

# **AGENDA**

## **REGULAR MEETING OF CITY COUNCIL**

**2012 09 10**

**4:30 P.M.**

## **COUNCIL CHAMBERS**

### **1. ADOPTION OF MINUTES**

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

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

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

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

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

Resolved that the Agenda for 2012 09 10 City Council meeting as presented be approved.

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

- a) Mayor Lynn Watson, Township of MacDonald, Meredith and Aberdeen Additional will be in attendance to make a presentation to Council.
- b) Karey Stewart and Trish Porco, Co-Run Directors will be in attendance concerning Proclamation – Canadian Breast Cancer Foundation - CIBC Run for the Cure Day.

- c) Lou St. Jules, Public Relation Coordinator, Wendy Andres, Honoured Royal Lady, Ladies Lodge and Trevor Purvis, Exalted Ruler, Mens Lodge 341 will be in attendance concerning Proclamation – Elks and Royal Purple Oncology Van Program Week.
- d) Rom Kwolek and Nathan Mudge will be in attendance concerning Proclamation – Terry Fox Run.
- e) Jacqueline Febbraro, Volunteer President/Treasurer and Arthritis Programs Facilitator will be in attendance concerning Proclamation – Arthritis Month.
- f) Lise Joyal will be in attendance concerning Proclamation – Francophone Day.
- g) John Luszka, Commissioner of Human Resources will be in attendance to present the Human Resource Department 2012 budget and year-to-date financial information. See agenda item 5.(d).
- h) Marcel Provenzano, Chief of Fire Services will be in attendance to present the Fire Services 2012 budget and year-to-date financial information. See agenda item 5.(e).

## **PART ONE – CONSENT AGENDA**

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

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

Resolved that all the items listed under date 2012 09 10 – Part One – Consent Agenda be approved as recommended.

- a) Correspondence from AMO, OGRA is attached for the information of Council.
- b) Correspondence from the Deputy Minister of Northern Development and Mines to the Chief Administrative Officer concerning the Northern Policy Institute is attached for the consideration of Council.

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

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

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

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

- c) A letter from citizen Tom Brason to Mayor Amaroso is attached for the consideration of Council.
- d) Financial Statements (budget and year-to-date) from the Human Resources Department are attached for the information of Council.
- e) Financial Statements (budget and year-to-date) from Fire Services are attached for the information of Council.

f) **Appointment – Cultural Advisory Board**

Mover: Councillor B. Watkins  
Seconder: Councillor R. Niro

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

g) **Staff Travel**

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

Mover: Councillor P. Mick  
Seconder: Councillor L. Turco

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

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

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

Mover: Councillor P. Mick  
Seconder: Councillor R. Niro

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

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

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

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

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

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

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

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

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

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

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

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

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

l) **Cemetery Price List**

A report of the City Clerk is attached for the consideration

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

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

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

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

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

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

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

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

The relevant By-law 2012-173 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

**o) Great Lakes Sustainability Fund**

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

The relevant By-law 2012-172 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

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

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

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

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

## **PART TWO – REGULAR AGENDA**

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

**(1) ADMINISTRATION**

**(2) COMMUNITY SERVICES DEPARTMENT**

**(3) ENGINEERING**

**(4) FIRE**

**(5) LEGAL**

**(6) PLANNING**

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

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

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

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

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

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

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

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

**c) Archaeological Site Potential Assessment**

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

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

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

**(7) PUBLIC WORKS AND TRANSPORTATION**

**(8) BOARDS AND COMMITTEES**

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

- a) Mover: Councillor S. Butland  
Seconder: Councillor P. Christian

Whereas there are presently five Bell Canada cell towers under consideration to be erected in the immediate future; and

Whereas there is a likelihood of more required on a needs basis; and

Whereas the City does not presently have an official comprehensive protocol that deals with all aspects of tower locations: location rational, permits required, aesthetics, financial consideration, consultation process;

Now Therefore Be It Resolved that appropriate staff formalize a protocol that incorporates the above wherever possible.

**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.

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

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

**AGREEMENTS**

**a) 2012-172**

A by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment who is responsible for Environment Canada for the Urban Stormwater Control and Monitoring project.

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

**b) 2012-173**

A by-law to authorize a contract between the City and S & T Electrical Cont. Ltd. for the bridge cleaning and installation of a bird barrier system at Wellington Street East underpass. (Contract 2012-10E)

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

**AMENDMENT TO BOUNDARIES OF URBAN SERVICE AREA**

**c) 2012-171**

A by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area.

Approved by Council Resolution on August 13, 2012.

**APPOINTMENTS**

**d) 2012-168**

A by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act.

**OFFICIAL PLAN AMENDMENT**

**e) 2012-166**

A by-law to adopt Amendment No. 190 to the Official Plan (Maple Leaf Forest Products Inc).

**PARKING**

**f) 2012-169**

A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305.

**TRAFFIC**

**g) 2012-170**

A by-law to amend Schedule "A", Schedule "F", Schedule "G", Schedule "H", and Schedule "O" to Traffic By-law 77-200.

Approved by Council Resolution on August 13, 2012.

**ZONING**

**h) 2012-164**

A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 181 John Street.

i) **2012-165**

A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 400 Shannon Road.

j) **2012-167**

A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 418 Fourth Line West.

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

**LANE CLOSING**

k) **2012-80**

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

**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 P. Mick

Seconder: Councillor R. Niro

Resolved that this Council now adjourn.

# **MINUTES**

## **REGULAR MEETING OF CITY COUNCIL**

**2012 08 13**

**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, F. Manzo, P. Mick

**Officials:** J. Fratesi, R. Tyczinski, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, S. Schell, J. Dolcetti, D. McConnell, M. Provenzano, P. Milosevich, A. Starzomski, T. Dodds

### **1. ADOPTION OF MINUTES**

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2012 07 16 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 S. Myers

Seconded by: Councillor M. Bruni

Resolved that the Agenda and Addendum #1 for 2012 08 13 City Council meeting as presented be approved. CARRIED

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

- a) Ashleigh Abbott, Vice-President External – Sault College Students Union were in attendance concerning proclamation - Shine Day – Cystic Fibrosis.
- b) Paul Kowalyk, President, Rotary Club of Sault Ste. Marie, was in attendance to present a Certificate of Appreciation to Public Works and Transportation staff re Community Day Float – Grand Prize winner.
- c) Peter Vaudry and Stephanie Pagnucco were in attendance concerning agenda item 6.(8)(a).
- d) Tom Vair, Executive Director – Sault Ste. Marie Innovation Centre was in attendance concerning agenda item 6.(8)(c).
- e) Bill Freiburger, Commissioner of Finance and Treasurer was in attendance to present the department's 2012 budget and year-to-date financial information. Please see agenda item 5.(i).
- f) M. Poirier was in attendance concerning agenda item 5.(ii).
- g) F. Provenzano was in attendance concerning agenda item 6.(6)(a).
- h) R. DeLorenzi was in attendance concerning agenda item 6.(6)(b).
- i) D. Leask and P. Tarrudd were in attendance concerning agenda item 6.(6)(d).
- j) B. Curran was in attendance concerning agenda item 6.(8)(d).

#### **PART ONE – CONSENT AGENDA**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor F Fata

Resolved that all the items listed under date 2012 08 13 – Part One – Consent Agenda and Addendum #1 be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the Town of Niagara-on-the-Lake (concerning municipal household waste collection) and the Region of Durham (concerning the Provincial Offences Act – unpaid fines) was received by Council.

c) The copy of a letter from Mayor Amaroso to the Minister of Energy concerning the Elementa Group Inc. waste to energy facility was received by Council.

d) The copy of a letter from the Chief Administrative Officer the Executive Vice President, Chief Transformation and Information Officer – Ontario Lottery and Gaming Corporation concerning RFI – Modernizing Lottery in Ontario was received by Council.

Pecuniary Interest – Councillor Bruni – employed by OLG;  
Councillor Christian – family member employed by OLG;  
Councillor Niro – family member employed by OLG.

e) The letter from the Minister of Finance concerning the Ontario Lottery and Gaming Corporation was received by Council.

Pecuniary Interest – Councillor Bruni – employed by OLG;  
Councillor Christian – family member employed by OLG;  
Councillor Niro – family member employed by OLG.

f) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from April 1, 2012 to June 30, 2012 is \$339,781 was received by Council.

Pecuniary Interest – Councillor Bruni – employed by OLG;  
Councillor Christian – family member employed by OLG;  
Councillor Niro – family member employed by OLG.

g) Correspondence from the MPP, Lambton-Kent-Middlesex concerning his private members bill was received by Council.

Pecuniary Interest – Councillor Bruni – employed by OLG;  
Councillor Christian – family member employed by OLG;  
Councillor Niro – family member employed by OLG.

h) Correspondence requesting permission for a private property liquor license extension was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor J. Krmpotich

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

Royal Canadian Legion Branch 25

96 Great Northern Road

Annual Horseshoe Tournament – August 18, 2012 from 10:00 a.m. to 10:00 p.m.

CARRIED

i) Financial Statements (budget and year-to-date) from the Finance Department were received by Council.

j) **Staff Travel**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Staff Travel requests be approved as requested. CARRIED

k) **Sault Ste. Marie Position and Response to Draft Final Report and Proposed Northeast Ontario Regional Economic Planning Pilot – Northern Growth Plan**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Northeast Ontario Regional Economic Planning Pilot - Northern Growth Plan be received as information and the recommendation that the City of Sault Ste. Marie not support the Northeast Northern Advisory Committee (NAC) model as proposed as it is inconsistent with the Growth Plan direction and policy and simply unworkable be approved; and

Further that this position be communicated to the Northern Growth Plan, the NAC and the Deputy Minister of Northern Development and Mines, and

Further that the Deputy Minister of Northern Development and Mine be requested to meet with the CAO's of the five large Northern Ontario cities, which are recognized as important 'economic hubs' in the Growth Plan to discuss appropriate next steps towards developing a workable implementation plan. CARRIED

l) **Financial Assistance to City of Thunder Bay and the City of Elliot Lake**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Financial Assistance - City of Thunder Bay and City of Elliot Lake be accepted and the recommendation to provide donations of \$7,500 to each community with funding from the Unforeseen Expenses account be approved. CARRIED

m) **Tender for Supply and Delivery of One (1) Para-Transit Mini Bus**

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

Moved by: Councillor T. Sheehan  
Seconded by: Councillor F. Fata  
Resolved that the report of the Manager of Purchasing dated 2012 08 13 be endorsed and that the tender for the supply and delivery of one (1) para-transit mini bus, as required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED

n) **Tender for Equipment – Public Works and Transportation Department**

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

Moved by: Councillor T. Sheehan  
Seconded by: Councillor M. Bruni

Resolved that the report of the Manager of Purchasing dated 2012 08 13 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. CARRIED

o) **Shower Revisions – John Rhodes Community Centre**

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

The relevant By-law 2012-160 is listed under Item 10 of the Minutes.

p) **Six Month Financial Report to June 30, 2012**

The report of the Commissioner of Finance and Treasurer was received by Council. The Financial Reports are provided under separate cover.

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 08 13 concerning Six Month Financial Report to June 30, 2012 be received as information. CARRIED

q) **MPAC Assessment Information Update**

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

Moved by: Councillor S. Myers  
Seconded by: Councillor M. Bruni

Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 08 13 concerning MPAC Assessment Information Update be received as information. CARRIED

r) **Listing of Fee for Service Activities**

The report of the Commissioner of Finance and Treasurer was received by Council. This is in response to a Council resolution dated 2012 05 14.

Moved by: Councillor T. Sheehan  
Seconded by: Councillor F. Fata  
Resolved that the report of the Commissioner of Finance and Treasurer dated 2012 08 13 concerning Listing of Fee for Service Activities be received as information. CARRIED

s) **Sault Ste. Marie Designated Property Grant Program Request**

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

Moved by: Councillor T. Sheehan  
Seconded by: Councillor M. Bruni  
Resolved that the report of the Manager of Recreation and Culture dated 2012 08 13 concerning Designated Property Grant Request be accepted and the recommendation to award a grant of \$1,300 to the owners of the Barnes-Fawcett Block, 358-366 Queen Street East be approved. CARRIED

t) **Essar Centre – Pouring Rights Agreement – Extension**

The report of the Commissioner of Community Services was received by Council.

The relevant By-law 2012-163 is listed under Item 10 of the Minutes.

u) **Queen Street East Reconstruction – Simpson Street to Pine Street – Engineering Agreement**

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

The relevant By-law 2012-151 is listed under Item 10 of the Minutes.

v) **Evolutiondeck Inc. Urban Tree Pilot Project**

The report of the Environmental Initiatives Co-ordinator was received by Council.

The relevant By-law 2012-159 is listed under Item 10 of the Minutes.

w) **Contract 2012-11E – Reconstruction of Small Central Creek Aqueduct – Phase 1**

The report of the Director of Engineering Services was received by Council.

The relevant By-laws 2012-161 and 2012-162 are listed under Item 10 of the Minutes.

x) **Assignment of Active City Projects from M.R. Wright and Associates Co. Ltd. to Tulloch Engineering**

The report of the Director of Engineering Services was received by Council.

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata

Resolved that the report of the Director of Engineering Services dated 2012 08 13 concerning Assignment of Active City Projects from M.R. Wright & Associates

Co. Ltd. to Tulloch Engineering be accepted and the recommendation that the following five agreements be assigned from M.R. Wright & Associates C. Ltd. to Tulloch Engineering Inc. be approved:

1. Retaining Wall Repair Design - 719 Bay Street
2. Biennial Municipal Bridge and Overhead Sign Structure Inspections
3. Four Shared Single Lane Bridge Rehabilitation/Reconstruction, Sault Ste. Marie, Ontario and Township of Prince
4. Wellington Street Underpass Cleaning and Bird proofing
5. Great Northern Road - Root River Bridges – Rehabilitation

CARRIED

y) **Allen's Side Road – Request for Speed Reduction**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Commissioner of Engineering and Planning dated 2012 08 13 concerning Allen's Side Road be received as information. CARRIED

Pecuniary Interest – Councillor Niro – Family member resides on Allen's Side Road.

z) **Gateway Site Development – Interim Assessment and Next Steps**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the Commissioner of Engineering and Planning and the report of the Planning Division dated 2012 08 13 concerning Gateway Site Development - Interim Assessment and Next Steps be received as information and that the Gateway Steering Committee continue to collaborate with interested parties/stakeholders towards advancing a large community development project. CARRIED

Pecuniary Interest – Councillor Bruni – employed by OLG;  
Councillor Christian – family member employed by OLG;  
Councillor Niro – family member employed by OLG.

aa) **Feasibility of Banning Smoking on the Hub Trail**

The report of the Fire Chief was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Fire Chief dated 2012 08 13 concerning Feasibility of Banning Smoking on the Hub Trail be received as information and the recommendation that public education and prevention programs be enhanced jointly with the Ministry of Natural Resources and Police Services be approved. CARRIED

**bb) Sault Ste. Marie Fire Services – 2011 Annual Report**

The report of the Fire Chief was received by Council. The Annual Report is provided under separate cover.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Fire Chief dated 2012 08 13 concerning Sault Ste. Marie Fire Services – 2011 Annual Report be received as information. CARRIED

**cc) Municipal Capital Facilities Exemption Request – Essar Centre – 269 Queen Street East**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Whereas section 110 of the *Municipal Act, 2001* S.O. c. 25 as amended authorizes a Municipality to enter into a Municipal Capital Facilities agreement; and

Whereas section 110(6) of the *Municipal Act* authorizes a Municipality to exempt all or part of a municipal capital facility from taxes levied for municipal and school purposes; and

Whereas the agreement between the Corporation of the City of Sault Ste. Marie and the Soo Greyhounds Inc., dated October 1, 2011 declared portions of the Essar Centre at 269 Queen Street East, identified as assessment roll number (57 61 040 021 13800 0000) as a municipal capital facility for sports and entertainment purposes for the public; and

Whereas the Council of the Corporation of the City of Sault Ste. Marie enacted By-law 2012-53 on March 19, 2012, exempting portions of the Essar Centre at 269 Queen Street East from taxation for municipal and school purposes for the lands and municipal capital facilities thereon; and

Whereas section 6(1)(b) of Ontario Regulation 603/06 authorizes the said taxation exemption for Municipal Capital facilities only where the Municipal Council declares such municipal capital facilities for public use;

Now Therefore Be It Resolved that Council declare the property in the City of Sault Ste. Marie known as the Essar Centre located at 269 Queen Street East, except:

1. Rooms A013, A014, A015 and A018 (as shown on the map attached hereto as Schedule "A"); and
2. Room A207 (as shown on the map attached hereto as Schedule "B"),

is for the purpose of the municipality and is for public use be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

**dd) Agreement Between the City and the Municipality of Wawa for the Lease of Municipal Office Space for Provincial Offences Court**

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

The relevant By-law 2012-149 is listed under Item 10 of the Minutes.

**ee) Purchase of a Portion of Property at 325 John Street from Carl Bumbacco**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-157 is listed under Item 10 of the Minutes.

Pecuniary Interest – Councillor Niro – spouse related to property owner

**ff) Sale of Property Being Water Lot Abutting 1009 Queen Street East Market**

The report of the City Solicitor was received by Council.

The relevant By-law 2012-150 is listed under Item 10 of the Minutes.

**gg) Huron-Superior Catholic District School Board Licence of Occupation for Hub Trail Link**

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

The relevant By-law 2012-153 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

Pecuniary Interest – Councillor Niro – spouse employed by HSCDSB;  
Pecuniary Interest – Councillor Turco – spouse is trustee with HSCDSB.

