

AGENDA

REGULAR MEETING OF CITY COUNCIL

2012 10 22

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

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

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

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor L. Turco

Seconder: Councillor B. Watkins

Resolved that the Agenda for 2012 10 22 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- a) Chris Rous, Chair – Cultural Advisory Board will be in attendance to introduce the winners of the 2012 Cultural Advisory Board Community Recognition Award.
- b) Nicole Clouthier will be in attendance to address Council regarding organ transplant awareness.
- c) Bert Leith, Community Living Algoma will be in attendance concerning agenda item 6.(7)(a).
- d) Matthew Caputo, Municipal Solicitor/Prosecutor and Denis Desrosiers, Manager POA Division will be in attendance concerning the Legal Department's Best

Practice Pilot Project – Early Resolutions Initiative and Remote Interpretations Initiative.

PART ONE – CONSENT AGENDA

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

Mover: Councillor R. Niro

Seconder: Councillor P. Mick

Resolved that all the items listed under date 2012 10 22 – Part One – Consent Agenda be approved as recommended.

- a) Correspondence from AMO, OGRA is attached for the information of Council.
- b) Correspondence from the Canadian Red Cross concerning a photo exhibit is attached for the information of Council.
- c) Correspondence concerning Communities in Boom – an entrepreneurial ranking of Canadian cities by the Canadian Federation of Independent Business is attached for the information of Council.
- d) **Staff Travel**

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

Mover: Councillor R. Niro

Seconder: Councillor B. Watkins

Resolved that the report of the Chief Administrative Officer dated 2012 10 22 concerning Staff Travel requests be approved as requested.

- e) **Tenders for Equipment – Public Works and Transportation Department**

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

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2012 10 22 be endorsed and that the tenders for the supply and delivery of various pieces of equipment, as required by the Public Works and Transportation Department, be awarded as recommended.

f) **Cemetery Price List**

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

Mover: Councillor L. Turco

Seconder: Councillor B. Watkins

Resolved that the report of the City Clerk dated 2012 10 22 concerning 2012 Cemetery Price List be accepted and the recommendation to approved the amended price list be approved.

g) **Extension to Soo Minor Baseball Agreement to Facilitate Their Solar Photovoltaic Fit Application**

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

The relevant By-laws 2012-195 and 2012-196 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

h) **Development Charges Background Study**

A report of the Commissioner of Engineering and Planning is attached for the consideration of Council.

Mover: Councillor R. Niro

Seconder: Councillor P. Mick

Resolved that the report of the Commissioner of Engineering and Planning dated 2012 10 22 concerning Development Charges Background Study be accepted and the recommendation to retain Watson & Associates Economists Ltd. to prepare the study at a cost of \$29,360 with funding from the 2011-12 capital works budget be approved.

i) **Solar Photovoltaic Feasibility**

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

Mover: Councillor R. Niro

Seconder: Councillor B. Watkins

Resolved that the report of the Environmental Initiatives Coordinator dated 2012 10 22 concerning Solar Photovoltaic Feasibility be received as information.

j) **Diwali Indian Festival – Request for Exemption from Fireworks By-law 73-107**

A report of the Assistant Chief – Fire Prevention and Public Education is attached for the consideration of Council.

The relevant By-law 2012-197 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

k) Street Closing Request – Habitat for Humanity – Bloor Street

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

The relevant By-law 2012-194 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

l) Lane Closing Application – Sault Ste. Marie Park Subdivision, Plan 7602

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

The relevant By-laws 2012-191 and 2012-192 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

m) Municipality Contribution Agreement Between the Ontario Lottery and Gaming Corporation and the City

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

The relevant By-law 2012-183 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

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

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

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

Resolved that the report of the Municipal Solicitor/Prosecutor dated 2012 10 22 concerning Banning Wild/Exotic Animal Acts and Travelling Animal Circuses be received as information.

o) Posters on Municipal Utility Poles

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

Mover: Councillor L. Turco

Seconder: Councillor B. Watkins

Resolved that the report of the Municipal Solicitor/Prosecutor dated 2012 10 22 concerning Posters on Municipal Utility Poles be received as information.

p) Household Special Waste Facility – Stewardship Ontario ('SO') Funding

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

Mover: Councillor R. Niro

Seconder: Councillor P. Mick

Resolved that the report of the Deputy Commissioner - Public Works and Transportation dated 2012 10 22 concerning Household Special Waste Facility - Stewardship Ontario Funding be accepted and the recommendation to direct the

funding to offset the operational budget instead of to the Hazardous Waste Depot reserve account and further that the current balance in the reserve account be transferred to the Landfill reserve be approved.

- q) Correspondence from the Managing Director, Tenaris is attached for the information of Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

- (1) ADMINISTRATION**
- (2) COMMUNITY SERVICES DEPARTMENT**
- (3) ENGINEERING**
- (4) FIRE**
- (5) LEGAL**
- (6) PLANNING**
- (7) PUBLIC WORKS AND TRANSPORTATION**

a) Community Living Algoma – Support for Community Recycling Depot

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

Mover: Councillor R. Niro

Seconder: Councillor B. Watkins

Resolved that the report of the Deputy Commissioner - Public Works and Transportation dated 2012 10 22 concerning Community Living Algoma (CLA) - Support for Community Recycling Depot be accepted and the recommendation to provide \$20,000 in funding to CLA for the depot, to be funded from the Landfill Reserve, and

Further that the funding of \$20,000 be referred to the 2013 budget to be considered as a line item in the Public Works operational budget.

(8) BOARDS AND COMMITTEES

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

a) Mover: Councillor P. Christian
Seconder: Councillor M. Bruni
Whereas Pointe Des Chenes Park has been operated by the city of Sault Ste. Marie for many years; and
Whereas the property is divided into two distinct areas, one being a day use area and the other being a trailer park operated by the Lions Club of Sault Ste. Marie; and
Whereas the city has had a unique partnership with the Lion's Club with regard to the operation of the trailer park; and
Whereas the city has historically paid for most of the capital expenditures of the trailer park; and
Whereas an estimated \$45,000 is required to be spent on park upgrades in the near future; and
Whereas during the 2012 budget deliberations, it was agreed that council, in concert with city staff, would continue to look for opportunities to minimize expenditures and improve efficiencies within city operations;
Now Therefore Be It Resolved that appropriate staff prepare a preliminary report on possible long term plans for the park, including but not limited to expansion of the trailer park or possible sale of the property to private interests who may wish to develop the area within existing zoning requirements; and
Further that the Lions Club be consulted as part of this report to determine future plans the club may have for the operation of the property.

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) 2012-183

A by-law to authorize the execution of a Municipality Contribution Agreement between the City and the Ontario Lottery and Gaming Corporation for payment of slot machine revenues to the City.

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

b) 2012-193

A by-law to authorize the execution of a lease agreement between the City and Strongco Limited Partnership for the lease of one (1) Motor Grader complete with Snow Wing and Front Blade on a five (5) year basis, as required by the Department of Public Works and Transportation.

Approved by Council Resolution on July 16, 2012.

c) 2012-195

A by-law to amend By-law 2009-41 (a by-law to authorize an amendment to the Licence of Occupation dated April 27th, 1992 between the Corporation of the City of Sault Ste. Marie and Soo Minor Baseball Association Inc.).

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

DEVELOPMENT CONTROL

d) 2012-190

A by-law to designate the lands located at civic number 75 Huron Street as an area of site plan control (Riversedge Developments Inc.).

LANE ASSUMPTION

e) 2012-191

A by-law to assume for public use and establish as a public lane, a lane in the Sault Ste. Marie Park Subdivision, Plan 7602.

A report from the City Solicitor is on the agenda.

OFFICIAL PLAN AMENDMENT

f) 2012-188

A by-law to adopt Amendment No. 191 to the Official Plan (Riversedge Developments Inc.).

REGULATIONS

g) 2012-197

A by-law to exempt the Diwali Festival from By-law 73-107 being a by-law to prohibit the use of fireworks in the municipality.

A report from the Assistant Fire Chief, Fire Prevention and Education is on the agenda.

RESOLUTION

h) 2012-196

A by-law to authorize the execution of one (1) Municipal Council Support Resolution to support one (1) solar photovoltaic application being submitted to

the Ontario Power Authority Feed-In-Tariff Program by Soo Minor Baseball Association Inc.

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

TRAFFIC

i) **2012-182**

A by-law to amend Schedule "A", Schedule "K" and Schedule "N" to By-law 77-200.

Approved by Council Resolution on October 9, 2012.

ZONING

j) **2012-189**

A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 75 Huron Street (Riversedge Developments Inc.).

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

LANE CLOSING

k) **2012-192**

A by-law to stop up, close and authorize the conveyance of a lane in the Sault Ste. Marie Park Subdivision Plan 7602.

A report from the City Solicitor is on the agenda.

LOCAL IMPROVEMENTS

l) **2012-198**

A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Kohler Street from Queen Street East to Wellington Street East under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06.

m) **2012-199**

A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on Maretta Street from Wallace Terrace to Henrietta Avenue under Section 3 of the Municipal Act, 2001 Ontario Regulation 586/06.

n) **2012-200**

A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Queen Street East from Simpson Street to Pine Street under Section 3 of the Municipal Act, 2001 Ontario Regulation 586/06.

STREET CLOSING

o) 2012-194

A by-law to stop up and close the portion of Bloor Street abutting civic 465 Northland Road (formerly 229 Bloor Street).

A report from the City Solicitor is on the agenda.

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Mover: Councillor L. Turco

Seconder: Councillor B. Watkins

Resolved that this Council now adjourn.

MINUTES

REGULAR MEETING OF CITY COUNCIL

2012 10 09

4:30 P.M.

COUNCIL CHAMBERS

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

Absent: F. Manzo (illness)

Officials: J. Fratesi, M. White, N. Kenny, S. Beach Hamilton, J. Dolcetti, D. Elliot, D. McConnell, A. Starzomski, K. Streich-Poser, P. Lebel

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 09 24 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 L. Turco

Seconded by: Councillor B. Watkins

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

4. DELEGATIONS/PROCLAMATIONS

- a) Albert Novello, President – Club Calabrese was in attendance to make a presentation to the City.
- b) Amanda Zuke, Regional Multifaith Committee was in attendance concerning proclamation – Spiritual and Religious Care Awareness Week.
- c) Dan Ingram and Eric Barton, Heart & Stroke Foundation were in attendance concerning agenda item 5.(e).
- d) Jonathan Bouma, Algoma Public Health was in attendance concerning agenda item 5.(t).
- e) Jerry Dolcetti, Commissioner of Engineering and Planning was in attendance to present the department's 2012 budget and year-to-date financial information. Please see agenda item 5.(f).
- f) Larry Guerriero and Domenic Parrella were in attendance concerning the announcement of the new CEO of PUC Inc.
- g) Libero Paci was in attendance concerning agenda item 6.(6)(a).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

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

- a) Correspondence from AMO, FONOM and OGRA was received by Council.
- b) Correspondence from the City of Mississauga (concerning sale of dogs and cats in pet stores) was received by Council.
- c) A letter from the President of the Federation of Canadian Municipalities concerning the Diamond Jubilee Medal Program was received by Council.
- d) Correspondence from the Minister of Municipal Affairs and Housing concerning Local Government Week was received by Council.

e) A letter from the Heart & Stroke Foundation concerning community cardiac safety was received by Council.

f) Financial Statements (budget and year-to-date) from the Engineering and Planning Department were received by Council.

g) **Board Travel**

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that Accessibility Advisory Committee member Gerard Taylor be authorized to travel to the Perspectives on Accessibility Conference being held in Lincoln, Ontario (3 days in October) at an estimated cost to the City of \$680.00. CARRIED

h) **Staff Travel**

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

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

i) **Contracts for Petroleum Fuel Products and Oils, Greases and Lubricants**

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 10 09 be endorsed and that the recommendation that City Council approve the transfer of the supply contracts for Biodiesel and for Oils, Greases and Lubricants to McDougall Energy Inc., effective October 15, 2012, be approved as recommended. CARRIED

j) **Property Tax Appeals**

The report of the City Tax Collector was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that pursuant to Sections 354(4)(a) and 357 of the Municipal Act, 2001, that the adjustments for the tax accounts outlined on the City Tax Collector's report of 2012 10 09 be approved and the tax records be amended accordingly. CARRIED

k) **Public Budget Input Sessions**

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

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 10 09 concerning Public Budget Input Sessions be received as information.
CARRIED

l) Elimination of Ontario Works and ODSP Community Start Up and Maintenance Benefit

The report of the Program Manager, Ontario Works was received by Council.

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

Resolved that the report of the Program Manager dated 2012 10 09 concerning Elimination of Ontario Works and ODSP Community Start Up and Maintenance Benefit be accepted and the recommendation that Council support the letter sent from the District of Sault Ste. Marie Social Services Administration Board indicating the negative financial and program impacts of the funding cutbacks be approved. CARRIED

m) 2013 Council Meeting Schedule

The report of the City Clerk was received by Council.

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

Resolved that the report of the City Clerk dated 2012 10 09 concerning 2013 Council Meeting Schedule be accepted and the schedule as recommended be approved. CARRIED

n) Clark Creek Pumping Station – Capital Upgrades – Progress

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

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

Resolved that the report of the Land Development and Environmental Engineer dated 2012 10 09 concerning Clark Creek Pumping Station – Capital Upgrades – Progress be accepted and the recommendation to retain Kresin Engineering Corporation to complete an air quality monitoring study at a cost of \$25,780.90 with funding from the 2012 sewer surcharge budget be approved. CARRIED

o) Urban Stormwater Control and Management Study Engineering Agreement

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

The relevant By-law 2012-187 is listed under Item 10 of the Minutes.

p) **Solar Photovoltaic Fit Application**

The report of the Environmental Initiatives Coordinator was received by Council.

The relevant By-law 2012-186 is listed under Item 10 of the Minutes.

q) **Amendment to Schedule “N” of Traffic By-law 77-200**

The report of the Commissioner of the Engineering and Planning Department was received by Council.

Moved by: Councillor R.Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the Commissioner of the Engineering and Planning Department dated 2012 10 09 concerning Amendment to Schedule ‘N’ of Traffic By-law 77-200 be accepted and the recommendation that the by-law amendments requested in the report be submitted to Council for approval at a future meeting be approved. CARRIED

r) **Solar Photovoltaic Fit Application and WECC Lease Agreement**

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Assistant City Solicitor dated 2012 10 09 concerning Solar Photovoltaic Fit Application and WECC Lease Agreement be received as information. CARRIED

s) **Telecommunications Towers – Public Consultation**

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Planning Division dated 2012 10 09 concerning Telecommunications Towers – Public Consultation be received as information. CARRIED

t) **Biohazard/Sharps Collection and Disposal**

The report of the Deputy Commissioner of Public Works and Transportation was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 10 09 concerning Biohazard/Sharps Collection and Disposal be received as information. CARRIED

u) Euclid Road – Traffic Calming Study Request

The report of the Deputy Commissioner of Public Works and Transportation was received by Council.

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 10 09 concerning Euclid Road – Traffic Calming Study Request be received as information. CARRIED

v) Amendments to By-law 77-200 – Schedule "K" Increased Speed Limits

The report of the Deputy Commissioner of Public Works and Transportation was received by Council.

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

Resolved that the report of the Deputy Commissioner – Public Works and Transportation dated 2012 10 09 concerning Amendments to By-law 77-200 – Schedule 'K' be accepted and the recommendation that the by-law amendments requested in the report be submitted to Council for approval at a future meeting be approved. CARRIED

w) Historic Sites Board – Ermatinger•Clergue National Historic Site – 2011 Year in Review

The report of the Curator, Ermatinger•Clergue National Historic Site was received by Council.

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

Resolved that the report of the Curator, Ermatinger•Clergue National Historic Site dated 2012 10 09 concerning Historic Sites Board – Ermatinger•Clergue National Historic Site – 2011 Year in Review be received as information. CARRIED

x) Sault Ste. Marie Public Drinking Fountain Study 2012

The report of Algoma Public Health was received by Council. This report is in response to a Council resolution dated 2012 01 09.

Moved by: Councillor R. Niro
Seconded by: Councillor B. Watkins

Resolved that the report of the Algoma Public Health concerning Sault Ste. Marie Public Drinking Fountain Study 2012 be received as information. CARRIED

- y) **Conferences and Major Special Events Committee – 2013 TELUS Cup and 2013 OBA Midget Girls Under 15 Championships**

The report of the Chair, Conferences and Major Special Events Committee was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Chair, Conferences and Major Special Events Committee dated 2012 10 09 concerning Conferences and Major Special Events Committee – 2013 TELUS Cup and 2013 OBA Midget Girls Under 15 Championship be accepted and that the Committee's recommendation that Council authorize municipal financial support in the amount of \$10,000 for the 2013 TELUS Cup and \$10,000 for the 2013 OBA Midget Girls U15 with funds to come from the 2013 Conferences and Major Special Events fund be approved.

OFFICIALLY READ NOT DEALT WITH

- z) A letter from the City of Thunder Bay concerning the recent donation by Sault Ste. Marie to their community 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

- a) **Application No. A-11-12-Z.OP – Premiere Landscaping and Garden Centre Inc. – 1465 Maki Road**

The report of the Planning Division was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Mick

Resolved that the report of the Planning Division dated 2012 10 09 concerning Application No. A-11-12-Z.OP – filed by Premiere Landscaping and Garden Centre Inc. – 1465 Maki Road be received and that City Council deny the applicants request to rezone and re-designate the subject property to legalize the existing dwelling unit, and permit the outdoor storage of goods in

association with a landscaping contractor's yard on the subject property.
CARRIED

b) **Digital Signs By-law**

The report of the Planning Division was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the Planning Division dated 2012 10 09 concerning Digital Signs By-law be accepted; further that the proposed by-law be submitted to Council for approval at a future meeting; and that the moratorium on digital signage be repealed effective upon the passage of the new by-law.
CARRIED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

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

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

Be It Resolved that appropriate staff prepare an information report concerning the present policy applicable to insurance coverage of contractors on city projects; and

Further that staff also comment on the feasibility of such a policy being adopted for institutional and private sector developments. WITHDRAWN BY MOVER

b) Mover: Councillor S. Butland
Seconder: Councillor F. Fata

Whereas Starwood Energy Group is expanding their current solar farm on Black Road; and

Whereas Heleine Inc. is a local company that manufactures solar panels;
Now Therefore Be It Resolved that Council recommend to Starwood Energy Group that they give serious consideration to acquiring solar panels from the local supplier, Heleine Inc. DEFEATED

c) Mover: Councillor S. Butland
Seconder: Councillor P. Christian

Resolved that appropriate staff report at the 2012 10 22 Council meeting on the possibility of evaluating municipal building roofs for the potential installation of solar panels, such report to include a list of possible buildings, cost estimates and possible sources of funding. REFERRED

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 P. Mick

Resolved that all by-laws listed under Item 10 of the AGENDA under date October 9, 2012 be approved. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2012-184 being a by-law to adopt Amendment No. 193 to the Official Plan (GNR Business Centre Limited) be PASSED in open Council this 9th day of October, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2012-185 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 773 Great Northern Road be PASSED in open Council this 9th day of October, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2012-186 being a by-law to authorize the execution of one (1) Municipal Council Support Resolution to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program be PASSED in open Council this 9th day of October, 2012. CARRIED

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2012-187 being a by-law to authorize the execution of an agreement between the City and Genivar Inc. for the urban stormwater control and management study in the amount of \$109,676.93 (including 1.76% PVAT) with funds to come from the 2013 and 2014 capital budget, and the Public Works and Transportation capital from current approved budget (study-Bellevue duck pond circulation) be PASSED in open Council this 9th day of October, 2012. CARRIED

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

Moved by: Councillor S. Butland

Seconded by: Councillor P. Mick

Resolved that Council shall now go into Caucus to discuss:

1. an information item about an identifiable individual; and

Further be it resolved that should the said Caucus meeting be adjourned, Council may reconvene in Caucus to continue to discuss the same matters without the need for a further authorizing resolution. CARRIED

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



The Canadian Red Cross *Hometown Heroes* exhibit will be displayed in the Civic Centre Lobby during the week of October 22, 2012.

ONTARIO

Canadian Red Cross unveils photo exhibition showcasing volunteers in Ontario

As part of National Volunteer Week (April 15-21) celebrations, the Canadian Red Cross, Ontario Zone is launching a special photo exhibit thanking its volunteers on April 19 at Queen's Park in Toronto.

The exhibition, "Hometown Heroes: Ordinary People, Extraordinary Volunteers", includes 30 portraits of volunteers who are involved in various Red Cross programs and services in Ontario – everything from disaster response and community health to administration and governance. All the portraits were taken by Toronto-based photographer, and fellow Red Cross volunteer, Johan Hallberg-Campbell. Over the course of a year, Campbell traveled with Red Cross across the province to capture images of volunteers in their communities.

"Our volunteers are the heart of our organization," said Ron Kelusky, Provincial Director General of the Canadian Red Cross.. "They may be ordinary people, but for the people they assist, they are heroes. We are pleased to recognize them for their efforts through this special exhibit."

Volunteers play an important role within the Canadian Red Cross. Many Red Cross programs and services would not be able to operate without the support and dedication of volunteers. According to 2010-2011 statistics, in Ontario alone, the Canadian Red Cross has over 6,200 volunteers.

To view images from the exhibit, please visit www.redcross.ca/heroes.

Posted April 16, 2012



Jean Wyatt from Sault Ste. Marie is one of the volunteers featured in the "Hometown Heroes" photo exhibition. Photo credit: Johan Hallberg-Campbell

Rachel Tyczinski

Subject: Hometown Heroes: Ordinary People, Extraordinary Volunteers

The exhibition, "Hometown Heroes: Ordinary People, Extraordinary Volunteers," includes 30 portraits of volunteers who are involved in various Red Cross programs and services – everything from disaster response and community health to administration and governance. All portraits were taken by Toronto-based photographer, and fellow Red Cross volunteer, Johan Hallberg-Campbell. Over the course of a year, Hallberg-Campbell travelled with the Canadian Red Cross across the province to photograph

About Jean Wyatt

Twenty-five years ago, Jean Wyatt's life took a drastic turn when her husband, Ken, was diagnosed with Alzheimer's disease. Ken struggled with the disease for 13 years, but his life was made easier because of assistance from the Red Cross' personal support and homemaking services.

Following Ken's passing, Jean went to thank Red Cross staff for all they'd done over the years; while there, a staff member asked if Jean had ever considered volunteering. That was the beginning of a long and dedicated commitment for Jean as a Red Cross volunteer.

She started as a volunteer driver, helping clients who couldn't drive themselves and then became involved with the disaster management team. Her training allowed her to help in local and international emergencies including relief efforts in 2005 following hurricane Katrina. Her efforts were recognized with the Distinguished Service Award in 2009. Jean is currently the Branch Council President, and sits on the Northern Regional Council.

At the October 17, 2012 Volunteer Appreciation Dinner, Jean Wyatt was presented with the Order of the Red Cross. She is the 234th Canadian to receive this honour in its 103 year history.

Volunteers play an important role within the Canadian Red Cross. Many Red Cross programs and services would not be able to operate without the support and dedication of volunteers. According to 2010-2011 stats, in Ontario alone, the Canadian Red Cross has over 6,200 volunteers. 224 residents of Sault Ste. Marie and District of Algoma volunteer for the Sault Ste. Marie and District Branch.

Diane Lajambe

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Entrepreneur

ENTREPRENEUR

Small Business Month

How does your city stack up in the entrepreneurial ranks?



JOHN SHMUEL | Oct 12, 2012 9:07 PM ET | Last Updated: Oct 15, 2012 7:27 AM ET

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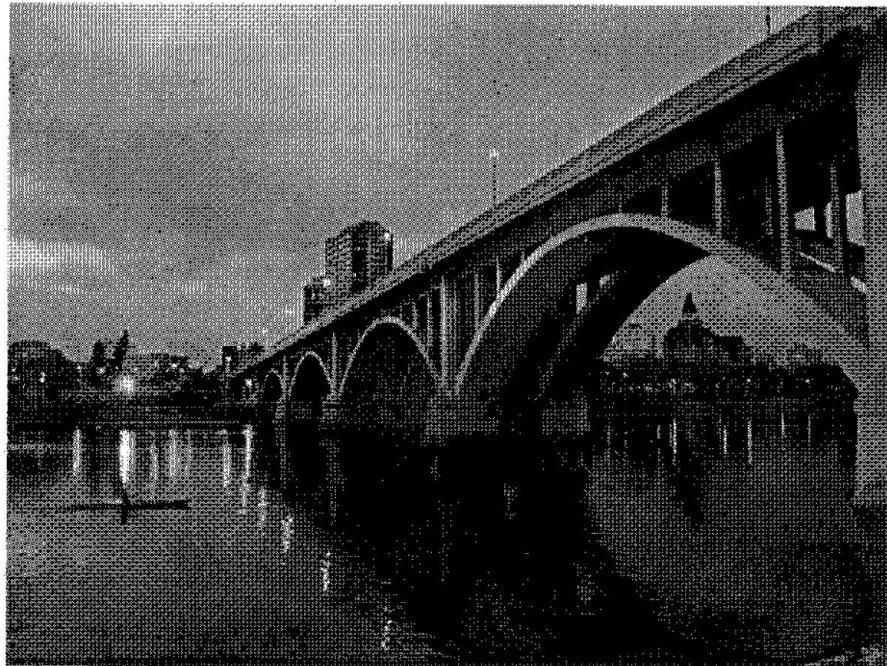


Photo: iStockphoto.com/DeAgostini

Looking to start a new business? Your best bet might be to move to the Prairie provinces.

That's because a survey to be released Monday has found that the most entrepreneurial cities are overwhelmingly found in Saskatchewan and Alberta. The survey, titled *Communities in Boom*, was researched and compiled by the Canadian Federation of Independent Business for the *Financial Post*.

It looked at 103 cities across Canada, ranking which ones showed the strongest signs of entrepreneurial activity. Of the Top 10 cities, nine were located in Alberta and Saskatchewan.



The history of those provinces is based on entrepreneurs moving west and settling lands,



creating their own businesses

"There is a good business ownership economy out there," said Ted Mallett, chief economist with the CFIB. "The history of those provinces is based on entrepreneurs moving west and settling lands, creating their own businesses. It's no surprise that led to a strong entrepreneurial spirit."

(See the complete city rankings at the bottom of this post)

For a third consecutive year, Grande Prairie, Alta., has taken the top spot in the survey. The Swan City, as it is commonly known, recorded top scores in business outlook and the amount of business owners per capita, two of the factors the survey examines to determine the rankings. Grande Prairie scored middle of the pack for policy, however, which determines how accommodating a municipal government is to businesses.

Related

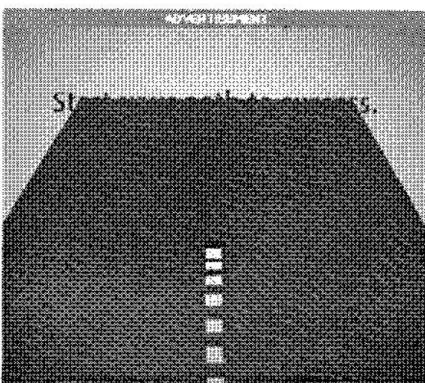
[Small business owners think Canada's banks can do better: J.D. Power](#)

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"Grande Prairie has good results on number of indicators, especially small businesses per capita — it is the highest in the country in that area," Mr. Mallett said. "The economy there is doing quite well. That's partly due to the resource sector, which is firing on all cylinders."

The city, which is home to slightly more than 55,000 residents, has many active natural gas and oil wells in the area. Forestry and agriculture are also significant industries.

Dan Pearcy, chief executive officer for the Grand Prairie & District Chamber of Commerce, said that Grande Prairie's strong showing was the result of a deep rooted entrepreneurial culture in the city.



"This is a northern city and it has a 'get it done' kind of attitude," he said. "If there's a problem, people figure out a way how to solve that. I think that's what creates the entrepreneurial spirit here. And we capitalize on that."

The last city to be crowned most entrepreneurial prior to Grande Prairie was Saskatoon in 2009. In 2008, the inaugural year of the survey, Lloydminster, a town that straddles the border of Saskatchewan and Alberta, received the honour. Both cities once again placed in the top five this year.

Marilyn Braun-Pollon, vice-president of Prairie and agri-business at CFIB, said that Saskatchewan's particularly strong showing — five of the Top 10 cities in the survey, including Saskatoon, were located there — showed the economic health of the province is very strong.

"We have a lot of things going our way in Saskatchewan," she said. "We continue to set a number of records on economic indicators, which surpass the national average. We're certainly blessed with a growing population and a growing consumer base."

A recent report from RBC Economics Research projected Saskatchewan will post some of the strongest economic growth among Canadian provinces this year, forecasting gross domestic product will jump by 3.6% in 2012. That's compared with RBC's forecast of 2.1% for Canada's economy as a whole.

Another trend the CFIB survey found was that the suburbs of Canada's largest municipalities continue to be fertile grounds for businesses — even though the cities themselves are not.

For example, Toronto's suburbs ranked 24 in the survey, but Toronto sat at 82. Montreal's suburbs ranked 61, while Montreal ranked 71. Vancouver's suburbs ranked 74, but Vancouver was a dismal 94.

"Suburban fringes seem to be the birthplaces of small and mid-sized enterprises," Mr. Mallet said. "Small firms need the large consumer markets, but they also need to deal with the costs as effectively as possible. Suburban areas tend to be lower cost areas for firms to start up."

The survey also found that cities in Atlantic Canada continue to lag in entrepreneurial activity, with the notable exception of St. John's. While Moncton, N.B., Charlottetown and Halifax all failed to crack the top 20, St. John's jumped four spots to 10th place this year.

"Optimism has increased substantially in Newfoundland," Mr. Mallett said. "There's a growing economy, one which it is transforming itself very quickly. So businesses there are feeling very good about the year ahead."

Complete city rankings below:

Communities in Boom:

Canada's Top Entrepreneurial Cities

*Ted Mallett, Vice-President & Chief Economist
 Queenie Wong, Senior Research Analyst
 Simon Gaudreault, Economist*

Entrepreneurs and communities are intrinsically linked. Entrepreneurs build cities and cities enable entrepreneurship. Cities get their starts humbly enough from people working with their natural surroundings—a harbour, crossroad or resource deposit. But for a few communities the spark would endure, creating urban clusters that would serve regional, national or even world markets with their goods and services. Independent businesses and start-ups are the vital sources of energy on which communities grow and flourish. This year, in CFIB's fifth annual instalment of *Communities in Boom*, we identify the large and mid-sized cities in Canada that have the strongest signs of entrepreneurial activity.

There is no single best way to measure the entrepreneurship quotient of cities, so CFIB combines a range of approaches to arrive at a series of scores—with the understanding that it is still a highly simplified way of looking at communities. Numeric data in any form cannot fully identify their complex fabric or the nuanced processes undertaken daily by Canada's 2.6 million self-employed.

