairs and Housing, the Large Urban Mayors Caucus of Ontario (LUMCO), the Association of Municipalities of Ontario (AMO), and the Ontario Municipal Tax and Revenue Association (OMTRA); and Ontario municipalities; and further,
- 5) That staff be authorized and directed to do all the things necessary to give effect to this resolution."

.....2/

- 2 -

If you have any questions, please contact Paul Wealleans, Director, Taxation, at 905-477-7000 ext.4734.

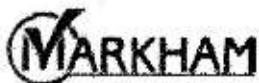
Yours sincerely,



Kimberley Kitteringham
Town Clerk

KK:ndp

Copy to: The Honourable Dwight Duncan, Minister of Finance
The Honourable Kathleen Wynne, Minister of Municipal Affairs & Housing
Ms. Carol Horvat, LUMCO
Ontario Municipal Tax & Revenue Asso.
Association of Municipalities of Ontario
GTA Municipalities
Cities of Ottawa, Kingston, London, Windsor
Sudbury, Kitchener, Sault Ste Marie, Thunder Bay



Report to: General Committee

Date Report Authored: April 2, 2012

SUBJECT: Provincial Payments in Lieu of Taxes – Rates for Hospitals, Universities and Colleges and Correctional Institutions

PREPARED BY: Paul Wealleans, Director, Taxation

RECOMMENDATIONS:

- 1) THAT the report entitled "Provincial Payment in Lieu of Taxes - Rates for Hospitals, Universities and Colleges and Correctional Institutions" be received for information;
- 2) AND THAT Council request that the Government of Ontario meet with municipalities to review an increase in the rates set by the Province as payments in lieu of taxes for hospitals, universities and colleges and correctional institutions;
- 3) AND THAT, as part of the review, a mechanism be investigated to provide for regular updates to the rates on a go forward basis;
- 4) AND THAT this request be forwarded to the Premier of Ontario, Minister of Finance, the Minister of Municipal Affairs and Housing, the Large Urban Mayors Caucus of Ontario (LUMCO), the Association of Municipalities of Ontario (AMO), and the Ontario Municipal Tax and Revenue Association (OMTRA); and Ontario municipalities.
- 5) AND THAT staff be authorized and directed to do all the things necessary to give effect to this resolution.

EXECUTIVE SUMMARY:

None.

PURPOSE:

This report recommends that Council support a resolution passed by the City of Kingston adopted February 21, 2012 requesting that the Province of Ontario increase the rates for Provincial payments in lieu of taxes for the hospitals, colleges and universities and correctional institutions in Ontario.

BACKGROUND:

The Province of Ontario sets a specific rate that Ontario municipalities may levy as a payment in lieu of property taxes for hospitals, colleges and universities, and correctional institutions. The rate is applied to the number of students attending a university or college; the number of Provincially rated hospital beds in a public hospital; and the number of residents in a correctional institution. These rates have not changed since 1987. About 65 Ontario municipalities have requested the Province to review the rate.

OPTIONS/ DISCUSSION:

The Province of Ontario currently sets a rate for annual payments in lieu of taxes of \$75 for each Provincially rated public hospital bed; \$75 for each full time student in post secondary colleges and universities; and, \$75 for each resident in a correctional institution. For municipalities in which any of these facilities exist, the municipality submits a tax bill to the facility for payment based on the rate of \$75 and the capacity of the facility as determined by the Province.

There are two facilities in the Town of Markham that are eligible for these payments: Markham Stouffville Hospital and Seneca College. In 2011, the Town levied the following amounts:

Markham Stouffville Hospital:	\$18,375	(\$75 x 245 beds)
Seneca College:	<u>\$128,100</u>	(\$75 x 1,708 students)
Total:	\$146,475	

The Town shares this amount with the Region of York and in 2011, the Town retained \$49,600. The school boards do not share in this levy. The share is determined by the proportion of the Town tax levy compared to total of the Town and Region tax levy. In 2011, the Town's share was 34%.

The City of Kingston investigated the history of these rates to determine how long it has been since they have been changed and did a comparison to the rate of inflation. In 1970 the rate for universities and colleges was \$25 for each full time student. In 1973, it was doubled to \$50 and extended to hospitals and correctional institutions. In 1987, the rate was increased to \$75 which is the rate currently.

Since 1987, the rate has not increased and based on the City of Kingston's analysis, the rate for 2012 would require an almost doubling to \$146 to take into account inflation since 1987. If the rates were increased to \$146, the total increase for the two facilities in Markham would be:

Current (\$75):	\$146,475
Inflation (\$146):	<u>\$285,368</u>
Increase	\$138,893

The Town's share would increase from \$49,600 to \$96,946, an increase of \$47,346 or almost doubling (95%).

It is interesting to note that if hospitals, universities and colleges, and correctional facilities were taxed as other properties are – based on property assessment multiplied by the tax rate – the revenue generated would be much more than that achieved from the \$75 levy. For example, in 2011, Markham Stouffville Hospital and Seneca College would have generated a total of approximately \$2.104 million commercial taxes (Town share: \$273,523) based on a property tax method compared to \$146,475 (Town share: \$49,600) as is the current situation. It may be that Province utilizes the \$75 set rate because it already provides significant public funding to hospitals, universities and colleges, and jails in the form of direct grants that, in turn, benefit the municipalities in which the facilities are located.

However, municipalities must provide the necessary infrastructure and services to these facilities. Since the rates have not increased since 1987 and lag behind when compared to the increase in inflation, it is recommended that Council endorse the recommendations in

this report to request the Province to increase the rates for hospitals, universities and colleges, and correctional institutions.

FINANCIAL CONSIDERATIONS AND TEMPLATE: (external link)

An increase to the annual \$75 levy applied to the number of public hospital beds, students at universities and colleges, and residents in correctional institutions would benefit all municipalities, including Markham. If the rate were to be increased by the rate of inflation since the last time they were changed in 1987, Markham's share would increase from \$49,600 to \$96,946.

HUMAN RESOURCES CONSIDERATIONS

None.

ALIGNMENT WITH STRATEGIC PRIORITIES:

None.

BUSINESS UNITS CONSULTED AND AFFECTED:

None.

RECOMMENDED

10/04/2012

4/10/2012



Joel Lustig
Treasurer



Nasir Kenea
Acting Commissioner, Corporate Services

ATTACHMENTS:

[Upload attachments into SharePoint and insert hyperlinks here to the attachments]



The Corporation of the Town of Tillsonburg

April 23, 2012

Honourable Dalton McGuinty
Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

RECEIVED
CITY CLERK

MAY 04 2012

NO: 52397

DIST: Agenda

Dear Honourable Sir:

RE: COUNCIL Resolution – Provincial Payment-in-lieu of Taxes

At the Tillsonburg Town Council Meeting of April 23, 2012, Council passed the following resolution:

"WHEREAS in 1970 the rate of provincial payments in lieu of taxes for universities was arbitrarily set at \$25 per full time student; and

WHEREAS in 1973 that was doubled to \$50 per student and the payment was expanded to include hospitals and provincial correctional institutions; and

WHEREAS in 1987 that rate was increased by 50%, still without apparent justification, to \$75 per student and bed; and

WHEREAS that rate has remained constant since that time despite the fact that inflation would in 2012 require an almost doubling of the payment (\$146); and

WHEREAS at least sixty-five communities have called for an increase in payments; and

WHEREAS heads of universities are supporting that call; and

WHEREAS Premier McGuinty has looked to the municipalities of the province to be the economic engine of Ontario; and

WHEREAS the payments in lieu of taxes do not meet the actual costs of municipalities to provide the necessary services for the various institutions, thus placing an unfair tax burden on their property tax payers, thereby jeopardizing a municipality's ability to meet infrastructure demands, and consequently weakening their ability to act as economic engines;

CORPORATE OFFICE

200 Broadway, Tillsonburg, Ontario, N4G 5A7, Telephone # (519) 688-3009, Fax # (519) 842-9431
www.tillsonburg.ca

THEREFORE BE IT RESOLVED THAT the Corporation of the Town of Tillsonburg calls on the government of the Province of Ontario to include in the budget now being prepared an increase to the payments in lieu of taxes; and

THAT the Corporation of the Town of Tillsonburg calls on the Province of Ontario to meet with the host municipalities for the purpose of reviewing the basis for payments in lieu of taxes, and determining a stable foundation going forward for those payments that meets associated costs prior to the 2013 budget cycle; and

THAT copies of this motion be sent to: the Premier Dalton McGuinty; the Honourable Dwight Duncan, Minister of Finance; all Ontario municipalities with any of hospitals, post secondary institutions or provincial correctional institutions; Ontario Small Urban Municipalities (OSUM) and the Association of Municipalities of Ontario (AMO), MPP Ernie Hardeman, MPP Toby Barrett, MPP Jeff Yurek, MPP Tim Hudak, Head of the Opposition Party and South Central Ontario Region (SCOR)."

If you have any questions, please do not hesitate to contact me at 688-3009 Ext. 3224

Regards,



Donna Wilson
Clerk
Development & Communication Services
Town of Tillsonburg
200 Broadway, 2nd Floor, Suite 204
Tillsonburg, ON N4G 5A7
Phone: 519-688-3009 Ext. 3224
Fax: 519-842-9431
www.tillsonburg.ca

CORPORATE OFFICE

200 Broadway, Tillsonburg, Ontario, N4G 5A7, Telephone # (519) 688-3009, Fax # (519) 842-9431
www.tillsonburg.ca



Office of the Town Clerk
TELEPHONE 905-468-3266
FACSIMILE 905-468-2959

The Town of Niagara-On-The-Lake

1593 FOUR MILE CREEK ROAD
P.O. BOX 100
VIRGIL, ONTARIO
L0S 1T0

April 13, 2012

Premier of Ontario
Legislative Building
Queen's Park
Toronto ON M7A 1A1

RECEIVED	
CITY CLERK	
APR 17 2012	
NO:	52374
DEPT:	Agenda file

Attention: The Honourable Dalton McGuinty

Dear Honourable Sir:

**Re: Support City of Kingston's Resolution
Regarding Provincial Payment-in-Lieu of Taxes**

Please be advised that the Council of the Corporation of the Town of Niagara-on-the-Lake at their regular meeting held Monday, March 26, 2012 supported the City of Kingston's resolution calling on the government of the province of Ontario to include in the budget now being prepared an increase to the payment in lieu of taxes; and to meet with the host municipalities for the purpose of reviewing the basis for payments in lieu of taxes, and determining a stable foundation going forward for those payments that meets associated costs prior to the 2013 budget cycle.

On behalf of the Council of the Corporation of the Town of Niagara-on-the-Lake, thank you for your attention to this request. We look forward to a favourable response

Yours truly,

Holly Dowd
Town Clerk

Enc.

copy: City of Kingston
 The Honourable Dwight Duncan, Minister of Finance
 The Honourable John Gerretsen MPP Kingston and Islands
 The Large Urban Mayors Caucus of Ontario (LUMCO)
 The Eastern Ontario Mayors Committee (EOMC)
 The Association of Municipalities of Ontario (AMO)

**THE CORPORATION OF THE
TOWN OF NIAGARA-ON-THE-LAKE**
TOWN CLERK'S OFFICE



DATE: MARCH 26, 2012

NO. 12

MOVED BY COUNCILLOR:

SECONDED BY COUNCILLOR:

WHEREAS the Council of the Corporation of the Town of Niagara-on-the-Lake supports the City of Kingston's resolution as follows;

AND WHEREAS in 1970 the rate of provincial payments in lieu of taxes for universities was arbitrarily set at \$25 per full time student;

AND WHEREAS in 1973 that was doubled to \$50 per student and the payment was expanded to include hospitals and provincial correctional institutions;

AND WHEREAS in 1987 that rate was increased by 50%, still without apparent justification, to \$75 per student and bed;

AND WHEREAS that rate has remained constant since that time despite the fact that inflation would in 2012 require an almost doubling the payment (\$146);

AND WHEREAS at least sixty-five communities have called for an increase in payments;

AND WHEREAS heads of universities are supporting that call;

AND WHEREAS Premier McGuinty has looked to the municipalities of the province to be the economic engine of Ontario;

AND WHEREAS the payments in lieu of taxes do not meet the actual costs of municipalities to provide the necessary services for the various institutions, thus placing an unfair tax burden on their property tax payers, thereby jeopardizing a municipality's ability to meet infrastructure demands, and consequently weakening their ability to act as economic engines.

THEREFORE BE IT RESOLVED THAT the City of Kingston calls on the government of the Province of Ontario to include in the budget now being prepared an increase to the payments in lieu of taxes; and

THAT the City of Kingston calls on the Province of Ontario to meet with the host municipalities for the purpose of reviewing the basis for payments in lieu of taxes, and determining a stable foundation going forward for those payments that meets associated costs prior to the 2013 budget cycle; and

THAT copies of this motion be sent to: the Premier Dalton McGuinty; the Honourable Dwight Duncan, Minister of Finance; the Honourable John Gerretsen, MPP for Kingston and islands; all Ontario municipalities with any of hospitals, post secondary institutions or provincial correctional institutions; the Large Urban Mayors Caucus of Ontario (LUMCO); the Eastern Ontario Mayors Committee (EOMC), and the Association of Municipalities of Ontario (AMO).

RECORDED VOTE

 A handwritten signature of the Clerk, followed by the word "Approved" written below it.

RESOLUTION

No. 2012-102

Date 2012-03-27

WHEREAS Alzheimer's disease and other dementias are progressive, degenerative diseases of the brain that cause thinking and memory to become seriously impaired;

AND WHEREAS Alzheimer's disease and other dementias most often occur in people over the age of 65 but can strike adults at any age;

AND WHEREAS Alzheimer's disease and other dementias affect more than 500,000 Canadians currently and that this figure is projected to reach 1.1 million within a generation;

AND WHEREAS Alzheimer's disease and other dementias also take their toll on hundreds of thousands of families and care partners;

AND WHEREAS an estimated further three million Canadians face the burden and challenges of providing care for those suffering with Alzheimer's disease and other dementias;

AND WHEREAS there is no known cause or cure for this devastating illness;

AND WHEREAS the cost related to the health care system is in the billions and only going to increase, at a time when our health care system is already facing enormous financial challenges;

AND WHEREAS Canada, unlike many countries, does not have a national dementia strategy;

AND WHEREAS there is an urgent need to plan and raise awareness and understanding about Alzheimer's disease and other dementias for the sake of improving the quality of life of the people it touches;

AND WHEREAS Claude Gravelle, MP, Nickel Belt has introduced Bill C-356, An Act respecting a National Strategy for Dementia, as he works for broad, all party and non partisan support for an issue that touches us all. His legislation calls for a national plan that includes the development of strategies in primary health care, in health promotion and prevention of illness, in community development, in building community capacity and care partner engagement, investments in research and other (advisory board, objectives, investment in research, and caregivers and more);

NOW THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury call on all levels of government and the Federation of Municipalities to adopt a national dementia strategy, and urge all citizens of our communities to become more aware and engaged concerning the far-reaching effects of this devastating disease.

DISCLAIMER

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

**OFFICE OF THE C.A.O./ CLERK**

P. O. Box 1614, 21 Reeve Street
Woodstock, Ontario N4S 7Y3
Phone: 519-539-9800 • Fax: 519-421-4712
Web site: www.oxfordcounty.ca

April 23, 2012

The Honourable Jim Bradley
Minister of the Environment
77 Wellesley Street West
11th Floor, Ferguson Block
Toronto, Ontario
M7A 2T5

Dear Sir:

Please be advised that Oxford County Council, at its meeting held on April 11, 2012, adopted the following resolution:

WHEREAS Oxford County Council recognizes that many of the resources of this planet are finite and are necessary to sustain both life and the quality of life for all future generations,

WHEREAS Oxford County Council recognizes that the global population will increase from the current 7 billion people to at least 9 and possibly 10 billion by 2050 and that this increased population will put even greater demand for the resources of the planet,

WHEREAS Oxford County Council recognizes that as populations evolve, their demand for more resources will increase as is the case currently in several of the heavily populated Asian Countries,

WHEREAS Oxford County Council recognizes that the reduction in use, reuse and recycling of all resources is the only viable option for long term societal sustainability,

WHEREAS Oxford County Council recognizes that the disposal of resources in landfills is unsustainable and further it creates potential environmental concerns which may take numerous generations to become apparent and could have significant human and financial costs before the problems are rectified,

WHEREAS Oxford County Council recognizes that all levels of government are elected to lead their constituents with concern for the well being of this and future generations,

The Honourable Jim Bradley
Minister of the Environment
Page 2
April 23, 2012

WHEREAS Oxford County Council recognizes that landfill proposals create anxiety within the community in regards to the physical, mental, emotional and financial health of the community which can create tension within the community,

WHEREAS Oxford County Council recognizes that the natural environment provides for the basic sustenance of life and must be protected from any potential damage,

AND WHEREAS Oxford County Council recognizes that the scale of potential health risks to the community increases in direct relation to the proximity of the community to any landfill site,

THEREFORE BE IT RESOLVED that Oxford County Council demand a moratorium on any future landfill construction or approval until such time as a full review of alternatives can be completed which would examine best practices in other jurisdictions around the world,

AND FURTHER that this review of alternatives would give special emphasis on (a) practices which involve the total recycling or composting of all products currently destined for landfill sites in Ontario and (b) the production of goods which can efficiently and practically be recycled or reused so as to not require disposal in landfills,

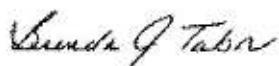
AND FURTHER that Oxford County Council investigate a potential timeline that would see the maximum reduction in land filling with the goal being (a) to have this program in place within a decade and (b) that the current County landfill site would be sufficient for County needs until at least the year 2100,

AND FURTHER that Oxford County Council advise the provincial government that we are embarking on this course of action, and that it will be expected that Oxford County will have the full cooperation of all ministries and that Oxford County may require special and specific funding for investigation, research and implementation of the alternatives to our current disposal based system,

AND FURTHER that Oxford County Council send this resolution to all municipalities in Ontario for support.

Thank you for your attention to this matter.

Yours very truly,



Brenda J. Tabor
Clerk

- Copy:
- The Honourable Dalton McGuinty, Premier of Ontario
 - Municipal Councils, All Municipalities in Ontario
 - Ernie Hardeman, M.P.P., Oxford
 - Members, Oxford County Council
 - Michael Bragg, C.A.O., County of Oxford

**THE MUNICIPAL CORPORATION OF
MACDONALD, MEREDITH & ABERDEEN ADDITIONAL
ECHO BAY, ONTARIO
P0S 1C0**

Telephone (705) 248-2441

Fax (705) 248-3091

Resolution # 12-104

Date: April 3, 2012

Moved By: Shelly Bailey

Seconded By: Jean Robbins

WHEREAS the Township of Macdonald, Meredith & Aberdeen Additional have concerns in regard to the Ontario Society for the Prevention of Cruelty to Animals Act 1990 that gives Police Powers with no public or government oversight to a Charitable Institution, the Ontario Society of Prevention and Cruelty to Animals; and

WHEREAS this allows for a conflict of interest in that inspectors who lay charges or seize animals are paid through donations raised by publicity through the sale of seized animals; and

WHEREAS the definition of "distress" is vague and too open for subjective judgement;

THEREFOR BE IT RESOLVED that The Township of Macdonald, Meredith & Aberdeen Additional request the Provincial Government consider new legislation that will ensure an approach to animal's welfare that protects animals but is also aware of agricultural practices, and is open to government oversight.

ALSO BE IT RESOLVED that this resolution be forwarded to FONOM, ADMA, Minister of Ontario Agriculture, Foods & Rural Affairs, Premier of Ontario , MP, MPP, and all municipalities in the Algoma District.

Carried

Lynn Watson
Mayor

I certify the foregoing to be a true and
correct copy of the original document of
which it purports to be a copy
Dated at Echo Bay, Ontario, this

12 day of April, 2012.

Shelly Bailey
Clerk of the Municipality
of Macdonald, Meredith &
Aberdeen Additional

TOWNSHIP OF WAINFLEET

RESOLUTION

Moved by Betty Konc

No. C-177-2012

Seconded by David Wyatt

Date: April 24, 2012

THAT the Clerk be directed to circulate Bylaw No. 013-2012, being a bylaw for prescribing the minimum setback distance for the construction of all Industrial Wind Turbines, also known as Wind Turbine Generators, to be erected within the borders of the Township of Wainfleet, and to require that any such construction, in compliance with this bylaw or not, shall also provide indemnification for any loss of property value or adverse health effect therefrom to the extent of 100%, to all Ontario municipalities to demonstrate Council's support for the health and safety of its residents and request that fellow municipalities support Wainfleet's initiative by adopting a similar bylaw.


 Carried _____ Lost _____
 Mayor (Chairman)

Recorded on _____
 Request of: _____

Councilor / Staff Member	Yea	Nay
Alderman Dykstra		
Alderman Hessels		
Alderman Konc		
Alderman Wyatt		
Mayor Jeffs		

Carried _____ Lost _____
 Clerk

**THE CORPORATION OF THE
TOWNSHIP OF WAINFLEET
BYLAW NO. 013-2012**

Being a bylaw for prescribing the minimum setback distance for the construction of all Industrial Wind Turbines, also known as Wind Turbine Generators, to be erected within the borders of the Township of Wainfleet, **AND** to require that any such construction, in compliance with this bylaw or not, shall also provide indemnification for any loss of property value or adverse health effect therefrom to the extent of 100%.

WHEREAS government Ministers, Ministries, Agencies and Municipalities have an ethical duty and legal obligation to protect the health, safety, quality of life and well being of citizens and their properties;

AND WHEREAS the Supreme Court of Canada, in *114957 Canada Ltée (Spraytech, Société d'arrosage) v. Hudson (Town)*, 2001 SCC 40, File No.: 26937, held that Municipalities, in addition to specific powers conferred by statute, also have included in that authority "general welfare" powers, upon which Municipalities can draw to enact bylaws genuinely aimed at furthering goals such as public health and safety, protection of Property and the like;

AND WHEREAS s.9 of the *Municipal Act, 2001*, SO 2001, c 25, grants Municipalities Powers of a natural person;

AND WHEREAS the *Canadian Charter of Rights and Freedoms*, being Part 1 of the *Constitution Act, 1982*, confers specific rights and freedoms on all Canadians, including that of Due Process, which rights and freedoms are to be protected by all levels of government, including the Municipal;

AND WHEREAS s.130 of the *Municipal Act, 2001*, SO 2001, c 25, in force until July 1, 2012, still states "A municipality may regulate matters not specifically provided for by this Act or any other Act for purposes related to the health, safety and well-being of the inhabitants of the municipality";

AND WHEREAS ss.128 – 129 of the *Municipal Act, 2001* confer powers to regulate Public Nuisances, Noise, Odour, Dust, etc.;

AND WHEREAS s.128 (2) also states "The opinion of council under this section, if arrived at in good faith, is not subject to review by any court";

AND WHEREAS s. 11 of the *Municipal Act, 2001* confers broad authority on the Municipality, including the passing of bylaws, *inter alia*, for the "Economic, social and environmental well-being of the municipality" and for the "Health, safety and well-being of persons";

AND WHEREAS s.1 (1) of the *Environmental Protection Act*, R.S.O. 1990, c. E-19 states that:

"adverse effect" means one or more of;

- (a) impairment of the quality of the natural environment for any use that can be made of it;
- (b) injury or damage to property or to plant or animal life;
- (c) harm or material discomfort to any person;
- (d) an adverse effect on the health of any person;
- (e) impairment of the safety of any person;
- (f) rendering any property or plant or animal life unfit for human use;
- (g) loss of enjoyment of normal use of property, and
- (h) interference with the normal conduct of business; ("consequence préjudiciable");

and further states,

"contaminant" means any solid, liquid, gas, odour, heat, sound, vibration, radiation or combination of any of them resulting directly or indirectly from human activities that causes or may cause an adverse effect ("contaminant");

AND WHEREAS s.3 of the *Environmental Protection Act*, R.S.O. 1990, c. E-19 also states "The purpose of this Act is to provide for the protection and conservation of the natural environment";

AND WHEREAS there is mounting documented evidence of the adverse impact of IWT technology on humans, wildlife and livestock;

AND WHEREAS the *World Health Organisation* recommends ambient noise levels be less than 30dB (a) inside a Property dwelling;

AND WHEREAS several jurisdictions worldwide have enacted or recommended laws or bylaws to regulate Setback distances of 2 to 10km for Industrial Wind Turbines;

AND WHEREAS more than 70 Ontario Municipalities, including Wainfleet, as well as the Ontario Federation of Agriculture and the Christian Farmers Federation of Ontario, have asked for a Moratorium on wind power development and for more and better studies on the impact of wind power;

AND WHEREAS some Ontario realtors have asserted that properties within sight and sound of IWT's are available at prices 20 to 40% lower than those properties without IWT interference;

AND WHEREAS restrictions in the laws of Ontario governing Municipalities and the Environment variously contradict one another and restrictions in the laws governing Alternative Energy generation do the same;

AND WHEREAS nothing in this bylaw frustrates the purpose of the laws governing alternative energy generation, it being the Municipality's concern to promote the responsible use of alternative energy in a manner that does no harm to persons, wildlife and livestock;

AND WHEREAS s.92 of the *Constitution Act, 1982* provides further that the "Exclusive Powers of Provincial Legislatures" includes upholding *Canadian Charter of Rights and Freedoms*, being Part 1 of said Act;

AND WHEREAS the fundamental rights of Canadian persons cannot be extinguished or modified except by s.33 ("Notwithstanding", clause) of the *Canadian Charter of Rights and Freedoms, The Constitution Act, 1982*;

AND WHEREAS it is reasonable and prudent for the protection of the Municipality's citizens;

NOW THEREFORE the Council of the Corporation of the Township of Wainfleet
HEREBY ENACTS AS FOLLOWS:

Definitions:

1. In this By-law, the listed words have the following meanings:
 - (a) "Setback" means a horizontal radial distance;
 - (b) "Industrial Wind Turbine" (IWT), means a wind turbine power generator using blade technology with a hub height exceeding 30 metres;
 - (c) "Property" means property line, vacant land, dwelling or structure and their inhabitants of all species used for private or business or public purposes;
 - (d) "Municipality" means the Corporation of the Township of Wainfleet;
 - (e) "Construction" includes placement, erection, alteration, repair, dismantling, demolition, structural maintenance, painting, moving, land clearing and cleaning, earth moving, grading, excavating, the laying of pipe and conduit whether above or below ground level, street and highway building, concreting, equipment installation and alteration and the structural installation of construction components and materials in any form or for any purpose and includes any work in connection therewith.
 - (f) "Noise" means unwanted sound, vibration, or both, emitted by or related to an Industrial Wind Turbine or Turbines;
 - (g) "Developer" means any person or business or company involved in the development, Construction and operation of an Industrial Wind Turbine, including the legal owner of said Turbine; AND, person, business, company, Turbine and owner can be construed in the singular and in the plural;

Application:

This bylaw applies to all property within the territory of the Municipality.

This bylaw applies to all property owned by the Municipality.

Prohibition:

1. For the Construction, erection or operation of any IWT inside the Municipality, there shall be a minimum Setback of a distance of 2km from any property measured from the tip of the rotor blade in horizontal position;
2. In any case, noise emitted by the IWT shall not exceed 32dB at the nearest property;
3. The Developer shall provide an indemnification of 100% for any loss of property value or adverse health effect directly or indirectly caused by an IWT.

Severability:

If a portion of this bylaw is held invalid by a court of competent jurisdiction then the invalid portion must be severed and the remainder of this bylaw is deemed to have been adopted without the severed section.

Force and Effect:

This bylaw shall come into force and take effect on the day of its Final passing.

BYLAW READ A FIRST TIME THIS 27th DAY OF MARCH, 2012.

BYLAW READ A SECOND TIME THIS 27th DAY OF MARCH, 2012.

BYLAW READ A THIRD TIME AND FINALLY PASSED THIS 10th DAY OF APRIL, 2012.

A. Jeffs, MAYOR

T. Lamb, CLERK

Ministry of Infrastructure

Ministry of
Transportation

Office of the Minister

Ferguson Block, 3rd Floor
77 Wellesley St. West
Toronto, Ontario
M7A 1Z8
416-327-9200
www.ontario.ca/infrastructure
www.mto.gov.on.ca

Ministère de l'Infrastructure

Ministère des
Transports

Bureau du ministre

Édifice Ferguson, 3^e étage
77, rue Wellesley ouest
Toronto (Ontario)
M7A 1Z8
416-327-9200
www.ontario.ca/infrastructure
www.mto.gov.on.ca



M2012-1426

MAY 1 - 2012

Ms. Peggy Greco
CAO/Administrator
Township of Prince
3042 Second Line West, RR 6
Sault Ste. Marie ON P6A 6K4

Dear Ms. Greco:

Thank you for your letter regarding winter maintenance operations on Highways 550 and 565. I welcome the opportunity to respond.

Our staff continue to work with Transfield Services and the City of Sault Ste. Marie to negotiate a mutually beneficial winter maintenance arrangement. A meeting with Transfield Services was held at the end of March, and we continue to work on an amended formula. Once complete, we will update you on further progress on developing an agreement with the City of Sault Ste. Marie. It is our intention to reach a decision and finalize new agreements prior to the next winter season.

Thank you for your patience with this matter. You may wish to keep in contact with Kevin Morphet, Area Contracts Engineer, at 705-945-5796 regarding the progress of this matter.

Sincerely,


Bob Chiarelli
Minister

c: Gilles Bisson, MPP, Timmins-James Bay
Joe Fratesi, CAO, City of Sault Ste. Marie
David Oraziotti, MPP, Sault Ste. Marie
Malcolm White, City Clerk, City of Sault Ste. Marie

RECEIVED
CITY CLERK

MAY 04 2012

NO. 53396

DIST. Agenda



Parks
Canada

Parcs
Canada



5(d)

Thursday, May 3, 2012

Joseph M. Fratesi
Chief Administrative Officer

Dear Joe,

I would like to provide you with some information on the impacts to some of the Parks Canada sites in northern Ontario as a result of the Government of Canada's Economic Action plan announced in Budget 2012. Parks Canada was directed to align its season, hours of operation and personal service offer at parks and sites to better reflect patterns of visitation. Budget 2012 also identified that science, monitoring, and reporting expectations will be focused on key indicators required for management decision making and accordingly the period of work will reflect these requirements. As a result, 1689 positions in the Parks Canada Agency have been declared surplus or affected. By taking this action, we will be able to focus our services when and where the majority of visitors use them – during peak visitation periods. These measures are consistent with similar adjustments at other public and private sector tourism destinations which match service level and hours of operation to market demand.

In the Northern Ontario Field Unit, we will align the seasonality of our workforce across the various functions to the work requirements. Investments will be focused on the periods of highest requirements. This will result in changes to the periods when services are provided at Pukaskwa National Park and the Sault Ste. Marie Canal National Historic Site. The seasonality of our workforce will also be adjusted to reflect changed work requirements in areas such as visitor services, resource conservation, and asset management. Where we align hours of operation and seasons, some employees will see a reduction in their work period. Northern Ontario sites will see 13 positions impacted, five at Sault Ste Marie Canal National Historic Site and eight at Pukaskwa National Park.

These changes will not impact opening dates for the upcoming season. We remain committed to protecting and presenting Canada's natural and cultural heritage and to providing unparalleled visitor experiences and learning opportunities. We will

Canada



Parks
Canada Parcs
Canada



5(d)

continue to ensure our iconic destinations remain the cornerstones of the Canadian tourism industry.

We recognize that these decisions will have wide ranging impacts. We assure you that our primary goal is to minimize the impact on our team, on our partners, our communities and our visitors. We are working as quickly as possible to address the uncertainty around these decisions internally and externally. I am committed to keeping you informed and updated on a regular basis. In the meantime, if you have any questions, please feel free to contact me at 705-941-6201.

Thank you,

Dan French

Canada

Ministry of Natural Resources

Office of the Deputy Minister

Room 6643, Whitney Block
99 Wellesley Street West
Toronto ON M7A 1W3
Tel: 416-314-2150
Fax: 416-314-2158

Ministère des Richesses naturelles

Bureau du sous-ministre

Édifice Whitney, bureau 6643
99, rue Wellesley-Ouest
Toronto (Ontario) M7A 1W3
Tél.: 416-314-2150
Téléc.: 416-314-2159



May 3, 2012

Dear Chief Administrative Officer/Clerk:

I am writing to let you know about some changes the Ministry of Natural Resources is making to the Bear Wise program.

As part of our Transformation Plan announced in the 2012 Ontario Budget, the ministry conducted a review of how we deliver programs and services to Ontarians. The Bear Wise program was part of that review.

Bear Wise has set a solid foundation, helping municipalities and the public to reduce preventable human-bear encounters. In fact, no other jurisdiction in North America has provided this level of support to communities.

Today, eight years into the program, awareness of Bear Wise is high and many municipalities have good, robust bear wise strategies in place. As a result of the program, the public is better educated about what to do when they encounter a bear. In this regard, Bear Wise has achieved its main goals, and the time is right to transition from an active management model to one that places a greater emphasis on personal responsibility.

Most aspects of the Bear Wise program will continue, including:

- operating the toll-free Bear Reporting Line (1-866-514-2327) 24 hours a day, seven days a week from April to November, with trained staff handling calls and determining the appropriate response
- educating the public about black bears and bear behaviour in Ontario
- providing advice to municipalities, the public, and other stakeholders about what they can do to keep bears away from urban and semi-urban areas, and how to manage problem bears
- tracking and collecting information about human-bear occurrences
- maintaining our comprehensive website to assist Ontarians with tips to ensure that their properties are not inviting to bears.

- 2 -

The ministry will continue to support the Ontario Provincial Police and local police services in responding to emergency situations. However, moving forward, we will no longer provide individual site visits to help landowners who are having site-specific conflicts with bears, and the ministry will no longer trap and relocate problem bears. Trapping and relocating has always been our least effective tool to manage problem bears, with research showing that many relocated bears simply return to the area from where they were removed.

Responsibility for managing human-bear conflicts continues to be shared between the province and local governments. The investments municipalities make in bear wise strategies, whether it's a public awareness campaign or bear-resistant waste management infrastructure, will result in long-term savings and cleaner, safer and healthier communities. Going forward, the ministry will continue to provide advice and support to municipalities on how to manage bears, as we do for other wildlife species.

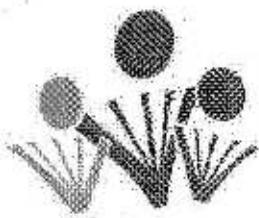
Senior ministry staff have already been in contact with the Ontario Provincial Police regarding the Bear Wise program changes. Where formal or informal agreements exist with local municipal or First Nations police forces, ministry staff from the districts will be following up with their contacts in the police services.

If you have any questions about these changes to the Bear Wise program, please contact the district manager for your area. Contact information for district offices is available on our website at www.ontario.ca/mnr. Click *Contact Us* from the top toolbar, and then *Where to find MNR services* from the toolbar on the left.

Sincerely,



David O'Toole
Deputy Minister



Sault Ste. Marie Public Library

"One stop... endless possibilities"

April 20, 2012

The Honourable Christian Paradis
Minister of Industry Government of Canada
C. D. Howe Building
235 Queen St.
Ottawa, ON K1A 0H5

RECEIVED
APR 24 2012

MAYOR'S OFFICE

Re: Cancellation of CAP Sustainability Funding

Dear Minister Paradis:

The Sault Ste Marie Public Library Board is very concerned about the recent announcement that your Ministry has made regarding the cancellation of sustainability funding for public access computers under the Community Access Program. The Library's three locations have been deemed CAP sites since the mid 1990's and over this timeframe we have offered thousands of individuals access to public computers connected to the internet. We have also given these individuals access to digital literacy opportunities they may not have otherwise experienced.

The Federation of Ontario Public Libraries has noted:

"only 54% of Canadian households in the lowest income quartile have an Internet connection. A number of demographic groups including those in rural and remote communities, low income earners, those with low levels of literacy and education, and seniors depend on free community-based Internet service to gain digital literacy and access information, essential in today's digital economy."

Within Sault Ste. Marie and the Algoma District, there are still many families and individuals who do not have home access to the internet either because the service is not available where they live and/or they cannot afford to buy a computer and pay internet access fees.

With respect to the services the Sault Ste. Marie Public Library has provided, from 2007 to 2011 the Library's CAP site computers were used a total of 154,475 times. An analysis of our past 5 years of public access computer usage figures further shows that the use of these workstations has risen steadily every year. In 2007 the annual usage was 26,392 whereas in 2011 that usage jumped to 34,789. Given that the area population has not increase dramatically over this time period, and nor has the Library increased the number of workstations available for such use, the data suggests more residents of the Sault not less are in need of free access to computer workstations and the internet.

The Library received a total of \$49,125 in CAP sustainability funding over the said five year period. Based on the above 5 year usage figures, the CAP sustainability funding support received in that time period equates to 32 cents/use. Given the federal government's increased reliance on the internet to deliver services to Canadians, the 32 cent/use funding support the Library received appears to be a very cost effective way for the government to deliver its services to those who need them and would otherwise be disenfranchised from receiving them.

Recently the federal government announced that the Sault Ste Marie Immigration Office will be closing since many of the services provided by this office can now be accessed online. Immigrants may well be among those who can ill afford to buy computers and pay internet access fees. With the cancellation of the CAP sustainability funding, immigrants to Sault Ste. Marie may therefore find it very difficult to access and use the said immigration services online.

The Sault Ste. Marie Public Library is proud of its longstanding partnership with Industry Canada's Community Access Program and the many years of free internet access and digital literacy training this partnership has provided to the citizens of Sault Ste. Marie and area. The Library provides 80% of the costs required to deliver CAP site level services to Saultites. The cancellation of the CAP sustainability funding will result in a 20% or \$9,825 annual reduction in the funds the Library has available to support the designated CAP site public access computers. The cancellation of the CAP sustainability funding will therefore result in the Library experiencing a \$9,825 budget shortfall unless it can find additional funds to cover this shortfall. Requesting additional municipal funding, charging for the service or engaging in a fundraising campaign to make up this shortfall, are inappropriate or not viable options within our city's current economic climate. Furthermore since the Library's operating budget, save for negotiated wage settlements, has not increased in over 20 years the Library does not have the capacity to absorb this shortfall without having an impact on service delivery.

The Sault Ste. Marie Public Library believes, as does the Canadian Library Association, that every Canadian should have the ability to access information and services through broadband connection to the internet, and should be able to access the help they need to become digitally literate. On behalf of our residents who count on the provision of public access computers we respectfully request Industry Canada re-instate Community Access Program sustainability funding and continue to provide Canadians with the tools they need to succeed in today's digital economy.

Sincerely,



Chris Reeds, Chair
Sault Ste. Marie Public Library Board

Cc: Bryan Hayes, MP, Sault Ste. Marie
Mayor Debbie Amaroso, City of Sault Ste. Marie
Hon. Bob Rae, MP, Toronto Centre
Hon. Thomas Mulcair, MP, Outremont



CONFIDENTIAL

ONTARIO LOTTERY AND GAMING CORPORATION (OLG)

4120 Yonge Street, Suite 500, Toronto, Ontario M2P 2B8

Ph: 416-224-7047

Fax: 416-224-7002

Date: April 20, 2012

To: Mayor Debbie Amaroso
City of Sault Ste. Marie

Fax: 705-541-7171

From: Jake Pastore
Manager, Municipal and Community Relations

Message:

Please note that there will be a financial transaction to your Municipality's account on April 20, 2012 in the amount of **\$331,195**.

This transaction represents the quarterly payment of the 5%-2% allocation from January 1 to March 31, 2012 as per your agreement with the Ontario Lottery and Gaming Corporation on the operation of the OLG Slots at **Sault Ste. Marie**. This brings the grand total to **\$20,152,932**.

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

*
Giacomo (Jake) Pastore
Manager, Community & Municipal Relations
Marketing, Communications and Stakeholder Relations
Phone: 416-224-7047
Fax: 416-224-7002
Email: JPastore@OLG.CA

Casino Sault Ste Marie
Municipal Commission Statement
for the quarter ended March 31, 2012
Unaudited results, subject to final reconciliation

TOTAL NET WIN (as per IFRS) for the quarter ended March 31, 2012	<u>6,304,994</u>
Municipal Commission 5% of Net Win	315,250
Quarter Ended March 31, 2012 one time payment* (due to difference between IFRS and CGAAP)	15,945
 Net to be transferred	 <u>331,195</u>
Transferred via EFT	

* As per letter dated February 10, 2012, transition payment up to December 31, 2012

Prepared by Corporate Accounting & Reporting



CASINO REVENUE SUMMARY**City of Sault Ste. Marie****CITY 5% SLOT REVENUE**

	TOTAL	Increase over Previous Year
Total 1999	783,232	
Total 2000	1,292,709	65.0%
Total 2001	1,611,235	24.6%
Total 2002	1,926,143	19.5%
Total 2003	1,915,935	-0.5%
Total 2004	1,870,351	-2.4%
Total 2005	1,577,078	-15.7%
Total 2006	1,455,919	-7.7%
Total 2007	1,580,207	6.1%
Total 2008	1,517,040	-4.9%
Total 2009	1,472,299	-2.9%
Total 2010	1,483,082	-0.6%

2011

January 1 to March 31, 2011	342,923
April 1 to June 30, 2011	340,576
July 1 to September 30, 2011	379,936
October 1 to December 31, 2011	343,070
Total 2011	<u>1,406,505</u>

2012

January 1 to March 31, 2012	331,195
April 1 to June 30, 2012	-
July 1 to September 30, 2012	-
October 1 to December 31, 2012	-
Total 2010	<u>331,195</u>

Total Funds Received since 1999 20,152,930

	Jan. to March	% Increase	April to June	% Increase
1999	0	0	0	0
2000	287,177	0%	317,240	0%
2001	320,150	11%	392,289	24%
2002	430,587	34%	490,694	25%
2003	445,897	4%	496,830	1%
2004	483,157	8%	498,329	0%
2005	393,120	-19%	403,218	-19%
2006	344,906	-12%	355,429	-12%
2007	358,727	4%	386,432	9%
2008	352,418	-2%	388,382	1%
2009	396,734	1%	372,517	-4%
2010	347,647	-3%	373,970	0%
2011	342,823	-1%	340,576	-8%
2012	331,195	-3%		

	July to Sept.	% Increase	Oct. to Dec.	% Increase
1999	475,421	0%	307,811	0%
2000	372,049	-22%	316,243	3%
2001	473,346	27%	425,450	35%
2002	534,131	13%	470,731	11%
2003	480,977	-10%	492,231	5%
2004	464,417	-3%	424,448	-14%
2005	408,222	-12%	372,518	-12%
2006	386,201	-5%	389,383	-1%
2007	416,484	8%	366,564	-1%
2008	399,403	-6%	376,837	3%
2009	404,405	1%	338,643	-10%
2010	394,017	-3%	347,449	3%
2011	379,937	-4%	343,070	-1%
2012				

05/01/2012 00:15:48 FAX 705 945 8865 Sault Symphony Orchestra

0002/003



PAGE 1 OF 2

APPENDIX B-2A

CITY OF SAULT SITE, MARIE
INFORMATION SECTION FOR PERMITS WHERE ALCOHOL WILL BE SERVED

APPROVALS

NOTE: All signatures of approval must be provided on one original form.

Name of Group/Organization: Sault Symphony Association
Contact Person: Patti Gardi Telephone No: 945-5337 Ext: 1466
Name of Event: Musicfest xvi - Bratwurst, Beer & Beethoven
Date(s) of Event: Sunday, June 10, 12 Site: Roberta Bondar Pavilion
Times of Event: 12:00 noon to 9:00 pm Location: Foster Dr, Sault Ste. Marie
Times of Beer Garden: 12:00 noon to 9:00 p.m.

Patti Gardi

Name of Permit/Licence Holder

Patti Gardi

Signature of Permit/Licence Holder

55 Hessey St, Sault Ste. Marie

Address of Permit/Licence Holder

945-4466

Telephone/E-Mail

Angela Raziah

Name of Identified Designate

Angela Raziah

Signature of Identified Designate

20 Summit Ave, Sault Ste. Marie

Address of Identified Designate/Telephone P.O. # 25

949-2208

Telephone/E-Mail

1. Sault Ste. Marie Police Service

03 MAY 12

R. Wallace

Signature of Official

2. Sault Ste. Marie Fire Services
Fire Prevention Office

J. O'Brien

Signature of Official

3. Algoma Public Health
Environmental Health

J. L. Conner-Mayhew

Signature of Official

4. Community Services Department
Recreation and Culture Division or
Community Centres

M. Lead

Signature of Official

TO BE POSTED AT EVENT.

FOR OFFICE USE ONLY

City Council Approval Received on _____

Date _____

C.S.D. Staff Representative _____

Signature _____

PAGE 1 OF 2

APPENDIX B-2A



CITY OF SAULT SITE. MARIE
INFORMATION SECTION FOR PERMITS WHERE ALCOHOL WILL BE SERVED
APPROVALS

NOTE: All signatures of approval must be provided on one original form.

Name of Group/Organization: Marecone C.I.C.B.

Contact Person: Domenic D'Amato Telephone No. 705 942-5556

Name of Event: Ride for Sight

Date(s) of Event: Friday June 29/12 Site: Recreation Board Park

Times of Event: Saturday June 30/12 Location: N

Times of Beer Garden: June 29 8:00 - 11:00 P.M.

SOME MAREONE C.I.C.B. Domenic D'Amato

Name of Permit/Licence Holder D. D'Amato Name of Identified Designate D. D'Amato

Signature of Permit/Licence Holder D. D'Amato Signature of Identified Designate D. D'Amato

Address of Permit/Licence Holder 460 Albert St. West Address of Identified Designate/Telephone 460 Smart St. W.

Telephone/E-Mail 705 942 5556 Telephone/E-Mail 705 942-5556

1. Sault Ste. Marie Police Service

R. Lucci OTMAY12

Signature of Official

2. Sault Ste. Marie Fire Services
Fire Prevention Office

G. D.

Signature of Official

3. Algoma Public Health
Environmental Health

J. Rees

Signature of Official

4. Community Services Department
Recreation and Culture Division or
Community Centres

W. Ford

Signature of Official

TO BE POSTED AT EVENT.

FOR OFFICE USE ONLY

City Council Approval Received on _____ Date _____

C.S.D. Staff Representative _____ Signature _____

5(i)

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

RECEIVED	
CITY CLERK	
APR 11 2012	
NO:	523625
DIST:	Agenda

April 11, 2012,

To Mayor Debbie Amaroso and members of city council,

In accordance with the requirements of the Alcohol Gaming Commission of Ontario we at Docks have applied for a temporary extension of our LCBO license. The extension is for four special events during the summer months. In order for us to get required approval we are notifying you in advance and are hoping for your favorable consideration, as you have done for the last 11 years.

The events are: June 29th to July 1, Canada Day... 12 noon till 2 am
: July 4, Independence Day... 12 noon till 2 am

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

AMENDED to have the patio open Friday June 29 & Saturday June 30,
along with July 1 & July 4

Thanking you in advance,


Paul Smith
Owner/Operator

5(j)

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



99 Foster Drive
P.O. Box 580, Civic Centre
Sault Ste. Marie, Ontario
Canada, P6A 5N1
(705) 759-5347
(705) 759-5952 (Fax)
E-Mail:
j.fratesi@cityssm.on.ca
b.berlingieri@cityssm.on.ca

2012 05 14

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. Joanne Pearson – Social Services – Social Housing Division**
ONPHA 2012 Hoarding Forum
June 7 – 8, 2012
Toronto, Ontario
Estimated total cost to the City - \$999.48
Estimated net cost to the City - \$999.48

- 2. Matthew Wiesel – Engineering & Planning – Building Division**
OBOA Training – Plumbing-House
May 27 – June 2, 2012
Bancroft, Ontario
Estimated total cost to the City - \$1,954.50
Estimated net cost to the City - \$1,954.50

- 3. Damon Ferris – Fire Services**
CBRNE Annual Exercise
May 28 – June 2, 2012
Gravenhurst, Ontario
Estimated total cost to the City - \$400.00
Estimated net cost to the City - \$400.00

- 4. John Luszka – Human Resources**
Green Shield of Canada – Client Council
June 5 – 7 2012
Toronto, Ontario
Estimated total cost to the City - \$ 174.00
Estimated net cost to the City - \$ 174.00
- 5. Patti LeBel – Social Services – Ontario Works Division**
Addictions Services Initiative Meeting
May, 16, 2012
Toronto, Ontario
Estimated total cost to the City - \$ 416.96
Estimated net cost to the City - \$ 416.96
- 6. Carla Fairbrother -- Social Services – Childcare**
Northern Child Care Networking Committee
June 4 – 6, 2012
Sudbury, Ontario
Estimated total cost to the City - \$ 608.50
Estimated net cost to the City - \$ 608.50
- 7. Don Maki – Engineering & Planning**
OBOA AMTS
Sept. 9 – 12, 2012
Sudbury, Ontario
Estimated total cost to the City - \$ 1437.05
Estimated net cost to the City - \$ 1437.05
- 8. Matthew Wiesel – Engineering & Planning – Building Division**
AMTS Conference (OBOA)
Sept. 9 – 12, 2012
Sudbury, Ontario
Estimated total cost to the City - \$ 1792.77
Estimated net cost to the City - \$ 1792.77
- 9. James Beach – Fire Services**
Specialized Rescue and Response
July 30 – August 3, 2012
Gravenhurst, Ontario
Estimated total cost to the City - \$ 400.00
Estimated net cost to the City - \$ 400.00

10. Carlo Provenzano – Fire Services

Retrofit

July 9 – 13, 2012

Gravenhurst, Ontario

Estimated total cost to the City - \$ 400.00

Estimated net cost to the City - \$ 400.00

11. Peter Niro – Human Resources

Emergency Services Labour Forum

June 14 - 15, 2012

Toronto, Ontario

Estimated total cost to the City - \$ 875.17

Estimated net cost to the City - \$ 875.17

Yours truly,



JMF:bb

Joseph M. Fratesi
Chief Administrative Officer

Tim Gowans
Manager of Purchasing



Finance Department
Purchasing Division

Celebrate 100!
1912 ~ 2012

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: TENDER FOR ASPHALTIC CONCRETE

PURPOSE

Attached hereto for your information and consideration is a summary of the tenders received for the supply of Asphaltic Concrete Products required during the 2012 Construction Season.

BACKGROUND

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders was held May 2, 2012, with Councillor Susan Myers representing City Council.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed with Mr. Larry Girardi, Commissioner of Public Works and Transportation, and the low tendered prices, meeting specifications, have been identified on the attached summary.

IMPACT

Funding for the purchase of this material will be drawn from various Public Works Street Maintenance accounts as set in the budget.

STRATEGIC PLAN

Purchase of Asphaltic Concrete is not an activity listed in the Corporate Strategic Plan.

RECOMMENDATION

It is therefore my recommendation that the tender for the supply of Asphaltic Concrete be awarded to Palmer Construction, for a one year period. A budgeted limit of \$700,000.00 will be set, all at their firm low tendered prices.

-More-

5(K)

2012 05 14

Page 2

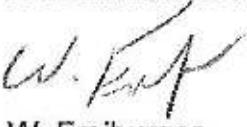
This report is submitted for Council's approval.

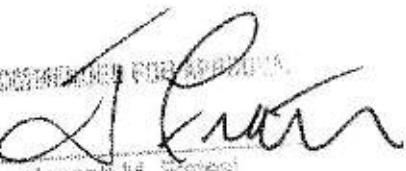
Respectfully submitted,


Tim Gowans
Manager of Purchasing

TG:nt
Attach.

Recommended for approval,


W. Freiburger
Commissioner of Finance & Treasurer


RECOMMENDED FOR APPROVAL
Joseph M. Hayes
Chief Administrative Officer

**FINANCE DEPARTMENT
PURCHASING DIVISION**

BUDGET: \$700,000.00 - TO BE DRAWN FROM VARIOUS PUBLIC WORKS STREET MAINTENANCE ACCOUNTS

**RECEIVED: May 2, 2012
FILE: #2012WA04T**

**SUMMARY OF TENDERS
ASPHALTIC CONCRETE**

Firm Prices for One Year Period (H.S.T. extra) - June 1, 2012 to May 31, 2013

<u>Description</u>	<u>Palmer Construction Sault Ste. Marie, ON</u>	<u>Pioneer Construction Sault Ste. Marie, ON</u>	<u>Ellwood Robinson Sault Ste. Marie, ON</u>
HL2 Asphaltic Concrete	\$111.00 Per Tonne	\$115.50 Per Tonne	\$114.40 Per Tonne
HL3 Asphaltic Concrete	\$108.50 Per Tonne	\$112.60 Per Tonne	\$111.20 Per Tonne
HL3A Asphaltic Concrete	\$109.50 Per Tonne	\$112.55 Per Tonne	\$112.15 Per Tonne
HL4 Asphaltic Concrete	\$106.00 Per Tonne	\$112.35 Per Tonne	\$108.20 Per Tonne
HL8 Asphaltic Concrete	\$104.50 Per Tonne	\$110.80 Per Tonne	\$106.15 Per Tonne

Note: The low tendered prices, meeting specifications, are boxed above.

It is my recommendation that the low tendered prices submitted by Palmer Construction Limited, be accepted.

Tim Gowans
Manager of Purchasing

5CK

5(1)

Peter A. Liepa
City Tax Collector



Finance Department
Tax & Licence Division

Celebrate 100!
1912 - 2012

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: SUBJECT OF REPORT
Property Tax Appeals

PURPOSE

Council approval is required pursuant to Section 357 of the Municipal Act.

BACKGROUND

Listing of applications received for adjustment of realty taxes pursuant to Section 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 05 14 pursuant to Section 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,

RECOMMENDED APPROVAL

 Joseph M. Palusz
 Chief Administrative Officer

William Freiburger
 Commissioner of Finance & Treasurer

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

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2011

DATE: 05/14/12
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	CANCELLATIONS	TOTAL		
						TAXES	INTEREST	ADJUSTMENT	
020-042-003	00321 Albert Street East	Hill Margaret Ethel	RT	C	11-044	2.83	0.02	2.85	
020-042-244	00320 Bay Street	1159337 Ontario Ltd.	CT	F	11-045	4,282.60		4,282.60	
030-041-009	00229 Great Northern Road	Quattro Hospitality Inc.	CT	F	11-046	5,208.36		5,208.36	
030-050-002	00012 McNabb Street	Dias Steven	RT	D	11-047			CONFIRMED	
030-092-069	00689 Fifth Line East	Nolan Patrick Lloyd	Nolan John Clement	RT	D	11-048	98.22	1.84	100.06
040-022-001-02	00080 Hudson Street	Essar Steel Algoma Inc.	CT	D	11-049	361.19		361.19	
050-025-079-07	00058 Bitonti Crescent	Trumble Michael Wesley	Trumble Deborah Irene	RT	E	11-050	29.13		29.13
050-031-008	00968 Peoples Road	Beaulieu Edgar J.F.	Beaulieu Carol Gail	RT	D	11-051	105.98		105.98

Certified Correct:

TOTAL 10,088.31 1.86 10,090.17



Peter A Liepa
Tax Collector

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

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

5(1)

John R. Luszka,
Commissioner



HUMAN RESOURCES
DEPARTMENT

2012 04 25

Mayor Debbie Amaroso and
Members of City Council

**RE: TRANSIT SERVICES & UNITED STEELWORKERS 2251A
(TRANSIT MECHANICS)
THREE (3) YEAR RENEWAL COLLECTIVE AGREEMENT
FEB. 1, 2012 TO JAN. 31, 2015**

Please find attached the Memorandum of Settlement for the above noted renewal collective agreement. The agreement is consistent with the other agreements we have achieved with our other union locals per City Council's direction.

The City's Bargaining team unanimously recommends City Council ratification of the Memorandum.

Respectfully submitted,

John Luszka
Commissioner

Joseph M. Fratesi
Chief Administrative Officer

JL:ef
Attached

c.c.: J. Fratesi
S. Hamilton-Beach
D. Scott

COLLECTIVE BARGAINING
CITY OF SAULT STE. MARIE

&

USW LOCAL 2251 - Transit

MEMORANDUM OF SETTLEMENT

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
&
U.S.W. 2251 *D.G.*

1. The parties herein agree to the terms of the memorandum as constituting full and final settlement of all matters in dispute.
2. The undersigned representatives of the parties do hereby recommend complete acceptance of all the terms of this memorandum to their respective principals.
3. The parties herein agree that the term of the collective agreement shall be from February 1, 2012 to January 31, 2015.
4. The parties herein agree that the said collective agreement shall include the terms of the previous collective agreement which expired on January 31, 2012 provided, however, that the following amendments are incorporated:

Appendix 1.

Signed this 18th day of April 2012.

For the Union

John Domine
John Domine
Don Blake
Don Blake
David Feltz
David Feltz

For the Employer

Brian G. Doherty
Brian G. Doherty
Bob G. Doherty
Bob G. Doherty
Sandy Dealey
Sandy Dealey
John Feltz
John Feltz

**COLLECTIVE BARGAINING
CITY OF SAULT STE MARIE**

&

**UNITED STEELWORKERS
TRANSIT**

2012

APPENDIX 1

CITY LANGUAGE PROPOSALS

Housekeeping Changes

1. Change: "Transit Manager" to read "Manager of Transit & Parking" wherever it occurs in the collective agreement.

15:00 HOURS OF WORK AND OVERTIME

Existing Clause

- 15:03 (a) The normal work periods shall consist of eight (8) hours per day and forty (40) hours per week.

Any time worked in excess of the normal work day, or week, shall be paid for at overtime rates.

- (b) The work week for the calculation of overtime starts and ends at 12:01 a.m. Sunday.

City Amended Position Regarding Banking of Overtime

Add a new Letter of Understanding to the collective agreement to read as follows:

Employees may request time off in lieu of overtime with the following conditions:

- * Maximum Time Off in Lieu – 40 hours (i.e. 5 work days) in a calendar year.
- * Requests for lieu time off will be made to the Maintenance Supervisor and will be considered on an individual basis at the time of request.
- * Approval shall be at the sole discretion of the Manager of Transit & Parking based upon the operational requirements of the Department.
- * If not utilized, banked overtime will be paid out the end of each calendar year.
- * This Memorandum is on a trial basis until December 31st, 2013 at which time it shall be subject to renewal by mutual agreement. If there is no mutual agreement the Letter shall be null and void and there shall be no time off in lieu of overtime.

LETTERS

Letter #1 Interpretation of Article 9:00 Seniority - Renew for term of Agreement.

Letter #2 Welfare Benefits - Renew for term of Agreement

MONETARY PACKAGEARTICLE 11:00SAFETY & HEALTH

11:06 Amend Clause to read as follows:

The City agrees to supply employees in the Mechanics classification with access to **seven (7) coveralls** in every two (2) week period.

The City agrees to supply employees in the Body person classification with access to **five (5) changes** of a pant and a shirt in every two (2) week period.

The City agrees to supply employees in the Service Attendant and Handyperson/Labour classification with access to **five (5) coveralls** in every two (2) week period.

The City agrees to supply employees in the Stores Attendant classification with access to **five (5) shop coats** in every two (2) week period.

The City shall provide each employee with one (1) winter coat every five (5) years.

11:07

Amend clause to read as follows:

11:07 The City agrees to provide all permanent employees with an annual allowance of one hundred and **fifty dollars (\$150)** effective for payment by March 30, 2013 and increase allowance to one hundred and fifty-five dollars (\$155) effective for payment by March 31, 2014 per Article 17:01 for the purchase of one (1) pair of C.S.A. approved safety boots.

ARTICLE 17:00 WAGE RATES**17:01 & 17:04 Student Pay Scale**

Increase wage rates expiring on January 31, 2012 as follows:

Effective February 1, 2012	+ 2.0 %
Effective February 1, 2013	+ 2.0 %
Effective February 1, 2014	+ 2.0 %

Retroactivity to active employees and any employees who retired between February 1, 2012 and the date of ratification of the Memorandum of Settlement by the parties.

Mechanic Tool Allowance

Increase tool allowance to two hundred dollars (\$200) effective the 1st of the month following ratification of the memorandum of settlement by the parties. Increase tool allowance to two hundred and twenty-five dollars (\$225) effective February 1, 2014.

NEW : Introduce a new Senior Lead Hand premium to be paid to an employee for hours worked when assigned to the Senior Lead Hand function. The premium shall be:

Effective the 1st of the month following ratification of the Memorandum of Settlement by the parties - \$1.255 per hour

Effective February 1, 2013 - \$1.280 per hour

Effective February 1, 2014 - \$1.305 per hour

Note: This change means that the current practice of paying 1 hour per week at overtime rate plus the Lead Hand rate to one individual ceases.

ARTICLE 18:00 WELFARE

18:02

Extended Health Care Plan**Drug Card**

Amend to \$7.00 Drug Card effective February 1, 2013.

Vision Care

Effective the 1st of the month following ratification of the Memorandum of Settlement by the parties, Increase Vision Care amount to \$325. (Note: Confirming that this amount can be used for laser eye surgery)

Effective February 1, 2014, increase Vision Care amount to \$350.

Prescription Drug Benefit

Effective the February 1, 2013, increase Pharmacy Dispensing Fee Cap to \$11.00.

Dental Plan

Amend effective the 1st of the month following ratification of the Memorandum of Settlement by the parties, coverage as follows:

Dental Plan #9, with Rider #3, (Orthodontic, **Two (2)** thousand five (5) hundred (\$2,500 limit), at current ODA rates minus one (1) year.

ARTICLE 23:00 TERM

Amend clause to read as follows:

23:01 This agreement shall be effective from February 1, 2012 until January 31, 2015 but shall be deemed to be renewed from year to year thereafter unless either party desires to terminate or amend it at the end of any year by giving written notice to the other party at least sixty (60) days prior to the end of such year. Negotiations shall then be undertaken between the said parties within ten (10) days of such notice.

Rachel Tyczinski
Deputy City Clerk and Manager
of Quality Improvement



City Clerk's Department

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: MUNICIPAL COAT OF ARMS

PURPOSE

The purpose of this report is to obtain Council approval to seek an officially accredited coat of arms for the City of Sault Ste. Marie from the Governor General through the Canadian Heraldic Authority.

BACKGROUND

The City of Sault Ste. Marie has never had an official coat of arms. The emblem used as a "coat of arms" or "city crest" appears to have been introduced when Sault Ste. Marie was incorporated as a city in 1912. The emblem appears to be an evolution in design from the original municipal crest – a beaver (1871 to 1887) and the one used for the Town of Sault Ste. Marie – a view of the locks and railway bridge (1887 to 1912). Although the city solicitor was asked to apply for a copyright in 1916, the emblem was never registered. The Heraldic Authority advises that this is likely because municipalities were not being granted coats of arms at this time in history.