**hh) Community Development Award 2012 – Wacky Wings Great Northern Road**

The report of the Planning Division was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the Planning Division dated 2012 08 13 concerning 2012 Community Development Award be accepted and the recommendation that City Council award the 2012 Community Development Award to Wacky Wings - 688 Great Northern Road be approved. CARRIED

**ii) Northern Lights Laser Request**

The report of the Planning Division was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Director dated 2012 08 13 concerning Northern Lights Laser Request be accepted and the recommendation that City

Council authorize staff to consider site-specific approvals of laser light shows within the city on a case-by-case basis pending adoption of a digital signs by-law be approved. CARRIED

**jj) Demolition of Structures on City Owned Property – 580 Fifth Line East**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Commissioner Public Works and Transportation dated 2012 08 13 concerning Demolition of Structures - 580 Fifth Line East be accepted and the recommendation to tender the demolition of the buildings at this site with funding from the Landfill Reserve be approved. CARRIED

**kk) Amendments to By-law 77-200 – Traffic By-law**

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

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report of the Deputy Commissioner - Public Works and Transportation dated 2012 08 13 concerning Amendments to Traffic By-law 77-200 be accepted and the recommendation that the necessary by-law amendments as outlined in the report be prepared for a future meeting of Council be approved. CARRIED

**ll) Correspondence from Porter Airlines 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-23-12-Z – David Stapleford – 181 John Street**

The report of the Planning Division was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the Planning Division dated 2012 08 13 concerning Application No. A-23-12-Z – filed by David Stapleford – 181 John Street be received and that City Council approves the rezoning of the subject property from "R3" (Low Density Residential) zone to R3.S" (Low Density Residential) zone with the following special exceptions:

- i. That four (4) dwelling units be permitted;
  - ii. That the required parking be reduced from five (5) to the number of parking spaces that currently exist on site;
  - iii. That all applicable Ontario Building Code requirements be met.
- CARRIED

**b) Application No. A-24-12-OP – Pauline and Stephen Fosberg – 576 Brule Road**

The report of the Planning Division was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Division dated 2012 08 13 concerning Application No. A-24-12-OP – filed by Pauline and Stephen Fosberg – 576 Brule Road be received and that City Council defer this application to allow the applicant to explore the opportunity to connect into the existing municipal water and sanitary services along Brule Road. CARRIED

**c) Application No. A-25-12-Z – Tammy Lynn Jacobson – 400 Shannon Road**

The report of the Planning Division was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Planning Division dated 2012 08 13 concerning Application No. A-25-12-OP – filed by Tammy Lynn Jacobson – 400 Shannon Road be received and that the subject property be rezoned from “R2” (Single Detached Residential) zone to “R2.S” (Single Detached Residential) zone with a Special Exception to permit a second dwelling unit in addition to those uses permitted in an “R2” zone subject to compliance with the Ontario Building Code. CARRIED

d) **Application No. A-26-12-Z.OP and 57T-12-501 – Maple Leaf Forest Products Inc. – 418 Fourth Line West**

The report of the Planning Division was received by Council.

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the Planning Division dated 2012 08 13 concerning Application No. A-26-12-Z.OP and 57T-12-501 – filed by Maple Leaf Forest Products Inc. – 418 Fourth Line West be received and that City Council approve for request to construct a 50 unit condominium on the Crimson Ridge Golf course property subject to the 10 conditions contained in the report. CARRIED

**(7) PUBLIC WORKS AND TRANSPORTATION**

**(8) BOARDS AND COMMITTEES**

a) **Age-Friendly Sault Ste. Marie – Phase One**

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that the report concerning Age-Friendly Sault Ste. Marie – Phase One be received as information. CARRIED

b) **PUC 2012 Second Quarter Shareholder Report**

The report of the President and CEO of the PUC Inc. was received by Council.

Moved by: Councillor T. Sheehan

Seconded by: Councillor F. Fata

Resolved that the report of the President and CEO of the PUC Inc. dated 2012 07 20 concerning 2012 Second Quarter Shareholder Report be received as information. CARRIED

c) **EDF Request – Smart Energy Strategy Implementation – Innovation Centre**

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Bruni

Resolved that the report of the Executive Director, Sault Ste. Marie Economic Development Corporation dated 2012 08 03 concerning Smart Energy Strategy Implementation be accepted and the recommendation to provide the lesser of \$95,500 or 12% of total project costs in funding from the 2012 Economic Diversification Fund, conditional upon funding being confirmed through NOHFC and FedNor, be approved. CARRIED

d) **Economic Development Corporation – OLG Modernization Opportunity**

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that the report of the CEO, Sault Ste. Marie Development Corporation dated 2012 08 08 concerning OLG Modernization Opportunity be received as information. CARRIED

Pecuniary Interest – Councillor Bruni – employed by OLG;

Councillor Christian – family member employed by OLG;

Councillor Niro – family member employed by OLG.

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

a) Moved by: Councillor S. Butland

Seconded by: Councillor P. Christian

Whereas most neighbourhood parks in Sault Ste. Marie are youth-oriented and equipped as such (slides, swings, low-level climbing apparatus); and

Whereas more teen and adult oriented fitness systems are becoming more prevalent and popular in North America (soon to be 20 in New York City, London and Woodstock, Ontario); and

Whereas such a system located somewhere in the waterfront area, preferably adjacent to or close to the Rowswell Hub Trail would complement the concept of promoting a healthy lifestyle and perhaps attract more people to the downtown area; and

Whereas the cost of such a fitness system is quite economical (11 stations = \$60,000 purchase and installation); and

Whereas the 5% sub-dividers reserve presently stands at \$319,000 and parameters for usage are quite flexible (to be used for parks or other public recreational purposes);

Now Therefore Be It Resolved that Council receive the attached information and solicit feedback from City staff, Parks and Recreation Advisory Committee and any other community sources concerning the possible installation of such a system. CARRIED

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

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

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

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that all by-laws listed under Item 10 of the AGENDA under date August 13, 2012 be approved. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-145 being a by-law to adopt Amendment No. 189 to the Official Plan for the City of Sault Ste. Marie (Tree Men and a Chainsaw) be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-146 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 763 and 779 Airport Road (Tree Men and a Chainsaw) be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-147 being a by-law to designate the land located at civic numbers 763 and 779 Airport Road as an area of site plan control (Tree Men and a Chainsaw) be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-148 being a by-law to permit the continuation of the existing office sales use at 226 River Road be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Recorded Vote:

For: Mayor D. Amaroso, Councillors L. Turco, S. Butland, S. Myers, M.

Bruni, J. Krmpotich, B. Watkins, R. Niro, P. Christian, P. Mick

Against: Councillor R. Fata, T. Sheehan, F. Manzo

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-149 being a by-law to authorize a Licence of Occupation Agreement between the City and the Municipality of Wawa, respecting the lease of municipal office space to be utilized as a Provincial Offences Court Facility be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-150 being a by-law to authorize the sale of surplus property abutting civic 1009 Queen Street East to Mary Ambeault and Raymond Schryer be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-151 being a by-law to authorize an agreement between the City and AECOM Canada Ltd. for engineering services for the design and reconstruction of Queen Street East from Simpson Street to Pine Street be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-152 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-153 being a by-law to authorize a Licence Agreement between the City and Huron-Superior Catholic District School Board to construct a walking and cycling trail ("Hub Trail Link") on land owned by the City located between the north limit of Holy Cross Elementary School (the former St. Patrick School property site) to the City Hub Trail be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-154 being a by-law to amend Zoning By-law 2005-150 be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers

Seconded by: Councillor F. Fata

Resolved that By-law 2012-154 being a by-law to amend Zoning By-law 2005-150 be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-156 being a by-law to amend Zoning By-law 2005-150 be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-157 being a by-law to authorize the City's acquisition of property from Carl Bumbacco for the portion of his property at 325 John Street required for the improvement of the John Street and St. George's Avenue intersection, being described as Part of Lot 7, Plan 6611, being Part 1 on Plan 1R12122 be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-158 being a by-law to amend comprehensive Zoning By-law 2005-150 be PASSED in open Council this 13<sup>th</sup> day of August, 2012 be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-159 being a by-law to authorize an agreement between the City and Evolutiondeck Inc. for an Urban Tree Pilot Project be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-160 being a by-law to authorize the execution of an agreement between the City and S. & T. Electrical Contractors Limited for shower revisions at the John Rhodes Community Centre and to authorize the use of \$8,840 from the John Rhodes Centre Reserve to fund a portion of the Project cost be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-161 being a by-law to authorize a contract between the City and Avery Construction Ltd. for the Central Creek West Aqueduct Replacement on Central Street be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata  
Resolved that By-law 2012-162 being a by-law to permit the temporary closing of Central Street from Wallace Terrace to McKenzie Avenue and Bonney Street at Central Street from August 20, 2012 to December 14, 2012 to facilitate the Central Creek West Aqueduct Replacement on Central Street be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

Moved by: Councillor S. Myers  
Seconded by: Councillor F. Fata

Resolved that By-law 2012-163 being a by-law to authorize the execution of an agreement between the City and Molson Canada 2005 for pouring rights at the Essar Centre for a period of one (1) year terminating on June 30, 2013 be PASSED in open Council this 13<sup>th</sup> day of August, 2012. CARRIED

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

**12. ADDENDUM TO THE AGENDA**

**13. ADJOURNMENT**

Moved by: Councillor S. Myers

Seconded by: Councillor M. Bruni

Resolved that this Council now adjourn. CARRIED

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Mayor

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Deputy City Clerk

**Malcolm White**

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**From:** communicate@amo.on.ca  
**Sent:** August 19, 2012 12:30 PM  
**To:** Malcolm White  
**Subject:** Breaking News: AMO Submits Infrastructure Funding Priorities to Federal Government

**TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL**

August 19, 2012

The Board of the Association of Municipalities of Ontario has approved a submission to Infrastructure Canada that lays out the needs of Ontario's municipalities in a new federal Long-Term Infrastructure Plan.

The AMO submission calls for a long-term investment program that would allow municipalities to plan capital works and ensure that local priorities are funded. These include:

- A long term, ideally at least ten-year, program;
- Funding allocations by province based on population and economic importance;
- Dedicated portion of the funds to be directly for municipal infrastructure reflecting the fact that municipal governments are owners of the greatest portion of public infrastructure; and
- Eligibility of all local priorities determined by municipal councils through long term municipal asset management planning.

In approving the submission, AMO's Board noted the critical importance of municipal infrastructure as the foundation for economic and social development, environmental protection and quality of life and passed a resolution that articulates municipal priorities. This resolution is appended below and local councils are encouraged to support it or use it as a basis for their own resolutions to the federal and provincial governments.

The submission will be provided to the federal government and posted to the AMO website in the near future.

**Resolution – Federal Long-Term Infrastructure Plan**

**Whereas** municipalities in Ontario are responsible for the majority of infrastructure in the province and that infrastructure is an investment in the economic, social and cultural development and the environmental protection of our communities; and

**Whereas** the Government of Canada is developing a new Long Term Infrastructure Plan for federal support for infrastructure in Canada; and

**Whereas**, despite increased investment in municipal infrastructure by municipal, provincial and federal orders of government in recent years, Ontario's municipalities still have a significant infrastructure deficit.

**Now, therefore, the Board of the Association of Municipalities of Ontario resolves that:**

**Any new federal infrastructure support program must be long-term in its scope and horizon, ideally at least ten years, to help infrastructure investment partners tackle our significant infrastructure needs; and**

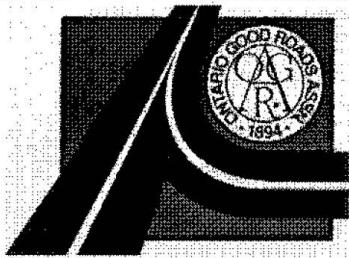
**That Ontario, as Canada's most populous province, should be allocated infrastructure support under any new federal infrastructure support commensurate with its population and economic importance; and**

**That any new federal infrastructure support program must recognize the number and variety of infrastructure systems owned, managed and operated by municipalities in Ontario and the critical supports these provide to local communities and economies by providing for an exclusive municipal allocation in any new federal infrastructure support program; and**

**That the priorities of local governments in Ontario, as defined by their long-term municipal asset management plans, must be recognized and eligible for direct federal support under any new federal infrastructure support program; and**

**That those municipalities that have or will have comprehensive asset management plans in place at the time the Federal program is in effect should be considered immediately eligible for any new infrastructure program funding from the federal government.**

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



*Working for Municipalities*

# Heads UP

## Alert

keeping members informed.

August 17, 2012

### Minister of Infrastructure Rolls out Asset Management Funding Program

OGRA President Alan Korell was in attendance in Trenton yesterday when Minister of Infrastructure Bob Chiarelli announced the Province's new Municipal Infrastructure Strategy. The strategy will require municipalities that request provincial infrastructure funding to show how projects fit within a comprehensive asset management plan.

Asset management plans help municipalities make smart planning decisions about building, operating, maintaining, renewing and replacing infrastructure over the long-term.

Through the strategy, Ontario is providing \$60 million over the next three years to municipalities. Up to \$9 million will be used to help municipalities prepare their plans, while the remaining funds will be used to address critical projects identified in those finalized plans.

In his address Minister Chiarelli stated, that "the government has made unprecedented investments in infrastructure across the province. We will continue to partner with all municipalities to invest in local infrastructure to support economic growth and enhance quality of life."

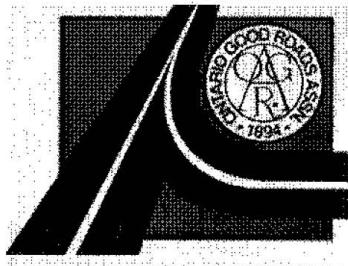
OGRA President Alan Korell stated that "The federal, provincial and municipal governments need to work together to fund the infrastructure that makes Ontario communities prosperous. The Province's decision to provide funding to small municipalities to prepare asset management plans confirms a commitment to approaching infrastructure needs in partnership, and to investing wisely."

"This is exactly the direction that we had hoped the Province would take" said OGRA Executive Director Joe Tiernay. "Municipalities need to do asset management but they also need financial assistance to get the job done." He also restated OGRA's commitment to the Municipal DataWorks (MDW) program, confirming that access to OGRA municipal members would continue at no cost.

Municipalities interested in accessing the funding must submit an "Expression of Interest" by no later than October 22, 2012.

Click the following link to be redirected to the on-line form.

[Funding for Asset Management - Expression of Interest Form](#)



*Working for Municipalities*

# Heads UP

## Alert

keeping members informed.

August 17, 2012

### Minister of Transportation Agrees to "Open up" MMS Regulations

OGRA is very pleased to advise that the Minister of Transportation, Bob Chiarelli has agreed to open up the Minimum Maintenance Standards (MMS) regulations to address the problems created by the recent Ontario Court of Appeals decision in *Guiliani v Region of Halton*. Further he has made the commitment to address the problems "before the snow flies" this winter.

Late last year the Ontario Court of Appeal overturned a lower court ruling in the matter of *Guiliani v The Region of Halton* which has serious implications for all municipalities in Ontario. The ruling undermines the ability of municipalities who are in compliance with their existing Minimum Maintenance Standards to defend court actions brought against them. Members of the OGRA Board and Staff met with both Minister Chiarelli and Premier McGuinty at the 2012 ROMA/OGRA Combined Conference to apprise them of the matter and to advise that while OGRA was supporting an appeal to the Supreme Court of Canada, that if all legal avenues were exhausted, we would be back requesting that the regulations and/or the legislation be amended.

OGRA supported the appeal by OMEX to the Supreme Court of Canada. Unfortunately the Supreme Court refused to hear the appeal and OGRA immediately contacted the Minister's office to set up a meeting.

OGRA President Alan Korell stated "We are extremely pleased that the Minister has seen the important role that the MMS plays in protecting municipalities from frivolous law suits and that he has agreed to act so quickly."

The Committee that OGRA had established to develop new best practices to deal with the court ruling will be re-tasked to draft the revised regulations to be submitted to the Minister this fall."

Executive Director Joe Tiernay stated "OGRA will continue to take a leadership role in ensuring that the MMS provide the level of protection that municipalities need and we will also continue to press for legislative changes to the bigger issue of Joint and Several Liability."

For more information contact OGRA at [info@ogra.org](mailto:info@ogra.org)

## Malcolm White

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**From:** Bianca Berlingieri  
**Sent:** September 04, 2012 11:35 AM  
**To:** Malcolm White  
**Subject:** FW: Northern Policy Institute Announcement  
**Attachments:** Resolution-NGP-NAC-Aug.13.pdf

Malcolm:

Joe would like this email (Northern Growth Plan) as part of the Council Agenda. I will be sending you another email, as well. This is the 1<sup>st</sup> of 2 emails.

Thanks,

B

---

**From:** Bianca Berlingieri  
**Sent:** August 30, 2012 9:36 AM  
**To:** 'george.ross@ontario.ca'  
**Cc:** 'rick.bartolucci@ontario.ca'; Cal McDonald (cal.mcdonald@ontario.ca); d.oraziotti.mpp.co@liberal.ola.org; Mayor Amaroso; City Councillors; Tom Dodds; Tom Vair (tvair@ssmic.com); rreid@nsci.ca; Richard Myers (president@algomau.ca); Doug Nadorozny; Jerry Knox; Joe Fratesi; Joe Torlone; Tim Commissio  
**Subject:** Northern Policy Institute Announcement

Dear Deputy Minister:

How disappointing it was to learn third-hand that the Province intends to make an announcement regarding the proposed Northern Policy Institute tomorrow. The fact that the announcement will be made concurrently in Sudbury and Thunder Bay, after the government asked the Presidents of Laurentian University and Lakehead University to give it advice on this matter, leads to suspicion about the predisposition of your Ministry on this matter. I am a member of the NAC Advisory Committee and understood that this matter was going to be discussed by the Committee prior to its finalization and announcement. This obviously did not occur and I am sure my disappointment is shared by the many other members of NAC who believed that the Committee would be consulted at some point.