It may seem obvious, but one of the surest signs of an entrepreneurial hot spot is the presence of a **high concentration of entrepreneurs** and a **high business start-up rate**. It is also important that business owners have **high levels of optimism** and **success** in their operations. Good public policy is also critical, so we look at the **presence of supportive local government tax and regulatory policies**.

For cities with populations of 25,000 or more, CFIB assembled 14 indicators. Drawing from published and custom tabulated Statistics Canada sources, the index also contains direct perspectives from CFIB's membership, which numbers more than 109,000 business owners across Canada.

The 14 indicators are grouped into 3 main categories:

- **Presence** is a representation of the scale and growth of business ownership, as well as its industrial diversity.
- **Perspective** covers indicators associated with optimism and growth plans.
- **Policy** represents indicators associated with the actions local governments take with respect to business taxation and regulation.

For 2012, we added two more variables to the analysis and modified the measurement methodology slightly. So for reference, we also provide recast results for 2011 to allow for proper comparisons. See page 3 for a more complete discussion of how other analysts have approached the subject, and page 4 on the specific indicators used in this study.

Results:

Overall scores

Top overall scores once again go to prairie cities in 2012. These places generally have the highest levels of business ownership, the most upbeat business climates and the most positive local government policy environments. Grande Prairie, Alberta, takes the top spot in 2012 with a score of 65 out of 100.

Top 10 Overall scores, all cities

	Score: (/100)
1. Grande Prairie	65
2. Saskatoon	64
3. Regina	62
4. Moose Jaw	61
5. Lloydminster	60
6. Red Deer	60
7. Prince Albert	59
8. Edmonton	59
9. Lethbridge	59
10. St John's	57

Saskatoon, Saskatchewan runs a close second with a score of 64, followed by Regina (62), Moose Jaw (61), Lloydminster (60) and Red Deer (60). See Table 1 on page 8 for the detailed rankings for all 103 cities¹.

¹ The city definitions are based on Statistics Canada's Census Metropolitan Areas (CMAs) and Census Agglomerations (CAs), which cover local economic regions better than simply using municipal boundaries. There are 99 CMAs and CAs with populations above 25,000 in Canada. In addition, CFIB disaggregates CMAs in Toronto, Montreal and Vancouver into core and suburban areas, while Ottawa-Gatineau is split into its Ontario and Quebec components, which is why 103 "cities" are included in the 2012 rankings. Following the new

Once beyond the top five, city scores start grouping very close together. A city's 'Policy' score is used to break ties. But at that point, the most relevant information is the relative strengths among the three major scoring criteria. Some cities score highly because of small business presence, others because of an optimistic perspective, while others have enlightened local government policy.

The analysis includes cities of very different makeup and placement—large vs. small, isolated vs. proximate. It is helpful to break out the rankings among large (CMA) versus mid-sized (CA) cities and to look at the component strengths.

Big city entrepreneurial presence

Western cities clearly do well here, as do suburban areas that ring a large urban core. These diverse economies have lots of business start-ups and show above average growth in the number of business establishments.

Top 'Presence' scores, big cities

	Score: (/25)
Calgary	16
Kelowna	16
Edmonton	15
Suburban Vancouver	14
Suburban Toronto	13
Suburban Montreal	13
City of Vancouver	13

Big city entrepreneurial perspective

When it comes to the places where business owners are most upbeat, the list is distributed a little wider across the country. Those in Saskatchewan and Alberta are not much of a surprise, but the top five also include representation from Quebec, Newfoundland and Labrador and Northern Ontario.

2011 population census, three new CMAs with a population of at least 25 000 are included in the rankings: Rivière-du-Loup, QC; Cranbrook, BC; Miramichi, NB.

Top 'Perspective' scores, big cities

Score: (/35)

Regina	25
Quebec City	23
Saskatoon	22
St. John's	22
Calgary	20
Sudbury	20

Big city entrepreneurial policy

Centres where local governments are trying their hardest to support entrepreneurship and where business owners themselves rate their governments most highly include some centres from the above groups, but some others enter the top rankings for the first time.

Top 'Policy' scores, big cities

Score: (/40)

Saskatoon	29
Regina	26
St. John's	26
Thunder Bay	26
Oshawa	26

Mid-sized city entrepreneurial presence, perspective & policy

Cities in the next tier that do well overall with respect to entrepreneurship are often associated with Canada's resource sectors—oil and gas in the western cities, the manufacturing arc of southeastern Quebec and mining in Ontario

Top 10 Overall scores, mid-sized cities

Score: (/100)

1. Grande Prairie	65
2. Moose Jaw	61
3. Lloydminster	60
3. Red Deer	60
5. Prince Albert	59
6. Saint-Georges	57
7. Saint-Hyacinthe	57
8. Wood Buffalo	55
9. Victoriaville	54
10. Sudbury	54

What makes an entrepreneurial city?

Just as people have sought the secrets of entrepreneurial success for themselves, others have tried to understand the characteristics and drivers of growing communities. In one sense, the two concepts could not be more different. Entrepreneurs are mobile, self directed individuals capable of changing their environment and their place in it. Communities on the other hand *are* the environment—dotted lines on a map, inanimate grids anchored to the ground.

In another sense, though, communities take on personalities based on the activities of their residents. Residents also form a sense of belonging and loyalty that conceptually extend beyond mere placement of their foundation footings². If we also take into consideration the fact that the majority of business relations and information channels are local, it is not surprising to note that most entrepreneurs create and operate their businesses within an hour's distance of their homes.³

It is also important to note that almost anywhere one looks, there is some sort of individual entrepreneurial activity taking place. Churn is a consistent force within local economies at any point in a business cycle. The question is, are entrepreneurial acts happening in sufficient quantity to be making a difference to the economy at a neighbourhood, city or regional level.

The health and growth of communities have bearing on the individuals who live and work there. Residents and those who run the local governments have assets planted in the ground in their communities. The value of those assets is dependent on the level of economic activity that happens around them. Growing communities raise property values,

² See Jane Jacobs, *The Death and Life of Great American Cities*, Random House, 1961.

³ See Saxenian, *Regional Advantage: Culture and Competition in Silicon Valley and Route 128*, Cambridge: Harvard University Press, 1994.

utilize infrastructure more effectively and provide residents with a greater range of economic and social opportunities. Shrinking communities, however, strand peoples' built-up assets. Although individuals are capable of moving to greener pastures, moves are not costless.

The origins of a community usually emerge from the attributes of location—weather, a harbour, a crossroad, a natural resource nearby. People converge on that location to take advantage of the opportunities—and the lower collective costs of meeting their needs. Communities often get their first spurt of growth from the production of goods from their nearby resources. Often it is in the production of goods and the business economies of scale that lead to community growth. Later, however, as the business service sector develops and concentrates some of these cities see further expansion as they become regional or national business centres⁴.

Proximity to other cities can make a big difference in how a community can develop—particularly among small and mid-sized centres that can take on very different characteristics depending on their distance from larger more integrated urban areas⁵.

City boundaries and government structures are relevant, insofar that they become the basis for data collection and measurement, but they are often arbitrary or meaningless from an economic development standpoint. In some cases entrepreneurship is rooted in neighbourhood characteristics, in others it may be because of regional economic advantages⁶.

Despite the millions of influences that affect community growth, nothing would happen if it

weren't for individuals making entrepreneurial decisions to hire, invest or innovate. The more of those people in a community, the stronger the growth that follows.

Edward Gleaser's studies⁷ of major US cities finds that among the many variables, including population density and industrial diversity, two dominant causes of growth were 1) high numbers of self-employed people and 2) low costs of business operations. He adds that cities provide the venues for cross-pollination of ideas, and the likelihood that someone will seize a concept from one type of industry and apply it to a completely different one in a new way. He sums up by saying that places where educated people want to live are the most likely to foster this type of ideas exchange.

Education and cultural activities are also worth noting because they are commonly used as investment in community growth. Although there may positive linkages in the short term, the long-term causal relationships are not always clear. Do strong public institutions generate 'better' cities or do strong communities generate 'better' institutions?

CFIB's entrepreneurship index components:

All these theoretical concepts provide a rich list of potential metrics on which to measure entrepreneurial quotient of cities across Canada. In practice, however, there are relatively few available that are clear, consistent and timely. But even with the limited data, there are certainly many ways to measure the level of entrepreneurship in a municipality.

⁴ Duranton & Puga, From Sectoral to Functional Urban Specialization, *Journal of Urban Economics* 57, 2005 343-370

⁵ OTSUKA, AKIHIRO. 2008. «Determinants of New Firm Formation in Japan: A Comparison of the Manufacturing and Service Sectors». *Economics Bulletin*, vol. 18, no 4, p. 1-7.

⁶ Rosenthal & Strange, The Geography of Entrepreneurship in the New York Metropolitan Area, FRBNY Economic Policy Review, Dec 2005, 29-53

⁷ See Gleaser, *Triumph of the City: How Our Greatest Invention Makes Us Richer, Smarter, Healthier, and Happier*, The Penguin Press; 2010

Canada's Entrepreneurial Cities

The Communities in Boom rankings aim to assess the degree to which municipalities have enabled entrepreneurs and small businesses to start, grow, and prosper. In addition to using various data sources from Statistics Canada, the perspectives of small business owners are taken into consideration based on unique CFIB data. Most of the data for the following indicators are collected on a CMA/CA basis (population of 25,000 and over) based on data available from Statistics Canada. In some instances, provincial averages are derived for missing/suppressed data. Where available, more city core and urban data have been included for Toronto, Montreal, Vancouver, and Ottawa-Gatineau.

As said previously, this study covers 14 indicators under three specific areas: Presence, Perspective and Policy, to assess the level of entrepreneurship in a municipality. Each of these three major concepts relies on four or five data series to arrive at an objective score. To create consistent scales, each variable is standardized to a numeric scale of 0 to 100. The city with the top data point is given 100, while the bottom data point is given a zero. The data for all other cities are then given the proportional value within that 0-100 range. The scores are then averaged and then weighted across the three major categories to arrive at a total score out of 100.

Presence

Business establishment growth

The net change in business establishments between July 2010 and June 2011 provides the most recent look at how the number of businesses has increased. Higher net business establishment growth suggests that a municipality possesses a stronger ability to foster new or experienced entrepreneurs in the area. *Source: Statistics Canada, July 2010-June 2011 Canadian Business Patterns.*

Business establishments per capita

In addition to business establishment growth, it is also important to assess the level of entrepreneurship relative to the population size of a municipality. The higher number of business establishments per individual in a

municipality points to a greater proportion of business leaders, more business opportunities, increased competition, and higher employment growth. *Source: Statistics Canada, July 2010-June 2011 Canadian Business Patterns and Census 2011.*

Self-employment as a percentage of total employment

Looking at the proportion of individuals that are self-employed is another indication of entrepreneurship. A higher percentage of self-employed in a municipality shows that individuals are more willing to start a business in the municipality given the current environment. *Source: Statistics Canada, July 2011-June 2012 Labour Force Survey.*

Industry Diversity

Industry diversity measures the range of industries present in a municipality. The more diverse a municipality, the better off a municipality since there is greater variation of skills and experiences needed in the community. As a result, more opportunities are created for workers and more goods and services can be provided to consumers. Municipalities with high industry diversity tend to be more stable and have greater ease in creating and sustaining economic growth. While a municipality with rich access to natural resources can be a positive attribute, heavy reliance on one particular resource industry makes the municipality vulnerable to high unemployment rates in economic or industry-specific downturns. Such municipalities may also experience artificial high wage inflation which negatively affects surrounding businesses in other industries. *Source: Statistics Canada, Census 2006.*

Perspective

Expected future business performance

Data on small business confidence sheds light on how business owners expect to perform in the next year based on foreseeable customer demand and local economic conditions. The higher the level of business confidence, the better a municipality is at creating ideal conditions for business growth in the area.

Canada's Entrepreneurial Cities

Source: CFIB Your Business Outlook Survey, aggregate results, August 2011 to July 2012. (per cent of respondents who reported that they expect their business to perform 'Much better' or 'Somewhat better' in the next 12 months)

Future full-time hiring expectations

Firms in need of workers on a permanent basis demonstrate that business is exhibiting signs of long term growth. A greater percentage of businesses that plan on hiring more full-time workers in the next three to four months is further indication that a municipality is in a stronger position to grow. *Source: CFIB Your Business Outlook Survey, aggregate results, August 2011 to July 2012. (per cent of respondents who are hiring in next three to four months)*

Overall State of Business

Current business performance can be attributed to the environment present in a municipality. Municipalities with a higher percentage of business owners in a 'good' state show greater strength in creating a business friendly environment. *Source: CFIB Your Business Outlook Survey, aggregate results, August 2011 to July 2012. (% respondents who reported that the general situation of their company is 'Good')*

Commercial, Industrial and Institutional Building Permits

The number of building permits as a proportion of population in a municipality is able to capture the breadth of new building projects by existing businesses. The greater number of building permits per 1,000 capita, the stronger the municipality is at attracting business investment. Dollar amounts of building permits are also available, but we choose not to use them because the skew toward megaprojects. *Source: Statistics Canada, Investment, Science and Technology Division, May 2011-May 2012, custom tabulation and Census 2011.*

Life Satisfaction

Life satisfaction is a proxy for quality of life which can have a significant effect on business growth. People tend to be happier and more motivated in areas that are more urban. It is assumed that the higher the percentage of individuals in a municipality who are satisfied or very satisfied with life, the greater likelihood that individuals would be willing to take on new ventures (e.g. starting up a business) and the greater likelihood that residents would be involved in the community. International measures of life satisfaction have been shown to correlate with higher levels of intergenerational income mobility. *Source: Statistics Canada, 2011 Canadian Community Health Survey.*

Policy

Cost of local government

Many businesses are concerned about how government spending can affect taxes in the long run because a heavy tax burden increase operating costs and reduce the businesses' chances of succeeding. The higher the cost of government, the greater the pressure put on tax revenues. A higher percentage of businesses citing the cost of government as a concerning issue would suggest that a municipality is doing less to control spending and keep taxes at an overall reasonable level. *Source: CFIB, Our Members' Opinions Survey, July 2011 to June 2012. (% respondents who indicate 'cost of local government' as a major concern for their business)*

Local government tax balance

The most important issue to small business owners is total tax burden as it affects businesses' bottom line and impedes business growth. Property tax is one of the most burdensome types of taxes for small businesses. The total property tax rate includes municipal, education, and other applicable tax rates for commercial businesses. The higher the ratio of the commercial property tax rate to the residential property tax rate, the worse off a municipality is in bringing fair taxation to commercial businesses. *Source: Various municipal and*

provincial governments. (ratio of commercial property tax rate to the residential tax rate)

Local government sensitivity to local businesses

Business owners expect their local governments to be aware of their contributions to society and to help provide a sound environment for growth. The higher the percentage of business owners who feel that their local government is aware of the small business sector, the more likely that the local government is taking concrete actions to promote the sector and the more likely that the business will stay in operation and feel engaged in the community. *Source: CFIB, Our Members' Opinions Survey, July 2011 to June 2012. (% respondents who give a 'Good' rating to their local government on 'Awareness of small business')*

Local government regulations

Regulatory burden is the second most important issue for small business owners as it bears high costs to business owners in terms of time and money. The higher the proportion of business owners who cite regulatory burden as an issue, the worse off municipalities are in creating a sound environment for businesses. *Source: CFIB, Our Members' Opinions Survey, July 2011 to June 2012. (% respondents who indicate 'government regulation and paperburden' as a major concern for their business)*

BizPal

BizPal is an online source of information for permits and licences that may be required to start and grow a business. With the increased usage of BizPal, businesses have a higher likelihood of succeeding if given the right information. There are areas that BizPal can improve on to better serve small businesses. While BizPal may not be a perfect solution for all businesses, it can be a good source for a business to refer to when first starting out. Hence, municipalities are given partial scores even if they have not registered with BizPal to date. Municipalities that have registered with BizPal are allocated full scores. *Source: BizPal website <http://www.bizpal.ca/en/>. (whether*

local government has subscribed to the 'BizPal' program, which aggregates all regulatory requirements of federal, provincial and municipal governments to a single point of contact)

Variables not in the analysis

Other factors not included in the study can also influence the level of entrepreneurship in a municipality. Unfortunately these have not been measured on a basis consistently or objectively enough to enter into CFIB's analysis. Examples of these factors include but are not limited to urbanization, social environment, education, and innovation.

Agglomeration: Entrepreneurship tends to thrive on the edges of larger cities. Research has shown the positive impact of agglomeration on entrepreneurship. Firms in the same industry can choose to locate themselves in close proximity of each other to benefit from similar skilled labor, technology, or information abundant in the area. As a result of denser urban areas, there can be an increased need for goods and services. Large cities not only attract new residents but also provide new opportunities for aspiring business owners.

Social Environment: Ideas and information are often created and shared under specific social environments. To capture this effect, it may be insightful to look at the concentration of establishments that help promote the entrepreneurial culture. Ideally, the number of business establishments in food services, arts, entertainment, recreation, information technology, fashion or other innovative industries can be examined as a percentage of total business establishments.

Education: Municipalities with a higher proportion of educated workers have an advantage. Especially among self-employed individuals, educated individuals have the ability to innovate and test out new ideas. It can be assumed that the greater percentage of self-employed individuals with higher education (i.e. bachelor degree), the greater ability in being able to start and sustain a business.

Innovation: There are numerous ways to measure innovation, but none are perfect. One method is to consider the percentage of people in the labour force with skills in natural and applied sciences. Workers in these fields have the knowledge required to come up with new ideas for products and services in the marketplace. The more innovation present in a municipality, the stronger a municipality is in promoting entrepreneurship.

Table 1:
City Entrepreneurial Index: All Rankings, 2012

2012 Rank	Overall Score	Relative Strengths			2012 Rank	Overall Score	Relative Strengths		
		Presence	Perspective	Policy			Presence	Perspective	Policy
	0-100	0-25	0-35	0-40		0-100	0-25	0-35	0-40
1 Grande Prairie	65	17	23	25	55 Halifax	48	10	13	23
2 Saskatoon	64	13	22	29	56 St. Catharines - Niagara	48	11	14	23
3 Regina	62	13	25	26	57 Campbell River	48	12	13	7
4 Moose Jaw	61	13	19	30	58 Fort St. John	48	14	15	21
5 Lloydminster	60	13	18	29	59 Thetford Mines	48	10	13	23
6 Red Deer	60	13	21	27	60 Sept-Îles	48	10	18	23
7 Prince Albert	59	11	18	30	61 Montréal, excl. City	48	13	13	13
8 Edmonton	59	15	19	25	62 Thunder Bay	47	13	13	26
9 Lethbridge	59	15	19	25	63 Chatham-Kent	47	13	13	25
10 St. John's	57	9	22	26	64 Brantford	47	13	14	24
11 Saint-Georges	57	11	21	25	65 Port Alberni	47	10	13	24
12 Saint-Hyacinthe	57	12	22	24	66 Chilliwack	47	12	13	24
13 Calgary	57	16	20	21	67 Hamilton	47	11	13	23
14 Wood Buffalo	55	12	21	24	68 Winnipeg	47	11	11	22
15 Victoriaville	54	13	18	23	69 Kamloops	47	14	13	22
16 Sudbury	54	17	20	24	70 Peterborough	47	12	15	19
17 Québec	54	11	23	24	71 Montréal, City	47	12	19	13
18 Alma	53	11	17	23	72 Windsor	46	10	13	23
19 Shawinigan	53	11	17	25	73 Ottawa	46	10	13	23
20 Drummondville	53	12	18	25	74 Vancouver, excl. City	46	12	13	13
21 Val-d'Or	53	10	20	24	75 New Glasgow	45	13	13	21
22 Saguenay	53	10	23	24	76 Leamington	45	13	16	21
23 Sault Ste. Marie	52	11	14	27	77 Truro	45	12	10	21
24 Toronto, excl. City	52	13	13	24	78 Saint John	45	11	13	22
25 Rivière-du-Loup	52	13	18	23	79 Owen Sound	45	11	13	21
26 Miramichi	52	11	18	23	80 Victoria	45	12	13	23
27 Brandon	52	12	7	23	81 Barrie	45	12	13	13
28 Granby	52	10	20	23	82 Toronto, City	45	13	13	11
29 Sherbrooke	52	11	19	23	83 Midland	44	13	13	23
30 Rouyn-Noranda	52	11	10	23	84 Kingston	44	13	13	23
31 Kelowna	52	16	14	22	85 Brockville	44	12	8	24
32 Joliette	52	3	6	20	86 Kitchener	44	13	12	22
33 Charlottetown	51	13	13	26	87 Nanaimo	44	13	13	23
34 Orillia	51	2	13	26	88 Medicine Hat	44	13	6	23
35 Corner Brook	51	13	12	23	89 Oshawa	43	13	13	26
36 Prince George	51	2	14	23	90 Cranbrook	43	13	13	13
37 Salaberry-de-Valleyfield	51	13	13	23	91 Stratford	42	14	13	21
38 Kentville	50	13	6	23	92 Courtenay	42	12	13	13
39 Timmins	50	13	15	25	93 Cape Breton	41	13	13	21
40 Fredericton	50	9	12	24	94 Vancouver, City	41	13	13	21
41 Trois-Rivières	50	13	5	23	95 Belleville	40	13	13	21
42 Penticton	50	14	13	25	96 Cornwall	40	13	13	22
43 Parksville	50	14	13	25	97 Gatineau	40	13	13	21
44 Baie-Comeau	50	21	13	25	98 Duncan	39	13	13	21
45 Moncton	50	13	10	23	99 Woodstock	39	13	13	21
46 Sorel-Tracy	50	13	19	23	100 Norfolk	38	13	13	21
47 Rimouski	50	13	13	23	101 North Bay	38	13	13	21
48 Saint-Jean-sur-Richelieu	50	11	17	27	102 Centre Wellington	38	13	13	21
49 Kawartha Lakes	49	13	15	25	103 Sarnia	34	13	13	21
50 London	49	13	15	25					
51 Abbotsford	49	12	14	25					
52 Vernon	49	14	10	22					
53 Guelph	48	13	15	24					
54 Bathurst	48	13	13	23					

V-Strong | Strong | Moderate | Modest | Weak

Table 2:
Source Data, 2012

Area(s)	Change in estab. % Per 1000	Estab. per capita Per 1000	Self-empl. share of total empl. %	Industry Diversity %	Number of Building Permits Per Capita Per 1000	Next 12mth Business Expectations ="Stronger" % response	Increase in FT Hiring Expectations % response	Overall State of Business ="Good" % response	Life Satisfaction (Very Satisfied or Satisfied) % response	Cost of Local Government a Concern % response	Government Awareness of Small Business ="Good" % response	Regulation & Paper Burden a Concern % response	Local Property Tax Gap rate / Residential rate	Bizpal i = Yes	
Abbotsford (B.C.)	CMA	3.99	4.75	7.21	-10.60	0.98	56	28	53	89.8	80	7	53	4.619	1
Alma (Que.)	CA	5.19	4.05	5.67	9.10	2.79	42	15	51	93.5	15	8	32	1.942	0
Angers (Que.)	CA	-0.31	3.41	4.17	8.52	4.72	42	15	51	95.8	10	10	100	1.549	0
Barrie (Ont.)	CMA	-0.95	3.69	5.14	4.00	2.55	52	24	39	90.9	55	2	84	2.119	0
Bathurst (N.B.)	CA	-2.59	3.18	4.17	6.71	2.54	45	13	37	94.8	13	3	62	3.468	1
Belleville (Ont.)	CA	-2.96	3.12	1.51	1.79	2.36	42	12	33	88.0	31	23	12	2.610	0
Brampton (Ont.)	CA	3.43	3.91	5.08	1.53	2.84	44	20	43	93.2	51	0	72	3.481	1
Brantford (Ont.) †	CMA	-0.68	3.43	4.91	10.23	1.74	50	25	43	88.9	46	6	60	2.649	1
Brockville (Ont.)	CA	3.53	3.12	5.07	5.16	2.54	24	6	36	91.4	45	13	67	2.645	1
Calgary (Alta.) †	CMA	2.31	7.70	8.93	3.01	2.61	58	29	43	93.3	65	6	60	3.551	1
Campbell River (B.C.)	CA	2.04	6.11	5.98	9.92	1.05	46	15	34	95.7	80	4	71	2.849	1
Cape Breton (N.S.)	CA	-1.57	2.41	4.61	6.27	1.08	35	10	38	90.5	53	3	56	2.482	1
Centre Wellington (Ont.)	CA	-0.12	3.50	5.97	1.50	0.18	42	15	37	88.0	67	2	72	2.005	0
Charlottetown (P.E.I.)	CA	0.54	4.64	5.51	4.99	3.89	31	13	40	93.5	22	3	44	2.401	1
Chatham-Kent (Ont.)	CA	-0.20	3.58	4.62	13.40	2.61	49	22	41	92.0	47	7	48	2.537	1
Chilliwack (B.C.)	CA	2.19	3.89	6.55	6.36	1.64	46	15	34	89.8	56	3	68	2.293	1
Clinton (N.B.)	CA	0.19	3.80	4.59	4.42	3.53	38	18	52	91.2	37	1	40	2.755	1
Cornwall (Ont.)	CA	-8.48	2.78	2.93	2.58	2.80	42	15	33	91.1	41	37	73	2.560	0
Cowichan (B.C.)	CA	3.22	4.79	8.98	9.84	1.87	30	15	34	95.7	79	2	67	3.001	0
Cranbrook (B.C.)	CA	2.16	5.48	6.72	2.38	1.68	46	15	34	89.9	79	24	81	2.716	0
Dartmouth (N.S.)	CA	2.66	4.19	9.84	14.64	3.45	39	15	32	95.0	21	22	57	1.863	0
Duncan (B.C.)	CA	0.09	5.15	6.98	4.25	2.52	31	3	24	91.9	58	4	54	2.851	0
Edmonton (Alta.)	CMA	2.10	6.25	7.52	1.92	2.74	57	30	43	92.5	42	0	58	2.473	1
Fort St John (B.C.)	CA	2.74	9.37	6.98	13.62	2.43	46	15	34	92.0	91	0	77	2.642	1
Fresnay (N.B.)	CA	-0.07	4.20	4.81	7.70	3.32	47	18	43	92.8	26	4	62	3.010	1
Gatineau CMA	CMA	1.31	3.80	3.85	8.55	1.82	38	5	41	95.1	84	2	99	2.281	0
Gaspé (Que.)	CA	4.98	4.13	5.38	16.08	2.93	50	15	51	94.6	26	5	56	2.055	1
Grande Prairie (Alta.)	CA	7.68	11.98	8.12	13.96	4.65	58	55	52	89.3	51	0	80	1.626	1
Halifax (N.S.)	CMA	1.41	5.36	3.25	0.04	2.30	54	24	56	90.2	32	4	61	2.586	1
Guelph (Ont.)	CMA	0.92	4.13	4.46	9.31	1.57	48	14	43	93.0	39	5	74	2.668	1
Halifax (N.S.)	CMA	0.63	4.35	6.67	8.55	2.26	43	16	38	93.3	37	3	62	3.006	1
Hamilton (Ont.)	CMA	0.10	3.90	6.28	3.01	1.93	42	14	39	92.4	55	3	74	2.509	1
Heleste (Que.)	CA	5.11	4.43	5.67	2.45	2.42	47	15	51	94.4	65	13	70	1.882	0
Kamloops (B.C.)	CA	7.52	5.23	5.26	0.25	1.63	46	9	34	90.5	54	7	83	2.825	1
Kawartha Lakes (Ont.)	CA	-0.31	3.02	7.54	7.69	2.44	42	15	57	93.9	58	8	77	2.048	1
Kelowna (B.C.)	CMA	4.06	6.24	8.77	3.09	3.58	48	14	29	92.2	69	5	76	2.617	1
Kensico (B.C.)	CA	1.50	4.23	4.81	5.50	4.67	43	12	33	93.7	54	9	85	2.409	1
Kingston (Ont.)	CMA	-1.20	3.11	4.56	7.67	2.85	33	10	44	88.4	49	31	72	2.672	1
Kitchener (Ont.)	CMA	0.87	4.05	4.21	9.49	2.14	44	21	44	87.2	61	5	67	2.814	1
Leamington (Ont.)	CA	-0.22	3.57	5.97	24.22	3.48	45	20	43	91.1	62	19	70	1.733	0
Lambton Shores (Ont.)	CA	4.50	5.88	7.64	3.36	2.28	45	24	49	93.9	51	7	71	2.183	1
Lloydminster (Alta./Sask.)	CA	-1.64	8.97	8.12	12.63	2.82	55	26	43	91.2	20	13	48	1.820	1
London (Ont.)	CMA	-0.54	3.82	3.93	2.31	2.40	40	15	48	93.6	56	6	71	2.740	1
Medicine Hat (Alta.)	CA	0.87	5.35	5.52	10.82	2.21	25	7	28	93.9	61	3	80	2.262	1
Melville (Sask.)	CA	5.25	3.23	5.97	1.54	4.43	38	13	29	90.9	71	14	72	3.925	1
Miramichi (N.B.)	CA	0.70	3.06	4.39	0.06	3.49	45	13	37	96.3	41	9	57	3.486	1
Montreal (CSD)	CMA	1.60	4.07	2.44	8.80	2.65	55	18	50	93.5	48	9	53	3.552	1
Montreal West (CMA)	CMA	1.77	4.59	6.32	4.25	1.63	51	30	49	93.1	59	5	76	3.440	0
Montréal-Nord (CMA)	CMA	1.77	4.59	5.32	3.69	1.63	41	15	46	93.5	44	13	76	2.777	0
Moose Jaw (Sask.)	CA	6.26	3.80	4.35	1.79	1.16	49	22	58	93.0	6	6	15	1.973	1
Nanaimo (B.C.)	CA	-0.56	4.67	5.03	2.50	2.17	42	14	23	91.9	65	11	68	2.737	1
New Glasgow (N.S.)	CA	1.06	3.21	3.55	4.73	1.51	35	10	38	94.8	63	2	78	2.418	1
North Bay (Ont.)	CA	0.90	3.74	5.13	19.76	0.13	24	10	21	91.6	47	9	60	2.589	1
North Bay (Ont.)	CA	-6.73	3.29	4.35	6.38	2.42	29	15	29	90.2	41	11	54	2.401	0