The official granting of a municipal coat of arms was recommended in a 2002 Corporate Communications Strategy and identified as an activity in the 2005 Strategic Plan. It soon became apparent that the existing emblem could not be accredited as an official coat of arms because its components do not conform to heraldic standards and the granting of proper armorial bearings was not pursued further.

In 2012 the Deputy Chief Herald of Canada contacted Mayor Amaroso advising that many municipalities use anniversaries such as the centennial Sault Ste. Marie is currently celebrating as an opportunity to receive a grant of arms.

ANALYSIS

Significant research for a coat of arms took place in 2003 and in 2006-07. While some elements of the existing emblem would not be retained (the human supporters, the British crown, etc.), it was recommended by the Canadian Heraldic Authority that the maple leaves, a depiction of the locks, and the existing Ojibwe wording "Ojibwa Kitche Gumeeng Odena" ("Ojibway town next to big body of water") be retained.

IMPACT

Artwork costs are paid by the petitioner directly to the artist assigned by the Authority. The range of total artwork and calligraphy costs for the grant of arms is up to \$4,650. This amount can be covered under the 2012 Clerk's Department budget.

Implementation of the official coat of arms would take place incrementally. As new signage etc. becomes necessary, the official coat of arms would be used.

STRATEGIC PLAN

The adoption of an official coat of arms was part of the Corporate Communications Strategy approved by Council in 2002.

RECOMMENDATION

That the report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 05 14 be accepted and that Council authorize proceeding with accreditation of an official coat of arms.

Respectfully submitted,



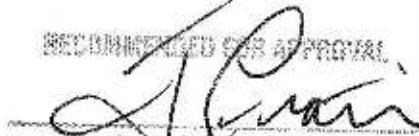
Rachel Tyczinski
Deputy City Clerk and
Manager of Quality Improvement

attachment(s) – outline of process

Recommended for approval,



Malcolm White
City Clerk

RECOMMENDED FOR APPROVAL

Joseph M. Pechanec
Chief Administrative Officer

Process – Granting of Armorial Bearings

There are three main stages in the grant process: the creation of a written description, the preparation of a preliminary design, and the production of the official letters patent.

A herald is a specialist in the field of emblematic design. The herald works with the petitioner to determine the elements of a possible design, which must follow the rules of heraldry. After the written description of the armorial bearings has been approved by the Chief Herald of Canada, it is sent to the petitioner for acceptance.

After the written description has been approved, a contract is signed between the petitioner and one of the Heraldic Authority's artists, who then prepares the preliminary artwork. The preliminary design is reviewed by the Authority's principal artist, the Fraser Herald, approved by the Chief Herald of Canada, and sent to the petitioner for approval.

The third stage involves the preparation of the grant document, or letters patent. This official document includes the original artistic illustration accompanied by a legal text.

Commissioner
Kim Streich-Poser MSW, R.S.W.



Social Services Department
540 Albert Street East
Sault Ste. Marie, Ontario
P6A 7A7

May 14, 2011

Mayor Debbie Amaroso and
Members of City Council

RE:

Pilot Project Children's Recreation Programming at Greco Pool/Etienne Brule
Playground

PURPOSE

This report is being provided to Council for Information purposes. The project was developed in response to the report submitted to Council by the Best for Kids Committee in 2011 and in response to research findings regarding the status of children in the Central West census tract neighbourhood.

BACKGROUND

In March 2011, Council received a report from the Best for Kids Committee that contained a number of considerations to better meet the needs of children in Sault Ste. Marie. The Community Services Department and the Social Services Department have been working with the committee on some of these initiatives. In particular, for the purposes of this report, this pilot project which is being undertaken with the endorsement of the Best for Kids Committee.

ANALYSIS

The Best Start Network Report entitled "Sault Ste. Marie Our Children, Their Future" is a summary of statistical information that provides a community overview of how the children in various parts of the City are faring on a number of indicators. This data was organized and analyzed for the Best Start Network by the Sault Ste. Marie Innovation Centre. The data has been broken down by the SSMIC by census tracts within the city. The report has been shared widely throughout the community to help organizations with their independent and cooperative planning and program delivery.

Of interest to the decision to embark on this pilot project is the information from two key data areas and the results. The Early Development Instrument (EDI) measures five domains of children's development and readiness to learn and include; physical health and well-being, social competence, emotional maturity, language and cognitive development and communication skills and general knowledge. The data for Sault Ste. Marie shows that children living in the central west census tract area (from Pim St to West St./Carmen's Way to Second Line) were doing poorly when compared to the rest

of the community, the province and the country in the one or more domains (physical wellbeing, social competence, emotional maturity).

The Social Risks Index summarizes nine Statistics Canada data elements such as; Lone Parent Families, Families with Low Income, Not speaking an official language, recent immigrants, rented dwellings, moving in the past year, adult unemployment rate, adults with less than high school education, income from government transfers. If a neighbourhood is worse than the provincial average in any of the nine indicators it is given a score of 1 per indicator. 0 indicates the lowest degree of socioeconomic risks and a score of 9 indicates the highest degree of risk. The central west census tract once again shows high social risk with scores between 7 and 9 on the index.

There are a number of social service agencies and programs involved in delivering services in the central west area. The Etienne Brule School through the ADSB operates a parent child literacy program and has the YMCA operating an afterschool recreation program there (funding ends June 2012). The Ontario Early Years Centre operates out of the Holy Angels school site on Wellington St., the Soup Kitchen provides food security programs and operates a licensed childcare program on James St. to name a few. There are also recreational facilities available for self-directed summer and winter activities at Esposito Park and the Greco pool.

The Social Services Housing Operations Division administers the "Kids being Kids" summer recreation program at the Sault Ste. Marie Housing Corporation (SSMHC) subsidized housing sites with high family and children populations. This program has been running successfully since the transfer of Social Housing from the province to the DSSMSSAB who contract the service to the City.

In consultation between the Best for Kids Committee and the Commissioners of Social Services and Community Services, it was felt that there could be an expansion of what is currently offered by the city at the Greco Pool site. The Community Services Department will be assigning three students to provide similar programming as the Kids being Kids program offered at SSMHC sites. Funding for one student position will be made available through Ontario Works funding as there is a high proportion of residents living in that area in receipt of social assistance. Training, tools and resources used by the Social Services Kids Being Kids program will be shared with the Community Services Department and management staff will work together to facilitate this program for the summer of 2012. Community Services will be using two existing student positions who are assigned to the Day Care Division to assist in this project.

A number of other allied services have also offered to assist with providing resources and assistance to this pilot project. Some of these include the Ontario Early Years Centre, the YMCA, the Soup Kitchen and the Sault Ste. Marie Library.

This program will be evaluated at the end of the summer to determine if it will continue in future years. Some of the evaluation measures will be the number of children participating, hours of the day when most children participate, programs eliciting the most activity, number of promotional activities used. The number of allied agencies and the support they provide will also be documented to determine the success of the

program. A report will be presented back to council advising of the results of this pilot project and any future recommendations.

IMPACT

This pilot recreation program will provide positive experiences and opportunities to the children in this area by allowing them to participate in activities not normally available to them. They will also be exposed to new positive and responsive role models through the students who deliver these programs. It is anticipated that by having organized summer recreational programming in the Central West census tract area that some of the needs of the children in these neighbourhoods will begin to be met and their physical and emotional health and well-being will improve thereby leading to them becoming successful adults and citizens in our community in the future.

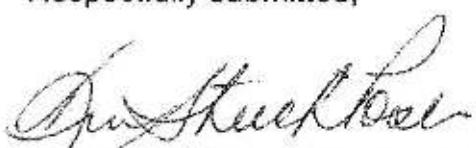
STRATEGIC PLAN

This pilot project corresponds to the City's strategic directions of delivering "excellent services" and "enriching our lives".

RECOMMENDATION

"That the report of the Commissioners of Social Services and Community Services concerning the Central West Recreation summer program be received as information."

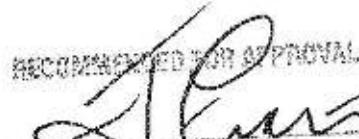
Respectfully submitted,



Kim Streich-Poser, MSW, RSW
Commissioner Social Services



Nicholas Apostle
Commissioner Community
Services



RECOMMENDED FOR APPROVAL
Joseph M. Frazer
Chief Administrative Officer

Rick Cobean
Manager, Housing Programs



Social Services
Housing Programs Division

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: SUBJECT OF REPORT

RE: HOMELESSNESS PARTNERING STRATEGY (HPS)
COMMUNITY ENTITY REVIEW COMMITTEE'S (CERC) APPROVAL OF HPS FUNDING

PURPOSE

For the Homelessness Partnering Strategy Approval of HPS Funding be received as information.

For the 2012-2014 fiscal years, five proposals were received for HPS Funding. Three of the five agencies were approved for funding during this term. Those receiving funding for the fiscal years April 2012 to March 2014 are as follows:

- Homelessness Prevention Services & Supports
 - United Way-Community Assistance Trust in the amount of \$42,754
- Shelter (Transitional) Services and/or Supports
 - Pauline's Place Youth Shelter in the amount of \$33,280
 - Vincent Place Men's Shelter in the amount of \$46,420

The two agencies that were not approved for funding, primarily due to the lack of funding, were the John Howard Society and the Soup Kitchen. However, the John Howard Society has received other funding to continue their Social Skills program they were providing within the community. Other funding opportunities were being looked into through the Ontario Disability Support Program (ODSP) and the United Way, to fund the Soup Kitchen's Social Enterprise program.

BACKGROUND

The City of Sault Ste. Marie-Social Services Department has been the Community Entity for the Federal Homelessness Initiative since 2002 and as such, has held the responsibility of accessing and administering Federal funding, aiding in the development, implementation and support of services and programs for the homeless and those at risk of homelessness.

The resolution passed by Council on December 13, 2010, approved the Social Services Department of the Corporation of the City of Sault Ste. Marie to continue in their role as the Community Entity under the Homelessness Partnering Strategy (HPS) until March 2014. Previously, on April 28, 2008, Council passed four by-laws to enter agreements with service providers (United Way, Vincent Place Men's Shelter, Pauline's Place Youth Shelter, John Howard Society) for HPS funding to address the approved priorities in Sault Ste. Marie's Community Plan on Homelessness.

To access this next round of funding, the Federal Government required an update of our 2008 Community Plan. This Community Plan Assessment and Update process had been underway since November 2010. On April 18, 2011, City Council approved the updated Community Plan. The Community Plan Assessment and Update committee, made up of twenty-eight (28) community stakeholders identified eight community issues, of which only five were eligible for HPS. Using the Kepnor-Trego Process, the five priorities were as follows:

Priority #1: Enhanced Prevention/ Intervention Services for the At Risk of Homelessness Population

Priority # 2: Increase Communication, Coordination, Collaboration & Partnerships to Address the Needs of the Homeless and those at Risk of Homelessness

Priority # 3: Semi Independent Living or Supportive Housing for the Homeless Population

Priority #4: Enhance Client Skill Development

Priority # 5: Emergency (non-shelter) Short Term Housing

Sault Ste. Marie has been receiving Federal Homelessness funds in the amount of \$136,060 annually since 2002. In 2003, we received an additional \$68,000 and in 2006 an additional \$35,700 on a one time basis. Since 2007 the funding level has reverted back to \$136,060.

ANALYSIS

The previous homelessness priorities had been maintained for this past fiscal year April 2011 to March 2012 by:

- Homelessness Prevention Services & Supports
 - United Way-Community Assistance Trust in the amount of \$25,447. This Program assisted 606 most vulnerable citizens with emergency dental, food, eyeglasses, transportation, utilities, home heating, rent, prescriptions, baby safety items and Northern Health Travel Grants.
 - John Howard Society in the amount of \$37,322. The Homelessness Prevention Services Coordinator assisted 1247 clients with outreach social skills training.
- Shelter (Transitional) Services and/or Supports
 - Pauline's Place Youth Shelter in the amount of \$28,859. The Youth Development Coordinator offered individualized core supports to 49 different youth, most of whom were ongoing.
 - Vincent Place Men's Shelter in the amount of \$30,826. The Transferable Skills Development Program assisted 106 residents with individualized supports.

IMPACT

There is no impact on the city budget as these funds are federal dollars.

STRATEGIC PLAN

The Community Plan to address homelessness and utilize the HPS funding allocation over the next two years (2012-2014), is summarized as follows:

- The Social Development Council (SDC) will remain as the Community Advisory Board for Federal Homelessness funding purposes (Confirmed in the form of a motion at the December 7, 2010 meeting).
- In the fall of 2011, a call for proposals was solicited from the community to address the updated priorities for the fiscal years 2012-2013 and 2013-2014. The Community Advisory Board, Community Entity Review Committee, and the Community Coordinator followed the same process as they have in the past:
 - Information packages and service scopes were developed.
 - Interested parties were asked to contact the Community Coordinator for an information package.
 - Proposals from the candidates were received and reviewed by the Community Advisory Board (Social Development Council), who scored them and recommended they proceed to the next step.

- The Community Entity Review Committee reviewed and scored the proposals to determine which "Lead Agency" would be approved for HPS funds.

The Community Coordinator will complete and monitor contractual agreements with the successful "Lead Agencies".

RECOMMENDATION

That the report of the Community Coordinator in conjunction with the manager of Housing Programs be received as information.

Respectfully submitted,

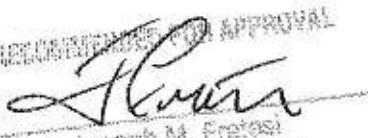


Rick Cobean
Manager-Housing Programs

Recommended for approval,



Kim Streich-Poser
Commissioner-Social Services

RECOMMENDED FOR APPROVAL

Joseph M. Pretosi
Chief Administrative Officer

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT

Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division

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2012 05 14

Mayor Debbie Amarcos and
Members of City Council

WEST END COMMUNITY CENTRE LIBRARY

PURPOSE

This report is in response to the March 15, 2012 letter from the SSM Public Library Board to the West End Community Centre Steering Committee regarding naming the new Branch Library at the West End Community Centre (WECC) the "Korah Branch Library".

BACKGROUND

At the WECC Steering Committee's April 4, 2012 meeting they reviewed the March 15, 2012 letter from the Library Board (attached) regarding naming the new Branch Library at the WECC the "Korah Branch Library". In their letter the Board stated "... the Board voted to name the WECC Library the Korah Branch Library. This is in keeping with the Board's past practice of having library locations named according to the geographic location of the branch. The Board also felt it was important to recognize the heritage of the current branch by retaining the name Korah in the new branch."

ANALYSIS

The Steering Committee passed the following resolution:

Resolved that the West End Community Centre Steering Committee recommends that the Branch Library created in the new West End Community Centre be named the Korah Branch Library as noted in the March 15, 2012 letter from the Library Board.

IMPACT

This issue does not have any impact to the budget.

STRATEGIC PLAN

This issue is not linked to any activity in the Corporate Strategic Plan.

RECOMMENDATION

That the report of May 14, 2012 concerning the name of the Branch Library at the West End Community Centre (WECC) be received and the recommendation that the WECC Steering Committee recommends that the Branch Library created in the new WECC be named the Korah Branch Library as noted in the March 15, 2012 letter from the Sault Ste. Marie Library Board be approved.

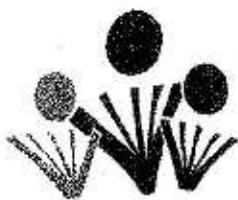
Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

J:\common\2012\wecc\library\name\library 14

attachment

RECOMMENDED APPROVAL
Joseph M. Frates
Chief Administrative Officer



Sault Ste. Marie Public Library

"One stop...endless possibilities"

March 15, 2012

Joe Krmpotich, Chair
West End Community Centre Steering Committee
c/o Civic Centre
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6

Re: Naming of WECC Library

Dear Joe:

I am writing on behalf of the Sault Ste. Marie Public Library Board to let you and the WECC Steering Committee know that the Board has selected a name for the WECC Library.

At its February Board Meeting the Board voted on a number of possible names and it was agreed the WECC Library should retain the name of the branch it is replacing. Therefore the Board voted to name the WECC Library the *Korah Branch Library*. This is in keeping with the Board's past practice of having library locations named according to the geographic location of the branch. The Board also felt it was important to recognize the heritage of the current branch by retaining the name Korah in the new branch.

In keeping with the City's and WECC Steering Committee's request to review the name of the WECC Library for any conflicts related to the Centre's name, the Board is confident the name it has selected will not pose any barriers to the future naming of the Centre.

The Board would like to announce the name of the WECC Library as soon as possible and as such is requesting confirmation that the WECC Steering Committee does not have any concerns with the Board's chosen name. It is my understanding that the WECC Steering Committee would also make its position known to City Council and this would then set the stage for City Council to make known any concerns it may have in this regard.

Prior to publicly announcing the name, the Board will wait until the WECC Steering Committee and City Council have had an opportunity to review the

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chosen name and make their concerns known directly to the Board. Should you have any questions regarding the Board's request feel free to contact the undersigned.

Thank you for your efforts in this regard and congratulations on the opening of Phase 1 of the WECC. Although there is still much work that needs to be done, the Library Board and staff are excited about the upcoming Summer 2012 opening of Phase 2.

Sincerely,


Liz Rosshagel
CEO/Director of Public Libraries

cc. Nick Apostle, Commissioner of Community Services

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES

COMMUNITY SERVICES DEPARTMENT

Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division



5(r)

May 14, 2012

Mayor Debbie Amaroso and
Members of City Council

WEST END COMMUNITY CENTRE (WECC) – NORTHERN ONTARIO HERITAGE FUND CORPORATION (NOHFC) AMENDMENT TO THE LOAN AND CONDITIONAL CONTRIBUTION AGREEMENT

PURPOSE

The purpose of this report is to inform Council of the appeal to the NOHFC regarding the terms of the funding for the WECC project.

BACKGROUND

In January 2011 it was reported to Council that subsequent to an application to the NOHFC, funding approval was received in the amount of seven hundred and fifty thousand dollar grant (conditional contribution) and seven hundred and fifty thousand dollar loan. Although the funding was very much appreciated, it was below what was expected and an appeal was submitted.

ANALYSIS

We received notification that the NOHFC reviewed the appeal and adjusted the funding to reflect a grant of one million dollars and a loan of five hundred thousand dollars. NOHFC's overall funding for the project remains at one million, five hundred thousand dollars.

An amendment to the Loan and Conditional Contribution Agreement with NOHFC has to be entered into. NOHFC has provided the amendment agreement. It has also been reviewed by Legal Department and Finance Department staff.

IMPACT

The amended agreement does not impact the project.

STRATEGIC PLAN

The WECC is identified under the Strategic Direction 3: Enhancing Quality of Life. The funding provided by the NOHFC was a key part of the financial plan for the construction of the facility.

RECOMMENDATION

That the report of May 14, 2012 concerning the amendment to the loan and conditional contribution agreement with the Northern Ontario Heritage Fund Corporation (NOHFC) for funding for the West End Community Centre (WECC) be received and the recommendation that the amendment agreement with the NOHFC that reflects a one million dollar conditional contribution and five hundred thousand dollar loan for the WECC project be approved by Council.

The amended agreement and the by-law appear elsewhere on the agenda.

Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

Item 1 WECC NOHFC amendment May 14

RECOMMENDED FOR APPROVAL

Joseph M. Pecur
City Administrator

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION



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

2012 05 14

Mayor Amaro and
Members of City Council

ALCOHOL RISK MANAGEMENT POLICY REVISIONS

PURPOSE

The Alcohol Risk Management (ARM) Policy was last updated in 2009. Since then new legislation has been enacted by the Provincial Government in the Liquor Licence Act 2011 which is reflected in the revised policy. Some administrative changes are also being recommended for Council's approval.

BACKGROUND

The ARM Policy is administered through the Community Services and the Public Works and Transportation Departments. The Manager, Recreation and Culture is responsible for updating the ARM Policy whenever required.

Since the policy was last updated in 2009, the Liquor Licence Act (LLA) of Ontario has been revised and new provisions enacted that need to be reflected in the policy. Some of the changes in the revised LLA include the service of alcohol in tiered seating of indoor and outdoor facilities, extending the hours that alcohol may be served at an approved event, and no longer restricting the types and amounts of alcohol that may be sold or served under a Special Occasions Permit. There are other changes in the LLA which do not have an impact on the provision of alcohol at functions in City-approved facilities.

Further to the changes in the LLA, there are other administrative changes being recommended, including a change in the approval process for Special Occasion Permits to serve alcohol at City-owned facilities, the clarification of the lottery licence requirements, and the recommended addition of one facility to the approved list of City facilities where alcohol may be served.

ANALYSIS

The LLA 2011 introduced changes in the provision of alcohol at approved public events which need to be incorporated into the City's ARM Policy. One of those changes is the addition of tiered seating to those areas which can be approved for alcohol service at public events. This has an impact on City facilities, approved by City Council, for the service of alcohol under a Special Occasion Permit (SOP) issued by the LCBO. Facilities such as the John Rhodes Community Centre, Rocky DiPietro Field, Strathclair Park, James Elliot Park, Roberta Bondar Pavilion and the Essar Centre are all approved facilities under the existing policy that have tiered seating. The Essar Centre is the City's only fully licenced facility under which the service of alcohol in tiered seating is permitted.

SOP's which include an application for the service of alcohol in tiered seating will require special permission from the Registrar, Alcohol and Gaming Commission of Ontario (AGCO). In addition to that, staff is recommending requests for the service of alcohol in tiered seating require the approval of City Council.

The revised LLA has extended the hours to which alcohol may be served from 1:00 a.m. to 2:00 a.m. and from 2:00 a.m. on New Year's Eve to 3:00 a.m. Staff is recommending adopting the revised hours of service except at outdoor events which currently close at 11:00 p.m. to meet the City bylaw for the closure of City Parks. The exceptions to this are weddings and private receptions, or closed events at the Roberta Bondar Pavilion, which may be extended with special permission to 2:00 a.m.

The revised LLA has eliminated the amount and type of liquor specified in the permit to be served at an event with a SOP. This has no bearing on City-approved facilities since the City policy limits the service of alcohol at City facilities to beer, wine and wine coolers. The only exception to this is that spirits (full service) is permitted at Roberta Bondar Pavilion for weddings and private receptions or closed events where special permission is given in writing.

In addition to revisions required due to the revised LLA, other changes to the ARM Policy are being recommended by staff:

- In the section on Where Alcohol Use Is Permitted, the West End Community Centre has been added as an approved facility.
- A new Section C has been added entitled Lottery Requirements. This is to address the requirements under the AGCO for a licence to run a lottery scheme such as a raffle. Many raffles are associated with fundraising pubs held at City-approved facilities. Licences to operate a lottery scheme are administered by the City. Including this in the policy will assist in ensuring compliance with the regulations.
- Staff is recommending a change in the approval process for alcohol events at approved City facilities. Presently, a person wishing to have alcohol at their event has to meet all of the requirements of the City's ARM Policy which includes insurance for the event and is also required to obtain approval (via a form that is issued to them) from Police Services, Fire Services, Algoma Public Health and a staff Supervisor in the Community Services Department; and furthermore they then need to submit this request to City Council for their approval. The approval of City Council poses some timing issues for events especially during July and August as Council meets only once each month and this is when the majority of alcohol permits are administered during the year. Since the ARM Policy was implemented in 1995 Council has not turned down a request for a SOP that has acquired all of the proper approvals as listed above. In addition, we consulted with the City Solicitor and it is her opinion that since City Council has already approved the facilities at which alcohol may be served and since various City authorities, as listed above, approve of the event then it does not need to go to Council for a resolution unless City Council wishes. Staff is further recommending that the signing authorities on the approval form also include the City Clerk and the Commissioner of Community Services.

This revised policy was reviewed by the Alcohol and Gaming Commission of Ontario and the City's Legal Department, along with other pertinent staff.

IMPACT

There is limited impact from the above-noted changes. The provision of alcohol service in tiered seating, likely to be of the most concern, can be dealt with by having all such applications approved by City Council. Along with the Request Form, staff would prepare a report, along with a recommendation, for Council's consideration.

The recommended change to eliminate the requirement for Council approval of specific events (except those for service in tiered seating) will shorten the timeline for approvals and remove the unnecessary requirement from City Council. The addition of signing authorities to the approval form will ensure a greater degree of accountability.

It is the intention that this new policy be effective immediately upon City Council's approval.

STRATEGIC PLAN

This matter is not directly related to the City's Strategic Plan.

RECOMMENDATION

That the report of the Manager of Recreation and Culture concerning the revisions to the Alcohol Risk Management Policy be received and that the revisions being recommended in the policy update be approved.

Joseph J. Cain
Manager Recreation and Culture

Nicholas J. Apostle
Commissioner Community Services

jbcouncil@cityofalbion.org

cc: N. Kenny, City Solicitor
L. Girardi, Commissioner Public Works
M. White, City Clerk

attachment

RECOMMENDED FOR APPROVAL
Joseph H. Fretz
City Administrator

Jerry Dolcetti, RPP
Commissioner

Carl Rumiel, P. Eng.
Design & Construction Engineer



**Engineering & Planning
Department**

2012 05 14
Our File: Contract 2012-4E

Mayor Debbie Amaroso and
Members of City Council

**RE: CONTRACT 2012-4E
RECONSTRUCTION OF EUCLID ROAD
PIM STREET TO WEMYSS STREET**

PURPOSE

The purpose of this report is to obtain approval to award Contract 2012-4E, the Reconstruction of Euclid Road.

BACKGROUND

In the current Five Year Capital Road Reconstruction Plan, Euclid Road is to be reconstructed this summer.

Tenders received for Contract 2012-4E were opened at a public meeting Thursday, May 3, 2012 in the Steelton Room of the Civic Centre. Present at the opening was Councillor Steve Butland as well as City staff and contractor representatives.

ANALYSIS

A total of five (5) tenders were received. All tenders submitted were found to be complete and are summarized on the attached sheet. The low tender of \$1,218,102.71 (including HST) was received from Palmer Construction Group Inc. which is in line with our pre-tender estimate of \$1,200,000.

IMPACT

When recoverable HST and costs chargeable to the PUC are removed, the City's estimated cost to complete this project is \$847,800 which is under the budget amount of \$900,000.

STRATEGIC PLAN

The reconstruction of city roads is related to Objective 1B, Transportation Network Improvements under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

We recommend Contract 2012-4E be awarded to Palmer Construction Group Inc.

By-law 2012-90 authorizing execution of the Contract and By-law 2012-91 authorizing a road closure of Euclid Road from May 15, 2012 until October 31, 2012, have been placed on the Agenda for your consideration.

Respectfully submitted,



Carl Rumiell, P. Eng.
Design & Construction Engineer

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department


RECOMMENDED FOR APPROVAL
Joseph M. Frazee
Chief Administrative Officer



2012 05 14

Our File: Contract 2012-4E

CONTRACT 2012-4E

RECONSTRUCTION OF EUCLID ROAD

LIST OF BIDDERS

CONTRACTOR	TOTAL BID PRICE
Palmer Construction Group Inc.	\$1,218,102.71
Pioneer Construction Inc.	\$1,257,109.03
786222 Ontario Inc. O/A Harold Phillips Haulage	\$1,270,729.40
R. M. Belanger Limited	\$1,294,559.08
Ellwood Robinson Limited	\$1,338,889.71

Jerry D. Dolcetti, RPP
Commissioner

Madison Zuppa, MES
Environmental Initiatives Coordinator



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: SOLAR PHOTOVOLTAIC FIT APPLICATION – F.J. DAVEY HOME

PURPOSE

The purpose of this report is to request Council support for the solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff program by the F.J. Davey Home.

BACKGROUND

An application was submitted to the Ontario Power Authority (OPA) Feed-In-Tariff (FIT) program for a rooftop solar photovoltaic system to be located at the F.J. Davey Home, 733 Third Line East, Sault Ste. Marie, Ontario, P6A 7C1.

A review of the program was initiated on October 31, 2011. The F.J. Davey Home application did not receive a contract prior to the program review and is subject to the new rules and regulations. Proponents that did not receive contracts prior to the review have the option of re-submitting their application to the OPA for evaluation. The FIT Rules 2.0 outline a point system for applications, where additional points are awarded for gaining municipal support through Council resolution.

There are several reasons why the City of Sault Ste. Marie should support this project. This project supports 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 project is also important to the development and maintenance of the community's role in the alternative energy sector. The presence of solar photovoltaic energy generation and manufacture has positively influenced the economic and environmental landscape of the community.

ANALYSIS

OPA FIT Rules 2.0 were reviewed and project information was provided by CEO Peter Maclean.

IMPACT

There is no budgetary impact.

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 application being submitted to the Ontario Power Authority by the F.J. Davey Home be received and the recommendation that Council support the project, be approved.

Respectfully submitted,



for Madison Zuppa, MES
Environmental Initiatives Coordinator

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL


Peter St. Frans
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 05 14

File: 4.140.8

Mayor Debbie Amaroso
and Members of Council

Re: Wellington Street Underpass – Maintenance and Improvements

PURPOSE

The purpose of this report is to update Council on the status of upgrades to the underpass and recommend that Council authorize an agreement with M. R. Wright and Associates for engineering services for the upgrade.

BACKGROUND

The City shares maintenance responsibility with CN Rail for two structures, namely the underpass on Wellington Street at Carmen's Way and the rail bridge on Great Northern Road north of Fourth Line. In the agreement for the underpass, maintenance costs are shared 50/50.

ANALYSIS

For two years now, we have asked the CN Railway to budget for its share. We have recently received confirmation that the funds have been budgeted for 2012. The work involves significant cleaning of the structural components, and the provision of pigeon proofing will extend the life of the steel components, and ensure cleaner sidewalks below. The cleanliness of the sidewalks under the structure has been an issue for pedestrians for many years. Additional lighting may also be provided if the budget will allow.

The firm of M. R. Wright and Associates completed the preliminary needs study for the underpass under a previous engineering assignment for the City.

IMPACT

The estimate for engineering and construction is \$100,000. An allowance for the City's share of the work has been included in the \$65,000 allowance in the 2012 miscellaneous construction budget for the underpass.

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 the City retain M. R. Wright and Associates to complete the design and contract administration for maintenance and improvements to the Wellington Street underpass with funding to come from the \$65,000 allowance in the 2012 miscellaneous construction budget. An engineering agreement will be brought to Council at a future meeting.

Respectfully submitted,



Don Elliott, P. Eng.
Director, Engineering Services

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

DE/bb



John D. Wright
City Administrator
City of Peterborough

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 05 14

File: 4.140.8

Mayor Debbie Amaroso
and Members of Council

Re: Biennial Bridge Inspections – Consulting Services

PURPOSE

The purpose of this report is to recommend that Council authorize an agreement with M. R. Wright and Associates for engineering services for the biennial inspection of bridges.

BACKGROUND

The City is mandated to conduct structural inspections of our bridges every two years. Our list includes 34 bridges and box culvert road crossing structures, as well as 9 pedestrian bridges. In 2008 the City was advised by the Ministry of Transportation of an incident in southern Ontario involving the collapse of an overhead sign structure. Accordingly, we also inspect our 33 overhead sign structures during the biennial bridge inspection program.

ANALYSIS

It is routine procedure for the City to retain a structural specialist to conduct the mandated bridge inspections and report preparation. These are typically done on even numbered years, while we conduct similar inspections on concrete aqueducts in odd numbered years. We are in receipt of a quotation from M. R. Wright and Associates, to complete the required 2012 inspection. This firm has completed these inspections and produced the biennial bridge inspection reports for many years.

IMPACT

The estimated fee is \$48,850 plus tax. We have included an amount of \$50,000 in the 2012 Miscellaneous Construction budget to cover this expense. PWT has a small annual budget for bridge maintenance which should be used for any urgent minor repairs recommended by the consultant.

STRATEGIC PLAN

Biennial inspection of bridge structures is linked to the Transportation Network Improvements objective under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended that the City retain M. R. Wright and Associates to complete the 2012 biennial bridge inspections for the estimated fee of \$48,850. An engineering agreement will be brought to Council at a future meeting.

Respectfully submitted,



Don J. Elliott, P. Eng.

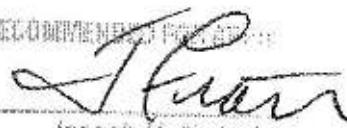
Director of Engineering Services

DE/bb

Recommended for Approval:



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department



Joseph M. Fraiss
Chief Administrative Officer

5(x)

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 05 14
Our File: Contract 2012-5E

Mayor Debbie Amaroso and
Members of City Council

RE: CONTRACT 2012-5E - SECOND LINE EAST WIDENING AND CONSTRUCTION OF THE SECOND LINE/PINE STREET INTERSECTION

PURPOSE

The purpose of this report is to obtain approval to award Contract 2012-5E, the Widening of Second Line and Construction of the Second Line/Pine Intersection.

BACKGROUND

The 2012 capital works plan includes Phase II of the Pine Street extension, which includes the intersection and profile grading improvements to Second Line. The 2002 Transportation Planning Study recommended the widening of Second Line from Old Garden River Road to Black Road to a five lane cross section. Second Line is a provincial connecting link. Given the required grading on Second Line for Pine Street, the City requested that the MTO 2012 connecting Link allocation grant, along with the surplus from the 2011 allocation be applied to this project. There is an economy of scale to complete the widening now, instead of having a second project in this area within the next few years. A continuous five lane cross section is highly preferable here, especially with the addition of the traffic associated with the new high school entrance at the Pine Street intersection. MTO has advised as recently as May 3, that there is no information available yet on the status of either grant allocation.

The project is significant enough that it should be awarded at this meeting to maximize the use of our construction season, however, without the MTO allocations, the City can only construct the intersection and the approach grade adjustments. Given this uncertainty, the project was designed and tendered to include the widening, but **bidders were advised in the tender documents that the construction quantities may be significantly reduced if MTO does not provide the funding.**

Tenders received for Contract 2012-5E were opened at a public meeting Tuesday, May 1, 2012 in the Steelton Room of the Civic Centre. Present at the opening was Councillor Pat Mick as well as City staff and contractor representatives.

ANALYSIS

A total of five (5) tenders were received. All tenders submitted were found to be complete and are summarized on the attached report. The low tender of **\$4,417,840.61** (including HST) was received from Avery Construction Limited. This is below the consultant's pre-tender estimate of \$4,700,000.

At the 2010 08 23 meeting, Council approved an engineering agreement with Kresin Engineering with an estimated fee of \$437,700 for both phases of Pine Street. Several significant additional tasks have been added to the work and it is recommended that the fee estimate be revised to \$674,000. Additional work includes:

- A stage 2 archaeological study required by the Ministry of Culture
- Geotechnical investigation for extended project limits
- The design of two alternatives, with and without the widening
- Additional of a PUC bulk water station
- Legal survey work for acquisition of property
- Revised intersection design to accommodate the proposed secondary school.
- The environmental assessment for the Widening of Second Line, from Old Garden River Road to Black Road

The revised fee estimate is well within the expected range for the scope and size of this project. It is noted that a portion of engineering fees will be recoverable from the PUC.

IMPACT

When recoverable HST and costs chargeable to the PUC are removed and an allowance for engineering and utility relocates is added, the estimated cost to complete Phase 2 of this project is **\$4,427,000** which is below the approved budget for Phase 2 of **\$4,822,000**. (The budget includes the **\$2,650,000** City share and the requested MTO grants.)

If MTO provides no funding, and we defer the widening on Second Line, construction costs would be reduced by \$800,000 bringing the estimate for Phase 2 down to **\$3,627,000**. Subtracting the City 2012 budget share of **\$2,650,000**, there would be a shortfall of **\$977,000**. Given the other 2012 tenders to date, it appears that the shortfall can be covered by the overall 2012 capital budget. If the MTO should allow the City to apply the 2011 Connecting Link under-run to this project, we can complete the work, including the widening within the capital budget.

STRATEGIC PLAN

The reconstruction of city roads is related to Objective 1B, Transportation Network Improvements under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended Contract 2012-5E be awarded to Avery Construction Limited, to complete the intersection and Second Line approach grade adjustments only. The contractor will be authorized to complete the widening only if sufficient connecting link grant funds are provided by the MTO. It is also recommended that the engineering fee limit be revised to \$674,000.

2012 05 14
Page 3

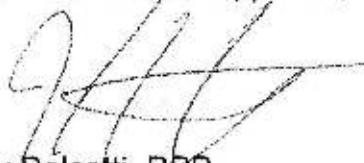
By-law 2012-94 authorizing execution of the Contract has been placed on the Agenda for your consideration.

Respectfully submitted,



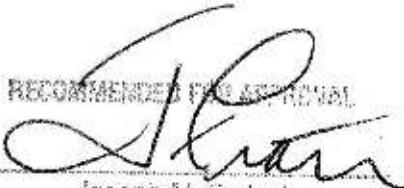
Don J. Elliott, P. Eng.
Director of Engineering Services

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

attachment



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

May 3, 2012

Ref. No. 2163.04

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

Attention: Mr. Carl Rumiel, P.Eng.
Design and Construction Engineer

Re: City Contract 2012-5E; Second Line East Widening/Pine Street Intersection

Dear Mr. Rumiel:

We have reviewed the tenders received at the Sault Ste. Marie Clerk's Office on May 1, 2012 for the above-noted Contract and present herein our Tender Report and Recommendations.

Introduction

The tendered work generally consists of supplying all materials, labour and equipment necessary for the construction of the Pine Street/Second Line intersection, as well as widening Second Line to accommodate 5 lanes between Old Garden River Road and 300 metres east of Pine Street, a total length of approximately 750 metres including new sanitary sewers, storm sewers and watermain.

The contract was publicly advertised in The Sault Star on Saturday, April 7, 2012. Tender documents were made available to contractors who provided the required refundable deposit of \$50.00. There were a total of eleven (11) plan takers. Documents were also provided to the Sault Ste. Marie Construction Association, Sudbury Construction Association and the PUC Services Inc.

During the tender period, various inquiries from plan takers were received regarding the technical specifications and drawings. A total of four (4) Addenda were issued to provide clarification on issues as they arose throughout the tender period.

Summary of Tenders

Five (5) bids were received at the City Clerk's office prior to the tender closing deadline of 3:00 p.m. on Tuesday, May 1, 2012. The tenders were publicly opened at 3:15 p.m. on the same day in the Civic Centre's Steelton Room. At the time of the opening, the tender values were read publicly and were reviewed to ensure the submissions were in general compliance with the tender documents including the required tender deposit (ie. \$200,000.00 certified cheque) and an agreement to bond. All tender deposits were retained by the City for return to the bidders at a later date.

The following were the results in ascending order of Tender Value, including HST, as read at the public opening:

Contractor	Total Tender Value
1. Avery Construction Ltd.	\$ 4,417,840.62
2. Pioneer Construction Inc.	\$ 4,482,160.01
3. Ellwood Robinson Limited	\$ 4,513,165.25
4. R.M. Bélanger Limited	\$ 5,363,720.15
5. Palmer Construction Group Inc.	\$ 6,178,745.65

The tender prices include an allowance of \$200,000.00 for contingencies (unforeseen extras). The Engineer's pre-tender estimate for this contract was \$ 4,668,826.45 including HST.

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

The original copies of each Tender Submission are enclosed with this Tender Report and a copy of the Engineer's estimate is attached in Appendix 1.

Tender Review

The tenders were reviewed in detail with respect to requirements set out in the Information for Tenderers and the requirements identified in the Form of Tender. The following specific comments were noted from the review of the tenders:

1. All tenders submitted were properly executed with the bidder's signature and witnessed and/or sealed.
2. The submissions were checked for mathematical errors; variations were discovered in each of the tenders resulting in minor adjustments to total values, however overall ranking was not affected. Revised tender values are shown in the following table:

Contractor	Total Tender Value
1. Avery Construction Ltd.	\$ 4,417,840.60
2. Pioneer Construction Inc.	\$ 4,482,160.01
3. Ellwood Robinson Limited	\$ 4,513,218.75
4. R.M. Bélanger Limited	\$ 5,363,720.72
5. Palmer Construction Group Inc.	\$ 6,178,773.90

3. The Information to Tenderers indicated that all tenders were to include a \$200,000.00 bid deposit, in the form of a certified cheque. All bidders complied with the submission of a certified cheque in the specified amount.
4. The tender documents called for submission of Statements 'A' to 'D' which outline the tenderers' work experience, staff, available construction plant and proposed sub-contractors. All bidders complied.

5. The tenderers were required to submit an Agreement to Bond certifying the Contractor can obtain the required Performance and Labour and Material Payment bonds. All tenderers complied.
6. All tenderers were required to acknowledge receipt of Addenda. All bidders acknowledged receipt of the four (4) addenda issued.

Discussion

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

All bidders seem to have the necessary experience and background with similar projects as outlined on Statement 'A' provided with each tender. With respect to the low tenderer, Avery Construction, they have successfully completed numerous similar contracts in the past within the City of Sault Ste. Marie and are currently completing the adjacent Pine Street extension project (contract 2011-2E).

Recommendations

Based on our review of the tenders submitted and specifically the low tender by Avery Construction, we believe the prices quoted are reasonable for the proposed work under Contract 2012-5E. Furthermore, based on our knowledge of their related experience, it is our opinion that Avery Construction is capable of carrying out and completing the work under this contract.

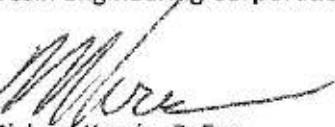
We recommend that the tender submitted by Avery Construction in the amount of \$3,909,593.46 (excluding HST) be accepted for award. Should provincial funding not be available for the widening of Second Line at this time, modifications to the scope of work can be negotiated with Avery Construction to proceed with the construction of the Pine Street intersection.

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

We further recommend that Tender Deposits received from Avery Construction and Pioneer Construction be retained until a contract has been properly and fully executed. All other deposits should be returned without undue delay.

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

Yours very truly,
Kresin Engineering Corporation


Michael Kresin, P. Eng.
Consulting Engineer

Encl.
MK/ew
1163 Tender Report.docx

RECEIVED

MAY 03 2012

ENGINEERING DEPARTMENT

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

5(y)

2012 05 14

File: 4.140.1

Mayor Debbie Amaroso
and Members of Council

Re: Single Lane Bridge Rehabilitation – Four Shared Bridges with Prince

PURPOSE

The purpose of this report is to recommend the City enter into a joint agreement with the Township of Prince to retain M. R. Wright and Associates to provide engineering services for the pre-design and environmental assessment phase of the rehabilitation of four shared single lane bridges.

BACKGROUND

At the 2011 08 05 meeting, Council was presented with the following summary of the status of these bridges.

All four bridges are located on the municipal boundary and therefore the responsibility for them is shared equally. The bridges are over 90 years old. Bridge numbers 12 and 13 are located on Town Line Road north of Base Line and are currently posted with load restrictions due to their inability to carry highway design loads. Bridges 14 and 15 on Base Line received temporary steel overlays in 2007 so that the load restrictions could be removed. All four bridges require replacement with two-lane structures. Based on the prices for other bridges and poor soils conditions in the area, the consultant is suggesting a budget of \$3 to 4 million for design and reconstruction of all four bridges.

Given the magnitude of this expenditure, especially for the Township, the Engineering Division had discussions with the Township with a view to jointly fund the geotechnical investigation, environmental assessments, preliminary design and more accurate cost estimates in 2012. Completion of the preliminary work will better position the two municipalities to jointly apply for funding assistance in the event that it becomes available. Preliminary design and soils work will refine design assumptions and provide more accurate cost estimates, and completion of the environmental assessments will save considerable time when construction funds are in place.

ANALYSIS

A proposal was requested of M. R. Wright and Associates to complete the preliminary work outlined above in 2012. The proposed work plan has an engineering fee estimate of \$128,000 plus tax, including all soils investigation and allowances for environmental assessment work. This firm is very familiar with this type of bridge rehabilitation, having completed many similar projects, including five for the City recently.

Last fall, we received confirmation that the Township of Prince Council passed a resolution committing to budget the 50% share of \$64,000 in 2012. Given that our share can be covered by the miscellaneous construction budget, it is appropriate to proceed with the geotechnical investigation and pre-design work this year.

IMPACT

The City's share of the work is \$64,000. An amount of \$81,000 has been carried forward from previous miscellaneous construction budgets for bridge rehabilitation work. The \$64,000 can be covered by this amount.

STRATEGIC PLAN

Bridge widening and structural replacement is linked to the Transportation Network Improvements objective under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended that a joint agreement with Prince be negotiated to retain the firm of M. R. Wright and Associates for the geotechnical investigation, environmental assessment and pre-design of the widening and replacement of the four single lane bridges perimeter bridges shared with the Township. The \$128,000 (excluding HST) engineering fee is to be shared equally between the two municipalities. The City's share will be covered by the portion of previous miscellaneous construction budgets carried forward for bridge rehabilitation. The agreement will be brought to Council for approval at a future meeting.

Respectfully submitted,



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

DE/bb

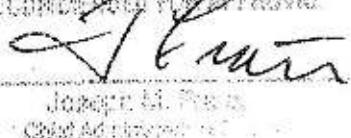
Recommended for Approval:



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

C: Peggy Greco, CAO/Clerk-Treasurer, Township of Prince

RECOMMENDED FOR APPROVAL



Joseph L. Pava
Clerk Adminstrator

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning
Department

2012 05 14

File: B-08-03

Mayor Debbie Amaroso and
Members of City Council

Re: 711/719 Bay Street – Seawall

PURPOSE

The purpose of this report is to recommend that Council authorize additional temporary repairs to the City owned seawall located at 711/719 Bay Street.

BACKGROUND

In 2008, Council authorized that the Engineering Department retain the services of M. R. Wright and Associates to conduct a conditions assessment and structural evaluation on the seawall that the City owns on the water in front of civic 711 Bay Street. In 2007, it was determined that the condition of the retaining wall had deteriorated such that the area had to be fenced off.

The consultant recommended that the area of the wall that has no sheet piling protection be reinforced with new steel sheet piling with appropriate dead man anchors, as well as replacement of any severely corroded dead man anchors on the existing wall. At that time, the consultant recommended a budget figure of \$550,000 to complete the work. The City was not in a position to complete the project. Therefore the consultant recommended interim works be performed in order to repair any gaps in the existing sheet pile wall and washed out areas. Under the supervision of M.R. Wright, effective interim repairs were completed by Public Works and Transportation crews. The more costly permanent repair of the wall has been placed on the outstanding Miscellaneous Construction list.

The seawall also extends across the water frontage of 719 Bay Street. Unfortunately, similar washouts developed at this location in 2011 and similar interim repairs are in order.

ANALYSIS

The interim repairs along the frontage of 711 Bay Street appear to have been effective. It is likely that the completion of similar repairs to the washed out areas in front of 719 Bay will also be effective. These repairs can be completed by PWT under the supervision of the consultant. Fortunately, the underwater seawall inspection completed in 2008 included the portion of the wall in front of both properties.

IMPACT

An allowance of \$50,000 was included in the 2012 Miscellaneous Construction budget. M.R. Wright has provided the City with a fee quote of \$15,575 plus HST for this work. The remaining budget should complete the repair.

STRATEGIC PLAN

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

RECOMMENDATION

It is recommended that the City retain the services of M. R. Wright to design and supervise additional interim repairs to the damaged areas on the sheet pile wall, until permanent repairs can be completed, with funds to come from the allowance in the 2012 Miscellaneous Construction budget.

Respectfully submitted,



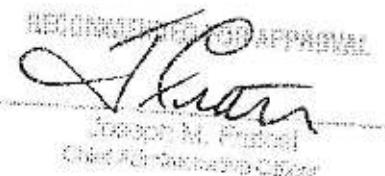
Don J. Elliott, P. Eng.
Director of Engineering Services

DE/bb

Recommended for Approval:



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department



Joseph M. Friesel
Chief Financial Officer

Jerry Dolcetti, RPP
Commissioner

Carl Rumiel, P. Eng.
Design & Construction Engineer



Engineering & Planning
Department

2012 05 14
Our File: A-03-7-03

Mayor Debbie Amaroso and
Members of City Council

**RE: QUEEN STREET CONVERSION FROM FOUR LANE TO THREE LANE AND
QUEEN STREET RECONSTRUCTION ENGINEERING FEE REVISION**

PURPOSE

The purpose of this report is to obtain Council approval to increase the engineering fee estimate for added scope of work and add an allowance for a study on the possible conversion of Queen Street from four lane to three lane.

BACKGROUND

At the Council meeting of 2010 11 08, Council approved retaining AECOM to provide engineering services to complete the reconstruction of Queen Street East from Pim Street to Simpson Street. The engineering fee estimate in this agreement is currently \$355,000.

As Council is also aware, the City has initiated a study on the possible conversion of Queen Street from four lane to three lane (one lane in each direction with provisions for cyclists and a continuous center left turn lane). At a Public Information Session on November 10, 2011 regarding changing the lane configuration of Queen Street there was significant public interest.

ANALYSIS

From the Public Information Session last year we received a great deal of support in favour of making this change. However, to date this has only been studied at a high level based on projected traffic volumes. There are numerous questions and concerns that require further investigation. In order to assist Council in its decision we need to address the following:

- Provide responses to input received at the Open House.
- Review similar four lane to three lane conversions in other municipalities.
- Review updated traffic counts and assess adequacy of a three lane cross-section.
- Assess various concerns raised by residents including bus operations, waste pick up operations, egress and ingress at driveways, on-street parking and delays entering Queen Street from side streets.

- Develop alternative designs for both the three lane and four lane options that will fit within the changing road width on Queen Street East between Pim Street & the Golf Course.
- Identify property impacts with varying design widths.
- Identify utility impacts with varying design widths.
- Identify property/utility impacts with the proposed sidewalk on the south side of Queen Street east of Pine Street.
- Review alternative configurations for the hub trail connection.
- Develop alternative lane reduction strategies and assess operating and safety impacts
- Develop cost estimates for different options.
- Determine best option following the framework of the Class EA process.
- Develop the recommended design and report on the feasibility of converting to three lane.
- Present the final approved design to the public at an open house.

In 2008, City Staff and the consultant sought input from the Ministry of the Environment Environmental Assessment Branch on where this conversion fit into the Class EA framework. They indicated that it is not clearly defined in the Class EA schedules therefore the City should gauge the level of interest in the project and then select the appropriate schedule. Since the level of interest is very high with many people in support as well as opposed to the conversion, it is necessary to proceed in accordance with the Class EA process. As we progress there may be property impacts which could also impact the Class EA Schedule.

In order to ensure continuity of design, it makes good sense to award the study of the conversion from four lane to three lane to AECOM since they are currently providing design and contract administration on the reconstruction of Queen Street East from Pim Street to Simpson Street.

Further to the above, there has been additional engineering required for the Reconstruction of Queen Street from Pim Street to Simpson Street. The following summarizes the additional design tasks:

- Geotechnical investigation scope was increased during the design phase.
- Utilities relocations by PUC were added late in the design phase which resulted in additional design work and coordination with other utility companies.
- Preliminary work on the three lane versus four lane evaluation was added to this scope of work which was not included in the original scope.
- Changes to contract limits on Church Street and Gordon Avenue added additional design and drafting to be included in the tender.

IMPACT

The cost of retaining AECOM to add the proposed study to their current scope of work on the Reconstruction of Queen Street is estimated to be **\$40,000**. The additional engineering done on the Reconstruction of Queen Street has added **\$45,400** to the engineering fee estimate. Adding these costs brings the revised engineering fee estimate to **\$440,400**.

This increase will bring the overall estimate to complete the Reconstruction Queen Street (Pim Street to Simpson Street) to **\$3,385,400**, which is slightly above the approved budget of **\$3,350,000**.

STRATEGIC PLAN

The reconstruction of city roads is related to Objective 1B, Transportation Network Improvements under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

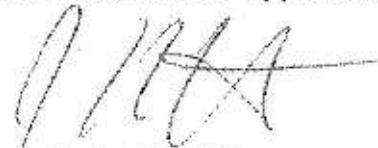
We recommend increasing the engineering fee estimate for AECOM be increased to \$440,400 for the reconstruction of Queen Street East (Pim Street to Simpson Street) and the scope of work for the detailed study of the four lane to three lane conversion of Queen Street be added.

Respectfully submitted,



Carl Rumiel, P. Eng.
Design & Construction Engineer

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

CR/al



Joseph M. Fralick
Chief Administrative Officer

5(bb)

Jerry D. Dolcetti, RPP
Commissioner

Don Maki, CBCO
Chief Building Official



ENGINEERING & PLANNING
DEPARTMENT

Building Division

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

**RE: 358 MCNABB STREET, SINGLE FAMILY DWELLING
ORDER TO REMEDY ISSUED AUGUST 5, 2009**

PURPOSE

The purpose of this report is to obtain Council approval to demolish the structure at 358 McNabb Street, remove all debris and cap off the site services as required. The cost of this work is estimated at \$12,000.

BACKGROUND

In July 2009 the Building Division received a complaint with respect to the condition of the dwelling at 358 McNabb Street. An inspection of the property was undertaken by the By-Law Enforcement Officer which revealed conditions in violation of the Property Standards By-Law 94-54. The dwelling did not meet the minimum requirements of the By-Law and the outside property contained tall grass and a derelict vehicle.

There has been an extended timeframe provided to the homeowner in addressing the issues and it became apparent after several notices and orders to comply, that the homeowner was not in a position to carry out the work required.

The building is now at a state that demolition is the only course of action. All required legal notifications have been provided and subject to Council's direction, immediate action can be taken.

ANALYSIS

This matter has been going on for an extended period of time and there has been no action on site other than cutting the grass. The owner resides out of country and it appears that little effort has been made to address the problems or offer a resolution to this matter. The only option available to the City without undertaking the repair work ourselves would be to demolish the dwelling.

IMPACT

The cost of the recommended demolition would be added to the property taxes. Therefore there should be no impact on the overall budget as the cost would appear as taxes owing.

2012 05 14
Page 2

STRATEGIC PLAN

There is no applicable strategic direction, but rather enforcement of building code infraction.

RECOMMENDATION

It is recommended that the report of May 14, 2012 concerning 358 McNabb Street be received and the recommendation that the City proceed to hire the forces necessary to demolish the dwelling, grade and level the site and add such costs to the taxes be approved.

Respectfully submitted,



Don Maki, CBCO
Chief Building Official

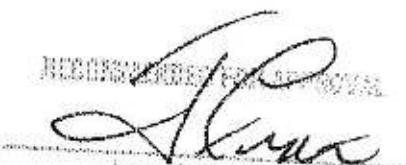
Recommended for approval,



Jerry Dolcetti, RPP
Commissioner

DM/bb

Attach.


Joseph M. Flitney
City Administrator



2012/03/28

Robert Rushworth
Manager



Fire Services
Emergency Medical Services

Celebrate 100!
1912 - 2012

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

**RE: Sault Area Hospital's Actions to Address Excessive Off Load Delays (OLD) for
Sault Ste Marie Fire Services' EMS Division Paramedics**

PURPOSE

This report is in response to the council resolution dated 2012 01 09:

*"Whereas issues relating to Emergency Medical Services (EMS) transferring patients to appropriate staff has resulted in periodic serious time delays (2 to 7 hours); and
Whereas this can compromise the ambulance service provided to the community in certain situations and also incur extra cost for providing this essential service;
Now therefore be it resolved that the Council request through the District of Sault Ste Marie Social Services Administration Board (DSSAB) a report on how the Sault Area Hospital (SAH) is attempting to resolve the present untenable situation."*

BACKGROUND

Provincially in recent years, there has been an increase in published news coverage and awareness of hospital emergency department Off Load Delays. This is a term used for the time paramedics are in the hospital with a patient waiting for the patient to be accepted by hospital staff. This OLD is created when paramedics arriving at the Emergency Department (ED) are unable to transfer care to hospital staff due to lack of available staff or beds. A paramedic providing care to a patient can only transfer that care to a practitioner of equal or higher qualification, i.e. another paramedic, nurse, or physician that accepts the transfer of responsibility.

In a report to the DSSAB in October of 2011, the Board was made aware that the local Emergency Medical Service (EMS) service was being negatively impacted by an increase in OLD incidents, beyond what had been a manageable 'normal' over the past years. With a limited resource of ambulances, four staffed on days and three on nights, long off load delays and multiple crews tied up in the ED providing care was creating both resource and budgetary problems.

Three key factors have been identified as creating and affecting OLD times:

1. Number of beds and staff available in the ED. This is in turn tied to the number of beds available in the various hospital units.
2. Volume and timing of calls for emergency service and Paramedic crews available
3. Volume of patients arriving at the Hospital ED by means other than EMS

It is the first factor on which the SAH has focused, in that it is the only factor over which they have control.

ANALYSIS

The tables below include information drawn from the EMS ambulance call report data base. The breakdown of information provided by the software provider has changed in the time period between the reports; a finer breakdown of times is now available. Table #1 was submitted to the DSSAB in Oct 2011 to support increased concern of staff. November stats were added in a requested report forwarded to Chief Administrative Office, Joe Fratesi in early December. Table #2 was presented to the DSSAB board in March 2012 as part of the reported improvements made by SAH and EMS efforts.

Table #1

Month of 2011	Total EMS calls	Number of calls to SAH	Average OLD min. per call	Total Hours of OLD time (2 medics)	Days medics in hospital not available	Maximum minutes on a single call
May	924	688	8	91.77	3.8	157
June	910	734	5	61.16	2.5	195
July	912	691	3	34.55	1.4	103
August	983	742	7	86.57	3.6	142
September	875	678	13	146.90	6.1	434
October	942	707	17	203.02	8.5	391
November*	849	649	15	162.25	6.8	416

Data taken from EMS division's iMedic data base, December 3, 2011. *Nov. stats not finalized

Table #2

Month 2011-12	Total calls	Calls to SAH	Average OLD	Total Hours of OLD	Max minutes on single call	Calls 30-60 min	Calls 1-2 hours	Calls 2-3 hours	Calls 3-4 hours
December	886	643	6:48	74:55	233	11	13	2	2
January	865	616	6:38	72:08	181	21	8	5	0
February	861	614	4:19	43:13	119	10	2	0	0
March 1-26th	789	563	4:45	44:50	211	4	7	0	1

*No recorded calls of over 4 hours off load.

On March 29th, 2012 Vanda Cooper and Ron Gagnon of SAH attended the DSSAB board meeting at the Board's request and presented information of historic and current statistics from their files that support a definite decrease in the OLD times. Attached are PowerPoint slides presented by the SAH to the DSSAB displaying the times compared to the local

2012 05 14
SAH Off Load Delays
Page 3

receiving facilities within our Local Health Integration Network (LHIN) and other Northern Ontario comparators.

Changes made to date to improve the SAH intake of EMS patients include;

- Moving the radio and phone used by the ambulance dispatcher to connect the incoming paramedic with the Charge Nurse (the nurse that co-ordinates incoming patients)
- Ensuring a Charge nurse is available to paramedics at all times (including breaks and meal times)
- Notification of the Director (V. Cooper) if off load time exceeds five minutes. The Director then facilitates resolutions
- Triaging of incoming patients by Charge Nurse to ensure patients capable of being sent to the waiting room are re-routed appropriately (Paramedics cannot do this without assessment by ED staff)
- Daily "Alerts" to all hospital units concerning number of patients who have been admitted but are being held in the Emergency Department awaiting transfer to unit beds

Future plans include installation of a "board" that will display patient arrival times and triage levels to ED staff to ensure awareness of paramedic crews on hold. This has proven useful in other communities. This may even include a bed assignment for a patient immediately upon arrival.

IMPACT

Off Load Delays have a negative impact on emergency responses to the community as well as the operational budget of the EMS Division. While Paramedics are in the hospital providing continuing care to their patient, they are out of service to the community and cannot respond to emergency calls.

Whenever numerous OLDs reduce the number of ambulances available and create the risk of delayed response to the community, EMS is required to call in extra paramedics. These additional paramedics, if available, report to duty as soon as possible resulting in added costs; often at overtime rates. This extra cost is referred to as Balanced Emergency Coverage (BEC). The goal of BEC is to maintain a minimum of one paramedic crew available to the community at all times. BEC up-staffing that occurred eight (8) times from October to December 2011 as a result of OLD was reduced to five (5) times between January and March 2012

An additional cost is incurred if a crew caring for a patient reaches the end of their scheduled shift, as they must remain with the patient until relieved, either by ED staff or by a new crew accepting care. From October to December of 2012 this was tracked as approx. \$3,800.00. This was subsequently reduced by 64% through the efforts of SAH and an adjustment in crew shift schedules that altered shift times without added hours of service.

2012 05 14
SAH Off Load Delays
Page 4

STRATEGIC PLAN

The foregoing changes will serve as a significant process improvement which will subsequently enhance our capabilities to deliver consistent cost effective land ambulance service.

RECOMMENDATION

It is recommended that Council receive this report as information.