The City of Sault Ste. Marie has already expressed its concern and disappointment for the model which has been proposed for the Northeastern Ontario-REDA. We similarly have expressed our disappointment with respect to the lack of involvement of our City and the NAC in the Northern Multi-modal Transportation Initiative mentioned in the Plan. Now, we express our disappointment with the lack of consultation with communities in Northern Ontario other than Thunder Bay and Sudbury regarding the Northern Ontario Policy Institute.

The Northern Growth Plan, as announced by the Province, gave us considerable hope for the future of all of Northern Ontario. It is indeed a good Plan. The implementation and the process to determine such implementation, however, has not been inclusive and certainly is not aligned with the Northern Growth Plan. Sault Ste. Marie City Council has passed a resolution (copy attached) with respect to this concern and the matter has been thoroughly discussed by the CAO's of the five major Northern cities. It is the hope of the Northern CAO's that a meeting can be arranged with you at your convenience so that we can discuss appropriate next steps that might see this whole process "put back on the rails", restoring the hope that most of us had regarding the future of all of Northern Ontario. Please advise of your willingness and availability to meet with us as soon as possible.

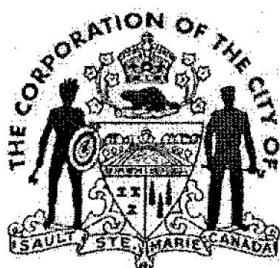
Yours truly,  
 Joe Fratesi

Joseph M. Fratesi  
 Chief Administrative Officer  
 City of Sault Ste. Marie

5(a)

99 Foster Drive  
Sault Ste. Marie, ON P6A 5X6  
Phone 705-759-5347  
j.fratesi@cityssm.on.ca

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



# CITY COUNCIL RESOLUTION

5(a)

Agenda Item

5(A)

Date: 2012 08 13

MOVED BY  
SECONDED BY

Councillor  
Councillor

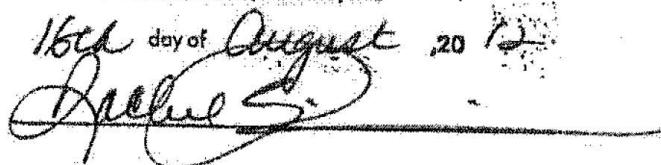
S. Myers  
F. Fata

Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Northeast Ontario Regional Economic Planning Pilot - Northern Growth Plan be received as information and the recommendation that the City of Sault Ste. Marie not support the Northeast Northern Advisory Committee (NAC) model as proposed as it is inconsistent with the Growth Plan direction and policy and simply unworkable be approved; and

Further that this position be communicated to the Northern Growth Plan, the NAC and the Deputy Minister of Northern Development and Mines, and

Further that the Deputy Minister of Northern Development and Mine be requested to meet with the CAO's of the five large Northern Ontario cities, which are recognized as important 'economic hubs' in the Growth Plan to discuss appropriate next steps towards developing a workable implementation plan.

I, Rachel Tyczynski, Deputy City Clerk of The Corporation of the City of Sault Ste. Marie, certify the foregoing to be a true and correct copy of the original document of which it purports to be a copy.  
Dated at Sault Ste. Marie, Ontario, this

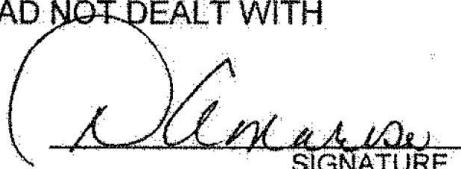
16th day of August, 2012  


CARRIED  
 REFERRED

DEFEATED  
 OFFICIALLY READ NOT DEALT WITH

AMENDED

DEFERRED

  
\_\_\_\_\_  
SIGNATURE

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

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

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

5(D)



September 6, 2012

Mr. Joe Fratesi, CAO  
City of Sault Ste. Marie

Dear Joe,

Please be advised that the Sault Ste. Marie Economic Development Corporation (SSMEDC) met on September 4, 2012 and passed a motion supporting the following City Council resolution concerning the Sault Ste. Marie position and response to the Draft Final Report and Proposed Northeast Ontario Regional Economic Planning Pilot - Northern Growth Plan, passed on August 13, 2012.

*"Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Northeast Ontario Regional Economic Planning Pilot – Northern Growth Plan be received as information and the recommendation that the City of Sault Ste. Marie not support the Northeast Northern Advisory Committee (NAC) model as proposed as it is inconsistent with the Growth Plan direction and policy and simply unworkable be approved; and Further that this position be communicated to the Northern Growth Plan, the NAC and the Deputy Minister of Northern Development and Mines, and Further that the Deputy Minister of Northern Development and Mine be requested to meet with the CAO's of the five large Northern Ontario cities, which are recognized as important 'economic hubs' in the Growth Plan to discuss appropriate next steps towards developing a workable implementation plan."*

Please also be advised that the SSMEDC supports the spirit and intent of the proposed resolution (below) to be discussed at the next City Council meeting.

*"Resolved that Sault Ste. Marie City Council receives as information the email that was sent by the CAO on August 30, 2012 to George Ross, Deputy Minister of Northern Development and Mines concerning the Northern Policy Institute announcement and general concerns regarding the implementation of the Northern Growth Plan, as well as the reply that was received back that same day by the CAO, And further that the Deputy Minister be thanked for agreeing to meet with the CAO's of the five large northern cities to discuss the much expressed concerns regarding the process and the plans for implementation of the Growth Plan Initiatives, including Sault Ste. Marie's position that the draft model for the Northeast Regional Economic Development Planning Initiative is inconsistent with the spirit and intent of the Growth Plan and simply will not work in achieving its objectives."*

These concerns have been expressed by all the Sault Ste. Marie representatives on the Growth Plan's Northern Advisory Committee and conveyed to MNDM staff on numerous occasions.

Sincerely,

Tom Dodds, CEO



5(6)

SAULT STE. MARIE  
ECONOMIC DEVELOPMENT CORPORATION

Board of Directors' Meeting

Tuesday, September 4, 2012  
Russ Ramsay Board Room  
11:30 am.

AGENDA ITEM 2.3

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Moved by: Rob Reid

Seconded by: Greg Punch

Resolved to accept the Report prepared by the City's Chief Administrative Officer dated 08 13 2012 regarding Sault Ste. Marie's position and response to the draft final report and proposed Northeast Ontario Regional Economic Planning Pilot - Northern Ontario Growth Plan;

And further that the Sault Ste. Marie Economic Development Corporation's Board of Directors supports the City's position not to support the proposed Northeast NAC model as it is inconsistent with the Growth Plan direction and policy. CARRIED.



September 7, 2012

Honourable Rick Bartolucci  
Minister, Northern Development and Mines  
Unit 302, 93 Cedar St  
Sudbury ON P3E1A7

Dear Minister Bartolucci:

It was with disappointment I received an invitation to an announcement on the Northern Policy Institute (NPI) with two days' notice last week.

As you are aware, the Northern Policy Institute concept was announced in March 4<sup>th</sup>, 2011 with \$5M from the Northern Ontario Heritage Fund and was simultaneously passed to the Presidents of Lakehead and Laurentian Universities to study and make recommendations on its implementation. The consultation process consisted of an E-mail with three questions posed to stakeholders across Northern Ontario. At no time did any direct dialogue take place with the Presidents of Algoma University and Sault College or other members of our community on this important initiative.

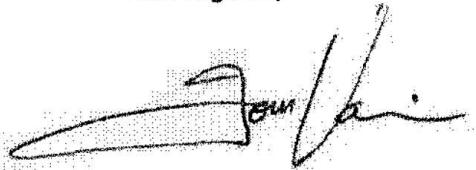
At the same time, members of the Northern Advisory Committee continually requested the government share information and provide an opportunity for the NAC to contribute their thoughts on what could be an important new institution for Northern Ontario. The group was also clear in stating its discomfort for the process in which this institute was being developed.

Rather than living up to the ideals of the Growth Plan of creating an environment of empowerment and togetherness for Northern Ontarians, the process and result of the NPI is leading in the opposite direction. Meaningful discussion should have taken place with key stakeholders in Northern Ontario and there is any number of ways that the strengths of different institutions and communities could have been leveraged to make this a more positive outcome. This is an unfortunate opportunity lost.

5(b)

We continue to believe in the tremendous opportunity for growth and development in Northern Ontario and the ideals that the Growth Plan documented. We look forward to working more closely with fellow stakeholders from across the North to build future prosperity for the region.

Best regards,



Tom Vair  
Executive Director

Cc:

David Orazietti, MPP Sault Ste. Marie  
George Ross, Deputy Minister, Ministry of Northern Development and Mines  
Joe Fratesi, CAO, The Corporation of the City of Sault Ste. Marie  
Rob Reid, Past-President, Sault Ste. Marie Chamber of Commerce  
Dr. Richard Myers, President, Algoma University  
Dr. Ron Common, President, Sault College  
Tom Dodds, CEO, Sault Ste. Marie Economic Development Corporation

Sept 04, 2012  
Debbie Amaroso, Mayor  
The Corporation of the City of Sault Ste. Marie  
99 Foster Drive, P.O. Box 580  
Sault Ste. Marie, ON P6A 5N1

**Re: PUC donations**

Dear Mayor Amarosa,

Last December there was a public outcry regarding the Sault Ste Marie PUC donating \$100,000 to Algoma University, monies collected from Sault home owners under the pretext of dues required for PUC services.

Not only were customers paying their PUC bills on the basis 'all monies' collected were earmarked for services rendered but we've also the distinct possibility of a gross conflict of interest as the President and CEO of 'PUC Distribution Inc.' was also on the receiving end as well, being chair of Algoma University's Essential Elements Campaign responsible for fundraising. City Council has taken the extraordinary position of ignoring the call for a public inquiry even though one should be a requirement under these circumstances.

Mayor Ford of Toronto has landed himself in hot water by using a staff member's time and his councillor letterhead to solicit donations for the Rob Ford Football Foundation, which raises money to buy equipment for underprivileged high schools. The \$3,150 in donations came from lobbyists and corporations doing business with the city, not the city itself and they wanted the money returned.

Now Mr Ford is up on conflict of interest charges and may lose his job for participating when council decided to vote on showing some leniency based on circumstances. Integrity Commissioner Leiper says she warned him years before about the 'dangers' inherent in his fundraising activities.

Regardless of how Mayor Ford fares, the situation with the Sault Ste Marie PUC on the other hand has all the appearances of being much more deliberate with approximately \$140,000 donated directly from city coffers. Besides the likelihood of a conflict of interest there was also a flagrant disregard for monies collected thru' monthly PUC bills '*which provide customers a very detailed summary of where every cent is to go*' and why. The PUC accordingly has no authority to use this money other than intended in their course of duties as public servants, much less give it away 'to a private entity' at their discretion.

The PUC encourages us to conserve and save; forces smart meters on us, then they blatantly give our savings away.

Mayor Amarosa, I'm requesting a complete public inquiry into this entire affair. The PUC is responsible to the citizens of Sault Ste Marie thru' our elected representatives, they have no immunity that may insulate them from accountability.

Yours Sincerely,

Tom Brason  
35 Amber St.  
Sault Ste Marie, P6A 6N6

Cc: city councillors

**FEBRUARY**  
**HUMAN RESOURCES DEPARTMENT**  
For the Seven Months Ending July 31, 2012

Department	July	YTD Actual	YTD Budget	Variance	Percentage Budget-Rem	2011 Actual
<b>REVENUE</b>						
Government grants			<u>(\$20,625.00)</u>	<u>(\$20,625.00)</u>	100.00%	<u>(\$16,372.48)</u>
			<u>(\$20,625.00)</u>	<u>(\$20,625.00)</u>	100.00%	<u>(\$16,372.48)</u>
<b>EXPENDITURES</b>						
Salaries	54,004.73	342,171.90	\$662,200.00	\$320,028.10	48.33%	\$630,802.13
Benefits	41,785.90	255,481.89	\$426,130.00	\$170,648.11	40.05%	\$391,439.38
Travel and training	2,354.84	17,951.62	\$47,915.00	\$29,963.38	62.53%	\$33,055.35
Vehicle allowance, maintenance and repairs	326.60	326.60	\$1,000.00	\$673.40	67.34%	\$609.88
Materials and supplies	3,524.11	51,775.65	\$66,340.00	\$14,564.35	21.95%	\$83,719.00
Maintenance and repairs			\$4,500.00	\$4,500.00	100.00%	\$1,416.46
Purchased and contracted services	17,734.40	120,728.49	\$252,775.00	\$132,046.51	52.24%	\$177,097.41
Transfer to own funds			\$0.00	\$0.00	0.00%	\$35,275.00
Capital expense	2.00	3,421.78	\$11,500.00	\$8,078.22	70.25%	\$8,370.87
Depreciation			\$0.00	\$0.00	0.00%	\$2,467.35
	<u>119,732.58</u>	<u>791,857.93</u>	<u>\$1,472,360.00</u>	<u>\$680,502.07</u>	<u>46.22%</u>	<u>\$1,364,252.83</u>
<b>NET (REVENUE)/EXPENDITURE</b>	<b>119,732.58</b>	<b>791,857.93</b>	<b>\$1,451,735.00</b>	<b>\$659,877.07</b>	<b>45.45%</b>	<b>\$1,347,880.35</b>

5(d)

City of Sault Ste Marie  
FIRE SERVICES  
For the Seven Months Ending July 31, 2012

Department	July	YTD Actual	YTD Budget	Variance	Percentage Budget-Rem	2011 Actual
<b>REVENUE</b>						
Fees and user charges	(\$408,855.12)	(\$2,662,097.42)	(\$4,799,440.00)	(\$2,137,342.58)	44.53%	(\$4,384,643.79)
Government grants			\$0.00	\$0.00	0.00%	(\$980.00)
Contribution from own funds			\$0.00	\$0.00	0.00%	(\$3,049.45)
Other income			\$0.00	\$0.00	0.00%	(\$13,791.10)
	<b>(408,855.12)</b>	<b>(2,662,097.42)</b>	<b>(\$4,799,440.00)</b>	<b>(\$2,137,342.58)</b>	<b>44.53%</b>	<b>(\$4,402,654.34)</b>
<b>EXPENDITURES</b>						
Salaries	959,043.78	6,899,044.29	\$12,768,285.00	\$5,869,240.71	45.97%	\$12,339,831.93
Benefits	226,666.01	1,860,462.53	\$3,220,405.00	\$1,359,942.47	42.23%	\$3,007,674.29
Travel and training	(39.76)	16,086.77	\$38,385.00	\$22,298.23	58.09%	\$26,053.27
Vehicle allowance, maintenance and repairs	18,006.53	84,429.80	\$175,715.00	\$91,285.20	51.95%	\$170,263.61
Utilities and Fuel	11,716.62	160,436.03	\$298,310.00	\$137,873.97	46.22%	\$314,641.51
Materials and supplies	16,276.52	172,135.93	\$398,825.00	\$226,689.07	56.84%	\$317,923.37
Maintenance and repairs	9,774.15	70,980.12	\$125,075.00	\$54,094.88	43.25%	\$116,486.07
Rents and leases	1,214.52	1,214.52	\$2,500.00	\$1,285.48	51.42%	\$2,429.04
Taxes and licenses		55,819.64	\$63,600.00	\$7,780.36	12.23%	\$52,000.00
Financial expenses	(146.46)	873.05	\$0.00	(\$873.05)	0.00%	\$0.00
Purchased and contracted services	7,069.73	37,836.25	\$94,325.00	\$56,488.75	59.89%	\$77,083.32
Transfer to own funds		252,500.00	\$252,500.00	\$0.00	0.00%	\$299,416.54
Capital expense	3,291.38	15,399.38	\$32,875.00	\$17,475.62	53.16%	\$13,940.67
Depreciation			\$0.00	\$0.00	0.00%	\$391,687.64
	<b>1,252,873.02</b>	<b>9,627,218.31</b>	<b>\$17,470,800.00</b>	<b>\$7,843,581.69</b>	<b>44.90%</b>	<b>\$17,126,633.20</b>
<b>NET (REVENUE)/EXPENDITURE</b>	<b>844,017.90</b>	<b>6,965,120.89</b>	<b>\$12,671,360.00</b>	<b>\$5,706,239.11</b>	<b>45.03%</b>	<b>\$12,726,166.92</b>

5(e)

City of Sault Ste Marie  
FIRE DEPARTMENTAL  
For the Seven Months Ending July 31, 2012