Area(3)	Change in estab.	Estab. per capita	Self-empl. share of total empl.	Industry Diversity	Number of Building Permits Per Capita	Next 12mth Business Expectations = "Stronger"	Increase in FT Hiring Expectations	Overall State of Business = "Good"	Life Satisfaction (Very Satisfied or Satisfied)	Cost of Local Government a Concern	Government Awareness of Small Business = "Good"	Regulation & Paper Burden a Concern	Local Property Tax Gap	Bizpal
	%	Per 1000	%	% deviation from average	Per 1000	% response	% response	% response	% response	% response	% response	% response	Commercial rate / Residential rate	1 = Yes
Gatineau (Ont.)	CA	0.39	4.37	5.97	2.37	2.48	42	15	37	90.9	35	8	52	2,358
Oshawa (Ont.)	CMA	0.75	2.60	3.40	4.18	1.43	35	5	28	91.4	38	1	60	2,014
Ottawa-CMA	CMA	1.81	5.80	5.54	10.85	1.79	40	17	58	92.2	57	2	63	2,705
Owen Sound (Ont.)	CA	1.57	3.44	5.97	2.98	4.89	31	13	22	95.0	64	4	100	2,727
Parksville (B.C.)	CA	1.24	5.57	6.98	0.44	2.44	46	15	34	91.9	81	3	48	2,712
Penticton (B.C.)	CA	4.69	5.54	6.98	4.55	3.45	48	16	19	92.2	73	5	74	2,185
Peterborough (Ont.)	CMA	1.78	3.50	5.24	0.65	3.77	38	11	42	94.2	51	3	65	2,501
Port Alberni (B.C.)	CA	0.72	3.84	6.98	11.27	1.14	45	15	34	93.0	82	9	69	2,172
Prince Albert (Sask.)	CA	6.07	3.85	3.50	3.80	2.48	42	22	58	92.7	46	1	39	2,325
Prince George (B.C.)	CA	-0.75	4.56	6.25	3.05	1.44	35	19	38	94.3	71	5	48	2,122
Quebec (Que.)†	CMA	2.94	3.89	4.17	5.87	2.60	44	20	64	95.3	32	5	71	2,729
Red Deer (Alta.)	CA	2.04	6.86	4.95	9.03	2.72	69	30	46	91.2	32	11	64	1,793
Regina (Sask.)	CMA	4.86	4.29	4.78	5.53	2.70	61	32	62	94.3	51	7	68	1,968
Rimouski (Que.)	CA	3.23	3.89	3.69	8.18	3.67	42	15	51	93.4	3	2	93	1,870
Rivière-du-Loup (Que.)	CA	1.25	4.45	5.13	5.74	3.17	42	15	51	93.4	52	10	76	1,561
Rouyn-Noranda (Que.)	CA	1.66	3.51	4.37	3.02	3.71	42	15	51	94.4	8	0	92	1,732
Saguenay (Que.)	CMA	6.33	3.58	3.84	2.41	2.69	59	25	63	93.5	38	14	88	2,387
Saint John (N.B.)	CMA	3.35	3.79	3.89	2.01	2.65	42	8	28	93.6	37	7	89	3,448
Sainte-Clotilde (Que.)	CA	3.94	5.15	5.67	14.23	5.17	42	15	51	95.5	4	5	64	1,340
Saint-Hyacinthe (Que.)	CA	2.86	5.26	5.67	8.35	7.06	42	15	51	94.6	27	2	52	1,955
Saint-Jean-sur-Richelieu (Que.)	CA	1.18	3.63	5.62	5.17	1.27	42	15	51	94.6	37	10	76	2,048
Salaberry-de-Valleyfield (Que.)	CA	1.13	3.58	5.67	8.54	2.60	42	15	51	94.5	16	4	50	2,230
Sarnia (Ont.)	CA	0.74	3.29	1.72	5.90	1.45	38	11	32	91.1	91	7	82	2,391
Saskatoon (Sask.)	CMA	3.67	4.79	5.10	0.56	3.19	57	23	60	92.6	46	38	81	1,813
Sault Ste. Marie (Ont.)	CA	3.25	2.94	4.89	1.29	5.31	38	15	37	91.1	20	8	54	2,357
Sept-Îles (Que.)	CA	1.37	3.63	3.85	3.35	1.83	42	15	51	95.8	37	10	76	2,738
Shawinigan (Que.)	CA	0.20	3.20	7.44	7.05	0.98	42	15	51	95.6	5	4	55	1,880
Sherbrooke (Que.)	CMA	2.35	3.91	4.98	3.08	2.15	48	20	51	94.2	36	4	73	1,835
Saint-Pascal (Que.)	CA	0.77	3.28	5.67	1.37	3.27	42	15	51	94.6	21	11	85	2,244
St. Catharines - Niagara (Ont.)	CMA	-0.61	3.60	5.11	2.06	2.08	45	15	42	91.7	67	5	80	2,361
St. John's (N.L.)	CMA	0.58	6.03	4.02	6.59	4.98	42	34	57	93.3	20	1	49	2,405
Stratford (Ont.)	CA	0.36	4.46	5.97	9.61	3.76	28	5	28	91.6	57	9	78	2,711
Tatamagouche (Que.)	CA	0.85	3.22	5.67	8.83	2.04	42	15	51	95.5	35	2	89	2,384
Thunder Bay (Ont.)	CMA	-2.13	3.66	3.74	3.58	1.86	46	14	31	91.4	27	6	57	2,371
Timmins (Ont.)	CA	0.38	3.29	5.97	5.76	2.64	42	15	37	95.5	40	4	80	2,200
Toronto CSD	CMA	-0.28	5.70	7.12	3.50	1.97	42	15	32	93.2	65	3	57	4,126
Toronto Rest. (CMA)	CMA	5.28	5.76	7.12	1.65	1.97	45	20	34	93.2	40	9	68	2,143
Trois-Rivières (Que.)	CMA	3.27	3.52	4.12	4.19	4.01	29	5	48	95.0	12	7	61	1,664
Tufts (N.S.)	CA	0.99	3.53	4.84	4.24	2.38	35	9	54	92.3	70	1	90	2,523
Val-d'Or (Que.)	CA	-0.99	4.22	4.37	4.42	4.78	42	15	51	94.4	0	0	91	1,683
Vaudreuil-Soulanges (Que.)	CMA	2.21	5.59	7.05	7.79	2.58	44	13	34	88.8	62	0	54	2,054
Vancouver Rest. of CMA	CMA	2.71	5.99	7.05	2.37	2.58	47	17	38	92.3	74	6	57	3,759
Vermilion (Alta.)	CA	3.27	5.87	7.09	4.97	2.17	45	15	34	92.2	79	8	77	2,637
Victoria (B.C.)†	CMA	2.35	5.33	6.66	8.20	2.79	48	10	32	91.9	82	8	62	3,411
Victoria Falls (Que.)	CA	2.21	3.65	5.67	11.78	5.52	42	15	51	95.0	26	29	81	1,460
Windsor (Ont.)	CMA	-0.04	3.60	5.40	9.52	1.82	41	16	36	91.1	47	7	59	2,505
Whitby (Ont.)	CMA	1.28	3.79	4.30	2.45	1.80	49	21	43	90.1	51	8	66	3,162
Wood Buffalo (Alta.)	CA	7.46	3.29	8.12	25.42	9.61	55	26	43	89.3	50	3	84	2,176
Winnipeg (Man.)	CA	-1.41	4.06	6.00	2.16	2.57	29	12	50	90.6	76	10	81	2,880

Notes:

1) For Montreal, Toronto, and Vancouver, CMA data for Net Business Start-ups, Businesses per Capita, and Self-employment Intensity were applied to city cores and outskirts.

2) For Ottawa and Gatineau, Ottawa-Gatineau CMA data for Net Business Start-ups and Businesses per Capita were applied.

3) A census metropolitan area (CMA) or a census agglomeration (CA) is formed by one or more adjacent municipalities centred on a large urban area (known as the urban core). A CMA must have a total population of at least 100,000 of which 50,000 or more must live in the urban core. A CA must have an urban core population of at least 10,000. To be included in the CMA or CA, other adjacent municipalities must have a high degree of integration with the central urban area, as measured by commuting flows derived from census place of work data. Source: Statistics Canada.

4) The total property tax rates used include municipal, education, and other applicable levies on downtown properties.

Appendix:
City Entrepreneurial Index: All Rankings, 2011

2011 Rank	Overall Score	Relative Strengths Perspective			2011 Rank	Overall Score	Relative Strengths Perspective				
		Policy					Presence				
		0-100	0-25	0-35			0-100	0-25	0-35		
1	Grande Prairie	65	17	24	68	Parksville	47	14	17	27	
2	Saskatoon	64	13	21	69	Granby	47	13	17	23	
3	Moose Jaw	62	12	21	70	Ottawa	46	11	14	23	
4	Regina	62	12	22	71	St. Catharines - Niagara	46	12	13	23	
5	Prince Albert	61	12	20	72	Abbotsford	46	12	13	27	
6	Lloydminster	61	13	19	73	Owen Sound	46	13	18	23	
7	Saint-Georges	59	11	21	74	Barrie	46	13	16	23	
8	Charlottetown	58	10	19	75	Kawartha Lakes	45	11	12	26	
9	Red Deer	58	12	19	76	Bathurst	45	10	12	23	
10	Wood Buffalo	58	12	23	77	Saint John	45	12	15	21	
11	Edmonton	58	14	19	78	Victoria	45	12	13	21	
12	Trois-Rivières	58	11	23	79	Montréal, City	45	12	14	22	
13	Victoriaville	56	11	19	80	Cape Breton	44	13	12	22	
14	St. John's	56	11	21	81	Windsor	44	11	11	24	
15	Alma	56	11	20	82	Kingston	44	13	12	23	
16	Joliette	56	13	19	83	Timmins	44	10	12	22	
17	Kelowna	56	16	12	84	Chilliwack	44	11	12	21	
18	Lethbridge	55	16	15	85	Peterborough	44	10	11	21	
19	Drummondville	54	11	19	86	Cranbrook	44	14	11	21	
20	Sudbury	54	11	19	87	Midland	43	11	11	21	
21	Rivière-du-Loup	54	11	19	88	New Glasgow	43	11	11	21	
22	Val-d'Or	53	10	23	89	Centre Wellington	43	12	12	21	
23	Prince George	53	10	18	90	Toronto, City	43	12	12	21	
24	Saint-Jean-sur-Richelieu	53	11	17	91	Brockville	42	12	12	21	
25	Rimouski	53	10	19	92	Cornwall	42	11	13	23	
26	Shawinigan	53	14	19	93	Truro	42	11	11	23	
27	Saint-Hyacinthe	53	11	21	94	Brantford	42	12	11	23	
28	Québec	53	11	23	95	Courtenay	42	12	13	21	
29	Brandon	52	11	16	96	Vancouver, City	42	13	11	21	
30	Rouyn-Noranda	52	10	19	97	Woodstock	42	11	13	21	
31	Toronto, excl. City	52	13	15	98	Duncan	41	12	11	21	
32	Thetford Mines	52	11	19	99	North Bay	40	11	12	21	
33	Fort St. John	52	14	13	100	Leamington	38	11	12	21	
34	Kamloops	52	14	15	101	Gatineau	38	11	12	21	
35	Calgary	52	16	12	102	Norfolk	36	11	12	24	
36	Moncton	51	10	19	103	Sarnia	34	11	11	21	
37	Salaberry-de-Valleyfield	51	11	18							
38	Penticton	51	14	11							
39	Baie-Comeau	51	11	22							
40	Sherbrooke	51	11	18							
41	Montréal, excl. City	51	11	17							
42	Saguenay	51	10	22							
43	Oshawa	50	11	13							
44	Corner Brook	50	11	17							
45	Thunder Bay	50	11	17							
46	Port Alberni	50	11	15							
47	Sorel-Tracy	50	11	17							
48	Sept-Îles	50	10	19							
49	Sault Ste. Marie	49	11	17							
50	Orillia	49	11	14							
51	Fredericton	49	11	18							
52	Kitchener	49	11	12							
53	Guelph	49	11	15							
54	Campbell River	49	11	11							
55	Stratford	49	10	17							
56	Vernon	49	11	14							
57	Vancouver, excl. City	49	14	12							
58	Belleville	48	11	15							
59	Medicine Hat	48	11	14							
60	Chatham-Kent	47	11	15							
61	Kentville	47	11	13							
62	Nanaimo	47	10	14							
63	London	47	10	14							
64	Halifax	47	10	16							
65	Winnipeg	47	10	15							
66	Hamilton	47	10	15							
67	Miramichi	47	11	14							

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 10 22

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. **Gary Schryer - Engineering & Planning – Building Division**
OBOA Training Course
December 10 - 14, 2012
Woodbridge, Ontario
Estimated total cost to the City - \$2,041.33
Estimated net cost to the City - \$2,041.33
2. **Virginia McLeod – Community Services Department**
Tall Ships Pan Provincial Meeting
November 1 – 2, 2012
Toronto, Ontario
Estimated total cost to the City - \$832.07
Estimated net cost to the City - \$0.00
3. **Mike Faubert – Public Works & Transportation – Landfill Division**
Wastewater Pump Repair – Xylem Inc.
November 6 – 8, 2012
Sudbury, Ontario
Estimated total cost to the City - \$529.59
Estimated net cost to the City - \$529.59
4. **Conrad Neveau – Public Works & Transportation – Landfill Division**
Wastewater Pump Repair – Xylem Inc.
November 6 – 8, 2012
Sudbury, Ontario
Estimated total cost to the City - \$409.58
Estimated net cost to the City - \$409.58

5. **Greg Harten – Public Works & Transportation – Landfill Division**
Wastewater Pump Repair – Xylem Inc.
November 6 – 8, 2012
Sudbury, Ontario
Estimated total cost to the City - \$409.58
Estimated net cost to the City - \$409.58
6. **Travis Reid – Public Works & Transportation – Parks Division**
Registered Playground Practitioner - OPA
October 29 – November 2, 2012
Etobicoke, Ontario
Estimated total cost to the City - \$2,762.48
Estimated net cost to the City - \$2,762.48
7. **Derek Miller – Public Works & Transportation – Parks Division**
Registered Playground Practitioner - OPA
October 29 – November 2, 2012
Etobicoke, Ontario
Estimated total cost to the City - \$2,035.87
Estimated net cost to the City - \$2,035.87
8. **Ghislain Labreche – Public Works & Transportation – Parks Division**
Registered Playground Practitioner - OPA
October 29 – November 2, 2012
Etobicoke, Ontario
Estimated total cost to the City - \$2,035.87
Estimated net cost to the City - \$2,035.87

Yours truly,



JMF:bb

Joseph M. Fratesi
Chief Administrative Officer

Tim Gowans
Manager of Purchasing



Finance Department
Purchasing Division

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

RE: TENDERS FOR EQUIPMENT – PUBLIC WORKS & TRANSPORTATION DEPT.

PURPOSE

Attached hereto for your information and consideration are the summaries of the tenders received for the supply & delivery of various pieces of equipment required by the Public Works & Transportation Department.

BACKGROUND

The tender was publicly advertised and tender documents forwarded to all firms on our bidders lists. A public opening of the tenders was held October 10, 2012 with Councillor Susan Myers representing City Council.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed Mr. Mike Blanchard, Manager of Equipment & Building Maintenance, and the low tendered prices, meeting, has been indicated on their respective summaries.

IMPACT

Funding for this equipment replacement, identified in the 2012 P.W. & T. Equipment Reserve is \$150,000.00; and the total purchase price amounts to \$130,874.73 including the non-refundable portion of the H.S.T.

STRATEGIC PLAN

This equipment replacement is not an activity listed in the Corporate Strategic Plan.

RECOMMENDATION

It is therefore my recommendation that the tenders for equipment be awarded as follows:

-More-

2012 10 22

Page 2

<u>Item</u>	<u>Supplier</u>	<u>Amount</u>
One (1) 13,500 GVW Dump Truck	Maitland Motors Ltd.	\$55,699.23
One (1) 15,000 GVW Service Truck	Commercial Truck Equipment	\$74,195.19

This report is submitted for Council's approval.

Respectfully submitted,



Tim Gowans
Manager of Purchasing

Recommended for approval,



W. Freiburger
Commissioner of Finance & Treasurer

TG:nt
Attach.



RECOMMENDED FOR APPROVAL

Joseph M. Frater
Chief Administrative Officer

**FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$60,000.00**

**Received: October 10, 2012
File: 2012WA05T**

**SUMMARY OF TENDERS
ONE (1) 13,500 GVW DUMP TRUCK**

Firm	Make & Model	Delivery	Warranty	Total Tendered Price (H.S.T. extra)	Remarks
Maitland Motors Ltd. Sault Ste. Marie, ON	2013 Ford F450 Twin Equipment Dump Package	60 w/days	3 year/37,283 miles - Basic 5 year - Dump Box	\$55,699.23	Meets Specifications License & Registration Extra

Note: The low tendered price, meeting specifications, is boxed above.

Although only one tender was received, it is deemed to be fair and equitable.

The total cost to the City will be \$56,679.54 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price submitted by Maitland Motors Ltd. be accepted.

Tim Gowans
Manager of Purchasing

(57e)

**FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$90,000.00**

**Received: October 10, 2012
File: 2012WA06T**

**SUMMARY OF TENDERS
ONE (1) 15,000 GVW SERVICE TRUCK**

Firm	Make & Model	Delivery	Warranty	Total Tendered Price including trade-in (H.S.T. extra)	Remarks
Commercial Truck Equipment Woodstock, ON	2013 Ford F450 Commercial Truck Equipment Package	90-100 w/days	3 year/37,283 miles - Basic 1 year - Equipment	\$74,195.19	Meets Specifications License & Registration Included
Maitland Motors Ltd Sault Ste. Marie, ON	2013 Ford F450 Wilcox Equipment Package	60 w/days	3 year/37,283 miles - Basic 1 year - Equipment	\$82,511.96	Meets Specifications License & Registration Extra

Note: The low tendered price, meeting specifications, is boxed above.

The total cost to the City will be \$75,501.03 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price submitted by Commercial Truck Equipment be accepted.

Tim Gowans
Manager of Purchasing

526

5(f)

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



City Clerk's Office

Celebrate 100!
1912 - 2012

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

RE: 2012 CEMETERY PRICE LIST

PURPOSE

The purpose of this report is to receive Council's approval for the amended 2012 Cemetery Price List.

BACKGROUND

Council approved the 2012 Cemetery Price list at the September 10, 2012 Council meeting. Subsequent to that meeting it was discovered that when Cemetery staff had prepared the list an incorrect formula had been used to determine the percentage of contributions to the care and maintenance trust fund. The level of contribution has no bearing on the final price paid by the consumer, but must comply with the requirements of provincial legislation.

ANALYSIS

The amended contribution levels are now reflected in the price list and relate to the sale of lots, niches, columbariums and crypts. The levels are, in fact, consistent with what had previously been contributed to the care and maintenance fund.

IMPACT

There is no financial impact related to the approval of the amended price list.

STRATEGIC PLAN

This item is not linked to the Corporate Strategic Plan.

RECOMMENDATION

That Council approve the amended 2012 Cemetery Price List.

Respectfully submitted,

Malcolm White
City Clerk

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(f)

AMENDED 2012 PRICE LIST

(Rates do not include H.S.T.)

SALE OF LOTS	LAND	CARE & MNTCE	PRICE
a) Adult			
1 grave lot 3.5' x 10.0' (min.)	\$437.00	\$291.00	\$728.00
2 grave lot 7.0' x 10.0' (min.)	\$874.00	\$582.00	\$1,456.00
b) Infant (under 5 years)			
1 grave lot 2.0' x 4.0'	N/C	\$150.00	\$150.00
c) Child (5 years to 10 years)			
1 grave lot 2.0' x 6.0'	\$179.00	\$150.00	\$329.00
d) Care and Maintenance Fund			
<i>Lots on which care and maintenance charges have not been paid</i>			\$250.00
<i>This only pertains to lots purchased prior to January 1, 1955. This is a one-time charge (per lot)</i>			
Cremation Lots			
a) 1 grave lot .6m x .6m	\$ 58.00	\$150.00	\$208.00
b) 2 graves lot .6m x 1.2m	\$116.00	\$300.00	\$416.00
Cremorial Wall Niches			
a) Rows 1 to 4			
single 10.16cm x 20.36cm front	\$589.00	\$104.00	\$693.00
b) Rows 5 & 6			
single 10.16cm x 20.36cm front	\$536.00	\$100.00	\$636.00
c) Rows 7 & 8			
single 10.16cm x 20.36cm front	\$436.00	\$100.00	\$536.00
Urn Garden Columbarium "GC"			
a) Companion Niches`	\$1,259.00	\$222.00	\$1,481.00
b) Single Niches	\$760.00	\$133.00	\$893.00
Urn Garden Columbarium "GC"			
a) Companion Niches`	\$1,400.00	\$246.00	\$1,646.00
b) Single Niches	\$849.00	\$150.00	\$999.00
Urn Garden Columbarium "GC" (New)			
a) Companion Niches`	\$1,400.00	\$246.00	\$1,646.00
b) Single Niches	\$849.00	\$150.00	\$999.00
Holy Sepulchre Columbarium "HC"			
a) Companion Niches`	\$1,335.00	\$235.00	\$1,570.00
b) Single Niches	\$799.00	\$141.00	\$940.00
Holy Sepulchre Columbarium "HC"			
a) Companion Niches`	\$1,400.00	\$246.00	\$1,646.00
b) Single Niches	\$849.00	\$150.00	\$999.00
Holy Sepulchre Columbarium "HC" (New)			
a) Companion Niches`	\$1,400.00	\$246.00	\$1,646.00
b) Single Niches	\$849.00	\$150.00	\$999.00
Wall Niches (Mausoleum Phase VII)			
Single Niche			
a) Rows 2 & 7	\$625.00	\$110.00	\$735.00
b) Rows 4 & 5	\$724.00	\$127.00	\$851.00

Wall Niches (Mausoleum Phase VIII)		Sections ML & MM	
Companion Niches			
a) Rows 1 & 8	\$1,081.00	\$190.00	\$1,271.00
b) Rows 3 & 6	\$1,259.00	\$222.00	\$1,481.00
Single Niches			
a) Rows 1, 2, 6, 7 & 8	\$661.00	\$116.00	\$777.00
b) Rows 4 & 5	\$760.00	\$131.00	\$893.00
Mausoleum Crypts		Section MN	
a) Row 4 (single)	\$4,730.00	\$1,182.00	\$5,912.00
Mausoleum Crypts		Section MO	
a) Row 1 (single)	\$5,003.00	\$1,250.00	\$6,253.00
b) Rows 2 & 3 (singles)	\$5,981.00	\$1,495.00	\$7,476.00
c) Row 4 (single)	\$4,730.00	\$1,182.00	\$5,912.00
d) Row 1 (companion)	\$8,292.00	\$2,072.00	\$10,364.00
e) Rows 2 & 3 (companion)	\$9,866.00	\$2,466.00	\$12,332.00
f) Row 4 (companion)	\$7,833.00	\$1,958.00	\$9,791.00
Mausoleum Crypts		Section MP	
a) Row 1 (single)	\$5,253.00	\$1,313.00	\$6,566.00
b) Rows 2 & 3 (singles)	\$6,280.00	\$1,570.00	\$7,850.00
c) Row 4 (single)	\$4,967.00	\$1,241.00	\$6,208.00
d) Row 1 (companion)	\$8,706.00	\$2,177.00	\$10,883.00
e) Rows 2 & 3 (companion)	\$10,359.00	\$2,590.00	\$12,949.00
f) Row 4 (companion)	\$8,25500	\$2,056.00	\$10,281.00
Mausoleum Crypts "MA" (Family Unit)		Section MQ	
a) Unit 1 (6 singles)	\$34,560.00	\$8,640.00	\$43,200.00
b) Unit 2 (8 singles)	\$44,800.00	\$11,200.00	\$56,000.00
Mausoleum Crypts "MA"		Section R	
a) Row 1 (single)	\$5,515.00	\$1,379.00	\$6,894.00
b) Rows 2 & 3 (singles)	\$6,595.00	\$1,649.00	\$8,243.00
c) Row 4 (single)	\$5,215.00	\$1,304.00	\$6,519.00
d) Row 1 (companion)	\$9,142.00	\$2,285.00	\$11,427.00
e) Rows 2 & 3 (companion)	\$10,878.00	\$2,719.00	\$13,597.00
f) Row 4 (companion)	\$8,642.00	\$2,161.00	\$10,803.00
Mausoleum Crypts "MA" (New)		Section S	
a) Row 1 (single)	\$5,791.00	\$1,448.00	\$7,239.00
b) Rows 2 & 3 (singles)	\$6,925.00	\$1,731.00	\$8,656.00
c) Row 4 (single)	\$5,476.00	\$1,369.00	\$6,845.00
d) Row 1 (companion)	\$9,599.00	\$2,400.00	\$11,999.00
e) Rows 2 & 3 (companion)	\$11,422.00	\$2,855.00	\$14,277.00
f) Row 4 (companion)	\$9,075.00	\$2,269.00	\$11,344.00
Interment Charges			
With Committal Service in the Chapel		Single Depth	Double Depth
a) Adult	\$705.00	\$867.00	
b) Infant (under 5 years)	N/C	N/C	
c) Child (5 to 10 years)	\$398.00	\$502.00	
d) Cremated remains	\$167.00		
e) Entombment in Mausoleum	\$705.00		

Interment Charges

With Committal Service at the Gravesite	Single Depth	Double Depth
a) Adult	\$907.00	\$1,109.00
b) Infant (under 5 years)	N/C	N/C
c) Child (5 to 10 years)	\$601.00	\$751.00
d) Cremated remains	\$268.00	
e) Cremated remains (Columbarium or Mausoleum Niches)	\$268.00	
f) Entombment in the mausoleum	\$907.00	

Cremation**Resident (at the time of death)**

a) Adult	\$572.00
b) Infant (under 5 years)	N/C
c) Child (5 to 10 years)	\$330.00

Non Resident (at the time of death)

a) Adult	\$731.00
b) Infant (under 5 years)	N/C
c) Child (5 to 10 years)	\$341.00

Disinterment Charges**Another Gravesite in a Municipal Gravesite**

a) Adult	\$2,079.00
b) From single depth to double depth	\$2,264.00
c) Infant (under 5 years)	\$601.00
d) Child (5 to 10 years)	\$1,005.00
e) Cremated remains	\$335.00
f) Niche to niche	\$179.00
g) From in ground burial to Mausoleum	\$3,148.00
h) Extra charge if not in concrete container	\$641.00

a) Extra costs for a container and shipment of a removal from a Sault Ste. Marie Municipal Cemetery to another location shall be the responsibility of the deceased person's representative.

**** Double Depth Disinterments Are Not Permitted ****

Additional Miscellaneous Charges

(Rates do not include tax)

- b) Funerals arriving after 4:00 P.M. - \$135.00 for each half-hour or portion thereof for any funeral or service entering the cemetery after 4:00 P.M.
- c) Saturday Funerals after 1:00 P.M. - \$135.00 for each half-hour or portion thereof for any funeral or service entering the cemetery after 1:00 P.M.
- d) Niche Plate \$213.00 including installation. *Plus applicable taxes.*
- e) Cremations - mailing inside Canada (insured) \$80.00
 - mailing to U.S.A. (insured) \$97.00
 - outside Canada and U.S.A. (insured) \$212.00
- f) Removal of trees or shrubs from lots -- \$44.00 plus tax per tree for the removal of the tree and the repair of the lot where each item has been planted by the interment rights holder.
- g) Additional charges for the handling of wooden shells. \$121.00
- h) Transfer fee \$50.00
- i) Removal of crypt plate or niche plate from the mausoleum for vase installation or extra engraving. \$110.00
- j) Removal of niche plate from the columbarium for vase installation or extra engraving. \$50.00
- k) Rental of temporary storage facility \$40 per month



57g)

October 22, 2012

Mayor Debbie Amaroso and
Members of City Council

**EXTENSION TO SOO MINOR BASEBALL AGREEMENT
TO FACILITATE THEIR SOLAR PHOTOVOLTAIC FIT APPLICATION**

PURPOSE

The purpose of this report is to request City Council's support for one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program by the Soo Minor Baseball Association.

BACKGROUND

The Soo Minor Baseball Association (SMBA) has submitted a letter (attached) asking that their lease be extended until October 31, 2035 so they can submit an application to the Ontario Power Authority (OPA) for a rooftop solar photovoltaic system.

SMBA has leased property within the Strathclair Sports Complex development since 1992. The association has developed the infrastructure necessary for the purpose of baseball. This infrastructure includes buildings, one of which has a surface area and orientation that would be advantageous for a solar panel installation.

The Feed-In-Tariff (FIT) is a Provincial program administered by the OPA, which provides a pre-determined rate per kWh generated depending on the project type (i.e. rooftop solar, ground mounted solar, etc.). The OPA initiated a review of the program on October 31, 2011. Version 2.0 of the FIT Program Rules became available on August 10, 2012, and the OPA announced that from October 1 through November 30 both previously submitted and new applications would be accepted for evaluation. Under the FIT 2.0 rules, priority points could be awarded to projects that receive Municipal Council endorsement in the form of an OPA prescribed "Municipal Council Support Resolution". The Soo Minor Baseball Association requests Council support for the following project (see Schedule A in the By-law section of the agenda):

1. 639 Black Road, Sault Ste. Marie, Strathclair Sports Complex - Sinclair Yards Baseball Fields - rooftop solar photovoltaic system

5(g)

SMBA Agreement Extension re Solar (FIT) Application
2012 10 22
Page 2

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 energy generation and manufacturing has positively influenced the economic and environmental landscape of the community.

ANALYSIS

There has been no analysis provided at this time. The SMBA is undertaking an analysis, which is required for their application.

IMPACT

There is no budgetary impact. A building permit will be required for the rooftop solar photovoltaic project proposed, but local zoning and by-laws do not apply.

STRATEGIC PLAN

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

RECOMMENDATION

That the report of the Commissioner Community Services concerning the extension of the agreement with the Soo Minor Baseball Association to October 31, 2035 to allow the Association to submit a solar photovoltaic application to the Ontario Power Authority Feed-In-Tariff Program for a roof-top system be received be approved. A by-law extending the agreement appears elsewhere in the agenda and is also recommended for approval.

A by-law authorizing one (1) Municipal Council Support Resolution appears elsewhere in the agenda and is also recommended for approval.

Nicholas J. Apostle
Commissioner Community Services

jbcouncil/smba agreement extension re solar app.

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

cc: Legal Department

attachment



SOO MINOR BASEBALL ASSOCIATION INC.

P.O. BOX 1015, SAULT STE. MARIE, ONTARIO P6A 5N5

5lg)
October 15, 2012

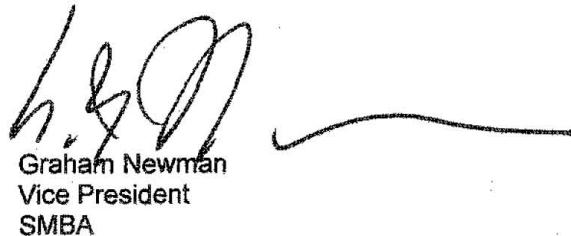
Corporation of the City of Sault Ste. Marie
99 Foster Drive
SAULT STE. MARIE, ON
P6A 5N1

ATTN: Mr. N. Apostle
REF: Sinclair Yards

Dear Sir:

Further to our letter of April 2012, please consider this letter as our formal request for an extension of our land agreement from 2020 to 2035 in order for Soo Minor Baseball to enter a solar power agreement with the O.P.A. Microfit Programme.