Respectfully submitted,

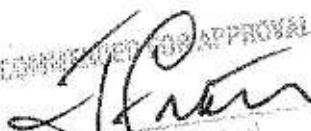


Robert Rushworth
Manager – Emergency Medical Services

Recommended for Approval


Marcel Provenzano, Fire Chief
Sault Ste. Marie Fire Services

Attachment:
Sault Area Hospital Improving Ambulance Offload Times (PowerPoint presentation)


APPROVAL
Joseph M. Pratzel
Chief Administrative Officer

Sault Area Hospital Improving Ambulance Offload Times

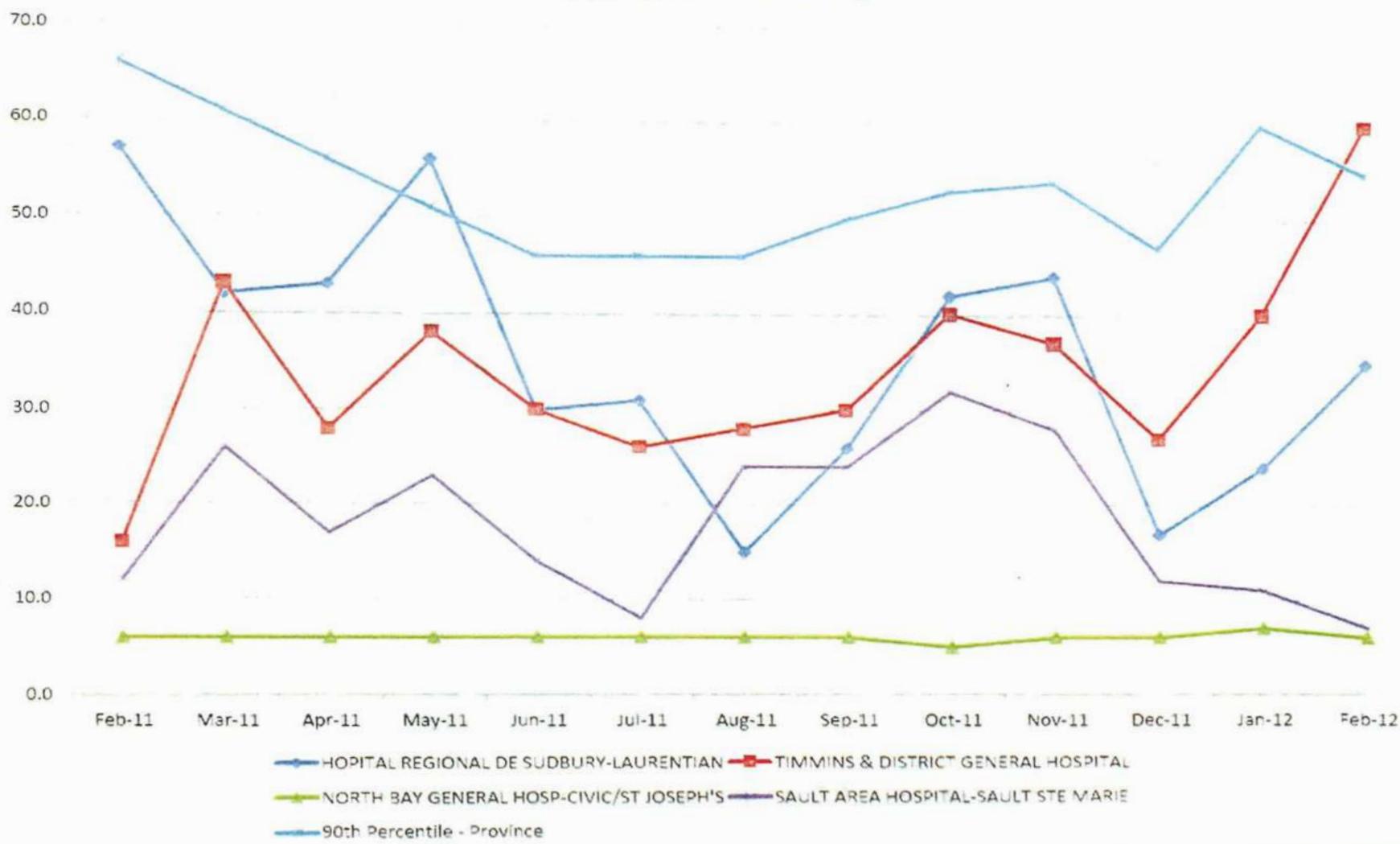


Flow Process Improvements & Performance Metrics Overview

PRESENTED BY
VANDA COOPER
March 29th, 2012

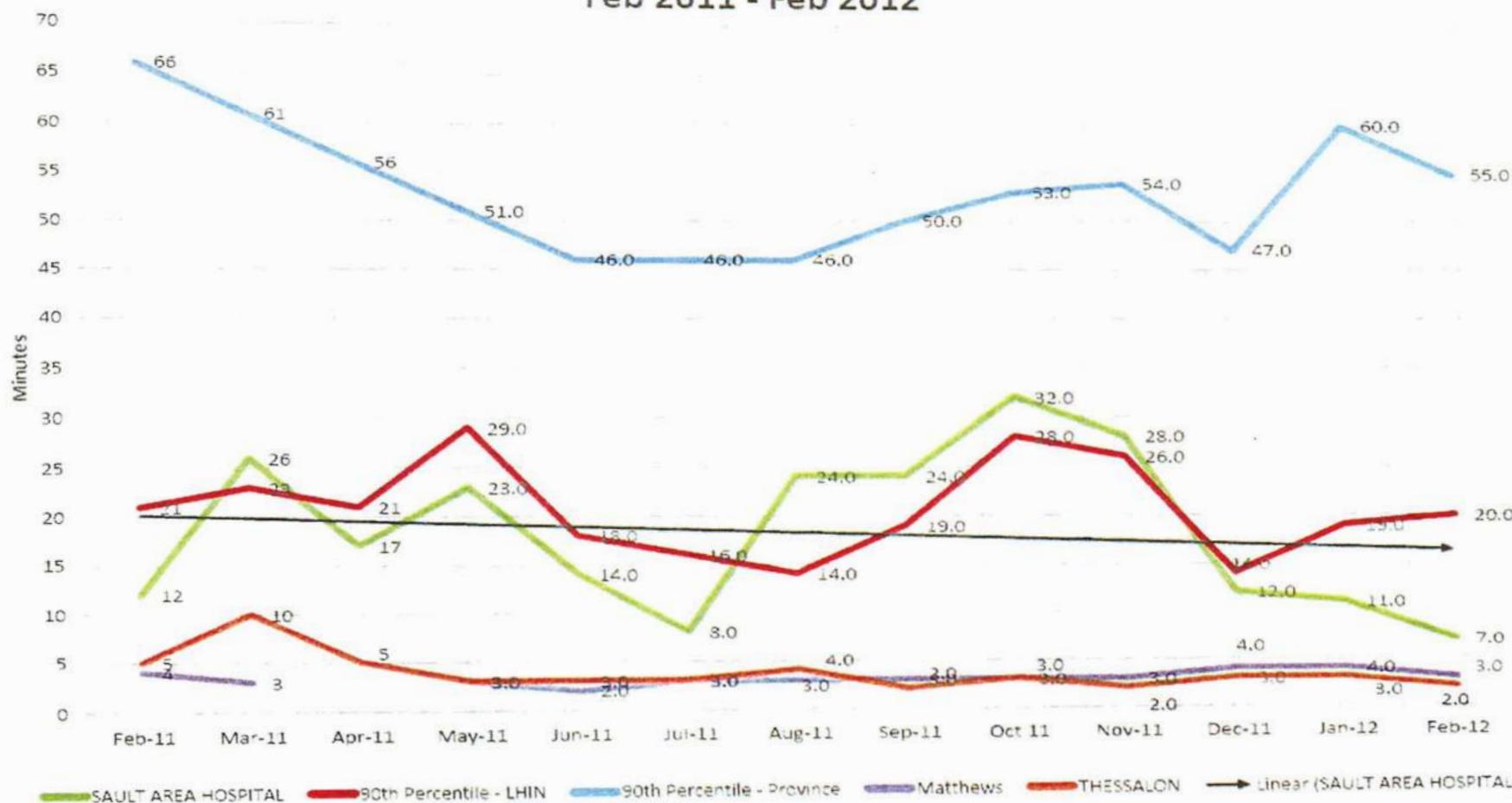
AMBULANCE OFFLOAD METRICS

90th Percentile AOT NE LHIN Hospitals Compared to Province
Feb 2011 -Feb 2012



AMBULANCE OFFLOAD METRICS

90th Percentile Ambulance Offload Time Trending in Minutes Feb 2011 - Feb 2012



Prepared by Decision Support
Data Source: iPort Access

**Quality Improvement Initiatives
Implemented to Date**

- Improved coordination and communication of incoming ambulance calls between ED Charge Nurse/CACC and Paramedics
 - Delegation of CACC duties from ED Charge Nurse response and direct communication to ambulance crew
 - Delegation of Ambulance staff role to ED Charge Nurse to expedite clinical assessment and disposition of incoming patient

**Quality Improvement Initiatives Implemented
to Date (cont'd)**

- Real time notification of initial airways >5 minutes to ED Director for earlier identification and resolution of flow barriers
- Optimization of waiting room as offload destination for stable ambulatory incoming patients

Next Steps



- Optimization of Emergency Dept Information System software with the introduction of Ambulance Replication feature in analysis
 - Real time tracking and bed assignment of incoming ambulances via CLergy Nurse prior to ambulance arrival
 - Automatic arrival time real time electronic notification with “no stop” check in process for paramedics

Future Opportunities



- Ambulance Offload Initiative Funding
- Improved coordination of non urgent community transfers to hospital
- Advanced Care Paramedics??

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

Map File No. 31

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

**RE: SALE OF PROPERTY AT THE CORNER OF MCNABB STREET AND
SOUTH MARKET**

PURPOSE

The purpose of this report is to recommend to Council the acceptance of an offer from Dick's Garage Limited for the purchase of property at the corner of McNabb Street and South Market.

BACKGROUND

In 2010 the City received two inquiries regarding this property asking if the property was available for sale. At that time both parties were advised that the City was not in a position to determine whether the property could be declared surplus.

ANALYSIS

The property was declared surplus by City Council pursuant to City By-law 2007-150. A notice was placed on the City Webpage as well as in the Sault Star advising that the property was declared surplus and bids were accepted until April 20, 2012.

The City received two bids, one from Dick's Garage Limited in the amount of \$85,000.00 and one from Real Ontario Development Corporation for \$29,250.00.

-more-

2012 05 14

Page 2

IMPACT

Disposal of this property is consistent with the City's plan to dispose of surplus property.

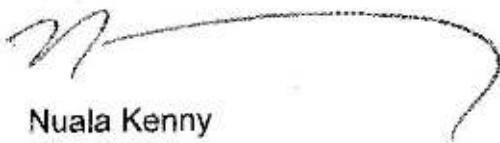
STRATEGIC PLAN

Not applicable.

RECOMMENDATION

My recommendation is to accept the bid from Dick's Garage Limited. This offer of \$85,000.00 is the higher of the two bids received.

Respectfully submitted,



Nuala Kenny
City Solicitor

NK/cf

Staff/council reports/2012/South market McNabb may14.12


RECOMMENDED FOR APPROVAL

Joseph M. Fraser
Chief Administrative Officer

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. P1

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

**RE: REPEAL OF BY-LAW 73-223, A TEMPORARY SPECIAL USE
EXCEPTION ZONING BY-LAW FOR LOTS 6 TO 9, INCLUSIVE, GORE
SUBDIVISION, PLAN 3599, CITY OF SAULT STE. MARIE**

PURPOSE

The purpose of this report is to seek Council's approval to repeal By-law 73-223.

BACKGROUND

By-law 73-223 was passed on July 23, 1973. This By-law was a "Temporary Use" by-law which permitted, as set out in Section 1 of the by-law, the lands described as lots 6 to 9, inclusive, Gore Subdivision, Plan 3599, located at the intersection of Andrew and Albert Streets ("The Lands"), to be used as an appliance sales and service shop. Pursuant to Section 3 of By-law 73-223, the special provisions enacted by Section 1 expire one year from the date of the passing of By-law 73-223. Moreover, Section 3 of By-law 73-223 sets out that the provisions of By-law 4500 continue to apply to The Lands after the expiration of the by-law. What this means is that even if an appliance sales and service shop continues to exist at this location after the expiration of this by-law, such use of the land and building will not enjoy non-conforming use status. It is our understanding that the lands and building have and continue to be used as an appliance sales and service shop.

-more-

(See)

The by-law was registered on title by Instrument T139050. A copy of this instrument and By-law 73-223 is appended as Schedule "A" to this report.

A law firm acting for a potential purchaser of The Lands referred this matter to the Legal Department. Specifically, the law firm requested confirmation that By-law 73-223 would be repealed as it had now expired. Given that Section 3 of By-law 73-223 made it clear that The Lands would not enjoy non-conforming use status if the use continued after the expiry of the by-law, the Legal Department consulted with the Planning Department to confirm the present zoning for The Lands.

It was confirmed that the present zoning of The Lands is C1 – Traditional Commercial Zone. The present use of the property as an appliance sales and service shop therefore conforms to City Zoning By-law 2005-150.

ANALYSIS

By-law 73-223 should be repealed. The temporary use provision has long expired. Further, the current zoning of the Lands as C1- Traditional Commercial Zone permits the present use of the property. The repeal of By-law 73-223 is necessary to have the By-law removed from the property PIN affecting the lands.

IMPACT

Not applicable.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

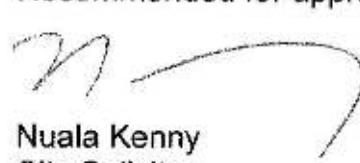
By-law 2012-92 which appears elsewhere on the Agenda has the effect of repealing 73-223 and is recommended for approval. It will be registered on title.

Respectfully submitted,



Melanie Borowicz-Sibenik
Assistant City Solicitor

Recommended for approval,



Nuala Kenny
City Solicitor

MBS/da
attachment(s)

LEGAL\STAFF\COUNCIL REPORTS\2012\41 ALBERT ST REPEAL BY-LAW 73-223.DOC



Joseph M. Frates
Chief Administrative Officer

5(ee)

THE REGISTRY ACT

DECLARATION UNDER SECTION 23 OF THE ACT

DISTRICT OF ALGOMA) I, RONALD A. IRWIN, of the City of
TO WIT:) Sault Ste. Marie, in the District of
) Algoma, Mayor, do solemnly declare that,

1139050

1. I am the Mayor of The Corporation of the City of Sault Ste. Marie, which Corporation is a party to an instrument affecting land that does not contain a local description, namely Zoning By-law 72-223.
2. The instrument affects the land hereinafter described:

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the City of Sault Ste. Marie, in the District of Algoma and being composed of Lots 6, 7, 8 and 9 in the Gore Subdivision, according to a plan thereof registered in the Registry Office for the District of Algoma as Plan Number 3599.

And I make this solemn declaration, conscientiously believing it to be true and knowing that it is of the same force and effect as if made under oath.

DECLARED before me at the
City of Sault Ste. Marie,
in the District of Algoma
this 27th day of August, 1973.)

Ronald J. Irwin

Notary, Commissioner, etc.
District of Algoma,
for Corporation of the City of Sault Ste. Marie,
August 27, 1973.
A Commissioner, etc.

... CORPORATION OF THE CITY OF SAULT STE. MARIEBY-LAW NO. 73-223ZONING - TEMPORARY SPECIAL USE EXCEPTION:(P.2.6)

A by-law to permit a vacant service station located on lots 6 to 9, both inclusive, in the Gore Subdivision at the intersection of Andrew and Albert Streets to be used for the purpose of an appliance sales and service shop.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to section 2 of The City of Sault Ste. Marie Act, 1971, enacts as follows:

1. APPLIANCE SALES AND SERVICE SHOP - TEMPORARY USE

Notwithstanding the provisions of By-law 4500, the vacant lands described as lots 6 to 9, both inclusive, Gore Subdivision, which lands are located at the intersection of Andrew and Albert Streets and are shown outlined on the map attached as Schedule "A" hereto, may be used as an appliance sales and service shop.

2. SCHEDULE "A"

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

3. EFFECTIVE ONE YEAR ONLY

The special provisions enacted by section 1 hereof do not repeal, alter or amend By-law 4500, and upon expiration of the period of one year from the date of passing of this by-law, the provisions of By-law 4500 continue to apply to the lands affected by this by-law, and the use of such land and building shall not constitute the establishment of a right to continue the non-conforming use after the expiration of this by-law.

4. VIOLATION AND PENALTY

Every person who uses the subject property or existing structure in any manner contrary to any provision of this by-law or who causes or permits such use is liable upon conviction therefor to a penalty not exceeding \$1,000 exclusive of costs.

PASSED in open Council this 23rd day of July, 1973, after notice thereof had been given to all owners of lands lying within 300 feet of the subject property in accordance with section 2 of The City of Sault Ste. Marie Act, 1971, and after Council had met to hear every person who had applied to be heard.

"R. A. IRWIN"
MAYOR

"N. G. LINDSAY"
CLERK

(CORPORATE SEAL)

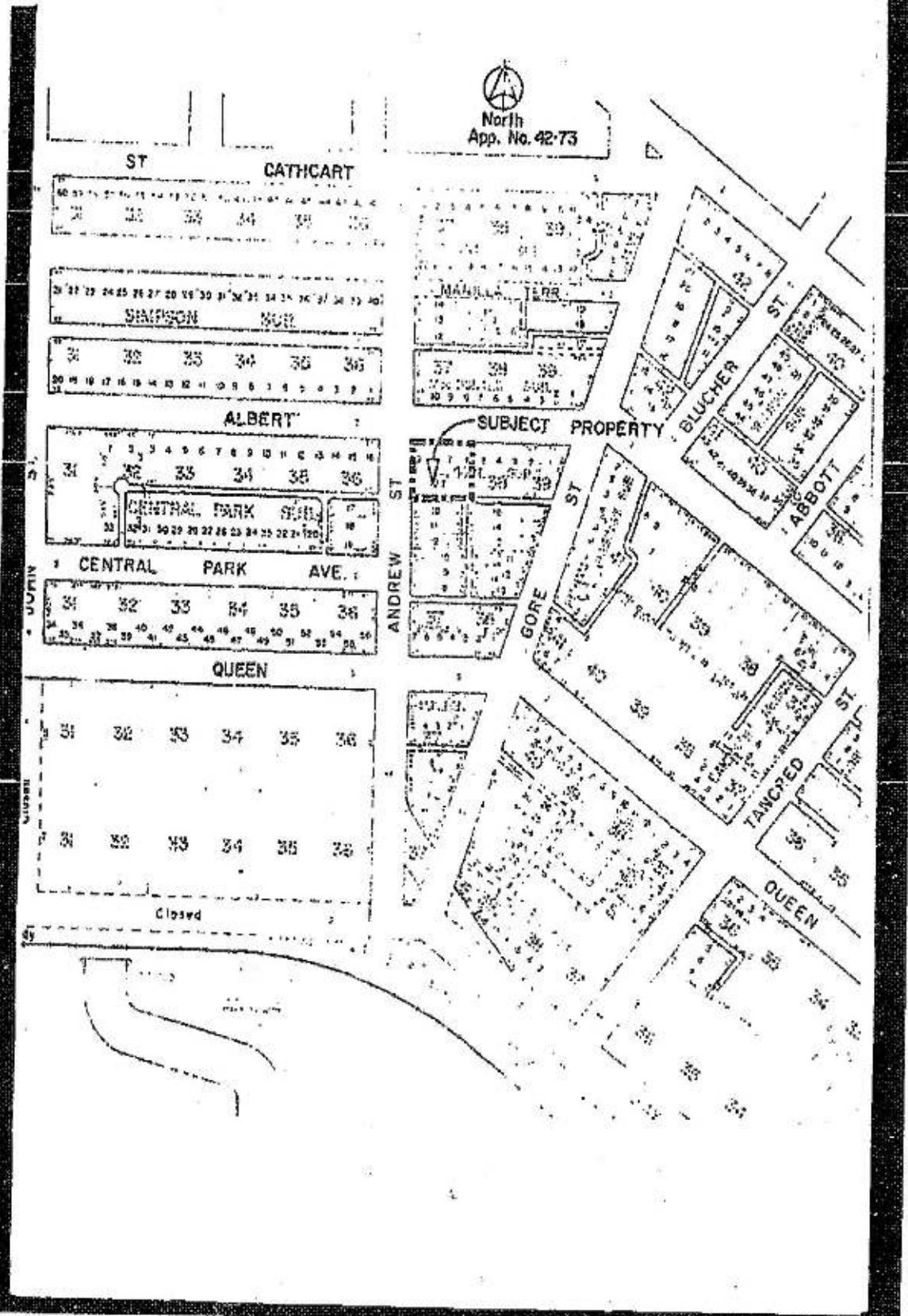
I certify the foregoing to be a true and correct copy
of the original document of which it purports to be a
copy.

DATED at Sault Ste. Marie, Ontario, this 27th
day of July, 1973.

Acting Clerk
ACTING Clerk of the Corporation
of the City of Sault Ste. Marie

5(ee)

THIS IS SCHEDULE "A" TO BY-LAW 73-223



5(ee)

139050

DATED: July 27, 1973

Received and Checked

P.C.

To be used

THE CORPORATION OF THE CITY OF

SAULT STE. MARIE

31 6/137-155
S. B. B. P. C.

Prepared by

T - 139050

BY-LAW NO. 73-223

P.M. 2:43

AUG 7 1973

Receiving Clerk
at Sault Ste. Marie
Ontario.

M. H. L. - 139050

CITY SOLICITOR.
City Hall,
Sault Ste. Marie, Ontario.

File # 1 2 417475
P.R. 7-75
LAND REGISTRY OFFICE
SOLICITOR'S OFFICE, ONT.

PROPERTY OF THE

13

139050
Dated July 27, 1973
Property of the
Solicitor's Office
Sault Ste. Marie, Ontario

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. C2.3

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: AGREEMENT BETWEEN THE CITY AND THE SAULT STE. MARIE AIRPORT DEVELOPMENT CORPORATION

PURPOSE

The purpose of this report is to seek Council's approval for an agreement between the City and the Sault Ste. Marie Airport Development Corporation ("SSMADC") to permit the City to install and maintain one advertising display on SSMADC's property, on the west side of Airport Road in the City of Sault Ste. Marie.

BACKGROUND

The City has received permission from SSMADC to install and maintain one advertising display ("City Entrance Sign") on SSMADC's property. The parties have now agreed to formalize the arrangement.

The proposed City Entrance sign is in the same format as the signs that appear on Highways 17 East and North, when entering the City limits. The proposed City Entrance sign on SSMADC's property will welcome visitors to Sault Ste. Marie as they enter the City via the Sault Ste. Marie Airport.

The agreement confirms that the City has permission to install and maintain the City Entrance sign on the property of SSMADC at the specific location as shown on Schedule "A" to the agreement. The agreement is for a period of five years commencing May 15, 2012 and ending April 30, 2017. The agreement further

-more-

2012 05 14

Page 2

confirms that the City is responsible for all labour and any costs associated with the installation and maintenance of the City Entrance sign at the SSMADC property. The agreement also contains provisions that permit both SSMADC and the City to have the City Entrance sign removed if so required prior to the expiry of the term of the agreement.

ANALYSIS

An agreement is required to confirm the arrangement between the City and SSMADC.

IMPACT

There is no significant financial impact with this agreement as the fees are nominal. The fees for the entire duration of the agreement are set out in Schedule "B" to the agreement.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

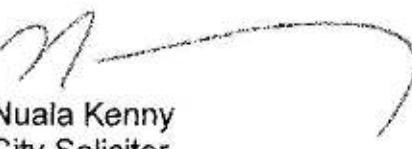
By-law 2012-93 which appears elsewhere on the agenda authorizes the agreement between the City and the Sault Ste. Marie Airport Development Corporation and is recommended for approval.

Respectfully submitted,



Melanie Borowicz-Sibenik
Assistant City Solicitor

Recommended for approval,



Nuala Kenny
City Solicitor

MBS/cf

Staff/Council reports/2012/Airport agreement may14.12



RECOMMENDED FOR APPROVAL
Joseph M. Pridest
Chief Administrative Officer

5(gg)

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. LS(1)

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: LANE CLOSING APPLICATION – TAGONA SUBDIVISION, PLAN 7882

PURPOSE

The purpose of this report is to seek Council's approval to close and convey a public lane in the Tagona Subdivision, Plan 7882.

BACKGROUND

The Legal Department received a petition to close and convey the public laneway described as:

The east/west lane lying north of East Balfour Avenue, east of Rowell Avenue and west of Borden Avenue, bounded by Part Lots 59 to 63 as described in Part 1 Plan 1R4667, Lots 89 to 91 and Lots 56 to 58, Plan 7882 Sault Ste. Marie, being part of PIN 31607-0135 (LT).

Attached as Schedule "A" is a portion of Map 53 showing the subject property.

-more-

2012 05 14

Page 2

The Sault Ste. Marie Region Conservation Authority had the following comments:

- A portion of this property is located in an area under the jurisdiction of the Conservation Authority with regard to O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.
- There would be no objections to the closure and transfer of this portion of the lane, with the understanding that a condition of the transfer would be that no structures of any kind would be allowed to be built on the property outlined on the drawing attached as an area of concern.

We received no further comments.

IMPACT

There is no significant financial impact associated with this matter.

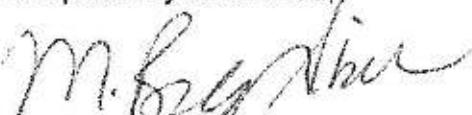
STRATEGIC PLAN

N/A

RECOMMENDATION

By-law 2012-79, a by-law to assume the lane for public use and establish it as a public lane and By-law 2012-80, a by-law to stop up, close and authorize the conveyance of the lane have been prepared for your consideration and appear elsewhere on your agenda. By-law 2012-80 is before Council for the first and second reading this evening.

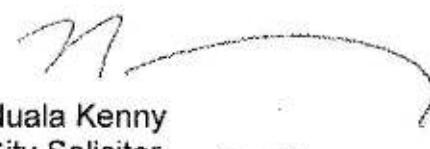
Respectfully submitted,



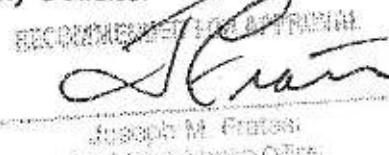
Melanie Borowicz-Sibenik
Assistant City Solicitor

MBS/da
attachment(s)

Recommended for approval,



Nuala Kenny
City Solicitor



JOSEPH M. FRIESEN
CIVIL ADMINISTRATIVE OFFICER

Part of
Map 53

Subject Property →

(209)

Map 53

ROWELL A

AVENUE

AVENUE

5F	429
5F	420
5F	424
5F	430
5F	421
5F	425
5F	429

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EAST SALIOUR Street

83

H. M. Robbins
School

BU 6760

WHITNEY

AVENUE

North



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ASQUITH

DON SCOTT
MANAGER OF TRANSIT AND
PARKING



PUBLIC WORKS AND
TRANSPORTATION DEPARTMENT
TRANSIT DIVISION

Celebrate 100!
1912 - 2012

2012 05 14

Mayor Debbie Amaroso &
Members of City Council

RE: PERMISSION TO PURCHASE ONE (1), 40 FOOT LOW FLOOR NOVA BUS

PURPOSE

The purpose of this report is to request your approval to purchase of one (1), 40 foot low floor bus from the Nova Bus Corporation.

BACKGROUND

At the meeting of June 27, 2011 City Council passed the following resolution:

"Resolved that the report of the Manager of Transit and Parking dated 2011 06 27 concerning Transit Fleet – Proposed Multi Bus Purchase be accepted and the recommendations that:

- 1) \$1.5 million be allocated from the 2012 Federal Gas Tax revenue to purchase three additional 40 foot buses in 2011;
- 2) A Transit Equipment Reserve be created, funded by variable increases to the user fee by-law (Transit portion) with initial funding of \$130,000 in 2012; and
- 3) The City participate in the option for a multi-year purchasing agreement to acquire a minimum of three and a maximum of six buses for the 2011-2014 term at a predetermined price subject to annual budget approval be approved."

At the meeting of August 15, 2011, City Council accepted the recommendation from the Manager of Purchasing to award the tender to Nova Bus Corporation for four (4), 40 foot low floor transit buses.

The four Nova Buses have since proven to be very dependable and popular with our customers, mechanics and operators. The buses have performed beyond our expectations and we feel that we are operating the best bus on the market.

2012 BUDGET

At the 2012 budget meeting of April 11, 2012, City Council approved funding for the purchase of one (1), 40 foot low floor bus. Funding for the bus would see \$75,000 from Capital from Current and \$347,000 in remaining Federal Gas Tax funds from the original purchase of four (4), 40 foot Nova Buses in 2011.

COST

The total bus purchase for one (1), 40 foot low floor Nova Bus is available to us for \$390,000 plus applicable taxes, which is the same price paid by the City for a Nova bus in 2011.

STRATEGIC PLAN

The recommendation to purchase the 40 foot bus is highlighted in the Strategic Plan under the section "Strategic Direction 1: Developing Solid Infrastructure".

RECOMMENDATION

It is recommended that Council approve staff to proceed with the purchase and delivery of one (1), 40 foot low floor bus from Nova Bus Corporation.

Respectively submitted,



Don Scott
Manager of Transit and Parking
Public Works and Transportation

Recommended for approval,



Larry Girardi
Commissioner of PWT
Public Works and Transportation



RECOMMENDED FOR APPROVAL
Joseph M. Fralick
Chief Administrative Officer

Larry Girardi
Commissioner



Public Works &
Transportation Department

May 14, 2012

Mayor Amaroso and
Members of City Council
Civic Centre

RE: LIONS CLUB - POINTE DES CHENES CAMPGROUND

PURPOSE

The purpose of this report is to inform Council of Public Works and Transportation's desire to extend the current contract with the Lyons Club.

BACKGROUND

The Sault Ste. Marie Lions Club operates the Pointe Des Chenes Campground. This Campground is a 10 acre City-owned site adjacent to the Point Des Chenes day use park. There is a five-year renewable agreement in place with this club that the City last signed in May of 2005. There also is a clause that allows the agreement to be extended one year at a time over the next five years.

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

- 100% of the net profit is returned to the community through various donations to community needs or reinvestment in the Campground.
- The members of the Sault Ste. Marie Lions Club donate considerable amount of volunteer time towards the Campground operations; and
- The Lions Club has operated the Campground for the past 24 years.

2012 05 14

Page 2

As part of the agreement, the Lions Club, on an annual basis provides the City with a statement of income and expenses. The 2011 statement is attached for Council's information. It is noted in the statement that the club has enjoyed another successful year.

IMPACT

The volunteer time provided by the Lions Club allows locals and visitors alike to enjoy the benefits of a well maintained campground.

STRATEGIC PLAN

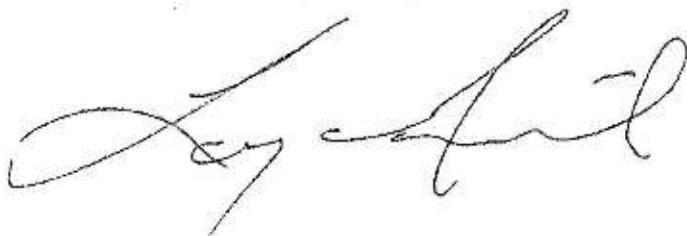
The recommendations of this report are not directly linked to any activity of the Corporate Strategic Plan, but, can be considered under Strategic Direction 3: Enhancing Quality of Life.

RECOMMENDATION

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

It is Council's decision as to whether or not they wish to continue with this arrangement or explore other options after this one year agreement is expired.

All of which is respectfully submitted.



Larry Girardi.
Commissioner
Public Works and Transportation



Karen K. Fralick
City Administrator/CFO



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

January 31, 2012

The Corporation of the City of Sault Ste. Marie
C/o Mr. Larry Girardi, Commissioner
Public Works & Transportation
128 Sackville Road
Sault Ste. Marie, Ontario
P6B 4T6

Dear Sir:

We are pleased to submit this report to you concerning the operation of Pointe Des Chenes Campground and our attached financial statement for 2011.

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

Our weather was favourable again this year after a cold and damp start to the season. We realized additional site rentals due to the good weather and many special events that were organized by our Management and Staff. Overall we had 343 rentals this past year. These totals are in addition to our seventy seasonal customers. Over 86% of our non-seasonal rentals came from the Sault Ste. Marie area. The remainder came from the following areas.

Provinces & Territories: Alberta - 6, British Columbia - 10, Manitoba - 6, New Brunswick 1, Ontario: (non SSM) -44, Quebec - 10, Saskatchewan 1, and Yukon 1.
USA: Connecticut - 1, Florida -1, Maine - 1, Illinois -1, Michigan - 9, Minnesota ~ 6, New Hampshire - 1, Ohio - 1, Pennsylvania - 1, Virginia - 1,
World: Australia - 1, Germany - 1, Holland - 1, Switzerland - 2

2011 Pointe Des Chenes Campground Improvements & Equipment Purchases

- ❖ In addition to the general repairs and maintenance in the Campground and Comfort Stations, the following was also done:
 - ❖ Electrical upgrades
 - ❖ Additional Back-up Generator
 - ❖ Lexar Entrance Door to Main Office
 - ❖ BBQ, Generator, Compressor, Grass Trimmer & Gazebo
 - ❖ Complete set of Padlocks
 - ❖ New metal roofing & soffit installed on comfort stations, garage & main office building
 - ❖ New club/campground combined website
 - ❖ Ten new picnic tables were constructed
 - ❖ Purchase of gravel to raise elevation on low sites

2011 Pointe Des Chenes Campground Environmental

- ❖ 25 trees were removed in the fall of 2010 that were diseased or posed potential danger to campers by City staff.
- ❖ 80 trees were planted in the summer of 2011 with assistance from Mr. Don McGorman from Clean North, The Ontario Forest Research Institute, Campers and our staff. This was the fourth year we have planted trees at the park and will continue to do so this coming year. Our ultimate goal is to improve energy conservation, beautify the campground and increase privacy for the campers.
- ❖ Our recycling efforts continue to bring increased participation from campers and there is an ongoing demand for containers.

2011 Pointe Des Chenes Campground Special Events

- ❖ All of our events were well received which included Canada Day celebrations, Halloween in July, Family Volley Ball Tournaments, Cardboard Boat Races, Family Washer Toss Tournament, Wii Bowling Tournament, Minnow Racing, Frisbee Golf Tournament, Dog Parade, weekly games, kids crafts, kids campfires and daily soccer. Prizes were provided by the Lions Club and donations from some of the campers.
- ❖ A "Relay for Life" luminary ceremony in conjunction with the Canadian Cancer Society on June 11th was held and about 120 luminaries were sold @ \$5.00. This was organized by the campers and is appreciated by the Lions Club.

A large number of day visitors also used the campground in 2011. They spent time with friends and relatives camping with us. When these visitors are added to the total number of rental customers, the campground was busy for most of the summer.

We extend a special thank you to the Mayor, members of City Council, Public Works & Transportation and the Parks Department management and staff for their kind support and assistance to the Lions Club. We have completed our 26th year operating and improving the campground in partnership with the City of Sault Ste. Marie and are looking forward to another successful season in 2012.

Our sincere appreciation is given to our Park Manager Mr. Ken Montgomery, his wife Debbie and the students working for the summer for their contribution to the success of the 2011 season. They provided consistent high levels of customer service while making improvements to existing programs, maintaining others and introducing new ones. They are continually improving children's programs, as well as those enjoyed by all campers. Our customers and members of the Lions Club are sincerely grateful for their efforts.

We also wish to acknowledge the many loyal customers using Pointe Des Chenes Campground for their seasonal, monthly, weekly, or daily rentals and to those who found extra time to volunteer and participate in the children's programs and other activities. We thank those who make a special effort to conserve hydro as its costs will significantly rise in the years ahead.

We hope to complete the outstanding 2011 projects prior to the start of the 2012 season in which we are relying on Parks staff to coordinate for us. They include paving the area surrounding the main office to assist with dust control and the installation of latches on entrance gates. The Comfort Stations are in need of new entrance doors, water proof electrical lighting over the sinks and the extension of shower walls to the floor, to minimize drainage into the main portion of the washrooms. Many of the items involving the comfort stations are safety items and as such must remain a top priority this spring.

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

Yours sincerely,

Lion Glen Thompson
Pedersen
President

2011-2 Campground Chair

Lion Anders



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



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

Pointe Des Chenes Campground..... Profit & Loss Statement
January 1, 2011 to December 31, 2011

Income

Seasonal 15 amp Service	\$67,485.08
Seasonal 30 amp Service	\$25,470.72
Daily Tent Sites	\$4,909.22
Daily 15 amp Service	\$9,236.00
Daily 30 amp Service	\$518.83
Weekly 15 amp Service	\$7,680.03
Weekly 30 amp Service	\$367.61
Monthly 15 amp Service	\$35,314.65
Monthly 30 amp Service	\$8,294.71
Daily Visitor Fees	\$1,988.05
Daily Visitor Passes	\$1,109.49
Non Refundable Site Deposit Fees	\$1,025.00
Canteen Sales General	\$10,448.65
Canteen Ice Sales	\$2,900.76
Canteen Wood Sales	\$4,168.20
Winter Storage 2011-12	\$840.00
Student Employment Programs	\$7,133.00
Total Income	\$185,890.00
	\$185,890.00

Expense

Manager - Salary, Benefits, W.S.I.B.	(\$24,998.72)
Office Staff - Wages, Benefits, W.S.I.B.	(\$13,018.43)
Student Staff - Wages, Benefits, W.S.I.B.	(\$18,354.00)
BDO Canada	(\$6,040.00)
Bank Service Charges	(\$2,786.88)
Ceridian Payroll Services	(\$330.77)
Spring Clean Up & Fall Camper Picnic	(\$740.48)
Comfort Station Supplies	(\$1,376.48)
Garbage Removal	(\$1,106.95)
Gasoline	(\$534.02)
Hydro, House & Sites	(\$12,920.54)
Hydro, Sentinel Lights	(\$276.84)
Hydro, Water System Main Pump	(\$1,369.09)
Liability Insurance	(\$5,117.32)
Kids Entertainment Programs	(\$766.97)
Maintenance Repairs & Equipment ***	(\$1,978.56)
Memberships - Chamber & Bushplane Museum	(\$189.00)
Office Supplies & Postage	(\$1,724.07)
Photocopier Contracts	(\$50.34)
Photocopies	(\$188.69)
Propane	(\$1,896.93)
Telephone	(\$1,400.16)
Bell Mobility	(\$386.19)
Web Site/ Internet Fees	(\$119.88)
Water System Maintenance	(\$13,274.44)
Canteen Cost of Sales	(\$7,022.90)
Canteen Ice Cost of Sales	(\$1,595.75)
Miscellaneous	(\$897.87)
 Total Expense	 (\$120,462.27) (\$120,462.27)
 Net Income	 \$65,427.73
 2011 Campground Improvements Other **	
Picnic Table Replacements	(\$687.13)
Website	(\$1,412.20)
Gravel, Padlocks, Gazebo, BBQ	(\$837.20)
Grass Trimmer, Generator, Compressor	(\$899.97)
Lexar Glass Door	(\$173.25)
Electrical Upgrades	(\$2,660.30)
Tree Planting	(\$400.00)
Roofing & Soffit Replacement	(\$15,549.42)
	(\$22,619.47) (\$22,619.47)
 Net Profit 2011 Pointe Des Chenes Campground	 <hr/> \$42,808.26

S. Hamilton Beach, P. Eng.
Deputy Commissioner



**Public Works and
Transportation**

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: PWT DITCHING PROGRAM - 2012

PURPOSE

The purpose of this report is to inform Council of the proposed 2012 ditching program.

BACKGROUND

Each year the ditching program is reported to Council, for their information. This year it is proposed that the program include the re-ditching of approximately 11,985 metres of ditches to improve drainage along municipal roadways. Attached is the listing of the 2012 locations. The program represents approximately 2.34% of the total 512,000 meters of ditches maintained by the City. The budget for this program is \$192,757.

ANALYSIS

Typically, each year the program has been compiled from requests from Councillors, residents and staff. Budgetary constraints allow for a limited amount work to be undertaken each year. It is necessary to prioritize the requests and normally not all requests can be accommodated. Prioritization of the list considers flooding issues as a much higher priority than cosmetic concerns. To note is that some of the ditching requests may not be included on the final list due to physical constraints (lack of grade) in an area. The solution may require that a storm sewer be installed to address the drainage issues.

It is proposed that the ditching program commence May of this year with a completion date in October 2012.

IMPACT

The proposed program maximizes the assigned operational budget for ditching.

STRATEGIC PLAN

The ditching program is not linked to any activity of the Corporate Strategic Plan.

RECOMMENDATION

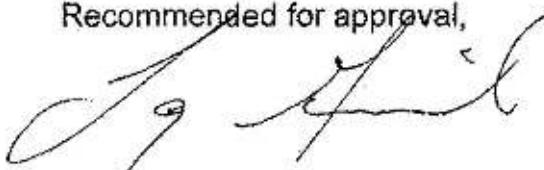
"That the report of the Deputy Commissioner concerning the proposed 2012 ditching program be received as information."

Respectfully submitted,



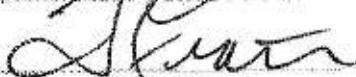
Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval,



Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL



Joseph M. Prendeville
Chief Administrative Officer

5(j)(1)

ADDRESS	METERS
40 GLENWOOD AV.	
91 CELENE CRT	40
410 CHAMBERS AV.	125
33 ESSEX LANE	40
42 BRISTOL PL.	60
47 BRISTOL	200
83 FAQUAHAR ST.	160
124 WIBER ST.	35
26 COREY AV	200
14 McPHAIL AV.	40
MacDONALD AV @ PINE	30
130 NORDEN CR.	150
89 PANORAMIC DR.	55
130 LESLIE ST.	150
64 DABLON ST.	20
55 MALABAR DR.	20
244 BRUCE ST.	125
HAMILTON AV.	200
128 ELMWOOD AV.	440
23 LOTIAN AV.	20
62 CAMERON AV.	10
6 BLAKE AV.	105
HUB TRAIL	90
71 OLD GARDEN RIVER ROAD	100
962 SECOND LINE EAST	200
305 OLD GARDEN RIVER RD.	600
221 TERRANCE AV.	90
94 SOUTHWOOD	130
86 SACKVILLE RD.	100
12 WOOD HURST DR.	250
109 FORT CREEK DR.	140
443 OLD GARDEN RIVER RD.	50
543 OLD GARDEN RIVER RD.	130
783 OLD GARDEN RIVER RD.	20
1141 OLD GARDEN RIVER RD.	450
1492 OLD GARDEN RIVER RD.	120
85 OLD HIGHWAY 17N	145
105 WHITE OAK DR.	125
423 BRULE RD.	450
271 BRULE RD.	250
418 FOURTH LINE EAST	90
194 MOSS RD.	120
556 COOPER ST.	100
540 THIRD LINE WEST	135
1105 GOULIAS AV.	130
827 GOULIAS AV.	100
6 WINFIELD DR	300
441 LAURIER AV,	70
191 ASQUITH ST.	60
16 EDEN SQ.	20
64 PINTO DR.	140

5(jj)

1252 THIRD LINE W	100
875 ALLENS RD.	190
400 ALLENS RD.	230
291 ALLENS RD.	400
141 ALLENS RD.	480
1147 WALLACE TERR.	125
1257 SECOND LINE W	85
1381 SECOND LINE W	190
1457 LEIGHS BAY RD.	185
29 HESS ST.	500
272 TOWN LINE	200
2003 BASE LINE	400
790 TOWN LINE	70
1200 TOWN LINE	400
	1500
Total	11985

5(KK)

Mike Blanchard
Manager of
Buildings and Equipment



Public Works &
Transportation

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: Public Works New Equipment Needs 2012

PURPOSE

We request approval at this time to prepare specifications and to solicit bids for the various pieces listed in the attachment to this report.

BACKGROUND

On an annual basis, the Public Works Department brings to Council, a proposed list of equipment, purchases and trade-ins for the upcoming year as part of our fleet management program. This year's list is attached, as well as a detailed Budget Estimate for each piece of equipment, and the procedure used by Public Works and Transportation in equipment selection and replacement.

ANALYSIS

This spring the Public Works Divisional Managers compiled a list of equipment needs and replacement for 2012. The Manager of Equipment and Buildings compiled the list of equipment, and established a budget figure within existing available reserves. The 2012 total reserve budget figure for the required equipment is \$1,493,800.00.

IMPACT

The equipment capital purchases totalling \$1,493,800.00 will be funded from the Public Works Equipment Reserve.

STRATEGIC PLAN

This initiative is in keeping with the Strategic Plan, Objective 1C – Property Management and Development for the PWT Equipment Program Review.

RECOMMENDATION

That the report of 2012 05 14 concerning Public Works New Equipment needs 2012 be approved at this time to prepare specifications, to solicit bids for various pieces listed. Each piece of equipment will be purchased in accordance with the City's Procurement Policies and Procedures.

Respectfully submitted,

Michael Blanchard
Manager of Equipment and Building
Maintenance

Recommended for approval,

Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL

Joseph M. Fratoni

Proposed New Equipment List for 2012 (April 30, 2012)

Public Works (Account 20-425-4012-8261)

Item	Quantity	Proposed New Equipment	Trade In	Estimated Trade in Value	Estimated Proposed Cost
1	1	Plow Truck	#238 1998 Freightliner Plow Truck	\$ 10,000.00	\$ 205,000.00
2	1	Signshop Signalier Lift	#228 1996 International c/w crane	\$ 6,500.00	\$ 170,000.00
3	1	Retractable Wheel Steel Drum Roller	#979 1991 Dresser Roller	\$ 1,000.00	\$ 85,000.00
4	1	Trackless Style Sidewalk Machine c/w blower, sweeper, plow	#626 - 1999 TRACKLESS VEHICLE	\$ 10,000.00	\$ 165,000.00
5	1	Asphalt Hot Box	New	\$0.00	\$ 40,000.00
6	1	Asphalt Recycler	New	\$0.00	\$ 165,000.00
7	1	Three Wheel Street Sweeper	#818 1996 Elgin Pelican Sweeper	\$ 8,500.00	\$ 200,000.00
8	1	Snowblade	#1182 1992 Frink Angle Blade	\$ 750.00	\$ 30,000.00
9	1	One Ton Crew Cab Truck c/w Dump Box	New	\$0.00	\$ 60,000.00
10	1	Loader Mounted Boom Flail	New	\$0.00	\$ 95,000.00
11	1	Sewer Service Truck	#005 1999 Ford F350 w/ crane	\$ 1,500.00	\$ 90,000.00
12	1	Utility 4x4 Work Utility Vehicle	New	\$0.00	\$ 26,000.00
13	2	Roll off Refuse Containers for Landfill	New	\$0.00	\$ 22,000.00
14	1	Welder	#923 1988 Hobart Welder	\$ 1,500.00	\$ 12,000.00
Public Works Total:				\$ 39,750.00	\$ 1,355,000.00

Parks (Cost Centre 20-425-4012-8261)

Item	Quantity	Proposed New Equipment	Trade In	Estimated Trade in Value	Estimated Proposed Cost
15	1	Riding Mower w/60" deck	#1093 1983 John Deere Riding Mower	\$ 150.00	\$ 26,000.00
16	1	Rototiller PTO attachment	New	\$0.00	\$ 4,800.00
17	1	Lug Behind Rotary Mower	#1357 Farm King Rotary Mower	\$ 1,000.00	\$ 23,000.00
18	1	Farm Tractor	#483 1993 John Deere 5200 Series Tractor	\$ 4,500.00	\$ 85,000.00
Parks Total:				\$ 5,650.00	\$ 138,800.00

Winter Operations Account - Hired Equipment

Item	Quantity	Proposed New Equipment	Trade In	Estimated Trade in Value	Estimated Proposed Cost
19	1	Leased Municipal Graders (Five year lease)	#596 Volvo G900 Leased Grader	\$0.00	\$ 45,000.00
Total Winter Operations Account					\$0.00
Total New Equipment Reserve Cost Centre 20-425-4012-8261:					\$1,493,800.00

**City of Sault Ste. Marie
Public Works and Transportation
Budget Estimates 2012**

Prepared By: Mike Blanchard		Date: April 30, 2012	
Item	Description Detail: One (1) Plow Truck	Status	Estimated Cost
1	Plow Trucks are used to clear snow, wing back snow banks and perform winter snow removal. In the summer months, the wing and plow are removed and the truck is used as a dump truck for summer roadway and sewer construction projects.	Replacement	\$ 205,000.00
Replacement Detail: #238 1998 Freightliner Plow Truck			Estimated Trade In Value
This unit has been in our fleet for 13 years. Plow Trucks are used extensively during the winter months. They are also used in the summer construction season. It is not considered cost effective to continue to repair this plow truck considering its use, corrosion due to winter operations.			\$ 10,000.00
Item	Description Detail: One (1) Signalier Lift	Status	Estimated Cost
2	Public Works Electricians and Sign Shop require this truck to perform maintenance on road signs and traffic lights in a safe manner. The Signalier Lift is a truck with an elevated platform that allows workers to safely work at various heights. This truck is a replacement for a Sign Shop truck that has limited use because it only has a crane.	Replacement	\$ 170,000.00
Replacement Detail: #228 1996 International Truck c/w Crane			Estimated Trade In Value
This unit has been in our fleet for 16 years. This truck has limited use since it only has a crane and lacks an aerial device necessary to perform traffic and sign work. It is not considered cost effective to continue to repair this truck considering its age.			\$ 6,500.00
Item	Description Detail: One (1) Retractable Wheel Steel Drum Roller	Status	Estimated Cost
3	This piece of machinery has retractable wheels which allows it to be towed behind an asphalt truck. It is used for road resurfacing projects, particularly pothole repairs.	Replacement	\$ 85,000.00
Replacement Detail: #979 1991 Dresser Retractable Wheel Roller			Estimated Trade In Value
This unit has been in our fleet for 21 years. It is not considered cost effective to continue to repair this roller considering its age. It also lacks modern roll over protection for safety.			\$ 1,000.00
Item	Description Detail: One (1) Municipal Sidewalk Tractor	Status	Estimated Cost
4	This piece of machinery is a key piece used by the Public Works Department for sidewalk snow removal and sweeping sand removal. It is also used by the Parks Division for flailing and mower operations in the summer months. This machine will also be utilized for maintaining the new hub trail system.	Replacement	\$ 155,000.00
Replacement Detail: #626 1999 Trackless Vehicle			Estimated Trade In Value
Because of the age of the unit and the harsh work it completes, it is not considered cost effective to continue to repair this unit.			\$ 10,000.00
Item	Description Detail: One (1) Asphalt Hot Box	Status	Estimated Cost
5	This piece of machinery is a key piece used by the Public Works Department for the repair of potholes. It is used throughout the year with crews of workers to fill potholes with hot asphalt, as required.	New	\$ 40,000.00

5(K)

Item	Description Detail:	Status	Estimated Cost
6	This machine will be an addition to the fleet. It will be used to recycle asphalt in order to fill potholes when supplier asphalt plants are closed for the season. Use of this machine will result in savings to the Corporation by reheating available stockpile of used asphalt supplies, that then can be used for road repairs. It will also benefit the environment by recycling used asphalt.	New	\$ 165,000.00
Item	Description Detail: One (1) Three Wheel Street Sweeper	Status	Estimated Cost
7	This piece of machinery is a key piece used by the Public Works Department for removal of sand and salt after winter operations. It is also used for fall leaf cleanup and accident clean ups on roads.	Replacement	\$ 200,000.00
	Replacement Detail: #818 1996 Elgin Pelican Street Sweeper Because of the age of the unit and the harsh work it completes in an abrasive environment, it is not considered cost effective to continue to repair this unit.		Estimated Trade In Value \$ 8,500.00
Item	Description Detail: One (1) Snowblade	Status	Estimated Cost
8	This piece of machinery is a Front End Loader attachment that is used for snow removal operations in laneways and parking lots such as City Hall during Winter Operations. It has angling functions that allow for gathering of snow in small areas.	Replacement	\$ 30,000.00
	Replacement Detail: #1182 1992 Frink Angle Blade The replacement unit is a home made model that is in need of major repairs. Because of the age of the unit and the harsh work it completes, it is not considered cost effective to continue to repair this unit.		Estimated Trade In Value \$ 750.00
Item	Description Detail: One (1) One Ton Crew Cab c/w Dump Box	Status	Estimated Cost
9	This unit is used by various construction crews to transport workers and tools to worksites throughout the City. It is also used in winter months to manually spread sand at bus stops and cross walks as well as towing Hotbox asphalt patchers for spring pothole repair.	New	\$ 60,000.00
Item	Description Detail: One (1) Loader Mounted Boom Flail	Status	Estimated Cost
10	This unit is a Front End Loader mounted attachment that is used to flail grass along ditches throughout the City. This unit must have the necessary reach to flail grass from the road position to the opposite side of the ditch. The result is better drainage and better aesthetics along the roadways.	New	\$ 95,000.00
Item	Description Detail: One (1) Sewer Service Truck	Status	Estimated Cost
11	This piece of equipment is used by the Sewer Pump Station crews to perform daily maintenance on the pump stations. The unit has a service body capable of carrying a supply of tools to each site and a crane that is capable of lifting pumps and electric motors.	Replacement	\$ 90,000.00
	Replacement Detail: #0005 1999 Ford F350 c/w Crane This unit is 13 years old. It has a small crane that does not meet all of the lifting capacities that are necessary for all pump stations. Because of the age of the unit it is not considered cost effective to continue to repair this unit.		Estimated Trade In Value \$ 1,500.00
Item	Description Detail: One (1) 4x4 Utility Work Vehicle	Status	Estimated Cost
12	This piece of equipment will be used to maintain the wellheads at the landfill. The wellheads carry landfill gas to the central flare where it is burned off. Due to the rugged terrain, a 4x4 Utility Vehicle is required by the Maintenance Crew to access each well head in all weather conditions to take gas readings and perform regular maintenance.	New	\$ 26,000.00

SLK(K)

Item	Description Detail:	Status	Estimated Cost
13	These pieces of equipment are filled with sorted refuse by the Public and are then dumped in the landfill by the Landfill Roll Off Truck in the Landfill. These units will replace some damaged units that are not cost effective to repair any longer.	Replacement	\$ 22,000.00
Item	Description Detail: One (1) Welder	Status	Estimated Cost
14	This piece of equipment is a key piece of maintenance for the Public Works Welding Department. It is used on a mobile basis to perform welding work on culverts, handrailing and walking bridges throughout the City. It is also used on an emergency basis for welding repair and generating electricity during blackout conditions.	Replacement	\$ 12,000.00
	Replacement Detail: #0923 1988 Hobart Welder	Estimated Trade In Value	
	This unit is 24 years old. Because of the age of the unit and the fact that it required to work on an emergency basis, it is not considered cost effective to continue to repair this unit.		\$ 1,500.00
Item	Description Detail: One (1) Riding Mower w/60" deck	Status	Estimated Cost
15	This piece of equipment is a key piece of maintenance for the City Parks Division. It is used by students to perform grass cutting maintenance in all City parks.	Replacement	\$ 26,000.00
	Replacement Detail: #1093 1983 John Deere Riding Mower	Estimated Trade In Value	
	This unit is 29 years old. Because of the age, it is not considered cost effective to continue to repair this unit.		\$ 150.00
Item	Description Detail: One (1) Rototiller PTO Attachment	Status	Estimated Cost
16	This piece of equipment will be used by the Parks Division to groom playground areas in the City Parks. It is a farm tractor attachment that can also be used to prepare flower beds.	New	\$ 4,800.00
Item	Description Detail: One (1) Lag Behind Rotary Mower	Status	Estimated Cost
17	This piece of equipment is a key piece of equipment for City Parks grass maintenance crews. It is a multi-deck, lag behind, rotary mower that is towed and powered by a farm tractor.	Replacement	\$ 23,000.00
	Replacement Detail: #1357 1999 Farm King Rotary Mower	Estimated Trade In Value	
	This unit is 13 years old. Because of the age and its type of use, it is not considered cost effective to continue to repair this unit.		\$ 150.00
Item	Description Detail: One (1) Farm Tractor	Status	Estimated Cost
18	This piece of equipment is a key piece of equipment for City Parks grass maintenance crews. It is an enclosed cab farm tractor that performs summer maintenance suchs as flailing, grass cutting, post hole work, ball field grooming and winter snow removal operations.	Replacement	\$ 85,000.00
	Replacement Detail: #0483 1993 John Deere Farm Tractor	Estimated Trade In Value	
	This unit is 19 years old. Because of the age and its type of use, it is not considered cost effective to continue to repair this unit.		\$ 4,500.00
Item	Description Detail: One (1) Leased Municipal Grader	Status	Estimated Cost
19	This piece of equipment is used exclusively for Winter Operations. It is a key piece of equipment to snow removal operations from October to April every year for a 5 year term. This unit will replace a Leased Grader that expired its 5 year lease.	Replacement	\$ 45,000.00
	Replacement Detail: #0596 2007 G960 Volvo Grader Lease	Estimated Trade In Value	
	This unit requires replacement since the original 5 year lease has expired.		N/A

5(k)

	<p style="text-align: center;"><u>PROCEDURE MANUAL</u></p> <p>PROCEDURE NUMBER: Manager 02</p> <p>SUBJECT: Preparing Budget Detail Estimates to Replace Equipment</p>	<p>SECTION:</p> <p>PAGE: 1 OF 4</p> <p>DATE: August 21, 2002</p> <p>REVISION: October 26, 2007</p>
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1.0 PURPOSE:

The purpose of this procedure is to establish procedures for preparing Budget Detail Estimates for preparation of council meetings.

2.0 SCOPE:

Applies to the Manager of Equipment and Buildings at the Public Works and Transportation Centre.

3.0 RESPONSIBILITIES:

Responsibilities include monitoring the performance and costs of equipment throughout the year to determine what equipment is in need of replacing. Also included is compiling and preparing the list of equipment that must be updated annually. Compiling new equipment lists is the responsibility of a committee that includes: the Manager of Equipment, the Commission or Deputy Commissioner of Public Works, Divisional Managers and a Shop Maintenance and Operator Representative.

4.0 EQUIPMENT:

Computer, telephone.

5.0 TRAINING REQUIREMENTS:

Managerial Experience and mechanical experience.

6.0 SAFETY:

This position requires the use of safety equipment as outlined in the City of Sault Ste. Marie safety policies.

7.0 PROCEDURES:

7.1.1 A list of new equipment must be prepared annually to replace older obsolete equipment that is costing because of repairs, or is due for replacement because of safety reasons.

7.1.2 Mid February the Divisional Managers (Parks, Public Works, Cemeteries, Landfill) must be contacted to compile a list of equipment that they believe should be replaced in the new year. This list may also include new equipment that each Department may need.

7.1.3 When the Departmental Managers have their lists compiled they are to be submitted to the Manager of Equipment and Buildings.

7.1.4 The Manager of Equipment and Buildings completes the list of equipment. When the list of equipment is complete, the Manager of Equipment and Buildings will call suppliers to get Budget Figures for every piece of equipment that the Divisional Managers have requested on their Equipment Lists.

	PROCEDURE MANUAL	SECTION:
	PROCEDURE NUMBER: Manager 02	PAGE: 2 OF 4
	SUBJECT: Preparing Budget Detail Estimates to Replace Equipment	DATE: August 19, 2002 REVISION: October 26, 2007

- 7.1.5 The Manager of Equipment and Buildings reviews and inspects the equipment that has been submitted by each manager.
- 7.1.6 The Manager of Equipment and Buildings takes into account the following points when inspecting equipment on the list:
- a) Number of hours the unit has on the hourmeter
 - b) The history cost of the unit.
 - c) The odometer readings (kilometers)
 - d) The number of accumulated Rental Credits
 - e) The condition of the body if applicable.
 - f) The mechanical condition of the unit.
 - g) The age of the unit.
 - h) The MTO Cycle Comparison shown below.

Description	MTO - Cycle Yrs / Km / Hrs	City of Sault Ste. Marie
Cars	7 yrs, 200,000 km	7 -10 years
Vans ½ ton & ¾ ton	7 yrs, 200,000 km	10-12 years
½ ton pickups	7 yrs, 200,000 km	7-10 years
¾ ton pickups	7 yrs, 200,000 km	7-10 years
1 Tons	8 yrs, 250,000 km	12 years
3 & 4 Ton Stake Trucks	7 yrs, 320,000 km	12 years
5 & 6 Ton Trucks - Plows wings	13 yrs, 200,000 km	12-15 years
5 Ton Dumps	13 yrs, 320,000 km	12-15 years
Tandem Dumps - Plows wings	11-15 yrs, 350,000 km	12-15 years
Float Truck – tandem	12 yrs, 350,000 km	12-15 years
Float Trailer – tandem/Tri-axle	20 yrs	20 years
Grader – Class 1	20 yrs, 15,000 hrs	10-12 years 10,000 hrs
Grader – Class 5,6,7- Plows wings	24 yrs, 20,000 hrs	10-12 years 10,000 hrs
Tractor / Loaders	14-20 yrs 16-20,000 hrs	12 – 15 years
Tractor / Backhoe	12-15 yrs, 12-15,000 hrs	12 - 15 years
Class III & IV Tractor	24 yrs, 10,000 hrs	15 -20 years

	PROCEDURE MANUAL PROCEDURE NUMBER: Manager 02 SUBJECT: Preparing Budget Detail Estimates to Replace Equipment	SECTION: PAGE: 3 OF 4 DATE: August 19, 2002 REVISION: October 26, 2007
Description	MTO - Cycle Yrs / Km / Hrs	City of Sault Ste. Marie
Mowers	20 yrs	15 years
Riding Mowers	7 yrs	10 – 12 years
2 Ton Vibrator Roller	20 yrs	15 -20 years
Brush Chipper	10 yrs	10 years
Sweeper	10 yrs, 10,000 hrs	15 years

NOTE: This chart is only a guideline. Each unit would be evaluated on its own merit. When the unit is evaluated the following would be considered: is the unit being fully utilized - how many hours does it average, a review of the operational costs, km or miles accumulated, overall condition of unit and the repair history.

- 7.1.7 When the list is complete, the Manager of Equipment and Buildings compiles the Equipment Replacement spreadsheet and calls a meeting to discuss the equipment on the list. Present at the meeting shall be: Divisional Managers or a representative, the Deputy Commissioner or the Commissioner of Public Works and Transportation and a representative from the Maintenance Shop and Operators. (See Sample Equipment Replacement Exhibit #1)
- 7.1.8 During the meeting the complete list is presented to each of the Divisional Managers. At this meeting the replacement equipment is discussed and the list is reduced if necessary to meet the budget target of that year. This process may take several meetings.
- 7.1.9 When the list is complete it is used by the Commissioner or the Deputy Commissioner of Public Works and Transportation to go to City Council for approval to commence the process of Tendering, and for the approval of the proposed Budget amount for that year.
- 7.1.10 The Manager of Equipment and Buildings then completes Budget Detail Estimates that gives descriptive details of why the machinery is needed, or in need of replacement. This document is used by the Deputy Commissioner or Commissioner of Public Works to explain to City Council if questions should arise during the Council Meeting or approval of the new equipment budget. (See Sample Budget Detail Estimates Exhibit #2)
- 7.1.11 When the Budget and the approval for Tendering has been completed the Manager of Equipment and Buildings completes the Tendering Specifications for each piece of equipment on the list.

5611



SAULT STE. MARIE POLICE SERVICE

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

ROBERT O. DAVIES
Chief of Police

BOB KATES
Deputy Chief of Police

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

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

April 30, 2012

Mayor D. Amaroso and Members of City Council
City of Sault Ste. Marie
Civic Centre, 99 Foster Drive
Sault Ste. Marie ON P6A 5X6

Dear Mayor Amaroso and Councillors:

Re: Business Plan - Results Year Two

Attached for the information of City Council is the *Year Two Results* of the Sault Ste. Marie Police Service's Three Year Business Plan (2010 - 2012). I am pleased to advise Council that we are on target to achieve all of our goals within the three-year period.

The business plan is an important tool in measuring the performance of the Police Service in areas of community safety, crime prevention, and crime solvency rates. It also provides the foundation used by the Police Services Board to establish the annual Police budget.

Through strategic planning and the commitment of the dedicated men and women who provide frontline policing, Sault Ste. Marie and Prince Township will continue to be one of the safest communities in the country.

Yours truly,

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

Robert Davies
Chief of Police

RDD:ah

Attachment

5(m)

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 05 14

Mayor Debbie Amaroso and
Members of City Council

**RE: Application No. A-16-12-Z
Minor Amendments to Zoning By-law #6**

PURPOSE

This Report outlines the proposed Minor Amendments to Zoning By-law 2005-150.

BACKGROUND

In October 2005, City Council passed Zoning By-law 2005-150. At that time, Planning staff noted that an annual review and subsequent minor amendments would be required to ensure that the by-law remains current.