Department	July	YTD		Variance	Percentage Budget-Rem	2011	
		Actual	Budget			Actual	
<b>REVENUE</b>							
Fees and user charges	(\$7,818.00)	(\$199,682.69)	(\$200,505.00)	(\$822.31)	0.41%	(\$168,127.76)	
Government grants			\$0.00	\$0.00	0.00%	(\$980.00)	
Contribution from own funds			\$0.00	\$0.00	0.00%	(\$3,049.45)	
Other income			\$0.00	\$0.00	0.00%	(\$13,791.10)	
	<b>(7,818.00)</b>	<b>(199,682.69)</b>	<b>(\$200,505.00)</b>	<b>(\$822.31)</b>	<b>0.41%</b>	<b>(\$165,943.31)</b>	
<b>EXPENDITURES</b>							
Salaries	720,287.23	5,210,946.09	\$9,534,700.00	\$4,323,753.91	45.35%	\$9,247,204.29	
Benefits	167,323.55	1,407,594.36	\$2,396,340.00	\$988,745.64	41.26%	\$2,304,533.92	
Travel and training	(39.76)	14,339.40	\$31,095.00	\$16,755.60	53.89%	\$23,861.13	
Vehicle allowance, maintenance and repairs	8,067.19	53,869.59	\$78,875.00	\$25,005.41	31.70%	\$96,887.62	
Utilities and Fuel	10,745.86	124,127.11	\$229,390.00	\$105,262.89	45.89%	\$251,635.64	
Materials and supplies	1,652.63	96,446.03	\$215,675.00	\$119,228.97	55.28%	\$161,285.48	
Maintenance and repairs	6,513.76	45,064.93	\$66,315.00	\$21,250.07	32.04%	\$75,514.81	
Financial expenses	(146.46)	873.05	\$0.00	(\$873.05)	0.00%	\$0.00	
Purchased and contracted services	3,290.55	12,793.67	\$35,300.00	\$22,506.33	63.76%	\$27,941.18	
Transfer to own funds		252,500.00	\$252,500.00	\$0.00	0.00%	\$299,476.54	
Capital expense	3,291.38	15,399.38	\$31,675.00	\$16,275.62	51.38%	\$12,146.98	
	<b>920,985.93</b>	<b>7,233,953.61</b>	<b>\$12,871,865.00</b>	<b>\$5,637,911.39</b>	<b>43.80%</b>	<b>\$12,500,429.59</b>	
<b>NET (REVENUE)/EXPENDITURE</b>	<b>913,167.93</b>	<b>7,034,270.92</b>	<b>\$12,671,360.00</b>	<b>\$5,637,089.08</b>	<b>44.49%</b>	<b>\$12,334,491.28</b>	

**City of Sault Ste Marie  
FIRE SERVICES - EMS**  
For the Seven Months Ending July 31, 2012

Department	July	YTD		Variance	Percentage Budget-Rem	<b>2011 Actual</b>
		Actual	Budget			
<b>REVENUE</b>						
Fees and user charges	(\$341,124.26)	(\$2,139,768.38)	(\$3,887,870.00)	(\$1,748,101.62)	44.96%	(\$3,711,663.64)
	<u>(\$341,124.26)</u>	<u>(2,139,768.38)</u>	<u>(\$3,887,870.00)</u>	<u>(\$1,748,101.62)</u>	<u>44.96%</u>	<u>(\$3,711,663.64)</u>
<b>EXPENDITURES</b>						
Salaries	201,732.55	1,469,303.30	\$2,738,760.00	\$1,269,456.70	46.35%	\$2,716,919.63
Benefits	51,372.43	398,134.65	\$733,400.00	\$335,265.35	45.71%	\$619,275.83
Travel and training		536.31	\$3,455.00	\$2,918.69	84.48%	\$2,005.16
Vehicle allowance, maintenance and repairs	9,066.52	27,581.89	\$68,405.00	\$40,823.11	59.68%	\$80,556.42
Utilities and Fuel	154.86	28,295.55	\$49,620.00	\$21,324.45	42.98%	\$48,647.87
Materials and supplies	12,085.23	64,572.03	\$157,440.00	\$92,867.97	58.99%	\$137,090.25
Maintenance and repairs	2,902.39	20,405.91	\$40,040.00	\$19,634.09	49.04%	\$33,781.60
Rents and leases	1,214.52	1,214.52	\$2,500.00	\$1,285.48	51.42%	\$2,429.04
Taxes and licenses		50,000.00	\$53,000.00	\$3,000.00	5.66%	\$48,000.00
Purchased and contracted services	3,239.21	20,367.67	\$41,250.00	\$20,882.33	50.62%	\$42,954.83
	<u>281,767.71</u>	<u>2,080,411.83</u>	<u>\$3,887,870.00</u>	<u>\$1,807,456.17</u>	<u>46.49%</u>	<u>\$3,711,663.64</u>
<b>NET (REVENUE)/EXPENDITURE</b>	<b>(59,356.55)</b>	<b>(59,356.55)</b>	<b>\$0.00</b>	<b>\$59,356.55</b>	<b>0.00%</b>	<b>\$0.00</b>

5(e)

City of Sault Ste Marie  
EMS-GARDEN RIVER  
For the Seven Months Ending July 31, 2012

Department	July	YTD		Variance	Percentage Budget-Rem	<b>2011</b> <i>Actual</i>
		Actual	Budget			
<b>REVENUE</b>						
Fees and user charges	(\$59,912.86)	(\$322,646.35)	(\$711,065.00)	(\$388,418.65)	54.62%	(\$524,852.39)
	<u>(59,912.86)</u>	<u>(322,646.35)</u>	<u>(\$711,065.00)</u>	<u>(\$388,418.65)</u>	<u>54.62%</u>	<u>(\$524,852.39)</u>
<b>EXPENDITURES</b>						
Salaries	37,024.00	218,794.90	\$494,825.00	\$276,030.10	55.78%	\$375,708.01
Benefits	7,970.03	54,733.52	\$90,665.00	\$35,931.48	39.63%	\$84,054.54
Travel and training		1,211.06	\$3,835.00	\$2,623.94	68.42%	\$185.98
Vehicle allowance, maintenance and repairs	872.82	2,978.32	\$28,435.00	\$25,456.68	89.53%	\$12,817.56
Utilities and Fuel	815.90	8,013.37	\$19,300.00	\$11,286.63	58.48%	\$14,358.00
Materials and supplies	2,538.66	11,117.87	\$25,710.00	\$14,592.13	56.76%	\$19,547.64
Maintenance and repairs	358.00	5,509.28	\$18,720.00	\$13,210.72	70.57%	\$7,189.66
Taxes and licenses		5,819.64	\$10,600.00	\$4,780.36	45.10%	\$4,000.00
Purchased and contracted services	539.97	4,674.91	\$17,775.00	\$13,100.09	73.70%	\$6,189.31
Capital expense			\$1,200.00	\$1,200.00	100.00%	\$791.69
	<u>50,119.38</u>	<u>312,852.87</u>	<u>\$711,065.00</u>	<u>\$398,212.13</u>	<u>56.00%</u>	<u>(\$524,852.39)</u>
<b>NET (REVENUE)/EXPENDITURE</b>	<b>(9,793.48)</b>	<b>(9,793.48)</b>	<b>\$0.00</b>	<b>\$9,793.48</b>	<b>0.00%</b>	<b>\$0.00</b>

5(e)

City of Sault Ste Marie  
CAO-MUNICIPAL EMERGENCY PLANNING  
For the Seven Months Ending July 31, 2012

Department	July	YTD		Variance	Percentage Budget-Rem	<b>2011</b> <i>Actual</i>
		Actual	Budget			
<b>REVENUE</b>						
Other income			\$0.00	\$0.00	0.00%	<b>(\$2,000.00)</b>
			\$0.00	\$0.00	0.00%	<b>(\$2,000.00)</b>
<b>EXPENDITURES</b>						
Salaries	5,037.34	32,634.01	\$60,160.00	\$27,525.99	45.75%	<b>\$33,233.62</b>
Benefits	1,340.06	8,389.97	\$17,065.00	\$8,675.03	50.84%	<b>\$7,829.03</b>
Travel and training		65.00	\$500.00	\$435.00	87.00%	<b>\$53.40</b>
Vehicle allowance, maintenance and repairs	9.19	9.19	\$1,000.00	\$990.81	99.08%	<b>\$154.38</b>
Materials and supplies	152.53	3,124.04	\$11,085.00	\$7,960.96	71.82%	<b>\$3,401.61</b>
Purchased and contracted services			\$2,750.00	\$2,750.00	100.00%	<b>\$2,004.00</b>
Capital expense			\$0.00	\$0.00	0.00%	<b>\$6,405.10</b>
	<b>6,539.11</b>	<b>44,222.21</b>	<b>\$92,560.00</b>	<b>\$48,337.79</b>	<b>52.22%</b>	<b>\$53,081.14</b>
<b>NET (REVENUE)/EXPENDITURE</b>	<b>6,539.11</b>	<b>44,222.21</b>	<b>\$92,560.00</b>	<b>\$48,337.79</b>	<b>52.22%</b>	<b>\$51,081.14</b>

5(e)

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



5(g)  
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](mailto:j.fratesi@cityssm.on.ca)  
[b.berlingieri@cityssm.on.ca](mailto:b.berlingieri@cityssm.on.ca)

2012 09 10

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. Michael Allard – Engineering & Planning – Building Division**  
OBOA Training  
September 23 – 29, 2012  
Woodbridge, Ontario  
Estimated total cost to the City - \$1,794.50  
Estimated net cost to the City - \$1,794.50
- 2. Don Maki – Engineering & Planning – Building Division**  
LMCBO Fall Workshop  
November 6 – 9, 2012  
Caledon, Ontario  
Estimated total cost to the City - \$1,076.00  
Estimated net cost to the City - \$1,076.00
- 3. Shelley Schell – Finance Department**  
Sustainable Financial Planning for Municipalities  
September 18 – 19, 2012  
Sudbury, Ontario  
Estimated total cost to the City - \$726.10  
Estimated net cost to the City - \$726.10
- 4. Kathy Fisher – Community Services Department - ECNHS**  
2013 Tall Ship – Pan Provincial event  
September 26 – 27, 2012  
Toronto, Ontario  
Estimated total cost to the City - \$707.00  
Estimated net cost to the City - \$0.00

5. **Virginia McLeod - Community Services – Recreation & Culture Division**  
2013 Tall Ship – Pan Provincial event  
September 26 – 27, 2012  
Toronto, Ontario  
Estimated total cost to the City - \$707.00  
Estimated net cost to the City - \$0.00
6. **Danny Krmpotich – Social Services Department – Local Immigration**  
Algoma District Municipal Association Meeting  
September 22, 2012  
Blind River, Ontario  
Estimated total cost to the City - \$134.78  
Estimated net cost to the City - \$134.78
7. **Melissa Ceglie – Social Services Department – Local Immigration**  
Algoma District Municipal Association Meeting  
September 22, 2012  
Blind River, Ontario  
Estimated total cost to the City - \$18.50  
Estimated net cost to the City - \$18.50
8. **Patti Lebel – Social Services – Ontario Works Division**  
SSSMP Site Readiness Launch  
September 18, 2012  
Toronto, Ontario  
Estimated total cost to the City - \$417.86  
Estimated net cost to the City - \$417.86
9. **Madison Zuppa – Engineering & Planning Department**  
Green Vehicle Show  
September 11, 2012  
Sudbury, Ontario  
Estimated total cost to the City - \$171.75  
Estimated net cost to the City - \$171.75
10. **Mike Blanchard – Public Works & Transportation Department**  
Green Vehicle Show  
September 11, 2012  
Sudbury, Ontario  
Estimated total cost to the City - \$71.75  
Estimated net cost to the City - \$71.75

5(g)

**11. Beth Madonna – Human Resources Department**

Schedule 2 Employers' Group Conference

October 1, 2012

Richmond Hill, Ontario

Estimated total cost to the City - \$1,281.27

Estimated net cost to the City - \$1,281.27

Yours truly,



JMF:bb

Joseph M. Fratesi  
Chief Administrative Officer

5(h)

Tim Gowans  
Manager of Purchasing



Finance Department  
Purchasing Division

Celebrate 100!  
\*1912 - 2012\*

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

**RE: TENDER FOR SUPPLY & DELIVERY OF ONE (1) 58,000 GVW TANDEM TRUCK C/W PLOW, WING, HARNESS & 14' CONTRACTOR TYPE DUMP BOX**

**PURPOSE**

Attached hereto for your information and consideration is a summary of the tenders received for the supply & delivery of One (1) 58,000 GVW Tandem Truck c/w Plow, Wing, Harness & 14' Contractor Type Dump Box as required by the City's Public Works and 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 July 11, 2012 with Councillor Susan Myers representing City Council.

**ANALYSIS**

The tenders received have been thoroughly evaluated and reviewed with Mr. Mike Blanchard, Manager of Equipment & Building Maintenance; and the low tendered price, meeting specifications, has been indicated on the attached summary.

**IMPACT**

Funding for this equipment replacement, identified in the 2012 P.W. & T. Equipment Reserve is \$205,000.00; and the total purchase price amounts to \$148,820.87 including the non-refundable portion of the HST.

**STRATEGIC PLAN**

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

**RECOMMENDATION**

It is therefore my recommendation that the tender for the supply and delivery of One (1) 58,000 GVW Tandem Truck c/w Plow, Wing, Harness & 14' Contractor Type Dump Box be awarded to Lakeway Truck Centre, for Option 2 with S&B Services Equipment Package, at their low tendered amount meeting specifications of \$146,246.92, plus H.S.T., including trade allowance.

-More-

5(h)

2012 09 10  
Page 2

This report is submitted for Council's approval.

Respectfully submitted,

  
Tim Gowans

Manager of Purchasing

TG:nt  
Attach.

Recommended for approval,

  
W. Freiburger

Commissioner of Finance & Treasurer

  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

**FINANCE DEPARTMENT**  
**PURCHASING DIVISION**  
**Budget Amount: \$205,000.00**

Received: July 11, 2012  
 File: 2012WA09T

**SUMMARY OF TENDERS**  
**ONE (1) 58,000 GVW TANDEM TRUCK C/W PLOW, WING, HARNESS & 14' CONTRACTOR TYPE DUMP BOX**

<b>Firm</b>	<b>Opt.</b>	<b>Make &amp; Model</b>	<b>Delivery</b>	<b>Warranty</b>	<b>Total Tendered Price including trade-in (H.S.T. extra)</b>	<b>Remarks</b>
All North Truck Centre Sault Ste. Marie, ON		2013 MACK GU433 Gin-Cor Equip. Pkg.	130 w/days	1 year/100,000 miles - Truck 7 year/150,000 miles - Engine 1 year - Equip. Pkg.	\$183,718.41	Does not meet Specifications Complete Specification Chart not submitted
Lakeway Truck Centre Sault Ste. Marie, ON	1	2013 International 7500 SBA 6x4 Gin-Cor Equip. Pkg.	120 w/days	1 year Unlimited Mileage - Truck 7 year/240,000 kms - Engine 1 year - Equip. Pkg.	\$150,684.06	Meets specifications.
	2	2013 International 7500 SBA 6x4 S & B Services Equip. Pkg.	120 w/days	1 year Unlimited Mileage - Truck 7 year/240,000 kms - Engine 1 year - Equip. Pkg.	\$148,246.92	Meets specifications.
TMS Truck Centre Sault Ste. Marie, ON	1	2013 Freightliner 108SD SBA Larouchelle Equip. Pkg	160 w/days	2 year Unlimited Mileage - Truck 7 year/250,000 miles - Engine 1 year - Equip. Pkg.	\$150,860.00	Meets specifications. Registration Extra
	2	2013 Freightliner 108SD SBA S & B Services Equip. Pkg.	160 w/days	2 year Unlimited Mileage - Truck 7 year/250,000 miles - Engine 1 year - Equip. Pkg.	\$151,163.86	Meets specifications. Registration Extra
	3	2013 Freightliner 108SD SBA Gin-Cor Equip. Pkg.	160 w/days	2 year Unlimited Mileage - Truck 7 year/250,000 miles - Engine 1 year - Equip. Pkg.	\$156,096.00	Meets specifications. Registration Extra
	4	2013 Freightliner 108SD SBA ELP Equip. Pkg.	165 w/days	2 year Unlimited Mileage - Truck 7 year/250,000 miles - Engine 1 year - Equip. Pkg.	\$156,991.51	Does not meet specifications. Plow Intake & Discharge less than spec'd Not equipped with Rexroth Hyd. Controls Cab not equipped with Butterfly Hood

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

The total cost to the City will be \$148,820.87 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price which includes the Trade-In Allowance and H.S.T. at 13%, submitted by Lakeway Truck Centre, for Opt. 2 be accepted.

Tim Gowans  
 Manager of Purchasing

(429)

57(i)

Tim Gowans  
Manager of Purchasing



Finance Department  
Purchasing Division

2012 09 10

Celebrate 100!  
\*1912 ~ 2012\*

Mayor Debbie Amaroso and  
Members of City Council

**RE: TENDER FOR SUPPLY & DELIVERY OF ONE (1) 3-5 TON RIGID FRAME  
STEEL DRUM ROLLER**

**PURPOSE**

Attached hereto for your information and consideration is a summary of the tenders received for the supply & delivery of One (1) 3-5 Ton Rigid Frame Steel Drum Roller required by the City's Public Works and 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 August 21, 2012 with Councillor Frank Fata representing City Council.

**ANALYSIS**

The tenders received have been thoroughly evaluated and reviewed with Mr. Mike Blanchard, Manager of Equipment & Building Maintenance; and the low tendered price, meeting specifications, has been indicated on the attached summary.

**IMPACT**

Funding for this equipment replacement, identified in the 2012 P.W. & T. Equipment Reserve is \$85,000.00; and the total purchase price amounts to \$79,372.80 including the non-refundable portion of the HST.