Thank you for all your help.



Graham Newman
Vice President
SMBA

CC: SMBA Board of Directors

37(h)

Jerry Dolcetti, RPP
Commissioner



Engineering & Planning
Department

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

RE: Development Charges Background Study

PURPOSE

The purpose of this report is to obtain Council's approval to retain the services of Watson & Associates Economists Ltd. to prepare a development charges background study.

BACKGROUND

On April 4, 2011, Council was provided information in regards to implementing development charges. As noted in the report, Sault Ste. Marie is one of a few municipalities that do not have development charges implemented under the Development Charges Act.

At the above meeting, Council gave approval to proceed with a Request for Proposal with a budget of \$30,000. The study would be funded through the 2011-12 Capital Works budget.

ANALYSIS

After a request for proposals, three (3) proposals were received. One of the proposals did not meet the requirements set out in the Terms of Reference.

The evaluation committee made up of staff from Engineering & Planning, Finance, Legal and Purchasing were of the consensus to award the study to Watson & Associates of Mississauga, Ontario

IMPACT

The cost of the study is \$29,360 plus HST and will be funded from the 2011-12 Capital Works budget.

2012 10 22

Page 2

STRATEGIC PLAN

Establishing a process for the implementation of development charges under the Development Charges Act is within the corporate values of fiscal responsibility.

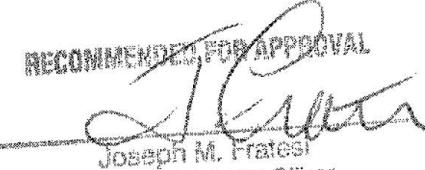
RECOMMENDATION

That Council approve the award of the Development charges Background Study required under the Development Charges Act to Watson & Associates Economists Ltd. for a fee of \$29,360 plus HST.

Respectfully submitted,


Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Jerry D. Dolcetti, RPP
Commissioner

Madison Zuppa, MES
Environmental Initiatives Coordinator



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

RE: SOLAR PHOTOVOLTAIC FEASIBILITY

PURPOSE

The purpose of this report is to provide Council with information about the necessary steps to complete additional solar photovoltaic systems on municipal facilities.

BACKGROUND

The Municipal Environmental Initiatives Committee and relevant staff have been exploring solar energy projects since November 2009. The initial discussions began with the launch of Ontario's Feed-In-Tariff (FIT) program under the *Green Energy and Green Economy Act, 2009*. The FIT program provides a guaranteed rate per kWh for approved renewable energy projects (i.e. solar, wind, etc.). To date the Ontario Power Authority (OPA), who administers the FIT program, has received 9,764 solar PV applications totalling 8,504 MW.¹ The following is a summary of significant dates related to the FIT program:

- May 14, 2009, *Green Energy and Green Economy Act* passed;
- September 24, 2009, FIT program regulation introduced;
- October 31, 2011, first review of the program was initiated;
- August 10, 2012, FIT 2.0 rules were released;
- October 1 through November 30, 2012, anticipated application window; and
- September 27, 2012, announcement posted on the OPA website delaying the anticipated application window.

The City of Sault Ste. Marie recently entered into an agreement with PUC Services Inc. to lease a portion of the roof located at the West End Community Centre. PUC Services Inc. intends to re-apply to the OPA when the application window is opened. There is no guarantee that the project will receive a contract, and it is uncertain when this application window or any future application windows will become available. If the City of Sault Ste. Marie wants to submit an application to the OPA during the upcoming application window for any other municipal facility, it must identify and assess potential locations quickly.

¹ OPA. 2012. By-Weekly FIT and microFIT Report: Data as of August 7, 2012. [Online]. Date Accessed: 11 October 2012. Available at: http://fit.powerauthority.on.ca/sites/default/files/page/Bi_WeeklyReportAugust7-2012.pdf.

ANALYSIS

Many of the facilities owned by the City of Sault Ste. Marie are 30 to 40 years old. These facilities might not be suitable for solar photovoltaic (PV) systems given the current local snow load requirements. The Chief Building Official advised that any new facility is built to meet the 2006 Building Code. Since almost all municipal facilities were built prior to 2006, an assessment would be required for each building. The assessment could include a review of the design loading shown on the building drawing and a structural analysis of the roof components to determine if any excess capacity exists.

The City of Sault Ste. Marie previously engaged a consultant to review the feasibility of installing solar generating systems at the following facilities: Transit Administration, Public Works and Transportation, and the West End Community Centre. The WECC was the ideal location because the additional loading could be incorporated into the building design. Future municipal buildings to be considered should include those that were recently built, require a new roof or new construction.

It is important to note that the Finance Department and Engineering and Planning Department are working on an asset management strategy that will provide the City with structural information on many municipal buildings. The full report is not anticipated to be available until the Fall of 2013, and it is unlikely that the timeframe for completion of the asset management strategy will be in line with the upcoming OPA application window.

IMPACT

The cost to review the design loading shown on the building drawings is approximately \$1,000 per facility, and structural analysis would cost at least \$5,000 per facility. This is dependent on the complexity of the facility and readily available information, and generally takes up to 6 weeks to complete. Additional fees will apply if an OPA application is made. It should be noted that this work has not been identified in any departmental budget.

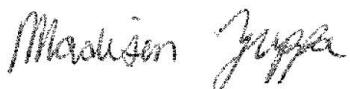
STRATEGIC PLAN

There are many environmental references in the Corporate Strategic Plan, but a feasibility study for rooftop solar PV is not specifically referenced.

RECOMMENDATION

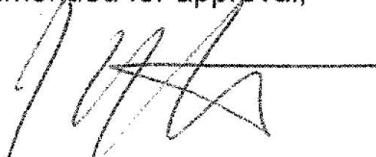
That the report of the Environmental Initiatives Coordinator concerning solar photovoltaic feasibility be received as information.

Respectfully submitted,



Madison Zuppa, MES
Environmental Initiatives Coordinator

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

Fire Chief Marcel Provenzano

Division Heads

Suppression – Frank Brescacin

EMS – Robert Rushworth

Fire Prevention – Paul Milosevich

Support Services – Jim St. Jules



Emergency Direct – 911
Emergency Phone (705) 949-3333
Business Phone (705) 949-3335
Fire Prevention Phone (705) 949-3377
EMS (705) 949-3387

5(j)

2012 09 17

Mayor Debbie Amaroso and
Members of City Council

RE: DIWALI INDIAN FESTIVAL - REQUEST FOR EXEMPTION FROM FIREWORKS BY-LAW 73-107

PURPOSE

The City has received a request from Mr. Dattatray Kittur, 55 Pelican Drive, for a one time exemption to the current fireworks By-law (73-107).

BACKGROUND

In celebration of the Indian Festival "Diwali" meaning, "Festival of Lights", Mr. Kittur would like to discharge fireworks on November 13th from 7:00 pm to 9:00 pm at the above noted address.

I have circulated an email to the following City departments for comments regarding this request: Police Service, Department of Public Works and Transportation, Planning Department and Algoma Public Health. No one expressed significant concerns with the firework display. Their comments are attached to this report.

ANALYSIS (if applicable)

Not Applicable

IMPACT

There is no financial impact related to this request.

STRATEGIC PLAN

Not Applicable

-more-

RECOMMENDATION

It is recommended that Mr. Kittur be granted a one-time exemption from the fireworks by-law.

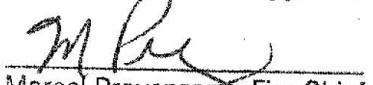
Recommended for approval,



Paul Milosevich
Assistant Chief
Fire Prevention and Public Education

(Attachment)

Recommended for Approval


Marcel Provenzano, Fire Chief
Sault Ste. Marie Fire Services

Comments from responding City Departments:**Sault Ste. Marie Police Services:** "no comments received"**Public Works and Transportation:**

"PWT has no concerns"

Larry Girardi – Commissioner of PWT.

Algoma Public health: "no comments received"**Planning Department:**

"I have no concerns with this. It may be worthwhile to note that we did not receive any complaints from the neighbours last year"

Don McConnell – Planning Director

Sault Ste. Marie Fire Services:

- 1 The owner of the property continually monitors adverse weather conditions such as high winds which may create nuisances for neighbours and threats to nearby combustibles and reacts accordingly to reduce such potential nuisances and threats.
- 2 Adequate fire protection measures must be in place throughout the duration of the fireworks display.
- 3 All other terms and conditions under By-Law 73-107 are strictly adhered to.

Fire Chief - Marcel Provenzano

5(K)

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012

File No. P.4.6.423

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

RE: STREET CLOSING REQUEST – HABITAT FOR HUMANITY – BLOOR STREET

PURPOSE

The purpose of this report is to seek Council's approval to close the portion of Bloor Street that abuts the property at 465 Northland Road (formerly 229 Bloor Street). Council donated this site to Habitat for Humanity. In order to comply with the City's Zoning By-law, the open portion of the roadway must be closed. If the roadway remains open it will make it impossible for any residence to comply with the sideway requirements of the City's Zoning By-law.

BACKGROUND

The Legal Department received a request from Habitat for Humanity to close the portion of Bloor Street as shown on Schedule "A" attached.

The request was circulated to the appropriate departments. All comments were favourable.

IMPACT

There is no significant financial impact associated with this matter.

-more-

5(K)

2012 10 22

Page 2

STRATEGIC PLAN

N/A

RECOMMENDATION

By-law 2012-194, a by-law to stop up and close a portion of Bloor Street has been prepared for your consideration and appears elsewhere on the agenda. By-law 2012-194 is before Council for the first and second reading this evening.

Respectfully submitted,



Nuala Kenny
City Solicitor

NK/da
attachment

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

da \LEGAL\STAFF\COUNCIL REPORTS\2012\STREET CLOSING PART BLOOR STREET OCT 22 12.DOC

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012

File No. LS(1)

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

**RE: LANE CLOSING APPLICATION – SAULT STE. MARIE PARK
SUBDIVISION, PLAN 7602**

PURPOSE

The purpose of this report is to seek Council's approval to close and convey a public lane in the Sault Ste. Marie Park Subdivision, Plan 7602.

BACKGROUND

The Legal Department received a petition to close and convey the public laneway described as:

PIN 31585-0077 (LT) LANE PL 7602 KORAH ABUTTING LT 742
TO 746 EXCEPT PT 2 1R8369 AND T436799; SAULT STE.
MARIE

The request was circulated to the appropriate departments. All comments were favourable.

ATTACHMENT

Attached as Schedule "A" is a portion of Map 80 showing the subject property.

-more-

2012 10 22

Page 2

IMPACT

There is no significant financial impact associated with this matter.

STRATEGIC PLAN

N/A

RECOMMENDATION

By-law 2012-191, a by-law to assume the lane for public use and establish it as a public lane and By-law 2012-192, a by-law to stop up, close and authorize the conveyance of the lane have been prepared for your consideration and appear elsewhere on the agenda. By-law 2012-192 is before Council for the first and second reading this evening.

Respectfully submitted,


Nuala Kenny
City Solicitor

NK/da
attachment(s)


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

da\LEGAL\STAFF\COUNCIL REPORTS\2012\LANE CLOSING BOURGEOIS SSM PARK SUB. PLAN 7602 OCT 22
12.DOC

511

¹¹⁰
573

35'	109 604		109 574	35
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	602		576	
	601		577	
	600		578	
	599	12	579	
	598		580	
	597		581	
	596		582	
	595		583	
	594		584	
35'	593 109		585 109 12	35
	592 110	591	588 587	586 110
	32.85		32.85	32.9

32.85	32.85
605	611
606	612
607	613
608	614
609	615

35.	109 638	109 612	35.
	637	613	
	636	614	
	635	615	
	634	616	
	633	617	
	632	618	
	631	619	
	630	620	
	629	621	
	109	109	35.

Sydenham Road subject
property

Property

66

19-1935*

689
690

32.85	728
	727
	726
	725
	724
	723
32.85	722
	710

	109		109
35'	755		729
	754		730
	753		731
	752		732
	751	2	733
	750	1	734
	749	1	735
	748	1	736
	747	1	737
35'	746	1	738
	109	1	739
		1	740
35'	745	1	739
	744	1	740
	743	1	741
	742	1	742
	741	1	743
	740	1	744
	739	1	745
	738	1	746
	737	1	747
	736	1	748
	735	1	749
	734	1	750
	733	1	751
	732	1	752
	731	1	753
	730	1	754
	729	1	755
35'	109	1	

Langdon Koch

814
110
347

351	109 846	III.72 III.68
	845	816 III.62
	843	817 III.56
	842	818 III.5
	841	819 III.44
	840	820 III.38
	839	821 III.30
	838	822 III.24
	837	823 III.18
	836	824 III.14
	835	825 III.06
35	834 109	826 III. -
		33.53m ↗
		16.57m ↗
		16.76m ↗
		33.53m ↗

		29.99m	6.76m
	4	30.04m	6.76m
	3	30.08m	6.76m
		110.7	2-12
		854	10.64
109		855	
880		110.58	
879		856	
878		110.52	
877		857	
876		110.46	
875		858	
874		110.4	
873		859	
872		110.34	
871		860	
109		10.28	
868		861	
869		110.22	
870		862	
35		10.16	
866		863	
864		110.1	
865		864	

Farwell Terrace

27

Part of Map 80

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



**LEGAL
DEPARTMENT**

File No. C2.13(6)

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

**RE: MUNICIPALITY CONTRIBUTION AGREEMENT BETWEEN THE
ONTARIO LOTTERY AND GAMING CORPORATION AND THE CITY**

PURPOSE

The purpose of this report is to request Council's approval for a Municipality Contribution Agreement (the "Agreement") between the City and the Ontario Lottery and Gaming Corporation ("OLG") which sets out the terms for payment by OLG of the City's share of slot machine revenues.

BACKGROUND

As Council is aware, OLG manages a gaming site at 30 Bay Street West, Sault Ste. Marie, Ontario (the "SSM Casino"). At the time the SSM Casino opened, OLG provided the City with an informal letter which set out the City's share of slot revenues. OLG has now provided the City and each casino host community with the Agreement, which is a standard municipality contribution agreement that replaces the informal letter previously sent by OLG.

ANALYSIS

The Agreement formalizes the relationship between OLG and the City as it pertains to net slot revenues. As in the past, the Agreement contemplates that the volume of business at the SSM Casino will determine the size of the City's share of such revenues. Paragraph 3 of the Agreement sets out the percentages of net slot revenues the City will receive and is consistent with the share of casino proceeds the City has received in the past.

OLG has further provided clarifications to various terms contained in the Agreement to assure the City that its relationship with the City as it pertains to slot revenues will continue in the same manner as the past informal arrangement between the City and OLG.

-more-

5(m)

2012 10 22

Page 2

IMPACT

The City will continue to receive net slot revenues in a manner that is consistent with revenues paid by OLG to the City in previous years.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

By-law 2012-183 which appears elsewhere on the agenda authorizes the City to enter into the Municipality Contribution Agreement between the City and OLG and is recommended for approval

Respectfully submitted,



Melanie Borowicz-Sibenik
Assistant City Solicitor

MBS/cf

Staff/reports/2012/OLG Agreement oct22.12

Recommended for approval,



Nuala Kenny
City Solicitor

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 - 2012

File No. R1.11

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

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

PURPOSE

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

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

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

BACKGROUND

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

-More-

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

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

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

ANALYSIS

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

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

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

-More-

5(n)

2012 10 22

Page 3

Although the *Municipal Act* authorizes cities to pass by-laws respecting animals generally, it does not authorize municipalities to pass by-laws contrary to the Charter. A by-law prohibiting animal acts would violate the constitutional freedom of expression.

ATTACHMENT

I have attached a copy of correspondence from Kiwanis Club of Sault Ste. Marie, dated October 12, 2012.

IMPACT

Not Applicable.

STRATEGIC PLAN

No impact on the Strategic Plan.

RECOMMENDATION

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

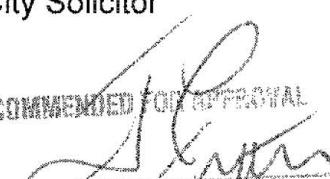
Respectfully submitted,


Matthew Caputo
Solicitor/Prosecutor

MC/da
attachment

Recommended for approval,


Nuala Kenny
City Solicitor


RECOMMENDED FOR APPROVAL
Joseph M. Prates
Chief Administrative Officer

Kiwanis

KIWANIS CLUB OF SAULT STE. MARIE

PO BOX 474, Sault Ste. Marie, P6A 5M1

October 12th, 2012

To: Mayor of Sault Ste. Marie
CC: Members of Council, Commissioner Apostle

Madam Mayor and Council,

I write this letter today on behalf of the Kiwanis Club of Sault Ste. Marie regarding a proposed motion to ban animal acts currently before council. Our club understands the intended goal of the motion is to prevent animal acts which are known to abuse animals for the purposes of profit on city property. However, we urge council to ensure that not all performances which include animals be completely banned from using City of Sault Ste. Marie facilities or property as not all events or performances are the same.

In 2009 our club hosted the Royal Canadian Mounted Police Musical Ride in support of Kiwanis programs and community initiatives. We successfully raised over \$20,000 in support of many valuable children's programs within our community. The RCMP Musical Ride is one of Canada's most prestigious and professional demonstration teams and has performed for her Majesty the Queen of Canada and people all over the world. The RCMP is a model organization for the treatment and care of their animals. Many officer members of the Musical Ride consider their horses to be their partners. The level of training each officer and team member receives from our national police force can only be described as exemplary. We urge council to please ensure that this is considered when determining the language of the motion.

Our club has been tentatively selected as a host for the 2013 tour with final approval to come in mid January 2013. It is of great concern to our service club that this motion may prevent us from hosting this event on a public facility, where children and families can enjoy this national treasure and help support the many programs supported by the Kiwanis Club of Sault Ste. Marie. Our hope is that this motion will be taken into consideration cautiously as to not prevent our organization and the RCMP Musical Ride from performing in the City of Sault Ste. Marie in 2013 or in the future.

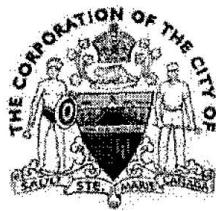
Thank you for your consideration



Brad Frechette
President
Kiwanis Club of Sault Ste. Marie

5(n)

Material provided by Councillor Sheehan



Greetings Brad Frechette,

Let me begin by thanking you for taking the time to contact me and the rest of Council. In reading your letter I am delighted to read the following: "*Our club understands the intended goal of the motion is to prevent animal acts which are known to abuse animals for the purposes of profit on city property.*" It confirms to me that you not only understand the intent of the resolution but also recognize that abuse occurs with circus animals.

As per your clubs efforts to bring in the RCMP musical ride, this would be allowed under the by-law. When I introduced the resolution to Council in an open session I stated then that the by-law was to cover wild/exotic circus animals i.e. elephants etc and not horses used in musical rides and for that matter dog shows etc. I had spoken with Essar Centre staff as part of my research on the matter and was made aware of things like the RCMP musical ride that might come to the City.

So I agreed then and still agree with your statement: "*However, we urge council to ensure that not all performances which include animals be completely banned from using City of Sault Ste. Marie facilities or property as not all events or performances are the same.*"

There are approximately 30 cities in Canada that have banned "wild/exotic circus animals" and in reviewing some of the by-laws they have written in exclusions for horses and other animals like dogs so as to allow things like the RCMP musical ride to occur. This should be the same for our City as well, and I will be ensuring that such is included in our by-law.

The last point I wanted to make is that banning circuses that use wild/exotic animals is also seen as being a proactive safety initiative as one only has to recall seeing in the news the times that wild/exotic circus animals have gone "wild" and attacked audience members, staff, and trainers.

Again thanks to you and Kiwanis Club of Sault Ste. Marie for all the outstanding efforts for our community.

Sincerely,
Terry Sheehan
City Councillor

Malcolm White

From: Terry Sheehan <terry_sheehan@hotmail.com>
Sent: October 16, 2012 8:43 PM
To: Malcolm White
Subject: Please place my response to original Kiwanis Club letter and Kiwanis response to my letter on the agenda
Attachments: Greetings Brad Frechette.doc

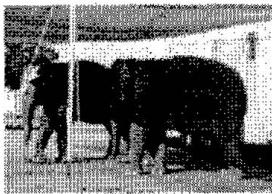
Hi Terry,

Thank you for your response to the concerns of our club. We wish you luck in moving forward with this motion and are relieved to hear our concerns are recognized. We look forward to continuing to plan this event and that we will be able to continue welcome the RCMP in the future. We will provide an update and invitation to council and the people of Sault Ste. Marie once we have the event details finalized. Look forward to your support.

Thank you again,
Brad Frechette
President
Kiwanis Club of Sault Ste. Marie

Circuses**ACTION ALERT****What YOU can do****RESOURCES****GLITTERY GLORY**
Griefy under the "Big Top"

When most people hear the word circus, they think of popcorn, candy, "wild" animals and fun. However, behind the glitter and the glitz of the circus lies a cruel world of animal suffering. The animals are unwilling participants in a show that jeopardizes their health, their mental well-being and their lives. Read The Circus: It's modern slavery by Dick Gregory

**Travel can be torture**

Some of the larger circuses travel approximately 48 weeks out of the year and cover

thousands of miles. Circus schedules are created to maximize attendees, not to ease suffering of the animals. Some circuses go to warmer states in the summer because residents are accustomed to the heat, even though the animals may be forced to suffer in extreme temperatures. The same unfortunate situation occurs in the winter in colder areas.

The animals either travel in 18-wheelers or by trains. In 18-wheelers, the tigers are kept in cages with barely enough room to turn around; there they are forced to eat, sleep and defecate. Often the animals are not let off the railroad cars immediately, either because of traffic conditions or because the train arrived too early or late. Then the animals are forced to wait inside of the railroad cars for

Circuses**Banned**

Because animals used in circuses are not well protected by law, a growing number of U.S. and foreign cities have enacted laws that ban animal acts.

[List of locales that ban circuses](#)

Animal-Free Circuses

There are circuses that are fun, and exciting with no animal abuse. Cirque du Soleil, The New Pickle Family Circus, Circus Smirkus, Cirque Eloize, Circus Oz and the Mexican National Circus are all wonderful circuses that offer family

hours even in the extreme temperatures.

Trained by pain

Circuses force animals to perform acts that have nothing to do with how these magnificent creatures behave in the wild. These unnatural acts range from a tiger jumping through a flaming hoop to bears riding bicycles. Animals are sometimes injured while performing; tigers have been burned jumping through a flaming hoop. Training animals to perform unnatural acts requires whips, tight collars, muzzles, electric prods and other tools. Anytime you see elephants, you will notice that circus employees nearby always hold an ankus (a wooden stick with a sharp, pointed hook at the end) to discourage undesired behavior. The ankus is embedded into the most sensitive areas of an elephant, such as around the feet, behind the ears, under the chin, inside the mouth and other locations around the face, and is sometimes used to smash animals across the face.

Lives of constant confinement and frustration of natural instincts force animals into a state of neurosis. Elephants constantly sway back and forth in their chains and the tigers constantly pace in their cages. These repetitive behaviors are symptoms of deep psychological distress. Elephants in the wild walk many miles a day and travel in groups. In the circus, these animals are chained by two legs, unable to take one step forward, except when performing. It is well known that elephants have a close family unit. However, in the circus these families are usually torn apart.

Animals in circuses do not provide a realistic educational tool for children because the animals are forced to perform tricks that are not normal to them. Children are seeing broken-spirited animals reacting to a stressful and unnatural environment.

Public Safety: Reason for Concern

entertainment full of excitement and suspense, with no animal suffering.
[Complete list of animal-free circuses](#)

Animals in circuses are threat to public safety; wild animals on city streets give communities reason to be concerned. When animals are brought in by trains, the animals are sometimes walked to an arena where they will be performing. Cars and elephants are side-by-side on busy city streets. Again, the animals are forced to endure extreme temperatures. Although some animals are accustomed to the heat, they are not used to walking on hot pavement or to not having access to water, trees or mud holes. Circus trainers will even withhold food and water from animals to reduce untimely excrement.

Elephants in circuses have gone on rampages and caused destruction, injuring and killing spectators. Since 1985, over 150 people have been killed or seriously injured by captive elephants who broke free from their handlers or restraints. In 1994 an elephant named Tyke killed her "trainer", then went on a rampage in the streets on Honolulu, injuring onlookers and damaging property. Tyke was eventually gunned down in front of the public by police. Other incidents have occurred when elephants are frightened, sometime by the honking of car horns. Tigers have also been known to attack and kill their "trainers"; others have escaped into terrified communities.

Some elephants in circuses have been found to have a human strain of tuberculosis (TB). These animals pose a serious health risk since they are in contact with the public during publicity events and when children receive elephant rides.

Unseen victims

Some circuses, in addition to having animal performers, will also have other animals in a make-shift zoo. These animals, such as rhinoceroses and giraffes, are kept in small cages and are not let out. They are unable to hide as the public reaches into their cages.

Article from British Columbia Society for the Prevention of Cruelty to Animals

The BC SPCA is opposed to the capture, acclimatization, training and use of animals, particularly exotic ones, in circuses. In the past, people were thrilled at the sight of huge elephants standing on their hind legs, bears riding bicycles and lions and tigers jumping through flaming hoops. However, with greater awareness of the behaviour and needs of wild animals and their habitats, many members of the public have come to question the ethics of the circus environment as it applies to animals.

An increasing number of communities throughout Canada have adopted by-laws rejecting the use of wild or exotic animals in circuses and similar performances. British Columbia is the leading Canadian province with 20 municipalities banning circuses that have wild and exotic animals performing. Modern circuses have already begun to redefine themselves by eliminating outdated and exploitative wild animal acts becoming animal-free circuses - the best known of which is probably Canada's own Cirque du Soleil. The majority of people do not see an 'educational value' in circuses where bears, for example, are taken out of their natural habitat and force-trained to ride bicycles.

For animals still trapped in the existence of the travelling show, it is crucial that the public help their cause. One of the first things that people can do is to boycott circuses with animals. However, municipal bylaws that restrict performing animals is the best way to assure circuses do not have a place to set up.

Conditions on the Road

Circuses travel from one city to another to perform their shows. Touring seasons last quite a while, some 48 to 50 weeks of year. Some circus animals may end a tour with one company only to be placed in another circus tour group, thus working all year long.

Bears, lions, elephants, and other animals travel in 'beast cars' where they sleep, eat, and defecate. Zoocheck's Performing Prisoners A Case Against the Use of Wild Animals in Circuses, Travelling Shows & Novelty Acts report states:

One example is the Moscow Circus which housed Asiatic brown bears, some weighing more than 500 pounds, in cages measuring just 41 inches wide by 54 inches long during its Canadian tour in 1991. The bears were not able to stretch out, play, explore, or engage in their normal repertoire of behaviours. Few animal living quarters are as devoid of stimulation as the circus beast wagon.

Dr. Ken Langelier, a veterinarian who has conducted investigations of circuses for the British Columbia SPCA reports that a trainer with the Carden Circus, on a Canadian tour for the Shrine Circus, said he "...had lost one bear to heat prostration in a previous tour". According to Langelier, "*This particular circus performed two to three times daily seven days a week for 72 straight days while in Canada. The trainers relayed it was a tiring schedule for both them and their animals...*".

Zoos in the past shared similar animal handling methodologies found in circuses, but have since introduced more effective and humane practices. For example, elephant management in zoos no longer chain elephants, yet this is a common practice in circuses.

Public Safety

Is it safe to have wild animals in proximity of people and their homes? Experience has shown that circus animals have gotten loose because of inappropriate cages or barriers. These large wild animals despite trainers claiming to have them under control, at anytime may follow their natural wild instinct and not behave as a 'tamed' animal. Wild animals should be kept wild by respecting their wildness and keeping a safe distance.

Deaths and injury to people have been recorded widely as a result of circus animals due to poor emergency protocols and equipment at circuses. Zoocheck's report found the following Canadian incidents on record:

- 7/07 Newmarket, Ontario - Three elephants escaped from the Garden Bros. Circus and wandered into a nearby residential area before being rounded up and returned to their compound.
- 8/99 Toronto, Ontario - During the "Lights, Camera, Animals" show at Paramount Canada's Wonderland, a lion bit two trainers causing minor injuries. The lion was controlled with a fire extinguisher.
- 5/99 Timmins, Ontario - Between performances of the "Leonard Circus", an elephant killed an employee. The worker was assisting the trainer, prepping the elephant for a show when he was kicked in the head and fell backwards.
- 4/97 Calgary, Alberta - An elephant giving rides at the "Al Azhar Shrine Circus" bit and knocked down one of its handlers. The circus refused to remove the elephant from public performances.
- 8/94 Coquitlam, B.C. - A tiger was caught under a hoop of fire and was burning for approximately ten seconds. The ramp that the tiger was expected to run up to get to the hoop slipped and the hoop of fire fell onto the cat.
- 11/93 Metro Toronto, Ont. A keeper at the Metro Toronto Zoo was gored through the abdomen by an elephant.
- 3/91 Oshawa, Ont. A 450 pound tiger featured in Jane Jones Exotic Circus leapt on passersby on two different occasions.
- 7/90 Mississauga, Ont. A 600 pound tiger escaped for 10 minutes from the Shrine Circus.
- 8/88 Mississauga, Ont. A brown bear at a Moscow Circus matinee performance bolted into the audience.

Trade in Wildlife

According to the 1994 Traffic Europe-World Wildlife Fund report CITES and The Regulation of Wildlife Trade for European Circuses, there is a limited but consistent circus trade in wild-caught apes, bears, elephants, and other species which has escaped the attention of wildlife trade enforcement authorities. According to Zoocheck's report "the impact of the illegal trade on wildlife populations is devastating. It is estimated that 80% of the animals handled die either in the capture process, in transit or within first few months of captivity."


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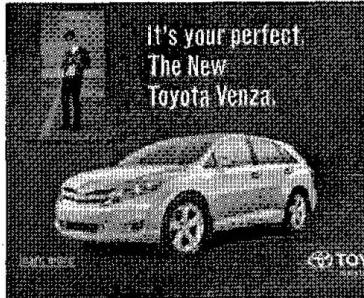
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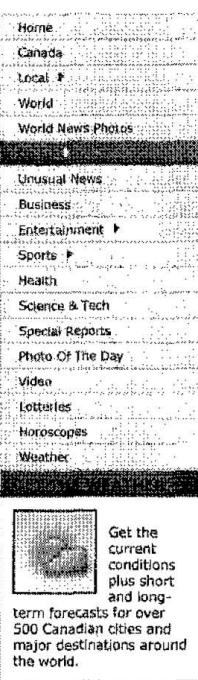
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Is it time to end the circus?

by Sameer Vasta

In light of new animal cruelty charges against Feld Entertainment, we wonder: is it time to reconsider the need for traditional traveling circuses?

Feld Entertainment, the parent company that owns and controls Ringling Bros. and Barnum & Bailey circuses, has recently been fined \$270,000 by the United States Department of Agriculture for violations to the Animal Welfare Act. The fine was levied for at least 27 different violations and acts of animal cruelty; Feld Entertainment has also agreed to new training for animal handlers and hiring someone who will be responsible for Animal Welfare Act compliance.