Continually reviewing the by-law ensures an accurate reflection of the community's changing development requirements. In most cases, the proposed changes are required to more clearly communicate the original intent of the regulations or respond to changing development trends.

This report is the sixth set of minor amendments to be proposed since the passing of the Zoning by-law in 2005.

ANALYSIS

Proposed Text Amendments

5.1.6 & 5.7 Parking Requirements for Buildings with More than One Use

Currently required parking is the sum of all uses on the same lot or within the same building, with the exception of strip plazas and shopping centres, which must supply 4.5 parking spaces per 100m², regardless of the uses contained within. This generic parking regulation is intended to provide flexibility in accommodating new uses within existing strip plazas and shopping centres, without the need to re-calculate parking requirements.

Not unlike strip plazas and shopping centres, 'power centres' contain a cluster of retailers that may be spread over multiple buildings and located on separate lots, however they are designed to function as a single commercial development with shared parking.

Power Centres do not meet the current definition of either strip plazas or shopping centres and therefore, parking must be calculated based on the uses located within the commercial development. This amendment proposes to amend the definition of 'strip plazas' to include 'power centres'.

5.5 Maximum Slope for Barrier-Free Parking Spaces

In an effort to increase accessibility, this amendment proposes to note that no part of any barrier-free parking space shall be of a slope that is steeper than 1:20.

9 All Residential Zones

In all residential zones, it is noted that 'any lot may be used for one of the following permitted uses'. Building Division has developed the following interpretations:

- More than one multiple attached building and more than one apartment building are permitted on the same lot, where each use is permitted.
- Home Based Businesses and Bed and Breakfasts are permitted as accessory to a dwelling unit.

There is the potential to have a block of multiple attached dwellings and an apartment building, such as 'CARA House' on Old Garden River Road. It would be appropriate to allow multiple attached and apartment dwellings on the same lot, with a shared parking area.

This amendment proposes to note that within an "R4" (Medium Density Residential) zone multiple attached dwellings and apartment dwellings may be developed on the same lot.

9.1.5 Yard Regulations for Garages and Carports – Min. Interior Side Yard Setbacks for Attached Garages

The minimum interior side yard setback in most residential zones is 1.2m for a 1-storey building and 1.8m for a 2-storey building. The interior side yard setback for attached garages is 1.2m, regardless of how many stories it may be.

In order to be consistent with interior side yard setbacks in most residential zones, this amendment proposes to increase the setback to 1.8m where the garage is 2-stories.

9.1.7 Additional Regulations for Accessory Buildings and Structures

This section notes that with the exception of garages and carports, all accessory buildings or structures shall be located in the rear yard. Such a regulation is not appropriately applied to lots abutting the water where homes are generally oriented towards, and located as close to the water as possible.

This amendment proposes to note in Section 9.1.7A that where a lot abuts the water, accessory buildings may be located within a front yard, subject to front yard setback requirements.

9.4.3 Dwelling Units Prohibited in Cellars

The Zoning By-law currently prohibits dwelling units located within 'cellars', which are defined as a storey where more than $\frac{1}{2}$ of the height between the floor and ceiling is below established grade. Based on this definition, most basements are considered to be cellars.

From a zoning standpoint, basement apartments are not an issue, so long as the zoning permits multiple dwellings on the same lot. It is also recognized that conversions, including the addition of a basement apartment often results in the creation of affordable housing. The regulation was originally intended for safety purposes; however the Ontario Building Code has provisions requiring basement units to be retrofitted in a manner that ensures safety, especially as it pertains to fire safety.

Given that the Ontario Building Code is the appropriate mechanism for regulating basement dwellings, this amendment proposes to remove the prohibition on dwelling units in cellars.

9.6.2 Single Detached Residential Zone (R2) Building Regulations – Interior Side Yard Setback on Lots Abutting Lake Superior & St. Mary's River

Current interior side yard setbacks specify a minimum setback of 1.2m for a 1-storey building or 1.8m for a 2-storey building on one side, and 3m on the other side. The Sault Ste. Marie Conservation Authority's Shoreline Management Plan requires a minimum of 3.5m along at least one side lot line in order to allow access to the shoreline for maintenance and management purposes.

To be consistent with the SSMRCA Shoreline Management Plan, this amendment proposes to increase the required interior side yard setback along one side of a lot, from 3m to 3.5m.

13.2.2 C2 Zone Building Regulations – Accessory Buildings

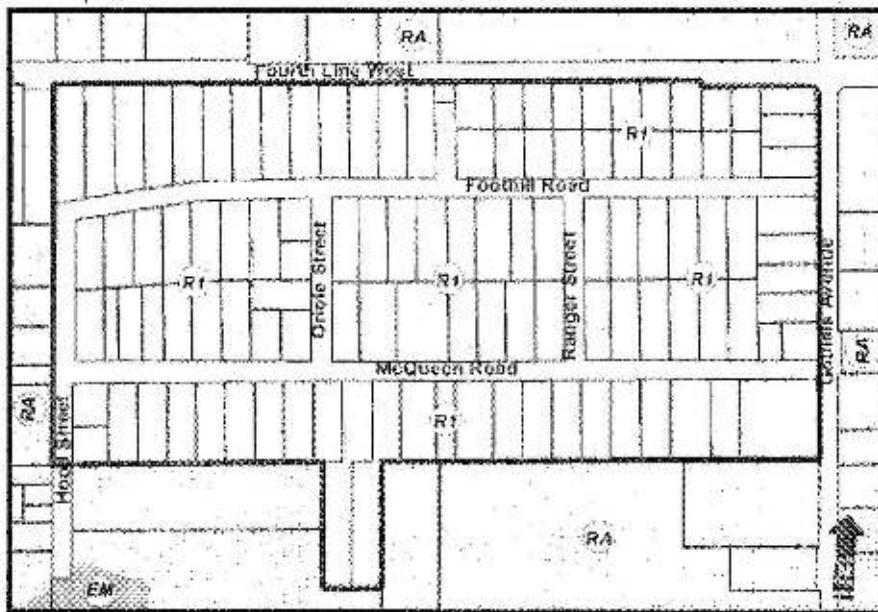
Buildings within the "C2" (Central Commercial) zone may be developed from lot-line to lot-line. These regulations are applied to main buildings, whereas section 4.1.3 outlines the setbacks for accessory buildings within commercial zones as a minimum of 1m from any lot line.

Given that main buildings may be built to the lot line, this amendment proposes to allow accessory buildings within a "C2" zone to be constructed to the lot line.

Proposed Map Changes

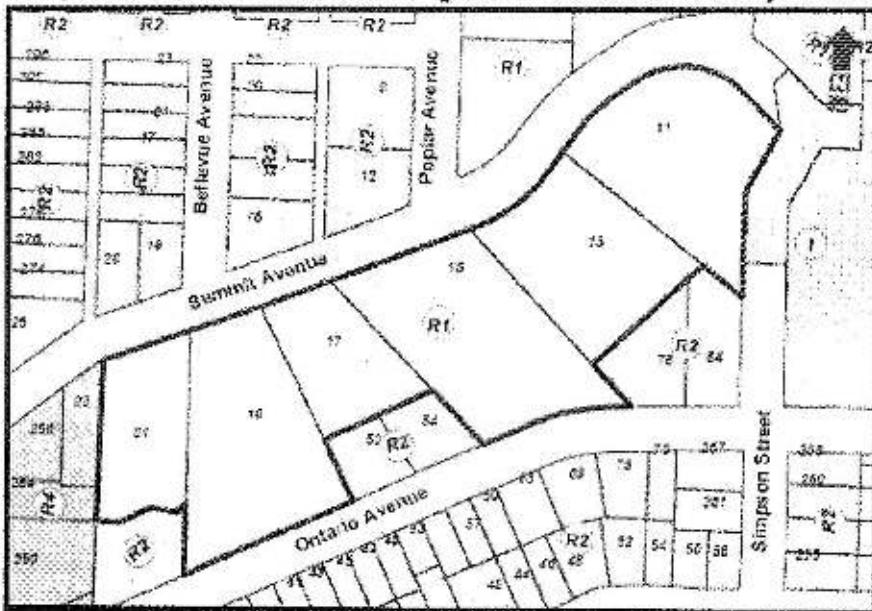
McQueen Rd/Foothill Rd Areas "R1" (Estate Residential) zone to "R2" (Single Detached Residential) zone

Although not serviced, the character of the area in terms of lot sizes and building setbacks is similar to that of a "R2" (Single Detached Residential) neighbourhood. The current "R1" setbacks are virtually unattainable given the small lot sizes. Therefore this amendment proposes to rezone the area shown on the map from "R1" to "R2".



Summit Ave. "R1" (Estate Residential) zone to "R2" (Single Detached Residential) zone

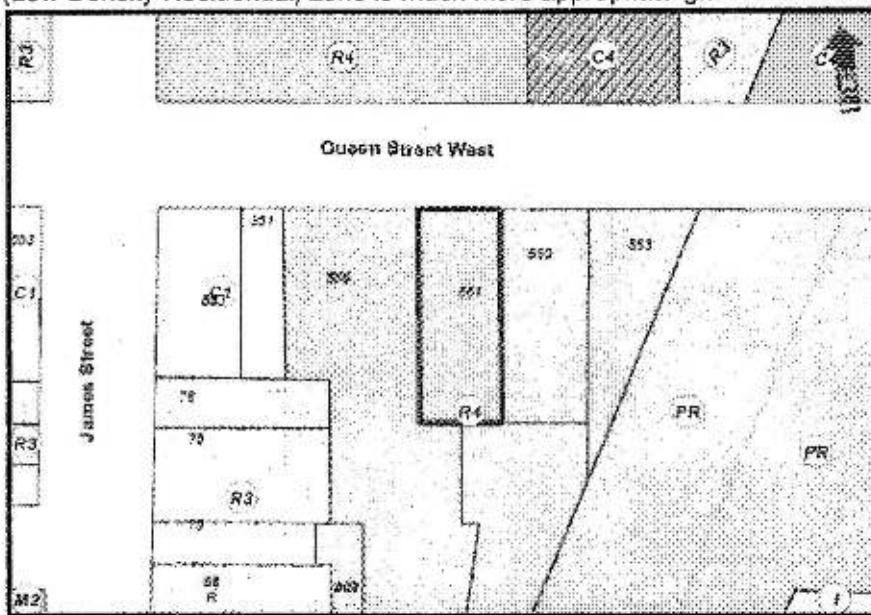
Although the current lot sizes are large, the topography of the area is such that portions of these properties are not developable. The "R1" standards require large setbacks from lot lines, which is not within the character of the surrounding area or achievable in many instances, given the significant slopes.



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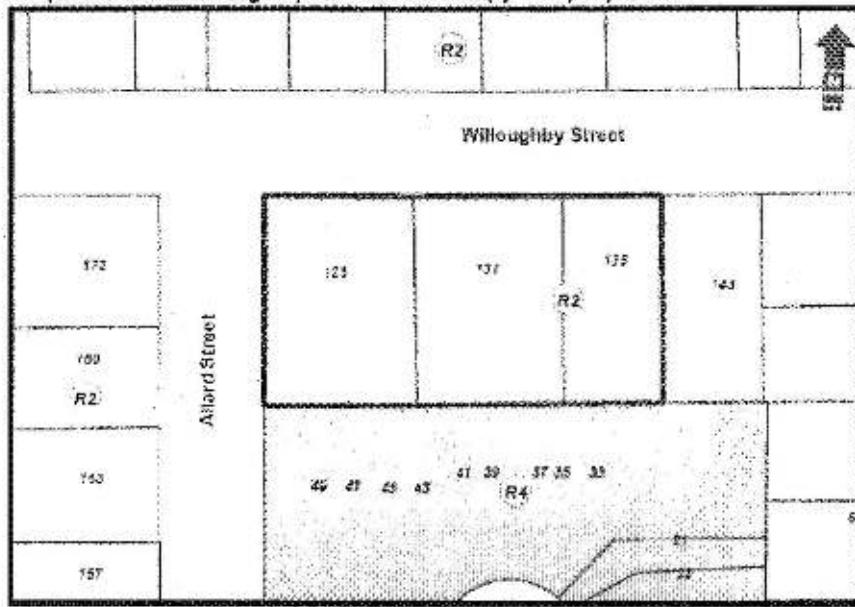
561 Queen St. West – “R4” (Medium Density Residential) zone to “R3” (Low Density Residential) zone

The current “R4” zoning, which does not permit a single detached residence, is not appropriate. The “R3” (Low Density Residential) zone is much more appropriate given the size of the subject property.



123, 131 & 135 Willoughby Street – “R2” (Single Detached Residential) zone to “R4” (Medium Density Residential) zone

As part of the new zoning by-law in 2005, these properties were incorrectly rezoned to “R2”, which does not permit the existing 4-plexes that occupy the properties.



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IMPACT

City Council's approval to authorize public notice will have no financial impacts on the Municipality.

STRATEGIC PLAN

Approval of this application does not impact the Corporate Strategic Plan.

RECOMMENDATION

That City Council accepts this report as information and authorizes staff to give Public Notice for Council's June 11, 2012 meeting.

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. Puccio
Chief Administrative Officer

DataAPPLREPORTMINOR AMENDMENTS NO. 6.doc

WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
 REQUEST THAT THE STREET KNOWN AS FOSTER DRIVE BE
 CHANGED TO HERITAGE DRIVE BECAUSE IT LEADS UP TO
 THE FLAGS REPRESENTING THE HERITAGE OF THE
 CITIZENS OF OUR CITY.

NAME

ADDRESS

A V Wilcox	120 Albert St. W
Kyndy Moore	120 Albert St W
Marius Delhezario	660 FARWELL TERR.
Stephen Sison	502 Bush St
Debbie Longson	316 Beldridge Street
Ruth Eastep	45 Amherst St
Mark McVine	559 Brunswick Ave
Bell May Lean	399 Loggery Rd.
Michael Do Post	122 Willoughby St.
Mike Evans	25 Point Rd. Id Man
John H. Shielz	69 Mac Murray Avenue
John Kelly	146 Lake St.
Wayne Barber	London St.
Tom Palmer	Main Street
STEVEN JOHNSON	20 BEAUMONT AVE, SAULT STE MARIE, ON.

WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
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NAME	ADDRESS
Brenda Ray	83 Bibbs
Catherine Wray	29 Adrian Dr.
Harvey Jackson	12 Cleopatra
Dave Gronzer	3222 Lake Bay
Steve Hood	36 Silverdale
Christina Ct	345 Nixon Rd
Barbara DaDalt	1101-275 Albert St E.
Joe DiPasquale	223 Berkeley St.
Don Coulter	27 Churchill
Ryan McFayall	38 SheBlach Dr.
Neil Peterson	16 Tacke Drive.
Matt Kastell	1694 Queen St.
Al Clark	723 Bay St
Savina Power	#2-2,279 Nathan Ave.
Jacqueline Bell	69 Gladstone Dr.

5nn

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NAME	ADDRESS
Scott Newnam	25 Breton Rd
Jan Braunday	10 Blue Berry Rd Wm
Diane Horner	31 Old Garden Rd Wm Rd
Tom Czaja	31 Old Garden Lanes Rd
Clive Blustin	496 Bush St.
Matt McLean	364 Eastern Ave
Patty Baugie	164 Kehoe Ave.
Terry Evans	165 Albert Street W rm 1
Eric Cygdon	165 Albert Street W rm 6
Star Basson	101 Knox Ave.
Mary Einos	165 Albert Street, W rm 5
Elise Roberts	165 Albert Street W rm 4
Tanya McRae	165 Albert Street W rm 3
Aileen Evans	165 Albert Street W rm 2
Ron Hightower	22 Nicoll Ave

**WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
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NAME	ADDRESS
Joanne Denin	9 Railroad Ave.
Erica Kirby	85 Reid St.
Kait Farries	485 Reid St
Ken Goodl	591 Connaught
Ken	370 Wellington St E
John	28 Hespeler Str
D. Goldsby	700 Bay St. Apt. 702
Mary	57 Young Rd
Wally Charday	30 Beech Street
Mike	65 Dunrobin Rd
David Lusk	717 Airport Rd
Mike	514 Nelson STREET
Mike	39 Northern Ave W.
D. Lewis	130 Bruce St
Johnne	Acme Ave SSM

WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
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 CITIZENS OF OUR CITY.

NAME	ADDRESS
Kathy Owen	547 PLACID AVE.
Robert Chalifour	120 ANDREW ST
Randy Taylor	120 ANDREW ST
Clyde	324 Beverly
Dave Burfoder	
Kevin Taylor	Albert St.
Eric Ignatich	140 ALBERT ST. W
Betty Ignatich	140 Albert St. W
Diana Carbone	121 Canfield Ave
Ana Meeks	11 Albert St West
Karen McEachern	121 Albert St. W
	120 ALBERT ST. WEST
	46 Mistletoe DR
EM	218 Bay

WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
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 CHANGED TO HERITAGE DRIVE BECAUSE IT LEADS UP TO
 THE FLAGS REPRESENTING THE HERITAGE OF THE
 CITIZENS OF OUR CITY.

NAME	ADDRESS
Ronald Perrault	Sault Owl
Barb Ann Perrault	West St Sault Ste Marie
Susan MacKenzie	39 KENT CRESCENT S.S.M
John MacKenzie	39 Kent Cr. SSM.
Bernie Judd	352 Queen 1000 SSM
Joe -	95 Bellevue
Alexandra Bayd	7 Bristol Place
DERRICK WYMAN	44 WEMYSS ST., SAULT
J. Puccio	1469 QUEEN
MARYLOU KEENE	223 SYDENHAM Rd. SSM.
S. Puccio	1286 Old Garden River Rd.
J. Blair	16 Trade St. Et
S. Puccio	353 CARPENTER Beach Rd.
P. Puccio	685 North St
B. Dwyer	37 ELM AVE.
C. Davis	588 ALBERT W

WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
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 THE FLAGS REPRESENTING THE HERITAGE OF THE
 CITIZENS OF OUR CITY.

NAME	ADDRESS
Julie Battish	78 Old Goulais Bay Rd.
MaryAnn Baloncz	553 Sherbourne St
Nicole Dion	Almerville Road
Mat Morris	110 Lorna Dr.
Daryl Styles	39 Copernicus
Luigi Buscarini	21 LORNA DR
X De Gregori	
Steve French	690 Old goulais bay Rd
Stephen Dow	942 Young St.
Joe Willis	
KEN SIMMS	592 PARLIAMENT ST.
B Woytucki	28 Tadcaster Pl.
C. Hels	
Don Sygle	
Ron Held	22 MARK ST. Theatra

5(nn)

**WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
REQUEST THAT THE STREET KNOWN AS FOSTER DRIVE BE
CHANGED TO HERITAGE DRIVE BECAUSE IT LEADS UP TO
THE FLAGS REPRESENTING THE HERITAGE OF THE
CITIZENS OF OUR CITY.**

NAME _____ **ADDRESS** _____

Fred Perolini	435 ALBERT ST. WEST
Mary Wright	22 Nelson Ave SSW
Teresa Hagen	150 Albert St. West
6100 St. John St.	100 Albert St. W.
Sandra Turco	22 Albert St. West
Henry Wall	18 E. Devonshire Bay
Stan Ann(ie)	184 GROOME RD DR
Shelley McParty	358 Devon Rd.
D.L. Whiteman	400 Sharrow Rd
Lindsey Fydy	520 Goat's Acre
Vicky Landadio	465 Allen's Side Road
Roland Jr. Landadio	465 ALLEN'S SIDE ROAD

5(nn)

**WE THE UNDERSIGNED RESIDENTS OF SAULT STE. MARIE
REQUEST THAT THE STREET KNOWN AS FOSTER DRIVE BE
CHANGED TO HERITAGE DRIVE BECAUSE IT LEADS UP TO
THE FLAGS REPRESENTING THE HERITAGE OF THE
CITIZENS OF OUR CITY.**

NAME

ADDRESS

Ray Bentow	190 Dafford Rd.
Jack Murphy	76 Pentagon Blvd
B.J. Pernell	BLORVME APT 10B
Diane Rennet	75 MURTON RD
V.D. ARCAANGELO	66 LARON DR
A瑟特·N·韦伯	351 SUMMER RD
D. B. Hiltz	10 KENSINGTON TERR.
J. Daouche	163 GORE ST.
Bennettville Pitts	162 GORE ST.
	232 Cheshire Rd

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Planning Division

Tel: (705) 759-6368
Fax: (705) 541-7165

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-13-10-T – filed by Premiere Landscaping & Garden Centre Inc.

PURPOSE

The applicant, Premiere Landscaping & Garden Centre Inc. is requesting to permit a topsoil stripping operation on the subject property.

PROPOSED CHANGE

Pursuant to Section 39 of the Planning Act, the applicant is requesting a Temporary Rezoning to permit the removal of topsoil, for a period not to exceed three (3) years. City Council originally deferred this application in September 2010. The applicant now wishes to proceed.

Subject Property:

- Location – Part 2 and Part 3 of 1R-7432 in former Twp of Korah, civic no. 1151 Second Line West
- Size – 10.5m (34.5') frontage, widening to 60.9m (200') by 452m (1483') depth totaling approximately 2.53 ha (6.25 acres)
- Present Use – Vacant
- Owner – Premiere Landscaping & Garden Centre Inc.

BACKGROUND

In 1986, Frank Mantello filed an application on this and adjoining properties for a residential subdivision. The application proposed 105 single detached residences, thirteen (13) semi-detached lots, plus land for multiple family development and parkland. City Council approved the application, however since then, the properties making up the draft approval have reverted back to separate ownership. The existing zoning reflects the 1986 approval.

In August 2010, Premiere Landscaping filed a Temporary Rezoning application to permit a top soil stripping operation on the subject property. At the request of the applicant, the application was deferred to a future Council meeting.

The applicant now wishes to proceed with the original Temporary Rezoning application to permit a topsoil stripping operation on the subject property.

ANALYSIS

Conformity with the Official Plan

The City's Official Plan contains the following statement on temporary use by-laws:

"Council may pass by-laws to authorize the temporary use of land for a purpose that is otherwise prohibited by the Zoning By-law for a period not to exceed three years."

In considering the passing of temporary use by-laws, Council shall have regard to the compatibility and impact on abutting uses and municipal infrastructure as well as the use's ability to supply adequate parking. The construction of permanent buildings in association with the temporary use shall be discouraged.

The subject property is designated 'Residential' on Land Use Schedule 'C' of the Official Plan. The future residential development potential of the subject property will not be impacted by a topsoil stripping operation, which generally occurs prior to developing an urban, serviced residential subdivision.

Therefore, the applicant's request for approval of a three-year temporary use by-law to allow for a topsoil removal operation is consistent with the Official Plan.

Consultation

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

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

Comments

Section 142(2) of the Municipal Act gives City Council the power to "prohibit or regulate the removal of topsoil," "require that a permit be obtained" and "impose conditions to a permit, including requiring the preparation of plans acceptable to the municipality related to grading, filling or dumping, the removal of topsoil and the rehabilitation of the site."

Section 4.7.2 of the City's Zoning By-law also regulates topsoil removal as follows:

"The removal of topsoil is prohibited in all zones. All applications for the approval of a topsoil stripping operation will be reviewed and an agreement entered into with the City, pursuant to Section 142 of the Municipal Act. This agreement shall include the following:

- A. The area where topsoil removal is to occur,
- B. Description of the phasing of soil removal and rehabilitation,
- C. Description of the rehabilitation prescription,
- D. The extent of the grade alteration,
- E. Description of the dust control measures, and
- F. Definition of the drainage impacts, as well as any remediation where necessary."

The subject property is located on the south side of Second Line West approximately 370m (1,215 feet) east of Nixon Road. The property has a narrow access onto Second Line and then widens out at the rear of the single detached residence at 1143 Second Line West. The property abuts other single detached residences to the east, south and west.

The property has longer-term residential potential and is zoned to permit a mixture of housing types. A topsoil stripping operation would not prevent the eventual reuse of this property for residential purposes. Residential subdivision development usually includes topsoil stripping prior to the beginning of construction.

Mr. Notte has provided a letter (attached) confirming that he will not be using the property as a landscaping contractor's yard and that a proposed temporary building will only be used for equipment and materials required for the topsoil removal operation. Mr. Notte writes that he intends to remove this building when the topsoil stripping operation is completed.

The applicant has provided a drawing and description of the proposed work prepared by Genivar Consultants dated May 7, 2010 (attached) which addresses each of the concerns identified in the Zoning By-law as summarized below:

Area of Removal - As shown on the attached site plan, the applicant has proposed a 2m wide buffer be retained along the westerly lot line and a 15m wide buffer along the rear lot line. A 5m wide access drive and swale will be constructed along the easterly lot line.

Even though topsoil stripping is only a temporary use, The Ministry of the Environment's 'D-Series' Guidelines outline minimum distance separations between industrial uses and nearby sensitive receptors. The guidelines consider off-site impacts such as noise, dust, odour and vibrations. In this case, it is staff's opinion that the proposed use is a 'Class II Industrial use'. Minimum separation is noted to be 70m (230') between the use and the nearest sensitive receptor. Therefore, it is recommended that no topsoil stripping or the piling of materials occur within 123m (403') of the front lot line and 22m (72') from the rear (south) lot line. Such setbacks would achieve a minimum of 70m of separation between the topsoil stripping operation and the nearest neighbours dwellings. Given the property has substantial depth (452m, 1483'), there remains ample space available for topsoil removal.

The distance between the west lot line of the subject property and the rear lot lines of the homes on Nixon Road is approximately 150m (492'), which is adequate and well within the MOE's Minimum Distance Separation Guidelines.

It is worth noting that MOE guidelines state that the potential influence area could be greater, however given the temporary nature of this proposal, the minimum (70m) is appropriate.

Phasing - The applicant proposes to conduct his operation in two equal phases as shown on the attached site plan, beginning with the area closest to Second Line West. Development of the second phase will not begin until 80 percent of the first phase is completed.

Rehabilitation - The applicant is proposing to retain enough topsoil to encourage natural re-vegetation. Seeding will be applied in areas where the natural re-vegetation is not sustaining ground cover. This process should be on-going as topsoil removal occurs. The applicant also receives nursery stock for commercial planting purposes and has indicated that some of this nursery stock will be planted on the property.

It is worth noting that the current and proposed temporary zoning would not permit the use of the subject property as a nursery or a landscape contractor's yard. Any nursery stock that is planted must remain on-site and cannot be removed to support the applicant's landscaping business.

Grading - Presently surface water drains to the southeast and this will not be altered. Straw check dams and silt fencing will be used to filter out sediment and slow the runoff.

Dust Control - The applicant proposes to suppress dust by spraying water until ground cover is re-established.

Drainage - The only drainage leaving the property occurs where surface water currently flows into Bennett Creek. At this location, a culvert will be placed across the access driveway with silt fencing and straw check dams to maintain the existing water flows. Approval from the Conservation Authority will be required for this culvert if this portion of the property is within a regulated area.

There have been a number of drainage concerns expressed by nearby residents. A general drainage plan was submitted by the applicant's consulting Engineer (Genivar) in support of this application. Given neighbour concerns that have arisen, Genivar has provided additional correspondence (attached) which provides a more detailed outline of the proposed drainage works. It is worth noting that the drainage works were prepared in consultation with the Sault Ste. Marie Region Conservation Authority in an effort to ensure 'positive drainage' (no long term ponding) and replication of the existing drainage pattern to the furthest extent possible.

Previous topsoil stripping agreements have included three other conditions which are also being recommended in this instance.

Cleaning of Roadways - The requirement relates to ensuring that topsoil is not deposited on Second Line West by trucks leaving the site. If this does occur, the applicant will be responsible for promptly removing the topsoil and cleaning the

roadway. The agreement will require that the applicant pave a 15m portion of the access driveway, commencing from the edge of the travelled portion of Second Line.

Hours of Operation - It is recommended that hours of operation be limited to between 8:00 AM and 5:00 PM daily Monday through Saturday.

Material Storage - This condition relates to the height of material stored on site. It is recommended that any topsoil that remains on site not exceed 4m in height to avoid becoming a visual nuisance.

Number of Trucks -- The applicant has indicated that the volume of topsoil being brought from the site will vary, depending on off-site job requirements. The applicant anticipates that 20-truckloads in one week would be a 'busy week', however that is not to say that one job might require large volumes of topsoil. It is therefore recommended that the agreement limit the number of truckloads brought from the site to not more than 20 per day.

Up until the drafting of this report a petition and eight letters of objection have been received, which are attached.

Generally, correspondence (received to date are attached) from the neighbourhood addresses concerns such as noise, dust, hours of operation, drainage, introduction of a 'commercial use', and ecological impact. The majority of the concerns can be addressed through the required agreement between the Municipality and the owner.

Once this agreement has been entered into, the applicant must follow the conditions of approval or face prosecution of a Provincial offense. More specifically, the applicant shall ensure that among other things, positive drainage is maintained, erosion and dust are controlled and hours of operation are restricted to those outlined above.

In terms of the introduction of a commercial use, it is worth noting that topsoil stripping operations tend to be temporary. As previously mentioned, the future residential development potential of the subject property will not be impacted by the topsoil stripping operation, which generally occurs prior to developing an urban, serviced residential subdivision or a medium density residential development, which current zoning permits.

Traffic concerns have also been raised. Access would be from Second Line only. Second Line is a Provincial Highway and designated truck route. Therefore, increased traffic along Second Line will be negligible. However, truck traffic to and from the site would impact the abutting neighbours to the west. The current vegetation between the subject property and the abutting neighbours to the west is not visually solid. It is therefore recommended that as a part of the Agreement, the applicant be required to provide a buffer consisting of a fence, berm planting of vegetation or a combination thereof. The buffering must be a minimum of 1.8m (6') above established grade.

There is no doubt that the proposed use will result in the loss of vegetation, however, there is no current law stopping the applicant or any other private land owner from clearing vegetation from their property. In this instance, part of the agreement between the applicant and City will include a rehabilitation prescription, which has been outlined earlier in this report.

Due to the large number of concerns raised by neighbours, it is recommended that City Council approve a Temporary Rezoning for a period not to exceed one (1) year, rather than the three (3) years requested by the applicant. City Council approval will again be required if the applicant wishes to continue the operation beyond 1-year. Future approvals would be based on the applicant's ability to adhere to the conditions contained within the agreement. Furthermore, if the applicant cannot adhere to any of these conditions during the first year, the Municipality would have the ability to prosecute as a Provincial Offense.

The attached comments from the Building Division notes that a complaint was received in 2009 indicating that topsoil stripping had commenced on the subject property without the benefit of the proper approvals. The soil stripping was discontinued in 2010. Based upon recent site visits, there are two small piles of topsoil and/or sand that appear to be recent, as is no or very little vegetation growing within the piles. There is however, no evidence that additional topsoil stripping has occurred since 2009.

Staff from Public Works and Transportation have no objection to the approval of this application, however it is noted that the applicant should be responsible for keeping the abutting roadways clean and free of topsoil and clay. This condition will be included in the agreement.

SUMMARY

The applicant is proposing a topsoil stripping operation on property located on the south side of Second Line West between Allen's Side Road and Nixon Road. This use can be conducted while maintaining the longer-term residential potential of the area.

Both a temporary use permit and an agreement passed under Section 142 of the Planning Act are required. The agreement would include the conditions contained in this Report.

The conditions are intended to ensure that the operation is conducted with minimal impact on the abutting lands, with special regard for drainage, erosion, dust control and site rehabilitation.

IMPACT

Approval of this application would not have any direct financial impacts upon the Municipality.

STRATEGIC PLAN

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

RECOMMENDATION

That City Council approve the request to permit a topsoil stripping operation on the subject property for a period not to exceed one (1) year, subject to an Agreement as per Section 142 of the Municipal Act, with Premiere Landscaping and Garden Centre Inc. The Agreement will include, but not be limited to:

1. Area of removal
 - a. That no topsoil stripping or piling of materials occur within:
 - i. 123m of north front lot line
 - ii. 22m of south rear lot line
 - iii. 2m of east and west side lot lines
2. Phasing
 - a. That development of the second phase shall not commence until 80% of the first phase is completed, as per the Consultant's report.
3. Rehabilitation
 - a. That the process of re-seeding is on-going, as topsoil removal occurs.
4. Grading
 - a. That positive drainage be maintained and that straw check dams and silt fencing be installed as per the Consultant's report.
5. Dust Control
 - a. That dust be suppressed by spraying water until ground cover has re-established. Dust control shall be an on-going process.
6. Drainage
 - a. That drainage works be installed and maintained as per the Consultant's report.
7. Paving adjacent to Second Line
 - a. That a portion of the access be paved, commencing from the edge of the travelled portion of Second Line, to a point that is 15m back from the edge of the traveled roadway.
8. Hours of Operation
 - a. That hours of operation be limited to between 8:00 AM and 5:00 PM daily, Monday through Saturday.
9. Material Storage
 - a. That piles of material stored on-site not exceed 4m above established grade.
10. Number of Trucks
 - a. That the number of truckloads brought from the site be limited to not more than 20 per day.

11. Buffering

- a. That a buffer be established and maintained on either side of the access driveway. Such buffer may be in the form of a fence, hedge, berm or combination thereof, and shall be 100% visually solid and a minimum of 1.8m above established grade.

12. Buildings, Equipment and Materials Stored/Utilized On-site

- a. That as per the Applicant's letter dated August 9, 2010 and attached to this Report, that it is clearly understood that one temporary building may be erected, for the purpose of storing equipment and materials related to the top-soil stripping use only. Furthermore, that the storage of equipment and materials on-site is restricted to those required for the topsoil stripping use only.

13. Sault Ste. Marie Region Conservation Authority (SSMRCA) Permit

- a. That a permit from the SSMRCA be obtained prior to commencing the topsoil stripping operation.

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)

(b)(a)

August 9, 2010

Premiere Landscaping
1215 Second Line West
Sault Ste. Marie, ON P6C 2L9

Mr. Peter Tonazzo
City Planning Division
Corporation of the City of Sault Ste. Marie
99 Foster Drive, Civic Centre
Sault Ste. Marie, ON P6A 5N1

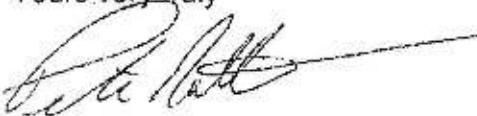
RE: Topsoil Removal of 1151 Second Line West

I am writing this letter to reinforce my current application to rezone property owned by Premiere Landscaping to allow a temporary permit for three years to remove topsoil.

I would like to specifically mention that it is not my intention to utilize this property as a contractor's yard, and the temporary building being provided will be there only to provide for equipment and materials required for the topsoil removal operation. I would like to note that I am fully aware that if this rezoning application is approved by City Council, that it only has a duration of three years and must be renewed at that time in order to allow the topsoil removal to continue.

I agree that when top soil removal of the property is completed that the building proposed will be removed.

Yours very truly



Peter Notte
Owner, Premiere Landscaping

DSL:tlc

cc: D.S. Leask



GENIVAR

May 7, 2010



Mr. Peter Tonazzo, MCIP, RPP
City Planner
Corporation of the City of Sault Ste. Marie
Civic Centre, 99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

SS-10-012-00-SS

Dear Mr. Tonazzo

**RE: Topsoil Removal & Remediation Plan
1151 Second Line West, Sault Ste. Marie, ON**

We have been retained by Mr. Peter Notte, owner of Premiere Landscaping, which is situated at 1215 Second Line West. Mr. Notte has asked us to prepare a plan that would be satisfactory to allow him to enter into an Agreement with the City of Sault Ste. Marie pursuant to Section 142 of the Municipal Act and described in Item 4.7.2-Top Soil Stripping in the text of Bylaw 4500.

The following is our Topsoil Removal and Remediation Plan which answers the six questions, A through F, indicated in Section 4.7.2 of the Zoning Bylaw.

A. Area of Removal: The property is situated at 1151 Second Line West and is irregular in shape. There is a 10.058 metre wide frontage on Second Line and this width extends southerly for an approximate distance of 46 metres. At that location, the property widens to the east to approximately 60 metre in width. The entire length, from Second Line to the southerly limit of the subject property, is 452 metres. We believe a southerly portion of the property is a Conservation Authority Regulated Area.

The entire area, with the exception of a buffer at the southerly zone and minimal limits at the east and west extremities, is identified for topsoil removal. Reference to our Drawing N° A2-SS-10-012 indicates the intended limits the intended limits of topsoil removal.

B. Phasing & Remediation: The first phase of topsoil removal will be approximately 200 metres in length southerly. Access to the topsoil stripping areas will be via a 5-metre wide gravel access driveway constructed along the easterly limit of the property. This access driveway would act as a berm to any possible silt escaping from the stripped limits of land. A swale ditch will be located on the west side of the access driveway and will be enhanced with straw bale check dams and specific 450 mm diameter pipe outlets which will have siltation fencing around the inlets.

Phase 2 will entail topsoil removal from the next southerly 200 metre length of property which will stop 15 metres north of the south property line, leaving a 15 metre wide untouched buffer zone.

C. Remediation Prescription: Rehabilitation will be provided in the form of a new tree planting program and, at a minimum, a natural regrowth of grasses in the area.

Continued Page 2

It is intended that enough topsoil will remain such that the surface can be groomed to encourage natural re-vegetation. The planting of new seedling trees will occur on an "as available" basis. That is to say that, Mr. Notte receives stock on many occasions which is not suitable for commercial planting areas, or stock that has been damaged in some form. It is intended that these shrubs/trees which would normally be disposed of will be planted as a remediation measure in the topsoil stripping areas. As indicated above, in all other areas, natural re-vegetation will be encouraged by the grooming of the soil. Seeding would be applied in areas where natural re-vegetation is not sustaining ground cover.

It is proposed that no work would be completed on Phase 2 of the development until 80% of Phase 1 removal is attained. At that time, the access driveway to the south would be extended and tree-clearing operations would begin.

D. Grade Alterations: To the greatest extent possible the existing gradients over the surface of the subject property will be maintained. Presently, surface water drains in a sheet flow to the southeast and this method of drainage, as well as the direction and gradients, will not be altered. As indicated on the attached drawing, utilizing the new access driveway as a berm requires a culvert outlet to allow release. With the use of straw check dams and silt fencing as noted above, flows will be considerably clean and somewhat slower in dispersal. No significant increase in the overall flow is anticipated.

E. Dust Control: Once removal of topsoil begins, there is obviously the chance of dust becoming a nuisance and, as such, Mr. Notte will suppress the dust with the application of light doses of sprayed water from his irrigation truck. Once rehabilitation of the surfaces with vegetation begins to grow, dust will inherently become a significantly reduced nuisance.

F. Drainage Impacts: There are no significant drainage impacts, with the exception that at one location in the southerly end of the property and within Phase 2, there is a tiny tributary to the ~~Davignon Creek~~ to the east at which location surface water now flows to ~~Davignon Creek~~. With the extension of the gravel access driveway in Phase 2, a culvert will be placed at the location of this tributary and will be equipped with silt fencing and straw check dams.

We have discussed this matter with Frank Tesolin of the Sault Ste. Marie Region Conservation Authority and he has indicated that because of the low impact on the Regulated Area, the Agreement can be with the City. He would like to keep the opportunity to comment. By copy of this letter, we are asking for Conservation Authority comments.

The above Topsoil Removal and Remediation Plan is respectfully submitted on behalf of Mr. Notte, and I look forward to having the opportunity to discuss with you its acceptability and execution of an Agreement between the Municipality and Premiere Landscaping.

Yours very truly
GENIVAR


D. S. Leask, C.E.T.

Enc. / DSL:jjc

fc: Peter Notte, Premiere Landscaping

fc: Frank Tesolin, Sault Ste. Marie Region Conservation Authority



September 2, 2010

Mr. Peter Tonazzo, MCIP, RPP
 City Planning Division
 Corporation of the City of Sault Ste. Marie
 99 Foster Drive, Civic Centre
 Sault Ste. Marie, ON P6A 5N1

p.tonazzo@cityssm.on.ca
 Via Email
 101-14814-00
 2010-12

Dear Mr. Tonazzo

**RE: Re-zoning 1151 Second Line West, Sault Ste. Marie, ON
 Drainage Considerations**

I understand that there have been some concerns expressed in regards to drainage associated with the above-noted application. This letter provides additional information to clarify how run-off from the site will be accommodated. Previously we provided you with a *Topsoil Removal and Remediation Plan* that included a General Plan outlining the drainage works to be incorporated into the site.

At present, stormwater run-off in the area of the subject property flows overland in a south easterly direction to a small gully near the southeast corner of the property. This gully conveys run-off easterly to the Bennett Creek approximately 150 metres east of the site. The proposed drainage works on the site were developed in consultation with the Sault Ste. Marie Region Conservation Authority to replicate the existing drainage pattern to the furthest extent possible.

The proposed drainage works on the site are as follows:

- An access road will be constructed along the east side of the site. This road will act as a barrier to collect run-off in a newly constructed swale directly west of this access road. The swale will convey flows from north to south and will be equipped with straw bale check dams and silt curtains for siltation control.
- At the south end of Phase 1 of the development, an outlet culvert will be constructed across the access road to direct run-off collected in the swale easterly, essentially matching present conditions. The discharge from this culvert will flow overland through a vegetated area towards the gully mentioned previously.
- As the development progresses southerly towards the south limit of Phase 1, the swale along the west side of the access road will be extended southerly to the bottom of the gully near the southeast corner of the property. This will ensure positive drainage for excavated areas in the southern portion of Phase 1 and in Phase 2.
- An outlet culvert will be constructed across the access road near the southeast corner of the property to accommodate flows in this gully including those conveyed via the constructed swale.

Continued Page 2

Page 2

September 2, 2010

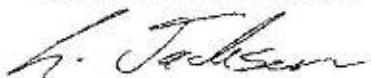
2010-12

- In the area of the southerly culvert, topsoil extraction depths will be limited, as necessary, to maintain positive gradients from the working area to the outlet culvert.

In summary, the drainage works indicated on the General Plan submitted with the Application have been developed to ensure positive drainage and replicate existing drainage conditions to the furthest extent possible. Run-off will be conveyed easterly from the site to an existing gully near the southeast corner that, in turn, conveys flows to the Bennett Creek.

I trust this addresses the drainage concerns raised in regards to this application. If there are any other questions, please do not hesitate to contact me.

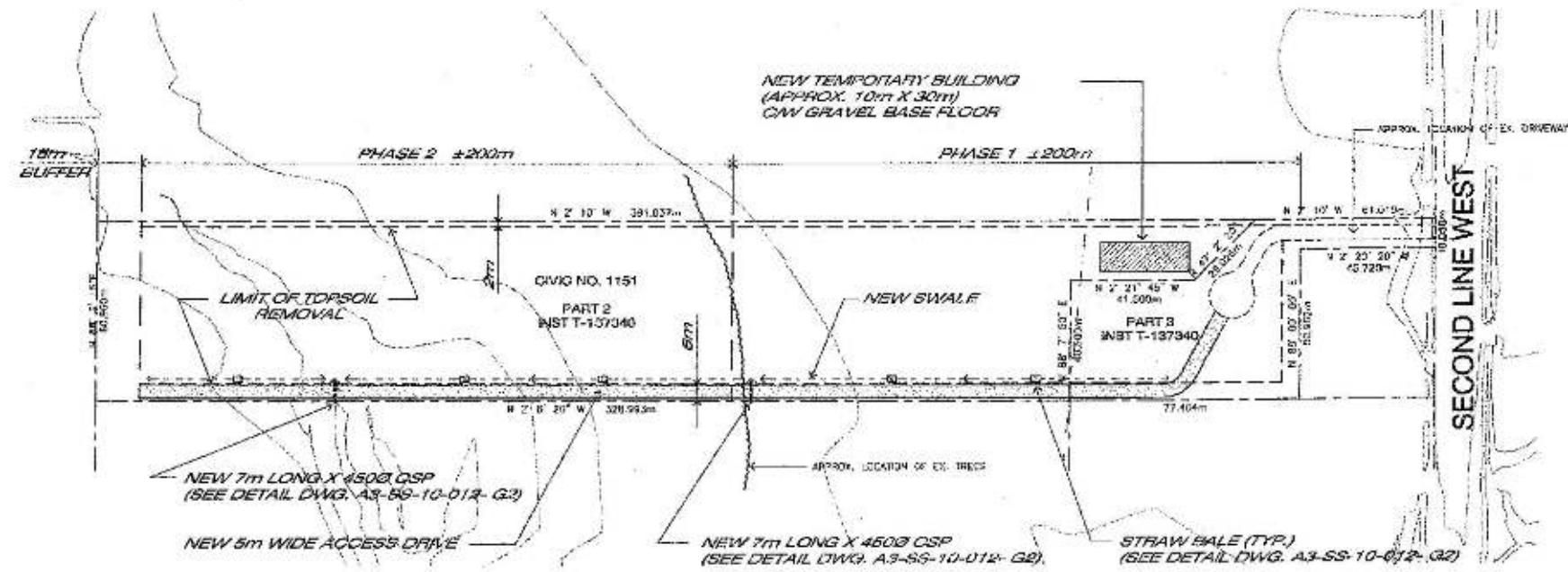
Yours very truly
GENIVAR Consultants LP



Larry Jackson, P.Eng.
Manager, Sault Ste. Marie

LJ:ljc

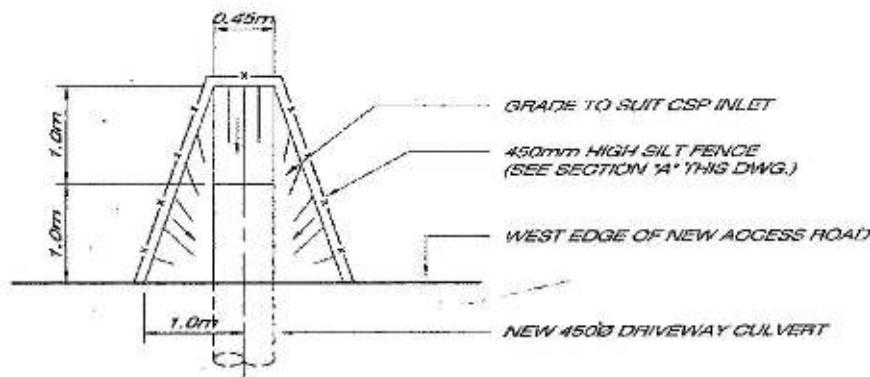
fc: Peter Notte, Premiere Landscaping (575-3657)



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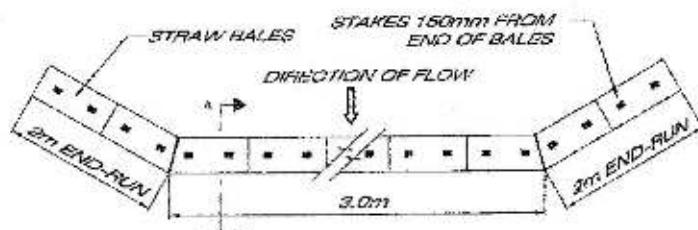
Notes:	Revision:	No.	Date	By	1151 SECOND LINE WEST		GENERAL PLAN	GENIVAR	F.A. No. Dw. No.	Scale: 1:1,500	
					TOPSOIL REMOVAL & REMEDIATION						
								 16 East Street, Suite 100, Mississauga, Ontario, L4Y 3C9 112542244 F76592322 info@genivar.ca	Date: 06/06/2013	Dwg. No: A3-SS-10-012-G1	Rev: 0

66(a)

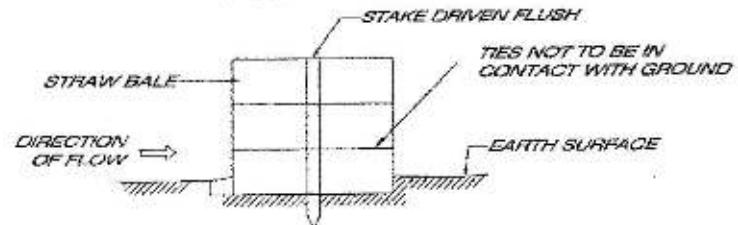


1 DRAINAGE DETAIL

SCALE 1:50

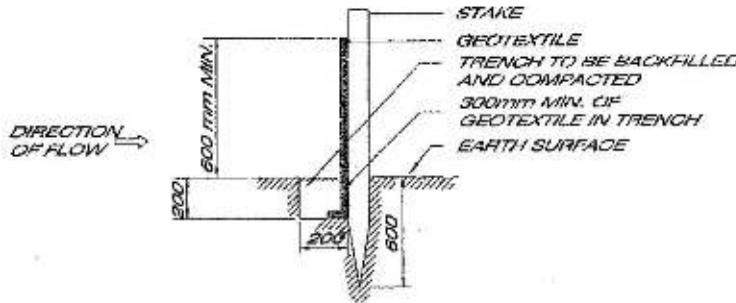


PLAN VIEW



**SECTION A-A
STRAW BALE BARRIER**

N.T.S.



**SECTION A-A
SILT FENCE BARRIER**

N.T.S.

Notes:

Revision	No. Bales	Sp.

1181 SECOND LINE WEST
TOPSOIL REMOVAL & REMEDIATION

DETAILS



GENIVAR

100 East Steelhead Drive, Mississauga, ON L4Z 1C6
905.669.3622 | 1.866.999.3622 | www.genivar.com

FB No.	Spec.	AS NOTED
D	M	
CS	DR	

A3-S5-10-012-G2

Pat Schinners

From: Don Maki
Sent: April 11, 2012 3:15 PM
To: Don McConnell; Pat Schinners
Subject: Rezoning ApplicationA-13-10-T 1151 Second Line West

Hi Don

We were called concerning this property in 2009 with regard to soil stripping. There was evidence of soil stripping so we initiated action to get the owner to comply. The soil stripping discontinued in 2010. There was no further action on our behalf.

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
www.celebrate100saultstemarie.com
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(6)(a)

S. Hamilton Beach, P. Eng
Deputy Commissioner



Larry Girardi
Commissioner

April 17, 2012

Donald McConnell
Planning Director

Subject: Application Number A-13-10-T
Request for a temporary rezoning for a topsoil stripping
operation for a period not to exceed three (3) years

Applicant: Premiere Landscaping & Garden Centre Inc.

Subject Property: 1151 Second Line West

Staff from Public Works and Transportation has reviewed this application and have no objections. We do, however, request that the applicant be responsible for keeping the abutting roadways clean and free of topsoil and clay.

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

A handwritten signature in black ink, appearing to read "S. Hamilton Beach".

Deputy Commissioner
Public Works and Transportation

H:\Planning Reports\Rezoning & OP Amend\Second Line West - 1151.doc

Pat Schinners

From: Marlene McKinnon <mmckinnon@ssmrca.ca>
Sent: April 17, 2012 1:38 PM
To: Pat Schinners
Cc: Peter Tonazzo; Anjum Amin; Linda Whalen
Subject: SSMRCA Response - A-13-10-T

April 17, 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-13-10-T
Premiere Landscaping & Garden Centre
1151 Second Line West
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.

Additionally we have the following comments:

1. The second phase of this soil removal process has an intermittent stream identified on O.Reg.176/06 mapping and is just outside the 15 metre allowance for the flood lines associated with the Bennett Creek located to the west of the property. Therefore, an application under O.Reg.176/06 is required prior to commencing with Phase II of this proposal including the installation of the driveway to access this area.
2. It is proposed to effect off site migration of sediments by incorporating check dams and silt control fencing that siltation of neighbouring stream will be controlled. These control measures are to be inspected and maintained from the commencement of the operation until such time as vegetation has satisfactorily rooted. Failure to maintain these measures will result in the withdrawal of an O.Reg.176/06 permit and the owner could become subject to prosecution.
3. The revegetation of harvested areas should be undertaken promptly and should be staged immediately after the extraction process has moved to the next area (i.e. after every 100 metres of extraction a revegetation process should be commenced). This will limit sediment movement and limit dust concerns.
4. Weekly inspections of all sediment/erosion control facilities/measures must be carried out during the extent of the entire period as well as after all rain events 15 millimetres or greater.

5. Any area that exceeds 30 days of inactivity shall be stabilized by hydroseeding and areas that have not sustained any growth within 14 days of application shall receive supplemental applications until the surface vegetation is established.
6. All equipment and materials used in the soil stripping process must be clean and free from leaks, oil and grease residues. No fuelling of equipment is permitted within the 15 metres of the intermittent stream located at the south side of 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

PETITION - Planning application objection

We, the undersigned, object to the planning application number A-13-10-T on the grounds that if the development went ahead, it would result in significant increases in the levels of **unsightly waste piles**, early morning and late night noise and use of **heavy equipment, dust pollution, water drainage and accumulation problems**, in the local area. It would also mean **habitat destruction** for an array of wildlife including birthing grounds for white-tailed deer.

Name	Address	Signature
Dave Steeves	382 Nxor Rd SSM	D Steeves
John D. Stetson	444 Niorland St	
Dane Drost	449 Niorland St	D Drost
Walter E. Smith	1208 2nd Line W. SSM	W. Smith
Adrian Epplitt	1208 SSM, end line w.	Epplitt
Jay Gazzola	1133 2nd Line W. SSM	Gazzola
Todd Gazzola	1133 2nd Line W. SSM	T Gazzola
ERICH TUCKER	349 ALLEN'S SD RD	E Tucker
DALE TUCKER	349 ALLEN'S SD RD	Dale
AR? MORRIS	323 ALLEN'S SD RD	O Morris
JANET MORRIS	323 ALLEN'S SD RD	J Morris
Mike Morris	323 Allen's Side Rd	Mike
John Petersen	241 Allen's Side Rd	John Petersen
Greg Delaney	341 Allen's Side Rd	Greg Delaney
Susan Shaw	261 Allen's Side Rd	S. Shaw
Diane Bates	2 Ransome Dr	D. Bates
Hank Bates	2 Ransome Dr	Hank
Mark Hansen	241 Ransome DR	Mark
Dougm Halloway	58 Rosita St	Doug Halloway
Kyle-Jefferson	54 Ellis Rd	Kyle

(b)(a)

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Name	Address	Signature
Don Spawright	6 Ransome Dr	Don Spawright
Karen Kennedy	16 Ransome Dr	Karen Kennedy
Marie May	181 Tans	Marie May
Paula P.	99 Ransome	Paula P.
John - Louise Phillips	Snow & Phillip Phillips	John - Louise Phillips
Joe Sato	1127 2nd Ave West	Joe Sato
Edith Sato	1127 2nd Ave West Edith Sato	Edith Sato
Jeanne Sato	1127 2nd Ave West Jeanne Sato	Jeanne Sato
Lee Paradise	303 Allen's Side Rd	Lee Paradise
Todd Burns	27 Rosita St	Todd Burns
Janice Pack	27 Rosita Street	Janice Pack
Terry Neal	40 Ransome Dr	Terry Neal
Judy Neal	40 Ransome Dr	Judy Neal
Dug Neel	1154 WAINICE TERR	Dug Neel
Cathy Colby	26 Rosita St	Cathy Colby
Dawn Cott	26 Rosita St	Dawn Cott
Kat. Burns	31 Rosita St	Kat. Burns
Ray Burns	35 Rosita	Ray Burns
Patricia Lake	12 ELLIS RD	Patricia Lake
Wahnita Lake	12 Ellis Rd.	Wahnita Lake
Ray Grubbs	21 ELLIS RD	Ray Grubbs

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Name	Address	Signature
Deanna	440 Nixon Rd	
C. Miller	440 Nixon Rd	
Blanche	431 Nixon Rd	
Bethelle	430 Nixon Rd	
Karen Bellinger	430 Nixon Rd	
Blair	425 Nixon Rd	
Jeffrey	415 Nixon Rd	
Richie	420 Nixon Rd	
Gratia Mardach	420 Nixon Rd	
Richie Mardach	420 Nixon Rd	
John	420 Nixon Rd	
Jeffrey	420 Nixon Rd	
Richie	420 Nixon Rd	
D. Baker	376 Nixon Rd	
R. Baker	376 Nixon Rd	
J. Baker	376 Nixon Rd	
M. Caputo	340 Nixon Rd	
C. Caputo	340 Nixon Rd	
Gibbons-Smith	24 Als Rd	Gibbons-Smith
Dave Warner-Smith		

(b)(a)

Grace Aymanoo	30 Ellis Rd	Not at home
Stella Nardi	48 Ellis Rd	Not at home
Suzie Gustafson	154 Ellis Rd	Not at home
Tom Keating	80 Ellis Rd	Not at home
Terri Keating	80 Ellis Rd	Not at home

Not at home

34 "

(d)(6)(A)

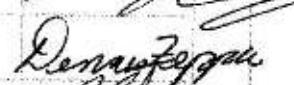
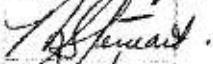
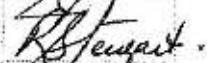
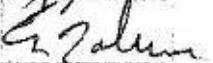
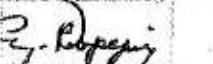
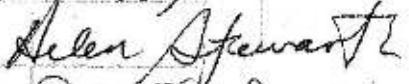
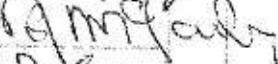
PETITION - Planning application objection

We, the undersigned, object to the planning application number A-13-10-T on the grounds that if the development went ahead, it would result in significant increases in the levels of **unsightly waste piles**, early morning and late night **noise and use of heavy equipment**, **dust pollution**, **water drainage** and accumulation problems, in the local area. It would also mean **habitat destruction** for an array of wildlife including birthing grounds for white-tailed deer.

Name	Address	Signature
Dawn Gino	1160 Second Line W	Gino
J. Generali	1160 Second Line W	Generali
Mrs. Germaine	1160 Second line W	Germaine
R. Ebert	1176 Second line W	Ebert
T. Esposti	1204 Second line W.	Esposti
Colleen Esposti	1204 Second line W.	Esposti
MARG Bovingdon	1150 Second line W	M. Bovingdon
Michelle Finn	1090 Second line W	M. Finn
Tom Finn	1090 Second line west	Finn

PETITION - Planning application objection

We, the undersigned, object to the planning application number A-13-10-T on the grounds that if the development went ahead, it would result in significant increases in the levels of **unsightly waste piles, noise pollution and use of heavy equipment, dust pollution, water drainage and accumulation problems**, in the local area and possible decreases in property value.

Name	Address	Signature
Bob Canard	68 ELLIS Rd	
DENNIS ZEPPA	72 ELLIS RD	
Marilyn Stewart	76 Ellis Rd.	
Robert Stewart	76 Ellis Rd.	
George Zalun Suey Roppon	55 ELLIS RD 55 Ellis Rd.	 
Helen Stewart	98 Ellis Rd	
R. McFadyen John Deeks	1167 Second Ave W 1167 Second Ave W	 

May 8, 2012

To the Sault Ste. Marie City Planning Department,
City Council Members and/or City Clerk:

Please accept this letter as a written indication of our objection to approving Application No. A-13-10-T filed by Premiere Landscaping & Garden Centre Inc. (PL&GCI) which would grant permission to conduct business at 1151 Second Line West.

PL&GCI's plans include destroying the existing landscape by removing the current layers of topsoil to sell and therefore to make a profit. In other words, to create a vast crater that will be one to two feet deep on about 6 acres of land.

Our residential property is located directly beside the land outlined and runs adjacently beside the entire property in this proposal (application) and we have major concerns, both personal and environmental, with allowing such a proposal to pass.

Our personal concerns also reflect the opinions of not only ourselves but other residents as well; including the majority of our neighbours along Second Line, those living along Ransome Av, Rosita Drive, Ellis Road (south adjoining properties) and Nixon Rd., (Many who currently adjoin PL&GCI's existing business at 1215 Second Line west).

Is it legal to remove all of the topsoil from a city property and sell it for profit? I don't believe it is unless the area is zoned for a sub division. This may be case here but the plans for the sub-division were made over twenty five years ago and much has changed since then. Is the clearance to PL&GCI's property at 1151 Second Line, wide enough for a city road? There is no access into the property from Ellis Rd. or Rosita Dr. to the south. Also there are no services such as city water or sewer along Second Line, so with out access or services how a sub-division could be planned for? Mr. Tonazzo the city planner has already told me that he is approving the application. How could this happen if the probability of a sub-division being put in is next to impossible? Is this a case of having the cart before the horse? Why wouldn't the city planning department wait until relevant plans are in place for a sub-division first? Would the zoning be approved for a sub-division today? Our ward counselor Frank Manzo informed us that PL&GCI's recent plans may include the proposal of building a multi-residence dwelling. We have not been informed of this and would re-zoning or public notice not be necessary first? Even so, why would 6 acres or topsoil need to be removed for the purpose of one dwelling?

First and most important, this area is zoned residential and not zoned commercial. Allowing this application to proceed will mean allowing loud heavy equipment usage constantly over the next three years. The driveway that PL&GCI has built is only 12m from our house. The business has been using heavy equipment such as dump trucks, back hoes, etc. at the site for the past 2 years regardless of whether or not the application has approved or denied. PL&GCI have not followed time regulations and the use of this heavy equipment occurs early in the mornings, late into the evenings and on the weekends. PL&GCI has been using the property at 1151 Second Line West as a holding area and mixing area for their waste and soil piles that they use for their business. Has the city granted PL&GCI permission to do so? Does the city of SSM currently purchase topsoil from PL&GCI (Mr. Notte). Are exceptions being made concerning PL&GCI or infractions overlooked for the city's self serving purposes? I realize these harsh questions are speculative but these thoughts are difficult to disregard as a home owner.

The dust is exorbitant and is covering our house to the point that we cannot open our windows. The fumes from the exhaust of the heavy equipment are also troubling and last summer we needed to keep our windows closed to prevent the dust and fumes from entering our house. The noise of this equipment operating and banging and the beeping of the trucks backing up is intolerable. In fact our entire house vibrates and shakes when dump trucks are travelling up and down the driveway. Is this driveway even legal for the constant use of such heavy equipment? This noise is loud and will affect the entire neighborhood as it already does at his present business location at 1215 Second Line West.
If this temporary re-zoning is granted by the city, what will be done to stop this dust, noise and vibration?

Was the same sort of temporary application not approved by city council several years ago for PL&GCI's current business at 1215 Second Line West? Did Mr. Notte (PL&GCI) not go ahead and build permanent greenhouses on a temporary re-zoning permit that eventually lead to a permanent business operation? Has the applicant (PL&GCI) not incurred several complaints and infractions at their current properties for unethical business practices and hours of operation? If so, why should he be granted permission to do the same at this property? We believe this company and individual (Mr. Notte) are not good corporate citizens and should be denied this application on these facts. Unfortunately, we do not have access to this information and need to apply for permission through the city of Sault Ste. Marie's legal department via a Freedom of Information and privacy Act request form. This may take several weeks for us to receive.