**STRATEGIC PLAN**

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

**RECOMMENDATION**

It is therefore my recommendation that the tender for the supply and delivery of One (1) 3-5 Ton Rigid Frame Steel Drum Roller be awarded to Nortrax Canada Inc., at their low tendered amount, meeting specifications, of \$78,000.00, plus H.S.T., including trade allowance.

-More-

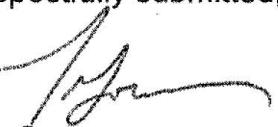
561

2012 09 10

Page 2

This report is submitted for Council's approval.

Respectfully submitted,

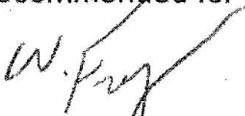


Tim Gowans

Manager of Purchasing

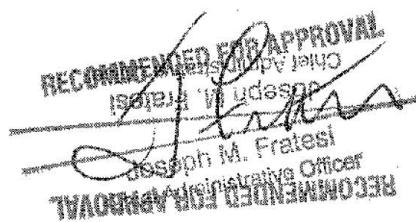
TG:nt  
Attach.

Recommended for approval,



W. Freiburger

Commissioner of Finance & Treasurer



**FINANCE DEPARTMENT  
PURCHASING DIVISION**  
**Budget Amount: \$85,000.00**

**Received: August 21, 2012  
File: 2012WA10T**

**SUMMARY OF TENDERS  
ONE (1) 3-5 TON RIGID FRAME STEEL DRUM ROLLER**

<b>Firm</b>	<b>Make &amp; Model</b>	<b>Delivery</b>	<b>Warranty</b>	<b>Total Tendered Price (Including trade-in; H.S.T. extra)</b>	<b>Remarks</b>
NORTRAX Canada Inc. Lively ON	2012 Bomag BW5AS	30-60 w/days	1 year/ 1,000 hrs.	\$78,000.00	Meets Specifications
Service Rentals & Sales Sault Ste. Marie, ON	2012 Bomag BW5AS	60 w/days	1 year/ 1,000 hrs.	\$81,800.00	Meets Specifications

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

The total cost to the City will be \$79,372.80 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price which includes the Trade-In Allowance, submitted by NORTRAX Canada Inc., be accepted.

Tim Gowans  
Manager of Purchasing

(125)

5(j)

**William Freiburger, CMA**  
Commissioner of Finance  
and Treasurer

**Finance Department**



2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

**RE: MAYOR AND COUNCIL TRAVEL EXPENSES  
JANUARY 1 – JUNE 30, 2012**

---

**PURPOSE**

The purpose of this report is to provide a summary of Mayor and Council travel expenses for the period January 1 to June 30, 2012.

**BACKGROUND**

Not applicable.

**ANALYSIS**

Not applicable.

**IMPACT**

Not applicable.

**STRATEGIC PLAN**

Not applicable.

**RECOMMENDATION**

That the report of the Commissioner of Finance and Treasurer concerning Mayor and Council travel expenses for the period January 1 to June 30, 2012 be received as information.

Respectfully submitted,



W. Freiburger, CMA  
Commissioner of Finance and Treasurer

*WF*  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

WF/kl  
attachment

56P

Corporation of the City of Sault Ste. Marie  
Finance Department

**Summary of Mayor and Council Travel Expenses**  
**January 1 – June 30, 2012**

**Mayor**

D. Amaroso	Travel – Other City Business - Meetings	442.08
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**Councillors**

M. Bruni	Travel	0.00
S. Butland	Travel	0.00
P. Christian	Travel	0.00
F. Fata	Travel	0.00
J. Krmpotich	Travel	0.00
P. Mick	Travel	0.00
F. Manzo	Travel	0.00
S. Myers	Travel	0.00
R. Niro	Travel	0.00
T. Sheehan	Travel	0.00
L. Turco	Travel – Executive Meetings	997.87
B. Watkins	Travel	0.00

5(K)

John R. Luszka,  
Commissioner



HUMAN RESOURCES  
DEPARTMENT

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

**RE: COLLECTIVE BARGAINING & AMALGAMATED TRANSIT UNION LOCAL 1767  
MEMORANDUM OF SETTLEMENT 2012-2015**

The City's Negotiating Committee unanimously recommends City Council ratification of the attached Memorandum. The Union membership ratified the memorandum on August 21, 2012. All of the monetary changes in the settlement were negotiated to ensure the financial impact remained consistent with City Council's overall direction for general wage increases and benefit changes.

The City's Bargaining Committee unanimously recommends ratification of this Memorandum by City Council.

Respectfully submitted,

John Luszka  
Commissioner

*[Handwritten signature]*  
RECOMMENDED FOR APPROVAL  
Joseph N. Fratesi  
Chief Administrative Officer

JL:ib  
Attached

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

**MEMORANDUM OF SETTLEMENT****THE CORPORATION OF THE CITY OF SAULT STE. MARIE****&****THE AMALGAMATED TRANSIT UNION LOCAL 1767**

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

**Appendix 1.**

Signed this 17<sup>th</sup> day of August , 2012.

**For the Union**

L. Lewis  
J. A. L.  
Clynd Etton

**For the City**

D. D. Smith  
D. D. Smith  
R. Bell  
D. F. Smith

5(K)

CITY OF SAULT STE. MARIE

&

ATU LOCAL 1767

COLLECTIVE BARGAINING

2012

MEMORANDUM OF SETTLEMENT

APPENDIX 1

## UNION LANGUAGE

### ARTICLE 4:00

### HEALTH & SAFETY

4:01 Amend existing clause to read as follows:

All employees shall work in accordance with the Occupational Health & Safety Act and Operators shall obey the orders of the Dispatcher and/or Supervisor to ensure the system is at no time impaired. Employees shall report health and safety concerns to the Inspector.

### ARTICLE 5:00

### MANAGEMENT

Amend to read as follows:

5:05 The City acknowledges the right of the Union to select a **Negotiating Committee of three (3) members** who shall be employees of the City. The Union will advise the Manager of Transit & Parking, in writing, of the names of the members of such committee, and the names of the three (3) committee members who are to be paid by the City for approved meetings with the City. Such pay shall be for hours that are straight time regularly scheduled working hours; in order that such committee members will not suffer lost time wages for attendance at such meeting. The Union will have the right to have the assistance of a representative of the Amalgamated Transportation Union (ATU) and one (1) ATU Technical Advisor in order to assist with negotiations.

### Bulletin Boards

Add a new clause 5:09 to this Article to read as follows:

The City will provide one (1) bulletin board in the main Transit Building and one (1) bulletin board in the Transit Terminal building in areas accessible to employees for the posting of Union notices.

### ARTICLE 9:00

### SENIORITY

Amend existing clause to read as follows:

9:01

- (a) Seniority rights of Operators will be exercised only as provided in this Agreement.

The right to pick a regular posted assignment shall be governed by seniority. Where such assignments have two complete shifts, the Operators assigned to such assignments shall alternate shifts a week about. Regular assignments, as designated by the Employer, shall be runs which require approximately a standard work week of not less than forty (40) hours. An employee performing a regular assignment shall have their pay reduced by any part of the assignment not performed by the employee.

Any route changes that affect run duration will be deferred until the next formal pick.

Operators shall make their choice of assignments according to seniority. Such assignments are to take effect the first Sunday which starts a pay period in the months of **March, June, September and December**. Operators will select such assignments during the third week prior to the effective date of the pick. Operators will make their picks by seniority as follows: ..... (BALANCE OF CLAUSE TO REMAIN UNCHANGED)

## ARTICLE 13            SPECIFIED PAID HOLIDAYS

### 13:04 Selection of Employees to Work on Specified Paid Holidays

The parties agree to a new **Letter of Understanding** to read as follows:

The parties agree to meet prior to February 1, 2013 to establish a procedure for work on Specified Paid Holidays. **Such procedure shall be effective for the term of this collective agreement only and shall be subject to renewal only by mutual agreement.** The following shall be the basis for discussion:

**Determine which holidays this Letter shall apply to.**

**On a determined Specified Paid Holiday, all operators shall be taken off their assigned work and the following matters shall be discussed:**

- (a) The City shall determine the number of employees required to work on a paid holiday to meet the service levels that the City determines.
- (b) The City shall post a "Specified Paid Holiday Signing Sheet" at the time of pick selection and,
- (1) Employees shall sign the sheet according to seniority and shall be allowed to work the holiday whether it is the employee's day off or not.

- (2) Employees shall have the right to pick the assignment for that day.
- (3) If no employee signs the sheet, then employees who would ordinarily be assigned to that work shall be required to perform that work.
- (4) Once a selection has been finalized and an employee has made a selection to work on a specified paid holiday, s/he cannot decide not to work at a later date, cannot be bumped off the selection and cannot change the shift originally signed and selected.

## LETTERS OF UNDERSTANDING

### Letter #2      Loss of License for Impaired Driving

Amend Letter to read as follows:

The Parties agree to the following procedure in the cases of loss of driver's licence for impaired driving.

On the first conviction of impaired driving, a leave of absence for the period for the period of two (2) years will be granted, subject to the following conditions:

1. Each case will be judged on its merits and will be at the discretion of the City.
2. The Employee will be responsible for the payment of all benefit costs during the period of the leave of absence.
3. The Employee will not accumulate seniority nor service during the period of the leave of absence (starting employment date will be adjusted to offset the time on leave of absence).
4. On return to work, the Employee will be assigned to the spareboard until the next assignment pick.
5. It is recommended that the Employee enroll in a treatment program as necessary.

An employee who is required to use an 'ignition interlock' to operate a vehicle is not deemed to have the required license restored in order to operate a City Transit vehicle. There shall be no requirement for the City to install "ignition interlocks" on City vehicles.

In the event that an employee is convicted of a second charge of impaired driving, no leave of absence will be granted and employment will be terminated.

The above procedure is agreed to notwithstanding the provision of Article 10:05 of the collective agreement.

Agreed to this day of , 2012

FOR THE UNION

FOR THE CITY

### CITY LANGUAGE PROPOSALS

- General "Housekeeping" Changes

1. Change: "Transit Manager" to read "Manager of Transit & Parking" wherever it occurs in the collective agreement.
2. Change: "Chief Inspector Scheduler" to read "Area Coordinator Transit & Parking" wherever it occurs in the collective agreement.

### ARTICLE 7:00 GRIEVANCE PROCEDURE

Delete Step V in its entirety and move it to new ARTICLE 8 ARBITRATION PROCEDURE – Rerumber all other articles accordingly.

New Article 8 to read as follows:

- 8:01 If the Union considers that a satisfactory settlement was not reached at Step IV of the Grievance Procedure, it may, within ten (10) calendar days of receipt of the Step IV reply, request that the grievance be referred to arbitration in accordance with the Labour Relations Act of Ontario. A Board of Arbitration shall not alter, modify or amend any part of the Agreement or make any decision inconsistent with its provisions. However, the Board shall have the power to dispose of a discharge or discipline grievance in a manner which in its opinion, it deems just and

equitable. The decision of the Board may be made retroactive to the day when the employee first placed the question before the City by filing of a written grievance.

**Each of the parties hereto will bear the expense of its appointed Nominee to the Board of Arbitration and the parties will jointly bear the expense of the Chair of the Arbitration Board.**

The time limits fixed in the **Arbitration Procedure** must be observed unless extended by mutual agreement of the parties.

7:03

Amend clause to read as follows:

7:03 The time limits fixed in the Grievance procedure must be observed unless extended by mutual agreement between the parties.

#### **LETTERS OF UNDERSTANDING**

**1. Coffee Breaks**

**Amend to read:**

**The parties agree that the issue of paid coffee breaks is resolved with the City converting the cost of free unlimited coffee and soft drinks into the hourly rate of pay.**

**2. Loss of Driver's Licence**

**Renew subject to City proposal  
above.**

**3. Joint Consultation Committee**

**Renew**

- |    |                                    |       |
|----|------------------------------------|-------|
| 4. | Benefit Cost Containment Provision | Renew |
| 5. | Uniforms                           | Renew |

**The parties agree to meet during the term of this collective agreement to discuss the point system & the quality of the garments to be purchased.**

- |    |                                     |       |
|----|-------------------------------------|-------|
| 6. | Clarification of Practice           | Renew |
| 7. | Vacation Scheduling                 | Renew |
| 8. | Video Security Surveillance Cameras | Renew |
| 9. | Para Bus Runs on Paid Holidays      | Renew |

**NEW – Add new Letter of Understanding entitled Paid Approved Union Leaves (P.A.U.L.) to read as follows:**

The parties agree to include the following as a new Letter of Understanding#11 – Paid Approved Union Leave.

The City agrees to maintain the wages of an employee on Paid Approved Union Leave subject to the following conditions:

This Letter of Understanding will provide for a trial period for this process until December 31<sup>st</sup>, 2013 at which time such agreement shall be null and void unless renewed by mutual agreement of the parties.

The Union has confirmed that it will provide WSIB coverage for members on Leave for Union Business. The Union shall provide to the City initially and at any time upon request thereafter its WSIB Clearance Certificate to verify it has such valid coverage. The Union shall also provide to the City its WSIB account number. It is the responsibility of the Union to maintain such coverage. Failure of the Union to maintain such coverage shall make this agreement null and void. The City will not be responsible for WSIB coverage when an employee is on such leave.

The parties agree to meet during the term of the collective agreement prior to December 31, 2013 to discuss how the agreement is progressing and address any problems or concerns that may have arisen.

The agreement shall state that the Union will promptly reimburse the City within thirty (30) days of the date of the invoice for the amounts owing for such leaves.

The City will issue such invoices on a frequency of no greater than once per month.

For each employee granted such leave, it will appear as a separate code (Paid Approved Union Leave – P.A.U.L.) on the employee's pay stub and the City shall invoice for reimbursement from the respective Union the amount of wages, Employer Health Tax, City OMERS share, City share of CPP and City share of EI.

For approved leaves of twenty (20) working days or more, the Union shall also reimburse the City the monthly benefit premiums for Extended Health Care, Dental Plan, Life & ADD, W.I. and LTD. Also, the City will invoice for the applicable vacation entitlement percentage (2% per week of vacation entitlement) for the period of absence.

In addition to the previously noted amounts, the City shall bill the Union on each invoice the amount of one-half (1/2) hour at the CUPE 67 Civic JC 10 Level 4 rate for the preparation of such invoice.

The City shall send the invoice for such reimbursement to the address designated by the Union.

Requests for Leave for Union Business shall be on a form provided by the City for approval by the respective Department Head and distributed to Accounting Division with a copy to the Human Resources Department.

The commencement date of this process shall be on the first of a month as soon as practicable following ratification of the Memorandum of Settlement by the parties.

Signed this day of 2012

For the Union

For the City

\*\*\*\*\*

### MONETARY PACKAGE

#### ARTICLE 10:00 LEAVE OF ABSENCE

10:06 Amend clause to read as follows:

10:06 When death occurs to a member of an employee's immediate family, the employee will be granted leave of absence on compassionate grounds and will be granted time off with pay up to a maximum of four (4) working days for any days which are normally straight time working days and fall within the period from

the day of the death up to and including the day following the funeral. If the funeral .....(BALANCE OF CLAUSE TO REMAIN UNCHANGED)

## ARTICLE 12:00 RATES OF PAY

**12:01** Amend rate of pay for regular Operators and Para bus Operators as follows:

**Effective the 1<sup>st</sup> full pay period following ratification of the Memorandum of Settlement by the parties, increase wage rate expired on January 31, 2012 by \$0.78 to \$23.54 and apply a 2% increase which results in a wage rate of \$24.01.**

**Increase wage rate by 2% to \$24.49 effective February 1, 2013.**

**Effective February 1, 2014, increase wage rate by \$0.03 to \$24.52 and apply a 2% increase which results in a wage rate of \$25.01.**

**Note: A one-time lump sum payment of \$500 will be paid to actively at work Operators as soon as possible following ratification of the Memorandum of Settlement by the parties.**

### **Shift Differentials**

#### **12:06/07/08 Shift Differentials**

Delete 12:06/07 & 12:08 in their entirety and add a new Letter of Understanding to read as follows:

**It is agreed and understood that twenty-five cents (\$0.25) per hour forms part of the hourly rates under 12:01 of the collective agreement in lieu of all shift differentials, Sunday premium and Para bus training premium.**

#### **12:09 New**

Add new clause to read as follows:

Employees covered by this Agreement shall be paid every second Thursday by direct payroll deposit.

## ARTICLE 15:00 WELFARE

#### **15:01**

- Amend \$6.00 Drug Card to \$9.00 Drug Card effective the first of the month following ratification of the Memorandum of Settlement by the parties.**

- Orthotics – amend to 50%/50% co-share effective the first of the month following ratification of the Memorandum of Settlement by the parties.
- Effective the 1<sup>st</sup> of the month following ratification of the Memorandum of Settlement by the parties newly hired employees shall have a prescription drug plan at 90% City/10% employee co-share.

ARTICLE 16:00PENSIONS

16:02 Early Retiree Extended Health Care coverage.

- Amend \$6.00 Drug Card to \$9.00 Drug Card effective the first of the month following ratification of the Memorandum of Settlement by the parties. (Note: Employees, who are subject to the 90% /10% co-insurance under the Prescription Drug Plan and retire, shall only be eligible for 90%/10% co-insurance for the Prescription Drug Plan under this clause.)
- Orthotics – amend to 50%/50% co-share effective the first of the month following ratification of the Memorandum of Settlement by the parties.

ARTICLE 17:00UNIFORMS

17:02 Cleaning Allowance

Delete clause in its entirety and re-number accordingly.