This isn't the first time Ringling Bros. and Barnum & Bailey have faced complaints or charges for their treatment of animals, and despite the moves made for better animal handling, signs show that it may not be the last. A recent exposé by Deborah Nelson in *Mother Jones* shows a culture of abuse and mistreatment to animals in the traveling circuses, and a lawsuit was filed (and subsequently thrown out) against Feld Entertainment for animal cruelty earlier this year.

In light of some of the research being done on circus animals, Virginia Congressman Jim Moran recently introduced the "Traveling Exotic Animal Protection Act" which aims to protect animals like elephants in traveling circuses, and add to the restrictions already in place in the Animal Welfare Act. In Canada, many municipalities have already instituted bans on traveling circuses with wild or exotic animals, but a larger, national discussion has yet to take place.

It's time for that discussion.

We need to ask lots of questions: how do we police and enforce appropriate conditions for animals in traveling circuses? Should we allow exotic animals to perform in circuses in the first place? Is it time to end the circus, or at least the traveling circus with animals as we know it?

Circuses that don't use animals, like Cirque Du Soleil, are thriving; there are many places across the country, including zoos and conservation areas, where people can interact with all types of animals from around the world. While the appeal of the traveling circus with exotic animals may have been great decades ago, are they that necessary in today's

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Sameer Vasta is a storyteller, web junkie, hugger extraordinaire, and communications strategist that has helped organizations like the Government of Ontario, The World Bank, and the ACDN create compelling narrative around their work. He performs poetry in the street and gives, arguably, the best hugs in the country. Ask him for one next time you're in Toronto.



Nevil Hunt published his first newspaper at the age of five. The press run was limited to one handwritten page and consisted of two-day-old hockey scores copied from the Ottawa Journal. Sadly both the Journal and his early start-up are long-forgotten pulp. Now a veteran of Ottawa weeklies and small-town newspapers, he is proud to call the nation's capital home.



Monica Bugajski is a freelance writer, actress, and "dreamer" who delights in telling the world exactly what is wrong with it. As a Polish-American-Canadian blonde, she enjoys breaking every single stereotype. She's lived in too many cities to keep track of and studied International Relations at New York University and University of Southern California - Los Angeles where she graduated magna cum laude. She's happy to be back in Toronto and although she lived in LA for the past six years, she relishes in breaking that stereotype as well.

[Collapse](#)



TheProfile

Is it time to end the circus?

Shut 'er down!
Eat your popcorn, drink your pop and wrap it up!
There are far too many abuses, far too many death, far too little regulations and far too many other venues and means for people to enjoy the majesty and mystery of animals for Circuses to continue.

Available at any time of the day are live cam viewings of animals in their natural habitats. Some of them are cute, some of them are pretty brutal, but they are live and without significant interference to the animals. So they do in fact give us an honest insight to the animal. True, we don't get to pet the animals, but really, should we be petting some of these animals?

Having said all the above, right after the circuses get their close down papers, be prepared for the same to happen to any animal zoo that does not provide a true and spacious animal habitat. Expect zoo closures, exotic animal exhibits and facilities and expect to support animal rescue operations for the rehabilitation of those animals currently in those facilities.

The world is changing. Travel to natural animal habitats are but a quick air flight away, and are often sponsored as school field trips and could be once again promoted as family vacations. You remember family vacations right? Pre twitter...

Yup, close them down and let's see the human performers and those exactly like Cirque Du Soleil, which by the way, regardless of which show they are presenting, is worth every penny and deserves total recommendation. :)

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K

Posted on 01/12/2011 at 1:05 AM

Animals

Cirque du Soleil is fabulous and uses no animals. The acrobatic feats are simply amazing, the costumes wonderful, and as already stated, worth every penny.

There is no need to abuse animals in the name of entertainment.

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Anonymous

On No

Posted on 01/12/2011 at 8:15 AM



J

[Not the only thing that needs changing](#)

Canada's animal cruelty laws haven't been changed since the later 1800s. Yes, traveling circuses are a thing of the past, but don't look for any national changes anytime soon.

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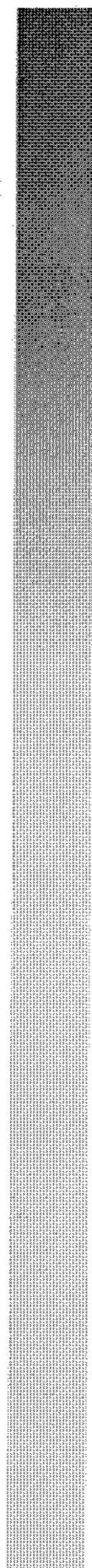


ann

Posted on 01/12/2011 at 8:22 AM

circuses

It's time to end this misuse of animals. They were not put on earth for our amusement. As stated above, there are many other ways to interact with and observe animals without them having to live their lives being hauled around in cages and made to do stupid tricks for human entertainment. Cirque de Soleil is amazing and there are no animals used there. You can





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Contact:

David Sacks (301) 734-5271
Lyndsay Cole (970) 494-7410

USDA and Feld Entertainment, Inc., Reach Settlement Agreement

WASHINGTON, Nov. 28, 2011—The U.S. Department of Agriculture (USDA) and Feld Entertainment, Inc., doing business as Ringling Brothers and Barnum & Bailey Circus (Feld), have reached a settlement agreement in which Feld has paid a civil penalty of \$270,000 for alleged violations of the Animal Welfare Act (AWA) dating from June 2007 to August 2011.

"This settlement sends a direct message to the public and to those who exhibit animals that USDA will take all necessary steps to protect animals regulated under the Animal Welfare Act," said Agriculture Secretary Tom Vilsack. "The civil penalty and other stipulations in the settlement agreement will promote a better understanding of the rights and responsibilities of all exhibitors in maintaining and caring for animals under their care."

USDA is authorized to assess a civil penalty of up to \$10,000 for each AWA violation occurring after June 2008. In addition to paying the \$270,000 civil penalty, the largest assessed against an exhibitor under the AWA, Feld waived the opportunity for a hearing and agreed to develop and implement annual AWA compliance training for all employees who work with and handle animals, including trainers, handlers, attendants and veterinarians starting March 31, 2012, and to establish an AWA compliance position on its staff by February 28, 2012. All Feld employees who will work with and handle animals must complete the training within 30 days of when they are hired.

The Animal and Plant Health Inspection Service (APHIS) is a multi-faceted Agency with a broad mission area that includes protecting and promoting U.S. agricultural health, regulating genetically engineered organisms, administering the AWA, and carrying out wildlife damage management activities. These efforts support the overall mission of USDA.

One of APHIS' core missions is to ensure the welfare of the animals it regulates under the AWA. The AWA sets forth humane standards for care and treatment of animals that are exhibited to the public. APHIS veterinarians, animal care inspectors and investigators are deeply committed to making sure that all USDA licensed exhibitors provide their animals with proper veterinary care, water, a balanced diet of wholesome food, clean and structurally sound housing that affords enough space for the animals to move comfortably, and protection from extremes in temperature and weather.

To ensure that its licensees are meeting federal standards, APHIS inspectors conduct routine, unannounced inspections of all licensed facilities. The non-compliances resolved through this settlement agreement were discovered through APHIS inspections and investigations, as well as public complaints that were submitted to the agency.

A copy of the full settlement agreement can be found at
http://www.aphis.usda.gov/animal_welfare/downloads/FEI_signed_agreement.pdf.

#

Note to reporters: USDA news releases, program announcements and media advisories are available on the Internet and through really simple syndication (RSS) feeds. Go to the APHIS news release page at www.aphis.usda.gov/newsroom and click on the RSS feed link.



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OF TIGERS, BY-LAWS AND CIRCUSES

The Impact of Bill 50 (Provincial Animal Welfare Act) on the By-Law Jurisdiction of Ontario Municipalities

25 January 2009

Simon Shields, LLB
Toronto, Ontario

1. Background
2. 'Old' Municipal Act Animal Jurisdiction
3. Present Municipal Act Animal Jurisdiction
4. The Effect of Bill 50

1. Background

The subject of this memo is the present (with the passage of Bill 50 the "Provincial Animal Welfare Act") jurisdiction of Ontario municipalities to make by-laws respecting animal welfare, particularly respecting the use of animals in transient entertainment such as circuses.

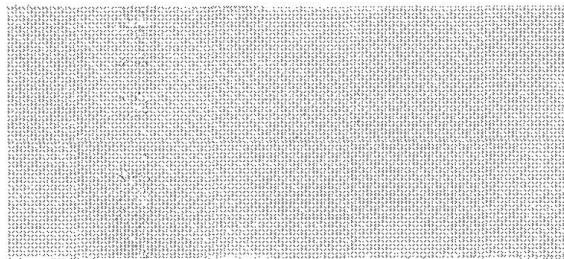
The historical context of this issue is set by the 1993 Court of Appeal

case of Stadium Corp v Toronto [reviewed in detail in Appendix A]. The jurisprudential result of Stadium Corp was that the Municipal Act's [then] 'circus regulation' jurisdiction (which at the time was held by the upper-tier Municipality of Metro Toronto) had an underlying 'public safety' purpose, and that the primary municipal animal authorities [see s.2 below] then held by the City of Toronto had an underlying purpose of controlling 'nuisances'. The Court of Appeal held that 'animal welfare' purposes as such were NOT a legitimate municipal concern as they lay with the province under the OSPCA Act, and - at least with respect to animal cruelty - also with the federal government's criminal law power.

This memo demonstrates that this law is now changed. Ontario municipalities now plainly have 'animal welfare' by-law authority. This new authority allows for the making of by-laws regulating, prohibiting and licensing both with respect to circuses, and - for that matter - ANY 'animal welfare'-implicated activity.

Below I review in turn the 'old' [pre-01 January 2003] Municipal Act animal-related by-law authorities, the present [post-01 January 2003] Municipal Act animal-related by-law authorities, and the impact of Bill 50 (aka the "Provincial Animal Welfare Act").

2. 'Old' Municipal Act Animal Jurisdiction



The 'old' Municipal Act [RSO 1990, c.M45 - repealed and replaced 01 January 2003] contained a range of specific animal-control by-law authorities, and included those related to:

- Prohibiting/Regulating Species and Numbers

"prohibiting or regulating the keeping of animals or any class thereof within the municipality ..., the number of animals or any class thereof that may be kept by any person, or that may be kept in or about any dwelling unit ..." [s.210, c.1]

- Regulating Breeding and Boarding

"for regulating establishments for the breeding or boarding of animals, ..." [s.210, c.2]

- Establishment of Pounds

"for providing sufficient yards and enclosures for the safekeeping of such animals as it may be the duty of the poundkeeper to impound" [s.210, c..3]

- Animals at Large and Trespassing

"prohibiting or regulating ... the being at large or trespassing of animals, OTHER THAN DOGS, and for providing for impounding them and causing them to be sold, if they are not claimed within a reasonable time or if the damages, fines and expenses are not paid

according to law" [s.210, c.4]

"for prohibiting or regulating the running at large of dogs in the municipality ..., for seizing and impounding and for killing, whether before or after impounding, dogs running at large contrary to the by-law, and for selling dogs so impounded" [s.210, c.13]

- Animal Identification Systems

"for providing for animal identification systems including tagging, tattooing or microchip implantation" [s.210, c.5]

- Leashing Dogs in Public

"for requiring ... an owner of a dog to keep the dog leashed and under the control of some person when the dog is on land in the municipality other than that of the owner" [s.210, c.8]

- Pooper-Scooper

"for requiring an owner of a dog to remove forthwith excrement left by the dog anywhere in the municipality" [s.210, c.9]

- Muzzling and Leashing Dogs After Violence

"for requiring the muzzling or leashing of a dog after it has bitten a person or a domestic animal" [s.210, c.10]

- Dog Licensing

"for licensing or regulating and requiring the registration of dogs" [s.210, c.11]

- Neutering Dogs and Cats

for "establish[ing] clinics for the spaying or neutering of dogs and cats"

As can be seen, these authorities are primarily nuisance-directed, with the sole exception perhaps being the muzzling/leashing authority which might be

more better characterized as having a 'public safety' purpose. Consistent with the court's reading in Stadium Corp, none of the above have an overt 'animal welfare' purpose - although animal welfare may be an incidental result of breeding regulation and licensing activities.

3. Present Municipal Act Animal Jurisdiction

(a) Some Old Powers Expressly Preserved

The present [post-01 January 2003] Municipal Act, RSO 2001, c.25 still expressly addresses some of the above-listed 'traditional' animal control jurisdictions - though with some modifications. These include:

- muzzling of dogs [MA, s.105; CTA s.107];
- seizing, impounding and sale of animals at large [MA, s.103; CTA s.106];

Note:

The 'killing' of such dogs is no longer included in this authority, and now appears to be reserved entirely to the procedures of the Dog Owners' Liability Act and Animals for Research Act [see the *Isthatlegal.ca* Dog and Cat Control Law (Ontario) Legal Guide, Chptrs. 2 and 3].

That said, it does appear that the authorities listed above were expressly stated in the legislation for the purpose of both clarity and modification - particularly to limit the authority to pass by-laws providing for the killing of "at large" dogs.

(b) New General Animal By-Law Jurisdiction

However a "new" [post-01 January 2003] general Municipal authority over animals, is now located in both the generic Municipal Act RSO 2001, c.25 and the specific City of Toronto Act, 2006.

It is disarmingly simple. Most Ontario municipalities now may now [MA, s.10(2)(g); s.11(3)(g); CTA s.8(2)(g)]:

"... pass by-laws respecting ... animals."

This broad by-law authority seems certain to be interpreted as encompassing - minimally - the traditional 'nuisance' municipal-animal control areas listed in s.2 above in relation to the old Municipal Act [MA 8(2); CTA s.6(2)].

However, as is argued in s.4 below, with the passage of Bill 50 [3rd reading passing 17 November 2008, pending Royal Assent and proclamation] the way now seems clear for the adoption by municipalities of a broad 'animal-welfare' purpose authority.

(c) Licensing

Of course, the authority to pass by-laws includes the authority to both regulate and prohibit the governed activities altogether [MA s.8(3)(a), CTA s.8(3)(a)], and to pass by-laws licensing them [MA s.8(3)(c), CTA s.8(3)(c)].

In addition, where animal uses take the form of a "business" [as that term is defined in MA s.150 and CTA s.85, which includes "exhibitions, concerts, festivals and other organized public amusements held for profit or otherwise"] then both the Municipal Act and the City of Toronto Act allow municipal licensing of such activities.

4. The Effect of Bill 50

(a) Bill 50 Overview

Bill 50 (aka the Provincial Animal Welfare Act) is not a new free-standing Act. Rather it amends the existing Ontario Society for the Prevention of Cruelty to Animals Act ['OSPCA/A'], which previously established the OSPCA as a police-type body with authority respecting animals in defined "distress" situations.

The pre-Bill 50 OSPCA Act had little substantive animal welfare regulatory content beyond some cat and dog

breeding minimum standards and the generic 'distress' definition which could be enforced by OSPCA orders, breach of which were a regulatory offence. As well, the old OSPCA Act was often criticized for restricting warrantless inspector entry (and thus seizure) of an animal to situations where 'immediate distress' was directly viewed by the inspector, rather than grounded on such normal evidence as third party reports or sounds heard.

While Bill 50 amendments do much to expand and rationalize the OSPCA's institutional and police capacities, they do much more than this. They add free-standing regulatory offence provisions - provisions NOT exclusively enforceable by the OSPCA - which now directly trigger on the 'distress' criteria. Now, causing or allowing "distress" to an animal is an offence in its own right, punishable by up to a \$60,000 fine and/or two years imprisonment.

That said, these offence provisions will be subject to exceptions for hunting and 'to be defined' (in the regulations) agricultural and other animal-use activities.

(b) OSPCA Exclusivity Provision
Repealed

In the Stadium Corp case one of the grounds on which the Court of Appeal held against any municipal 'animal welfare' jurisdiction was an OSPCA-exclusivity clause, the [then] s.10 of the OSPCA Act. That provision prohibited the existence of any "society, association or group of

individuals" which had "for its object the welfare of or the prevention of cruelty to animals".

Bill 50 repeals that provision.

(c) New Conflict Provision

However, most telling of present provincial government intention on the issue of municipal 'animal welfare' by-law jurisdiction is an otherwise innocuous Bill 50 'conflict-resolution' provision, which reads:

s.18

The Act [OSPCA/A] is amended by adding the following sections:

s.21

In the event of a conflict between a provision of this Act or of a regulation made under this Act and of a municipal by-law pertaining to the welfare of or the prevention of cruelty to animals, the provision that affords the greater protection to animals shall prevail.

As the OSPCA Act grounds the province's established jurisdiction over animal welfare, and as municipalities are "creatures of the province", this provision is plain - albeit inferential - authority a new delegated sharing of 'animal welfare' jurisdiction with municipalities.

Further, conflict resolution between these now shared authorities is structured in the form of a 'floor', not a 'ceiling', analogy. Now municipal by-laws may even surpass the animal welfare protections embodied in the new (Bill 50-amended) OSPCA Act. Thus, even should a (new Bill 50) OSPCA regulation exempt some animal uses from the regulatory offence provisions, municipalities may enter even into these exempted areas and regulate, prohibit or license such animal use activities for 'animal welfare' purposes.

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL
DEPARTMENT

Celebrate 100!
1912 ~ 2012

File No. R1.19

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

RE: POSTERS ON MUNICIPAL UTILITY POLES

PURPOSE

The purpose of this report is to respond to the following resolution moved by Councillor Butland and seconded by Councillor Bruni May 30, 2011:

"Whereas posters advertising coming events at various city venues are regularly posted on utility poles across the City; but primarily on arterial routes such as Queen St. and Trunk Road; and

Whereas these posters are often never removed not only creating an eyesore but also because the adhesive used defaces the outer surface of the utility poles and can result in additional expense to restore these utility poles to their original state,

Now Therefore Be It Resolved that the Legal Department in consultation with other appropriate staff prepare a by-law which could effectively curb the unacceptable status quo with the thought of placing:

1. A limited time duration for which posters can be posted and removed;
2. A thought to initiating fines if the approved by-law is contravened;
3. Requiring a permit authorizing the posting of such signs."

BACKGROUND

The City of Sault Ste. Marie's Downtown district is a highly trafficked area, and therefore individuals and companies who wish to advertise often do so in this portion of the City. One of the ways in which advertising takes place is through the use of posters that are placed on utility poles. These posters are often affixed to the utility poles with tape or another sticky substance. They are often abandoned after the event they were advertising has occurred, and therefore remain on the utility poles for a long period of time. When they are removed, the tape that is used can damage the utility poles.

- More -

2012 10 22

Page 2

By-law 2005-166 regulates signs in the City but does not apply these posters.

ANALYSIS

Case law states that a complete prohibition on posters is a violation of freedom of expression. Although the City cannot ban posters, it can regulate them.

There are concerns associated with a poster regulating by-law. First, the City does not have the staff necessary to enforce a by-law for the entirety of the City of Sault Ste. Marie. Passing a by-law without the necessary enforcement means would be futile.

Second, there are evidentiary issues that would arise when attempting to prosecute someone for a poster by-law violation. It is unlikely that a person would be witnessed in the act of putting a poster on a utility pole. It would be difficult to identify the person who posted the sign and therefore difficult to lay a charge.

Council may alternatively consider if posters should be restricted in specific areas in the City. The main areas of concern include the Downtown area, the Cambrian Mall area (Great Northern Road) and the Trunk Road area. However, a complete restriction on poster advertising in any of these areas would likely be deemed to be excessively restrictive given the advertising potential that exists in these locations.

Rather than passing a by-law to regulate Council can consider the following alternative approaches to address the concerns herein. First, the City of Ottawa addresses this issue through the placement of a stainless steel "sleeve" on a number of utility poles in the Ottawa Downtown area. The City of Ottawa passed a by-law which only permits the placement of posters on utility poles covered with the sleeve. The by-law further restricts the placement of one (1) poster per event per sleeve and otherwise banned the placement of posters on utility poles throughout the balance of the City. Prosecutions are initiated against persons who can be identified as violating the City by-law and a \$300.00 fine is sought. The sleeves are estimated to cost the City of Ottawa \$300.00 each.

Second, the City could consider creating a permit system whereby persons would require a permit to advertise on a utility pole. The building Department presently issues sign permits for larger signs, and therefore this option is possible. The Chief Building Officer was consulted on this matter, and he indicated that incorporating a by-law or permit system would exceed their current staffing capabilities. To properly regulate such a system additional staff would be required to deal with the surplus.

Finally, removal of the posters, whether legal or illegal, needs to be considered. The City of Ottawa cleans the sleeves on the first (1st) and fifteenth (15th) of every

2012 10 22

Page 3

month, and all posters are removed at that time. In our City, the PUC removes the posters whenever they repaint the utility poles, which is done once every five (5) years. The PUC is willing to remove the posters more often; however this would result in increased costs to the City. PWT also cleans the utility poles, but only when complaints are received. PWT could be requested to increase such clean-up efforts, but additional workers would be needed.

IMPACT

Incorporating either solution would have a financial impact on the City. The sleeves would have a high initial capital cost, with maintenance and repair costs each following year. Incorporating a permit system would increase the workload of a City Department to the point where additional staff would be required.

Removing the posters on a more regular basis would also financially impact the City.

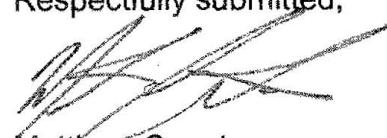
STRATEGIC PLAN

No impact on the Strategic Plan.

RECOMMENDATION

It is recommended that Council takes no action at this time.

Respectfully submitted,

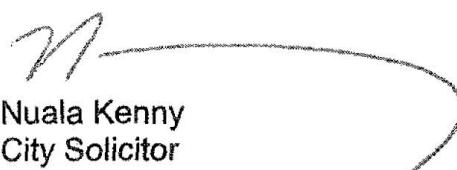


Matthew Caputo
Solicitor/Prosecutor

MC

Attachments

Recommended for approval,



Nuala Kenny
City Solicitor



RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Matthew Caputo
City Prosecutor

Re: Poster By-Law

Dear Matt

This letter is in response to your inquiry concerning the establishment of a poster by-law. Please be advised that staffing levels at this time could not support any additional permitting system or field inspections. The By-Law Enforcement officer could not possibly handle any additional site enforcement that would be related to posters signs. The officer is presently undertaking approximately 1,600 site visits per year. All such visits require additional administrative work to process. If a permitting system is contemplated I would expect that counter traffic would also increase. This would further stress our existing staffing levels. It should be noted that our office policy was to have permits issued within 5 days' time. Presently given existing staffing levels we have not been able to meet this policy. This is due to further requirements to review complete applications and additional mechanical reviews that our office has undertaken. We have however been able to meet the minimum Provincial requirement of 10 days for the minor projects. Any increase in counter traffic would jeopardize this mandatory time frame. If permitting is desired perhaps it could be accommodated through the implementation of online permitting system.

Presently we are upgrading our permit tracking system to make it even more user friendly. Once this is complete we could explore the use of on line permitting eliminating the need to attend the office for such minor permits. It would however still require onsite visits to ensure the removal or to ensure permits are obtained.

It would be my recommendation that we not create a permit system but simply institute a poster removal system on a weekly basis. This would eliminate the need for a whole lot of administrative function.

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

Susan Hamilton Beach
Deputy Commissioner



**Public Works
and
Transportation**

Celebrate 100!
1912 - 2012

2012 10 11

Matthew Caputo
Solicitor/Prosecutor
Legal Department
Civic Centre

Dear Mr. Caputo:

Please accept this letter as confirmation of Public Works and Transportation ('PWT') current and potential role in the removal of posters from utility poles. It is my understanding that currently - if an accommodated worker is capable of the removal and disposal of posters – PWT does respond to requests that are complaint driven.

If a regular monitoring and removal program is desired for certain areas within the community the current staffing arrangement would not be sufficient and additional funds would need to be identified. An estimate of time and effort could be prepared if the areas (i.e. Downtown, Great Northern Road corridor) were determined and the number of poles in those areas identified. It is expected that this effort would require additional staffing beyond the current compliment.

As per our discussion, ideally this effort would get charged back to the organization or individual responsible for the advertising. It needs to be recognized that the administration of such a collection/permitting system would, however, be quite onerous.

In summary, PWT would be capable of completing this work; however, staffing would be required beyond the current compliment to accomplish any regular monitoring and removal poster program.

Should you have any questions, please do not hesitate to contact the undersigned.

Regards,


Susan Hamilton Beach
Deputy Commissioner
Public Works and Transportation

S. Hamilton Beach, P. Eng.
Deputy Commissioner



Public Works and
Transportation

Celebrate 100!
1912 ~ 2012

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

**RE: HOUSEHOLD SPECIAL WASTE FACILITY –
STEWARDSHIP ONTARIO ('SO') FUNDING**

PURPOSE

The purpose of this report is to update the Council resolution dated 2009 03 23:

"Resolved that the report of the Waste Diversion Supervisor dated 2009 02 23 concerning Municipal Special Waste Facility Stewards Funding be accepted and the recommendation that Council place the Municipal Household Special Waste (MHSW) stewardship funds into a reserve account to further enhance the MHSW operations, be approved."

BACKGROUND

The City of Sault Ste. Marie has operated its Household Special Waste Depot at 115 Industrial Park Crescent since September, 2001. It has been a successful service provided to the residents of this community as well as many households in the surrounding area. In summary, the service was started in 2001 with no external funding, however, since 2008 partial funding has been received through Stewardship Ontario ('SO').

At the meeting of Council 2011 09 26, a report was presented by PWT which resulted in the City of Sault Ste. Marie entering into an agreement with SO. Based on this 2011 agreement, a significant portion of the program is now funded.

As the current funding program is intended to cover operational costs and the program at large, directing these funds to a reserve is no longer appropriate.

ANALYSIS

As this funding is intended to offset operational costs redirecting it to this expense is recommended. Furthermore it is recommended that the money that has been sent to-date to the Hazardous Waste Depot be moved to the Landfill Reserve.

IMPACT

The annual funding is not known. The program funding and qualifications have repeatedly changed. It is estimated approximately 60% of the City's costs will be covered each year by SO.

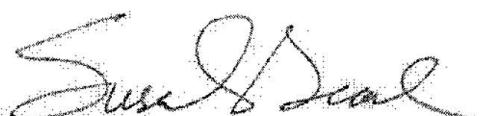
STRATEGIC PLAN

The recommendations of this report are not linked to any activity of the Corporate Strategic Plan.

RECOMMENDATION

"That the report of the Deputy Commissioner be accepted and that Stewardship Ontario funding no longer be directed to the Hazardous Waste Depot reserve account, but, rather be used offset the operational budget, as it is intended, and furthermore that the existing balance in the Hazardous Waste Depot be moved to the Landfill Reserve (thereby eliminating the Hazardous Waste Depot)."

Respectfully submitted,



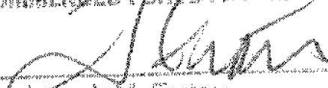
Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval,



Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

5. (e)



400, 530 - 8th Avenue SW
Calgary, AB T2P 3S8

403-767-0100 tel
403-767-0299 fax

www.tenaris.com

Sept 14, 2012

Debbie Amaraos
Mayor of Sault Ste. Marie
432- Great Northern Road – Unit 202 2nd Flr
Sault Ste. Marie, ON

Debbie

Dear Mr. Amaoros:

I wanted to write to you directly about an important change happening in Canada. After six years as CEO of Tenaris in Canada, I have been promoted to CEO of Tenova based in Italy, a sister company to Tenaris and a world leader in the supply of advanced technologies, products and services for the iron and steel and mining industries. Tenova has almost 5,000 employees worldwide and operates in 26 countries, including Canada.

I am leaving the Tenaris Canada in good hands with an experienced Canadian management team and a strong new leader. My successor, Guillermo Moreno is well-prepared to build an even more prosperous future for Tenaris in Canada. Originally from Argentina, Moreno was most recently the Tenaris Global Director of Planning based out of Buenos Aires. During his career he has worked in various roles and multiple countries, including Commercial Director in Mexico, Global Business Unit Director for our Global Pipe Line Business located in Mexico, and Global Oilfield Services Business Unit Director located in Houston. I know Guillermo will count on your continued support and he looks forward to meeting you in the coming months.

As I look forward to the next phase of my career, I will take many lessons learned from my time in this great country, as well as many good memories of many of you who I met along the way. I want to take this opportunity to thank you for working with me and providing support to our business in Canada. I consider the growth of Tenaris across Canada to be a successful template for how local industry can innovate and thrive.

In the coming years, I look forward to watching Tenaris grow along with the Canadian economy. If there is ever anything that I can do for you in my new role from Italy/Europe, I am always available via email at aiperti@tenaris.com. Ciao.

Sincerely,

Alberto I.

Alberto Iperi,
Managing Director, Canada

RECEIVED
OCT 15 2012
MAYOR'S OFFICE

(7)(a)

S. Hamilton Beach, P. Eng.
Deputy Commissioner



Public Works and
Transportation

2012 10 22

Mayor Debbie Amaroso and
Members of City Council

**RE: COMMUNITY LIVING ALGOMA –
SUPPORT FOR COMMUNITY RECYCLING DEPOT**

PURPOSE

The purpose of this report is to seek Council approval of a \$20,000 request by Community Living Algoma to offset their program costs in 2012 and annually.

BACKGROUND

Attached to this report is a submission made by CLA which includes the general details about the Community Recycling Depot. As has been noted in several media outlets, the 100th transport of waste electronics has recently been sent out of the depot.

The service CLA is providing to the community at large has been well received and has meant a great savings in landfill space.

Additionally, styrofoam is also collected and recycled by the depot.

ANALYSIS

It should be recognized that all of the contributions and successes of the Community Recycling Depot have been possible because of a very small dedicated team of employees. As noted in the July, 27, 2012 letter, attached, all revenues are directed to operating costs and employment for people receiving services from Community Living Algoma. Community Living Algoma has absorbed the management and support staff salaries since the depot began in 2008. For this program to be administered by the City, the cost would be far greater than the amount of this request.

In order to sustain the operation, CLA is asking for a contribution of \$20,000 annually. Bill Freiburger, Commissioner of Finance and Treasurer recommends that the funds come from the Landfill Reserve for 2012 and that this be included in future budgets as a line item within PWT budget.

(b)(7)(a)

2012 10 22
Page 2

IMPACT

This request has a \$20,000 impact to the Landfill Reserve in 2012 and is recommended to be included annually in future PWT budgets. Prior to the establishment of the Community Recycling Depot, waste electronic material was not regularly collected for recycling. This material is saving landfill space, extending the life of the landfill and eliminating many hazardous materials from ending up in the municipal landfill site.

STRATEGIC PLAN

The recommendations of this report are not linked to any activity of the Corporate Strategic Plan.