Regardless, we can hear large machinery constantly in use at PL&GCI's current business location located 700ft west of our property at 1215 Second Line West. As many who live along Nixon Road can attest, this company has no respect or consideration for their neighbors. They operate early in the morning, during

weekends and late into the evening; a nightmare for those who are shift-workers such as ourselves.

Back to the issues at hand, at 1151 Second Line West. There are already currently several large trucks, front-end loaders, etc. in and out of the property dumping large piles of waste products collected from their current business. The city has asked Mr. Notte to cease operations last year, yet he has NOT done so. Our question to the city is who will police this person to assure Mr. Notte follows the city's regulations and protocol for operation? Do we call the city or the police? The large waste piles of debris and dirt that are a terrible eyesore and the filthy mess in front our property along Second Line caused by Premiere's heavy equipment is constant; especially when the ground is wet. Young children and teenagers have found these large waste piles and are using them as gigantic jumps with their bicycles, motorbikes and now 4-wheelers. They are not wearing safety helmets or being supervised by the adult owners of the property. They have even built a large wooden jump ramp to fly these recreation vehicles over and this is clearly an accident waiting to happen.

Premiere Landscaping employees, who are working at the location at 1151 Second Line west, do so without proper washroom facilities and relieve themselves in clear view. Not something, we expect to watch while relaxing at home and while eating dinner outside on our back deck with our family and friends. The dust generated by the large bulldozers and loaders dumping, mixing and loading soil is already a major problem. Allowing future development would make the situation even worse. At times we cannot even sit in our backyard without breathing in dust and/or by being covered by it. The dust is also covering our house and we have to close our windows because of the dust and noise pollution.

We purchased our property to be in a residential area and for the valuable green space of the area.

The environmental and ecological repercussions of allowing this application to pass are significant, considering the senseless destructions of habitat, rich in biodiversity that would take place. Many wildlife species utilize this area and the proposed property as a natural corridor for gaining access to a nearby creek for water (located directly to the east). In addition, white-tailed deer give birth and raise their young here for 8 months out of the year. Many other animals also live here and destroying this land for the benefit of one human would be detrimental. It would take several years to regenerate to normal, if it can ever recover. The succession of the trees and flora has taken forty years to recover. If PL&GCI (Mr. Notte) destroys this, what could this wasteland isolated within a residential zone be useful for in the future?

Natural drainage of the area would also be a jeopardized. The proposed land is relatively low-lying and is already fitted with weeping tiles, thus allowing proper drainage to the nearby creek. Allowing topsoil removal from an area this size will form a huge catch basin for water collection and create swamp-like conditions. Then there could be the problems associated with stagnant water, especially mosquito infestations, therefore posing a real nuisance and health risk to people, their pets and wildlife in the area. Also, creating a 6 acre crater, will affect the ground water and natural drainage of our entire property and all the other surrounding homes that are also adjacent.

Before even considering this proposal, City Council should require an environmental assessment of the area to be conducted at 1151 Second line West. If an assessment is already done, can we obtain copies? Who paid for assessment the city or PL&GCI? If PL&GCI (Mr. Notte) has, would the assessment company not do so in his favor since he's the person paying them? Do we have the option of having our own assessment done or getting a second opinion? That is, to find out what risks or repercussions could occur to our property if this application is passed. Two weeks notification from the city does not allow us enough time to do so. The future erosion problems resulting from operations removing topsoil could also be devastating, especially to our trees and yards. Replacing a small amount of soil afterwards would not be a credible solution. Who would be responsible for all the damages if environmental assessment does not go as planned or is not adhered to properly? Who will monitor PL&GCI for the next three years?

Another fact that is disconcerting is that the notification of this re-zoning application was sent to so few people. Not only will those people who have properties directly adjoining 1151 Second Line west be affected but everyone in the entire 4 mile square neighborhood will be as well. We have started a petition and in doing so learned the majority of those living on Second Line, Allen Side road, Ransome Ave., Rosita Drive and Nixon were not sent notification by the city yet they will certainly be affected by the noise and the dust. In addition, virtually every household we visited (over 95%) signed the petition and were opposed to the PL&GCI's application. In fact the only households who did not sign the petition were those not home at the time or could not because of personal conflicts. So, if virtually all the home owners in a 4 square mile block surrounding the property at 1151 Second Line west are apposed to PL&GCI's application and are paying city taxes, why would the city planner's approve this re-zoning?

A perplexing issue at hand is how the city has asked for all submissions in opposition of granting the re-zoning application before May 10, 2012. Yet the plans by the city planner for the site are not released until after May 10, 2012.

This does not even give us one day to review the city's plans and reasoning for granting this application or a means to contest the city planner's decision.

Mr. Tonazzo has also indicated that he was not aware the neighborhood's concern with this re-zoning proposal. In September 2010, we submitted a petition of objection to this re-zoning application. At his request, the 4 page petition was given to Mr. Ozzie Grandinetti our Ward councilor at the time and he guaranteed us that he would hand deliver the petition to the city clerk himself. The petition had over 50 signatures. Mr. Tonazzo has recently indicated that the petition was not submitted by Mr. Grandinetti before the due date last September and furthermore, it was faxed to the city planner instead of being submitted by Mr. Grandinetti in person, as he had promised. The fax transmission was truncated and only 4 signatures were on that petition? The fact of the matter is, many people believed the city planner was aware of their opposition to this proposal since 2010 but apparently not the case. We have called and visited Mr. Grandinetti's home to retrieve our original petition and he has indicated that he is no longer aware of its location as the original was never brought to the city clerk's office.

We pay city taxes of about \$6000.00 per year for a residential property that is without city water and sewer availability or sidewalks. That is substantially higher than other parts of the city that have these services. Do we and our neighbors who pay taxes, not have rights? What about the losses to our privacy and to our property value? The area is zoned residential, allowing this proposal to go forward would destroy the privacy, living conditions and valuable green space for us any many others. We are strongly opposed to the approval of application number A-13-10-T. The resulting noise pollution, dust pollution, blight on our neighborhood and the environmental devastation, will be vast. As concerned citizens, we ask you; please do not approve this application.

Sincerely,

John Dedes
1167 Second Line West,
SSM, ON, P6C 2L9
705-253-5750

(6)(a)

Robert & Lois Burns
35 Rosita Street
Sault Ste. Marie, ON P6C 5R3

May 1, 2012

Steve Turco
Planner
99 Foster Drive,
Sault Ste. Marie, ON P6A 5X6

Dear Mr. Turco:

Regarding File Number: A-13-10-T

We are concerned about our residential area being affected by the noise from the diesel trucks and other large equipment, which would be used in this process. This area includes a large number of working class citizens who are subject to shift work, and require sleep at all different times of the day and night.

We are also concerned about the impact the smell will have on the environmental air we breathe in this area. In addition to our working class citizens, we do have a large number of young children and some elderly residents.

We would also like to know, if by any chance there will be any run off chemicals that will enter the near by creek, which is only metres away from the topsoil stripping operation site.

We are also concerned as to where the traffic flow will enter into our neighbourhood, as this is currently a bus route as well. We also have to consider the safety of the number of small children playing in the park on Rosita street, how will this affect them?

Regards,

The image shows two handwritten signatures stacked vertically. The top signature is "Robert Burns" and the bottom signature is "Lois Burns". Both signatures are written in a cursive script.

Robert & Lois Burns

Dear City Clerk
Steve Turco, Planner
Reference#A-13-10-T



We are opposing the request to temporary rezone the piece of property on 1151 Second Line West in order to deliver top soil by Premier Landscaping and Garden Centre Inc.

We live behind the area in question and have concerns about the area being developed in a residential area that will possibly cause loss in value in the surrounding properties. What about the traffic for the neighbours and surrounding area?

I also have concerns with the noise level from machinery and trucks, as well as diesel fumes from them, as living in this end of town; we know that is carries depending on the direction of the wind and weather. There is also a creek that is natural drainage for this neighbourhood, if it is disturbed will this cause a problem down the road, and who is liable if something happens? Is the conservation authority involved in this process, do they do an assessment?

I am opposed to having this land developed, that is why we moved to this neighbourhood in the first place, because of the quiet location within a residential neighbourhood in the city limits.

Victor and Wahnita Lato
12 Ellis Road.
Sault Ste. Marie On
P6C 1N8
Lato649@shaw.ca
705 945-0245

Peter Tonazzo

From: Malcolm White
Sent: May 08, 2012 9:05 AM
To: Peter Tonazzo
Subject: FW: Reference #A-13-10-T

From: Kim Vaudry **On Behalf Of** City Clerk

Sent: May 08, 2012 8:35 AM

To: Malcolm White

Subject: FW: Reference #A-13-10-T

From: Ellen Popejoy [mailto:here_i_am49@yahoo.ca]

Sent: May 07, 2012 5:29 PM

To: City Clerk

Subject: Reference #A-13-10-T

I do not want any topsoil taken from neighbours' property. Will not be able to attend meeting on May 13th. It is a definite NO. It would really disturb the whole area. This is residential property. Ellen Popejoy, 55 Ellis Road

Peter Tonazzo

From: Malcolm White
Sent: May 08, 2012 9:06 AM
To: Peter Tonazzo
Subject: FW: A-13-10-T

Importance: High

From: Kim Vaudry **On Behalf Of** City Clerk
Sent: May 07, 2012 8:42 AM
To: Malcolm White
Subject: FW: A-13-10-T
Importance: High

From: AMANDA CAPPER [mailto:Ajcap@shaw.ca]
Sent: May 06, 2012 9:04 AM
To: City Clerk
Subject: RE: A-13-10-T
Importance: High

TO: City Clerk of Sault Ste. Marie, ON

RE: A-13-10-T

Please consider this letter as an indication of my concern for the stripping of top soil at subject property by Mr. Notte, owner of Premiere Landscaping.

I have lived around the corner from Premier Landscaping, on Nixon Road, for thirty-five years, and watched as Mr. Notte's enterprise grew beyond my expectations. Good fortune for Mr. Notte but unfortunately, what I thought would enhance the neighbourhood, became a detriment. Back-up alarms at all hours, increased traffic turning off Second Line where there is no turning lanes, improper drainage and use of pesticides are a few of my concerns.

In reference to Mr. Notte's new enterprise, I worry the same problems will be compounded.

Three years of large equipment stripping the topsoil can only be bad for the environment. The water table in our area is already a major concern and taking down trees that soak up the water will only make it worse.

Just as worrisome is the safety factor. In 1986 Mr. Lucas, in charge of property maintenance for the Sault and now retired, expressed concern about businesses operating off Second Line West before the road, busy even then, was upgraded to handle the increasing traffic as more residents moved west to build their homes.

Please do not allow Mr. Notte to go forward with his removal of topsoil from the subject property.

Please distribute copies of this e-mail to each member of council in time for the May 14, 2012 agenda when this subject will be considered.

6(b)(a)

Thank you for your time.

Frank Bock
406 Nixon Road

Peter Tonazzo

From: Malcolm White
Sent: May 08, 2012 9:06 AM
To: Peter Tonazzo
Subject: FW: premier lanscape

From: Kim Vaudry **On Behalf Of** City Clerk

Sent: May 07, 2012 8:40 AM

To: Malcolm White

Subject: FW: premier lanscape

From: steve&heather [mailto:steveheather@shaw.ca]

Sent: May 06, 2012 8:31 PM

To: City Clerk

Subject: premier lanscape

What are the plans for not disturbing the creek that flows through this area, what are going to be the noise constraints put on this construction project? I am very much opposed to this.

see you may 14.....Steve Antoniou, ellis rd

(b)(a)

Peter Tonazzo

From: Malcolm White
Sent: May 08, 2012 11:54 AM
To: Peter Tonazzo
Subject: FW: reference#A-13-10-T (Please give a copy of this E-Mail to city council Members)

From: Kim Vaudry **On Behalf Of** City Clerk
Sent: May 08, 2012 11:54 AM
To: Malcolm White
Subject: FW: reference#A-13-10-T (Please give a copy of this E-Mail to city council Members)

From: The Guzzo's [<mailto:pjguzzo@shaw.ca>]
Sent: May 08, 2012 11:23 AM
To: City Clerk
Subject: reference#A-13-10-T (Please give a copy of this E-Mail to city council Members)

Please be advised that we Pat and Judy Guzzo of 1135 Second Line West have major concerns regarding the application #A-13-10-T by Premiere Landscaping and Garden Centre Inc.

They are as follows:

- a. It will significantly decrease the property value of my home and many others.
- b. Quality of living for a three year period will be unbearable. eg. Noise, poor air quality
 - Mud and debris on
 - Second Line
 - Major traffic concerns
 - Operational Hours

Realizing the urban line is west of Nixon Road.

Why is Premiere Landscaping even being considered for a topsoil stripping operation in a residential area?

Concerned Citizens,
Pat and Judy Guzzo.

6(6)(a)

Peter Tonazzo

From: Malcolm White
Sent: May 09, 2012 8:48 AM
To: Peter Tonazzo
Subject: FW: Ref. #A-13-10-T

From: Kim Vaudry **On Behalf Of** City Clerk
Sent: May 09, 2012 8:34 AM
To: Malcolm White
Subject: FW: Ref. #A-13-10-T

From: Helen Stewart [mailto:havibay@shaw.ca]
Sent: May 08, 2012 7:12 PM
To: City Clerk
Subject: Ref. #A-13-10-T

I am strongly opposed to Premiere Garden Centre's request to take top soil from the property behind mine and my neighbour's houses.

Helen Stewart
98 Ellis Rd.
Sault Ste. Marie, Ontario
P6C 1P1

Mr. Tonazzo,

I am writing to you regarding Application A-13-10-T. I own the abutting property to the east known as 0 Rosita St. I would like to note that I have recently walked my property, and cannot find stakes denoting the common property line between my property and Mr. Notte's property. While I am opposed to this application, I would at least ask that if Council approves it, a condition should require Mr. Notte to survey and stake his property, to ensure that topsoil is only being removed from his property.

Guido Denardo

Guido Denardo





2008 25cm Orthophoto Map

1151 Second Line West

APPLICATION
A-13-10-T



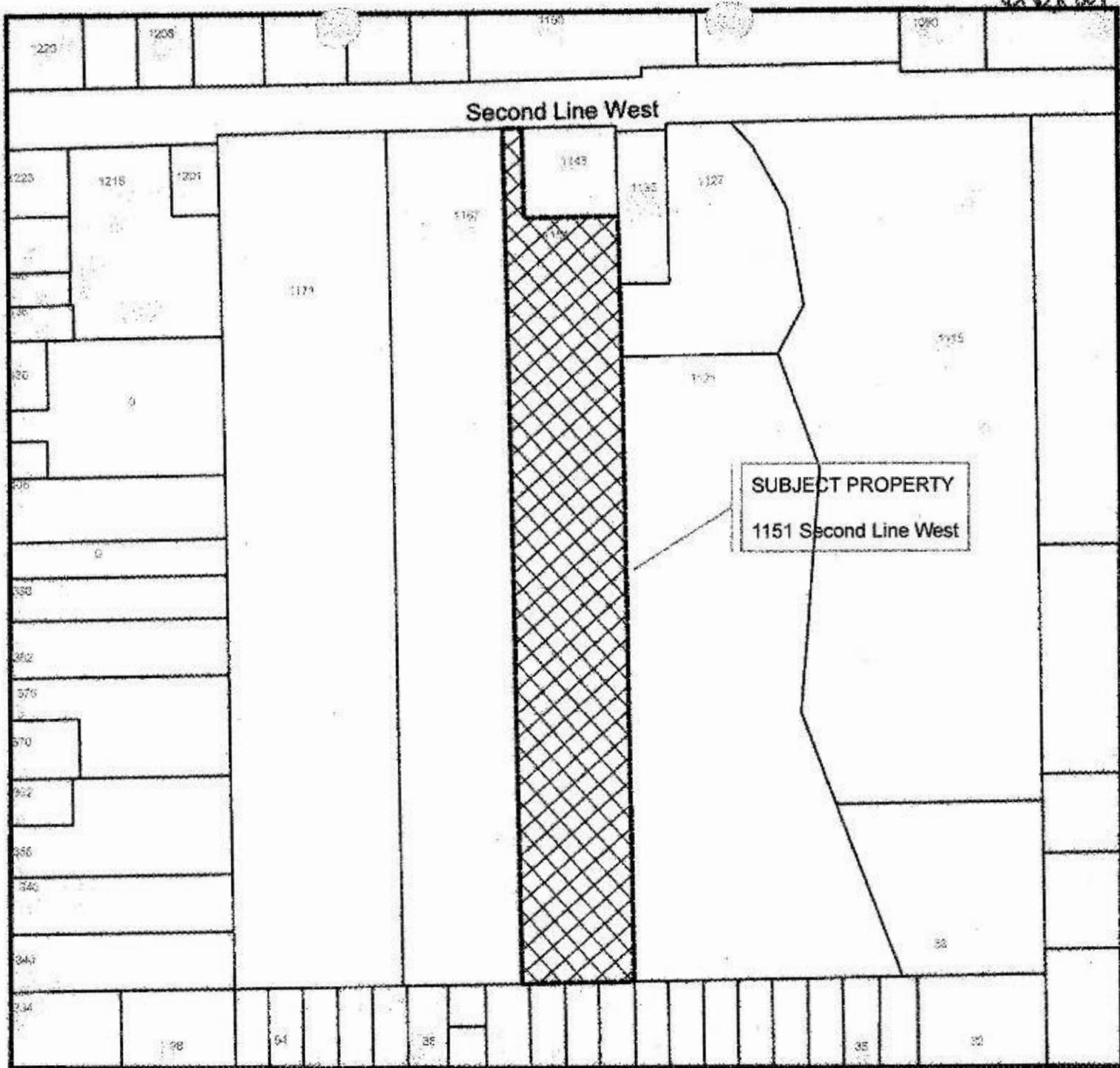
Metric Scale
1:3,000

MAPS
51 & 1-67



Subject Property - 1151 Second Line West

August 13, 2010



Subject Property Map 1151 Second Line West

APPLICATION
A-13-10-T



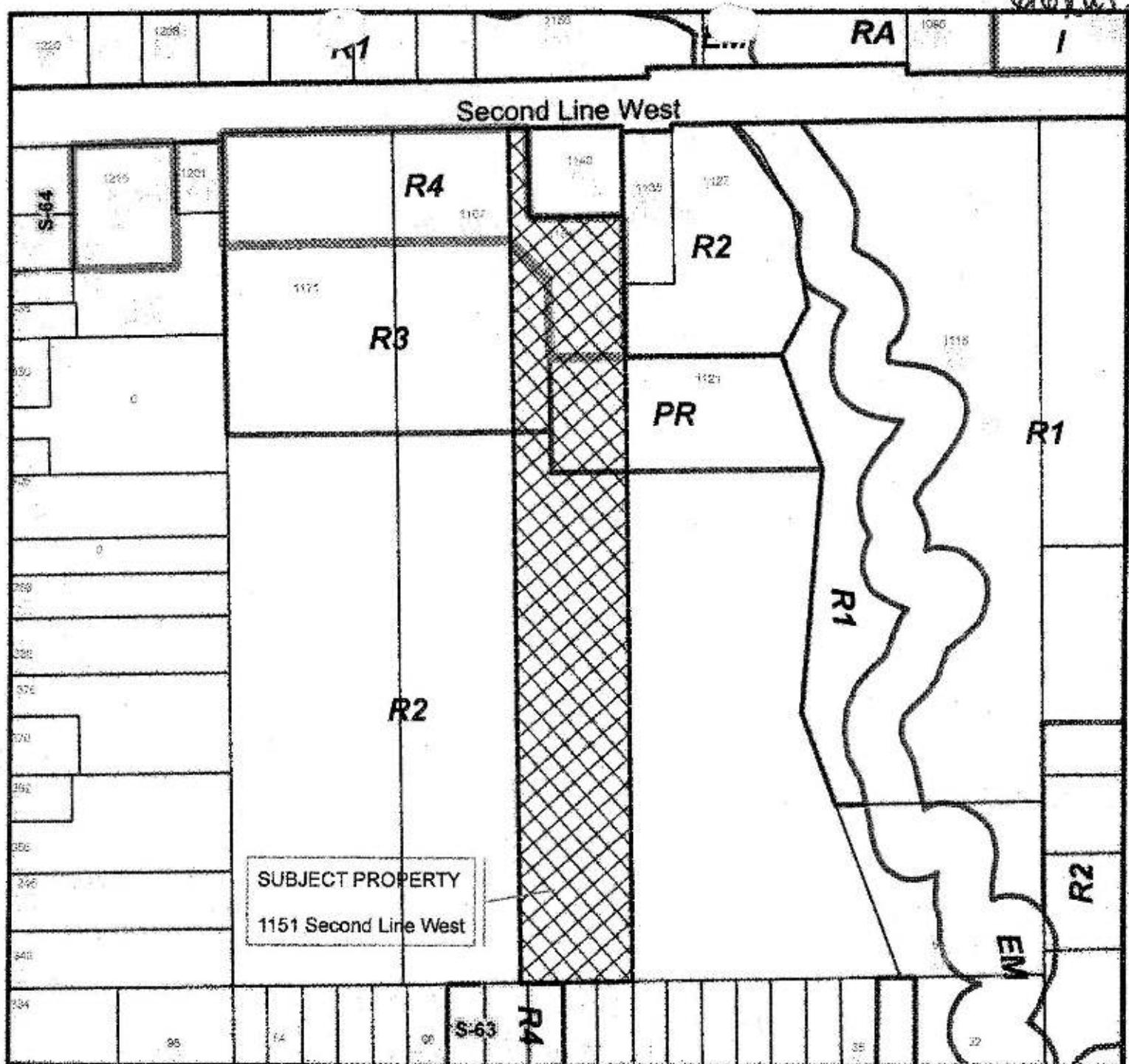
Metric Scale
1:3,000

MAPS
51 & 1-67



Subject Property - 1151 Second Line West

August 13, 2010



Existing Zoning Map 1151 Second Line West

**APPLICATION
A-13-10-T**



-  Subject Property - 1151 Second Line West
 -  Bylaw 2005-150 - Zoning
 -  Bylaw 2005-150-151 - Special Exceptions
 -  Bylaw 2005-150DC - Site Plan Control

**Metric Scale
1:3,000**

MAPS
51 & 1-67

August 13, 2010

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



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

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-14-12-Z.OP – filed by 1704608 Ontario Limited

PURPOSE

The applicant, 1704608 Ontario Limited (Frank Naccarato and Joel Chisolm), is requesting to seek the required land use approvals to develop approximately sixteen (16) townhouse units on the former Canadian Martyrs School site.

PROPOSED CHANGE

To amend the City of Sault Ste. Marie Official Plan designation of the subject property from Rural Area to Residential, and to amend the City's Zoning By-law rezoning the property from "RA" (Rural Area) zone to "R.3" (Low Density Residential) zone

Subject Property:

- Location – The subject property is located on the north side of Greenfield Drive, approximately 185m west of the terminus of his portion of Greenfield Drive, civic no. 181 Greenfield Drive
- Size – 101.2m (332') by 60.9m (199') totaling 0.6ha (1.5acres)
- Present Use – Former Canadian Martyrs School
- Owner – 1704608 Ontario Limited, c/o Frank Naccarato

BACKGROUND

In 2001, the Committee of Adjustment approved a severance and minor variance application to create the current lot and reduce the required frontage to 0. At that time, the Huron Superior Catholic District School Board was severing the subject property in order to sell for future unknown redevelopment purposes. Approval of the severance was based in part upon the fact that the remnant or surrounding property maintains frontage on Peoples Road. Furthermore, a vacant city owned property at the east terminus of Greenfield Drive provides a second access point to the remnant parcel.

ANALYSIS

Conformity with the Official Plan

The subject property is currently designated 'Rural Area' on Land Use Schedule 'C' of the Official Plan. Consequently, an Official Plan Amendment to re-designate the property from 'Rural Area' to 'Residential' is required.

The subject property abuts the Urban Settlement Area (USA) Line, which runs along the south lot line.

Even though the property is outside of the USA boundary, water and sewer services exist from when the property supported Canadian Martyrs Catholic Elementary School. Section 2.5, 'Municipal Services' indicates "that the urban land use needs of the community can be met without expanding existing trunk services." Given that sewer and water services already exist on the subject property, trunk services do not need to be extended.

Furthermore, Rural Area Policy 3 notes that 'Residential development at urban densities may be permitted on lots in existence on the date of the adoption of this plan, if the lot(s) abut municipal services.'

Given the existence of trunk services on the subject property, the aforementioned Official Plan policies support the proposed OPA.

Planning staff had discussions with Ministry of Municipal Affairs and Housing staff, who agree that approval of this application, would be consistent with Provincial Policies pertaining to limited development in the Rural Area.

Finally, Residential Policy 3 of the Official Plan notes 'medium density residential dwellings may be integrated into low density areas subject to a rezoning'. The proposed townhouse development is medium density and would be appropriately integrated into the existing single detached residential subdivision to the south.

Consultation

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

- See attached letters – Building Division, PWT, PUC Services, Engineering
- No objections/comments – CSD, Fire Services, Conservation Authority, Accessibility Advisory Committee, EDC

Comments

The applicants are requesting City Council's approval to rezone the subject property from "RA" (Rural Area) zone to "R4" (Medium Density Residential) zone to permit a sixteen (16) unit townhouse development.

Referring to the site, floor and elevation plans, a private driveway would be constructed along the 'stub-end' of the unopened ROW, which historically functioned as the access into the school. The development would consist of three (3) townhouse blocks totaling sixteen (16) units. The applicants are proposing to develop three (3) different floor plans, ranging from just over 900sq. ft. to just over 1000sq.ft. All units would be one floor with an attached garage. The applicants have stated that the units would be marketed to seniors as rental units. Overall, the exterior design of the townhouses would be very similar to a number of local townhouse developments that have recently been built or are currently under construction.

The area to the north, east and west of the subject property is a vacant Rural Area zoned property currently owned by the Huron Superior Catholic District School Board.

While located beyond the current Urban Settlement Area, it is recognized that the subject property, as well as the surrounding School Board property have some future urban residential development potential. The surrounding School Board parcel has 16m (52.5') of frontage on People's Road. Furthermore, there is a vacant City owned lot at the eastern terminus of this portion of Greenfield Drive, which could function as a second access into the abutting parcel. Consequently, approval of this proposal would not preclude the future development potential on the abutting vacant property. The applicants have also designed the proposed development in such a manner that if the abutting parcel (or portion thereof) becomes available, they too could expand this proposed development.

The area to the south is the original Greenfield Subdivision, consisting of single detached homes. As previously mentioned, Residential Policy 3 of the Official Plan notes that 'medium density residential dwellings may be integrated into low density areas, subject to a rezoning.' Generally, an appropriate variety of housing types integrated into one area provides for a healthy neighbourhood with a mixture of residents. For example, as one ages, they could downsize their home, but remain in the same neighbourhood.

The subject property is large enough to support the intended use. There is enough space to support the required on-site parking, including visitor parking. The site plan shows minimum 7.6m (25') rear yards which are large enough to provide an appropriate rear/private outdoor amenity area. The front yards would be large enough to provide for some landscaping, as well as additional parking. Finally, the increased traffic generated from a sixteen (16) unit townhouse development would not severely impact the existing roadway or the single detached character of the abutting subdivision. Although it is recognized that the school has been closed for some time, the proposed development will generate far less traffic than that of an elementary school.

The south lot line of the subject property abuts the rear yards of adjacent single detached homes. Furthermore, the access drive will abut the exterior side yards of adjacent properties on either side. It is therefore recommended that Site Plan Control be utilized to give staff the opportunity to review and comment on exterior development details prior to the issuance of a building permit.

There is an existing minor variance upon the subject property which reduces the required frontage to 0m. Furthermore, it has been determined that for the purposes applying setbacks, each lot line is considered an interior side lot line, thus requiring a minimum setback of 1.2m for one storey buildings, and 1.8m for 2 storey buildings. Generally speaking, a minimum 7.6m (25') rear yard should be provided as outdoor amenity space. Each proposed unit will have a minimum 7.6m (25') rear yard. Site Plan Control will be utilized to ensure that adequate outdoor amenity areas are provided.

Up until the drafting of this report, one letter of objection has been received (attached) from Mr. and Mrs. Beauchamp who own 1336 People's Road. Mr. and Mrs. Beauchamp indicate that their property abuts the subject property. Referring to the subject property maps attached, the Beauchamp property does not abut the HSCDSB parcel surrounding the subject property, let alone the subject property that is proposed

for development. The nearest points of the Beauchamp property and the subject property are 75m apart and buffered by the HSCDSB property which is not part of this application. It is Planning's opinion that this proposal will not negatively impact Mr. and Mrs. Beauchamp's property at 1336 People's Road.

Correspondence from the Chief Building Official notes that the property dimensions shown on the applicants' site plan do not match the reference survey currently on file. Based on the survey, it appears that the property is roughly 2.4m (8') narrower and 2.7m (9') deeper than shown on the site plan. Based on the site plan, it appears as though development can be slightly altered to account for the 2.4m (8'). Building Division also notes that there is no evidence that this property will require a record of site condition or environmental review, prior to the issuance of a building permit.

Staff from Public Works and Transportation has no objection to this application, conditional upon agreements being put in place with regards to maintenance and service responsibilities within the existing Green Field Drive right-of-way that accesses the subject property. The ROW will function as a private driveway, and as such, will not be built to a size and standard that could support snow removal equipment, including a sufficient turnaround area. Furthermore, services underneath the ROW will be for the exclusive use of the subject property, and therefore, should be maintained by the owners. It is recommended that the Applicants either purchase the ROW or enter into and easement agreement with the City, defining the owners' responsibilities for maintaining the ROW as well as the sanitary, storm and water services beneath the driveway. The applicants are aware of this requirement and have no issues with either purchasing the property (preferred) or entering into an easement agreement with the City. It is also worth noting to the applicants that municipal refuse collection will not enter onto private property, nor is it appropriate for a development of this size to place refuse out on Greenfield Drive for curbside collection. Consequently, the owners will be responsible for contracting out refuse collection, which is standard practice for developments of this nature.

PUC has no objection to the application; however fire flow capacity must be confirmed by the owners prior to the issuance of a building permit.

Correspondence from the Engineering Department outlines a number of site specific requirements that must be met prior to the issuance of a building permit. More specifically, stormwater management, drainage and the construction and maintenance of underground services. Engineering further recommends that Site Plan Control be utilized in order to ensure that the noted requirements are met, prior to the issuance of a building permit.

IMPACT

There are no significant impacts on municipal services as a result of approving this application.

SUMMARY

Located at the edge of the Urban Settlement Area, full services already exist to the subject property, which was formerly the Canadian Martyr School site. The proposal to develop a sixteen (16) unit townhouse development represents an appropriate

redevelopment of the site. Permitting an appropriate variety of housing types integrated into one area provides for a healthy neighbourhood with a mixture of residents and residential opportunities. The subject property is large enough to support the intended development, with ample parking and outdoor amenity space for future residents. The size and scope of the proposed development (sixteen (16) dwelling units) is such that impacts to the surrounding neighbourhood will be negligible.

STRATEGIC PLAN

Approval of this application will not impact the Corporate Strategic Plan.

RECOMMENDATION

That City Council approve Official Plan Amendment No. 185 and re-designate the property from Rural Area to Residential on Land Use Schedule 'C' of the Official Plan, and that City Council rezone the subject property from "RA" (Rural Area) zone to "R3" (Low Density Residential) zone, subject to the following conditions:

1. That the property be deemed subject to Site Plan Control
2. That the applicants either purchase the right-of-way or enter into an easement agreement with the Municipality, in relation to the use and maintenance of the right-of-way and underground services.

Respectfully submitted,

Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,

Donald B. McConnell, MCIP, RPP
Planning Director

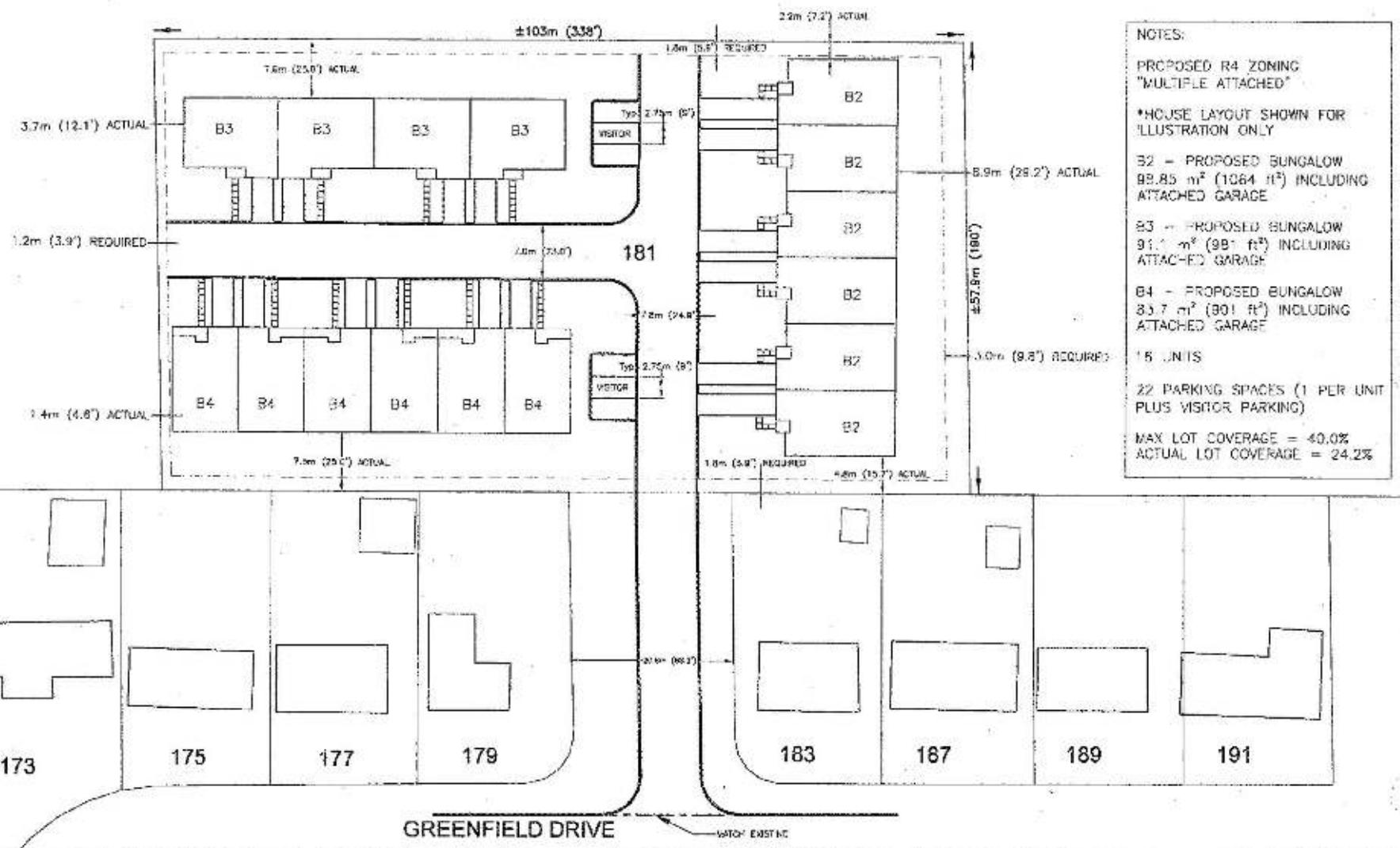
Recommended for approval,

Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT/ps

attachment(s)

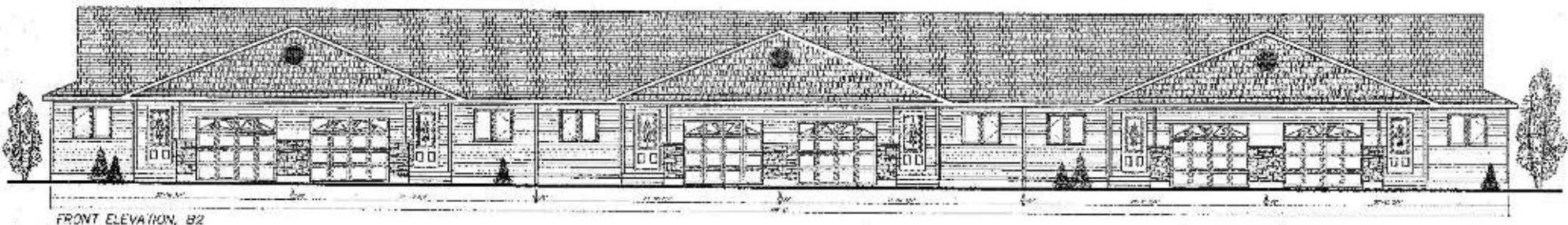
JOSEPH M. FRANE
Chief Administrative Officer



Revision:	No.	Date	By		SITE PLAN - PREFERRED OPTION	Scale
ISSUED FOR CLIENT REVIEW	1	30/11/11	MK			1:500
REvised PPR PLANNING COMMENTS	2	05/03/12	KC			Dr. Ch. MK & KG JM
REVISED BUILDING LAYOUTS	3	03/04/12	MK			Date 03.04.2012
					Dwg. No. 11-1035	REV. 3

TULLOCH
ENGINEERING

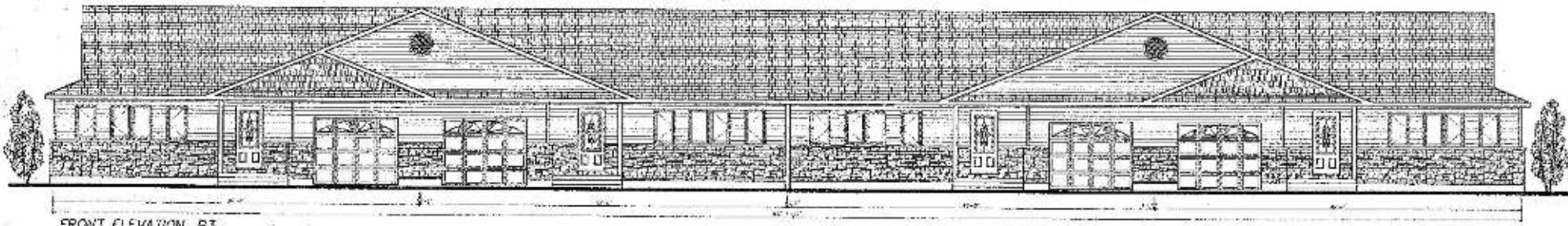
(6696)



FRONT ELEVATION, B2

B2 Unit(s)
Elevation

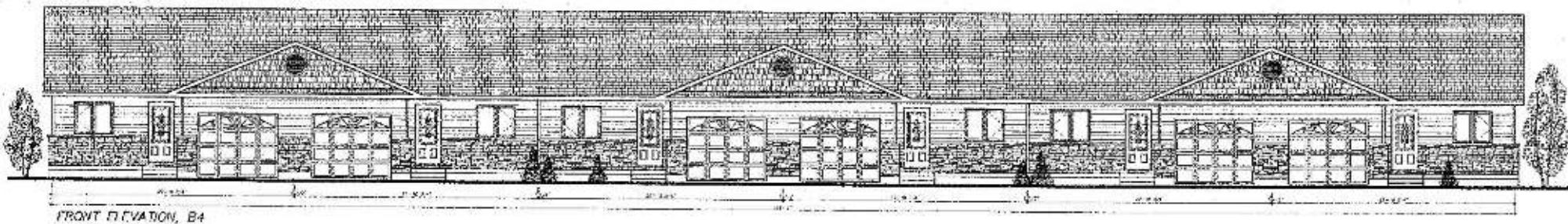
(4769)



FRONT ELEVATION, B3

B3 Unit(s)
Elevation

6/29/04

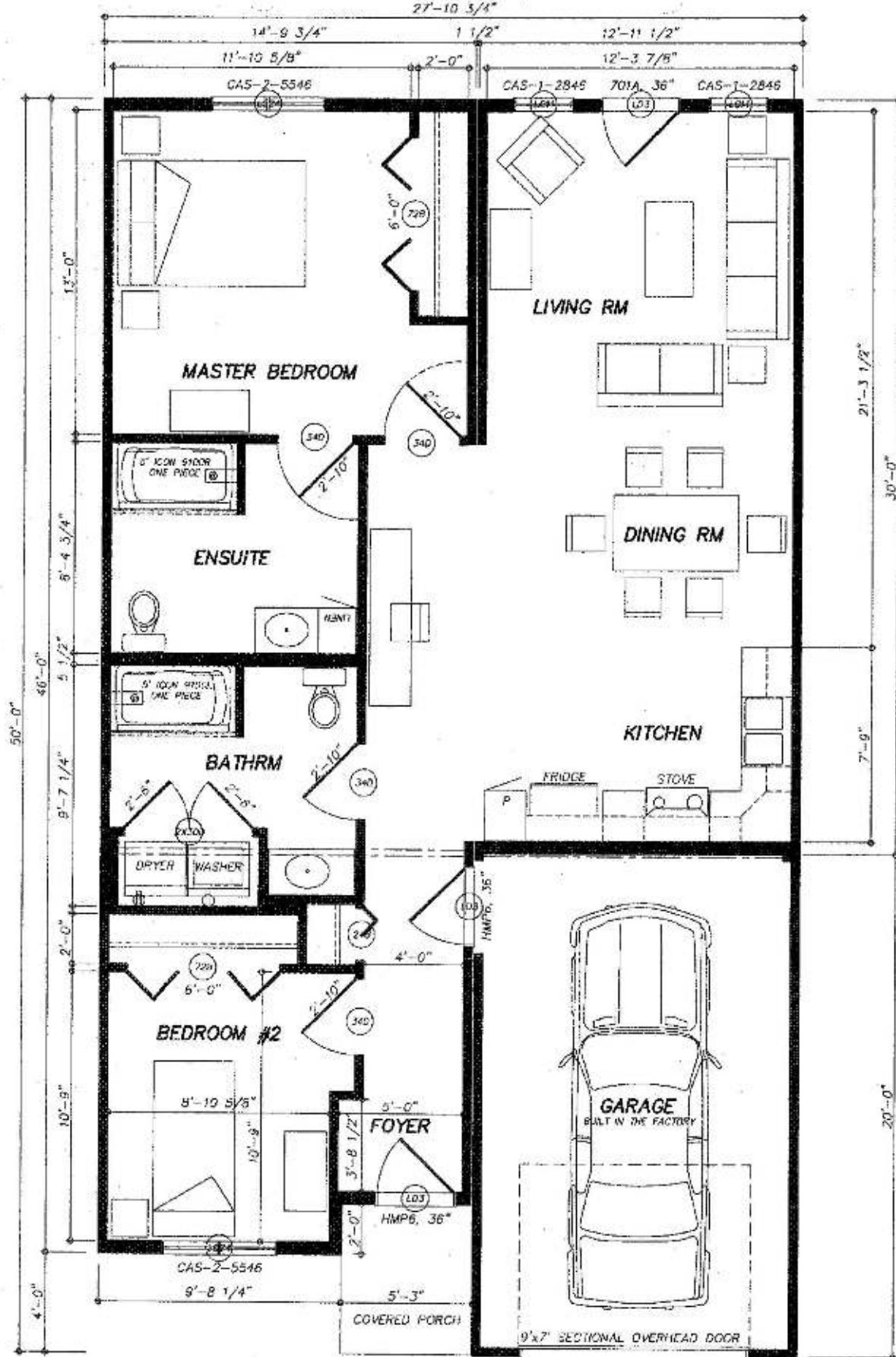


FRONT ELEVATION, B4

B4 Unit(s)
Elevation

669(b)

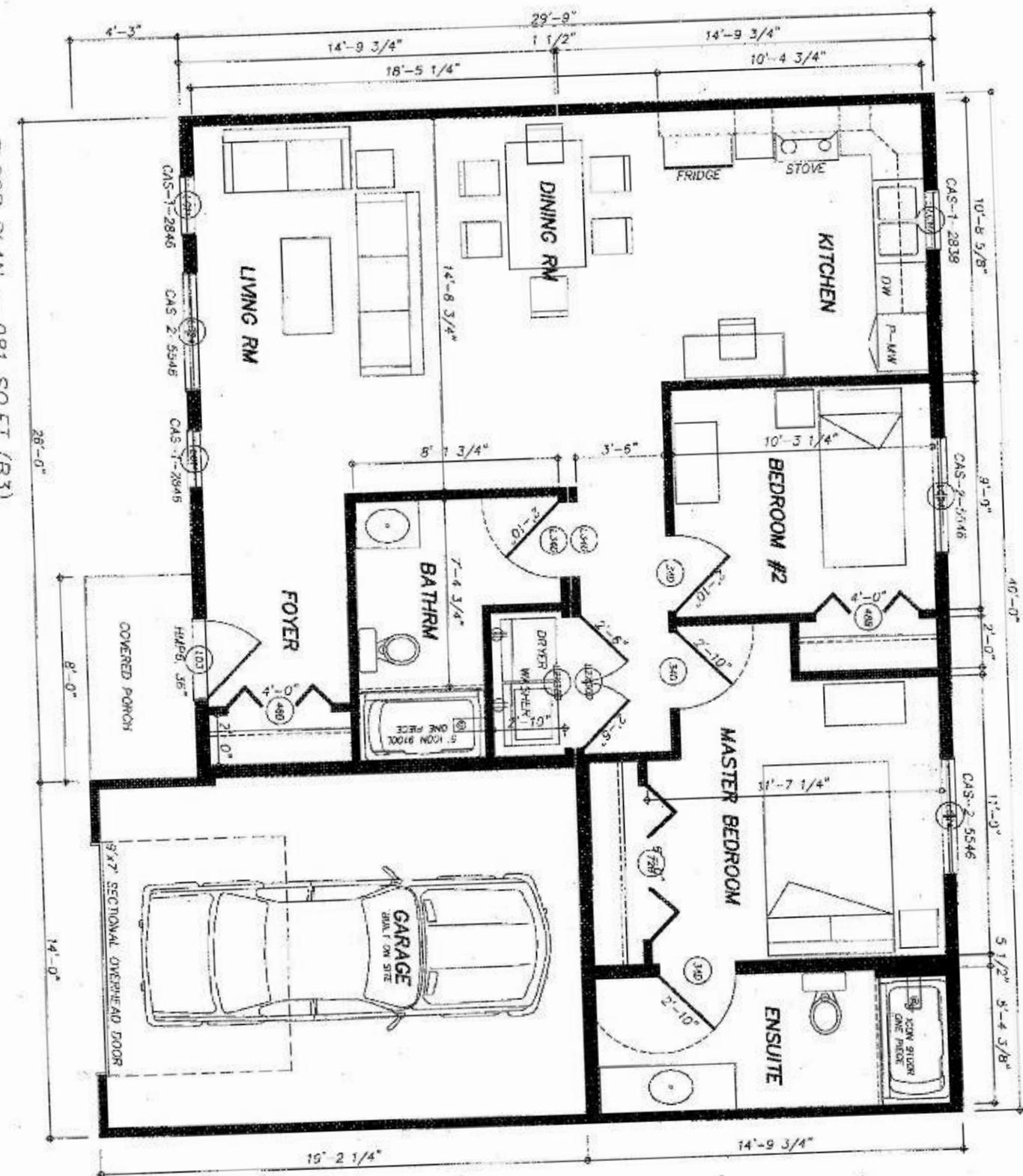
6(b)(b)



FLOOR PLAN - 1064 SQ.FT (B2)

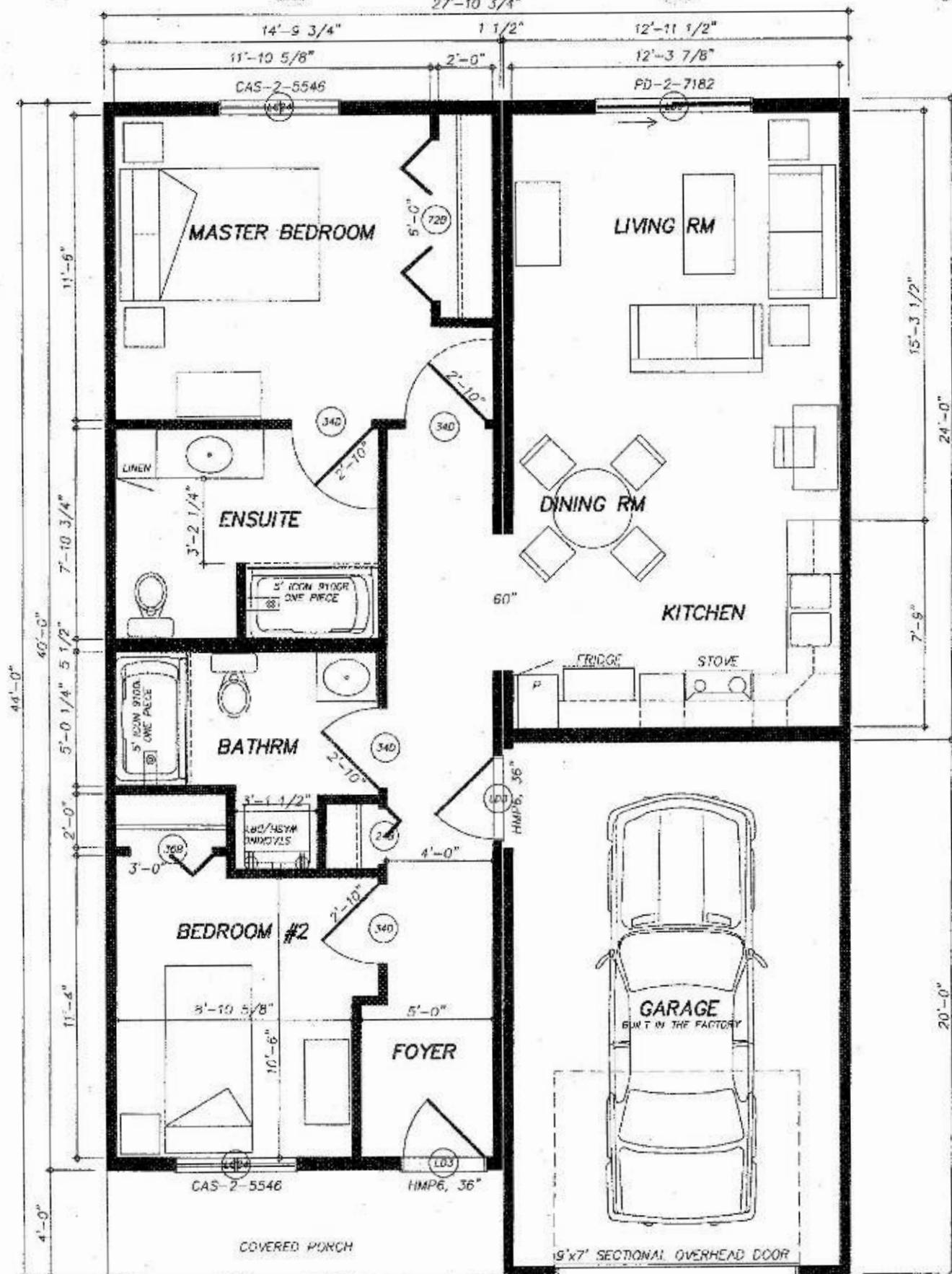
Typical
B2 Unit

66(b)



Typical
B3 Unit

6(6)(b)



FLOOR PLAN - 908 SQ.FT (B4)

Typical B4 Unit

**AMENDMENT NO. 185
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

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

LOCATION:

SEC 24 NW 1/4 PT RP 1R10414 Part 1, located on the north side of Greenfield Drive, Civic No. 181 Greenfield Drive.

BASIS:

This Amendment is necessary in view of the request to develop the property for urban residential purposes.

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

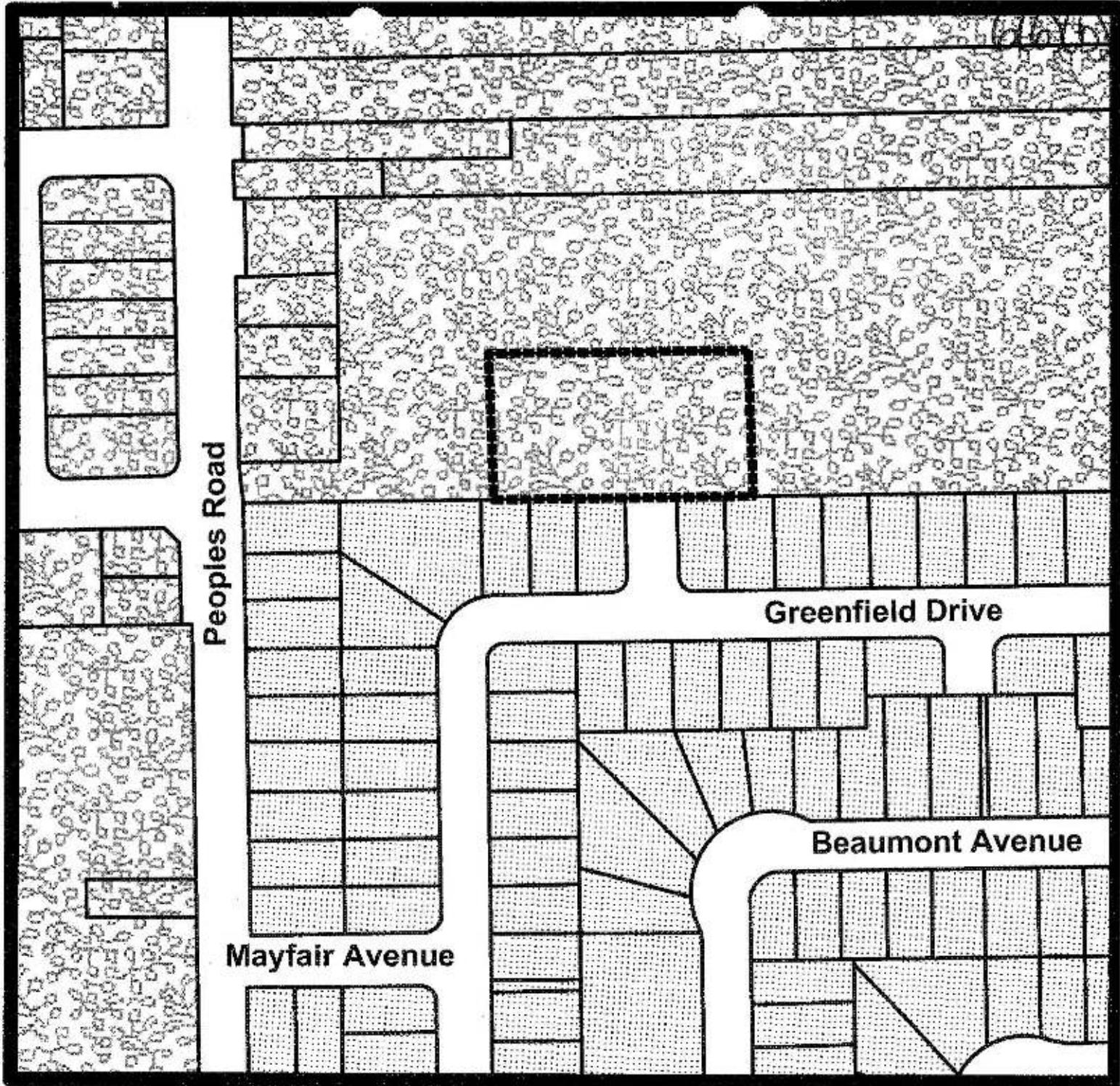
Council now considers it desirable to amend the Official Plan re-designating the subject property from "Rural Area" to "Residential".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

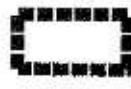
Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Rural Area" to "Residential".

INTERPRETATION

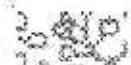
The provisions of the Official Plan as amended from time to time will be applied to this Amendment.



OFFICIAL PLAN MAP 181 GREENFIELD DRIVE

 SUBJECT PROPERTY = 181 Greenfield Drive
OP LAND USE DESIGNATION

Residential

 Rural Area

OFFICIAL PLAN
AMENDMENT No. 185

Planning Application
A-14-12-Z-OP

Metric Scale
1 : 2200



(b)(6)

Pat Schinners

From: Don Maki
Sent: April 11, 2012 1:56 PM
To: Don McConnell; Pat Schinners
Subject: FW: Rezoning application A-14-12-Z.OP

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

From: Don Maki
Sent: April 11, 2012 1:49 PM
To: Don McConnell; Pat Schinners
Subject: Rezoning application A-14-12-Z.OP

Hi Don

I reviewed the survey plan in our file for this property and does not match the dimensions on their proposal. They do not refer to a reference survey. The IR-plan is 10414. This should be confirmed. This site presently has a vacant school on site that has not been used for years. This property was severed off the original school board site. Along with the severance there was a minor variance to reduce the frontage to 0 increase the lot coverage 12.6% and allow a lot that does not front on an approved street. There is no evidence that this property would require a record of site condition for an environmental review.

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

66(b)

S. Hamilton Beach, P. Eng
Deputy Commissioner



Larry Girardi
Commissioner

April 17, 2012

Donald McConnell
Planning Director

Subject: Application Number A-14-12-Z.OP
Request for an Amendment to the Official Plan and Zoning By-law

Applicant: 1704608 Ontario Inc. (c/o Frank Naccarato)

Subject Property: 181 Greenfield Drive

Staff from Public Works and Transportation has reviewed this application and have no objections. PWT would require that maintenance and service responsibilities be considered within the existing Greenfield Drive right of way which accesses this property.

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, P. Eng.'

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

c.c. Peter Tonazzo, Planner
Dan Perri, EIT

66(b)



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

April 24, 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: Application A-14-12-Z.OP
181 Greenfield Drive**

PUC wishes to advise that we have no objection to the above application. Please note however, that given the location on a radial dead end the owner should confirm available fire flow capacity and requirements which may impact their design requirements for the proposed development.

Yours truly,

PUC SERVICES INC.

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

Kevin D. Bell, P. Eng.
Manager of Engineering

KB*jf

6(b)(b)

Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division



2012 04 20

Our File: A-14-12-Z.OP

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

Dear Mr. McConnell:

**RE: A-14-12-Z.OP – 181 GREENFIELD DRIVE
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:

- No owner of an industrial, commercial or institutional premise or multi-residential development of four (4) units or greater shall undertake any works or make any connection or do anything that would increase peak flow rates of storm water or which would impair the quality of storm water which is discharged to a sewer without prior approval of the City Engineer;
- Post development flows shall not exceed pre-development flows for all storms up to and including a 100 year event, unless otherwise approved;
- The City will require a servicing plan, showing proposed storm and sanitary pipes, in addition to storm water management plan, and associated lot grading plan;
- The existing sanitary sewers shall be verified to ensure adequate downstream capacity to accommodate the increase in flow from the new development;
- The owner or operator of multi residential buildings, with more than nine (9) units, which are connected to a sewage works shall install and maintain in good repair in each connection to a sewage works, a suitable maintenance hole to allow for observation, sampling and flow measurement of the sewage, uncontaminated water or storm water therein, or provide, where the installation of a maintenance access hole is not possible, an alternative device or facility with the prior written approval of the City Engineer;

- The maintenance access hole or alternative device or facility shall be located on the property of the owner or the operator of the premise, as close to the property line as possible, unless the City Engineer has given prior written approval for a different location;
- Engineering is concerned about access to the vacant land to the north of the subject property if it is ever to be developed. It is understood however, that there is access to the east and access off of Peoples Road, albeit narrow;
- It is recommended that the Development be subject to Site Plan Control to ensure the above requirements are met.

If you have any questions, please contact the undersigned.

Yours truly,

D. Perri

Daniel Perri, EIT
Engineering Intern

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

Pat Schinners

From: Peter Tonazzo
Sent: April 26, 2012 9:07 AM
To: Pat Schinners
Subject: FW: Opposition of application A-14-12-Z.OP, 181 Greenfield Drive

-----Original Message-----

From: Christopher Beauchamp [mailto:c.t.beauchamp@me.com]
Sent: April 25, 2012 5:49 PM
To: Peter Tonazzo
Subject: Opposition of application A-14-12-Z.OP, 181 Greenfield Drive

Good day,

I am writing this letter in order to voice my opposition of changes proposed in application # A-14-12-Z.OP, the rezoning and construction of town housing units at 181 greenfield drive.

My property borders the north side of the proposed rezoning area and thus I will be directly affected by any changes made. The area in question is currently populated by many trees which act as sound deadening to the greenfield subdivision. It also provides a form of privacy fence which was one of the major considerations when I purchased this property 5 years ago. Another major consideration included that the area was individual housing, not town housing, duplex housing or apartments. I purchased this property in the North end of the city purposely with this in mind. If I wanted to live near town housing I would have bought property in East end of the city.

The proposed changes and town house construction would have significant negative effects for all property owners in the surrounding area and neighbourhood.

- 1) The construction process would cause significant noise pollution, atmospheric pollution and destruction of the forest in the area adjacent to my property.
- 2) Town housing will devalue existing properties in the surrounding area, especially my own.
- 3) The new subdivision construction in the Greenfield area is high end homes which is helping to improve existing property values. This would unfairly depreciate those new construction properties.
- 4) My back yard could border up to 6 new properties instead of the two which I considered when I purchased my home. This would create an unacceptable level of noise and privacy problems which I will not tolerate.
- 5) We currently have children that use this area for play. Peoples road is heavily traveled with vehicles regularly exceeding the speed limits. This poses a safety risk to the kids if they are required to cross it more often in order to reach the park. This would also require that kids use peoples road to travel to and from the Greenfield subdivision.

In conclusion I do not see any reason why it would be considered acceptable to rezone this area and allow town housing to be built. There is no other housing of this nature in the area. These are all single dwelling homes which all home owners purchased with the intent of the neighbourhood remaining that way. This construction would be greatly detrimental to the area. If Ontario Limited wishes to construct town housing they should do so on a property which is already nearby existing town housing or apartments. This construction will have adverse effects on the way I choose to live my life and my neighbours.

I wish to be notified of the council's decision to adopt or refuse the approval of this application.

6(6)(b)

I will be forwarding this letter to my ward councillor in order for him to understand my concerns and address them at the next council meeting in which this matter is discussed.