ARTICLE 18:00GENERAL RULES

Amend as follows:

18:06 A meal allowance of \$11.75 (effective the first of the month following ratification of the memorandum of Settlement by the parties) will be paid, to all Operators called to report within the hour for a full overtime shift. Increase Meal Allowance to \$12.00 effective February 1, 2013 and to \$12.25 effective February 1, 2014.

Amend existing 18:07 to read 18:07 (a) and add the following as 18:07(b):

18:07(b) When an employee is retained before or after a shift to meet with the City's insurance adjuster, the employee shall be paid in accordance with

the collective agreement for the time in attendance at such meeting as approved by the Manager of Transit & Parking or designate.

**ARTICLE 19:00**

**DURATION**

Amend to a three (3) year collective agreement effective from February 1, 2012 to January 31, 2015.

**LETTERS OF UNDERSTANDING**

Letter #5      Uniform Point System

**Add one (1) pair of mechanic's work gloves to Items of Clothing at a value of one (1) point.**

\*\*\*\*\*

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



5(1)  
City Clerk's Office

Celebrate 100!  
\*1912 - 2012\*

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

**RE: 2012 CEMETERY PRICE LIST**

**PURPOSE**

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

**BACKGROUND**

As Council is aware a new Cemetery By-law was passed in June of this year to reflect changes required from the implementation of the Provincial legislation, the Funeral, Burial and Cremation Services Act, 2002. Under previous legislation the cemetery price list was required to form part of any cemetery by-law. That requirement no longer exists, therefore the price list is being submitted separately for your approval.

**ANALYSIS**

The new price list has two minor changes to the Care and Maintenance provisions for two items and more importantly, contains the prices for the newest section of the mausoleum in Holy Sepulchre cemetery and new columbariums located in New Greenwood and Holy Sepulchre cemeteries

**IMPACT**

Approval of this item will allow the sale of the new mausoleum crypts to proceed..

**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

*R. Fratesi*  
RECOMMENDED FOR APPROVAL  
Joseph M. Fratesi  
Chief Administrative Officer

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.)	\$478.00	\$250.00	\$728.00
2 grave lot 7.0' x 10.0' (min.)	\$956.00	\$500.00	\$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	\$590.00	\$100.00	\$690.00
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"

Section A-B-C-D-E-F-G-H-I-J-K

a) Companion Niches`	\$1,287.00	\$194.00	\$1,481.00
b) Single Niches	\$776.00	\$117.00	\$893.00

## Urn Garden Columbarium "GC"

Section "L"

a) Companion Niches`	\$1,431.00	\$215.00	\$1,646.00
b) Single Niches	\$868.00	\$131.00	\$999.00

## Urn Garden Columbarium "GC" (New)

Section "M"

a) Companion Niches`	\$1,431.00	\$215.00	\$1,646.00
b) Single Niches	\$868.00	\$131.00	\$999.00

## Holy Sepulchre Columbarium "HC"

Section O-P-Q-R

a) Companion Niches`	\$1,36500	\$205.00	\$1,570.00
b) Single Niches	\$817.00	\$123.00	\$940.00

## Holy Sepulchre Columbarium "HC"

Section "S"

a) Companion Niches`	\$1,431.00	\$215.00	\$1,646.00
b) Single Niches			

## Holy Sepulchre Columbarium "HC" (New)

Section "T-U-V"

a) Companion Niches`	\$1,431.00	\$215.00	\$1,646.00
b) Single Niches	\$680.00	\$181.00	\$999.00
a) Companion Niches`	\$1,431.00	\$215.00	\$1,646.00

**Wall Niches (Mausoleum Phase VII)****Section "MJ"****Single Niche**

a) Rows 2 & 7	\$635.00	\$100.00	\$735.00
b) Rows 4 & 5	\$740.00	\$111.00	\$851.00

**Wall Niches (Mausoleum Phase VIII)****Sections "ML" & "MM"****Companion Niches**

a) Rows 1 & 8	\$1,105.00	\$166.00	\$1,271.00
b) Rows 3 & 6	\$1,286.00	\$193.00	\$1,481.00

**Single Niches**

a) Rows 1, 2, 6, 7 & 8	\$675.00	\$102.00	\$777.00
b) Rows 4 & 5	\$776.00	\$117.00	\$893.00

**Mausoleum Crypts "MA" (Family Unit)****Section "Q"**

a) Unit 1 (6 singles)	\$36,000.00	\$7,200.00	\$43,200.00
b) Unit 2 (8 singles)	\$46,665.00	\$9,335.00	\$56,000.00

**Mausoleum Crypts "MA"****Section "R"**

a) Row 1 (single)	\$5,745.00	\$1,149.00	\$6,894.00
b) Rows 2 & 3 (singles)	\$6,869.00	\$1,374.00	\$8,243.00
c) Row 4 (single)	\$5,432.00	\$1,087.00	\$6,519.00
d) Row 1 (companion)	\$9,522.00	\$1,905.00	\$11,427.00
e) Rows 2 & 3 (companion)	\$11,330.00	\$2,267.00	\$13,597.00
f) Row 4 (companion)	\$9,002.00	\$1,801.00	\$10,803.00

**Mausoleum Crypts "MA" (New)****Section "S"**

a) Row 1 (single)	\$6,032.00	\$1,207.00	\$7,239.00
b) Rows 2 & 3 (singles)	\$7,213.00	\$1,443.00	\$8,656.00
c) Row 4 (single)	\$5,704.00	\$1,141.00	\$6,845.00
d) Row 1 (companion)	\$9,999.00	\$2,000.00	\$11,999.00
e) Rows 2 & 3 (companion)	\$11,897.00	\$2,380.00	\$14,277.00
f) Row 4 (companion)	\$9,453.00	\$1,891.00	\$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	
e) 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

5(1)

**Disinterment Charges**

**Another Gravesite in a  
Municipal Gravesite**

**Same Gravesite or Removal  
from a Municipal Cemetery**

a) Adult	\$2,079.00	I	\$1,467.00
b) From single depth to double depth	\$2,264.00		
c) Infant (under 5 years)	\$601.00		\$335.00
d) Child (5 to 10 years)	\$1,005.00		\$676.00
e) Cremated remains	\$335.00		\$191.00
f) Niche to niche	\$179.00		\$179.00
g) From in ground burial to Mausoleum	\$3,148.00		
h) Extra charge if not in concrete container	\$641.00		
i) 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 persons representative.			

**\*\* Double Depth Disinterment Are Not Permitted \*\***

**Additional Miscellaneous Charges**

**(Rate do not include tax)**

- a) 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.
- b) 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.
- c) Niche Plate \$213.00 including installation. *Plus applicable taxes.*
- d) Cremations - mailing inside Canada (insured) \$80.00
  - mailing to U.S.A. (insured) \$97.00
  - outside Canada and U.S.A. (insured) \$212.00
- e) Removal of trees or shrubs from lots - there will be a fee of \$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.
- f) Additional charges for the handling of wooden shells. \$121.00
- g) Transfer fee \$50.00
- h) Removal of crypt plate or niche plate from the mausoleum for vase installation or extra engraving. \$110.00
- i) Removal of niche plate from the columbarium for vase installation or extra engraving. \$50.00
- j) Rental of temporary storage facility \$40 per month

JOSEPH J. CAIN  
MANAGER RECREATION & CULTURE DIVISION



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

2012 09 10

Mayor Debbie Amaro  
and Members of City Council

## **REQUEST FOR FINANCIAL ASSISTANCE FOR NATIONAL / INTERNATIONAL SPORTS COMPETITIONS – SHANE ROCK**

### **PURPOSE**

This report is to seek City Council's approval of an application under the Parks and Recreation Advisory Committee's Financial Assistance Program for National/ International Sporting Competitions.

### **BACKGROUND**

The Parks and Recreation Advisory Committee's Financial Assistance Program for National/ International Sporting Competitions is a program endorsed by City Council to support local athletes including teams and individuals who excel at their given sport on the national or international level. The program has a set of criteria by which applications are accessed and specific levels of financial assistance are governed. City Council gives final approval of all applications.

### **ANALYSIS**

The 2012 Canadian Age Group National Swimming Championships were held in Calgary, Alberta from July 25 – 30, 2012. Shane Rock, from the Sault Ste. Marie Aquatic Club, operating out of the John Rhodes Municipal Pool, qualified to attend this national championship based on time standards that are established by Swim National Canada.

Mr. Rock's application was submitted on June 14, 2012 well ahead of the event. The Parks and Recreation Advisory Committee recesses for the summer following their June meeting so the application was reviewed at their September 4, 2012 meeting and the following resolution was passed:

Moved by: R. Carricato  
Seconded by: M. Kontulainen

"Resolved that the Parks and Recreation Advisory Committee endorse the application of the Sault Ste. Marie Aquatic Club's Shane Rock for financial assistance to attend the 2012 Canadian Age Group Swimming Championships held from July 25 – 30, 2012 in Calgary, Alberta in the amount of \$200.00 and that a report be sent to City Council for their approval."

## **IMPACT**

Core funding for various financial assistance programs is provided in the City's budget.

## **STRATEGIC PLAN**

This is not part of the City's Corporate Strategic Plan.

## **RECOMMENDATION**

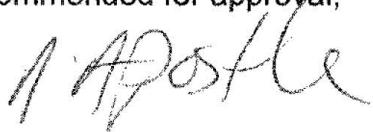
That the report of the Manager of Recreation and Culture concerning a financial assistance request under the Financial Assistance Program for National/ International Sporting Competitions be received and the recommendation that a \$200.00 grant be provided to Shane Rock for his participation at the 2012 Canadian Age Group National Swimming Championships be approved.

Respectfully submitted,



Joseph J. Cain  
Manager Recreation and Culture

Recommended for approval,



Nicholas J. Apostle  
Commissioner Community Services

## COMMUNITY SERVICES DEPT.



JUN 14 2012

RECEIVED

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

PLEASE PRINT

**Name and Address of Applicant:**

Correspondence will be directed to this name and address.

Name: Bob Rock

Address:

Sault Ste Marie ON

Postal Code:

Phone:

(W) Fax:

Email:

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

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

Name: Shane Rock

Address:

Sault Ste Marie ON

Postal Code

**Name of Team or Club (if applicable):****Name of National or International Sporting Competition:**2012 Canadian Age Group National Championships**Date(s) of Competition:**July 25 - 30, 2012**Location of Competition:**Calgary, AB**Name of Sports Governing Body:**Swimming Canada

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

**Total Amount of Assistance Requested:**  
 (See Policy for application limits)

\$ 200.00

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

Travel costs as we need to Fly to get there.

Have you previously requested financial assistance from the City?

No \_\_\_\_\_ Yes  Amount \$ 200.00

If yes, please indicate the year(s):

2010

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

Rob Rock

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

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

DATE:

Year      Month      Day

<u>Rob Rock</u>	<u>Parent</u>	<u>K. Rock</u>	[REDACTED]
Name (Applicant)	Title (If applicable)	Signature	Phone Number
<u>DAN B.</u>	<u>COACH</u>	<u>[Signature]</u>	[REDACTED]
Name (Club Official)	Title SSMAC	Signature	Phone Number

- Two signatures are required.
- Applications submitted with only one signature will not be accepted.
- Applications received after the date of the competition will not be accepted.

**PLEASE RETURN THIS FORM IN PERSON OR BY MAIL TO:**

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

**For additional information:**

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

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

5(m)



Sault Ste. Marie Aquatic Club

(705) 941-9880

**To Whom It May Concern:**

Sault Ste. Marie Aquatic Club swimmer, Shane Rock, has qualified for the Canadian Age Group National Championships, to be held in Calgary, AB at the Talisman Centre Pool, July 25 to 30, 2012. Qualification is based on time standards that are established by Swim National Canada. Swimmers must meet the qualification time standards by individual event in order to participate in this competition. To date, Shane has qualified to swim 8 events and has 1 more meet to increase that number.

As a member of the Sault Ste. Marie Aquatic Club, Shane is a registered member of Swim Ontario and the North Eastern Ontario Swimming Association, encompassing Clubs from Sault Ste. Marie to North Bay, north to Timmins and Hearst, 17 in total.

Shane has shown exceptional progress over the past few years, and qualification to Age Group Nationals is a fantastic feat. Any support that might be available to Shane Rock would be appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Dan Stratton".

Dan Stratton, ChPC  
SSMAC-Head Coach

**Jerry Dolcetti, RPP  
Commissioner**

**Carl Rumiel, P. Eng.  
Design & Construction Engineer**



**Engineering & Planning  
Department**

2012 09 10

Our File: Contract 2012-10E

Mayor Debbie Amaroso and  
Members of City Council

**RE: CONTRACT 2012-10E  
BRIDGE CLEANING AND INSTALLATION OF A BIRD BARRIER SYSTEM AT  
WELLINGTON STREET UNDERPASS**

**PURPOSE**

The purpose of this report is to obtain approval to award Contract 2012-10E to S & T Electrical Limited.

**BACKGROUND**

Tenders received for Contract 2012-10E were opened at a public meeting Friday, August 31, 2012 in the Steelton Room of the Civic Centre. Present at the opening was Councillor Marchy Bruni as well as City staff and contractor representatives.

**ANALYSIS**

A total of four (4) tenders were received, but only three (3) were found to be complete and are summarized on the attached report from Tulloch Engineering Inc. The low tender of \$84,061.00 (excluding HST) was received from S & T Electrical Limited.

**IMPACT**

When an engineering allowance of \$8,000 is added, the project cost will be \$92,061.00. Half of this cost is recoverable from the Algoma Central Railway. Therefore the cost to the City is \$45,530.50 which is under the approved City share of \$65,000 from the 2012 Miscellaneous Construction Budget.

Traffic will be reduced to two lanes at the underpass during working hours and down to one lane periodically. Temporary detours and traffic control will be provided by the contractor and delays will be minimized as much as possible.

**STRATEGIC PLAN**

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

**RECOMMENDATION**

It is recommended that Contract 2012-10E be awarded to S &T Electrical Limited..

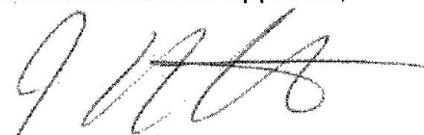
By-law **2012-173** authorizing execution of the Contract has been placed on the Agenda for your consideration.

Respectfully submitted,



Carl Rumiel, P. Eng.  
Design & Construction Engineer

Recommended for approval,



Jerry Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

CR/bb



5Ln)

71 Black Road  
Unit 8  
Sault Ste Marie, ON  
P6B 0A3

T. 705 949.1457  
F. 705 949.9606  
866 806.6602  
[saultstmarie@tulloch.ca](mailto:saultstmarie@tulloch.ca)

[www.TULLOCH.ca](http://www.TULLOCH.ca)

September 4, 2012  
File 121033

Mr. Carl Rumiel, P.Eng  
Design and Construction Engineer  
Engineering and Planning Department  
The Corporation of the City of Sault Ste. Marie  
Civic Centre - 99 Foster Drive  
Sault Ste. Marie, ON. P6A 5X6

**Re: Contract 20012-10E, Bridge Cleaning and Installation of a Bird Barrier System – Wellington Street Underpass**

**Municipal Bridge No. 30 - Tender Report**

Dear Mr. Rumiel:

We have reviewed the Form of Tenders, Bonding Certificates, Proposed Equipment Forms, Tender's Experience, and the List of Subcontractors with respect to the above noted project and herein provide the following for your review.

**A - Submissions**

Four (4) contractors obtained tender packages , however only three (3) General Contractors closed and submitted bids for the above mentioned project. The three (3) submissions were received on time by the City of Sault Ste. Marie's office of the Clerk.

**B – Tulloch Engineering Pre-Tender Estimate**

Prior to tendering Tulloch Engineering completed a pretender construction cost estimate and estimated the project cost to be \$66,013.50 excluding HST. (\$74,595.26 including HST)

**C - Submitted Prices**

S & T Electrical Limited has submitted the lowest bid, \$84,061.00.00 excluding HST (\$94,988.93 including HST). S & T Electrical Limited's bid was free of errors and omissions and is accepted as a valid submission. R.F. Contracting Inc. was the second lowest bidder. The tender price submitted by R.F. Contracting Inc. was mistake free and totalled \$104,900.00 excluding HST (\$118,537.00 including HST). This submitted price by R.F. Contracting Inc. is an additional 24.8%above the amount submitted by S & T Electrical Limited. George stone and Sons Inc., was the highest bidder at \$109,689.00 excluding HST (\$123,948.57.00 including HST).

RECEIVED  
SEP 04 2012  
ENGINEERING DEPARTMENT

#### D - Cost Breakdown

The lowest submitted price is approximately \$18,047.50 higher than Tulloch's pre-tender estimate. We have completed the following cost comparison for each bid compared to our estimated prices and highlight the following:

The estimated price for traffic control, Item A5, was substantially lower than the actual prices received. Similarly, the estimated price for environmental control, Item A6, was lower than the actual prices received.

Other tender items were within reasonable comparison of prices.