RECOMMENDATION

"That the report of the Deputy Commissioner be accepted and that a contribution of \$20,000 be made in 2012 funded by the Landfill Reserve and furthermore that an annual contribution of \$20,000 be made by including this item in the Public Works and Transportation annual budget."

Respectfully submitted,



Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval



Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

6(7)(a)

COMMUNITY LIVING

Algoma



Inspiring Possibilities

July 27th, 2012

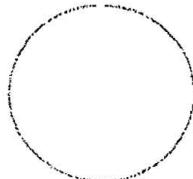
To: All Members of Sault Ste. Marie City Council
Mayor Debbie Amaroso

Re: Funding Request for Community Recycling Depot

The Community Recycling Depot has been in operation since April 2008 and in that time has made a significant contribution on several levels, the details of which you can find attached.

It is important to note that these contributions have been made by a very small team of committed and dedicated employees, with all revenues being directed to operating costs and employment for people receiving services from Community Living Algoma. Community Living Algoma has absorbed the management and support staff salaries since the Depot began in 2008.

Community Living Algoma is requesting Council's support in order to ensure the sustainability of this operation which not only contributes significantly to the environment and/or landfill longevity, but also provides meaningful employment for five young adults. A contribution of approximately \$20,000 on an annual basis for operational and training costs would be very much appreciated by the Community Recycling Depot.



Community Recycling Depot

General Details about Community Recycling Depot

Community Recycling Depot opened its doors to community April 1, 2008 and the team has worked very hard ever since. From its slow beginning to now, we have seen a continual increase in both work load and contribution to the environment which prolonging Sault Ste. Marie's landfill. Currently, Community Living Algoma has one full time support staff dedicated to this initiative, while employing four employees (two full time and two relief) who are involved in every aspect of the collection and/or repackaging process as well as one young woman who works in an administrative capacity at the storefront, where customer calls and walk in traffic are redirected. In this role, she works four days a week. The dedication and commitment that this team has demonstrated in their role cannot be emphasized enough.

Community Recycling Depot is very appreciative of community partners who have supported our recycling of electronics. Last fall (2011) an agreement was reached between Ontario Electronic Stewardship (OES) and the City of Sault Ste. Marie which resulted in electronic waste being diverted from disposal at landfills and being rerouted to our depot by Green Circle. This is a win-win situation which increases the landfill longevity, increases revenues which impact wages for the depot employees while supporting the environment. These are fantastic community partners who make a significant difference in the work we are doing. The recycling employees work hard every day, and without these community partners and members of the general public who support us by bringing in their electronics and Styrofoam, we would not be where we are.

The Community Recycling Depot works under the premise of Shared Leadership, where the employees and support staff partake in team meetings and all decisions related to the day to day operations of the Depot. Each employee is encouraged to challenge themselves by learning and growing in their roles as much as possible, to increase transferable skills in the workplace and overall employment satisfaction. With increasing requirements under the Occupational Health & Safety Act and in conjunction with our own internal goals & directions, our team is continually challenged by the costs associated with financial sustainability, and would welcome any discussion at the municipal level that would be open to entertaining this discussion.

Some Successes We Are Proud of:

- (2009) sixteen transport loads of electronics diverted after one year of operation
- (2010) 408 pallets of electronic waste collected; translates to 26 transport loads of electronics diverted
- (2011) 924 pallets of electronic waste collected; translates to 36 transport loads of electronics diverted
- (2012) To date, we have collected 18 transport loads of electronics

Our Contribution to the Community:

- ❖ We are quickly approaching our 100th transport load of electronics (expected to hit this milestone this summer) which would take up (and hasn't) 9422 cubic yards of our community landfill space
 - To put this into context...this past May, Ontario Electronic Stewardship sent out a press release announcing 100,000 tonnes (milestone) of electronic waste was collected, recycled and successfully diverted provincially from landfills...
 - ...imagine 12,222 tractor trailer loads of out of use electronics parked end to end from downtown Toronto past Tobermory!
 - ...our depot has hauled away approximately 1400 tonnes of material...which is only an estimate
 - ...this works out to be about 6000 cubic meters of space that would have been taken up in our landfill
 - ...on average, the landfill accepts 32,000 tonnes per year
 - ...according to these numbers, the depot has diverted 4% of the total waste that went to the landfill!
- ❖ We have also collected 32 transport loads of Styrofoam to date (since opening in 2008) which has also protected our environment by being recycled
- ❖ Has provided employment opportunities for five people (current staffing numbers) as well as opportunities for community networking and ability to make a significant impact on local and global environmental issue
- ❖ We like to believe that we are raising the profile of people with disabilities in our community

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-183

AGREEMENT: (C2.13(6) A by-law to authorize the execution of a Municipality Contribution Agreement between the City and Ontario Lottery and Gaming Corporation for payment of slot machine revenues 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, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a Municipality Contribution Agreement in the form of Schedule "A" attached dated the 22nd day of October, 2012 and made between the City and Ontario Lottery and Gaming Corporation for setting out the terms for payment by Ontario Lottery and Gaming Corporation of the City's share of slot machine revenues.

2. **SCHEDULE "A"**

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

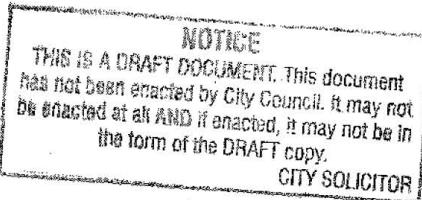
3. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE



10(a)

Schedule "A"

MUNICIPALITY CONTRIBUTION AGREEMENT

THIS AGREEMENT is made as of the 22nd day of October , 2012

B E T W E E N:

ONTARIO LOTTERY AND GAMING CORPORATION, a statutory corporation established under the *Ontario Lottery and Gaming Corporation Act, 1999* (Ontario) with its corporate office located at 4120 Yonge Street, Suite 420, Toronto, ON M2P 2B8, facsimile number 416-224-7003

(hereinafter referred to as "**OLG**")

OF THE FIRST PART

- and -

THE CORPORATION OF THE CITY OF SAULT STE. MARIE, with its administrative office located at 99 Foster Drive, P.O. Box 580, Sault Ste. Marie, ON P6A 5N1, facsimile number 705-541-7171

(hereinafter referred to as the "**Municipality**")

OF THE SECOND PART

WHEREAS OLG has the authority to conduct and manage lottery schemes within the meaning of subsection 207(4) of the *Criminal Code* (Canada) and subject to the *Gaming Control Act, 1992* (Ontario) including slot machines as defined in s.198(3) (the "**Prescribed Slots**");

AND WHEREAS OLG conducts and manages a gaming site at 30 Bay Street West, Sault Ste. Marie, ON P6A 7A6 (the "**Location**");

AND WHEREAS the parties acknowledge it would be in the public interest for the host Municipality of the Location to have access to funds which may be used, at the discretion of the Mayor and Council, for municipal purposes such as services relating to registering property, transit services and passenger transportation services;

NOW THEREFORE, in consideration of the respective covenants and agreements, representations, warranties and indemnities herein contained and other good and valuable consideration (the receipt and sufficiency of which are acknowledged by each party hereto) the parties agree as follows:

1. Definitions

(1) As used herein, including the foregoing recitals, the following terms shall have the respective meanings indicated below:

- (a) "**Contribution**" has the meaning set forth in Section 3;
- (b) "**Effective Date**" means April 1, 2013 or such later date as OLG may specify;
- (c) "**Operating Year**" means each period from April 1st to March 31st inclusive, during the Term, to the end of the Term, except that the first Operating Year shall be the period beginning on the Effective Date and ending on the following March 31st and if this Agreement shall be terminated effective on a date other than March 31st in any year, then the period from April 1st of the calendar year in which such termination occurs (or April 1st of the immediately preceding calendar year if the date of termination occurs in January, February or March) to such effective date of termination shall be treated as an Operating Year;
- (d) "**Slots Revenue**" means, for any period, the sum of net revenue generated from slot machines at the Location, calculated in accordance with International Financial Reporting Standards or such other Canadian generally accepted accounting principles as OLG adopts from time to time in its sole discretion. For greater certainty, the Slots Revenue will not include any revenue whatsoever from other products or services provided by OLG at the Location in the Municipality other than the Prescribed Slots. Slots Revenue will be calculated in accordance with the rates identified in section 3; and
- (e) "**Term**" means the period of time referred to and described in Section 2 hereof.

2. Term and Termination

The term of this Agreement will become effective on the Effective Date and will terminate at the earliest of:

- (a) the date on which all Prescribed Slots are no longer conducted and managed by OLG in the Municipality at the Location;
- (b) the date on which any license, permit, approval, consent and/or other permission that may be required for the continued use and operation of the Prescribed Slots at the Location in the Municipality is no longer available, becomes invalid or ceases to have effect;
- (c) the effective date of written notice of termination provided by OLG to the Municipality, which effective date must be specified by OLG in such notice; provided, however, that such effective date shall be at least 30 days following the date of such notice. OLG will endeavour to provide more than 30 days' notice, and, where not practicable to do so, OLG shall:

- (i) explain, in said notice, why it is not practicable to do so, subject to any confidentiality concerns, as well as setting out in such notice the length of the time period equal to the difference between: (A) 365 days; and (B) the number of days' notice actually given by OLG. For greater certainty, such time period shall not exceed 335 days; and
- (ii) pay to the Municipality, in accordance with the timelines in Section 4, amounts which aggregate OLG's estimation of the Contribution that OLG would have paid in respect of the time period referred to in Subsection (c)(i) above had this Agreement not been terminated in accordance with this Section 2(c); and
- (d) the date mutually agreed to in writing between OLG and the Municipality (the "Effective Date of Termination").

3. Payments

OLG shall pay to the Municipality, an amount equal to the following (the "Contribution"):

- (a) 5.25% for the 1st \$65 million of net Slot Revenue; plus
- (b) 3.00% on the next \$135 million of net Slot Revenue; plus
- (c) 2.50% on the next \$300 million of net Slot Revenue; plus
- (d) 0.50% on the remainder of net Slot Revenue.

Following the Effective Date, in the event any additional taxes, charges, conditions or requirements are imposed by the Municipality on OLG in respect of the continued operation of the Prescribed Slots at the Location in the Municipality, the Municipality acknowledges and agrees that OLG shall be entitled to amend the Contribution in a way that may reduce the Municipality's entitlement.

4. Timing of Payments

(a) Subject to Section 4(b), within twenty-one (21) days of the end of each calendar quarter during the Term, OLG shall pay to the Municipality the Contribution to which the Municipality is entitled for such period. OLG will provide access to its most current audited consolidated financial statements once such are made public by the Ministry of Finance in public accounts.

(b) In the event the Effective Date of Termination of this Agreement occurs on or before the date that is twenty-one (21) days following the end of a calendar quarter, OLG shall, within fifteen (15) days of such Effective Date of Termination, pay to the Municipality the Contribution to which it is entitled in respect of the period beginning on the first day of the calendar quarter in which such termination took place up to and including the Effective Date of Termination.

5. Entire Agreement

This Agreement constitutes the entire agreement between the Municipality and OLG with respect to the matters herein and supersedes all prior agreements and understandings, oral or written, between the parties hereto or their respective representatives with respect thereto and shall not be modified or amended, except by written agreement signed by the parties hereto.

6. Further Assurances

The parties agree to do, or cause to be done, all acts or things and execute all such further documents as may be necessary to implement and carry into effect this Agreement to its full extent.

7. Normal Costs of Development

The parties acknowledge and agree that nothing herein shall operate to fetter any legislative or quasi-judicial jurisdiction of the Municipality, and in particular, it is understood and agreed by the parties that this Agreement does not preclude the Municipality from imposing upon occupants, owners or developers of the property at which the Prescribed Slots are located, normal development-related costs (including the costs of infrastructure improvements under local or regional jurisdiction) arising from the Prescribed Slots in the same manner and to the same extent as may be imposed by the Municipality on other occupants, owners or developers of land within the Municipality, and further that this Agreement does not preclude the Municipality from imposing such taxes, fees, charges, conditions or other requirements as may be imposed in accordance with applicable law upon owners, occupants, developers, properties or businesses in the Municipality (including, without limitation, realty taxes, development charges, conditions of site plan approval and sewer and water charges).

8. No Liability of OLG

The Municipality acknowledges and agrees that none of OLG and any provincial agency, ministry or crown corporation, nor any of their respective officers, directors, employees, agents or representatives shall be liable to the Municipality for or in respect of any claims (including claims based in contract, tort or negligence, active or passive), any cause of action, demands, losses, liabilities or damages whatsoever (including consequential, exemplary, special, punitive and indirect damages) arising out of, in respect of, or relating indirectly or directly to this Agreement, the Prescribed Slots, the operation, cessation of operation or malfunction of any systems or equipment, or any injury to or death of any person. Furthermore, the Municipality releases OLG from any and all losses in respect of the foregoing.

9. Notice

Any notice or other communication permitted or required to be given by OLG to the Municipality shall be given by either posting the same by prepaid registered mail or by facsimile addressed to the Municipality at the address or facsimile number, as applicable, appearing in this Agreement or by personal delivery to the Municipality. Any notice or other communication permitted or required to be given by the Municipality to OLG shall be given by either posting the same by prepaid registered mail or by facsimile addressed to OLG at the address or facsimile number, as applicable, appearing in this Agreement or by personal delivery to OLG. Any notice posted by pre-paid registered mail shall be deemed to have been received on the third business day following such mailing and any

notice personally delivered or sent by facsimile shall be deemed to have been received at 5:00 p.m. on the day so delivered or sent by facsimile (if such day is a business day and if such notice is sent prior to 5:00 p.m. on that day, and if not, on the next following business day). During periods of a postal strike or of a general interruption of postal services, any notice shall be given by personal delivery or facsimile hereunder and shall be deemed to have been received on the second business day following posting of the same.

10. Relationship of Parties

OLG acknowledges the Municipality's role as a host community of the Prescribed Slots at the Location. The Municipality acknowledges and agrees that the Municipality is not an employee, agent or representative, joint venturer, or partner of OLG, and the Municipality shall not represent itself to others as being authorized to assume, incur or create any obligation of any kind (express or implied) on behalf of (or in the name of) OLG or any other provincial agency, ministry or crown corporation, or purport to bind OLG or any other provincial agency, ministry or crown corporation in any respect. For greater certainty, the Municipality acknowledges that OLG has, and shall have, the sole right to determine, from time to time and at any time, the number and type of slot machines operated at the Location

11. Severability

If any covenant or term herein or the application thereof to any person or entity, or in any circumstance, to any extent is held invalid or unenforceable, the remainder of this Agreement or the application of the term, covenant or condition to any person, event or circumstance, other than those as to which it is held invalid or unenforceable, will not be affected thereby and each term, covenant and condition shall be valid and enforceable to the fullest extent permitted by law, except that if on the reasonable construction of this Agreement, as a whole, the applicability of the other provisions presumes the validity and enforceability of the particular provision, the other provisions will be deemed also to be invalid or unenforceable.

12. Governing Law

This Agreement shall be interpreted and the rights of the parties shall be governed by and construed in accordance with the laws of the Province of Ontario.

13. Attornment

Each party irrevocably and unconditionally attorns to the exclusive jurisdiction of the courts of the Province of Ontario.

14. Recitals

The recitals to this Agreement form part thereof and this Agreement is to be construed accordingly.

15. Time

Time shall in all respects be of the essence in this Agreement.

16. Counterparts

This Agreement may be executed in counterparts, each of which shall constitute an original and all of which taken together shall constitute one and the same instrument.

17. Disclosure

The parties acknowledge that OLG is a Crown Agency and that it is subject to the *Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.F.31, as amended, and that the Municipality is subject to the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, c.M.56, as amended, and that, as a result, each party is required to observe certain legislative obligations with respect to the disclosure or non-disclosure of information, whether to government agencies or ministries, members of the public, or otherwise.

18. Modifications

Excluding an amendment permitted under s. 3, no amendment to this Agreement will be valid or binding unless set forth in writing and duly executed by both of the parties hereto. No waiver of any breach of any provision of this Agreement will be effective or binding unless made in writing and signed by the party providing such waiver, and will be limited to the specific breach being waived.

19. Assignment

No transfer, sale or assignment by the Municipality of this Agreement or the Municipality's rights hereunder is valid without the prior written consent of OLG.

20. Benefit of the Agreement

This Agreement will enure to the benefit of and be binding upon the respective successors and permitted assigns of the parties hereto.

21. Electronic Execution

Delivery of an executed signature page to this Agreement by any party by electronic transmission will be as effective as delivery of a manually executed copy of this Agreement by such party.

[Remainder of Page Left Intentionally Blank]

10(a)

-7-

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first written above.

**ONTARIO LOTTERY AND GAMING
CORPORATION**

Per: _____

Name: Rod Phillips
Title: President & Chief
Executive Officer

I have the authority to bind OLG

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

Per: _____

Name: Debbie Amaroso
Title: Mayor

c/s

Per: _____

Name: Malcolm White
Title: City Clerk

I/We have authority to bind the corporation.

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-193

AGREEMENT: (P5) A by-law to authorize the execution of a lease agreement between the City and Strongco Limited Partnership for the lease of one (1) Motor Grader complete with Snow Wing and Front Blade on a five (5) year basis, as required by the Department of Public Works and Transportation.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001*, S.O. 2001, c.25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to a lease agreement in the form of Schedule "A" attached dated the 15th day of October, 2012 and made between the City and Strongco Limited Partnership for the lease of one (1) Motor Grader complete with Snow Wing and Front Blade on a five (5) year basis, as required by the Department of Public Works and Transportation.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of October, 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

Schedule "A"

10(b)

Volvo Financial Services

Closed End - Fixed Purchase Price Option - Schedule No

Customer No. 5027666

Schedule No.

Lessee:	THE CORPORATION OF THE CITY OF SAULT STE. MARIE	Co-Lessee(s):	
----------------	--	----------------------	--

This Schedule is entered into pursuant to that certain Master Lease Agreement (the "Lease") between Volvo Financial Services, (a division of VFS Canada Inc.) ("Lessor") and Lessee / Co-Lessee(s) stated above, dated 12/14/2001.

All capitalized terms used and not defined are used with the same meaning as given in the Lease.

DESCRIPTION OF UNITS					
Number of Units:	1	See Page 2 for Detail Unit Listing			
Description (Year/Make/Model):	2012 Volvo G960B				
Type of Unit:	Construction				
SUPPLIER INFORMATION					
Company Name:	Strongco Limited Partnership, a Partnership By its general partner Strongco GP Inc.				
Street Address:	1640 Enterprise Rd. Mississauga, ON L4W 4C4				
FINANCIAL TERMS					
Base Lease Term (months):	54	Lessor's QST Registration Number Lessor's GST/HST Registration Number	10191990530TQ0001 89122-4552 RT		
Base Lease Commencement Date:	10/15/2012		Per Unit	Total on Schedule	
Lease Termination Date:	4/15/2017	Lease Equipment Cost:	\$265,000.00	\$265,000.00	
Date of Acceptance:	10/15/2012	All Fees (and Insurance, if applicable):	N/A	\$0.00	
		Gap Waiver:	N/A	\$0.00	
LEASE EQUIPMENT COST REDUCTION					
Daily Lease Rate Factor:	N/A	(a) Gross Trade In Allowance:	\$0.00		
Monthly Lease Rate Factor:	1.9947	(b) Less Lien Amount:	\$0.00		
Payments due In:	ADVANCE	(c) Net Trade-In Allowance:	\$0.00		
Delivery Date:	10/15/2012		Sub Total (c):	\$0.00	
Security Deposit:	\$0.00			\$265,000.00	
EXCESS ALLOWANCE (IF APPLICABLE)		INSURANCE: Lessee shall maintain Combined Single Limits Insurance.	See Payment Stream		
Excess Usage Unit:	Hours	Per Unit on this Schedule:			\$2,000,000
Excess Usage Per:	Term	Deductible per Occurrence:			\$25,000
Maximum Usage:	6000	Each Total Monthly Rental Payment Due On or Before the 15th Day of Each Month. Lessee will also pay all other taxes and other amounts whenever due under the Lease in addition to the Rent, GST/HST and PST.			
Excess Usage Charge (\$):	21.00				
ADDRESS OF LOCATION OF PRIMARY DOMICILE OR GARAGE OF UNITS					
Street Address:	99 FOSTER DRIVE, CIVIC CENTRE				
City:	SAULT STE MARIE	Prov:	ON	Postal Code: P6A 5N1	

Lessee's Initials: _____

10(b)

Volvo Financial Services
Schedule No.
Units and Components Serial Numbers

Customer No. 5027666

Schedule No:

Year	Make	Model	Serial Number *	Engine / Attachments
2012	Volvo	G960B	5349	Engine #11307473

*Ensure accuracy of the last 4 numeric characters of serial number for construction equipment.

Lessee's Initials: _____

10(b)

Volvo Financial Services Payment Stream

Lessee / Co-Lessee(s) shall pay to the Lessor the following Total Monthly Lease Payments in amounts and on the dates specified below.

Due Date	Base Monthly Lease Payment	GST/HST	PST	Total Monthly Lease Payment
10/15/2012	\$5,285.83	\$687.16	\$0.00	\$5,972.99
11/15/2012	\$5,285.83	\$687.16	\$0.00	\$5,972.99
12/15/2012	\$5,285.83	\$687.16	\$0.00	\$5,972.99
01/15/2013	\$5,285.83	\$687.16	\$0.00	\$5,972.99
02/15/2013	\$5,285.83	\$687.16	\$0.00	\$5,972.99
03/15/2013	\$5,285.83	\$687.16	\$0.00	\$5,972.99
04/15/2013	\$0.00	\$0.00	\$0.00	\$0.00
05/15/2013	\$0.00	\$0.00	\$0.00	\$0.00
06/15/2013	\$0.00	\$0.00	\$0.00	\$0.00
07/15/2013	\$0.00	\$0.00	\$0.00	\$0.00
08/15/2013	\$0.00	\$0.00	\$0.00	\$0.00
09/15/2013	\$0.00	\$0.00	\$0.00	\$0.00
10/15/2013	\$5,285.83	\$687.16	\$0.00	\$5,972.99
11/15/2013	\$5,285.83	\$687.16	\$0.00	\$5,972.99
12/15/2013	\$5,285.83	\$687.16	\$0.00	\$5,972.99
01/15/2014	\$5,285.83	\$687.16	\$0.00	\$5,972.99
02/15/2014	\$5,285.83	\$687.16	\$0.00	\$5,972.99
03/15/2014	\$5,285.83	\$687.16	\$0.00	\$5,972.99
04/15/2014	\$0.00	\$0.00	\$0.00	\$0.00
05/15/2014	\$0.00	\$0.00	\$0.00	\$0.00
06/15/2014	\$0.00	\$0.00	\$0.00	\$0.00
07/15/2014	\$0.00	\$0.00	\$0.00	\$0.00
08/15/2014	\$0.00	\$0.00	\$0.00	\$0.00
09/15/2014	\$0.00	\$0.00	\$0.00	\$0.00
10/15/2014	\$5,285.83	\$687.16	\$0.00	\$5,972.99
11/15/2014	\$5,285.83	\$687.16	\$0.00	\$5,972.99
12/15/2014	\$5,285.83	\$687.16	\$0.00	\$5,972.99
01/15/2015	\$5,285.83	\$687.16	\$0.00	\$5,972.99
02/15/2015	\$5,285.83	\$687.16	\$0.00	\$5,972.99
03/15/2015	\$5,285.83	\$687.16	\$0.00	\$5,972.99
04/15/2015	\$0.00	\$0.00	\$0.00	\$0.00
05/15/2015	\$0.00	\$0.00	\$0.00	\$0.00
06/15/2015	\$0.00	\$0.00	\$0.00	\$0.00
07/15/2015	\$0.00	\$0.00	\$0.00	\$0.00
08/15/2015	\$0.00	\$0.00	\$0.00	\$0.00
09/15/2015	\$0.00	\$0.00	\$0.00	\$0.00
10/15/2015	\$5,285.83	\$687.16	\$0.00	\$5,972.99
11/15/2015	\$5,285.83	\$687.16	\$0.00	\$5,972.99
12/15/2015	\$5,285.83	\$687.16	\$0.00	\$5,972.99
01/15/2016	\$5,285.83	\$687.16	\$0.00	\$5,972.99
02/15/2016	\$5,285.83	\$687.16	\$0.00	\$5,972.99
03/15/2016	\$5,285.83	\$687.16	\$0.00	\$5,972.99
04/15/2016	\$0.00	\$0.00	\$0.00	\$0.00
05/15/2016	\$0.00	\$0.00	\$0.00	\$0.00
06/15/2016	\$0.00	\$0.00	\$0.00	\$0.00

Lessee's Initials: _____

10(b)

Lessee's Initials:

10(b)

1. Option to Purchase. So long as no Event of Default has occurred and is continuing under the Lease, Lessee shall have the right to purchase all, but not less than all, of the Units on the Lease Termination Date. Lessee shall give Lessor at least 90 days and not more than 180 days advance written irrevocable notice of its intent to exercise such purchase option prior to the Lease Termination Date. On or before the Lease Termination Date, Lessee shall purchase all of the Units for a price equal to **56.92%** of the Lease Equipment Cost for the Units plus an administration fee of \$100.00 per unit (the "Purchase Price"), net of all costs and expenses of the transaction (which costs and expenses, whether assessed to Lessor or Lessee, shall be paid by Lessee). The Purchase Price shall be paid to Lessor in immediately available funds on or before the Lease Termination Date. Upon receipt of the Purchase Price, Lessor shall transfer ownership of the Units to Lessee "AS-IS," "WHERE-IS," by bill of sale with no warranties of title or otherwise, except for a warranty of liens arising solely through Lessor. Interest at an annual rate of 18% shall be due and paid by Lessee on any portion of the Purchase Price not paid on or before the Lease Termination Date.

2. Certificate of Delivery and Acceptance

a. Lessee acknowledges receipt and its irrevocable acceptance of each of the Units described above as of the Delivery Date shown above (the "Date of Acceptance").

b. Lessee represents and warrants to Lessor that Lessee has: accepted delivery of and inspected each of the Units; determined that each Unit contains all of the major components and accessories as agreed; each Unit is in good working order, repair, and condition; and that each Unit is fit for immediate and continued use and conforms to Lessee's requirements without exception. Lessee understands and acknowledges that Lessor is entering into the lease of these Units based on Lessee's representation and warranty that Lessee will pay in full to Lessor all payments when due as required by the Lease.

c. Lessee also represents and warrants to Lessor that no Event of Default or event which, but for the passage of time or the giving of notice, or both, would constitute an Event of Default under the Lease has occurred and is continuing as of the Date of Acceptance.

3. Ratification and Affirmation of Representations, Warranties and Covenants – Lessee hereby agrees that its warranties and covenants made in the Lease are approved, ratified, and affirmed in all aspects as of the date of this Schedule and confirms that the representations made in the Lease are, as of the date of this Schedule, true, accurate, and complete in all aspects. Lessor and Lessee hereby characterize this Schedule as a separate lease with respect to each of the Unit(s) set forth herein.

4. Conflict. To the extent there is any conflict between the terms of this Schedule and the Lease, the terms of this Schedule shall control such conflict.

This Schedule is executed as of October 15th, 2012.

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

Accepted by
Lessor:

Volvo Financial Services
(a division of VFS Canada Inc.)

By: Mayor - Debbie Amaroso
Title: _____

By: _____

Co-Lessee: _____
Lessee: _____

Co-Lessee: _____

By: City Clerk - Malcolm White
Title: _____

By: _____

Title: _____

Lessee's Initials: _____

16(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-195

AGREEMENT: (L-196) A by-law to amend By-law 2009-41 (a by-law to authorize an amendment to the Licence of Occupation dated April 27th, 1992 between the Corporation of the City of Sault Ste. Marie and Soo Minor Baseball Association Inc.)

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. **SCHEDULE "A" TO BY-LAW 2009-41 AMENDED**

Schedule "A" to By-law 2009-41 is hereby repealed and replaced with Schedule "A" attached to this By-law.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

nm LEGAL\STAFF\BYLAWS\2012\2012-195 AGREEMENT Soo Minor Baseball.doc

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CITY SOLICITOR

10(c)

Lease File No. L-196

SCHEDULE "C"

Attached to and forming part of
a Licence dated April 27, 1992

BETWEEN

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

- and -

SOO MINOR BASEBALL ASSOCIATION INC.
hereinafter referred to as the "Association"

This Licence is subject to the following conditions:

1. The Licence is hereby extended to October 31, 2035.
2. The annual Licence fee is changed from \$100.00 to \$1.00. The parties hereto hereby agree that all other terms and conditions of the Licence dated April 27, 1992 are still in full force and effect.

IN WITNESS WHEREOF the parties have hereto set their hands and seals this
22nd day of October 2012.

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

Mayor – Debbie Amaro

City Clerk - Malcolm White

SOO MINOR BASEBALL ASSOCIATION INC.
Per:

President – Mike Lebel

Vice President - Graham Newman

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO. 2012-190

DEVELOPMENT CONTROL: A by-law to designate the lands located at civic number 75 Huron Street as an area of site plan control (Riversedge Developments Inc.).

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

1. DEVELOPMENT CONTROL AREA

The lands described on Schedule "A" attached hereto are hereby designated to be an area of site plan control pursuant to Section 41 of the *Planning Act*, R.S.O. 1990 chapter P. 13 and amendments thereto.

2. SITE PLAN POWERS DELEGATED

The Council hereby delegates to the Planning Director and in his absence to the Planner of the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the Planning Act as amended, for the lands more particularly described in Schedule "A" to this by-law.

3. SCHEDULE "A"

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

4. PENALTY

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is guilty of an offence and is liable upon conviction to penalty provisions as contained in the Planning Act and the Municipal Act.

5. EFFECTIVE DATE

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

PASSED in Open Council this 22nd day of October, 2012.