Regards,

Chris & Cindy Beauchamp
1336 Peoples Road
Sault Ste. Marie
(705) 575-9079



2008 ORTHO PHOTO

181 GREENFIELD DRIVE

Planning Application A-14-12-Z-OP

Metric Scale
1 : 2200

Maps
110 & 1-125

Mail Label ID
A-14-12-Z



Subject Property = 181 Greenfield Drive



66(b)

Peoples Road

Mayfair Avenue

Greenfield Drive

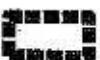
Beaumont Avenue

SUBJECT PROPERTY MAP

181 GREENFIELD DRIVE

Planning Application A-14-12-Z-OP

Metric Scale
1 : 2200

 Subject Property = 181 Greenfield Drive

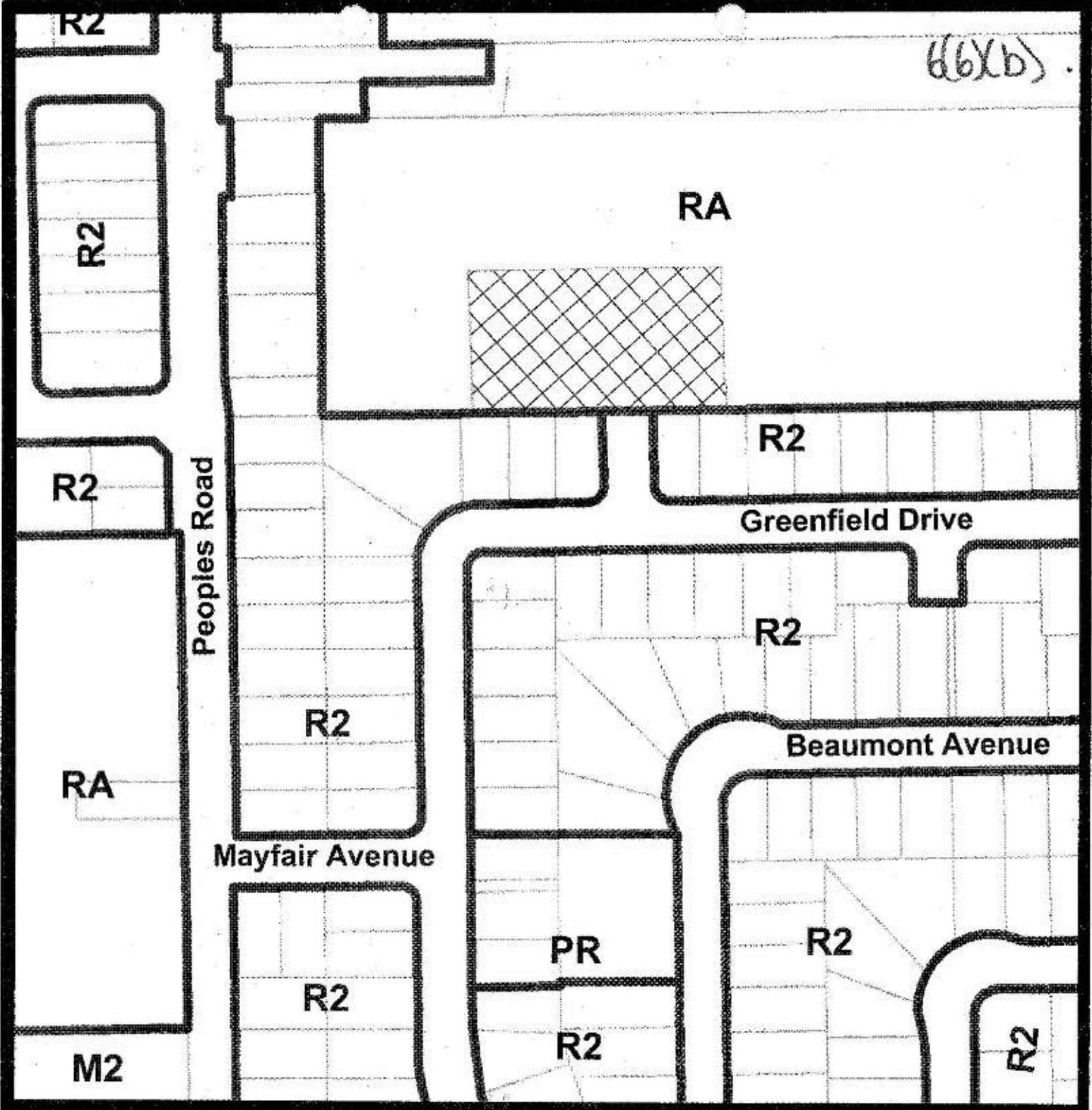
 Subject Property = 181 Greenfield Drive

Maps
110 & 1-125

Mail Label ID
A-14-12-Z



(66Xb)



EXISTING ZONING MAP 181 GREENFIELD DRIVE

Subject Property = 181 Greenfield Drive

R2 - Single Detached Residential Zone

RA - Rural Area Zone; RAhp

PR - Parks and Recreation Zone

Planning Application
A-14-12-Z-OP

Metric Scale
1 : 2200

Maps
110 & 1-125

Mail Label ID
A-14-12-Z



(b6)(c)

ENGINEERING & PLANNING DEPARTMENT

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director

Planning Division

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



Celebrate 100!
1912 - 2012*

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-15-12-Z – filed by Helen and George Johnson

PURPOSE

The applicants, Helen and George Johnson, are requesting to seek the required zoning amendments to develop 5 to 7 multiple attached (i.e. townhouse) units on the subject property.

PROPOSED CHANGE

To amend the City of Sault Ste. Marie Zoning By-law, rezoning the subject property from "R2" (Single Detached Residential) zone to "R3" (Low Density Residential) zone, with a Special Exception to reduce the required rear yard setback from 10m (32.8') to 7.5m (24.6').

Subject Property:

- Location – Lot 58, RCP H-732, Civic No. 39 Stevens Street
- Size – approximately 32.03 m (105.08') frontage x 92.97 m (305.02') depth; 0.29 ha (0.73 acres) area
- Present Use – Single Family Residential
- Owner – Helen and George Johnson

BACKGROUND

The subject property is currently zoned and utilized for single detached residential use. The applicant is seeking to rezone the property to facilitate the construction of 5 to 7 townhouse units. The applicant's goal is to develop the first 5 units at the rear of the property and potentially develop 2 semi-detached units along the frontage at a future date. To facilitate this request, a zoning change to "R3" (Low Density Residential) is required, which permits both multiple and semi-detached dwelling units.

ANALYSIS

Conformity with the Official Plan

The subject property is designated Residential on Schedule "C" of the City of Sault Ste. Marie Official Plan and therefore, the proposed development conforms to the existing land use designation.

Comments

The applicant is seeking to rezone the subject property for the purpose of constructing 5 to 7 townhouse type units. To facilitate this proposal, a zoning amendment is required, rezoning the property from "R2" (Single Detached Residential) to "R3" (Low Density Residential). In addition to this, a Special Exception to the Zoning By-law is required, reducing the rear yard setback from 10 metres to 7.5 metres.

The subject property is fairly large and can accommodate the physical requirements of the proposed development in a manner that is compatible with surrounding uses. In addition, the proposal is very similar in size and scope to the apartment type units located immediately south of the subject property (that are accessed from Elmwood Avenue).

Based on discussions with the applicant's consultants, the short-term intent is to maintain the existing dwelling unit along the frontage, and develop five townhouse units in the rear of the property. The semi-detached units along the frontage will be developed at a later date, depending on future housing market conditions or demand. In both scenarios, the residential streetscape character will be maintained (see attached site plans).

The Official Plan supports the development of a full range of housing types and encourages compact urban form. Both the Official Plan and the Provincial Policy Statement (2005) also encourages opportunities for intensification in urban residential areas. The size of the property does provide an opportunity for an alternative housing choice in this area and is suitable for an infill (intensification) development.

Opportunities for compatible infill development are encouraged as they make the use of existing infrastructure and services more efficient. By encouraging infill opportunities, this reduces the need to expand the urban settlement area, thereby reducing the expansion (and required maintenance) of urban infrastructure and services.

To ensure that development occurs in a manner that is compatible with the surrounding uses, it is recommended that the subject property be designated as an area of Site Plan Control. Two particular areas that should be addressed through the Site Plan Control process is landscaping and fencing.

In regards to landscaping, the subject property currently contains two mature trees which provide significant shade and add to the streetscape character. These trees should be maintained in any future development. The applicant's consultant has indicated that these trees could be preserved in either the short or future development options.

As for fencing, currently there are a series of different fencing in various states of repair along the easterly property line. Planning staff will recommend as part of the Site Plan Agreement that a combination of fencing and/or landscaping be provided on the subject property to ensure privacy for both the residents of the future townhomes and the adjacent neighbours.

Consultation

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

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

Engineering Division has indicated that a servicing and stormwater management plan will be required showing future services and to ensure that post development flows do not exceed pre-development flows. Engineering staff also advised that should the applicant connect to the existing private storm sewer system to the south, an easement will be required. These and other site servicing and stormwater measures will be addressed through the Site Plan Control review.

PUC has noted that the owner will need to confirm available fire flow capacity and requirements for the future development. This will also be address through Site Plan Control.

Planning staff did receive one call from an abutting neighbor concerned about the possible impact to property values. Although there are many factors that determine an increase or decrease in property values, Planning staff are of the opinion that the applicant's proposal will be a positive development, both in terms of aesthetics and by making existing infrastructure and services more efficient.

IMPACT

The proposed development is characterised as infill development. By encouraging infill opportunities, this reduces the need to expand the urban settlement area, thereby reducing the expansion and subsequent maintenance of urban infrastructure and services.

SUMMARY

The applicant is seeking to rezone the subject property for the purpose of constructing 5 to 7 townhouse type units. To facilitate this proposal, a zoning amendment is required, rezoning the property from "R2" (Single Detached Residential) to "R3" (Low Density Residential), with a Special Exception to reduce the rear yard setback from 10 metres to 7.5 metres.

Planning staff are recommending approval of this application as the proposal represents an appropriate infill development opportunity which is compatible with the surrounding land uses and will make the use of existing infrastructure and services more efficient.

Planning staff are recommending that the subject property be designated as an area of Site Plan Control, for the purpose of reviewing, among other things, landscaping, fencing, servicing, stormwater management, and fire flow requirements.

STRATEGIC PLAN

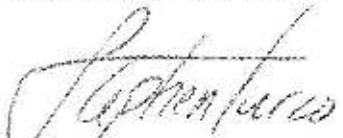
The Mission Statement of the City of Sault Ste. Marie's Strategic Plan is "to provide quality and cost-effective municipal services in a responsible and supportive manner. Infill development opportunities, such as the one being proposed in this application, makes use of existing infrastructure and services more efficient and reduces the need to expand and maintain new infrastructure and services."

RECOMMENDATION

That City Council approves the rezoning of the subject property from "R2" (Single Detached Residential) zone to "R3" (Low Density Residential) zone, subject to the following:

1. That the required rear yard setback be reduced from 10 metres to 7.5 metres.
2. That the property be designated as an area of Site Plan Control.

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

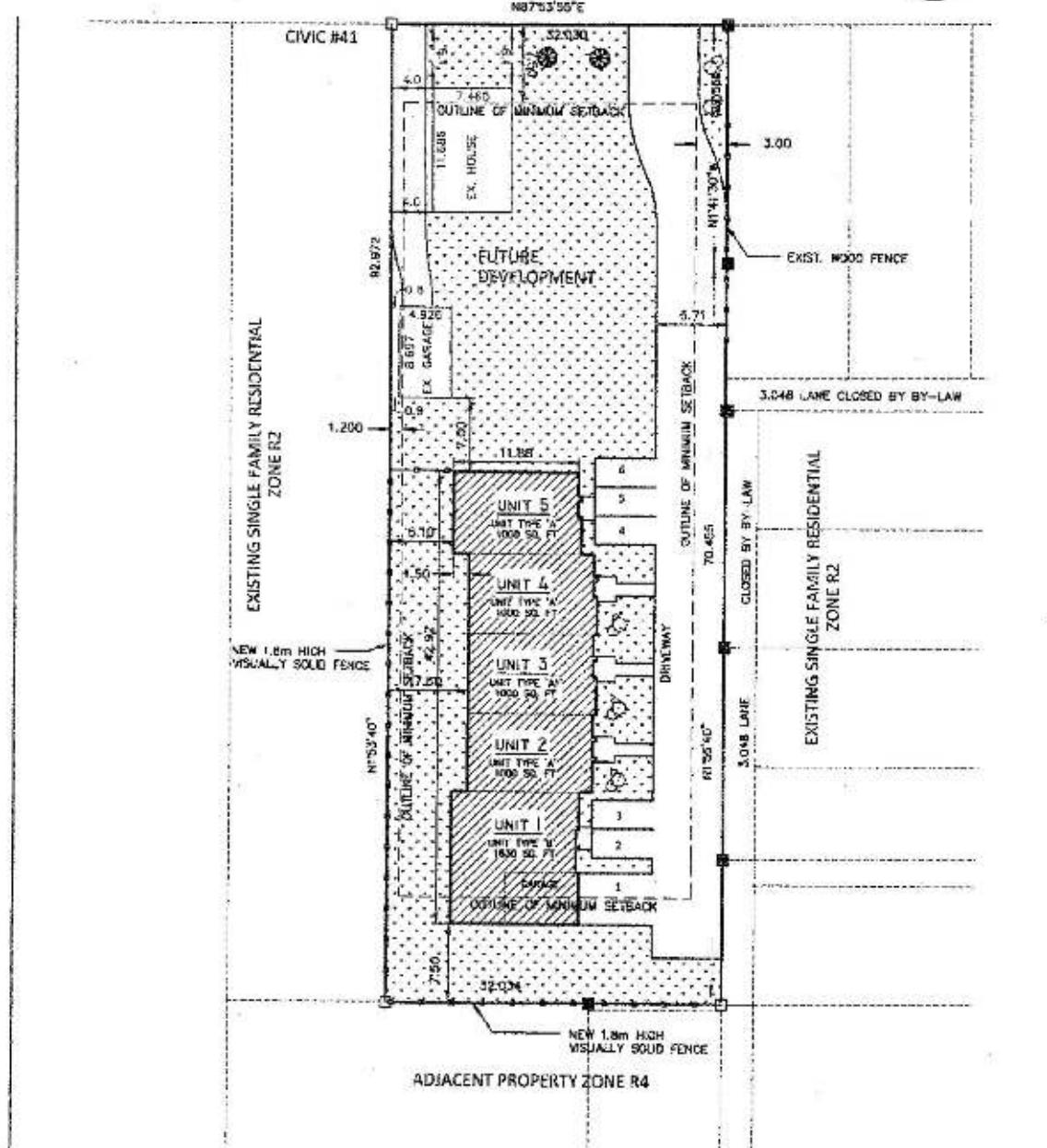
attachment(s)



6(b)(c)

hase One: Five (5) Townhouse Units, Existing
house maintained

STEVENS STREET



**EXISTING ZONING R2
PROPOSED ZONING S**

LGT AREA 2970 m²
 BUILDING AREA 648 m² (21%)
 PARKING SPACES REQUIRED 6
 PARKING SPACES PROVIDED 6

THIS PLAN IS TO OUTLINE PROPERTY AND BUILDING MEASUREMENTS ONLY. IT IS NOT A LEGAL DOCUMENT AS MEASUREMENTS WILL CHANGE TO ACCOMMODATE BUILDING ON SITE. THE SURVEY WILL LEGALLY INDICATE FINAL MEASUREMENTS.

SITE PLAN

SCALE: 1:500

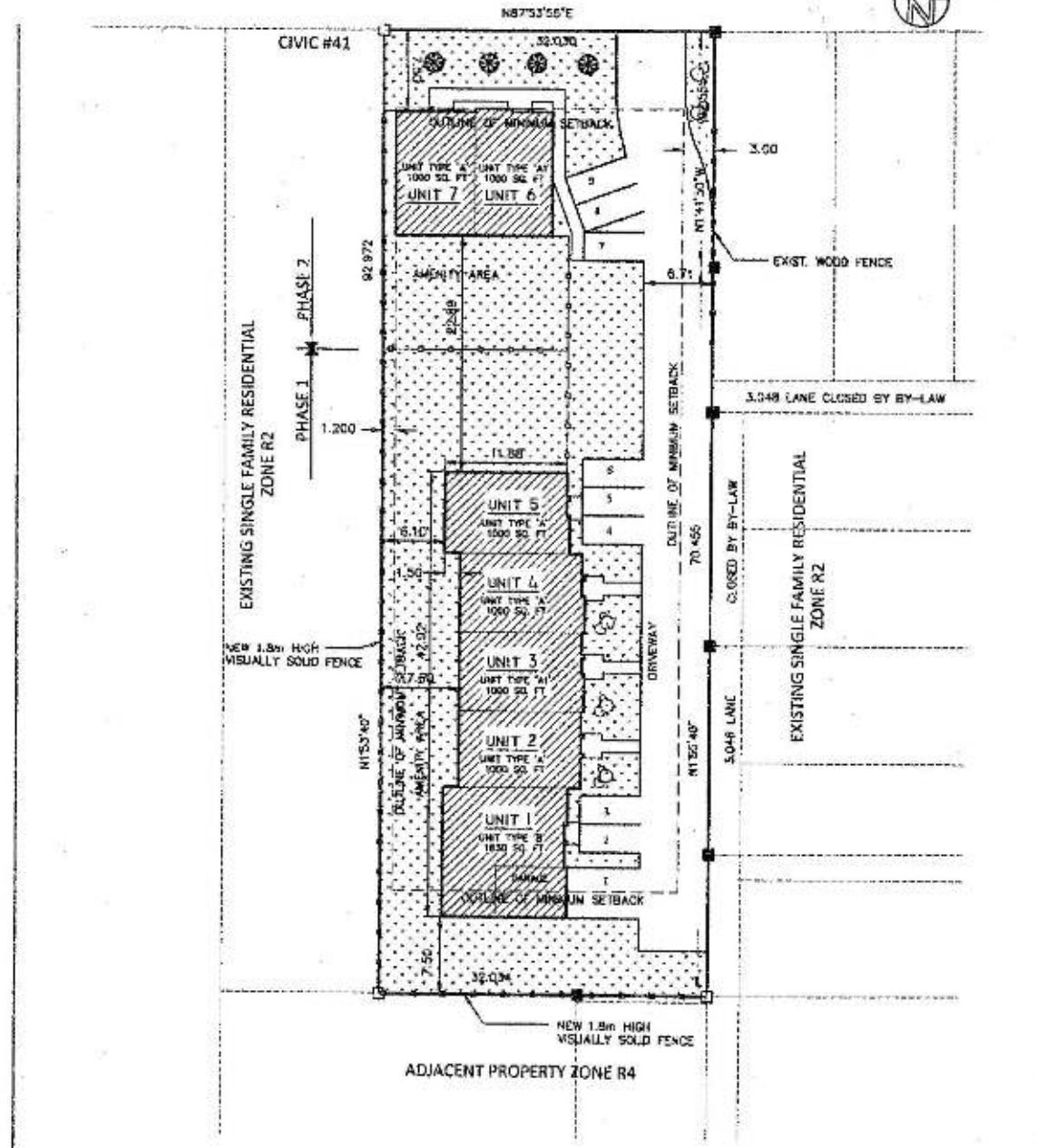


CAIRNS ENGINEERING INC.
145 INDUSTRIAL COURT "B" UNIT 3
SAULT STE. MARIE ONTARIO P6B 5Z9
PHONE - 705-254-7640 FAX -
705-254-2555

Phase Two: Five (5) Townhouse Units with Two (2) Semi-detached Units (Future)

6(6)(c)

STEVENS STREET



EXISTING ZONING R2

LDT AREA 2970 m²
 BUILDING AREA 698 m² (234)
 PARKING SPACES REQUIRED 8
 PARKING SPACES PROMISED 8

THIS PLAN IS TO OUTLINE PROPERTY AND BUILDING MEASUREMENTS ONLY. IT IS NOT A LEGAL DOCUMENT AS MEASUREMENTS WILL CHANGE AS ACCOMMODATE BUILDING ON SITE. THE SURVEYOR WILL LEGALLY INDICATE FINAL MEASUREMENTS.

SITE PLAN

SCALE: 1:500



CAIRNS ENGINEERING INC
145 INDUSTRIAL COURT "B" UNIT 3
SAULT STE. MARIE ONTARIO P6B 5Z9
PHONE- 705-254-7840 FAX-
705-254-2555

6(6)(c)

Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division



2012 04 20

Our File: A-15-12-Z

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

Dear Mr. McConnell:

**RE: A-15-12-Z – 39 STEVENS STREET
REQUEST FOR AN AMENDMENT TO THE ZONING BY-LAW**

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

- No owner of an industrial, commercial or institutional premise or multi-residential development of four (4) units or greater shall undertake any works or make any connection or do anything that would increase peak flow rates of storm water or which would impair the quality of storm water which is discharged to a sewer without prior approval of the City Engineer;
- Post development flows shall not exceed pre-development flows for all storms up to and including a 100 year event, unless otherwise approved;
- The City will require a servicing plan, showing proposed storm and sanitary pipes, in addition to storm water management plan, and associated lot grading plan;
- The existing sanitary sewers shall be verified to ensure adequate downstream capacity to accommodate the increase in flow from the new development;
- The application indicates storm water drainage will be provided by sewers, however, Stevens Street is drained by ditches.
- If it is decided to connect to the existing private storm sewer system to the south of the subject property, an easement will be required over the private property to the south in favour of the developer of the subject property for storm sewer maintenance.

- It is recommended that the Development be subject to Site Plan Control to ensure the above requirements are met.

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
Steve Turco, Planner, Planning Division

6(6)(c)

S. Hamilton Beach, P. Eng
Deputy Commissioner



Larry Girardi
Commissioner

April 17, 2012

Donald McConnell
Planning Director

Subject: Application Number A-15-12-Z
Request for an Amendment to the Zoning By-law

Applicant: Helen and George Johnson

Subject Property: 39 Stevens Street

Staff from Public Works and Transportation has reviewed this application and have no objections. Stormwater management must be addressed as there is no storm sewer system on Steven Street.

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

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

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

c.c. Dan Perri, EIT



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

April 24, 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: Application A-15-12-Z
 39 Stevens Street**

PUC wishes to advise that we have no objection to the proposed rezoning application. Please note that given the location the owner should confirm available fire flow capacity and requirements which may impact design requirements for the proposed development.

Yours truly,

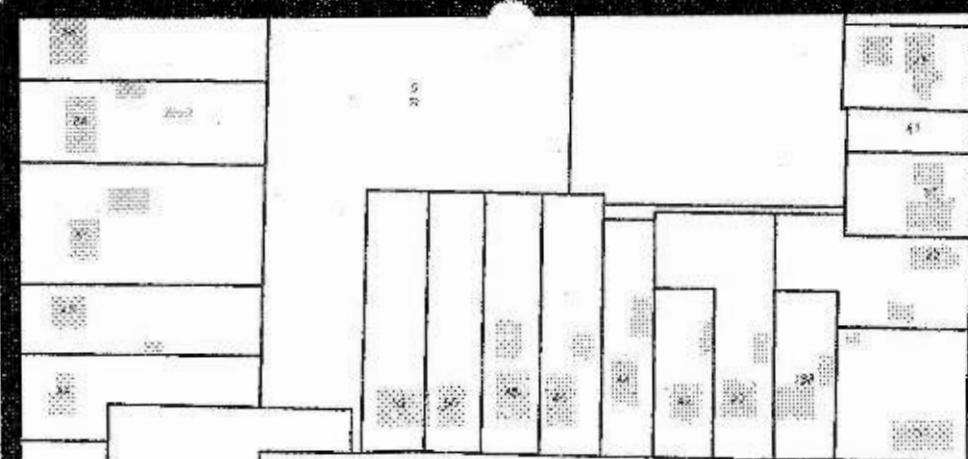
PUC SERVICES INC.

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

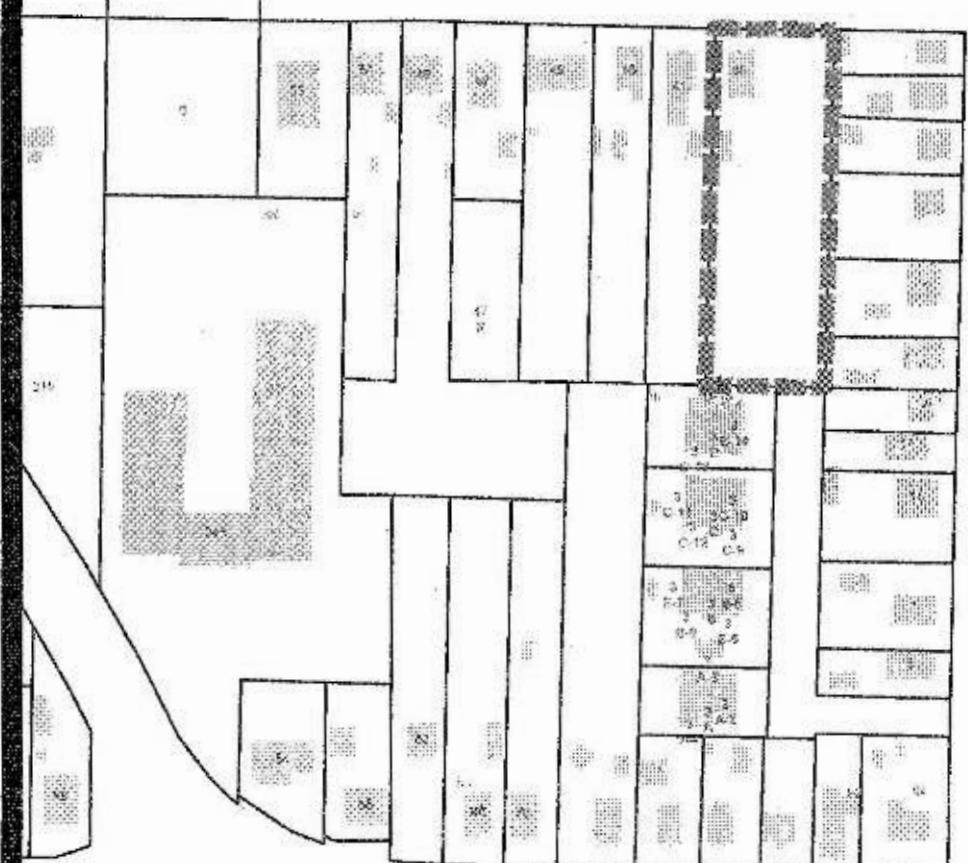
Kevin D. Bell, P. Eng.
 Manager of Engineering

KB*jf

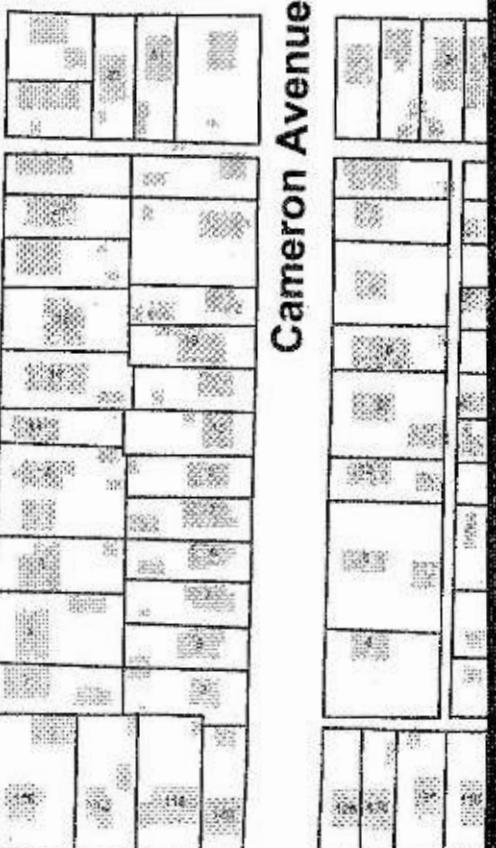
66(c)



Stevens Street

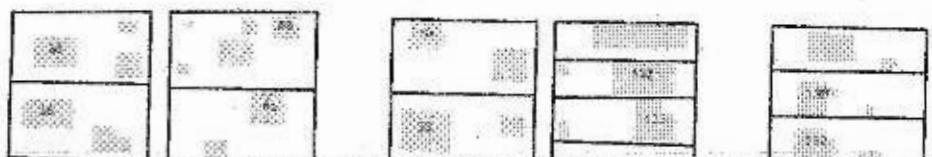


Elmwood Avenue



Cameron Avenue

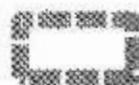
McNabb Street



SUBJECT PROPERTY MAP 39 STEVENS STREET

Planning Application A-15-12-Z

Legend



Subject Property = 39 Stevens St

Metric Scale
1 : 2000

Maps
42 & 1-49

Mail Label ID
A-15-12-Z

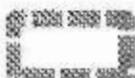


2008 ORTHO PHOTO

39 STEVENS STREET

Planning Application A-15-12-Z

Legend



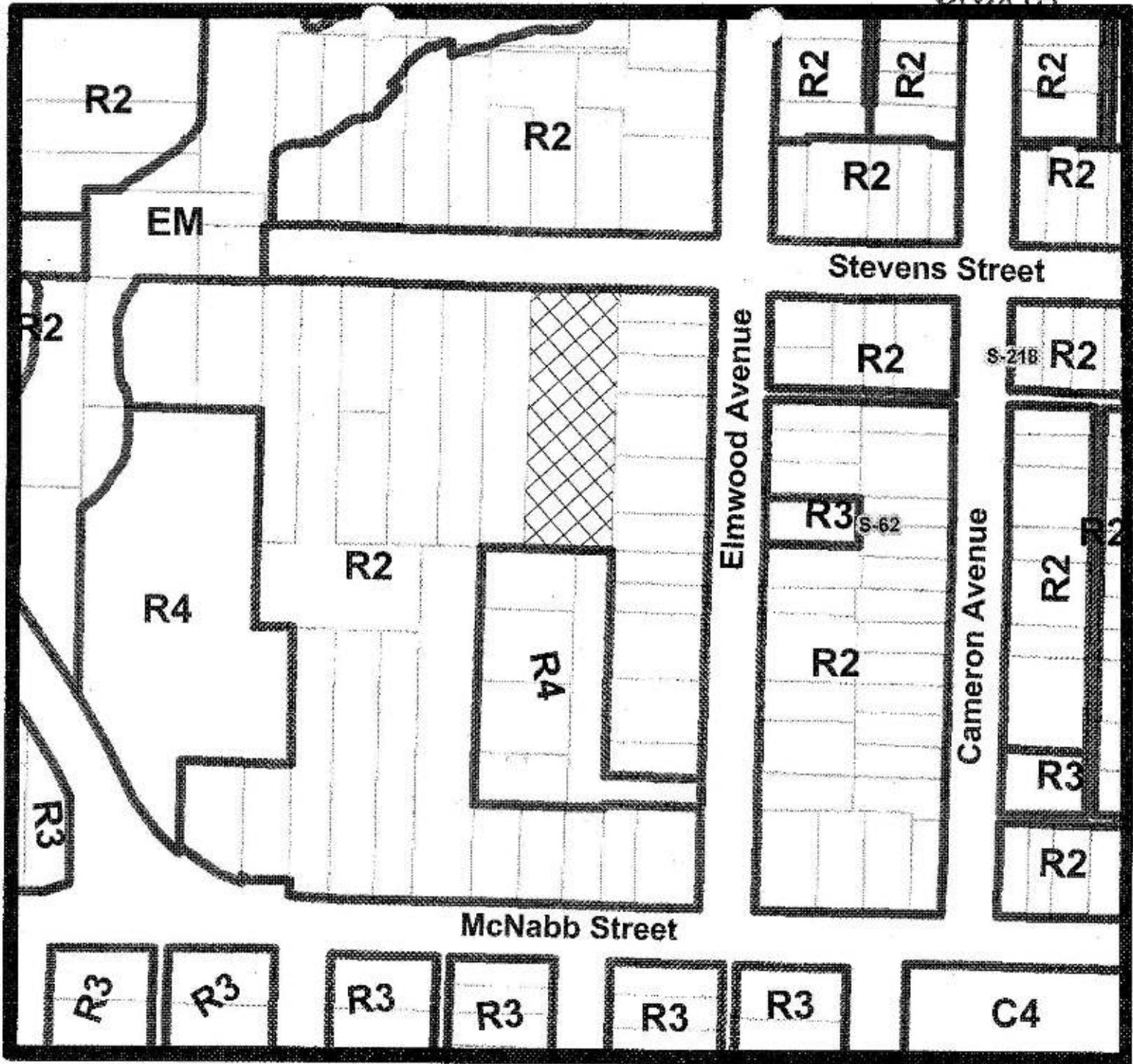
Subject Property = 39 Stevens St



Metric Scale
1 : 2000

Maps
42 & 1-49

Mail Label ID
A-15-12-Z



EXISTING ZONING MAP 39 STEVENS STREET

❖ Subject Property = 39 Stevens St

- C4 - General Commercial Zone
- R2 - Single Detached Residential Zone
- R3 - Low Density Residential Zone
- R4 - Medium Density Residential Zone
- EM - Environmental Management Zone
- S-No. = Special Exception Zoning

Planning
Application
A-15-12-Z



Metric Scale
1 : 2000

Maps
42 & 1-49

Mail Label ID
A-15-12-Z

(6)(b)(d)

ENGINEERING & PLANNING DEPARTMENT

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Planning Division

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

Celebrate 100!
1912 - 2012

2012 05 14

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-18-11-Z – filed by Antonio M. Ruscio

PURPOSE

The applicant, Antonio M. Ruscio, is requesting to rezone the subject property to construct two (2) 68-unit apartment buildings.

PROPOSED CHANGE

The applicant is requesting to rezone the subject property from "RA" (Rural Area) zone to "R4" (Medium Density Residential) zone with a Special Exception to reduce the required front yard setback and landscape area and to increase the permitted building height.

Subject Property:

- Location – Part 32 Tarentorus as in T46903 Except Part 12 as in T83525 and Part 1, 1R12031, City of Sault Ste. Marie, Located approximately 400m east of the intersection of Old Garden River Road and Second Line East, civic no. 849 Second Line East
- Size – Approximately 181m (593.8') frontage x 68m (223.1') depth; 1.23 ha (3.04 acres)
- Present Use – Vacant land
- Owner – Antonio M. Ruscio

BACKGROUND

This application was before Council in September 2011. At that time, Planning staff had a number of concerns with the site plan submitted with the application. Planning staff recommended a deferral of the application to allow further consultation with staff and the applicant to address the areas of concern. Since that time, the applicant and staff have met on several occasions, and the site plan has now been amended, addressing a number of design concerns. Planning staff are now recommending that Council approve the application, based on the amended site plan.

ANALYSIS

Conformity with the Official Plan

The subject property is designated Residential on Schedule 'C' of the City's Official Plan and therefore, the proposed development conforms to the existing land use designation.

Consultation

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

- See attached letters – Engineering Department, PWT, Accessibility Advisory Committee
- No objections/comments – Building Division, Legal Dept., CSD, Municipal Heritage Committee, PUC Services, Conservation Authority, MTO

Comments

The applicant is seeking to rezone the southerly (approximate) 181m (593.8') portion of the subject property to facilitate the construction of two (2), six (6) storey apartment buildings. To accommodate this proposal, the subject property requires a rezoning from "RA", (Rural Area) zone, to "R4", (Medium Density Residential) zone. In addition, a Special Exception to the Zoning By-law is required, as the maximum permitted height in a "R4" zone is five (5) storeys. Reductions to the permitted front yard setback and landscape area are also required.

The subject property is situated in an area of transition between residential uses, institutional uses and the City's major commercial corridor along Great Northern Road. The property is also within close proximity to lands at the north terminus of the Pine Street extension, which were recently rezoned to accommodate the relocation of an amalgamated secondary school for the Huron-Superior Catholic District School Board (A-5-11-Z).

Other significant land uses located near-by the subject property include Sault College, located approximately 280 metres south of the property, and the new Extendicare Facility, approximately one-half kilometre from the subject property at the eastern terminus of Northern Avenue.

Given the subject property's proximity to these surrounding uses, as well as its proximity to a major commercial corridor, Planning staff is of the opinion that rezoning the subject property to 'Medium Density Residential' is appropriate.

As well, the City's Official Plan encourages a range of housing types in the community and opportunities to provide affordable housing options. Currently, the residential vacancy rate in the community is slightly above 1% (source: CMHC Rental Market Outlook, fall 2011), which indicates a need for additional rental type units.

As indicated earlier in this report, Planning staff and the applicant have met on several occasions to discuss the site plan concerns raised in the September 2011 report. Attached to this report is a revised site plan that both Planning staff and the applicant support.

The revised site plan has the buildings situated closer to the street, provides consolidated landscaping and provides parking at the rear of the building. By locating the building closer to the street, the development assists in creating a streetscape character and provides more direct pedestrian access to the sidewalk and future public transit. In addition, the site plan provides a main entrance facing the street and has consolidated amenity space, also visible from the street.

The consolidated amenity space along with the front yard of the development site will allow for enhanced landscaping, which will add to the streetscape character. The applicant also intends to maintain some of the natural vegetation along the north and south side yards of the subject property.

To facilitate the development as proposed, a number of variances must also form part of Council's approval. First, the current "R4" zoning standards allow a maximum building height of 5-storeys. The applicant is seeking an amendment to allow a maximum building height of 6-storeys. Planning staff are supportive of this request.

A reduction to the front yard setback is also required to accommodate the development. Under the "R4" zoning standards, a 7.5 meter setback is required, whereas the applicants are proposing 7.0 meters. As well, the required landscape area for the subject property is 30% whereas the applicant is requesting 27 %.

Both the front yard setback and landscaping reductions are recommended, however, these reductions will be mitigated by higher quality landscaping within these areas. A higher standard of landscaping, particularly along the front yard of the development will also help mitigate against the increased height of the building, as the landscaping will provide a visual aesthetic at ground level.

Planning staff is recommending that the property be designated as an area of Site Plan Control, for the purpose of reviewing a landscape plan, prepared by a qualified landscape designer, to ensure a higher quality of landscaping is provided as part of the development.

The use of Site Plan Control will also allow a review of the proposed building elevations to ensure that the site development will complement future development in this immediate area. Surrounding the subject property are land parcels that have potential for urban development. In addition, the site is within close proximity to Second Line East, which is a significant entrance corridor to the city. Therefore, any future buildings should be designed to ensure no blank or featureless facades, and that utility, service and refuse areas are well screened. The Official Plan promotes a high standard of site design at entrances to the city.

The City's Engineering Division has commented that a 5.0 metre road widening is required along the Second Line East frontage and a 3.0 metre widening is required along Pine Street, if not already taken. As well, sewer connections on Pine Street will not be available until sanitary services are extending on Second Line East towards Stratchlair fields. When extended, and at time of connection, local improvement charges will be owed. It is anticipated that this section of Second Line will be constructed by 2014 (pending MTO approval).

In addition Engineering staff commented that post-development flows cannot exceed pre-development flows and that curb returns are not permitted, unless traffic volumes meet the requirements of the Streets By-law.

Staff from Public Works and Transportation has also commented that servicing in the area is not complete and that maintenance and operation issues are undetermined at this time. In addition, although not in the immediate future, a transit route will be warranted along the Pine Street extension. In addition, PWT request that the access points of the subject property be reviewed as part of the Site Plan control process.

Given the comments of both the Engineering Division and Public Works, development on the subject property cannot occur on the site until servicing is extended along Second Line East towards Strathclair Sports Complex. As a condition of approval, no building permits should be issued until all appropriate underground servicing is available. This will be formalized through the Site Plan Control process, which will also address the required road widenings.

IMPACT

There are no anticipated financial impacts associated with this application.

SUMMARY

The applicant is seeking to rezone the southerly (approximate) 181m (593.8') portion of the subject property to facilitate the construction of two (2), six (6) storey apartment buildings. To accommodate this proposal, the subject property requires a rezoning from "RA", (Rural Area) zone, to "R4", (Medium Density Residential) zone. In addition, a special exception zoning is required, increasing the height limit to six (6) storeys, reducing the required front yard setback to 7.0 meters and reducing the required landscape area to 27%.

As the subject property is within close proximity to Sault College, the new Extendicare facility, the future HSCDS secondary school, as well as its proximity to a major commercial corridor, Planning staff are recommending approval of this application. In addition, with the overall improvements made to the site plan, as well as the future design considerations that will be reviewed through the Site Plan Control process, staff is of the opinion that the development will establish both an aesthetic and functional built form.

STRATEGIC PLAN

There is no direct correlation between the applicant's request and the City's Strategic Plan.

RECOMMENDATION

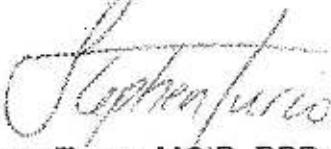
That City Council approve the rezoning of the subject property from "RA" (Rural Area) zone to "R4" (Medium Density Residential) zone, subject to the following conditions:

1. That the maximum building height be increased from five (5) to six (6) storeys
2. That the required front yard setback be reduced from 7.5 m to 7.0 m

6(6)(d)

3. That the required landscape area be reduced from 30% to 27%, and
4. That the property be designated subject to Site Plan Control

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 W. Farrel
Chief Administrative Officer

Data\APPL\REPORT\18-11-Z(2).doc

(d)(6)(d)

PROPOSED BUILDING A - 68 UNIT 6 STOREY
PROPOSED BUILDING B - 68 UNIT 6 STOREY
APARTMENT COMPLEXES

BUILDING A IS 1131 SQ M
BUILDING B IS 1131 SQ M

136 UNITS X 1.25
SPACES/DWELLING UNIT
- 170 PARKING SPACES
REQUIRED

14 BARRIER FREE UNITS
1 SPACE / BARRIER FREE UNITS
+ 4 ADDITIONAL
= 18 BARRIER FREE PARKING
SPACES

TOTAL PARKING PROVIDED
135 + 18 BARRIER FREE
PARKING SPACES
= 173 TOTAL PARKING

PARKING SPACES
REQUIRED 170, PROVIDED 173

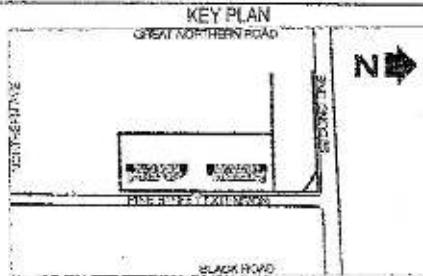
TOTAL LOT AREA = 12 316.70 X 30%
= 3698 SQM REQUIRED (39 777 SQ.FT.)

TOTAL GREEN SPACE PROVIDED INCLUDE
TERRACES = 3158 SQ M (33 944 SQ FT) 27.1%

SNOW REMOVAL WILL BE OWNED
BY PRIVATE

TRASH TO BE STORED INSIDE
REFUSE ROOM AND CARTED
AWAY BY PRIVATE CONTRACTOR

ADJACENT PROPERTY
ZONED RESIDENTIAL

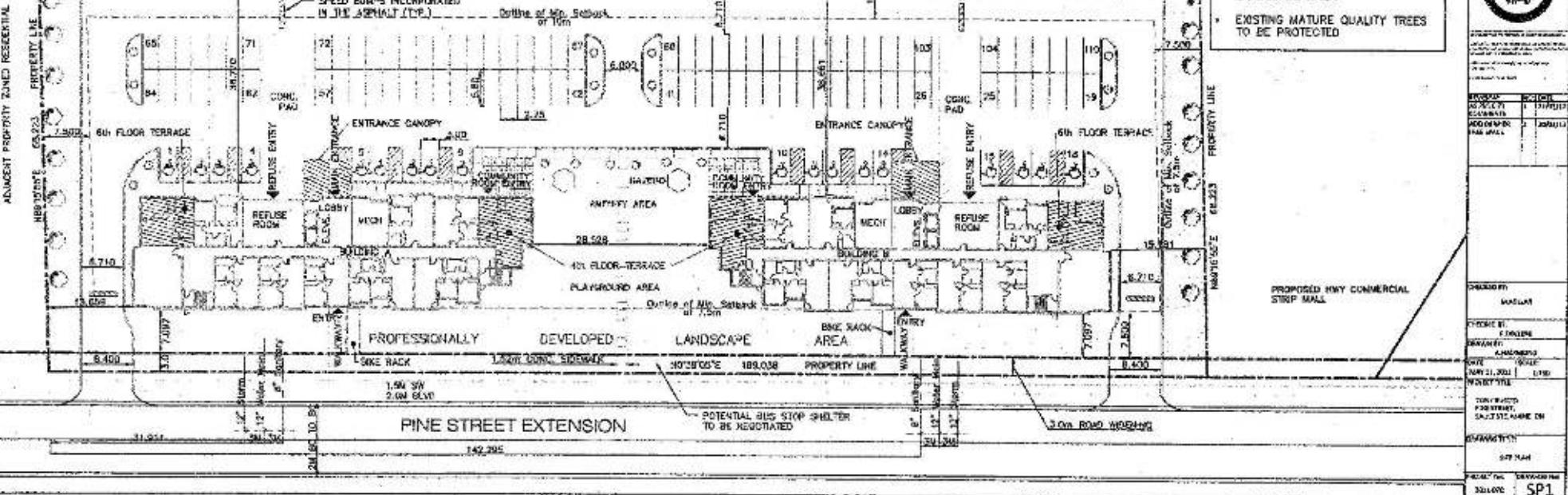


NOTES:

- EACH BUILDING CONTAINS A COMMUNITY ROOM, PRIVATE COMMUNITY PATIO, 4TH FLOOR TERRACE AND 6TH FLOOR TERRACE
- ALL SUITES HAVE BALCONIES
- 1025 SQM (11 034 SQ.FT) OF OPEN AMENITY AREA BETWEEN THE BUILDINGS WITH GAZEBO, CHILDREN'S PLAYGROUND AND PARK BENCHES
- ALL PEDESTRIAN WALKWAYS ARE CONCRETE AND BARRIER FREE
- BIKE RACKS ALONG ALL SIDEWALKS
- THERE WILL BE PRIVATE REFUSE COLLECTION
- THERE IS A DIRECT LINK TO THE HUB TRAIL
- PRIVACY FENCE ALL AROUND
- PROFESSIONALLY DEVELOPED LANDSCAPE AREA
- EXISTING MATURE QUALITY TREES TO BE PROTECTED

CAIRNS ENGINEERING INC

145 INDUSTRIAL COURT "B" UNIT 3
SAULT STE. MARIE ONTARIO P6B 5Z9
PHONE - 705-254-7640 FAX -
705-254-2555



SP1

(6)(d)

Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 04 04 (Deferred from September 8, 2011)

Our File: A-18-11-Z

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

Dear Mr. McConnell:

**RE: A-18-11-Z – 849 SECOND LINE EAST
REQUEST FOR AN AMENDMENT TO THE ZONING BY-LAW**

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

- A 5.0 m widening is required along Second Line East, and a 3.0 m widening is required along Pine Street, if they have not already been taken. The applicant should confirm whether this has been transferred to the City;
- Sanitary sewer on Pine Street is not available for connection until it is extended down Second Line to Stratchlair. When the sanitary is extended, and prior to connection of the subject property, equivalent local improvement charges are owing;
- Post development flows shall not exceed pre-development flows for all storms up to and including a 100 year event, unless otherwise approved;
- Curb returns are not permitted at entrances, unless the traffic flow meets the requirements of the Streets Bylaw.

If you have any questions, please contact the undersigned.

Yours truly,

A handwritten signature in black ink.

Daniel Perri, EIT
Engineering Intern

c: Jerry Dolcetti, Commissioner, Engineering & Planning
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT
✓ Steve Turco, Planner, Planning Division.

ENGINEERING DATA\ZONING\A-18-11-Z 849 Second Line East 2012 04 04.docx

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.citysm.on.ca ~ d.perri@citysm.on.ca

66(d)

S. Hamilton Beach, P. Eng
Deputy Commissioner



Larry Girardi
Commissioner

April 2, 2012
Deferred from September 8, 2011

Donald McConnell
Planning Director

Subject: Application Number A-18-11-Z
Request for an Amendment to the Zoning By-law

Applicant: Antonio M. Ruscio

Subject Property: 849 Second Line East

Staff from Public Works and Transportation has reviewed this application and have no concerns, but, provide the following comments:

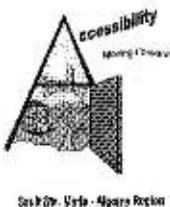
- From a drainage perspective, as the Pine Street and Second Line servicing in the immediate area is not complete – maintenance and operation issues are undetermined at this time;
- Transit is most likely years away from providing service on the Pine Street extension, however, it is anticipated in the future that the route will be warranted; and
- It is recommended that the details of the access off of Pine Street be subject to Site Plan Control to allow for a review by Public Works and Transportation.

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

A handwritten signature in black ink that appears to read "S. Hamilton Beach".

Deputy Commissioner
Public Works and Transportation

(b)(d)



Sask City - City - Upera Region

September 9, 2011

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW -A-18-11-Z 849 Second Line East

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.

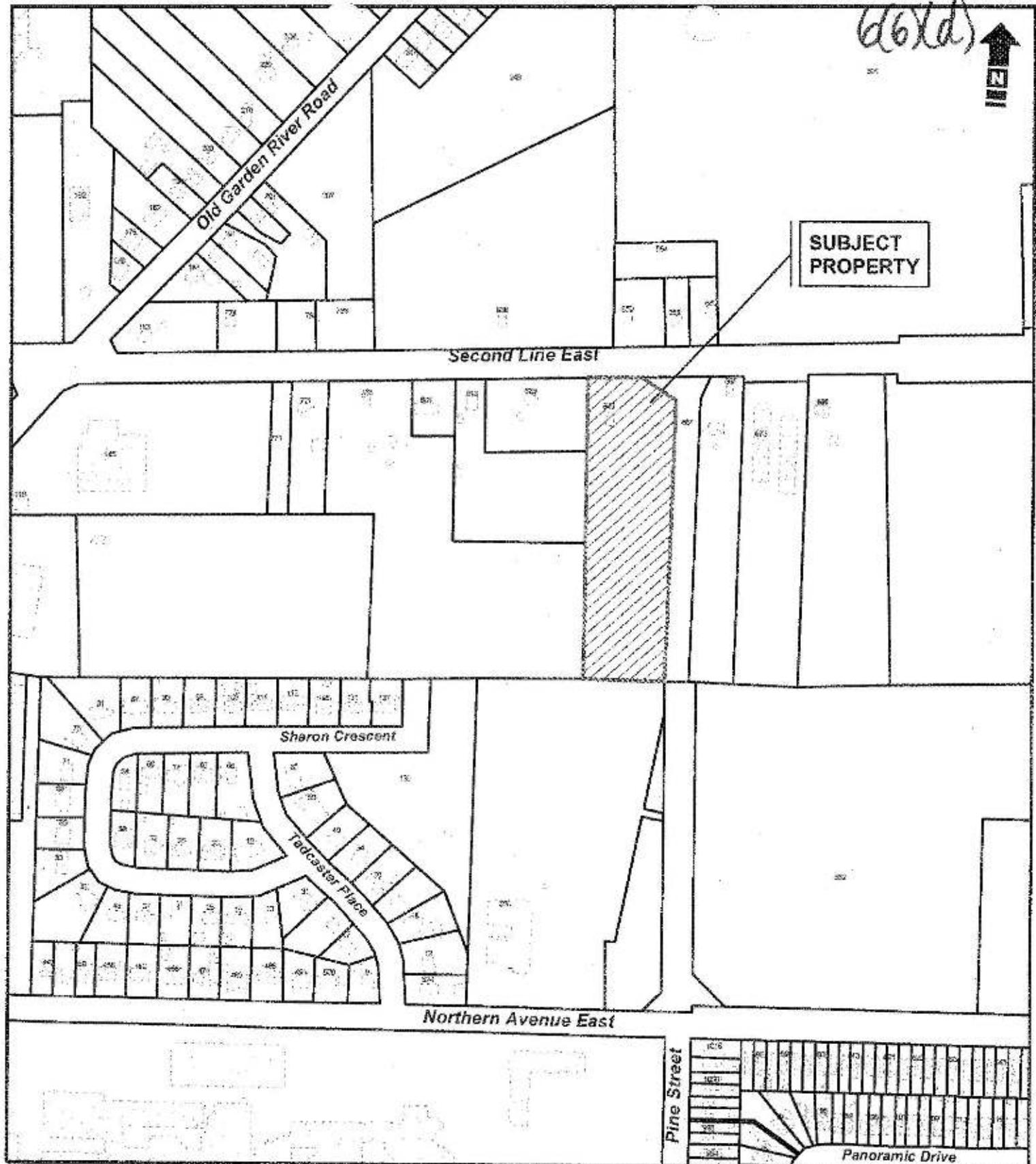
Exterior

1. Parking: Accessible Parking as per the Zoning Bylaw
2. Walkways & Sidewalks: At grade and paved
3. Curb Cuts: At grade
4. Ramping: Not required if at grade otherwise 1:20 grade preferred
5. Transit Access: Parabus access
6. Lighting: In accordance with the Illuminating Engineers Society of North America Standards
7. Signage: HTA signage to identify accessible parking spaces and clear signage to identify all accessible features such as ramp access (if required)
8. Other:

Thank you for your attention to these recommendations.

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

66(d) 



SUBJECT PROPERTY MAP

Application No.: A-18-11-Z
Civic No.: 849 Second Line East



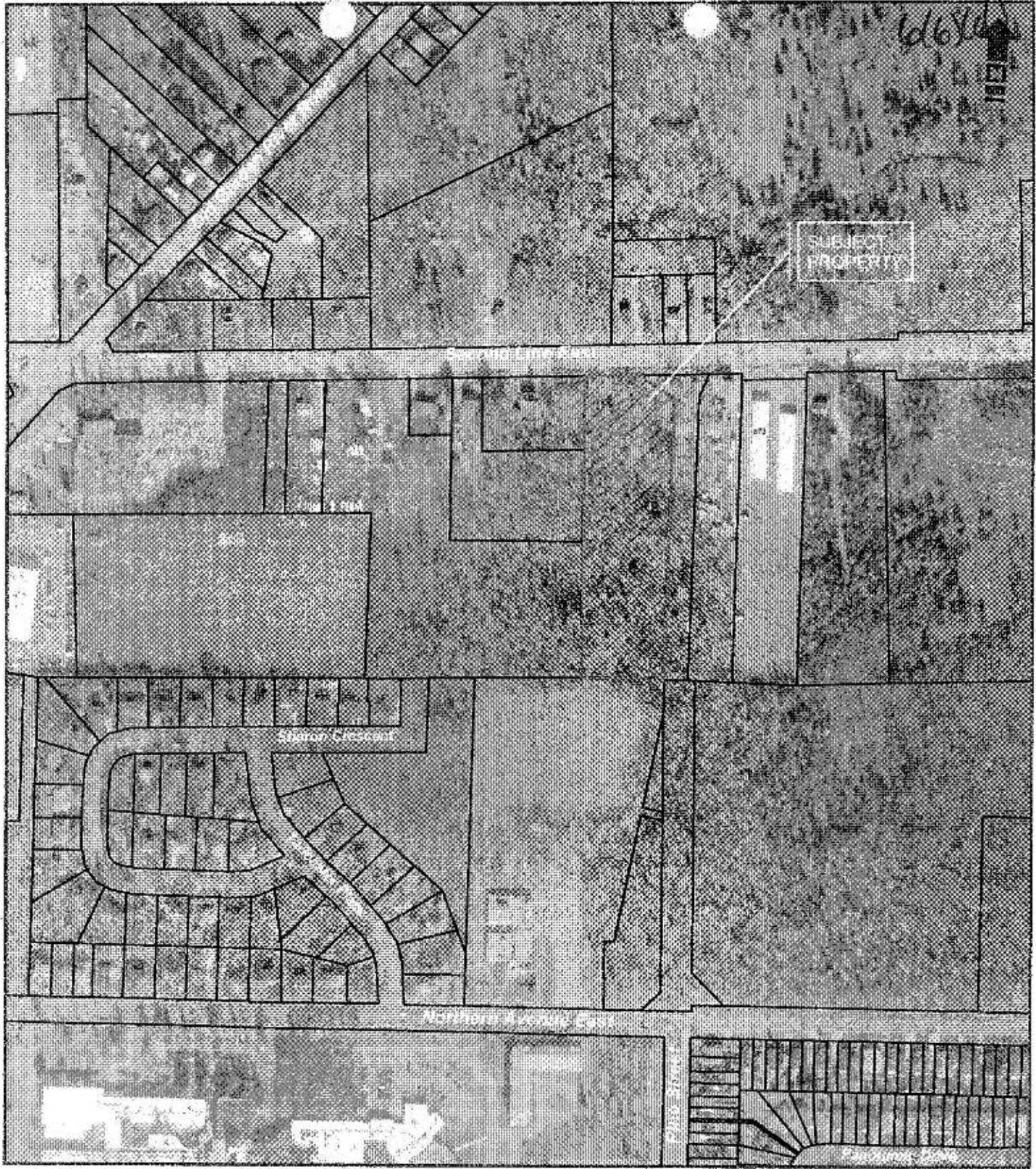
Subject Property - 849 Second Line East

The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
June 27, 2011

This map is for general reference only
For official mapping, see the
Engineering and Planning Department
Orthophoto: Fall 2008 25cm

0 25 50 100 Meters
1:4,000

Reference Details:
Map Ref: 71/1-76
Mailing Label Ref: A11-18-Z
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983



ORTHOIMAGE MAP

Application No.: A-18-11-Z
Civic No.: 849 Second Line East



Subject Property - 849 Second Line East

The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
June 27, 2011

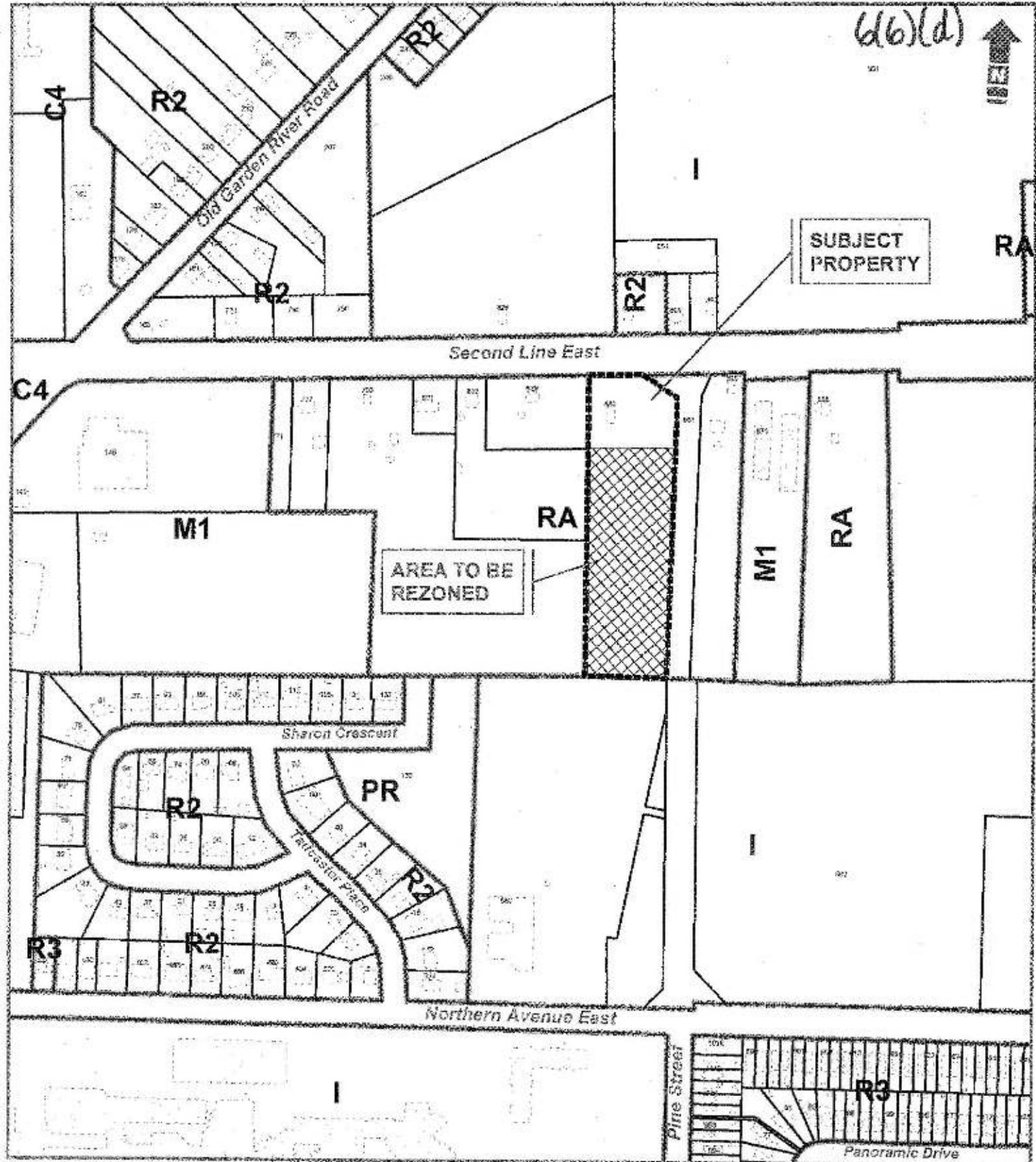
This map is for general reference only.
For official mapping, see the
Engineering and Planning Department
Orthophoto, Fall 2008 25cm

0 25 50 100 Meters
1:4,000

Reference Details:
Map Ref: 71/1-78
Mailing Label Ref: A11-18-Z

Projection Details:
NAD 1983 UTM Zone 18N
GCS North American 1983

(6)(d)



EXISTING ZONING MAP

Application No.: A-16-11-Z
Civic No.: 849 Second Line East

C4 - General Commercial Zone

M1 - Light Industrial Zone

R2 - Single Detached Residential Zone

R3 - Low Density Residential Zone

I - Institutional Zone

RA - Rural Area Zone; RAhp

PR - Parks and Recreation Zone

Subject Property - 849 Second Line East

The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
June 27, 2011

This map is for general reference only.
For official mapping, see the
Engineering and Planning Department
Orthophoto, Fall 2008 25cm

0 25 50 100 Meters
14.000

Reference Details.

Map Ref. 711-76
Mailing Label Ref. A11-18-Z

Projection Details

NAD 1983 UTM Zone 16N
GCS North American 1983



(d8)(a)

Algoma 1812

99 Foster Dr, PO Box 580
Sault Ste. Marie, ON P6A 5N1
705-949-1812
fax 705-759-6605

April 27, 2012

Mayor Debbie Amaroso and
Members of City Council

BY-LAW EXEMPTIONS

Temporary exemptions are being requested, by Algoma 1812 in partnership with the Ermatinger-Clergue National Historic Site, for the following activities:

* Firearms regulation 2008-168, regulation R.1.2.6 (black powder for use in military musters) from June 1 to December 1, 2012.

* Parks regulation 30-128, section 4 (overnight camping for encampment at Ermatinger-Clergue National Historic Site) from July 14 to July 23, 2012.

PURPOSE

This request for council's approval is to allow the exemptions to the current firearms regulation, parks regulation. These exemptions would permit Algoma 1812 to carry out commemorative programming (black powder musters, cannon firing) and accommodate period re-enactors who will be camping at the Ermatinger-Clergue National Historic Site grounds – especially during the War of 1812 commemorations on July 19 to 22, 2012. The exemptions will also provide the Historic Sites Board of the Ermatinger-Clergue National Historic Site opportunities throughout the tourism season for the similar activities.