Tender Item	Description	Tulloch Estimate	S & T tender Price	R. F. Cont. Tender Price	George Stone and Son Tender Price
A1	Remove loose material & clean Structure	\$17,000.00	\$20,180.00	\$7,900.00	\$19,790.24
A2	S & I pigeon control spikes on steel girders	\$11,556.00	\$11,376.00	\$21,420.00	\$11,684.12
A3	S & I pigeon control spikes on concrete abutments and pier	\$18,457.50	\$14,145.00	\$37,674.00	\$18,538.68
A4	NOT USED	NOT USED	NOT USED	NOT USED	NOT USED
A5	Traffic control and signage	\$2000.00	\$19,180.00	\$18,100.00	\$36,946.08
A6	Environmental protection measures	\$2000.00	\$8,180.00	\$7,906.00	\$36,947.30
A7	Contingency allowance	\$10,000.00	\$\$10,000.00	\$10,000.00	\$10,000.00
A8	Bonding	\$5000.00	\$1,000.00	\$1,900.00	\$3,282.58
	<b>TOTAL</b>	<b>\$66,013.50</b>	<b>\$84,061.00</b>	<b>\$104,900.00</b>	<b>\$109,689.00</b>

**E - Subcontractors**

Sub contractors listed with the S & T submission are as follows:

- Algoma Industrial Inc. - Bridge cleaning and environmental protection.
- Ellwood Robinson – Traffic control

**F - Proposed Equipment**

A list of equipment was provided with the tender submission.

**G - Recommendation**

It is the opinion of Tulloch Engineering, that S & T Limited. has adequate previous experience on similar projects for the installation of bird deterrents in Northern Ontario. The listed sub contractors have demonstrated experience in their respective duties for this contract.

The budget price for this project was \$100,000.00 including engineering and taxes. The tendered price for construction is slightly higher than construction budget of \$79,000.00 by approximately \$5000.00.

Tulloch recommends that the Corporation of the City of Sault Ste. Marie accept the terms and conditions as set out in the Bridge Cleaning and Installation of a Bird Barrier System – Wellington Street Underpass, Municipal Bridge No. 30 Contract No. 2012-10E Tender Documents and award S & T Limited the Contract for the proposed works.

We trust you will find the above acceptable for your consideration. Please find attached a copy of the submitted Form of Tender and accompanying documents for the three submissions. Should you have any questions please feel free to contact the undersigned at your convenience.

Yours truly,



Maurice McDonald, Project Manager  
TULLOCH ENGINEERING INC.

Encls.

Jerry Dolcetti, RPP  
Commissioner

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



Engineering & Planning  
Department

2012 09 10  
Our File: B-07-06

Mayor Debbie Amaroso and  
Members of City Council

## RE: GREAT LAKES SUSTAINABILITY FUND

### PURPOSE

This report is intended to update Council on the City of Sault Ste. Marie Great Lakes Sustainability funding application.

### BACKGROUND

At the February 22, 2011 meeting, Council was provided an information report in relation to a funding application that was submitted for three projects related to improvements in the St. Marys' River area of concern. An application was resubmitted in submitted in 2012, and approved. The draft Agreement is attached.

The application included the following projects:

- **Storm Sewer Outfalls**

Although storm sewer outfalls have been identified in the City's Stormwater Investigative Study as sources of contaminants to the river, there has been very little historical sampling and testing done at the sites to quantify the potential impacts. Ten outfalls have been selected as priorities for monitoring of water quality for purposes of obtaining baseline data. As capital funds become available, it is the long term intent of the City, based on recommendations within the Stormwater Management Investigative Study, to install oil-grit separators at specific locations, in order to improve the quality of stormwater directed to the St. Marys' River. Follow-up monitoring is also proposed at the outfall(s) affected by the installation(s).

- **East End Snowdump**

The City of Sault St. Marie operates a snow-dump site in the east end of the city, southeast of Queen Street East and northeast of the City's East End Wastewater Treatment Plant. This snow-dump's southeast property line is the shore of the St. Marys' River and run-off from the site enters the river. The site has been identified in the City's Stormwater Investigative Study as a source of contaminants to the river. Again, there has

been very little sampling and testing done to quantify the potential impacts and to enable an assessment of remedial measures to mitigate those impacts. The purpose of the study will be to conduct monitoring at the site to assess potential impacts to the Area of Concern and provide baseline data for a preliminary feasibility study of alternative measures available to mitigate the identified impacts.

• **Bellevue Park Pond**

The Bellevue Park pond has been identified as a source of contaminants to the St. Mary's River. The purpose of the project is to obtain baseline monitoring data to quantify the potential impairment and provide information to assess potential mitigating actions. The intention of the study is also to address the water level issue in the pond.

The total project budget approved through Environment Canada for funding is \$133,399 including cash and in-kind, over a three year time period. Total funding requested from Environment Canada is \$47,134 with the remaining \$80,265 attributed to City costs, and \$6,000 as an in-kind contribution. In accordance with City policy for retaining Consulting Engineers, Genivar is recommended to carry out the proposed work. Genivar has local expertise in the area of stormwater management, and are involved in the preparation of the Stormwater Management Master Plan for the City.

**IMPACT**

There is a budgetary impact of \$63,265, to be funded through 2013 and 2014 capital budget, and the remaining balance to be funded through a Public Works and Transportation capital from current approved budget (study – Bellevue duck pond circulation).

**STRATEGIC PLAN**

The report is linked to Objective 1A- Environmental Leadership, however, is not linked to any specific activity.

**RECOMMENDATION**

1. Bylaw 2012-172 authorizing the execution of the Agreement is listed elsewhere on the agenda.
2. It is recommended that Genivar be retained to provide Engineering Services for the storm sewer outfall, Bellevue Park pond, and east end snow dump projects.

Respectfully submitted,

Catherine Taddo, P. Eng  
Land Development & Environmental Engineer

Recommended for Approval:

Jerry D. Dolcetti, RPP  
Commissioner  
Engineering & Planning Department

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. 2012-148 (Z)

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

**RE: EARL THOMPSON – 226 RIVER ROAD – Zoning By-law 2012-148 –  
Planning Application A-21-12-T**

#### PURPOSE:

The purpose of this report is to advise Council of an appeal that has been filed regarding Zoning by-law 2012-148. An appeal has been filed by Helen and Marcel Girard and was received in the Clerk's Office on Wednesday, August 29, 2012. Due to the volume of the report, a copy can be viewed in the Legal Department.

Council is being asked to pass the attached resolution indicating that despite the appeal, Council wishes to proceed with the by-law. Once the resolution has been passed the Legal Department will send a package of material to the Ontario Municipal Board (OMB) and in due course the OMB will set a hearing date for the appeal if the board decides that the issues raised in the appeal warrant a hearing.

#### BACKGROUND

City Council passed By-law 2012-148 on August 13, 2012. The purpose of By-law 2012-148 is to permit the continuation of the existing office sales use at 226 River Road for a period not to exceed one year from the date of the passing of By-law 2012-148. As required by the Planning Act notice was sent to all residents within 120m from the subject lands. The Notice of Appeal has been filed in accordance with the provisions of the Planning Act.

-more-

2012 09 10

Page 2

## **ANALYSIS**

As previously noted, the appeal is voluminous. It cites numerous grounds including traffic concerns, inconsistency with the neighbourhood and precedent.

## **IMPACT**

The appeal will be argued by in-house staff. As such the financial impact is nominal.

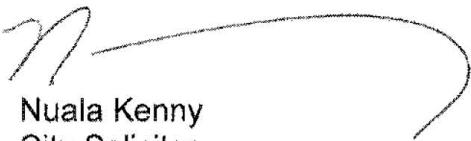
## **STRATEGIC PLAN**

Not applicable.

## **RECOMMENDATION**

It is recommended that Council accept this report as information and pass the attached resolution so that the matter may be referred to the OMB.

Respectfully submitted,



Nuala Kenny  
City Solicitor

NK/da

LEGAL\STAFF\ZONING\OMB\THOMPSON EARL OMB\ COUNCIL REPORT ADVISING OF APPEAL.DOC

6(6)(a)

Jerry D. Dolcetti, RPP  
Commissioner

Donald B. McConnell, MCIP, RPP  
Planning Director



Celebrate 100!  
1912 ~ 2012

ENGINEERING & PLANNING DEPARTMENT

Planning Division

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

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

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

### PURPOSE

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

### PROPOSED CHANGE

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

#### Subject Property:

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

### BACKGROUND

The subdivision is proposed for lands formerly used for the Queensgate Golf Course. The golf course has been closed for a number of years and has remained vacant since its closure. Discussions on a proposed subdivision date back to 2008, with an application submitted in 2009 by Ruscio Masonry and Construction Limited. That application was subsequently withdrawn and the property was then sold to Ruscio

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

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

## **ANALYSIS**

A request was received by Mr. Brian Gualazzi, a resident at 38 Queensgate Boulevard to defer the application to the September 24<sup>th</sup>, 2012 Council meeting. The applicant has agreed to this deferral.

## **RECOMMENDATION**

That the application be deferred to the September 24, 2012 Council Meeting.

Respectfully submitted,

Steve Turco, MCIP, RPP  
Planner

Recommended for approval,

Donald B. McConnell, MCIP, RPP  
Planning Director

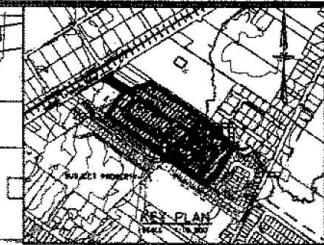
Recommended for approval,

Jerry Dolcetti, RPP  
Commissioner Engineering & Planning

ST/ps

attachment(s)

RECOMMENDED FOR APPROVAL  
  
Joseph M. Fratesi  
Chief Administrative Officer



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

ADDITIONAL INFORMATION REQUIRED  
UNDER SECTION 51 (1) OF PLANNING ACT

- (1) ZONING:
- (2) SURVEY INFORMATION:
- (3) STATEMENT OF ASPECTUALS:
- (4) STATEMENT OF ELEVATION:
- (5) STATEMENT OF DRAINAGE:
- (6) STATEMENT OF SOILS:
- (7) STATEMENT OF WATER SOURCE AND WATER REQUIREMENTS:
- (8) STATEMENT OF SEWER:

SURVEYOR'S CERTIFICATE  
I HEREBY CERTIFY THAT THE BOUNDARIES OF  
THE LAND AS SHOWN ON THIS PLAN ARE LOCATED ACCURATELY AND  
CORRECTLY SHOWN.

DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_

OWNERS AUTHORIZATION

I HEREBY AUTHORIZE THE  
CITY OF SAULT STE. MARIE TO  
APPLY FOR A BUILDING PERMIT  
FOR THE CONSTRUCTION OF  
THE BUILDINGS SHOWN ON THIS  
SUBDIVISION PLAN.

DATE: \_\_\_\_\_  
SIGNATURE: \_\_\_\_\_

BEARING NOTE:  
Bearings are given clockwise and are referred to the  
North East of Point 1 as shown on Plan IM-523.  
Having a bearing of Northeast.

METRIC NOTE:  
DISTANCES SHOWN HEREON ARE IN  
METERS AND ARE REFERRED TO THE  
POINT BY POINT BY 0.3M.

OWNER:  
**CAIRNS ENGINEERING INC.**  
115 INDUSTRIAL AVENUE N.E.  
SAULT STE. MARIE,  
ONTARIO P6A 5H6  
PHONE: 705-634-2822  
FAX: 705-634-2822  
E-MAIL: [caineng@sympatico.ca](mailto:caineng@sympatico.ca)

OWNER:  
**RUSCIO INVESTMENTS INC.**

SCALE = 1:1000  
SAULT STE. MARIE  
DRAFT BY J.L. DATE: APR 27, 2001 APPROVED  
CONTRACT 2010-141 1

AREA CALCULATIONS:

PHASE 1

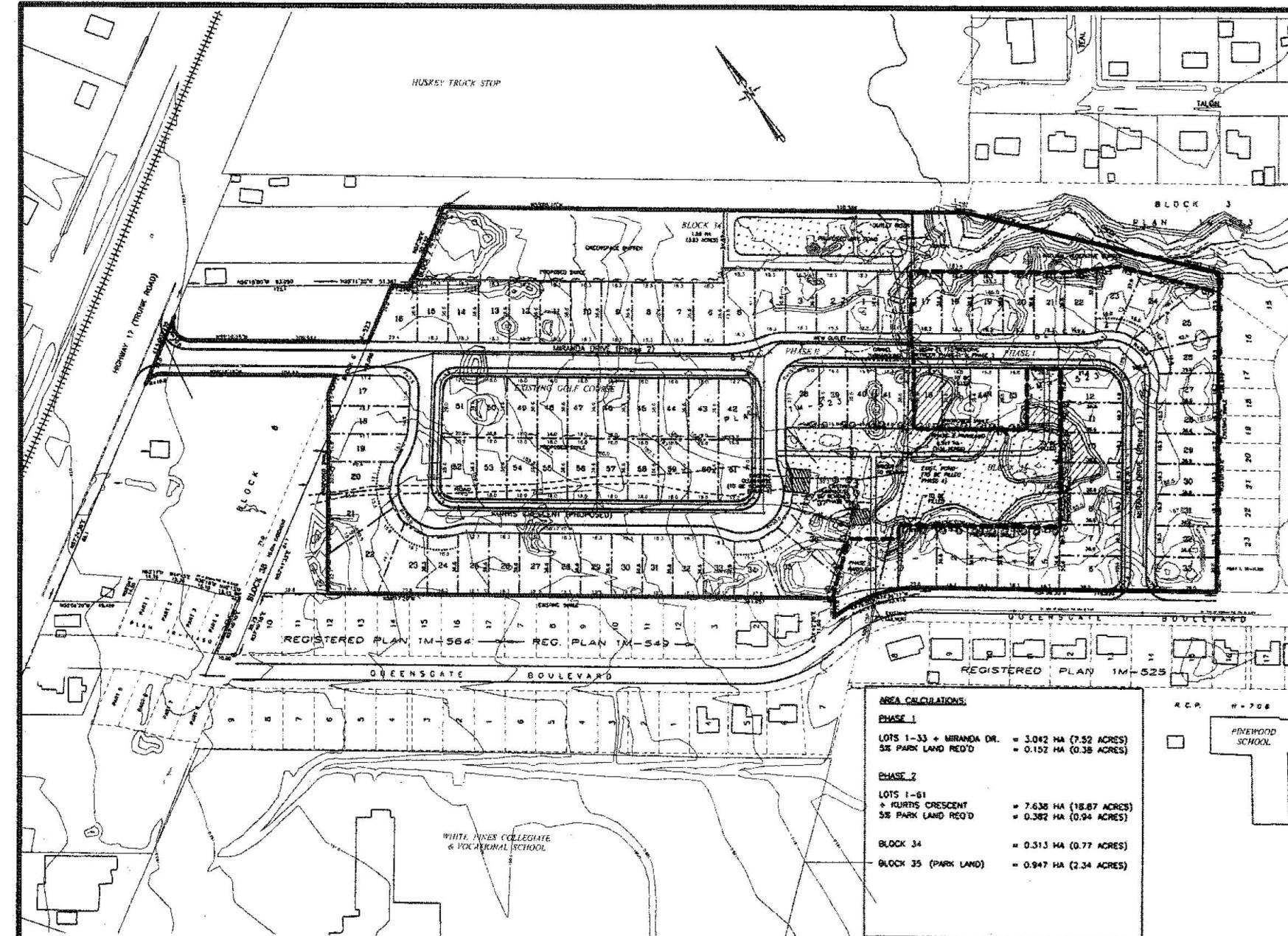
LOTS 1-33 + MIRANDA DR. = 3.042 HA (7.52 ACRES)  
5% PARK LAND RED'D = 0.152 HA (0.38 ACRES)

PHASE 2

LOTS 1-61  
+ KURIS CRESCENT  
5% PARK LAND RED'D = 7.638 HA (18.87 ACRES)  
= 0.382 HA (0.94 ACRES)

BLOCK 34

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



**Steve Turco**

**From:** Malcolm White  
**Sent:** August 22, 2012 8:53 AM  
**To:** Steve Turco  
**Subject:** FW: Ruscio application re: Queensgate golf course property-Sept 10/12

fyi

**From:** Brian Gualazzi [mailto:[gualazzi@soolaw.ca](mailto:gualazzi@soolaw.ca)]  
**Sent:** August 20, 2012 10:36 AM  
**To:** Malcolm White  
**Cc:** Steve Butland; Paul Christian; Mayor Amaroso; [d.mcconnell@cityssm.on.ca](mailto:d.mcconnell@cityssm.on.ca); [billhowe@shaw.ca](mailto:billhowe@shaw.ca); [budcampbell@shaw.ca](mailto:budcampbell@shaw.ca); [lisaovens@hotmail.com](mailto:lisaovens@hotmail.com); [pochoa@tenaris.com](mailto:pochoa@tenaris.com)  
**Subject:** Ruscio application re: Queensgate golf course property-Sept 10/12

This e-mail will confirm our telephone conversation requesting an adjournment of the above-noted application to the next available date which is Sept 24/12.

This application has been hanging over the heads of all the residents of Queensgate Blvd and surrounding areas for quite some time. This application will be strongly objected by the over 100 residents of this area who wish to personally attend the council meeting when this application is presented. As this is a family neighborhood, many of our neighbors will be in the midst of back to school activities that first week of Sept and won't be able to attend to voice their opinions if the date is not changed.

We have formed a committee to formally object to this application and a number of members of our committee including myself will be out of town on the 10<sup>th</sup> of Sept but will be available on the 24<sup>th</sup>.

This application has been a couple of years in the making therefore a delay of 2 weeks will not prejudice the applicant in any way but on the other hand if the matter were forced to proceed on the 10<sup>th</sup> of Sept, the citizens of Queensgate Blvd will be irreparably harmed.

Thank you in advance for your attention and cooperation in this matter.

Due to the number of people involved we require an early decision regarding the adjournment to convenience everyone's schedule.