NOTICE

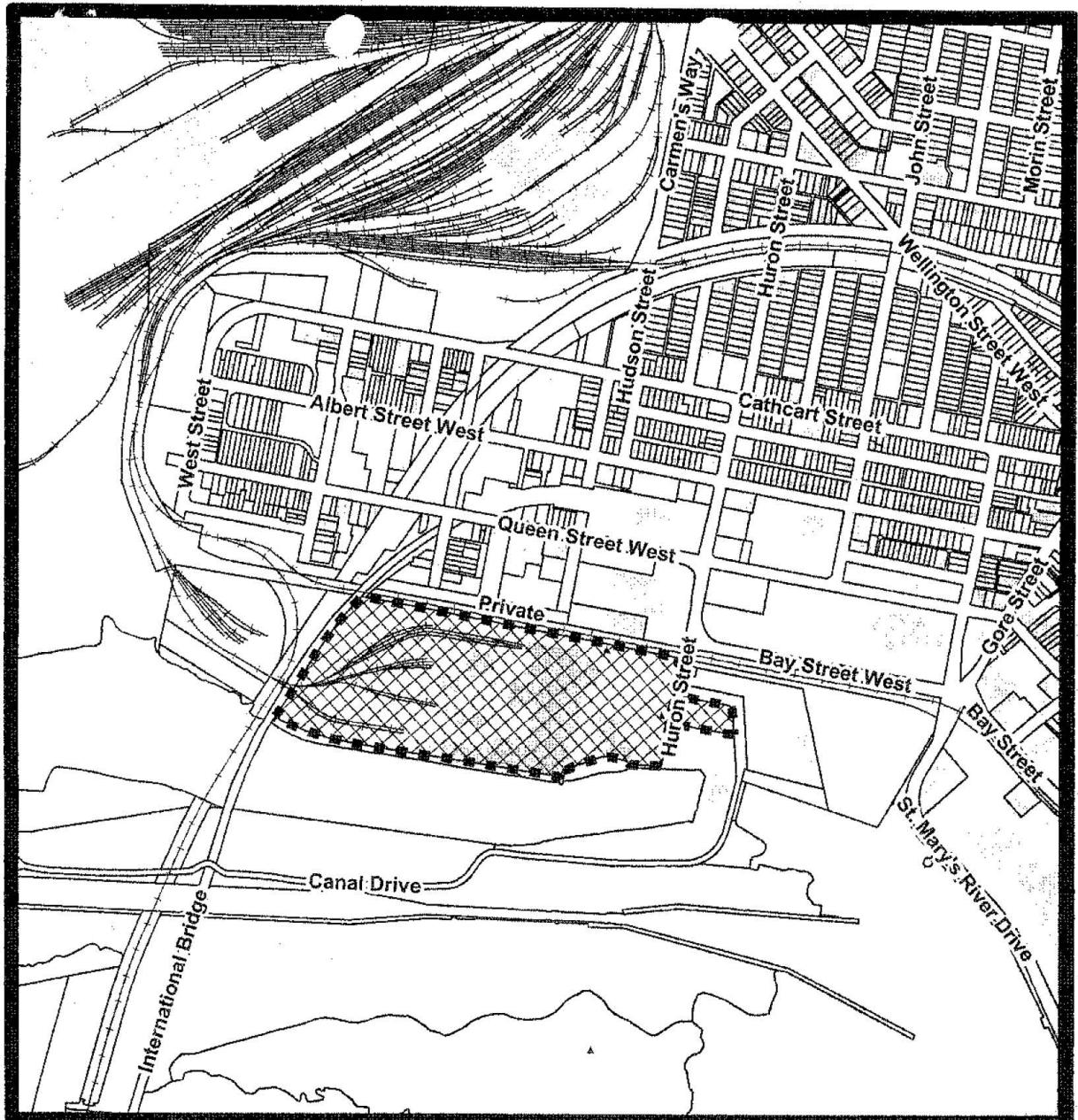
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CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

10(d)

SCHEDULE "A" TO BY-LAW 2012-190 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE BE PASSED IN OPEN COUNCIL THIS 22nd DAY OF OCTOBER, 2012.



SUBJECT AREA MAP
75 HURON STREET
Planning Application A-30-12-Z-OP



Metric Scale
1 : 9000

■ ■ ■ Subject Area = 75 Huron Street

XXXXX Subject Area = 75 Huron Street

Maps
15, 16 & 2-25

Mail Label ID
A-30-12-Z

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-191

LANE ASSUMPTION: LS(1) A by-law to assume for public use and establish as a public lane, a lane in the Sault Ste. Marie Park Subdivision, Plan 7602.

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. **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 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\2012\2012-191 LANE ASSUMP SAULT STE. MARIE PARK SUB.DOC

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CITY SOLICITOR

10(e)

SCHEDULE "A" TO BY-LAW 2012-191 AND BY-LAW 2012-192

PIN 31585-0077 (LT) LANE PL 7602 KORAH ABUTTING LT 742 TO 746
EXCEPT PT 2 1R8369 & T436799; SAULT STE. MARIE

567	109	573	110
568	109	574	35
569	109	575	
570	109	576	
571	109	577	
572	109	578	
573	109	579	
574	109	580	
575	109	581	
576	109	582	
577	109	583	
578	109	584	
579	109	585	35
580	109	586	
581	109	587	
582	109	588	
583	109	589	
584	109	590	
585	109	591	
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604	109	610	

35	109 721	109 691
	720	692
	719	693
	718	694
	717	695
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	715	697
	714	698
	713	699
	712	700
	711	701
35	710 109	702 109 8
32-85	707	706
10	708	705
6	709	704
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810	110.0		
814	34.7		
815	35.1		
816	35.1		
817	35.1		
818	35.1		
819	35.1		
820	35.1		
821	35.1		
822	35.1		
823	35.1		
824	35.1		
825	35.1		
826	35.1		
827	35.1		
828	35.1		
829	35.1		
830	35.1		
831	35.1		
832	35.1		
833	35.1		
834	35.1		
835	35.1		
836	35.1		
837	35.1		
838	35.1		
839	35.1		
840	35.1		
841	35.1		
842	35.1		
843	35.1		
844	35.1		
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847	35.1		
848	35.1		
849	35.1		
850	35.1		
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861	35.1		
862	35.1		
863	35.1		
864	35.1		
865	35.1		
866	35.1		
867	35.1		
868	35.1		
869	35.1		
870	35.1		
871	35.1		
872	35.1		
873	35.1		
874	35.1		
875	35.1		
876	35.1		
877	35.1		
878	35.1		
879	35.1		
880	35.1		

Brunswick Avenue

Sydenham Road		Langdon Road
Subject property		
32.65	32.65	32.65
72.2	72.2	72.2
110	110	110
35'	35'	35'
755	729	730
754	730	731
753	731	732
752	732	733
751	733	734
750	734	735
749	735	736
748	736	737
747	737	738
746	738	740
135	135	135
109	109	109
110	110	110
65		66

Langdon Road

Farwell Terrace

27

Part of Map 80

10(f)

THE CORPORATION OF THE CITY OF SAULT STE.MARIE

BY-LAW 2012-188

OFFICIAL PLAN AMENDMENT: A by-law to adopt Amendment No. 191 to the Official Plan (Riversedge Developments Inc).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 21 of the *Planning Act*, R.S.O. 1990, chapter P.13 and amendments thereto, **ENACTS** as follows;

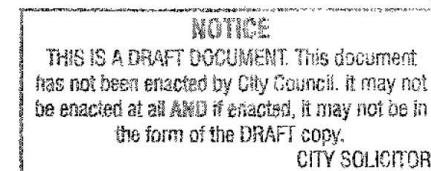
1. The Council hereby adopts Amendment No. 191 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

PASSED in open Council this 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

cf/Staff/zoning/11. Zoning op & dc with special exception/2012-189 Riversedge



**AMENDMENT NO. 191
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

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

LOCATION:

Those lands located on the west side of Huron Street bounded by the Algoma Central Railway line, Francis H. Clergue Generating Station and the International Bridge; and the property on the east side of Huron Street bounded by Canal Drive and the Francis H. Clergue Generation Station.

BASIS:

This Amendment is necessary in view of the request to re-develop the property for various commercial, residential and institutional purposes including a bio-energy technology campus with pilot plants relating to renewable energy research.

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

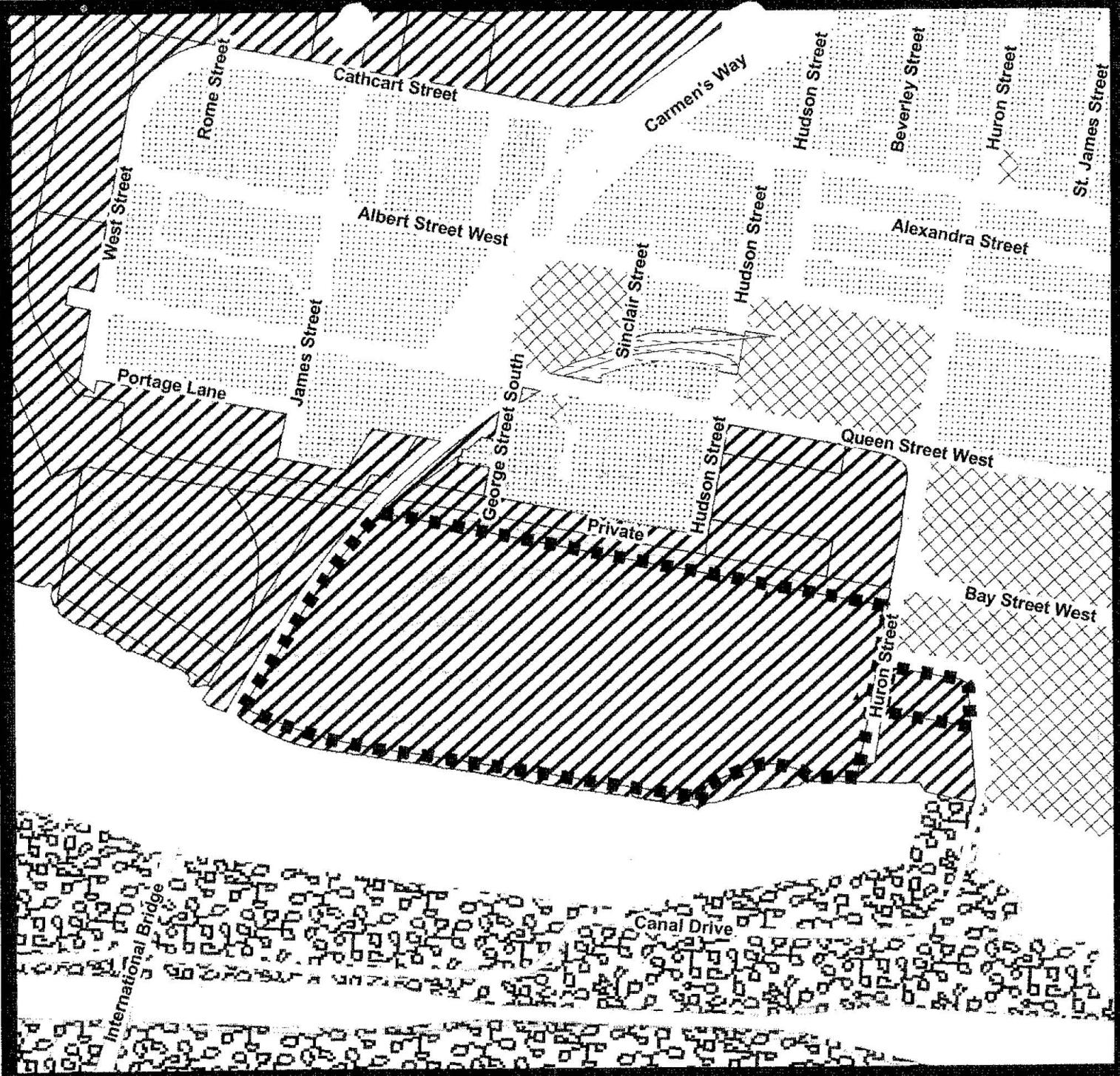
Council now considers it desirable to amend the Official Plan re-designating the subject property from "Industrial" to "Commercial."

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended by re-designating those lands shown on the attached schedule from "Industrial" to "Commercial" and further, that these lands be included within the "Downtown" boundary.

INTERPRETATION

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



OFFICIAL PLAN MAP Schedule "C" Landuse

Planning Application A-30-12-Z-OP

75 HURON STREET

**OFFICIAL PLAN
AMENDMENT
No.**



Metric Scale
1 : 6000

Subject Area = 75 Huron Street

Mail Label ID
A-30-12-Z

Maps
15, 16 & 2-25

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-197

REGULATIONS: (R1.16) A by-law to exempt the Diwali Festival from By-law 73-107 being a by-law to prohibit the use of fireworks in the municipality.

The Council of the Corporation of the City of Sault Ste. Marie, pursuant to Section 129 of the *Municipal Act, 2001* S.O. 2001 c. 25 ENACTS as follows:

1. **EXEMPTION FROM FIREWORKS BY-LAW 73-107**

Despite the provisions of By-law 73-107, the discharge of fireworks from 55 Pelican Drive shall be deemed not to be a violation of By-law 73-107 on the following date and time to facilitate Diwali Festival:

November 13th, 2012 – 7:00 p.m. to 9:00 p.m..

2. **EFFECTIVE DATE**

This by-law is effective on November 13, 2012.

PASSED in Open Council this 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

c:\Bylaws\2012\2012-197 Diwali festival fireworks exemption

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CITY SOLICITOR

10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-196

RESOLUTION: (E2.1) A by-law to authorize the execution of one (1) Municipal Council Support Resolution to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program by Soo Minor Baseball Association Inc.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to one (1) Municipal Council Support Resolution in the form of Schedule "A" hereto attached and dated the 22nd day of October, 2012, to support one (1) solar photovoltaic application being submitted to the Ontario Power Authority Feed-In-Tariff Program by Soo Minor Baseball Association Inc.

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 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

NM LEGAL\STAFF\BYLAWS\2012\2012-196 Resolution Panels Minor/baseball.DOC

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CITY SOLICITOR

PREScribed FORM/TEMPLATE: MUNICIPAL COUNCIL SUPPORT RESOLUTION**Section 6.1(d)(i) - FIT Rules, Version 2.0**

OPARP/F-FIT-015r1

Capitalized terms not defined herein have the meanings ascribed thereto in the FIT Rules, Version 2.0.

Resolution NO:**Date:** October 16, 2012

WHEREAS Soo Minor Baseball Association Inc. (the "Applicant") proposes to construct and operate a rooftop solar system on 735 Black Road "Sinclair Yards" (the "Lands") in Sault Ste. Marie, Ontario under the Province's FIT Program;

AND WHEREAS the Applicant has requested that Council of Sault Ste. Marie, Ontario

indicate by resolution Council's support for the construction and operation of the Project on the Property;

AND WHEREAS, pursuant to the rules governing the FIT Program (the "FIT Rules"), Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT:

Council of the City of Sault Ste. Marie, Ontario supports without reservation the construction and operation of the Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

(Note: signature lines for councilors or other representatives, as appropriate)

FIT reference number: T.B.A.

(Note: Must be inserted by Applicant to complete Application)

10(i)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-182

TRAFFIC: (P3.3) A by-law to amend Schedule "A", Schedule "K", and Schedule "N" of By-law 77-200.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions of Section 10 of the *Municipal Act, 2001*, S.O., 2001 c.25 and amendments thereto, **ENACTS** as follows:

1. SCHEDULE "A" OF BY-LAW 77-200 AMENDED

Schedule "A" of By-law 77-200 is amended by adding the following:

<u>STREET</u>	<u>SIDE</u>	<u>FROM</u>	<u>TO</u>	<u>PROHIBITED TIMES OR DAYS</u>
"North Street	west	south limit of Civic 571	north limit of Civic 571	"anytime"

2. SCHEDULE "K" OF BY-LAW 77-200 AMENDED

Schedule "K" of By-law 77-200 is amended by deleting the following:

<u>STREET</u>	<u>BETWEEN</u>	<u>MAXIMUM SPEED</u>
"Second Line Road	Black Road & 500 m east of Old Garden River Road	70 km/h
Second Line Road	Leigh's Bay Road & Town Line	80 km/h
Second Line Road	500 m east of Old Garden River Road & Goulais Avenue	60 km/h
Trunk Road	Wellington Street East & 350m east of Dacey Road	60 km/h
Trunk Road	350m east of Dacey Road & the easterly city limits	70 km/h"

Schedule "K" of By-law 77-200 is amended by adding the following:

"Second Line Road	Leigh's Bay Road & Town Line	70 km/h
Second Line Road	Black Road & Goulais Avenue	60 km/h
Trunk Road	Wellington Street East & 570m east of Dacey Road	60 km/h
Trunk Road	856 m east of Dacey Road & the easterly city limits	70 km/h"

3. SCHEDULE "N" OF BY-LAW 77-200 AMENDED

Schedule "N" of By-law 77-200 is amended by adding the following:

<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>PERMITTED TIMES OR DAYS</u>
"Old Garden River Road	Black Road	Landslide Road	0700 hrs. to 2000 hrs. Monday to Saturday"

NOTICE

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has not been enacted by City Council. It may not
be enacted at all AND if enacted, it may not be in
the form of the DRAFT copy.
CITY SOLICITOR

10(i)

4. EFFECTIVE DATE

This by-law is effective on the day of its final passing.

PASSED in Open Council this 22nd day of October, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

1b(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-189

ZONING: A by-law to amend Sault Ste. Marie Zoning By-Laws 2005-150 and 2005-151 concerning lands located at 75 Huron Street (Riversedge Developments Inc.).

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to Section 34 and 36 of the *Planning Act R.S.O. 1990*, Chapter P.13 and amendments thereto ENACTS as follows:

1. **75 HURON STREET; CONSISTING OF TWO PROPERTIES, FIRSTLY THE 14.37 HECTARES OF LAND COMPRISING THE FORMER ST. MARY'S PAPER PROPERTY LOCATED ON THE WEST SIDE OF HURON STREET, BETWEEN THE INTERNATIONAL BRIDGE PROPERTY AND THE FRANCIS H. CLERGUE GENERATING STATION, AND SECONDLY THE 0.43 HECTARES OF LAND LOCATED ON THE EAST SIDE OF HURON STREET; CHANGE FROM M.3 TO C.3.-H.S. WITH A "SPECIAL EXCEPTION"**

The zone designation on the lands described in section 2 of this by-law, which lands are shown on Maps 15, 16 and 2-25 of Schedule "A" to Zoning By-law 2005-150 is changed from M.3 (Heavy Industrial) zone to C.3.-H.S. (Riverfront) zone with a "Holding Provision" and with a "Special Exception".

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding the following subsection 2(320) and its heading as follows:

"2(320) 75 HURON STREET

Despite the provisions of By-law 2005-150, the zone designation on the lands consisting of two properties, firstly the 14.37 hectares of land comprising the former St. Mary's Paper property located on the west side of Huron Street, between the International Bridge property and the Francis H. Clergue Generating Station, and secondly 0.43 hectares of land located on the east side of Huron Street and having civic number 75 Huron Street and outlined and marked "Subject Property" on the map attached as Schedule 320 hereto is changed from M.3 (Heavy Industrial) zone to C.3.-H.S. (Riverfront) zone with a "Holding Provision" and with a "Special Exception" to permit, in addition to those uses permitted in a Riverfront zone, the following uses:

1. Assembly facilities;
2. Parks and playgrounds;
3. Places of worship;
4. Schools;
5. Information technology services;
6. Motion picture and sound recording studios;
7. Professional scientific and technical services; and
8. Pilot plants relating to bio-energy research.

No development pursuant to this by-law may take place until the "Holding Provision" has been removed by amendment to this by-law by City Council. The "Holding Provision" in this by-law shall only be removed by City Council pursuant to section 36 of the *Planning Act*, provided that all issues regarding heritage, minimum setbacks, buffering, municipal services, soil remediation and traffic are addressed to the satisfaction of City Council."

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CITY SOLICITOR

10(j)

3. **SCHEDULE "A"**

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

4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law as amended by Official Plan Amendment No. 191.

PASSED in Open Council this 22nd day of October, 2012.

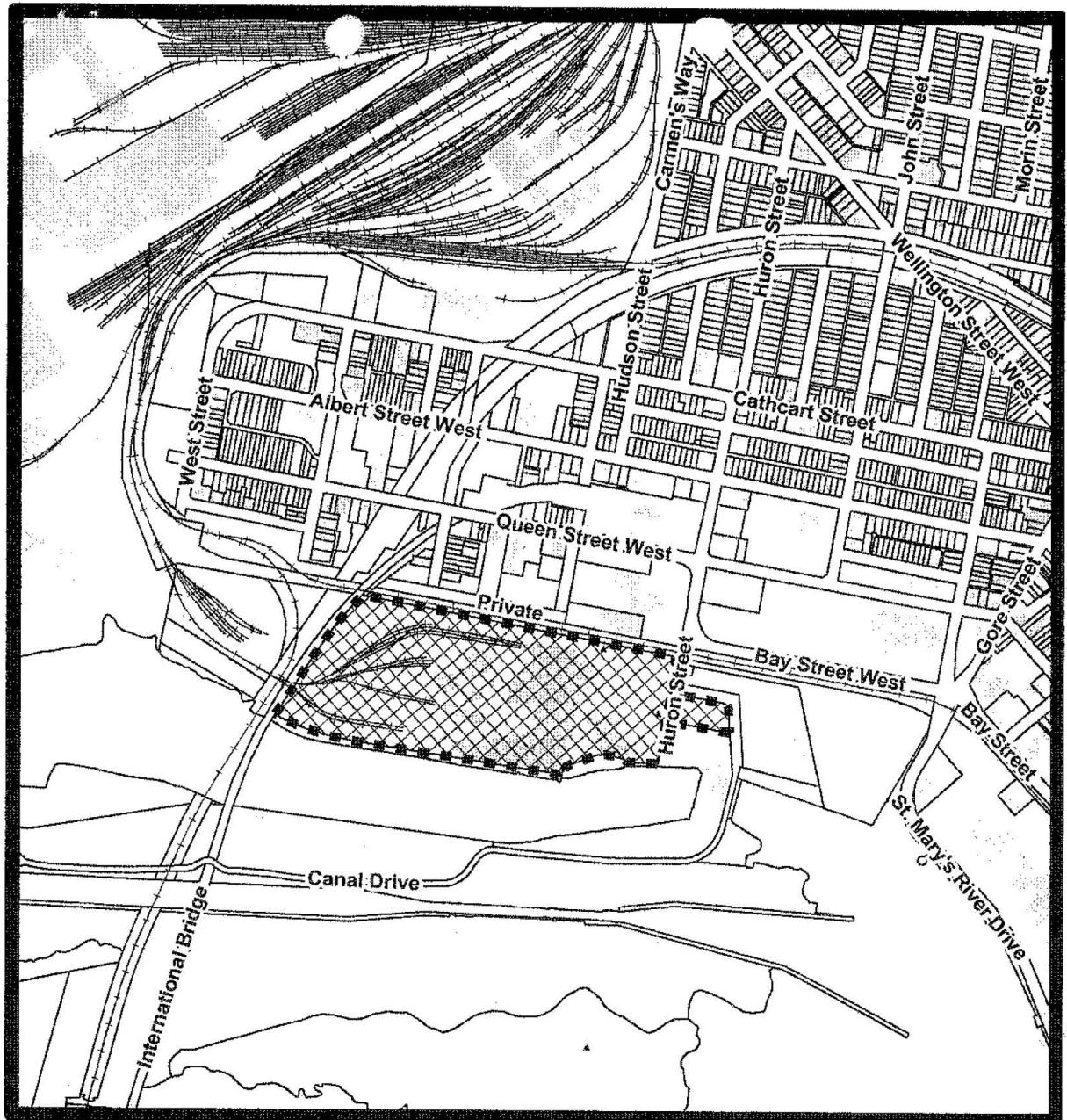
MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

cf/Staff/Zoning/12.zoning with holding provision/2012-189 Riversedge developments

10(j)

SCHEDULE "A" TO BY-LAW 2012-189 AND SCHEDULE 320 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, PASSED IN OPEN COUNCIL THIS 22nd DAY OF OCTOBER, 2012.



SUBJECT AREA MAP
75 HURON STREET
Planning Application A-30-12-Z-OP

■■■ Subject Area = 75 Huron Street

XXXXX Subject Area = 75 Huron Street



Metric Scale
1 : 9000

Maps
15, 16 & 2-25

Mail Label ID
A-30-12-Z

10(K)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2012-192

LANE CLOSING: LS(1) A by-law to stop up, close and authorize the conveyance of a lane in the Sault Ste. Marie Park Subdivision Plan 7602.

WHEREAS the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2012-191;

NOW THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act*, S.O. 2001, c. 25 **ENACTS** as follows:

1. **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 City Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

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 22nd day of October, 2012.

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CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

10(K)

SCHEDULE "A" TO BY-LAW 2012-191 AND BY-LAW 2012-192

PIN 31585-0077 (LT) LANE PL 7602 KORAH ABUTTING LT 742 TO 746
EXCEPT PT 2 1R8369 & T436799; SAULT STE. MARIE

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Sydenham Road Subject Property

66

Longdon Road

66

Brunswick Avenue

Farwell Terrace

N →

Part of Map 80

10(1)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-198

LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Kohler Street from Queen Street East to Wellington Street East under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 (L2.1)

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works;

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the FIRST and SECOND time in open Council this 22nd day of October, 2012

MAYOR – DEBBIE AMAROSO

CITY CLERK- MALCOLM WHITE

FIRST reading: October 22, 2012

SECOND reading: October 22, 2012

THIRD reading:

LEGAL\STAFF\BYLAWS\2012\2012-198 LOCAL IMPROVEMENTS Kohler st/cf

10(1)

Jerry D. Dolcetti, RPP
Commissioner

Carl Rumiel, P. Eng.
Construction Engineer



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

Celebrate 100!
1912 - 2012

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

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

LOCAL IMPROVEMENT CONSTRUCTION BYLAW 2012-198, SECTION 3 REGULATION 586/06 MUNICIPAL ACT

ENGINEER'S REPORT

2012 10 22

Nature of Work	Construction of:	Construction of sanitary sewer, private drain connection and Class "A" pavement
	On:	Kohler Street
	From:	Queen Street East
	To:	Wellington Street East
Estimated Cost of Work		\$1,800,000.00
Estimated Assessable Abutting Frontage		874.6m (Sanitary sewer) 874.6m (Class "A" pavement)
Estimated Cost to be Borne by Assessable Abutting Property		\$35,672.83 (Sanitary sewer) \$67,087.69 (Class "A" pavement)
Estimated Cost to be Borne by The Corporation		\$1,697,239.48
Special Rate per Metre Frontage		\$30.50 (Sanitary sewer) \$79.50 (Class "A" pavement)
Special Rate per Private Drain Connection		\$304.00
Estimated Interest Rate Term		3% 10 years

10(1)

2012 10 22

Page 2

Estimated Annual Rate per Metre Frontage \$3.58 (Sanitary sewer)
 \$9.32 (Class "A" pavement)

Estimated Annual Rate per Private Drain Connection \$35.64

Estimated Lifetime of the Work 20 years

Respectfully submitted,



Carl Rumiell, P. Eng.
Design & Construction Engineer

Recommended for approval,



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

CR/al
attachments

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2012-198

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2012-5-05	Kohler Street	Queen Street East	Wellington Street East	460m	250mm	46	874.6m	\$35,672.83

CR/al
2012 10 22

(1) q1

CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2012-198

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2012-7-03	Kohler Street	Queen Street East	Wellington Street	460m	10.0m	n/a	874.6m	\$67,087.69

CR/al
2012 10 22

(100)

10(m)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-199

LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Maretta Street from Wallace Terrace to Henrietta Avenue under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 (L2.1)

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works;

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the installment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the **FIRST** and **SECOND** time in open Council this 22nd day of October, 2012
NOTICE

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CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CITY CLERK- MALCOLM WHITE

FIRST reading: October 22, 2012

SECOND reading: October 22, 2012

THIRD reading:

da LEGALISTAFF\BYLAWS\2012\2012-199 LOCAL IMPROVEMENTS Maretta St

10(m)

Jerry D. Dolcetti, RPP
Commissioner

Carl Rumiel, P. Eng.
Construction Engineer



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

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

LOCAL IMPROVEMENT CONSTRUCTION BYLAW 2012-199, SECTION 3 REGULATION 586/06 MUNICIPAL ACT

ENGINEER'S REPORT

2012 10 22

Nature of Work	Construction of:	Construction of sanitary sewer, private drain connection and Class "A" pavement
On:		Maretta Street
From:		Wallace Terrace
To:		Henrietta Avenue
Estimated Cost of Work		\$1,600,000.00
Estimated Assessable Abutting Frontage		570.2m (Sanitary sewer) 570.2m (Class "A" pavement)
Estimated Cost to be Borne by Assessable Abutting Property		\$24,844.04 (Sanitary sewer) \$39,022.47 (Class "A" pavement)
Estimated Cost to be Borne by The Corporation		\$1,536,133.49
Special Rate per Metre Frontage		\$30.50 (Sanitary sewer) \$79.50 (Class "A" pavement)
Special Rate per Private Drain Connection		\$304.00
Estimated Interest Rate	3%	
Term	10 years	

1D(m)

2012 10 22

Page 2

Estimated Annual Rate per Metre Frontage \$3.58 (Sanitary sewer)
\$9.32 (Class "A" pavement)

Estimated Annual Rate per Private Drain Connection \$35.64

Estimated Lifetime of the Work 20 years

Respectfully submitted,


Carl Rumiell, P. Eng.
Design & Construction Engineer

Recommended for approval,



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

CR/al
attachments

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2012-199

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2012-5-02	Maretta Street	Wallace Terrace	Henrietta Avenue	330m	250mm	34	570.2m	\$24,844.04

CR/al
2012 10 22

(u) (1) (d)(m)

CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2012-199

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2012-7-02	Maretta Street	Wallace Terrace	Henrietta Avenue	330m	10.0m	n/a	570.2m	\$39,022.47

CR/al
2012 10 22

10(m)

10(n)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-200

LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Queen Street East from Simpson Street to Pine Street under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 (L2.1)

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works;

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" and "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering/Planning.
2. The Commissioner of Engineering/Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering/Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the instalment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the FIRST and SECOND time in open Council this 22nd day of October, 2012

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CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CITY CLERK- MALCOLM WHITE

FIRST reading: October 22, 2012

SECOND reading: October 22, 2012

THIRD reading:

da LEGAL\STAFF\BYLAWS\2012\2012-200 LOCAL IMPROVEMENTS QueenSt.East

10(n)

Jerry D. Dolcetti, RPP
Commissioner

Carl Rumiel, P. Eng.
Construction Engineer



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

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

LOCAL IMPROVEMENT CONSTRUCTION BYLAW 2012-200, SECTION 3 REGULATION 586/06 MUNICIPAL ACT

ENGINEER'S REPORT

2012 10 22

Nature of Work	Construction of: On: From: To:	Construction of sanitary sewer, private drain connection and Class "A" pavement Queen Street East Simpson Street Pine Street
Estimated Cost of Work		\$4,060,000.00
Estimated Assessable Abutting Frontage		1,554.4m (Sanitary sewer) 1,554.4m (Class "A" pavement)
Estimated Cost to be Borne by Assessable Abutting Property		\$40,484.84 (Sanitary sewer) \$93,976.60 (Class "A" pavement)
Estimated Cost to be Borne by The Corporation		\$3,925,538.56
Special Rate per Metre Frontage		\$30.50 (Sanitary sewer) \$79.50 (Class "A" pavement)
Special Rate per Private Drain Connection		\$304.00
Estimated Interest Rate Term		3% 10 years

10(n)

2012 10 22

Page 2

Estimated Annual Rate per Metre Frontage \$3.58 (Sanitary sewer)
 \$9.32 (Class "A" pavement)

Estimated Annual Rate per Private Drain Connection \$35.64

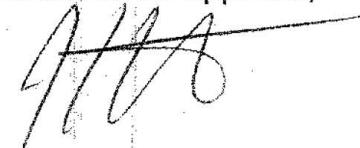
Estimated Lifetime of the Work 20 years

Respectfully submitted,



Carl Rumiell, P. Eng.
Design & Construction Engineer

Recommended for approval,



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

CR/al
attachments

**CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3**

SCHEDULE "A"

BY-LAW 2012-200

JOB NUMBER	STREET	FROM	TO	LENGTH	SIZE	#OF P.D.C.	ASSESSABLE FRONTAGE	ESTIMATED COST
A-2012-5-01	Queen Street East	Simpson Street	Pine Street	750m	250mm-300mm	42	1,554.4m	\$40,484.84

CR/al
2012 10 22

(u)(1)

CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2012-200

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2012-7-01	Queen Street East	Simpson Street	Pine Street	750m	10.0m	n/a	1,554.4m	\$93,976.60

CR/al
2012 10 22

(u)01

10(0)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-194

STREET CLOSING: (S.2.3.) A by-law to stop up and close the portion of Bloor Street abutting civic 465 Northland Road (formerly 229 Bloor Street).