BACKGROUND

One of Algoma 1812's Signature Events is HistoryFest which will take place at Ermatinger-Clergue National Historic Site from Thurs., July 19 to Sun. July 22. One of the components of this event is an encampment which will feature local and out-of-town re-enactors and vendors set up in an 1812 setting. In order to capture the full context of the period, these re-enactors will be setting up an encampment on the Ermatinger-Clergue National Heritage Site grounds where they will live, eat and breathe the 1812 era during their involvement in the festival, and therefore, they will be on site 24 hours a day. This full first person interpretation provides the visitor with a complete immersion into our past.

Any food prepared for the re-enactors or volunteers will be either prepared by a local restaurant / caterer and / or within Ermatinger-Clergue National Historic Site kitchen.

On-site washrooms, as well as 'portable washrooms' units will be available for sanitary purposes. All grey water can and will be disposed of through the inside facilities of the Ermatinger-Clergue Site.

-More-

ANALYSIS

Contact has been established with the Algoma Health Unit regarding sanitation requirements and in identifying that food cooked on-site (campfire) would be for personal consumption, not for the public. Continued contact with AHU will be maintained to ensure proper adherence to due diligence.

IMPACT

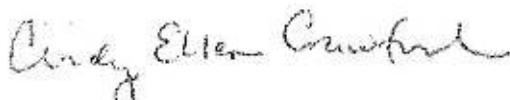
* Firearms regulation 2008-168, regulation R.1.2.6 (black powder for use in military musters) on June 1 to December, 2012.

* Parks regulation 80-128, section 4 (overnight camping for encampment at Ermatinger-Clergue National Historic Site on July 14 to July 23, 2012).

RECOMMENDATION

"That the request of Algoma 1812 and the Ermatinger-Clergue National Historic Site, concerning the identified exemptions of firearms and camping be received and the request for exemptions be approved."

Respectfully submitted,



Cindy Ellen Crawford
Regional Project Manager,
Algoma 1812

cc/ Historic Sites Board, ECNHS
N. Apostle, Commissioner CSD
J. Cain, Manager Recreation & Culture
M. Provenzano, Fire Chief, SSM Fire Services
J. Ferguson-Mowat, Algoma Health Unit

MEMORANDUM

TO: CITY OF SAULT STE. MARIE
MAYOR AND COUNCILLORS

FROM: H. J. BRIAN CURRAN, PRESIDENT & C.E.O.
PUC INC.

DATE: April 30, 2012

SUBJECT: 2012 FIRST QUARTER SHAREHOLDER REPORT

Attached are the first quarter Shareholder Report for the period January 1 to March 31, 2012 and unaudited financial statements for the month of March.

I will be available to answer any questions on the report at the May 14, 2012 council meeting.

If you have any questions prior to the council meeting, please do not hesitate to call me at 759-6538.



H.J. Brian Curran, President & C.E.O.

c.c. City of Sault Ste. Marie, C.A.O.

Attachments: 1. 2012 First Quarter Report
 2. Summary of Operations ending March 31, 2012

PUC INC & PUC SERVICES INC. 2012 FIRST QUARTER REPORT

PUC SERVICES

There were no lost time accidents during the first quarter of 2012.

The two city wastewater treatment plants remained in compliance with provincial requirements during the past quarter.

The mild winter was not favourable for solar generation. A comparison of the output from the solar panels on the Steelton pump house over the first quarter of 2011 and 2012 shows a 41% decrease in production. Output from the solar arrays at the water treatment plant and from the George Leach Centre was also disappointing producing less than half what was expected over the three month period.

PUC DISTRIBUTION

Electricity consumption was down 4.4% in the first quarter compared to 2011 as a result of the mild winter weather.

As of March 31, 2012 28,785 residential customers and 2,849 small commercial customers are being billed time-of-use rates; this represents 97% of mandated customers.

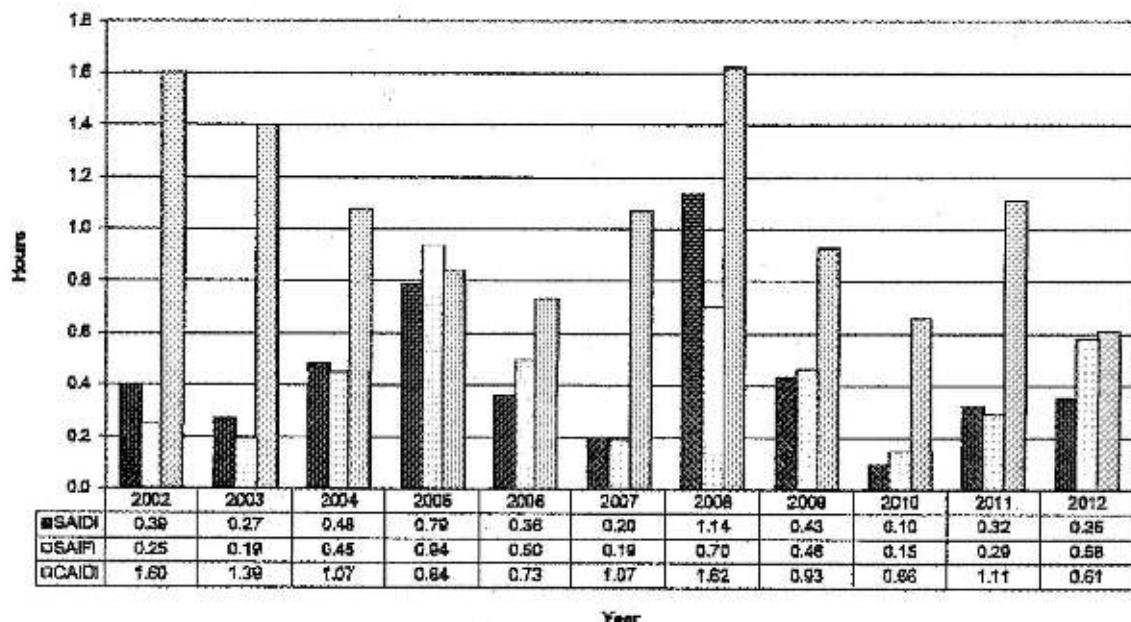
Thanks to the exceptionally mild weather that we had this winter, construction of the new building remains close to schedule.

Outage frequency and duration for the period increased compared to the same period in 2011. There were two extensive outages in the quarter. One occurred on January 1st when a failed conductor combined with the failure of backup power at a substation affected 2,153 customers for durations varying from one to six hours. 80% of those affected were reconnected within three hours. The other outage occurred on March 7th when a failed lightning arrestor interrupted power to 10,588 for periods of between seven and nineteen minutes. Due to the large outages both outage frequency and duration were higher in the quarter than in the previous two years.

Line crews have been dedicated to replacing failure prone insulators and switches. In the first quarter approximately 1,000 insulators and 219 switches have been replaced. Priority has been given to replacements on circuits that would affect the largest number of customers should a failure occur.

The uptake for the various energy conservation and demand management programs that are being offered by PUC Distribution continues to grow. As of the end of March 2012 we have achieved approximately 16.6% of our mandated 2014 target to reduce peak demand and 32.1% of our energy target.

**Reliability Indices - First Quarter
(excluding Loss of Supply)**



WATER SYSTEM

Annual metered water consumption in Sault Ste. Marie was up 1.9% compared to the first quarter in 2011. Water production from the water treatment plant and the wells, however, declined 5.1% over the same period. Production decreased due to the fact that we had 22 watermain breaks over the period compared to 54 in 2011.

A water conservation project was initiated in the first quarter. The project involves the installation of 500 smart water meters in randomly selected residences. The use of smart meters to help reduce peak water consumption will be evaluated. The two year project received a \$100,000 grant from the Green Municipal Fund.

Water and taste complaints resulting from the conversion to free chlorine residual continued to be tracked. Chlorine dosage has been decreased to almost half what it was at the start of the conversion and further decreases are possible provided that provincial standards can still be met. More aggressive watermain flushing will be conducted in parts of the city to remove scale that has built up in the mains and may be one of the contributing factors to the taste and order problem.

Peak daily demand for the first quarter was 32,869 cubic meters which occurred March 6th. Peak daily demand in the first quarter of 2011 was 36,115 cubic meters on March 9th.

Water rates were increased by an average of 10% effective January 1, 2012. The average consumer using 17 cubic meters a month would see an increase of \$2.25 each month excluding the sewer surcharge.

PUC TELECOM

Line crews worked to correct network deficiencies that were identified prior to the sale of Telecom assets to Ontera and have made significant progress. To the end of March over half of the deficiencies have been corrected. We have until the end of 2013 to eliminate the deficiencies.

FINANCIAL STATUS

PUC Distribution's income for the first quarter was \$495,207 on revenues of \$4,140,881 compared to income of \$182,693 and revenues of \$4,098,973 in the budget. Income and revenues in the first quarter of 2011 were \$361,658 and \$4,360,005 respectively. Expenses of \$3,646,881 were \$269,879 under budget and \$81,288 less than the first quarter in 2011.

PUC Telecom had no revenues as a result of the sale of assets to Ontera as of October 31, 2011. Expenses incurred were for work in the first quarter to correct deficiencies in the telecom network identified prior to the asset sale.

PUC Services revenues of \$3,278,533 were \$104,896 over budget and \$49,925 more than in 2011. Expenses were \$260,039 under budget due to lower than budgeted contract costs. PUC Services had net income of \$27,503 for the quarter compared to \$14,409 in the previous year.

Unconsolidated PUC Inc. revenue was \$573,808, which was received in the form of related party interest payments. Expenses of \$529,474 were primarily interest payable to a related party. Net income was \$44,334.

The water utility had a net operating margin of \$887,127 on revenues of \$3,643,890 compared to \$352,915 and revenues of \$3,421,567 in the budget. Revenues in 2010 were \$3,076,928 and the net operating margin was \$303,053.

(b)(8)

PUC
QUARTERLY FINANCIAL SUMMARIES
March 31 2012



PUC Distribution Inc.**STATEMENT OF REVENUES AND EXPENSES**

For the Quarter Ending March 31 2012



	YTD Actual 2012	YTD Budget 2012	YTD Variance 2012	Annual Budget 2012
Revenue				
Distribution Revenue	3,770,016	3,881,093	(111,077)	15,441,056
Miscellaneous Revenue	370,865	217,879	152,985	827,550
Total Revenue	4,140,881	4,098,973	41,908	16,268,606
Cost of Power				
Cost of Power Revenue	18,034,159	21,936,071	(3,901,912)	66,472,943
Cost of Power Expense	18,034,159	21,936,071	(3,901,913)	66,472,943
Net Cost of Power	0	(0)	0	(0)
Operating Expenses	1,148,982	1,503,386	(354,404)	6,259,122
General and Administrative Expenses	1,039,231	1,113,609	(74,378)	4,166,443
Depreciation	825,000	825,000	0	3,300,000
Interest Expense	431,400	431,846	(446)	1,728,076
Payment in Lieu of Taxes	202,268	42,919	159,349	171,677
Total Expenses	3,646,881	3,916,760	(269,880)	15,625,317
CDM Program				
CDM Revenue	49,487	392,383	(342,896)	1,570,161
CDM Expenses	48,281	391,903	(343,622)	1,567,613
Total CDM Program	1,206	480	726	2,548
Income (Loss)	495,207	182,693	312,514	645,837



PUC Telecom Inc.

STATEMENT OF REVENUES AND EXPENSES

For the Quarter Ending March 31 2012

	YTD Actual 2012	YTD Budget 2012	YTD Variance 2012	Annual Budget 2012
Revenue				
Service Revenue	0	0	0	0
Miscellaneous Revenue	0	37,500	(37,500)	150,000
Total Revenue	0	37,500	(37,500)	150,000
Operating Expenses				
	56,716	91,073	(34,357)	194,600
General and Administrative Expenses				
	4,434	18,275	(13,842)	69,871
Depreciation				
	0	0	0	0
Interest Expense				
	36,005	34,564	1,441	144,018
Payment in Lieu of Taxes				
	0	0	0	0
Total Expenses	97,154	143,912	(46,758)	408,489
Income (Loss)	(97,154)	(106,412)	9,258	(258,489)

PUC Services Inc.**STATEMENT OF REVENUES AND EXPENSES**

For the Quarter Ending March 31 2012



	YTD Actual 2012	YTD Budget 2012	YTD Variance 2012	Annual Budget 2012
Revenue				
Contract Revenue	1,286,783	1,189,505	97,278	5,407,112
Management Fee Revenue	1,963,005	1,958,081	4,924	8,148,321
Miscellaneous Revenue	28,745	26,051	2,694	389,140
Total Revenue	3,278,533	3,173,637	104,896	13,944,573
Operating Expenses	932,404	1,246,255	(313,851)	4,987,503
General and Administrative Expenses	1,790,688	1,722,273	68,415	6,582,166
Depreciation	375,000	406,162	(31,162)	1,625,300
Interest Expense	133,160	127,833	5,326	532,638
Payment in Lieu of Taxes	11,234	0	11,234	0
Total Expenses	3,242,485	3,502,524	(260,039)	13,727,607
CDM Program				
CDM Revenue	0	0	0	0
CDM Expenses	8,545	0	8,545	0
Total CDM Program	(8,545)	0	(8,545)	0
Income (Loss)	27,503	(328,887)	356,390	216,987

PUC Inc.

STATEMENT OF REVENUES AND EXPENSES

For the Quarter Ending March 31 2012



	YTD Actual 2012	YTD Budget 2012	YTD Variance 2012	Annual Budget 2012
Revenue				
Interest - Related Party	573,808	573,578	230	2,295,232
Miscellaneous Interest	0	2,032	(2,032)	10,000
Total Revenue	573,808	575,610	(1,802)	2,305,232
General and Administrative Expenses				
Interest Related Party	27,635	107,477	(79,841)	440,877
Total Expenses	483,730	483,730	0	1,934,920
Income (Loss)	511,365	591,207	(79,841)	2,375,797
	62,443	(15,596)	76,039	(70,565)

Public Utilities Commission of Sault Ste. Marie
STATEMENT OF REVENUES AND EXPENSES
For the Quarter Ending March 31 2012

**Operating Revenue**

Water Sales

Miscellaneous

Total Operating Revenue

Total Operating Expenses

Total General and Administrative Expenses

Depreciation

Interest Expense

Total Expenses**Net Operating Margin**

	YTD Actual 2012	YTD Budget 2012	YTD Variance 2012	Annual Budget 2012
Water Sales	\$3,468,443	\$3,326,294	\$142,149	\$14,358,466
Miscellaneous	\$175,447	\$95,274	\$80,173	\$503,965
Total Operating Revenue	\$3,643,890	\$3,421,567	\$222,322	\$14,862,431
Total Operating Expenses	\$1,580,439	\$1,774,798	(\$194,358)	\$7,211,076
Total General and Administrative Expenses	\$700,714	\$805,815	(\$105,102)	\$3,132,311
Depreciation	\$450,000	\$450,540	(\$540)	\$1,800,000
Interest Expense	\$25,610	\$37,500	(\$11,890)	\$150,000
Total Expenses	\$2,756,763	\$3,068,653	(\$311,890)	\$12,293,387
Net Operating Margin	\$887,127	\$352,915	\$534,212	\$2,569,044

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Compulsion (2013)

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Directed by

Eduardo Coccopiglio

Writing credits
(in alphabetical order)

Floyd Byars

Cast

 Heather Graham	Heather Graham
 Catherine Zeta-Jones	Catherine Zeta-Jones
 Kevin Dillon	Kevin Dillon
 Joe Mantegna	Joe Mantegna
 Jason York	Jason York
 Leah Pipes	Leah Pipes

Create a character page for: [Leslie](#) [Create](#) [Edit](#)

Produced by

Gary Howsam producer
Bill Marks producer

Cinematography by

Vilmos Zsigmond

Film Editing by

D. Gillian Trustier

Art Department

Christina Soia art department co-ordinator

Camera and Electrical Department

Michael L. Had gaffer

Editorial Department

John Nicholls first assistant editor

Transportation Department

Regina Pelyik transportation co-captain

Other crew

Liam White locations production assistant

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10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-90

AGREEMENT: (E2.2) A by-law to authorize a contract between the City and Palmer Construction Group Inc. for the reconstruction of Euclid Road from Pim Street to Wemyss Street. (Contract 2012-4E)

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 Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a contract in the form of Schedule "A" attached hereto, dated May 14, 2012 and made between the City and Palmer Construction Group Inc. for the reconstruction of Euclid Road from Pim Street to Wemyss Street.

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 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

NOTICE
THIS IS A DRAFT DOCUMENT. This document
has not been enacted by City Council. It may not
be enacted at all. And if enacted, it may not be in
the form of the DRAFT copy.
CITY SOLICITOR

10(a)

SCHEDULE "A"

CORPORATION OF THE CITY OF SAULT STE. MARIE

CONTRACT 2012-4E

FORM OF AGREEMENT

This Agreement made (in triplicate) this 14th day of May in the year 2012 by and between Palmer Construction Group Inc. hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

**RECONSTRUCTION OF EUCLID ROAD
CONTRACT 2012-4E**

Which have been signed in triplicate by both parties and which were prepared under the supervision of Jerry D. Dolcetti, RPP, Commissioner of Engineering & Planning acting as and herein entitled, the Owner.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.
3. The Contractor will complete all the work to the entire satisfaction of the Owner within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.
5. The Corporation shall pay the Contractor for work that is ordered in writing by the Owner and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

7. All communications in writing between the Corporation, the Contractor and the Owner shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile as follows:

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

THE CONTRACTOR: Palmer Construction Group Inc.
258 Queen Street East, Suite 301
Sault Ste. Marie, ON P6A 1Y7

THE OWNER: Mr. Jerry D. Dolcetti, RPP
Commissioner, Engineering & Planning
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, ON P6A 5N1
Facsimile 705-541-7165

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered
in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR - DEBBIE AMAROSO

(seal)

CITY CLERK – MALCOLM WHITE

THE CONTRACTOR

COMPANY NAME

(seal)

SIGNATURE

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-93

AGREEMENT: (C2.3) A by-law to authorize an agreement between the City and the Sault Ste. Marie Airport Development Corporation for the installation and maintenance of one advertising display.

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 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 May 14, 2012 and made between the City and the Sault Ste. Marie Airport Development Corporation for the installation and maintenance of one advertising display on the Sault Ste. Marie Airport Development Corporation's property, on the west side of Airport Road in the City of Sault Ste. Marie.

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 14th day of May 2012.

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

cf Bylaws\2012\2012-93 Agreement Airport

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all. Even if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

THIS AGREEMENT made in duplicate this 14 day of May, 2012

BETWEEN:

SAULT STE. MARIE AIRPORT DEVELOPMENT CORPORATION
(hereinafter called the "SSMADC")

- and -

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
(hereinafter called the "Applicant")

WHEREAS the Applicant has applied to the SSMADC for permission to install and maintain one (1) advertising display on the SSMADC's property, on the west side of Airport Road in the City of Sault Ste. Marie, Province of Ontario;

AND WHEREAS the SSMADC is prepared to grant the said application,

NOW THEREFORE this Agreement witnesseth that in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out, the parties agree as follows:

1. The SSMADC hereby grants to the Applicant permission to install and maintain one (1) advertising display (hereinafter called the "Applicant's display") on the property of the SSMADC in the City of Sault Ste. Marie at the location shown on Schedule "A" attached hereto (hereinafter called the "SSMADC Property").
2. This Agreement shall continue and be in force for a period of five (5) years, commencing the 15th day of May 2012 and ending on the 30th day of April 2017 (hereinafter called the "Term"), subject to the termination provisions as set out in paragraph 12 to 15 inclusive to this Agreement.
3. The SSMADC grants to the Applicant, including its employees, agents and contractors, permission to enter upon the lands owned by the SSMADC to install and maintain the Applicant's display at the SSMADC Property at any time during the Term. At no time shall the SSMADC be responsible for either installing or maintaining the Applicant's display at the SSMADC Property.
4. The Applicant shall be responsible for all costs and expenses relating to the installation and the maintenance of the Applicant's display at the SSMADC Property and shall indemnify and save harmless the SSMADC from any costs and expenses incurred by the SSMADC that may result from same.

5. The Applicant shall make all required payments to the SSMADC for the permission granted in this Agreement, specifically:
 - a. Commencing the 15th day of May, 2012 and thereafter on May 15th of each year in the Term, during the continuance of the Agreement, the Applicant shall pay to the SSMADC a rental fee as set out in the Fee Schedule, attached hereto as Schedule "B".
 - b. Commencing the 15th day of May, 2013 and thereafter on May 15th of each year in the Term, during the continuance of the Agreement, the rental fee payable by the Applicant shall be subject to an annual increase of three (3%) percent.
 - c. The Applicant will pay to the SSMADC interest on all overdue amounts at a per annum aggregate rate equal to the prime rate of interest from time to time charged by any bank determined by the SSMADC to its prime commercial borrowers, plus four (4%) percent, such rate to be compounded monthly. Such interest will be calculated from the due date until payment is made, without the necessity or any demand being made therefore.
6. The Applicant shall comply with all Laws, By-Laws, Rules and Regulations of any governing body respecting the installation and use of the Applicant's display, installed and maintained at the SSMADC Property under the terms of this Agreement and will save harmless and fully indemnify the SSMADC from and against all losses, costs, damages and expenses, of every kind or nature which the SSMADC may suffer, be at or be put to by reason of or in consequence of the noncompliance by the Applicant with such Laws, By-Laws, Rules and Regulations.
7. The Applicant shall be liable for all taxes, permits, licences or assessments of every nature and kind whatsoever, in any way arising from the presence of the Applicant's display.
8. The Applicant shall indemnify and save harmless the SSMADC from all costs and expenses caused to or incurred by the SSMADC and from all claims and demands, awards, losses, costs, damages, actions, suits or other proceedings, by whomsoever made, brought or prosecuted, in any manner based upon, arising out of or connected with, the installation, use, maintenance, presence or removal of the Applicant's display covered under the terms of this Agreement, or any action taken of things done or maintained in connection therewith, with the exception of gross negligence on the part of the SSMADC, the intent being that the SSMADC shall be at no risk or expense to which it would not have been put had the Applicant's display not been so installed, used, maintained or removed by the Applicant.
9. During the Term, the Applicant shall, at its sole cost and expense, take out and keep in full force and effect a comprehensive general liability insurance policy with inclusive limit of not less than One Million (\$1,000,000.00) Dollars, in respect of bodily injury, including injury resulting in death, and property damage; such policy shall specifically, by its wording or by endorsement:

- a. Name the SSMADC as an Additional Insured;
- b. Extend to cover all liabilities assumed by the Applicant hereunder; and
- c. Provide that thirty (30) days prior written notice shall be given to the SSMADC by the Insurer in the event the policy is materially altered or cancelled.

Such policy shall be issued by an insurer acceptable to the SSMADC and in a form satisfactory to the SSMADC, and the Applicant shall furnish the SSMADC with a copy thereof or a certificate of insurance evidencing all the coverages above stipulated, immediately upon request. Further, in the event that the said insurance policy is allowed to lapse during the Term, the Agreement shall, subject to all its rights and privileges of the SSMADC hereunder and notwithstanding any other clause herein, forthwith terminate without any notice whatsoever being given to the Applicant. It is further provided and agreed that any insurance coverage acquired hereunder by the Applicant will in no manner restrict or limit the liabilities assumed by the Applicant hereunder.

10. The Applicant shall not assign, transfer or make any other disposition of the Agreement, or of the rights conferred thereby, without the prior written consent of the SSMADC, which consent shall not unreasonably or arbitrarily be withheld.
11. The SSMADC hereby reserves the right to remove from the Applicant's display any advertisement or poster which, in the opinion of the SSMADC, is of an offensive nature according to community standards, denigrates any persons or groups of persons, or is in any way detrimental to the SSMADC's interests, without notice to the Applicant, and in such an event, the Applicant shall have no claims against the SSMADC for any damages or compensation by reason of such removal.
12. Should the SSMADC desire the Applicant to remove the Applicant's display during the Term, the SSMADC shall give the Applicant thirty (30) days' notice in writing to that effect and upon receipt of such notice, the Applicant agrees to remove the Applicant's display from the SSMADC Property and leave the property in a condition satisfactory to the SSMADC. If the Applicant defaults on this condition, the SSMADC may have the Applicant's display removed at the risk and expense of the Applicant. The parties hereto agree that this Agreement, along with the rights and obligations as set out herein, shall be considered terminated at such time as the Applicant's display is removed from the SSMADC Property as set out in this paragraph.
13. Should the Applicant desire to remove the Applicant's display during the Term, the Applicant shall give the SSMADC thirty (30) days' notice, in writing, to that effect and remove the Applicant's display within that period, leaving the SSMADC Property in a condition satisfactory to the SSMADC. If the Applicant defaults on this condition, the SSMADC may have the Applicant's display removed at the risk and expense of the Applicant. The parties hereto agree that this Agreement, along with the rights and obligations as set out herein, shall be considered terminated at such time as the Applicant's display is removed from the SSMADC Property as set out in this paragraph.

14. At the completion of the Term or earlier termination of this Agreement, the Applicant shall forthwith remove the Applicant's display from the SSMADC Property, leaving the said property in a condition satisfactory to the SSMADC; provided that if the Applicant's display is not removed by the Applicant within a period of thirty (30) days from the date of such termination, then the SSMADC may remove it at the expense and risk of the Applicant.
15. In the event that the Applicant fails to comply with any of the terms and conditions of this Agreement, the SSMADC shall have the right to terminate this Agreement in whole or in part on notification to the Applicant as follows: The SSMADC shall give to the Applicant written notice pursuant to paragraph 16 herein, setting out the details of such breach and the SSMADC's intent to cancel this Agreement in whole or in part. At the expiration of fifteen (15) days from the date of receipt of such notice, if the Applicant has failed to rectify the breach or to commence rectification of such breach in a reasonable and diligent manner, the SSMADC may cancel this Agreement in whole or in part effective with further written notice to the Applicant. Upon such termination, the provisions as set out in paragraph 14 herein shall apply.
16. Any notice required to be given from one party to the other must be in writing and sent by registered mail to the following addresses:

SAULT STE. MARIE AIRPORT DEVELOPMENT CORPORATION
R.R. #1, Box, #1
Sault Ste. Marie, Ontario
P6A 5K6
Attention: CEO

or

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
99 Foster Drive, Civic Centre
Sault Ste. Marie, Ontario
P6A 5X6
Attention: City Solicitor

Such notice shall be deemed to have been received on the 3rd business day after the posting thereof. Notices may also be communicated by an electronic means which can produce a written copy provided that written acknowledgement of receipt of the electronic communication is obtained.

17. It is understood that the Applicant will remit payments provided for in the Agreement payable to: Sault Ste. Marie Airport Development Corporation.
18. The parties hereby acknowledge and agree that any amendments to this Agreement or Schedules hereto must be made in writing and signed by both parties.

19. The parties acknowledge and agree that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this Agreement other than as set out in this Agreement which constitutes the entire agreement between the parties concerning the Applicant's display on the SSMADC Property and which may be modified only as set out in paragraph 18 above.
20. The provisions of this Agreement shall be binding upon, and enure to the benefit of, the parties and their respective successors and (where applicable) permitted assigns.
21. The parties hereto acknowledge and agree that this Agreement is made in the Province of Ontario and the Courts of the Province of Ontario shall have jurisdiction in reference to any matters herein.

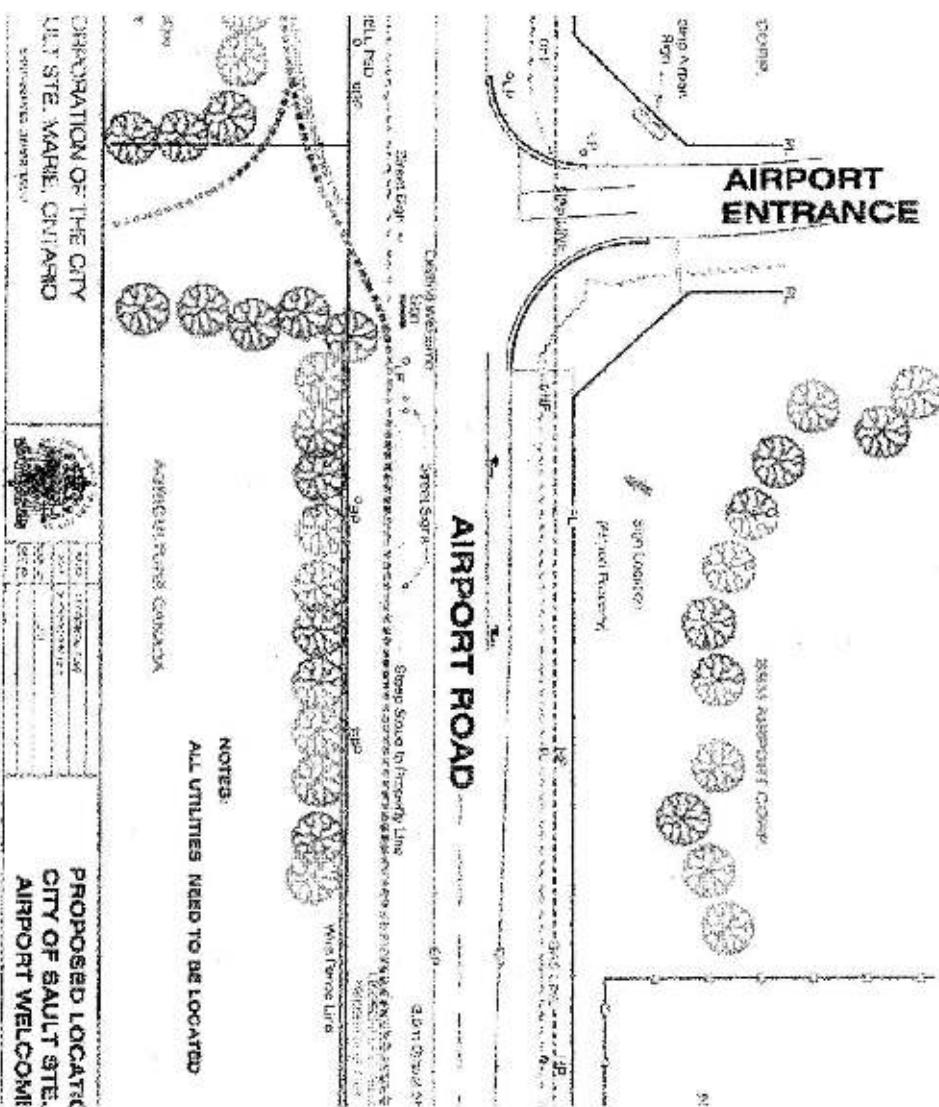
IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED

in the presence of

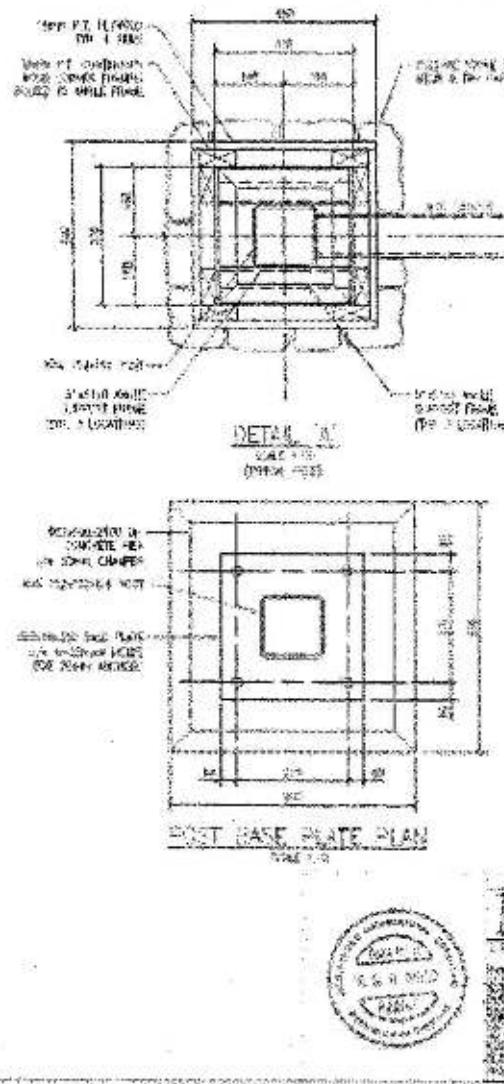
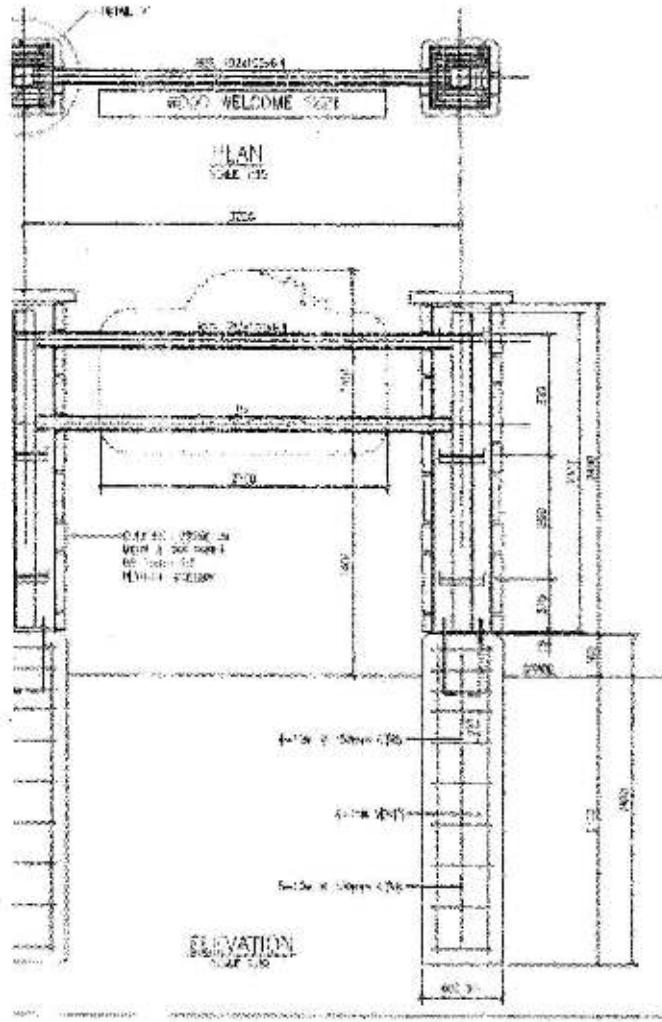
-) **THE CORPORATION OF THE CITY OF
SAULT STE. MARIE**
)
)
)
)
)
)
)
Print Name: Mayor - Debbie Amaro
I have authority to bind the
Corporation/Organization
)
)
)
PER: _____
)
)
Print Name: City Clerk-Malcolm White
I have authority to bind the
Corporation/Organization
)
)
)
)
)
**SAULT STE. MARIE AIRPORT DEVELOPMENT
CORPORATION**
)
)
PER: Terry Bos
)
)
Print Name: Terry Bos
I have authority to bind the
Corporation/Organization
)
)
)
PER: [Signature]
)
)
Print Name: [Signature]
I have authority to bind the
Corporation/Organization

SCHEDULE "A"



NOTES:
ALL UTILITIES NEED TO BE LOCATED

INCORPORATION OF THE CITY SAULT STE. MARIE, ONTARIO	 	PROPOSED LOCATE CITY OF SAULT STE. AIRPORT WELCOME
PROPOSED LOCATE CITY OF SAULT STE. AIRPORT WELCOME		



SCHEDULE "B"

POSTER PANEL FEES

Effective May 15th, 2012

Poster Panels and Backlights (Advertising Displays)

Location:

May 15, 2012	City of Sault Ste. Marie	\$100.00
May 15, 2013	City of Sault Ste. Marie	\$103.00
May 15, 2014	City of Sault Ste. Marie	\$106.09
May 15, 2015	City of Sault Ste. Marie	\$109.27
May 15, 2016	City of Sault Ste. Marie	\$112.55

Commencing the second year of the agreement, the annual increase shall be 3%.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-94

AGREEMENT: (E2.2) A by-law to authorize a contract between the City and Avery Construction Limited for the Second Line East widening and construction of the Second Line/Pine Street intersection. The contractor will be authorized to complete the widening only if sufficient connecting link grant funds are provided by the MTO. The Engineering fee limit be revised to \$674,000.00.

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 Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a contract in the form of Schedule "A" attached hereto, dated May 14, 2012 and made between the City and Avery Construction Limited for the Second Line East widening and construction of the Second Line/Pine Street intersection. The contractor will be authorized to complete the widening only if sufficient connecting link grant funds are provided by the MTO. The Engineering fee limit be revised to \$674,000.00.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

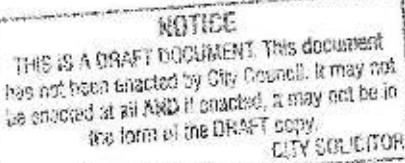
This by-law takes effect on the day of its final passing.

PASSED in open Council this 14th day of May 2012.

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

c:\Bylaws\2012\2012-94 contract Avery Con



Schedule "A"

CORPORATION OF THE CITY OF SAULT STE. MARIE
CONTRACT NO. 2012-5E
FORM OF AGREEMENT

This Agreement made (in triplicate) this 14th day of May in the year 2012 by and between

Avery Construction Ltd. hereinafter called the "Contractor"

AND

The Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

SECOND LINE EAST WIDENING/PINE STREET INTERSECTION
Contract No. 2012-5E

which have been signed in triplicate by both parties and which were prepared under the supervision of Kresin Engineering Corporation.

2. The Contractor will do and fulfil everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions, Instructions to Tenderers, Form of Tender, Addenda, if any, and the Drawings.
3. The Contractor will complete all the work under the supervision and direction and to the entire satisfaction of the Owner within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.

5. The Corporation shall pay the Contractor for work that is ordered in writing by the Engineer and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
 6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.
 7. All communications in writing between the Corporation, the Contractor and the Engineer shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by telegram addressed as follows:

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

The Contractor: Avery Construction Ltd.
940 Second Line West
Sault Ste. Marie, ON
P6C 2L3

The Engineer: Kresin Engineering Corporation
536 Fourth Line East
Sault Ste. Marie, ON
P6A 5K8

10(c)

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered
in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Mayor – Debbie Amaroso

(seal)

City Clerk – Malcolm White

AVERY CONSTRUCTION LTD.

Signing Officer

(seal)

Signature

(old)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2012-95

AGREEMENT: (C3.1) A by-law to authorize an amendment agreement between the City of Sault Ste. Marie and the Northern Ontario Heritage Fund Corporation (NOHFC) for the funding for the West End Community Centre (WECC) and the recommendation that the amendment agreement with the NOHFC reflect a One Million Dollar (\$1,000,000) conditional contribution and Five Hundred Thousand Dollar (\$500,000) loan for the WECC project be approved by Council.

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 Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an amendment agreement between the City of Sault Ste. Marie and the Northern Ontario Heritage Fund Corporation (NOHFC) for funding for the West End Community Centre (WECC) in the form of Schedule "A" attached hereto, dated May 14, 2012 and that the amendment agreement with the NOHFC reflect a One Million Dollar (\$1,000,000) conditional contribution and Five Hundred Thousand Dollar (\$500,000) loan for the WECC project and be approved by Council.

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 14th day of May 2012.

MAYOR – DEBBIE AMAROSO

CLERK – MALCOLM WHITE

de\LEGAL\STAFF\BYLAWS\2012\2012-95 WEST END COMMUNITY CENTRE AGREEMENT.DOC

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all. Even if enacted, it may not be in the form of the DRAFT copy.

CITY SECRETARY

(d)

Schedule "A"

AMENDMENT No. 1 to LOAN AND CONDITIONAL CONTRIBUTION AGREEMENT

This Amendment made as of February 10, 2012, amends the loan and conditional agreement made as of July 18, 2011 (as amended, the "Agreement") between the **City of Sault Ste. Marie ("Recipient")** and **Northern Ontario Heritage Fund Corporation ("NOHFC")** and the Note executed by Recipient in favour of NOHFC as required under the Agreement. All capitalized terms used but not defined in this Amendment shall have the meanings given to them in the Agreement.

Background

- A. Pursuant to the Agreement, NOHFC has made a term loan of \$750,000.00 and a conditional contribution of \$750,000 to Recipient to be applied to finance the Project;
- B. In light of difficult economic times, Recipient has requested forgiveness of some or all of the loan portion of the Financial Assistance, and NOHFC has agreed to amend the Agreement on the terms and subject to the conditions set forth in this Amendment.

Agreement

For good and valuable consideration, the receipt and sufficiency of which are acknowledged, Recipient and NOHFC agree as follows:

1. **Changes in Loan and Contribution Percentages.**
 - (a) The maximum amount of the Loan is reduced from \$750,000 to \$500,000, and the maximum amount of the Conditional Contribution is increased from \$750,000 to \$1,000,000.
 - (b) The maximum amount of the Financial Assistance remains unchanged, at \$1,500,000.
 - (c) The Loan Percentage is reduced from 50% to 33.33% of each Advance, and the Contribution Percentage is increased from 50% to 66.67% of each Advance.
2. **Interest and Repayment.** Section 2.3 of the Agreement is deleted and replaced by the following:
 - 2.3 **Repayment.** The Loan shall be interest-free for 24 months following the earlier of (i) the month in which the Commitment Termination Date occurs and (ii) the month in which the Loan is fully drawn down. Thereafter, blended payments of principal and interest in the amount of \$5,921.73 per month shall be due and payable on the first day of each and every month, starting on the Blended Payment Commencement Date, to and including the Maturity Date. Any remaining unpaid principal balance of the Loan and any accrued and unpaid interest shall be due and payable in full on the Maturity Date. The monthly blended payments are based on a 96-month amortization of the principal amount of the Loan commencing on the first day of the month preceding the Blended Payment Commencement Date. All payments will be made without any withholding or deduction, or will be increased so as to make whole such payments owing to NOHFC hereunder. The "Blended Payment Commencement Date" is the first day of the 26th month following the earlier of (i) the

month in which the Commitment Termination Date occurs and (ii) the month in which the Loan is fully drawn down.

3. **Commitment Termination Date.** The Commitment Termination Date is the 365th day after the Effective Date (as defined in section 5 below).

4. **Representations and Warranties.** Recipient represents and warrants to NOHFC that Recipient's representations and warranties contained in the Agreement are true and correct as of the date of this Amendment.

5. **Conditions Precedent to Effective Date.** This Amendment shall become effective as of the date (the "Effective Date") upon which each of the parties hereto shall have executed and delivered this Amendment to the other party, and Recipient shall have executed and delivered to NOHFC an executed promissory note in the form appended to this Amendment.

6. **No Other Changes.** The Agreement is deemed to be amended to the extent reasonably necessary to give effect to the foregoing. All other provisions of the Agreement remain in effect, unamended.

7. **Replacement Promissory Note.** Upon receipt of an executed promissory note in the form appended to this Amendment, NOHFC shall destroy the Note executed and delivered by Recipient as of July 18, 2011.

8. **General.** This Amendment may be executed by the parties hereto in separate counterparts, each of which so executed shall be deemed to be an original. Delivery of an executed copy of a signature page to this Amendment by facsimile transmission shall be effective as delivery of a manually executed copy of this Amendment. This Amendment shall be governed by and interpreted in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein.

This Amendment has been executed by the parties as of the date first stated above.

NORTHERN ONTARIO HERITAGE FUND CORPORATION

By: _____

Bruce Strapp
Executive Director

CITY OF SAULT STE. MARIE

By: _____

Debbie Amaroso
Mayor

By: _____

Malcolm White
City Clerk

10(d)

TERM LOAN PROMISSORY NOTE

CAD\$500,000

Due: the Maturity Date

1. Principal and Interest. For value received, the City of Sault Ste. Marie (the "Recipient") promises to pay to Northern Ontario Heritage Fund Corporation ("NOHFC") at Suite 200, Roberta Bondar Place, 70 Foster Drive, Sault Ste. Marie, Ontario, P6A 6V8, or at such other place as NOHFC may direct in writing, the lesser of (i) the principal sum of five hundred thousand dollars (\$500,000) or (ii) the aggregate unpaid principal amount of all borrowings by the Recipient from NOHFC pursuant to the Loan and Conditional Contribution Agreement (as defined below), in lawful money of Canada, with interest as set out herein. This promissory note (the "Note") is issued pursuant to the loan and conditional contribution agreement dated as of July 18, 2011 (together with all amendments, modifications, supplements, restatements or replacements, if any, from time to time made thereto, the "Loan and Conditional Contribution Agreement") between the Recipient and NOHFC. All terms used herein with initial capital letters and not otherwise defined shall have the meanings given to such terms in the Loan and Conditional Contribution Agreement.

The principal amount of this Note, or the balance outstanding from time to time, and interest thereon shall be payable in accordance with the terms of the Loan and Conditional Contribution Agreement.

2. Loan and Conditional Contribution Agreement. This Note is referred to in, and is entitled to the benefits of, the Loan and Conditional Contribution Agreement, which, among other things, provides for acceleration of the maturity of the loan evidenced hereby upon the happening of certain stated events and also for prepayment on account of the principal and interest hereof prior to the maturity of the loan evidenced hereby upon the terms and conditions therein specified.

3. Recording on Books and Records. All borrowings evidenced by this Note and all payments made on account of the principal hereof shall be promptly recorded, at NOHFC's option, either by (i) an officer or an employee of NOHFC on NOHFC's own books and records or (ii) a director, officer or employee of the Agent on the Agent's own books and records, provided however that any failure to so record such information shall not in any manner affect the obligation of the Recipient to make payments of principal and interest in accordance with the terms of this Note. All information so recorded on NOHFC's, or its Agent's, books and records as to borrowings and repayments shall constitute conclusive evidence of such borrowings or repayments in the absence of manifest error.

4. Waiver of Notice. The Recipient waives presentment, protest, notice of dishonour, days of grace and the right of set-off.

5. Successors and Assigns. This Note shall enure to the benefit of NOHFC and its successors and assigns, and shall be binding upon the Recipient and its successors and permitted assigns.

6. Governing Law. This Note shall be governed by, and interpreted in accordance with, the laws of the Province of Ontario.

10(d)

This Note has been executed and delivered by the Recipient on _____, 2012.

THE CITY OF SAULT STE. MARIE

By:

Debbie Amaroso
Mayor

By:

Malcolm White
City Clerk

We have authority to bind the City.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-81

APPOINTMENTS: (B1.3) A by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act.

WHEREAS Section 3 of the Building Code Act requires the Municipality to appoint inspectors under the Building Code Act, 1992;

AND WHEREAS Section 15 of the Police Services Act allows municipal Council to appoint persons to enforce the by-laws of the municipality;

NOW THEREFORE pursuant to the Building Code Act, 1992 and the Police Services Act, Council enacts as follows:

1. BUILDING CODE INSPECTORS

The persons listed on Schedule "A" to this by-law are appointed as Building Code Inspectors.

2. MUNICIPAL LAW ENFORCEMENT OFFICERS

The persons listed on Schedule "A" to this by-law are appointed as Municipal Law Enforcement Officers.

3. BY-LAWS REPEALED

By-laws 2004-209, 2004-210, 2006-186, 2007-151, 2007-155, 2009-26, 2009-112, 2010-158, 2011-168, and 2012-60 are hereby repealed.

4. EFFECTIVE DATE

This by-law is effective on the date of its passing.

PASSED in Open Council this 14th day of May, 2012.

MAYOR - DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

10(e)

Schedule "A" to By-Law 2012-81

Freddie Pozzebon
Larry Kennedy
Glenn Irwin
Frank Bentrovato
Tyler Bertrand
François Couture
Len Smith
Peter Schell
Matthew Wiesel
Bryan Bunting

10 (f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-77

HISTORIC SITES: (C3.16(2)) A by-law to designate the plaques and monuments listed below as being of architectural or historic value or interest;

1. 1164 Queen Street East.

WHEREAS Section 29 of the Ontario Heritage Act, R.S.O. 1990, c. O. 18 authorizes the Council of a municipality to enact by-laws to designate real property, including all buildings and structures thereon, to be of architectural or historic value or interest;

WHEREAS the Council of the Corporation of the City of Sault Ste. Marie has caused to be served on the owners of the lands and upon The Ontario Heritage Trust, notice of intention to so designate the plaques and monuments and has caused such notice of intention to be published in the Sault Star for three consecutive weeks;

WHEREAS no objections to the proposed designations have been served on the Clerk of the municipality; and

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie, pursuant to the Ontario Heritage Act ENACTS as follows:

1. PROPERTIES DESIGNATED

There is designated as being of architectural or historic value or interest, the plaques and monuments described above and further described in Schedule "A" to this bylaw.

2. HERITAGE DESIGNATION REPORT

The Heritage Designation Report of the Sault Ste. Marie Municipal Heritage Committee dated January 23, 2012 recommending that the plaques and monuments be designated of significant cultural heritage value and interest pursuant to Part IV of the Ontario Heritage Act is attached as Schedule "A" to this by-law.

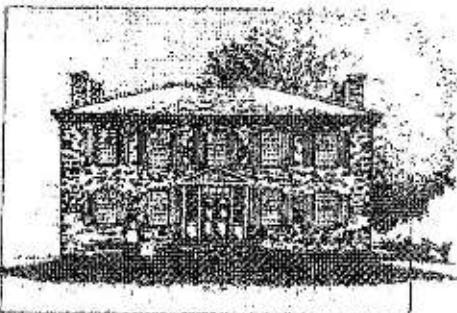
3. EFFECTIVE DATE

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

PASSED in Open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE



January 23, 2012

*Sault Ste. Marie
Municipal Heritage Committee*

Mayor Debbie Amaro
and Members of City Council

ONTARIO HERITAGE ACT – PART IV DESIGNATION OF 1164 QUEEN STREET EAST

Purpose

The Sault Ste. Marie Municipal Heritage Committee advises City Council as to the cultural heritage value or interest of properties within the Municipality, and recommends that significant properties be designated under Part IV of the Ontario Heritage Act. This affords the property, and in particular the designated heritage features, special protection under the Act. The Sault Ste. Marie Municipal Heritage Committee is recommending to City Council the designation of 1164 Queen Street East due to its significant heritage value to the City of Sault Ste. Marie.

Background

The owner of 1164 Queen Street submitted an application (attached) for consideration of designation in June of 2011. At their September meeting, the Sault Ste. Marie Municipal Heritage Committee assigned Committee Members to evaluate the building. A final report recommending designation of the building was presented at their December meeting. The Sault Ste. Marie Municipal Heritage Committee passed the following resolution at their December 7, 2011 meeting.

Moved by: K. Marshall

Seconded by: H. Robbins

"Resolved that the Sault Ste. Marie Municipal Heritage Committee approve the designation report for 1164 Queen Street East and that it be recommended for designation under Part IV of the Ontario Heritage Act; and further that a report be sent to City Council to request their approval for the designation." CARRIED

Analysis

The designation report and inspection/evaluation reports providing the detail of the heritage value of this property are attached for Council's review. The key features being recommended for protection under the designation are:

- ❖ Constructed in 1916, this is one of only two Prairie-style homes in the city, designed and built by the same builder as 911 Wellington Street East;
- ❖ Original wood windows with storms throughout;
- ❖ Unique upstairs "widow's walk" balcony off upstairs bedroom;
- ❖ Beautiful set of five bay windows grace the southeast corner with overhanging roof;
- ❖ A large front porch, bordered by a row of upturned bricks and with roof supported by six massive stuccoed pillars;
- ❖ There is a unique set of original wooden French doors leading into the living room from this porch;

10(f)

5(x)

- ❖ A lovely side entrance with original wooden interior door and boot room graces the west side;
- ❖ Beautiful bevelled and stained glass windows grace this boot room;
- ❖ Prominent east central location on busy Queen Street means property is well recognized throughout the community.

Impact

Not applicable

Strategic Plan

Not applicable

Recommendation

"That the report of the Chair of the Sault Ste. Marie Municipal Heritage Committee concerning the designation of 1164 Queen Street East be received and the recommendation that the residence at 1164 Queen Street East be designated under Part IV of the Ontario Heritage Act be approved."

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



Kelly Marshall, Chair
Sault Ste. Marie Municipal Heritage Committee

j:\herald\hml\hml\hml\designated properties\2012\council report 1164 Queen

cc: Members of S.S.M.H.C.
J. Fratesi
N. Apostle
N. Kenny
J. Cain

attachments

10(+)

5(x)

Designation Report for 1164 Queen Street East

Description of Property-1164 Queen Street East.

This is a 1 ½ storey residence prominently situated at the corner of Riverview Ave. in the east central part of the city. Built in 1916 for grocer Wm. H. Ewing, the exterior is of Prairie-style stucco design with Tudor elements upstairs, and remains in original condition. The interior is also little changed with original and enhanced woodwork throughout. It is located on Lot 2, WPT lot 3, Plan 20815, latitude 46.30 and longitude – 84.18. The lot is 88.68' frontage and 181.0' deep.

Statement of Cultural Heritage Value and Interest

This beautiful Prairie-style residence is one of only two in the city and was designed and built by the same builder as the home at 911 Wellington Street East previously designated in 2008. The unique stucco exterior finish over-all is in quite good condition but some areas below windows and along the upstairs' balcony wall need repair and painting. There is some Tudor influence with false half boards under some upstairs windows. The home has a sandstone foundation with a single row of upturned brick above this on which the walls are situated. All windows are original wood with original storms in place throughout. There is a pair of upstairs dormer windows and a door and small balcony off another bedroom on that level. The roof overhangs this balcony with original wooden rafters exposed and supported. A set of five bay windows at the southeast corner is also overhung by an extended roof. Here the sandstone foundation extends upwards to the window sills. A large front porch with cement floor surrounded by the row of vertical bricks above the foundation is covered by a roof supported by six massive stuccoed pillars. While there is only a small window on this side, there is a unique set of French doors leading in from the porch. Above the porch roof are located four bay windows. On the west side is a lovely side entrance with original interior door and a boot room. The stone stairs does need some repair. Upstairs at the rear is what appears to be an add-on room to replace what may originally have been a roof deck. It is constructed of painted clapboard and not of heritage value.

The main-floor interior of this home, except for the kitchen and bathroom is largely unchanged from its original construction-beautiful wood (mainly oak) throughout-floors, mouldings, windows, doors and roof beams. The latter have been added to some rooms but in a manner to make it difficult to distinguish from the originals. There are brick fireplaces in the living and sitting rooms. The boot room of the side entrance has original bevelled and stained glass in the windows. All rooms have original hot water radiators.

The second floor is original and perhaps one of a kind. The design of the ceiling of one bedroom is unique as it must accommodate a window and the door to the small balcony. And the ceiling design accommodating the windows in the other rooms is also unusually angular. The upstairs bathrooms have unique and very expensive wood panelling that is likely not replaceable.

The grounds are also unique with well-kept flower beds around the front and sides of the corner lot. A number of Italian marble statues grace the grounds as do two marble lions on either side of the side entrance. The property is generally in very good condition and needs only minor maintenance.

10(+)

5(x)

Description of Heritage Attributes

The key features that embody the heritage value of 1164 Queen Street East include:

- ❖ Constructed in 1916, this is one of only two Prairie-style homes in the city, designed and built by the same builder as 911 Wellington Street East;
- ❖ Original wood windows with storms throughout;
- ❖ Unique upstairs "widow's walk" balcony off upstairs bedroom;
- ❖ Beautiful set of five bay windows grace the southeast corner with overhanging roof;
- ❖ A large front porch, bordered by a row of upturned bricks and with roof supported by six massive stuccoed pillars;
- ❖ There is a unique set of original wooden French doors leading into the living room from this porch;
- ❖ A lovely side entrance with original wooden interior door and boot room graces the west side;
- ❖ Beautiful bevelled and stained glass windows grace this boot room;
- ❖ Prominent east central location on busy Queen Street means property is well recognized throughout the community.

10(+)
5(x)

1164 Queen St. E.-Report on Inspection

On Sept. 22, I visited with Theresa Armstrong for the purpose of inspecting her home at 1164 Queen St. E. regarding an application for Heritage Designation.

This is a Prairie-style home (designed and built by the same builder as 911 Wellington St. E.) with a unique stucco exterior finish which over-all is in quite good condition. Some stucco below windows and along the upstairs balcony wall needs repair and painting. The home has a sandstone foundation with a single row of upturned brick above this on which the walls are situated. All windows are original wood with original storms in place throughout. There is a pair of upstairs dormer windows and a door and small balcony off another bedroom on that level. The roof overhangs this balcony with original wooden trusses and supports. A set of bay windows at the southeast corner is overhung by an extended roof. A large front porch with cement floor is covered by a roof supported by 6 stuccoed pillars. While there is only a small window on this side, there is a unique set of French doors leading in from the porch. Above the porch roof are located four bay windows. On the west side is a lovely side entrance with original interior door and a boot room. The stone stairs does need some major repair. Upstairs at the rear is what appears to be an add-on room to replace what may originally have been a roof deck. It is constructed of painted clapboard.

The main-floor interior of this home, except for the kitchen and bathroom is largely unchanged from its original construction-beautiful wood throughout-floors, mouldings, windows, doors and roof beams. The latter have been added to some rooms but in a manner to make it difficult to distinguish from the originals. There are brick fireplaces in the living and sitting rooms. The boot room of the side entrance has original bevelled and stained glass in the windows.

The second floor is original but not spectacular. The design on the ceiling of one bedroom is unique as it must accommodate a window and the door to the small balcony. The upstairs bathrooms have unique and very expensive wood panelling that is likely not replaceable.

There were no heritage features found in either the basement or stand-alone garage.

The owner indicated the house was built in 1924 and they may be correct even though the city lists it as having been built in 1914. The earlier date is the same year that 911 Wellington E. was constructed.

I recommend that a formal designation report be prepared (after further research and documentation with photos) for consideration by MHC.

Harvey Robbins 11/09/23

City of Sault Ste. Marie - Cultural Heritage Resource Evaluation Form

Address: 1164 Queen St. E Evaluator(s): H. Robbins
 Period: _____ Date: Sept 22, 2011
 Description Two storey Prairie-style residence
 Photos: Front Façade Setting All façades Details Currently on Inventory/Register? Yes No

Design or Physical Value:

Style	Is this a notable, rare or unique example of a particular architectural style or type?	N/A	Unknown	No	Yes
Construction	Is this a notable, rare, unique or early example of a particular material or method of construction?				✓
Design	Is this a particularly attractive or unique structure because of the merits of its design, composition, craftsmanship or details?				✓
	Does this structure demonstrate a high degree of technical or scientific achievement?			✓	
Interior	Is the interior arrangement, finish, craftsmanship and/or detail noteworthy?				✓
Notes	<u>The nicest prairie-style of the two in the city. The interior finished throughout with wood is largely unchanged from original. Contains two brick fireplaces. All windows original with storms.</u>				

Contextual Value:

Continuity	Does this structure contribute to the continuity or character of the street, neighbourhood or area?	N/A	Unknown	No	Yes
Setting	Is the setting or orientation of the structure or landscaping noteworthy?				✓
	Does it provide a physical, historical, functional or visual link to its surroundings?				✓
Landmark	Is this a particularly important visual landmark within the region <input type="checkbox"/> , city <input type="checkbox"/> , or neighbourhood <input checked="" type="checkbox"/> ?				✓
Completeness	Does this structure have other original outbuildings, notable landscaping or external features that complete the site?				✓
Notes	<u>Located on a corner lot on busy east end street in a prominent manner. Beautifully landscaped grounds.</u>				

City of Sault Ste. Marie - Cultural Heritage Resource Evaluation Form

Integrity:

	Does the structure occupy its original site? (Note if relocated, ie relocated on its original site; moved from another site; etc.)	N/A	Unknown	No	Yes
Site					✓
Alterations	Does this building retain most of its original materials and design features?				✓
	Is this a notable structure due to sympathetic alterations that have taken place over time?	✓			
Condition	Is this building in good condition?				✓
Notes	Addition of wood ceiling beams to some interior rooms has been done sympathetically				

Historical and Associative Value & Significance:

Does this property or structure have strong associations and/or contribute to the understanding of a belief, person, activity, organization, institution, or event that is significant to the City?	N/A	Unknown	No	Yes
Does the structure reflect the work of an architect, designer, artist, builder or theorist of known significance to the community?		✓		
Is the original, previous, or existing use significant?			✓	
Does this property meet the definition of a significant built heritage resource or cultural heritage landscape, as identified in the Provincial Policy Statement issued under the Ontario Planning Act?			✓	
* A property or structure valued for the important contribution it makes to our understanding of the history of a place, event or people?				
Notes				

General Comments:

A beautiful residence, both exterior and interior that is in excellent condition and largely unchanged.

Date of Property Owner Notification by City:

Evaluators' Recommendations:

- Recommend for Designation
 More Research required
 Add to Properties of Interest

- Additional Photos Required
 No Action- Keep on file

Date: _____

Are you aware of any architectural and/or cultural heritage value features that would warrant designation?

THE HOME

When was the property built?

1925-1927

Can you or someone else provide any historical information or early photographs of the property? Please describe:

Photos ENCLOSED - PLEASE
RETURN TO ME.

Do you know if the property has undergone any major exterior alterations since it was first built?

If yes, please describe:

No Major EXTERIOR
ALTERATIONS

Please attach colour photos of the property from all viewing points (eg. north, south, east and west).

Return this form to:

Sault Ste. Marie Municipal Heritage Committee
c/o Manager Recreation & Culture
P. O. Box 530, 99 Foster Drive
Sault Ste. Marie, ON P6A 5N1

http://www.sault Ste. Marie.ca/applyforadesignation.aspx



Sault Ste. Marie Municipal Heritage Committee

Request for a Heritage Designation

Pursuant to the

Ontario Heritage Act

RECEIVED DEPT.

JUN 14 2011

March 2006

RECEIVED

(x75)
(f)01

What Does A Heritage Designation Mean?

Owners of designated heritage can rightly be proud of the contribution they are making to the preservation of the community's cultural heritage. Implicit in the designation is the recommendation that the owner try to maintain the property in the spirit of cultural heritage conservation and, when possible, restore the property to its original character. However, designation does not impose any obligation to restore, nor does it in any way restrict the resale of the property.

Owners of designated heritage properties may be eligible for matching grants for the restoration of their property, once the restoration is approved by the Sault Ste. Marie Municipal Heritage Committee as culturally, historically, and/or architecturally correct. Free guidance through the Sault Ste. Marie Municipal Heritage Committee is also available to the owner considering the restoration of his or her heritage building.

Request for a Heritage Designation Pursuant to the Ontario Heritage Act

Thank you for requesting a heritage designation on your property. The Sault Ste. Marie Municipal Heritage Committee uses the following criteria when evaluating a property:

Historic

- A property may be of cultural heritage value or significance if it is associated with a person, event or movement symbolic of the historical importance to the community.

Architectural

- A building may be of architectural significance if it is a good example of a particular building type, architectural style or period, or if it is the work of an important architect or early builder.
- A property may be of cultural heritage value or significance if it possesses unique aesthetic or picturesque qualities.

Contextual

- A building may have contextual significance if it forms an integral part of the surrounding streetscape.
- A property may be of cultural heritage value or significance if it incorporated the use of local sandstone in the building construction, particularly from the Sault Ste. Marie Canal excavation.

This application represents a preliminary request for information regarding the cultural heritage value or significance of the property.

The following are some questions, which will assist the Sault Ste. Marie Municipal Heritage Committee in preparing a heritage report. Please provide as much information as you are able.

Please Print:

Your Name: THERESA Armstrong

Address: 1164 TIKEEN ST. E

Postal Code: P6A 2E4

Telephone: (home) 756 5214 (work) 753 7481

Fax: _____

Address of the Property for which a heritage designation is being sought:

1164 TIKEEN ST. E.

Are you the owner of this property?

YES

Reasons for this request: TO PRESERVE THE CULTURAL

HERITAGE

ST
E
(J/01)

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-79

LANE ASSUMPTION: LS(1) a by-law to assume for public use and establish as a public lane, a lane in the Tagona Subdivision, Plan 7882.

THE Council of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANES ESTABLISHED AND ASSUMED**

The Corporation of the City of Sault Ste. Marie hereby assumes for public use and establishes as a public lane, the lane more particularly described on Schedule "A" to this by-law.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

The by-law takes effect on the day of its final passing.

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

da/LEGAL/STAFF/BYLAWS/2012/2012-79 LANE ASSUMP TAGONA SUB.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

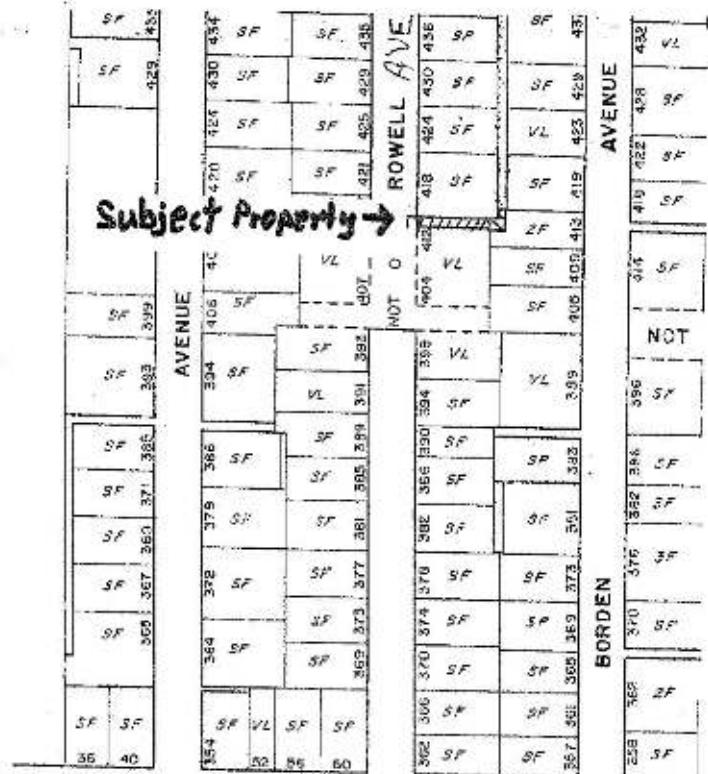
10(g)

SCHEDULE "A" TO BY-LAW 2012-79 AND BY-LAW 2012-80

PART OF PIN 31607-0135 (LT)

PART LANE PLAN 7882 BOUNDED BY LOTS 56 TO 58, LOT 91, PLAN 7882 AND
 PART OF LOTS 59 TO 63 BEING PART OF PART 1, PLAN 1R4667; SAULT STE.
 MARIE

Part of
Map 53



10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-82

LEASE AGREEMENT: (LE-98) A by-law to authorize a Lease Agreement between the City of Sault Ste. Marie and 1886486 Ontario Incorporated carrying on business as RHP Training Centre (Sault Ste. Marie) Inc. for the use of a designated area within the John Rhodes Community Centre.

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 DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a lease agreement in the form of Schedule "A" hereto dated the 14th day of May, 2012 and made between the City and 1886486 Ontario Incorporated carrying on business as RHP Fitness Centre (Sault Ste. Marie) Inc. to use a designated area within the John Rhodes Community Centre as a fitness and training centre.

2. **SCHEDULE "A"**

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

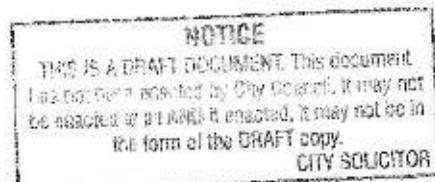
3. **EFFECTIVE DATE**

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CLERK - MALCOLM WHITE



LEASE AGREEMENT

Lease File No. LE.98

This Agreement made this 18th day of April, 2012.

IN PURSUANCE OF the Short Forms of Leases Act, R.S.O. 1990, c. S.11.

B E T W E E N: THE CORPORATION OF THE CITY OF SAULT STE. MARIE

hereinafter called the "Landlord"

- and -

1866486 ONTARIO INCORPORATED,
carrying on a business as
RHP TRAINING CENTRE (SAULT STE. MARIE) INC.

hereinafter called the "Tenant"

WHEREAS it is the Landlord's desire that the Demised Area be operated by a compatible use private-sector operator;

AND WHEREAS the Tenant wishes to operate the Demised Area as a fitness/training center;

The parties hereto agree as follows:

1. Definitions

"Agreement" shall mean this Lease Agreement.

"Demised Area" shall mean a fitness/training center comprising a portion of the John Rhodes Centre and shown on Schedule "A" consisting of approximately 75m² of leasable area.

"Manager" shall mean the Landlord's Manager of Community Centres.

"Term" shall mean the period of the Agreement, including any extensions. If the Agreement ends prematurely for any reason, the Term will end at that time as well.

2. Period of Agreement

The Landlord hereby demises and leases the Demised Area to the Tenant for a term of five (5) years commencing April 18, 2012, and expiring April 17, 2017 on the terms and conditions set out in this Agreement.

3. Rent and Costs

(a) The Tenant shall pay the Landlord rent consisting of:

- (i) A monthly rent of six hundred dollars (\$600.00) for the entirety of the Agreement payable on the first business day of each month; and
- (ii) A one-time security deposit in the amount of five thousand dollars (\$5,000.00), in the form of a certified cheque, or commitment from a recognized Financial Institution payable to the Corporation of the City of Sault Ste. Marie.

The Security Deposit shall be retained by the Landlord interest free for the duration of the Term. At the end of the Term, this money may be used by the Landlord to repair any permanent damage to the Demised Area caused by the Tenant during the Term. Upon completion of the Agreement and the payment of all monies due to the Landlord as a result of the Agreement and operation of the Demised Area, the Commissioner of Community Services, acting reasonably, at his sole discretion, shall return the remaining money to the Tenant.

- (b) In addition to the payment of the monthly rent set out above, the Tenant shall be responsible for paying:
 - (i) its own cleaning costs for the Demised Area;
 - (ii) any property taxes that may arise as a result of the Tenant's occupancy and use of the Demised Area; and
 - (iii) any H.S.T. payable as a result of the Tenant's occupancy and use of the Demised Area and any provincial sales tax that may be applicable.
- (c) All sums payable to the Landlord from the Tenant for rent or otherwise, under this Agreement shall bear interest commencing on the first day following the date that the payment was due. Interest charged will be at the then current rate of interest charged to the Landlord by its bankers, and shall continue until the actual date of payment.

4. Tenant's Responsibilities

- (a) The Tenant covenants with the Landlord:
 - (i) to pay rent;
 - (ii) to pay all charges incurred by them (including penalties and interest) for any cable, internet, phone, satellite television charges, and the like, directly to the supplier thereof in each case;
 - (iii) not to make changes in the Demised Area except in accordance with plans therefor which have been submitted to, and approved by, the Manager, whose approval shall not be unreasonably withheld, and to make any such changes expeditiously in a good and workmanlike manner (including property clean-up) to the reasonable satisfaction of the Manager;
 - (iv) to keep the Demised Area in a clean and well-ordered condition and not to permit any rubbish, refuse, debris or other material to be stored or to accumulate therein, to the satisfaction of the Manager;
 - (v) to use the Demised Area only for the purposes of a fitness center/training center;
 - (vi) not to assign or sublet this Agreement without the prior written consent of the Manager, which permission shall not be unreasonably withheld;
 - (vii) not to erect any signs in the John Rhodes Community Centre without the prior written consent of the Manager, which consent shall not be unreasonably withheld;
 - (viii) not to interfere with the reasonable enjoyment of any adjoining properties, save and except any necessary noise, odour, or vibration necessarily required or incidental to the deemed use;
 - (ix) to comply with all federal, provincial and municipal laws, by-laws, rules and regulations affecting the Demised Area, including the obtaining of all necessary permits and licenses, and to save the Landlord harmless from any liability or cost suffered by it as a result of failure of the Tenant to do so;
 - (x) upon termination of the tenancy under section 10 of this Agreement, at its own risk and expense, to remove from the Demised Area within thirty (30) days of the date of termination, any fixtures and chattels belonging to it, with all damage, if any, caused

by such removal made good by it and to leave the Demised Area neat, clean, level and free of all waste material, debris and rubbish, all to the Manager's reasonable satisfaction; and
(xi) that upon failure by the Tenant to comply with any covenant(s) incumbent upon it under this Agreement within thirty (30) days after written notice requiring such compliance is given by the Landlord to the Tenant, the Landlord may enter the Demised Area and fulfil such covenant(s) at the sole expense of the Tenant, who shall forthwith upon being invoiced therefor reimburse the Landlord who in default of such reimbursement may collect same as rent owing and in arrears.

- (b) The Tenant accepts the Demised Area in the condition existing at the date of the commencement of the Term.

5. Landlord's Responsibilities

- (a) The Landlord covenants with the Tenant to install and repair systems capable of heating, ventilating and air conditioning the Demised Area, and the common facilities of the John Rhodes Community Centre to reasonable temperatures for the reasonable use thereof, as determined by the Landlord.
- (b) In the event of any breakdown in the heating, ventilating or air conditioning systems, the Landlord shall not be liable to the Tenant for any direct or indirect damages, including personal discomfort or illness, caused by such a breakdown.
- (c) The authority of the Manager shall not be deemed to be exhausted by any individual exercise thereof. When exercising his or her authority or discretion hereunder, the Manager shall at all times act reasonably and in such cases the exercise of such authority or discretion shall not be subject to review in any manner whatsoever except as expressly provided for in this Agreement.
- (d) No condonation, excusing or overlooking by the Landlord of any default, breach or non-observance of any of the Tenant's obligations under this Agreement at any time or times shall affect the Landlord's remedies or rights with respect of any subsequent (even if by way of continuation) default, breach or non-observance.
- (e) No waiver shall be inferred from or implied by anything done or omitted by the Landlord.
- (f) Any written waiver by the Landlord shall have effect only in accordance with its express terms.
- (g) All rights and remedies of the Landlord under this Agreement shall be cumulative and not alternative.

6. Hours of Operation

- (a) The Tenant may operate its fitness/training centre in the Demised Area at any time within the hours of operation of the John Rhodes Community Centre, at the Tenant's discretion. The Tenant shall not operate in the Demised Area outside of those hours without the prior written consent of the Manager, in his sole discretion.
- (b) The Tenant agrees to operate only on dates that the John Rhodes Community Center is operational. The Landlord shall provide the Tenant with a list of dates on which the John Rhodes Centre is not operational on

the first day of the Term hereof. By the first of January of each subsequent year, the Landlord shall provide an updated list of such dates.

- (c) Should the Landlord require the Tenant to close or otherwise restrict operations, the Landlord shall provide thirty (30) days written notice. If unable to provide thirty (30) days written notice, the Landlord shall give the Tenant written notice as soon as possible in the circumstances. Such action will not be taken except for major national or international events taking place in the City, and the Tenant's monthly rent shall be prorated accordingly.

7. Exclusivity Agreements

The Tenant shall not enter into any agreement for the exclusive provision of any product without the approval of the Manager.

8. Right to Enter Demised Area

During the business hours of the Tenant, or at any time during any emergency as determined by the Landlord, the Landlord or any employee or agent of the Landlord shall have the right to enter the Demised Area for any of the following purposes:

- (a) to examine the state of maintenance, repair and decoration of the Demised Area and the equipment and fixtures therein;
- (b) to install and maintain pipes, conduits, wire and ducts in the Demised Area to serve the Demised Area or other premises, or both;
- (c) to show the Demised Area to prospective purchasers, lessees, encumbrances or assignees.

9. Insurance

- (a) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all manner of claims, demands, losses, costs, charges, actions and other proceedings whatsoever (including those under or in connection with the *Workplace Safety and Insurance Act*, 1997, S. O. 1997, c. 16, Sch. A, or any successor legislation) made or brought against, suffered by or imposed on the Landlord or its property in respect of any loss, damage or injury (including fatal injury) to any person or property (including, without restriction, employees, agents and property of the Landlord or of the Tenant) directly or indirectly arising out of, resulting from or sustained as a result of the Tenant's occupation or use of, or any operation in connection with the Demised Area or any fixtures or chattels therein except to the extent attributable to the Landlord's negligence.
- (b) The Tenant shall at all times indemnify and save harmless the Landlord from and against any and all claims, demands, losses, costs, charges, actions and other proceedings under the *Construction Lien Act*, R. S. O. 1990, c. C.30, in connection with any work done for the Tenant at or on the Demised Area and shall at its own expense promptly see to the removal from the registered title to the Demised Area, of every claim for lien or certificate of action having to do with such work and in any event within thirty (30) days of being notified in writing by the Landlord to do so, failing which the Landlord may see to such removal and recover the expense and all attendant costs from the Tenant as rent owing and in arrears.
- (c) The Tenant shall, at all times during the currency of this Term and any renewal thereof, at its own expense, maintain in force insurance coverage with respect to the Demised Area and its use and occupation thereof, and

shall provide the Landlord with certificates of a policy or policies of an insurance company or companies for:

- (i) insurance against loss by such insurable hazards as the Landlord may from time to time reasonably request, and
- (ii) liability insurance for bodily injury, death or property damage up to two million dollars (\$2,000,000.00).

This policy shall also identify the Landlord as an additional insured.

- (d) The Landlord assumes no responsibility for damage by fire, theft or otherwise whatsoever, to the goods, chattels, fixtures and improvements of the Tenant or of any other person except to the extent caused by the negligence of the Landlord or any person(s) for whom the Landlord is at law responsible.
- (e) Every policy or policies of insurance maintained shall provide cross-liability coverage and waiver of subrogation and the Landlord may require the Tenant to supply evidence thereof from time to time.
- (f) Upon cessation of the tenancy created by this Agreement by any means, the provisions of this clause will continue to apply throughout the periods outlined paragraphs (x) and (xi) of clause 4(a) of the Agreement.

10. Termination

- (a) If the Tenant or any assignee or sub-tenant makes an assignment for the benefit of creditors, or becomes insolvent or commits an act of bankruptcy as defined by the *Bankruptcy and Insolvency Act*, R.S.C. 1985, c. B-3, or if the leasehold interest created by this Agreement is at any time seized or taken in execution or in attachment, or if the Tenant or any corporate assignee or sub-Tenant is subjected to voluntary or compulsory liquidation or winding-up, or if the Demised Area becomes abandoned, then, at the option of the Landlord, the Agreement shall cease, the Term shall be at an end, the rent for the then next ensuing three months shall immediately become due and payable and the Landlord may re-enter and take possession.
- (b) The termination of this Agreement by expiry or otherwise shall not affect the liability of either party to the other with respect to any obligation under this Agreement which has accrued up to the date of such termination but not been properly satisfied or discharged.
- (c) Notwithstanding any present or future act of the Ontario Legislature, none of the Tenant's goods and chattels on the Demised Area shall at any time during the Term be exempt from levy by distress for rent in arrears, and the Tenant, having waived any such exemption, shall by this clause be estopped from setting up any such exemption in any proceedings between the parties.
- (d) If, at the expiration of the Term, the Tenant remains in possession with the consent of the Landlord but without any further written agreement, a tenancy from year to year shall not be created by implication of law or otherwise, but the Tenant shall be deemed to be a monthly Tenant only at a rental payable monthly in advance at the rate payable at the expiration of the Term or renewal and otherwise upon and subject to the terms and conditions contained in this Agreement.

11. Entire Agreement

The Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or

otherwise forming part of or in any way affecting or relating to this Agreement other than as set out in this Agreement which constitutes the entire agreement between the parties concerning the Demised Area and which may be modified only by further written agreement under seal.

12. Successors

The provisions of this Agreement shall be binding upon, and endure to the benefit of, the parties and their respective successors and (where applicable) permitted assigns.

13. Notice

Any notice pursuant to any of the provisions of this Agreement shall be deemed to have been properly given if delivered in person, or mailed by prepaid registered post addressed:

in the case of notice to the Landlord to:

Manager of Community Centres
Community Services Department
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, Ontario P6A 5N1

in the case of notice to the Tenant to:

RHP Training Centre (Sault Ste. Marie) Inc.
1351 Kelly Lake Road
Sudbury, Ontario P3E 5P5

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 fourth (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 first (1st) day next following the dating of faxing.

IN WITNESS WHEREOF the parties have affixed their corporate seals attested to by the hands of their officers in that behalf duly authorized.

-) THE CORPORATION OF THE CITY OF SAULT STE. MARIE
-)
-)
-) MAYOR - DEBBIE AMAROSO
-)
-) CLERK - MALCOLM WHITE
-)
-) 1866486 ONTARIO INCORPORATED
-) RHP Training Centre (Sault Ste. Marie) Inc.
-)
-) DIRECTOR - MARC SAVARD
-)
-) I have authority to bind the corporation.

10(i)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-84

PARKING: (P.1.2.4.) A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 15 of the Police Services Act, R.S.O. 1990, chapter P.15 and amendments thereto, **ENACTS AS FOLLOWS:**

1. **SCHEDULE "A" TO BY-LAW 90-305 AMENDED**

Schedule "A" to By-law 90-305 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK –MALCOLM WHITE

cf Bylaws\2012\2012-84 Parking Officers – Private lots

NOTICE

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CITY SOLICITOR

(10(i))

<u>GIVEN & SPECIAL CONSTABLE</u>	<u>EMPLOYER</u>	<u>PROPERTY LOCATION</u>
12 ROUGE,BRIAN	ALGOMA UNIVERSITY	1520 QUEEN ST E
28 MCLEOD,ROD	FLEMING & SMITH	373 QUEEN ST E& APARTMENTS
30 RENDELL,VERN	ALGOMA CENTRAL PROP	STATION MALL/STATON 48-STATION TOWER
35 ORR,DEREK	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
59 BARONE,MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN ST E
109 BEBEDIC JOHN LUDWIC	DENTAL BUILDING	946 & 218 QUEEN ST E
113 TAYLOR,GARY	ALGOMA UNIVERSITY	1520 QUEEN ST E
115 LEE,RICARD,JOHN	ALGOMA UNIVERSITY	1520 QUEEN ST E
138 CAIN,JOSEPH	CITY OF SAULT STE MARIE BELLUVE MARINA & BONDAR MARINE & PARK	
151 PARR,DEREK,RAYMOND	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
163 TASSONE,VITO	TASSONE CHIROPRACTIC	670 QUEEN ST E
163 BUMBACCO,PHILIP,DARMIN	ALGOMA CENTRAL PROP	STATION MALL/STATON 48-STATION TOWER
178 D'AGOSTINI,ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST.
186 HARMAN,JASON	ALGOMA CENTRAL PROP	STATION MALL/STATON 48-STATION TOWER
191 DOWDN,STEVEN,GEORGE	SEP SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
196 SEABROOK,Laura Lee	ALGOMA CENTRAL PROP	STATION MALL/STATON 48-STATION TOWER
240 MASON,STEPHEN	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
241 COGHILL,ROB N	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
248 CHAR G,LEERT	DR. RAYMOND CHO	71 & 131 EAST ST./ 126 SECOND LINE W
249 CHOLKINDA	DR. RAYMOND CHO	71 & 131 EAST ST./ 126 SECOND LINE W
253 TRAVECK,TERRANCE/TERRY NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE	
257 CORBIERE,JOHNTED	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
274 DAVIDSON,JAMES	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
276 SM TH DENNIS,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
297 SWIRE,WILLIAM, JAMES	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
314 AASEN,PAULINE	STANDARD PARKING	ONTARIO REALTY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E
321 LORENZO,COREY	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
334 MILLER,BRAD	CITY OF SAULT STE MARIE TRANSIT SERVICE AREAS	
335 GROSS,DONALD	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
342 PIKE,JEKY	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
343 DHU,MAN,CDI	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
344 HARPE,KENNETH	DAYS INN	DAYS INN HOTEL
345 SETCHELL,RODDY	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
346 HAZELTON,MARGARET	CITY OF SAULT STE MARIE BELLUVE MARINA & BONDAR MARINE & PARK	
354 STEEVES,ROBERT	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
366 TROJNOW,VICTORIA	G4S SECURITY	CROSS-COUNTRY/SAULT 1129 TRANSIT SERVICE AREAS
380 CARAMICHAEL,MARY	ON FINNISH HOME ASS.	FINNISH REST HOME
370 HANSEN,LOUIS	ON FINNISH HOME ASS.	FINNISH REST HOME
371 LAKE,ROBERT	ON FINNISH HOME ASS.	FINNISH REST HOME
372 BENOIT,ALAIN	ON FINNISH HOME ASS.	FINNISH REST HOME
373 RISSANEN,ANJA	ON FINNISH HOME ASS.	FINNISH REST HOME
374 TAVEL,ADRS	CITY OF SAULT STE MARIE TRANSIT SERVICE AREAS	
375 PINX,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
377 BAUGERO,PAUL	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
384 BORGAN,PICK	CITY OF SAULT STE MARIE BELLUVE MARINA & BONDAR MARINE & PARK	
389 SANDIE,KEVIN	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
391 MCLEOD,HEATHER	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
393 THOMAS,HANDELL	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
397 LAFRAMBOISE,YVON	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
403 JOHNSON,MICHAEL	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
404 HJDSON,BRIAN	CORPS OF COMM	22 BAY ST (FEDERAL BUILDING)
405 MATCHETT,CASEY	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
406 UPLAND,SERSE	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
410 POYNER,HAROLD	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
411 MOORE,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
413 HILL,M,CHARL	CORPS OF COMM	SAULT HOSPITAL
420 FABIANO,ANTONIO	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
423 VANDERKAMPT,DYLAN	CORPS OF COMM	SAULT HOSPITAL
428 D AS,ASCR	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
430 RJUSCO,CDW,MC	MAJOR CONST.	TRAVELODEGE
431 DICKSON,SHANE	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
433 MAJOR,ROBERT	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
435 TRUMBLE,GEORGE	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
436 COUTURIERE,NATASHA	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
439 LAMBERT,JOSEPH	STANDARD PARKING	ONTARIO REALTY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E
440 HAMMERSTEIN,ERIC	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
441 WILSON,DAVID	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
442 MACLENNAN,MATTHEW	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
443 MARCIL,MARK	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
444 MARSHALL,JONATHAN	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
446 HALLIDAY,DANA	SAULT COLLEGE	SAULT COLLEGE
447 FRIGAULT, JESSE	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
450 CHAMPION,AN EL	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
452 ROGERS,RICHARD	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
453 DERASZ,RICHARD	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
456 BOYCHUK,BLAINE	NORPRO SECURITY	REGENT PROJS COLLEGE/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
458 CONYBEARE,KEVIN	NORTH EAST SECURITY	AUNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALL/CHURCHILL&PINE PLAZA/TENARI/S COLLEGE
459 RORISON,GEORGE	CORPS OF COMM	SAULT AREA HOSPITAL
460 SLEEMAN,RAY	CORPS OF COMM	SAULT AREA HOSPITAL
461 BOUGIE,DAN	CORPS OF COMM	SAULT AREA HOSPITAL
462 DUNN, PATRICK	CORPS OF COMM	SAULT AREA HOSPITAL
463 GAULT,JAMES	CORPS OF COMM	SAULT AREA HOSPITAL
465 MORIN,ALEX	CORPS OF COMM	SAULT AREA HOSPITAL

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465 DELAVALLE,DON	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/CO. LTD
466 LAFORCE,CLIE	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/COLLEGE
467 BERNIER,JUNE	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/COLLEGE
468 AGNEW,BRENDAN	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/COLLEGE
469 SANTELL,LOGANIC	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE
470 WOOLLEY,KATHANIEL	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE
471 STOCHEFF,CHRISTOPHER	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE
472 BRUNETTA,ANGELO	NORPRO SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/GRAPH
473 MOGAIIS BRANDON	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
474 MANCUSO,ANTHONY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
475 TORRANCE,RENEE	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER
476 BROWLEY,DAVID	CORPS OF COMM	SAULT AREA HOSPITAL
477 GROULX,VINCE	CORPS OF COMM	SAULT AREA HOSPITAL
478 TELFORD,JASON	CORPS OF COMM	SAULT AREA HOSPITAL
481 FORD,ERIAN	CORPS OF COMM / NORPRO SAULT HOSPITAL/REGENT PRO/S COLLEGE/QUEENSCENTER/GROUP HEALTH	
482 LEWIS,ELLEN,TRACEY	CORPS OF COMM	SAULT AREA HOSPITAL
483 DARDY,ROY	CORPS OF COMM	SAULT AREA HOSPITAL
484 MCLEOD,VIRGINIA	CITY OF SAULT STE MARIE BELLEVUE MARINA & BONDEAR MARINE & PARK	
485 ARMSTRONG,KENNETH	CITY OF SAULT STE MARIE BELLEVUE MARINA & BONDEAR MARINE & PARK	
486 LONGO,NADIA	GT,NORTHERN RET.HOME 780 GREAT NORTHERN RD.	
487 ROUGLAV,MARINA	GT,NORTHERN RET.HOME 780 GREAT NORTHERN RD.	
488 LEFLEUR,MAHLYN	GT,NORTHERN RET.HOME 780 GREAT NORTHERN RD.	
489 MCQUEEN,WANDA	GT,NORTHERN RET.HOME 780 GREAT NORTHERN RD.	
493 LIXTON,JEFF	GT,NORTHERN RET.HOME 780 GREAT NORTHERN RD.	
491 OR-SOALE,KYLE	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE
492 PARKER,MICHAEL	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE
493 BROWN,FRASER	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/S COLLEGE
494 SHEWFELT,CODY	GAS SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
495 CASTELLAN,NINO	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
496 CAVICHIOLI,MATTHEW	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
497 ALLEN,ROBERT	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
498 MARQUES,STEVEN	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
499 SOMMERS,OLA	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
500 EASBY,JOELIA	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
501 QUARRELL,ROBERT	ELSTRONG MANAGEMENT 621,627,631 MACDONALD AVE	
502 HAMEL,CHRIS	ELSTRONG MANAGEMENT 621,627,631 MACDONALD AVE	
503 HAMEL,ERIN	ELSTRONG MANAGEMENT 621,627,631 MACDONALD AVE	
504 LATRAPADE,DANIEL	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
505 JONES,CHELSEY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
506 GREGORY,LEIF	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
507 SMYTHE,RICHARD	BANK OF MONTREAL	856 QUEEN ST E
508 ALBERT,DESGREE	CORPS OF COMM	SAULT AREA HOSPITAL
509 MATTALO,JOE	CORPS OF COMM	SAULT AREA HOSPITAL
510 LAVALLÉE,NEGAN	CORPS OF COMM	SAULT AREA HOSPITAL
511 ADAMSKI,ENDIAV	CORPS OF COMM	SAULT AREA HOSPITAL
512 DIMMA,JUSTIN	CORPS OF COMM	SAULT AREA HOSPITAL
513 MENCKE,KEN	CORPS OF COMM	SAULT AREA HOSPITAL
514 BONFERRERO,BRIAN	CORPS OF COMM	SAULT AREA HOSPITAL
515 MANGONE,MATT	CORPS OF COMM	SAULT AREA HOSPITAL
516 GAY,JAMES	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
517 ROY,BRENDA	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
518 TREPASSO,GRANT	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
519 FRAGOVICH,JOSEPH	CORPS OF COMM	SAULT AREA HOSPITAL
520 THOMPSON,JOHN	CORPS OF COMM	SAULT AREA HOSPITAL
521 CRAWFORD,SYLVIA	NORPRO SECURITY	REGENT PRO/S COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
522 MCNAMEA,STEVEN	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
523 MCNAUL,GUY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
524 DUNLOP,DAVID	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
525 IACCHETTA,CHRIS	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
526 JOHNSTON,CORY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
527 KOZAK,EMILIE	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
528 ROBINSON,ERIC	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
529 ROMAIN,GERALDINE	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE
530 WADE,SHANEL	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS/ COLLEGE

(D(j))

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-86

PARKS: (C3.17) A by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 80-128 being a by-law for the use, regulation, protection, and government of the municipal parks of the City of Sault Ste. Marie.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, 2001, S.O. 2001, ENACTS as follows:

1. **BY-LAW 80-128 AMENDED**

Despite the provisions of By-law 80-128 the Ermatinger-Clergue National Historic Site may be used for overnight camping for encampment during the period from July 14, 2012 to July 23, 2012.

2. **EFFECTIVE DATE**

This by-law is effective on the date of its passing.

PASSED in Open Council this 14th day of May, 2012.

MAYOR - DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

cf/BY-LAWS/2012/2012-86 Parks Overnight Camping Exempt Ermatinger-Clergue National Historic Site

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CITY SECRETARY

10(K)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-85

REGULATIONS: (R.1.2.6.) A by-law to exempt the Ermatinger-Clergue National Historic Site from By-law 2008-168 being a firearms by-law to prohibit the discharge of firearms in the municipality.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, 2001, S.O. 2001, ENACTS as follows:

1. **BY-LAW 2008-168 AMENDED**

Despite the provisions of By-law 2008-168 the Ermatinger-Clergue National Historic Site may be allowed the use of black powder in military musters for special events during the period of June 01, 2012 to December 01, 2012.

2. **EFFECTIVE DATE**

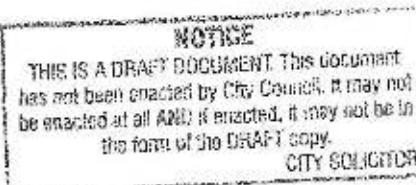
This by-law is effective on the date of its passing.

PASSED in Open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

cfBY-LAWS\2012\2012-85 – Firearm exemption Ermatinger-Clergue National Historic Site



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-83

STREET ASSUMPTION: (S.2.3) A by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001* S.O. 2001, c.25 thereto ENACTS as follows:

1. **STREETS ESTABLISHED AND ASSUMED**

The streets or parts of streets more particularly described in Schedule "A" to this by-law are hereby established as public streets and are assumed for public use.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 14th day of May, 2012.

MAYOR - DEBBIE AMAROSO

CLERK - MALCOLM WHITE

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CITY SOLICITOR

SCHEDULE "A" TO BY-LAW 2012-83

- 1) OLD GOULAIIS BAY ROAD
PIN 31565-0190 (LT)
PT SEC 13 KORAH PT 3 1R12140; SAULT STE. MARIE
- 2) MILLSTREAM DRIVE
31513-0186 (LT)
PCL STREETS-1 SEC 1M547; MILLSTREAM DR PL 1M547
TARENTORUS; S/T LT239221; SAULT STE. MARIE
- 3) MCNABB STREET
PIN 31516-0314 (LT)
PT LT 1 CON 3 ST. MARY'S PT 2 1R11687; SAULT STE. MARIE

PIN 31503-0079 (LT)
PT LT 1-2 PL 51476 ST. MARY'S PT 3, PL 1R11687; SAULT STE. MARIE
- 4) THIRD LINE EAST
PIN 31511-0263 (LT)
PT LT 1 RCP H731 TARENTORUS PTS 11, 17 AND 18 PLAN 1R11945;
S/T EASEMENT OVER PTS 11, 17 AND 18 1R11945 AS IN AL17278;
S/T EASEMENT IN GROSS OVER PT 17 1R11945 AS IN AL43667;
SAULT STE. MARIE

PIN 31563-0142 (LT)
PT LT 66 RCP H739 TARENTORUS PTS 1, 2, 3 & 4 1R8791; SAULT STE. MARIE

PIN 31561-0144 (LT)
PT LT 1 RCP H744 TARENTORUS PT 1, 2 & 3 1R11932; S/T INTEREST
IN T456904; SUBJECT TO AN EASEMENT AS IN T456903; SAULT STE. MARIE

PIN 31511-0261 (LT)
PT LT 1 RCP H731 TARENTORUS PT 1 1R11945; T/W AN EASEMENT
AS IN T453957; SAULT STE. MARIE

PIN 31511-0257 (LT)
PT LT 1 RCP H731 TARENTORUS PT 2 1R11945; S/T T297284; T/W
EAS OVER PT LT 1 RCP H732 TARENTORUS BEING PTS 1, 2, 14, 15,
16, 17, 18 & 20 1R11212 AS IN AL17278; SAULT STE. MARIE

PIN 31511-0258 (LT)
PT LT 1 RCP H731 TARENTORUS PT 15 PL R11945; S/T T297284; T/W
EAS OVER PT LT 1 RCP H732 TARENTORUS BEING PTS 1, 2, 14, 15,
16, 17, 18 & 20 1R11212 AS IN AL17278; SAULT STE. MARIE

PIN 31511-0255 (LT)
PT LT 1 RCP H731 TARENTORUS PTS 3, 4, 5, 6, 7, 8, 9, 10 & 16 PL
1R11945; S/T T321075, T435606, T435609; T/W T297284; SAULT STE. MARIE

PIN 31561-0146 (LT)
PT LT 1 RCP H744 TARENTORUS PT 1 PL 1R11891; SAULT STE. MARIE

PIN 31563-0145 (LT)
PT LT 67 RCP H739 TARENTORUS PT 1 1R9292; S/T AN EASEMENT
AS IN T393681; SAULT STE. MARIE

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PIN 31561-0142 (LT)
PT LT 2 RCP H744 TARENTORUS PT 2 1R11891; SAULT STE. MARIE

PIN 31563-0138 (LT)
PT LT 64 RCP H739 TARENTORUS PT 1 1R11857; SAULT STE. MARIE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-87

TAXES: (T.1.3.) A By-Law to Provide for 2012 final tax billing.

WHEREAS the *Municipal Act, 2001 S.O. 2001, c.25*, as amended, provides that the council of a local municipality, may pass a by-law levying amounts on the assessment of property in the local municipality rateable for local municipality purposes;

AND WHEREAS the Council of the Corporation of the City of Sault Ste. Marie deems it appropriate to provide for such levy on the assessment of property in this municipality;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie enacts as follows:

1. In this by-law the following words shall be defined as:

"Act" shall mean the *Municipal Act, 2001 S.O. 2001, C.25*, as amended

"Minister" shall mean the Minister of Finance;

"MPAC" shall mean the Municipal Property Assessment Corporation;

"Treasurer" means the treasurer of the Corporation of the City of Sault Ste. Marie or a person delegated the Treasurer's powers and duties under s.286(5) of the Act and By-law 2006-199, being the City Tax Collector.

2. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.
3. The provisions of this by-law apply in the event that assessment is added for the year 2012 to the Tax Roll after the date this by-law is passed and the tax levy shall be imposed and collected.
4. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the installment dates set out below. The penalty shall be one and one-quarter percent (11/4%) of the amount in default on the first day after the due date and the first day of each calendar month during which the default continues, but not after the end of 2012.
5. Following December 31, 2012, interest charges of one and one-quarter percent (11/4%) shall be imposed upon the amount in default on the first calendar day of each month during which the default continues.
6. The final tax levy imposed by this by-law shall be paid in two installments due on the following dates:
 - 6.1 One-half (1/2) thereof on the 5th day of July, 2012
 - 6.2 One-half (1/2) thereof on the 5th day of September, 2012.
7. A notice specifying the amount of taxes payable, may be mailed or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law by the Treasurer.
8. The notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered in the Tax roll under Section 340 of the Act.
9. The Treasurer shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under section 4 and 5 of this by-law in respect of non-payment or late payment of any taxes or any installment of taxes.

NOTICE: respect of non-payment or late payment of any taxes or any installment of taxes.

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CITY SOLICITOR

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10. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.
11. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.

12. EFFECTIVE DATE

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

cf: [By-laws]2012/2012-87 final tax bill

(D(N))

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-88

TAXES: (T.1.4.) being a by-law to provide for the adoption of recovery percentage for the 2012 taxation year.

WHEREAS Section 330 of the *Municipal Act, 2001*, S.O. 2001, c. 25 as amended provides that the Council of a local municipality may pass a by-law to establish recovery percentages for the 2012 Taxation Year.

Therefore the Council of the Corporation of the City of Sault Ste. Marie pursuant to the Municipal Act, as amended ENACTS as follows.

1. **RECOVERY PERCENTAGES**

The Municipal recovery percentages set out below are hereby adopted.

<u>Property Tax Class Retained</u>	<u>Tax Recovery</u>	<u>Decrease</u>
Commercial	27.7054%	72.2946%
Industrial	100.0000%	0.0000%
Multi-Residential	40.3909%	59.6091%

2. **EFFECTIVE DATE**

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\2012\2012-88 - TAXES (RECOVERY PERCENTAGES FOR THE 2012 TAXATION YEAR).DOC

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CITY SOLICITOR

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-89

TAXES: (T.1.4.) A by-law to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential Property Classes.

WHEREAS The Corporation of the City of Sault Ste. Marie (hereinafter referred to as "The Municipality" may, in accordance with Section 329.1 of the Municipal Act, 2001, S.O. 2001 c. 25, as amended (hereinafter referred to as "The Act") modify the provisions and limits set out in Section 329 of The Act, with respect of property in the commercial, industrial and multi-residential property class;

AND WHEREAS The Municipality must similarly modify the provisions and limits set out in Section 332 of The Act with respect to the "tenant cap" calculations;

AND WHEREAS this by-law shall only apply to properties in any of the commercial, industrial and multi-residential property classes to which Part 1X of the Act applies;
Pineapple

AND WHEREAS "uncapped taxes" means, the taxes for municipal and school purposes that would be levied for the taxation year but for the application of Part 1X of The Act.

AND WHEREAS the Council may pass a by-law to apply any one or any combination of the following options:

- a. Increase the annual cap up to a maximum of 10% of last year's capped taxes; and/or
- b. Set an upper limit on annual increase at the greater of the amount calculated under (a) and up to 5% of the previous year's annualized CVA tax; and/or
- c. Up to a maximum \$250 threshold may be set for increasing properties, decreasing properties or both;

AND WHEREAS a by-law passed to adopt the provisions of Subsection 329.1 of the Act and hereby deems it necessary and appropriate to adopt optional tools for the purpose of administering limits for the commercial, industrial and multi-residential property classes;

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie hereby enacts as follows:

1. **THAT** paragraphs 1, 2 and 3 of Subsection 329.1 (1) of the Act shall apply to the commercial, industrial and multi-residential property classes for 2012.
2. In determining the amount of taxes for municipal and school purposes for the year under Subsection 329(1) and the amount of the tenants cap under Subsection 332(5), ten per cent (10%) shall be used, instead of 5 per cent (5%) in:

- (a) Determining the amount to be added under paragraph 2, Subsection 329 (1), and

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CITY SOLICITOR

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- (b) Increasing under paragraph 2 of Subsection 332 (5) the amount calculated under Paragraph 1 of that Subsection.
3. The amount of the taxes for municipal and school purposes for a property for the taxation year shall be the amount of the uncapped taxes for the property for the year if the amount of the uncapped taxes exceeds the amount of the taxes for municipal and school purposes for the property for the taxation year as determined under Section 329, as modified under Section 329.1 of The Act and this by-law, by two-hundred and fifty dollars (\$250.00).
4. The amount of the taxes for municipal and school purposes for a property for a taxation year shall be the amount of the uncapped taxes for the property for the year if the amount of the taxes for municipal and school purposes for the year if the amount of the taxes for municipal and school purposes for the property for the taxation year as determined under Section 329, as modified under Section 329.1 of The Act and this by-law exceed the uncapped taxes, by two-hundred and fifty dollars (\$250.00) or less.

5. **EFFECTIVE DATE**

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

10(p)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-91

TEMPORARY STREET CLOSING: (S.2.) A by-law to permit the temporary closing of Euclid Road from Pim Street to Wemyss Street from May 15, 2012 until October 31, 2012 to facilitate the reconstruction of Euclid Road.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to section 11 of the *Municipal Act 2001*, S.O. 2001, c.25 and amendments thereto **ENACTS** as follows:

1. TEMPORARY CLOSURE OF EUCLID STREET FROM PIM STREET TO WEMYSS STREET

The Council hereby authorizes the closing to vehicular traffic of Euclid Road from Pim Street to Wemyss Street from May 15, 2012 to October 31, 2012.

2. EFFECTIVE DATE

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK-MALCOLM WHITE

da\LEGAL\STAFF\BYLAWS\2012\2012-91 TEMP STREET CLOSING EUCLID STREET.DOC

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CITY SOLICITOR

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-92

ZONING: (P1) A by-law to repeal By-law 73-223 being a by-law to permit a vacant service station located on lots 6 to 9, inclusive, in the Gore Subdivision, Plan 3599 at the intersection of Andrew and Albert Streets to be used for the purpose of an appliance sales and service shop.

WHEREAS Council passed By-law 73-223 being a Temporary Use by-law to permit a vacant service station located on lots 6 to 9, both inclusive, in the Gore Subdivision, Plan 3599 at the intersection of Andrew and Albert Streets to be used for the purpose of an appliance sales and service shop;

AND WHEREAS Paragraph 3 of By-law 73-223 states that the special provisions set out in the By-law expire one year from the date of the passing of By-law 73-223;

AND WHEREAS the present zoning of the property permits the present use of the property;

NOW THEREFORE 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. BY-LAW 73-223 REPEALED

By-law 73-223 is hereby repealed.

2. EFFECTIVE DATE

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

PASSED in open Council this 14th day of May, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

da/LEGAL/STAFF/BYLAWS/2012/2012-92 REPEALING BY-LAW 73-223.DOC

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CITY SOLICITOR

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2012-80

LANE CLOSING: LS(1) a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision Plan 7882.

WHEREAS the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2012-79;

NOW THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

3. **EXECUTION OF DOCUMENTS**

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

4. **EASEMENTS TO BE RETAINED**

The laneway is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

5. **SCHEDULE "A"**

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

6. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time in open Council this 14th day of May, 2012.

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CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

(0(s)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2012-47

LANE CLOSING: a by-law to stop up, close and authorize the conveyance of a lane in the Laurentian Park Subdivision, Plan H535.

WHEREAS the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2012-46;

NOW THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act, S.O. 2001, **ENACTS** as follows:

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

3. **EXECUTION OF DOCUMENTS**

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

4. **EASEMENTS TO BE RETAINED**

The laneway is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

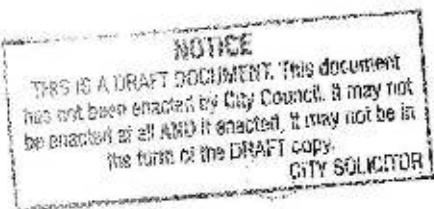
5. **SCHEDULE "A"**

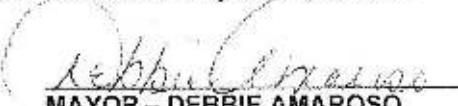
Schedule "A" forms a part of this by-law.

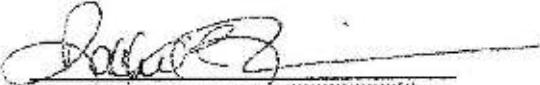
6. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time this 19th day of March, 2012.



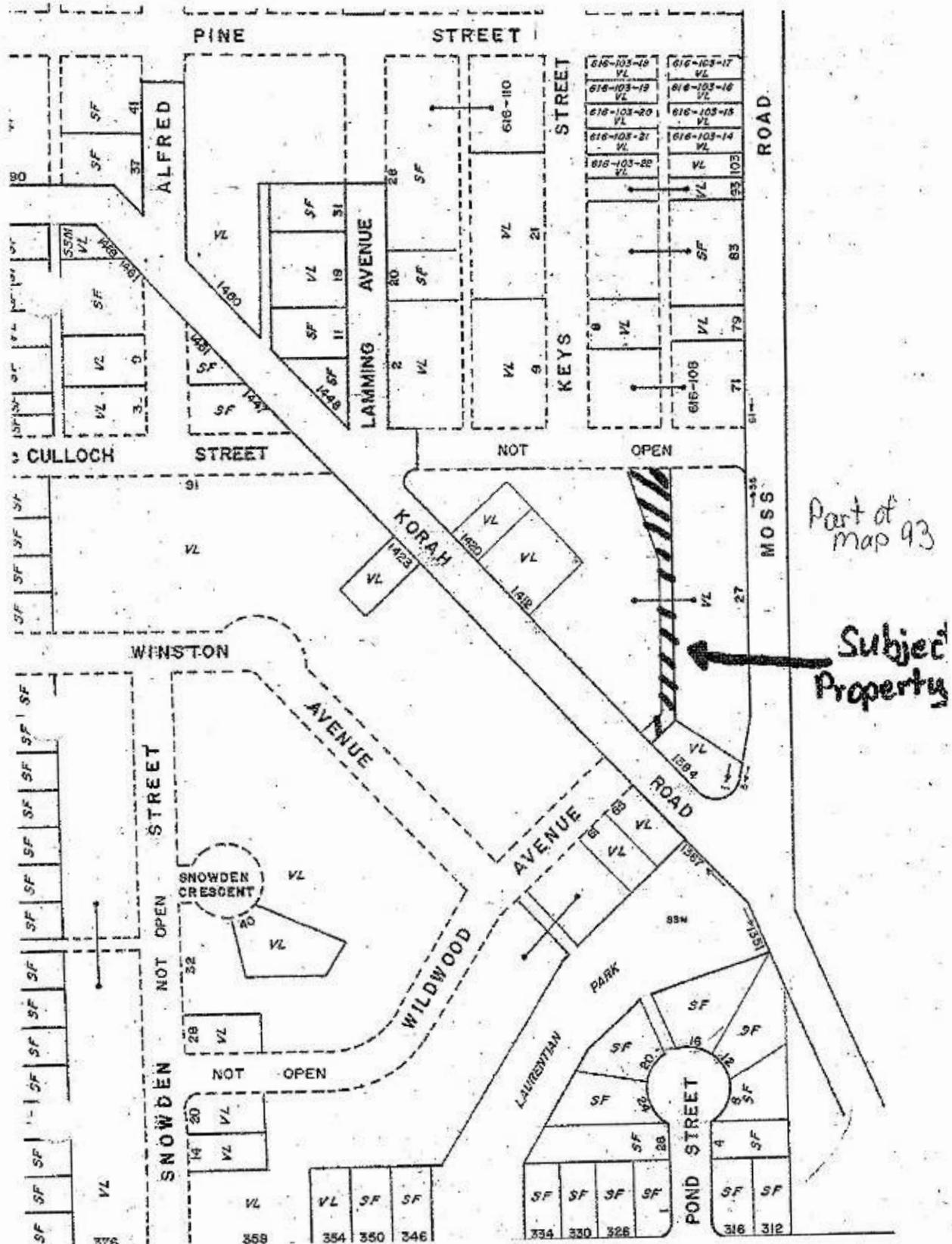

MAYOR – DEBBIE AMAROSO


DEPUTY CITY CLERK - MALCOLM WHITE
RACHEL TYCZINSKI

10(s)

SCHEDULE "A" TO BY-LAW 2012-46 AND BY-LAW 2012-47

PIN 31597-0063 (LT)
LANE PL H535 KORAH ABUTTING LT 94 TO 96, 102 TO 111; SAULT STE. MARIE



10(s)

READ a THIRD time and finally PASSED in open Council this 14th day of May, 2012 after notice thereof had been published once a week for two consecutive weeks and after the Council had met to hear every person who had applied to be heard.

MAYOR - DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

SAULT STE. MARIE

POLICE SERVICE

BUSINESS PLAN 2010 - 2012

Year One Results (2010)
Year Two Results (2011)

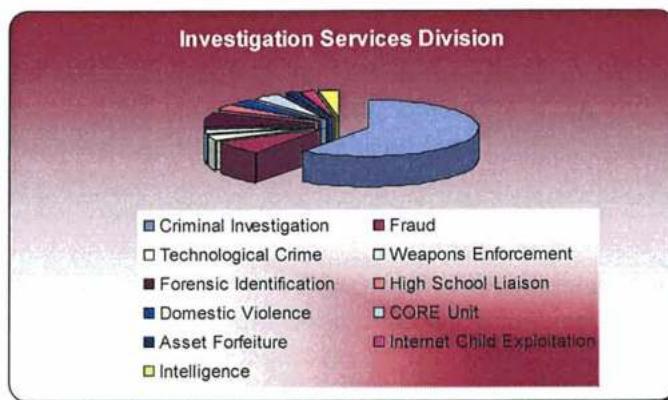
INVESTIGATION SERVICES

Accountability: Inspector, Investigation Services or Designate

Goals:

To investigate, solve, assist in the prosecution of crimes, and reduce criminal activity in the City of Sault Ste. Marie and Township of Prince.

To utilize new educational and training opportunities in order to provide professional investigations in an efficient and effective manner.



To utilize advancements and new technologies to maximize crime fighting.

To partner with community groups and agencies to implement new educational strategies for the community.

Objectives:

1. Ensure that criminal investigations are conducted by highly skilled investigators in accordance with legislative requirements. Ensure criminal investigations and prosecution of criminal offences are conducted in an efficient and effective manner by highly skilled investigators.

Performance Indicators:

- ✓ a) Complete a training inventory of assigned Investigation Services' personnel
An inventory is completed and updated regularly.
- ✓ b) Pursue training opportunities to bring officers to required standards
Training requirements are continually addressed with position requests to the Ontario Police College and other training agencies.
- ✓ c) Increase number of officers with full major case management recommended training
Training in major case management including software occurred in 2010. Training in this area continued in 2011. Capacity has increased allowing the software to be used when multiple cases meet the MCM software criteria and need to be simultaneously investigated.
- ✓ d) Continued and enhanced consultations with the Attorney's office in relation to criminal prosecutions
Crown Attorney's office was consulted on many investigations of a sensitive nature and especially with major cases. We continue to consult with the Crown Attorney's office especially with difficult and serious cases.

In 2011 pending a final compilation of the stats, we expect a small decrease.

- ✓ b) increase the number of targeted initiatives in specific areas as indicated by statistical crime analysis
There were no specific targeted projects in 2010 but an increased emphasis in drug investigations has caused a reduction in the number of break and enters.
Several major investigations and the effects on staff availability had an impact on the ability to pursue targeted investigations. An initiative on arson fires was conducted resulting in the arrest of one arsonist during the summer and an initiative to pursue a second arsonist resulted in an arrest for Arson and various other offences.

4. Enhance computer crime investigations.

Performance Indictors:

- ✓ a) train technological crime officers to IACIS standards
One officer has attended the Advanced IACIS course and is pursuing IACIS certification. A second technological crime officer will be trained over the next few years. Major investigations in 2011 did not allow for this to occur but both Technological Crime officers are scheduled for IACIS training in 2012.
- ✓ b) increase the number of proactive Internet child exploitation investigations
In 2010, eleven (11) P2P investigations resulted in the execution of 8 search warrants and 5 individuals charged with possession and making available child pornography. Eleven (11) child pornography/Internet-luring investigations resulted in the execution of one search warrant, 3 consent searches, 1 individual charged with possession of child pornography, and 5 individuals warned regarding their Internet behaviours.
In 2011 there were fourteen (14) P2P investigations resulting in 13 search warrants and 7 individuals charged and one YO diverted. Thirteen child pornography/Internet-luring investigations were conducted resulting in 2 warrants, 6 consent searches, 3 arrests, one YO diverted, and 5 warnings.
- ✓ c) keep current with new technologies, equipment, and training to investigate computer-linked crimes
In 2010, officers attended formal courses hosted by the Canadian Police College and the International Association of Computer Investigative Specialists. Peer to Peer training was obtained through the Provincial Strategy to Protect Children from Sexual Exploitation through the Internet. Some additional formal training was attained in 2011 but was somewhat limited for reasons already mentioned.

5. Address youth crime issues.

Performance Indicators:

- ✓ a) collaborate with local youth agencies (eg. Children's Aid Society) to reduce youth crime and increase the number of meetings/initiatives
Joint investigations were conducted with the Children's Aid Society. Computer peer to peer training was also provided to assist their case workers identify these types of incidents. A new grant from the Ministry of Community Safety and Correctional Services allowed officers to work with the local school boards and

Performance Indicators:

- X a) increase the number of referrals to Victim Services Algoma
Referrals decreased from 1,416 (2009) to 1,346 (2010).
Referrals decreased in 2011 to 966. (There were 73 on scene/office/phone referrals in this total.)
- ✓ b) timely contact with victims by investigators (eg. tracking system)
Contact with victims is being tracked and a baseline will be determined.
Contact with victims by investigators is now being tracked. In the vast majority of cases the victims are contacted within one day of receiving the Information Action Requests for follow-up.
- ✓ c) increase elder abuse presentations
In 2010, four presentations were made at local senior centres on elder abuse.
In 2011, eight presentations were made to local senior groups on elder abuse.
- X d) implement a victim information package for victims or families of sudden death, homicide, and serious injury cases
Third package is under development.
The final product should be in use in 2012.

COMMUNITY PATROLS

Accountability: Inspector, Patrol Services or Designate

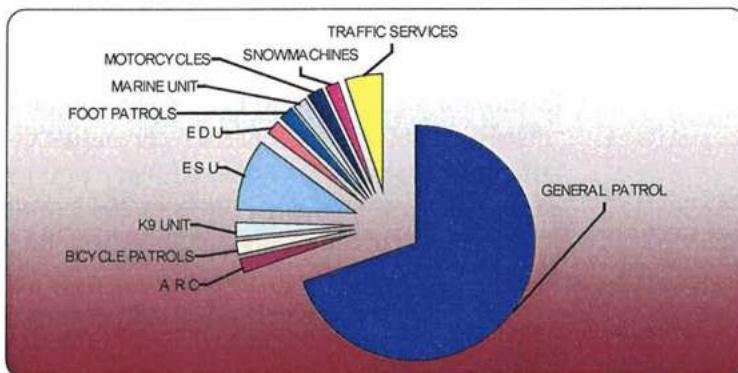
Goals:

Enhance public safety and security.

Strengthen community partnerships.

Improve the effectiveness of Patrol Services.

Address traffic safety.



Objectives:

1. Provide a safe and secure community through highly visible, approachable, and proactive policing initiatives.

Performance Indicator:

- a) establish and maintain dedicated policing model in each of the four policing divisions
✓ **Divisional Policing model was implemented May 1st across the four patrol**

Performance Indicators:

- ✓ a) integrate current policing strategies including intelligence-led policing and community involvement and engagement as part of all divisional crime management and crime prevention initiatives
Minor realignment of Crime Analyst's duties to better facilitate intelligence-led policing between Intelligence Services, Crime Stoppers, and C.O.R.E. Unit. Patrol officers also met with business owners and associations to introduce divisional policing approach, e.g. Tim Horton's, Downtown Business Association, etc.
Emphasis on increased "street check" submissions by patrol officers in 2011 augmented capacity to focus strategies consistent with the concept of intelligent-led policing. Latter part of 2011 Crime Analyst function partnered with Sault Ste. Marie Innovation Centre to explore opportunities to merge crime location (occurrence address) information with city geographic and demographic data. Results anticipated mid-2012.
- ✓ b) educate members as to the strategy of a problem-oriented policing (POP) approach to problem solving
In-service training provided to Patrol officers on POP. Supervisor/Management meetings held to introduce and provide direction on this solutions-based approach.
Patrol supervisors employed the SARA (scan, analyze, respond, assess) Model with subordinates in addressing divisional policing concerns (e.g. park vandalism, bush parties, etc.)
- ✓ c) measure and evaluate results of POP files
Divisional officers worked with the Downtown Association collaboratively to address a number of concerns unique to this area with favourable results.

5. Identify and address community concerns through the use of such strategies as problem-oriented policing files and directed patrols.

Performance Indicator:

- ✓ a) involve community groups and/or neighbourhoods to work in partnership with the Service
Divisional policing "neighbourhood" approach presented to City Councillors regarding concerns in their individual wards and to organizations and businesses e.g. marked increase in solicitation in area of Albert and Gore Streets. Town Hall meeting held.
A mid-2011 partnership initiated between Crime Stoppers, Sault College, the Downtown Business Association, and the Police Service put readily identifiable volunteers (Sault College Law and Security students) into the downtown area on "crime prevention" beat patrols. Regular seasonal meetings were held by the Divisional Officer with the Downtown Business Association, along with other businesses and residents, to respond to concerns (e.g. bicycles, parking, vandalism, etc.)

6. Address pedestrian and vehicle safety.

Performance Indicators:

- ✓ b) monitor youth crime rate
Community Services' officers worked with school administrators and teachers to address specific youth crime issues (ie. threats, assaults, mischief, bullying, thefts, etc.). Additional topics in 2011 included: harassment and bullying, cyber-bullying, drug use.
 - ✓ c) increase the number of awareness and educational media campaigns relative to youth crime
The 2010 crime prevention seminar focused on youth crime and violence. Officers attended at the Teen Drop-in Centre on three occasions and the YMCA to speak to youth. Community Safety Net Drug Safety booklets were distributed to all Grade 6 classes. This along with the Racing Against Drugs Program were promoted through the media.
Developed and presented numerous lectures on new Take ISSUE (Internet Safety & Sensible Use of Electronics) Program. Community Safety Net Drug Safety booklets were once again distributed to all Grade 6 classes. Over 2,190 students received lectures on bullying and cyber-bulling at the Galaxy Theatre during Police Week 2011. The Racing Against Drugs Program was also promoted through the media.
 - ✓ d) develop further community partnerships related to reducing youth crime
Community Services' officers worked with parents, school boards, and other numerous supporting agencies to deal with youth-related concerns. Community Services' officers also dealt with the Indian Friendship Centre, Children's Aid Society, and the Garden River Community Centre on youth-related issues.
2. Continue to increase road safety awareness in the City of Sault Ste. Marie and Township of Prince.

Performance Indicators:

- ✓ a) increase targeted media releases related to specific road safety issues such as speeding, red lights, impaired drivers, distracted drivers, and aggressive drivers
Media releases issued emphasizing impaired driving, pedestrian safety, seat belt safety, distracted driving, school bus and school zone safety, crossing guard awareness, and related laws. R.I.D.E. Program statistics showed a marked reduction in impaired driving offences. 2011 media releases also included winter driving reminders.
- ✓ b) evaluate community concerns related to road safety in Sault Ste. Marie and the Township of Prince
Officers from Community Services and Traffic Services worked together to evaluate concerns and develop traffic safety and enforcement campaigns. Media was utilized to educate and highlight safety concerns. This continued in 2011.
- ✓ c) address number of fatal and motor vehicle accidents
Pedestrian safety messages and tips were provided to the public on a regular basis in an effort to reduce the number of motor vehicle / pedestrian collisions. Distracted driving offences were emphasized this year through news releases and on the website.

- ✓ b) increase community awareness of crime prevention strategies through increased media releases and other initiatives
Through media releases and the Chamber of Commerce, public awareness is increased regarding crime trends, frauds, telemarketing schemes, home improvement scams, credit card skimming, counterfeit money, and travelling criminal groups. This continued in 2011 and also included information on Internet-related frauds.
- ✓ c) increase the number of public displays and presentations to community organizations and businesses
This was achieved in 2010. Positive feedback from the public has been very positive. This was again achieved in 2011.

HUMAN RESOURCES

Accountability: Inspector, Administration Services or Designate

Goals:

Human resource management is critical to the effective and efficient functioning of the Police Service. The goal of human resource management is to recruit, retain, and train highly skilled and competent staff. Further, to be recognized as a preferred employer, we must invest in the tools and training our members require, focusing on health, safety, and the professional development of our members.



Objectives:

1. Broaden recruitment strategies to promote our Police Service as an employer of choice.

Performance Indicators:

- ✓ a) build relationships with area post secondary institutions to promote policing as a profession and our Police Service as an employer of choice (eg. job fairs)
2010 saw our participation in Sault College's law enforcement career day for local secondary school students. Participation continued in 2011.
- ✓ b) develop youth recruiting initiatives at the secondary school level to promote policing as a profession and our Police Service as an employer of choice
In 2011, a policing careers presentation was initiated at local secondary schools in collaboration with the High School Liaison Officer program. Officers present to Grade 10, 11, and 12 students on policing as a career, explain educational requirements, and police officer selection processes.
- ✓ c) promote recruiting as a shared responsibility for every member
This topic was presented to members at the annual in-service training to

- X b) implement security and encryption software / hardware for all Police portable computers requiring access to Service's resources from outside the Service
To be completed once MDT project has been fully implemented. Smart Card implementation will be completed in 2012.
- ✓ c) ensure workstations are hardened to minimize vulnerabilities that can be exploited
Pending new computer lease changeover and new server environment in 2011. Ongoing. With the new server environment in place, new antivirus software should be in place during the first half of 2012. New web filters and security safeguards were completed.
- ✓ d) create an environment to test software support as well as network issues to ensure future upgrades can be implemented without risking operational workstation functionality
Pending implementation of new server environment in 2011. A new server environment was implemented in late 2011. Testing environment will be completed in early 2012.
3. Increase and update information technology resources to enhance efficiency as well as ensure communication compliance to Police Service policy and minimize corporate risk.

Performance Indicators:

- ✓ a) implement digital photography and video revised backup procedure and hardware
Software (vendor) solution selected in 2010. Server environment was completed in late 2011. Revised method for storage and management (MediaSolv) is scheduled for implementation in March 2012.
- ✓ b) improve network monitoring
Added URL filtering, updated Internet content filtering, and email filtering applications. Spectorsoft monitoring software is scheduled to be implemented in early 2012.
- ✓ c) ongoing training on computer security, network equipment, Service software for Information Technology staff
IT staff have completed specialized virtualization course to prepare for implementation of new server environment. In 2012 they will complete a second course on virtualization to increase their knowledge on the capabilities of the new system. Training on our network security infrastructure will also take place.

4. Improve effectiveness of front-line service delivery through advanced technology.

Performance Indicator:

- ✓ a) improve performance and increase access to Service data on the mobile data terminals in patrol vehicles
Mobile data terminals are operational providing RMS, CPIC, and Computer-Aided Dispatch information to officers while in the cars. System stability has increased with very little downtime resulting in increased usage by officers.