WHEREAS the street or part of the street more particularly hereinafter described in Schedule "A" attached was established as a public street and assumed for public use prior to 2003 through the City expending funds on it;

NOW THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34(1) of the *Municipal Act 2001*, S.O. 2001, c. 25 and after having advertised once a week for two (2) consecutive weeks **ENACTS** as follows:

1. **STREET CLOSED**

The street or part of street 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. **EXECUTION OF DOCUMENTS**

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

3. **SCHEDULE "A"**

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

4. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time in open COUNCIL this 22nd day of October, 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

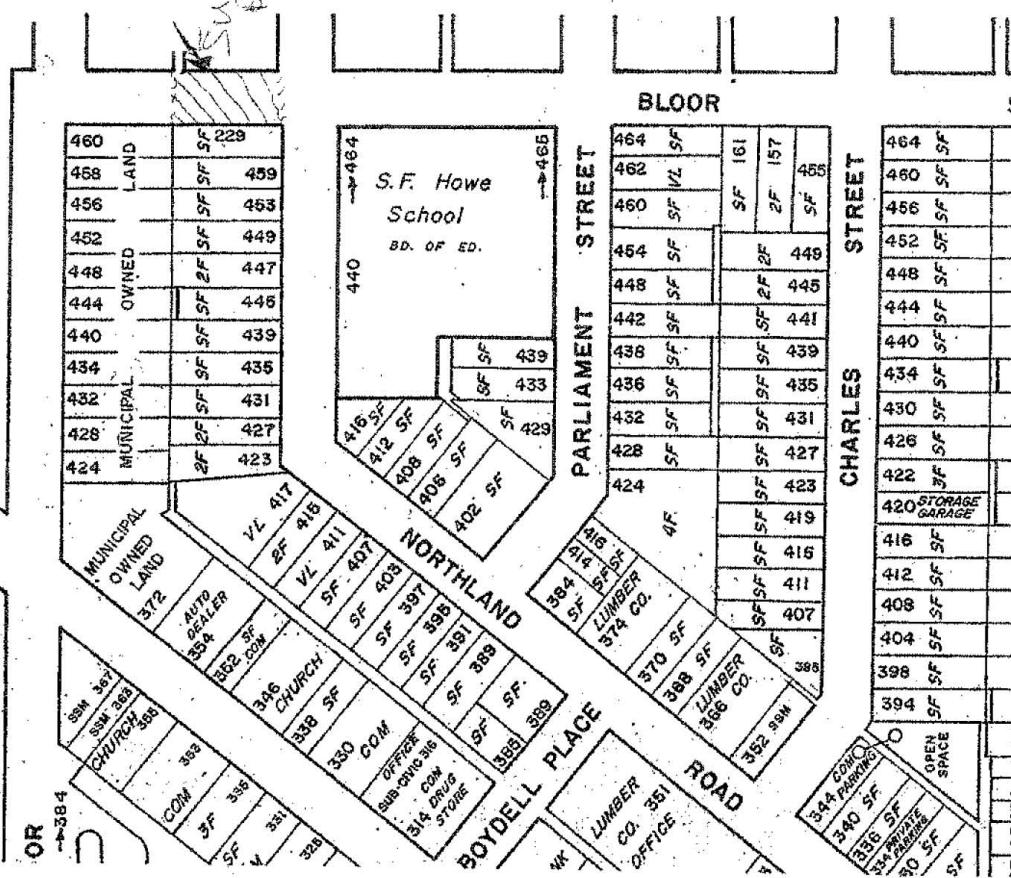
My answer

Part of
Map 40

703,500 £

5,168,000 ft

四



(color)

ADDENDUM

REGULAR MEETING OF CITY COUNCIL

2012 10 22

4:30 P.M.

COUNCIL CHAMBERS

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

Resolved that the Addendum #1 for the 2012 10 22 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

PART ONE – CONSENT AGENDA

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

- a) Correspondence from FONOM is attached for the consideration of Council.

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

Whereas the Ministry of Natural Resources has announced the end of overnight camping in ten provincial parks in Northern Ontario; and

Whereas this decision will cost Northern Ontario 130 direct jobs and negatively impact tourism and Northern Ontario's way of life; and

Whereas local stakeholders and municipalities have not been consulted on these closures and have been denied the opportunity to make these parks more sustainable;

Now Therefore Be It Resolved that the Council for the City of Sault Ste. Marie petition the Legislative Assembly of Ontario to immediately suspend plans to cancel overnight camping at the ten provincial parks; and

Further Be It Resolved that the Ministry immediately consult with local municipalities, stakeholders and regional economic development organizations regarding the long-term viability of preserving Northern Ontario provincial parks.

Mover: Councillor L. Turco
Seconder: Councillor B. Watkins

Whereas the Government of Ontario has announced plans to divest itself from Ontario Northland Transportation Commission; and

Whereas this decision has already resulted in the cancellation of the 102 year old Ontario Northlander train service and plans to sell off Ontario Northland's bus routes which will privatize the only intercity public transit serving many northern communities; and

Whereas our resource sector relies on freight rail and changes in that service would seriously impact our economy. Our existing highway network does not have the capacity to replace freight rail if cancelled or made economically unviable; and

Whereas rail networks are much more economical to sustain than such an extensive highway system as well as being more environmentally friendly;

Now Therefore Be It Resolved that the Council for the City of Sault Ste. Marie petition the Legislative Assembly of Ontario to immediately suspend plans to divest from ONTC and consult with local municipalities, stakeholders and regional economic development organizations regarding the long-term plans for improving the effectiveness of ONTC as a government asset.

- r) Correspondence from the Municipal Property Assessment Corporation concerning provincial reassessment is attached for the information of Council.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

- (1) ADMINISTRATION**
- (2) COMMUNITY SERVICES DEPARTMENT**
- (3) ENGINEERING**
- (4) FIRE**
- (5) LEGAL**
- (6) PLANNING**
- (7) PUBLIC WORKS AND TRANSPORTATION**
- (8) BOARDS AND COMMITTEES**

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

b) NOTICE OF MOTION

Mover: Councillor T. Sheehan

Seconder: Councillor

Whereas City Council has received information why/how the City of Sault Ste. Marie can create a by-law prohibiting wild/exotic animal circuses.

Now Therefore Be It Resolved that the legal department be instructed to create a by-law similar to other communities (see attached) which would prohibit wild/exotic animal circuses.

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

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

5(a)

FONOM

The Federation of Northern Ontario Municipalities

FONOM Members,

FONOM is working hard on behalf of all municipalities and Northern Ontario residents to advocate for our provincial parks and ONTC freight rail and passenger services. We've seen considerable success in getting our message out and at this critical stage are calling on your municipality to endorse two motions of support, one for our Provincial Parks and the second for ONTC. Please have these moved as soon as possible so your council may consider sending a message to the government in support of our parks and ONTC as well.

We will be tracking progress and would appreciate it if you could send us a copy of your approved motion, once passed.

Please feel free to contact me if you have any questions.

Al Spacek
President, FONOM



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

October 3, 2012

Mr. Malcolm White
 City Clerk
 City of Sault Ste Marie
 PO Box 580 - 99 Foster Dr
 Sault Ste Marie ON P6A 5N1

RECEIVED	
CITY CLERK	
OCT 22 2012	
NO.:	52612
DIST.:	Agenda

Dear Mr. White:

The Municipal Property Assessment Corporation (MPAC) will mail Property Assessment Notices for Ontario's nearly five million properties this fall. This assessment is based on a January 1, 2012 legislated valuation date and is effective for the 2013-2016 property tax years. The last province-wide Assessment Update took place four years ago and was based on a January 1, 2008 valuation date.

Eligible market increases between 2008 and 2012 will be phased-in over four years and all market decreases will be applied immediately. The assessed value and phase-in amounts are included on the 2012 Property Assessment Notice.

Although each Notice also indicates a number of ways to contact MPAC, you may also receive enquiries. The enclosed kit provides important information about the 2012 Assessment Update and will help you and your staff respond. It includes:

- a sample of the 2012 Property Assessment Notice;
- a copy of the Information Insert included with every Notice;
- Important Information About Your 2012 Property Assessment brochure; and,
- a fact sheet about MPAC and assessment.

The key dates for the 2012 Assessment Update are:

September 13 – November 16, 2012	Property Assessment Notice Delivery Period
December 11, 2012	Assessment Roll delivered to municipalities
April 1, 2013	Deadline for filing a Request for Reconsideration

Enquiries about Property Assessment Notices and assessment in general, may be directed to MPAC's website at www.mpac.ca or to our Customer Contact Centre at 1 866 296-MPAC (6722) or 1 877 889-6722 (TTY).

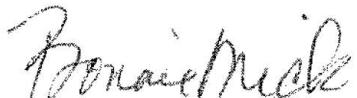
Our Customer Contact Centre and our local MPAC offices will operate extended hours from 8:00 a.m. to 6:00 p.m., Monday to Friday during the Notice delivery period.

Property owners may also visit their local MPAC office to meet with us face-to-face. Details about extended local office hours are included with every Notice.

This fall, MPAC has also launched a new and improved AboutMyProperty™. Every property owner can access detailed assessment information at www.aboutmyproperty.ca using the login information included on every Notice mailed.

We would be happy to answer any questions that you may have about assessment and this year's update. Please do not hesitate to contact me at (705) 949-0504 ext. 228.

Yours truly,



Bonnie Mick
Municipal Relations Representative
Municipal Property Assessment Corporation
428 Pim Street
Sault Ste. Marie, ON

Enclosure

Copy Arthur Anderson, Director, Municipal Relations



1234567890

SMITH JACOB
SMITH ELIZABETH
200 SOME STREET
ANYWHERE ON M4K 1B3

Page 1 of 1
Property Assessment Notice
Avis d'évaluation foncière
for the 2013–2016 property tax years

Questions?

**Please include your roll number
with your enquiry.**

Call 1 866 296-MPAC (6722)
1 877 889-MPAC (6722) TTY
Monday to Friday - 8 a.m. to 5 p.m.

Extended Hours

September 4 to November 9, 2012
Monday to Friday - 8 a.m. to 6 p.m.

Web www.mpac.ca
Fax 1 866 297-6703

Write P.O. Box 9808, Toronto, ON M1S 5T9

Extended local office hours

Visit Suite 170, Office Galleria
Oshawa Centre, Oshawa
September 17 to October 12, 2012
Monday to Friday - 8 a.m. to 6 p.m.

If you have any accessibility needs, please
contact MPAC for assistance.

This Property Assessment Notice is not a property tax bill.

The assessed value of your property is used as the basis for calculating your property taxes. MPAC's role is to accurately value and classify properties in Ontario. Your municipality/local taxing authority is responsible for setting property tax rates. **An assessment increase does not necessarily mean your property taxes will increase.** For questions about your property taxes, contact your municipality/local taxing authority. To learn how MPAC assesses properties or for details about the Reconsideration and Appeal processes, see the enclosed insert. The deadline to file a Request for Reconsideration with MPAC for the 2013 tax year is **April 1, 2013**. For the tax years 2014–2016, the deadline for filing is **March 31** of the tax year. Please keep a copy of this Notice for your records.

Roll number	12 34 567 899 12345 1234
Property location and description	200 SOME STREET CON LP PT LOTS 9, 10 & 11 ALL LOTS 12, 13 & 14 IRREG
Municipality/Local taxing authority	RYERSON TOWNSHIP

Assessed value of your property

Property classification	Residential
Your property's value as of January 1, 2012	\$220,000
Your property's value as of January 1, 2008	\$180,000
Over this 4-year period, your property's value changed by	\$40,000

Under the Assessment Act, an increase in assessed value between January 1, 2008 and January 1, 2012 is phased in over four years, from 2013 to 2016. Assuming your property characteristics stay the same, your property assessment will change by **\$10,000** each year.

TAX YEAR	PHASED-IN ASSESSMENT
2013	\$190,000
2014	\$200,000
2015	\$210,000
2016	\$220,000

School support

2013 ASSESSMENT	SCHOOL SUPPORT
\$190,000	English-Public

Property summary

Property type	Single Family Dwelling
Property information	Frontage: 50.00 feet Depth: 150.00 feet
	Lot area: 7,500.00 square feet
Building - exterior square footage	2,000 square feet
Year of construction	1995

The Assessment Act and related legislation prevail over differences in words or expressions in this Notice.
This assessment is made under Section 36 of the Assessment Act.

2013 Property tax year

Your phased-in assessment has
changed by **nn.nn%** since the 2012
property tax year.

The average phased-in assessment of
residential properties in your
municipality/local taxing authority
changed by **nn.nn%** (at time of
printing) since the 2012 property tax
year.

To see a profile for your property
and compare your property with
similar properties in your area
free-of-charge, visit

AboutMyProperty™ at
www.aboutmyproperty.ca

To register for your account,
please enter:

Roll number: 99 99 999 999 99999
Access key: 8888 8888 8888

Or call MPAC at
1 866 296-MPAC (6722)



MUNICIPAL
PROPERTY
ASSESSMENT
CORPORATION

5(5) PNPTE 2012

IMPORTANT INFORMATION

ABOUT YOUR 2012 PROPERTY ASSESSMENT NOTICE

MPAC's role is to accurately value and classify properties in Ontario in accordance with the Assessment Act and regulations established by the Ontario Government.

When your municipality/taxing authority sets property tax rates, your assessed value and classification are used to determine your property taxes. An assessment increase does not necessarily mean that your property taxes will increase. For questions about your property taxes, please contact your municipality/taxing authority.

Education tax rates, where applicable, are set by the Government of Ontario and will also be applied to the assessed value.

WHAT INFORMATION IS INCLUDED ON MY PROPERTY ASSESSMENT NOTICE?

Your 2012 Property Assessment Notice shows the assessed value of your property based on a January 1, 2012 legislated valuation date. The last province-wide Assessment Update took place four years ago and was based on a January 1, 2008 valuation date.

Your 2008 assessed value is also included on your Notice. This value may not necessarily be the same as the value that appeared on your last Notice if your property underwent a change that affected its value.

To provide an additional level of property tax stability and predictability, market increases in the assessed value of your property between 2008 and 2012 will be phased in over four years (2013 – 2016). The phase-in program does not apply to decreases in assessed value, which are applied immediately.

HOW MPAC ASSESSES PROPERTIES

MPAC's role is to accurately value and classify all Ontario properties in compliance with the Assessment Act and related regulations.

To establish your property's assessed value, MPAC analyzes property sales in your area, surrounding neighbourhood or municipality. This method is used by most assessment jurisdictions in North America.

When assessing a property, we look at all of the key features that affect market value. For example, when assessing residential properties, five major factors usually account for 85% of the value: location; lot dimensions; living area; age of the structure(s), adjusted for any major renovations or additions; and quality of construction.

Examples of other features that may affect a residential property's value include fireplaces, garages, workshops, boathouses and the number of bathrooms. Site features in urban and suburban areas such as traffic patterns; being situated on a corner lot; proximity to a golf course, hydro corridor, railway or green space can also increase or decrease the assessed value of your property.

In rural or semi-urban areas, site features such as type of access, topography, and lot services such as hydro, water and sanitary/septic services can also increase or decrease the assessed value of your property.

HOW TO DETERMINE THE ACCURACY OF YOUR ASSESSMENT

Comparing your assessment to similar properties in your area will help you determine its accuracy. You can obtain detailed information about your property and information on up to 24 additional properties of your choice, free of charge, by logging on to AboutMyProperty™ at www.aboutmyproperty.ca.

Enter your Roll number and personalized Access key for AboutMyProperty™ included on your 2012 Notice and follow the instructions to register and obtain the information.

You may also obtain detailed information on up to six comparable properties selected by MPAC by sending a written request to:

MPAC
Attention: GRAD
P.O. Box 9808
Toronto ON M1S 5T9
Fax (toll-free): 1 866 297-6703

WHAT SHOULD I DO IF I DON'T AGREE WITH MY ASSESSMENT?

Please review your 2012 Notice carefully to make sure the information is correct. If a factual error has been made, we will correct it.

CONTACT MPAC

We want to make your experience with MPAC a positive one. Please contact us with your questions or concerns.

ASK MPAC TO REVIEW YOUR ASSESSMENT THROUGH A REQUEST FOR RECONSIDERATION (RfR)

If you feel your assessed value as of the legislated valuation date or property classification is not correct, we will review it free of charge. Your deadline to file an RfR with MPAC is April 1, 2013.

There are two ways to file an RfR:

- The preferred method is to submit an RfR form online through AboutMyProperty™ at www.aboutmyproperty.ca. You will be able to attach documents, pictures and reports to accompany your RfR. You may also mail or fax an RfR form to MPAC. Forms are available on MPAC's website at www.mpac.ca or by contacting us by phone at 1 866 296-MPAC (6722).
- Write a letter requesting a reconsideration. In your letter, please include the 19-digit roll number on your Notice; your full name, address and phone number; and the reasons why you feel your assessment is not correct, including any information you have to support your claim.

FILE AN APPEAL WITH THE ASSESSMENT REVIEW BOARD (ARB)

You may also choose to file an Appeal with the ARB, an independent tribunal of the Ontario Ministry of the Attorney General.

PROCESS FOR RESIDENTIAL, FARM AND MANAGED FORESTS PROPERTIES

If your property, or a portion of it, is classified as residential, farm or managed forests, you must first file an RfR with MPAC before you are eligible to file an Appeal with the ARB. The classification of your property is indicated on your Notice.

You have 90 days after MPAC has notified you of its decision on your RfR to file an Appeal with the ARB. The ARB has its own Appeal process. For more information, please contact the ARB at 1 866 448-2248 or 416 212-6349 or visit their website at www.arb.gov.on.ca.

To request that your property be eligible for the farm or managed forests classes or conservation land exemption, you must file an RfR with the respective program administrator. For more information, please contact MPAC or visit www.mpac.ca.

PROCESS FOR OWNERS OF OTHER PROPERTY TYPES

For any other property type, you can choose to either file an RfR with MPAC or file an Appeal with the ARB by the deadline included on your Notice.

MPAC'S ROLE AT AN ARB HEARING

At an ARB hearing, the onus is on MPAC to prove the accuracy of the assessed value of your property. MPAC will present comparable properties as evidence and will share that information with you prior to the hearing. You will also be asked to provide evidence to support your position. Ideally, you should select recently sold properties that are similar to yours (for example, area, lot dimensions, living area, age of structure(s) and quality of construction). Please contact MPAC if you have any questions.

ABOUTMYPROPERTY™ AT WWW.ABOUTMYPROPERTY.CA

Visit AboutMyProperty™ to see what information we have on file for your property and compare your assessment to other properties in your area. AboutMyProperty™ is also available at ServiceOntario Centres and participating libraries and municipal offices.

CONTACT US

Please have your 19-digit roll number found on your Notice available when you contact us.

MPAC's customer service department has extended hours from September 4, 2012 to November 9, 2012, Monday to Friday from 8:00 a.m. to 6:00 p.m.

CALL

1 866 296-MPAC (6722)
1 877 889-MPAC (6722) TTY

WRITE

P.O. Box 9808
Toronto ON M1S 5T9

WEBSITE/E-MAIL

www.mpac.ca

FAX

1 866 297-6703

If you have accessibility needs, please let our representatives know how we can best accommodate you.





MUNICIPAL PROPERTY ASSESSMENT CORPORATION

Facts About MPAC

- Our customers are all Ontario property taxpayers.
- MPAC administers a uniform, province-wide property assessment system based on Current Value Assessment (CVA) in accordance with the provisions of the *Assessment Act*. It provides municipalities with a range of services, including the preparation of annual assessment rolls, which are used by municipalities and taxing authorities to calculate property taxes.
- MPAC currently assesses and classifies nearly 5 million properties, more than any other assessment jurisdiction in North America, with an estimated total value of more than \$1.8 trillion.
- MPAC employees are located across the province in 33 field offices, a Customer Contact Centre/Central Processing Facility, and Head Office.
- MPAC is a non-share capital, not-for-profit corporation funded by all 444 municipalities in Ontario.
- Every Ontario municipality is a member of the Corporation.
- MPAC is governed by a 15-member Board of Directors. Eight members of the Board are municipal representatives; five members represent property taxpayers; and two members represent provincial interests. All members of the Board are appointed by the Ontario Minister of Finance.
- MPAC provides quality assessment services at an affordable cost. MPAC's cost-per-property of \$37.09 is lower than most assessment authorities in Canada.
- MPAC has received international recognition and awards for the systems it uses to assess properties in Ontario.
- Representatives from countries around the world contact or visit MPAC to learn about property assessment in Ontario.
- Ontario's province-wide assessment updates of property values have all exceeded international standards of accuracy.
- MPAC is also responsible for preparing preliminary lists of electors for municipal, school board and District Social Services Administration Board elections every four years and for reporting the population of each municipality in Ontario.

Property Assessment Notices

- In fall 2012, the assessments of all properties in Ontario will be updated to the legislated valuation date of January 1, 2012 which is in place for the 2013-2016 property tax years.
- Each 2012 Property Assessment Notice shows the assessed value and classification of a property based on the legislated valuation date of January 1, 2012. The phased-in assessed values are also included.
- To provide an additional level of property tax stability and predictability, eligible assessment increases between the January 1, 2008 and January 1, 2012 legislated valuation dates are phased in over four years (2013-2016). Decreases in assessed value are applied immediately.

Assessments in Ontario

- Ontario adopted CVA in 1998.
- Value-based assessment systems, such as CVA, are commonly used for property assessment. CVA is the assessment standard used by most assessment jurisdictions in North America.
- MPAC is responsible for establishing assessed values and classifications for all properties in Ontario.
- At the end of 2011, property counts were distributed as follows:

Property Type	Number of Properties
Residential	4,363,837
Multi-Residential	15,811
Commercial	147,137
Industrial	75,983
Pipeline	1,513
Farm	209,558
Managed Forests/Conservation	12,646
Special/Exempt	42,664
TOTAL	4,869,149

- Each property, or a portion of it, is assigned to a property tax classification according to its use. The main property classifications are: residential, multi-residential, farm, managed forests, commercial, industrial and pipeline.
- Tax rates, established by individual municipalities, usually vary for different classes of property.
- It is important to note that the total amount of taxes collected by a municipality depends on the municipality's revenue needs, not on the value of property assessments within a municipality. Municipalities simply use property assessments as the basis for distributing taxes within a community.

How to Obtain Information from MPAC

- It is important that MPAC has accurate information for every property.
- Property taxpayers should carefully review their Property Assessment Notice to make sure all information is correct. Taxpayers may also view all the detailed information for their property contained on MPAC's database by registering online, **free of charge**, at www.aboutmyproperty.ca or through a written request.
- Property taxpayers may also obtain information on up to 24 additional properties of their choice and up to six selected by MPAC, **free of charge**, at www.aboutmyproperty.ca.
- A personalized roll number and access key for AboutMyProperty™ is included with every Notice mailed in the fall.
- For more information, contact MPAC at **1 866 296-MPAC (6722)** or visit www.mpac.ca. Our TTY number is **1 877 TTY-MPAC (889-6722)**.

Requests for Reconsideration (RfR) & Assessment Appeals

- MPAC is committed to working with property taxpayers to address their questions and concerns and to help them better understand the assessment process.
- Comparing an assessment to similar sold properties in the same neighbourhood will help determine its accuracy. Property taxpayers can obtain detailed information about their property and information on up to 24 additional properties of their choice and up to six selected by MPAC, **free of charge**.
- If property taxpayers have any questions or concerns about their assessment, they may contact MPAC. MPAC is committed to ensuring that every assessed value and/or classification is accurate.
- The Government of Ontario has made a number of changes to the RfR and Appeal processes that took effect for the 2009 tax year. (See "Residential, Farm and Managed Forests Properties" for more information).
- If property taxpayers do not believe their assessed value or classification is accurate, they may ask MPAC to review their assessment through the RfR process.
- With a RfR, MPAC will review the assessed value and classification of a property for accuracy and make appropriate adjustments if an error has occurred.

- There are three ways to request a review of your assessment or classification. The preferred method is to complete a RfR form, available online at www.mpac.ca or www.aboutmyproperty.ca. You may also request a form by calling MPAC toll-free at **1 866 296-MPAC (6722)**. Our TTY number is 1 877 TTY-MPAC (889-6722). The third choice is to write a letter requesting a review to:

MPAC
P.O. Box 9808
Toronto ON M1S 5T9

It is important to include the 19-digit roll number from the Notice, the owner's full name, address and phone number, and all the reasons why the owner feels the assessment is incorrect.

- The deadline to file a RfR with MPAC is **April 1, 2013**. Property owners should refer to their Property Assessment Notice for more information. (See "Residential, Farm and Managed Forests Properties" for more information).
- Property taxpayers may also choose to file an Appeal with the Assessment Review Board (ARB), an independent tribunal of the Ontario Ministry of the Attorney General.

Residential, Farm and Managed Forests Properties

- If a property, or a portion of it, is classified as residential, farm or managed forests, a property taxpayer must first file a RfR before being eligible to file an Appeal with the ARB. The classification is included on the Notice.
- Taxpayers have 90 days after MPAC has notified them of its decision on the RfR to file an Appeal with the ARB.
 - There are specific application forms and fees involved.
 - Property taxpayers must appear at the ARB hearing to support their position. MPAC will also appear at the hearing.
 - At an ARB hearing, the onus is on MPAC to prove the accuracy of the assessed value and MPAC will present comparable properties as evidence. This information will be shared with the property taxpayer prior to the hearing.

Other Property Types

- For all other property types, filing a RfR with MPAC is **not** a mandatory first step before filing an Appeal with the ARB. For the 2013 tax year, the deadline date is **April 1, 2013**.
- If a property taxpayer chooses to file a RfR, they have 90 days after MPAC has notified them of their decision to file an Appeal with the ARB.
- Appeal information, forms and procedures are available at www.arb.gov.on.ca.

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 59-2004

A BY-LAW TO PROHIBIT WILD OR EXOTIC ANIMAL EXHIBITIONS AND PERFORMANCES.

WHEREAS the Municipal Act, 2001, Section 11 provides in part that lower tier municipalities may pass by-laws respecting animals;

AND WHEREAS it is deemed advisable to prohibit wild or exotic animal exhibitions and performances for reasons of animal welfare and public safety;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

1. In this by-law,

"Wild or exotic animal" means an animal listed on Schedule "A" attached hereto and forming part of this by-law.

2. No person shall operate or carry on a public show, exhibition, performance or circus in which a wild or exotic animal is required to perform for the amusement or entertainment of an audience within the Town of Cobourg.

3. Notwithstanding the provisions of clause 2, nothing in this by-law shall prohibit or restrict an educational display or program offered by an organization accredited by the Canadian Association of Zoological Parks and Aquariums.

4. Every person who contravenes any of the provisions of this by-law is guilty of an offence, and upon conviction, is liable to a fine pursuant to the provisions of the Provincial Offences Act.

READ a first, second and third time and finally passed in Open Council this
28th day of June , 2004.

Peter M. Delaney
Mayor

28/6/04
Municipal Clerk

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 59-2004**Schedule "A"**

The following list of animals constitutes "wild or exotic animals" for the purposes of the By-law to which this Schedule is attached. The list includes all such animals whether bred in the wild or in captivity and also includes all their hybrids with domestic species. The words in parentheses are intended to act as examples only and are not to be construed as being an exhaustive list or to otherwise limit the generality of each group of animals.

- 1) Non-human primates (such as gorillas and monkeys).
- 2) Felids, except domesticated cats.
- 3) canis, except domestic dogs.
- 4) Ursids (bears).
- 5) Elephants.
- 6) Pinnipedia (such as seals and walruses).
- 7) Crocodilians (such as alligators and crocodiles).
- 8) Marsupials (such as kangaroos and opossums).
- 9) Poisonous & venomous animals (such as reptiles, tarantulas, scorpions, blue winged octopus, stone fish).
- 10) Ungulates, except domestic horses, mules, asses, goats, sheep, pigs, cattle, llamas and alpacas.
- 11) Hyaenas.
- 12) Mustelines (such as skunks, weasels, otters and badgers) except the domestic ferret.
- 13) Procyonidae (such as raccoons and coatis).
- 14) Edentates (such as anteaters, sloth and armadillos).
- 15) Viverrines (such as mongooses, civets, and genets).
- 16) Chiroptera (bats).
- 17) Rodentia (such as porcupines, prairie dogs, capybaras) except for domesticated rodents such as mice, rats, guinea pigs & gerbils.
- 18) Erinaceidae (such as hedgehogs).
- 19) Cetacea (beluga whale, Orca whale, dolphin).
- 20) Testudines (turtle, tortoise, terrapin).
- 21) Snakes.

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7(b)

THE CORPORATION OF THE TOWN OF COBOURG

BY-LAW NUMBER 07-2002

A BY-LAW TO PROHIBIT PERFORMING EXOTIC OR WILD ANIMAL SHOWS IN MUNICIPAL FACILITIES.

WHEREAS the Municipal Act, R.S.O. 1990, Chapter M.45, Section 210(1) provides in part that by-laws may be passed by the councils of local municipalities for prohibiting or regulating the keeping of animals or any class thereof within the municipality or defined area;

NOW THEREFORE the Municipal Council of the Corporation of the Town of Cobourg enacts as follows:

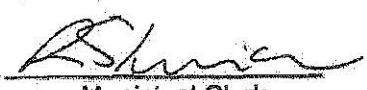
1. THAT in this by-law,

"Exotic or wild animal" means any animal not native to Canada or any animal not normally tamed in its natural habitat whether bred in the wild or in captivity.

2. THAT circuses or other exhibitions with performing exotic or wild animals shall be prohibited in any municipally owned facility or on any municipally owned property.
3. THAT this by-law shall come into effect upon the final passing hereof.

READ a first, second and third time and finally passed in Open Council this 21ST day of JANUARY, 2002.


Peter S. Delaney
Mayor


Brian
Municipal Clerk

performing animals.