Thanks

BRIAN A. GUALAZZI  
Barrister & Solicitor

FEIFEL BROADBENT GUALAZZI  
Personal Injury Law Firm  
Barristers & Solicitors  
629 Queen Street East  
Sault Ste. Marie, ON P6A 2A6  
[www.soolaw.ca](http://www.soolaw.ca)

Tel: 705.945.8901 Ext.219  
Fax: 705.945.9139

6(6)(a)

**Steve Turco**

---

**From:** Malcolm White  
**Sent:** August 22, 2012 1:00 PM  
**To:** Don McConnell; Steve Turco  
**Subject:** FW: Queensgate Rezoning

fyi

**From:** Bob Paciocco [<mailto:paciocco@lpslawyers.com>]  
**Sent:** August 22, 2012 10:19 AM  
**To:** Malcolm White  
**Cc:** [gualazzi@soolaw.ca](mailto:gualazzi@soolaw.ca)  
**Subject:** Queensgate Rezoning

Good Morning Malcolm – I have been advised by Brian Gualazzi that he has requested that this application be deferred to the Sept. 24<sup>th</sup> meeting of City Council. My client has no objection to the deferral. I trust that our attendance on Sept. 10<sup>th</sup> is not required. Please let me know if you require anything further. Bob

Robert W. Paciocco  
Laidlaw, Paciocco, Spadafora  
Barristers and Solicitors  
421 Bay Street, Suite 604  
Sault Ste. Marie, Ontario  
P6A 1X3

Telephone: (705) 949-7790  
Facsimile: (705) 949-5816  
[www.lpslawyers.com](http://www.lpslawyers.com)

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

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

From: John Donovan  
68 Talon Ave.  
S.S. Marie P6A5K9  
Ph. No. 705-7591662



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

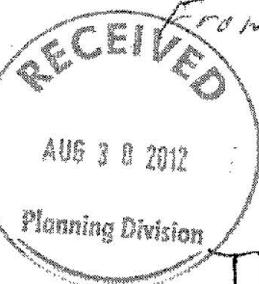
I wish to be notified of the adoption of this rezoning application.

John W. Donovan  
68 Talon Ave  
705 759 1662

Planning Division

6(6)(a)

From John Donovan 68 Talon Ave 705-759-1662



August 2012

The undersigned of Neelund Subdivision oppose the development of Queen's gate subdivision. Application No. A-17-11-Z. QG  
+ 57T-11-50/

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

Print Name	Signature	Address
DARREN SRIE		60 TALON AVE
John Donovan		68 Talon Ave
Bob LOEPKY		59 TALON AVE.
FLORIN SONOC		50 TALON AVE.
Krystal Lacroix		50 TALON AVE
Susan Olive		41 Talon Ave.
Diane St. Louis		4034 Queen East
Brian T. Simms		4024 "
Caron Gossard		4048 Queen St E
B Macumber		19 Tamarack Ave
M Blunt		36 Tamarack Ave
C Davey		50 Tamarack Ave

(d)(6)(a)



August 2012

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

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

Print Name

Louis Muo  
André Gionet

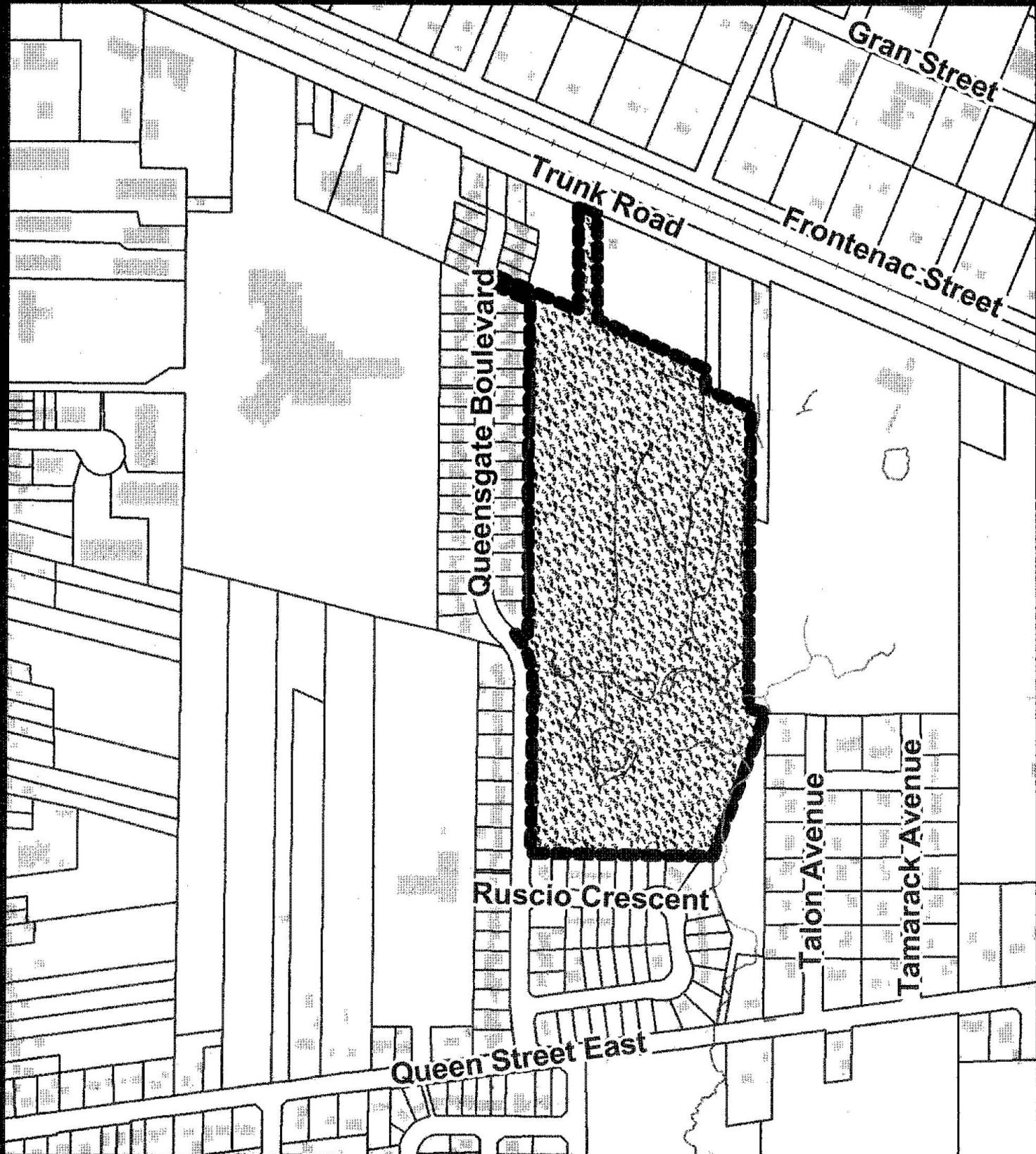
Signature


Address

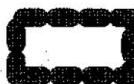
40 Talon Ave.  
32 Talon Ave.

(d6)(c)



## SUBJECT PROPERTY MAP

Planning Application A-17-11-Z-OP  
Subdivision Reference 57T-11-501  
184 QUEENSGATE BOULEVARD



Subject Property = 184 Queensgate Blvd



Subject Property = 184 Queensgate Blvd



Metric Scale  
1 : 5500

Maps  
64 & 1-43

Mail Label ID  
GolfCourse

July, 2011

Subject Property = 184 Queensgate Blvd

July, 2011

Golfcourse  
Mail Label ID

64 G-143  
Maps

1 : 5500  
Metric Scale

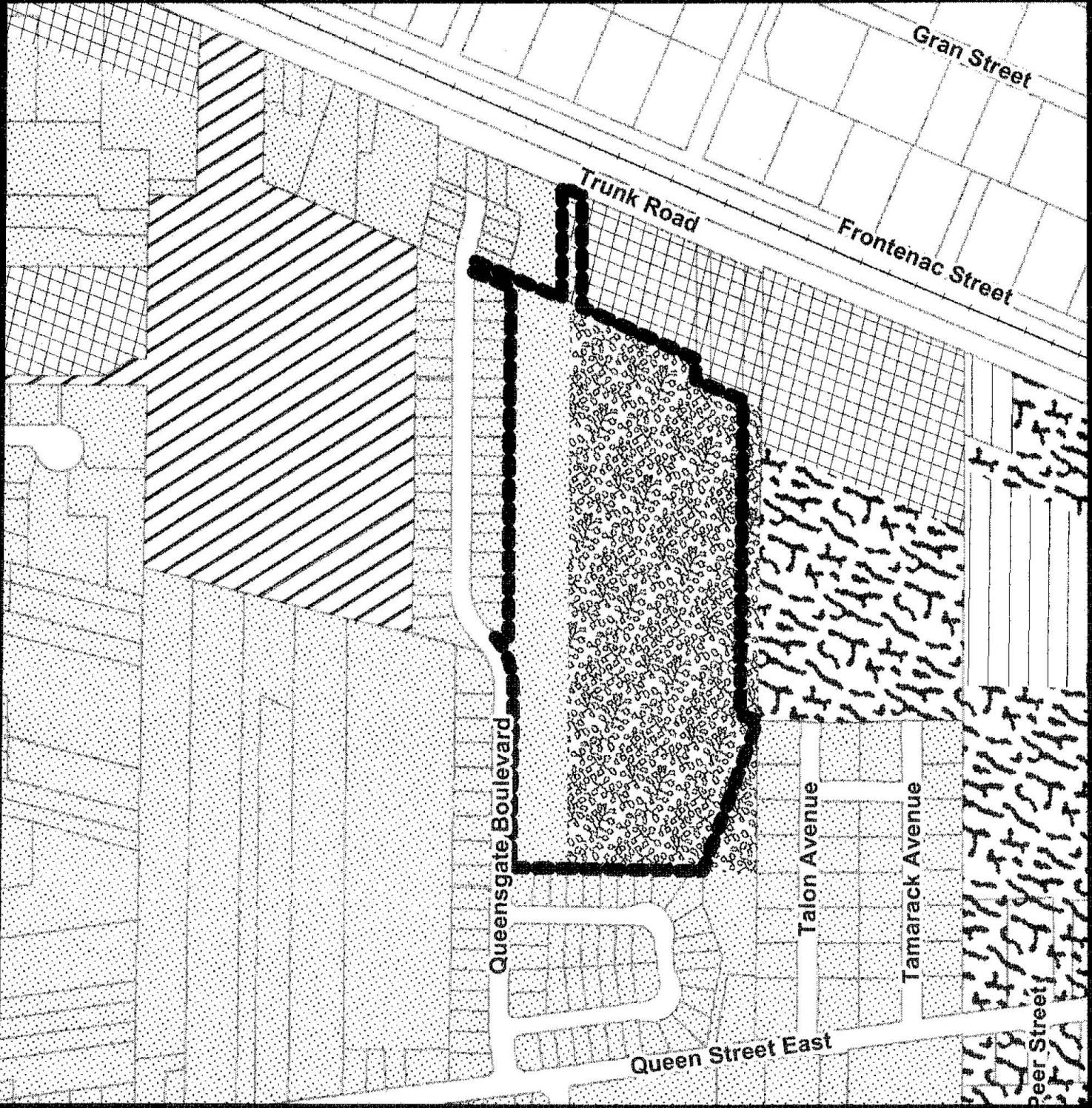


Subdivision Reference 57T-11-501  
Planning Application A-17-11-Z-OP

# 2012 ORTHO PHOTO

184 QUEENSGATE BOULEVARD





## OFFICIAL PLAN MAP 184 QUEENSGATE BOULEVARD

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



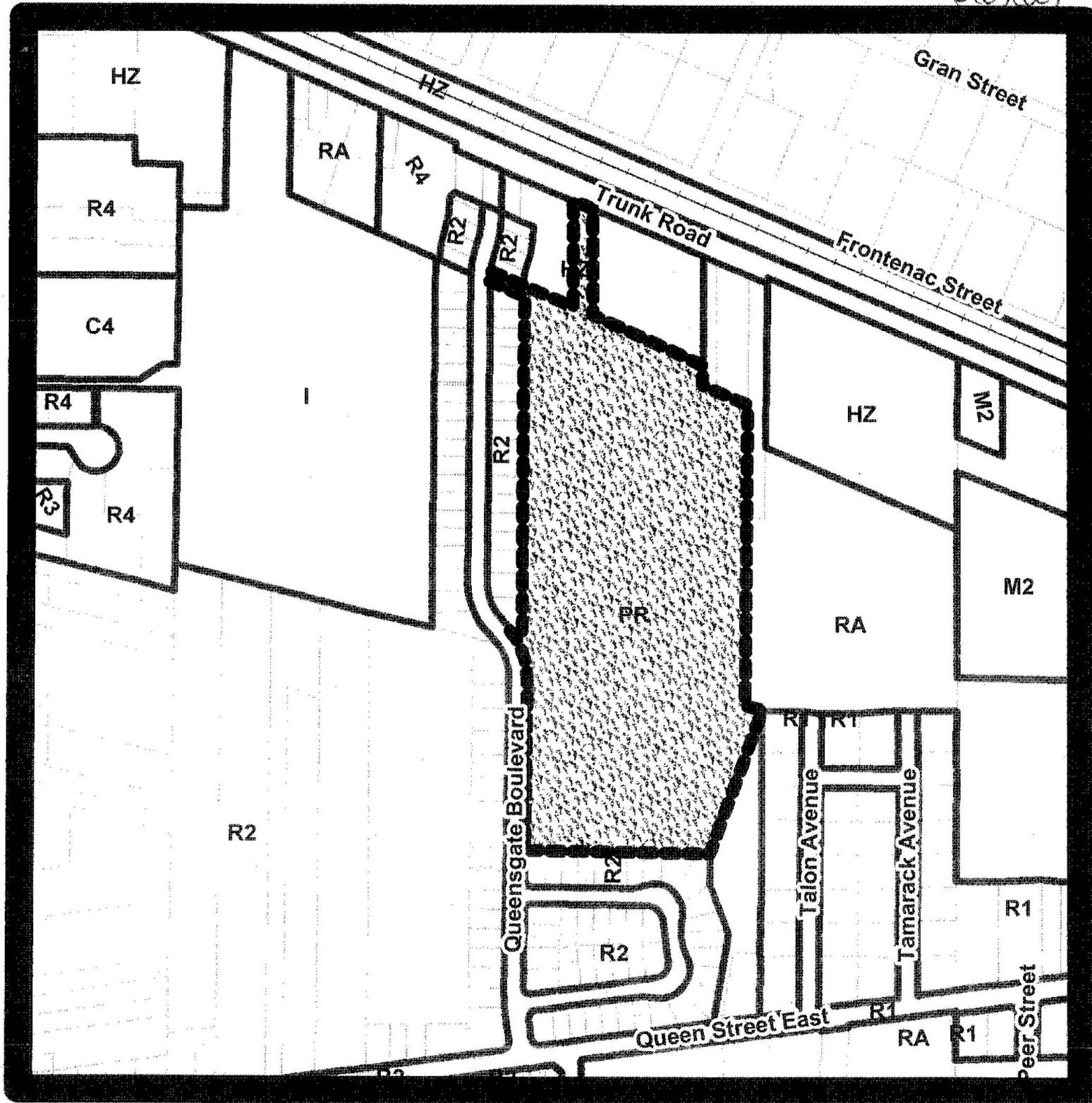
Metric Scale  
1 : 5500



Subject Property = 184 Queensgate Blvd

### OFFICIAL PLAN LANDUSE Land\_Use\_Designation

- [Dotted Pattern] Residential
- [Cross-hatch] Commercial
- [Vertical Lines] Institutional
- [Small Dots] Parks Recreation
- [Diagonal Lines] Industrial
- [Wavy Lines] Rural Area



## EXISTING ZONING MAP 184 QUEENSGATE BOULEVARD

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



R1 - Estate Residential Zone



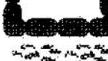
R2 - Single Detached Residential Zone



R4 - Medium Density Residential Zone



RA - Rural Area Zone; RAhp



Subject Property = 184 Queensgate Blvd



HZ - Highway Zone



M2 - Medium Industrial Zone



I - Institutional Zone



PR - Parks and Recreation Zone



Metric Scale  
1 : 5500

Mail Label ID  
GolfCourse



Subject Property = 184 Queensgate Blvd

July, 2011

6(6)(b)

ENGINEERING & PLANNING DEPARTMENT

Jerry D. Dolcetti, RPP  
Commissioner

Donald B. McConnell, MCIP, RPP  
Planning Director



Planning Division

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

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

**RE: Application No. A-11-12-Z.OP**

**PURPOSE**

The applicant, Premiere Landscaping & Garden Centre Inc. is requesting a Rezoning and Official Plan Amendment.

**PROPOSED CHANGE**

To permit the existing single detached dwelling and the outdoor storage of goods in association with a landscaping contractors yard, whereas existing Official Plan policies and the Zoning By-law does not permit development of this type north of the shield line.

**Subject Property:**

- Location – Located on the west side of Maki Road, approximately 425m (1,394') south of its intersection with Sixth Line West, civic no. 1465 Maki Road
- Size – Approximately 164m (538') frontage x 260m (853'); 5.26 ha (13 acres)
- Present Use – Outdoor storage of disassembled green houses
- Owner – Premiere Landscaping & Garden Centre Inc. c/o Peter Notte

**BACKGROUND**

Creation of Subject Property

The subject property was created by a severance in 1978, subject to a condition that the subject property "will not be used for residential purposes until such time as Maki Road has been assumed by the City and is being maintained by the City on a regular basis." The applicant argues that this condition permits residential development upon the subject property, whereas Legal Division has commented to the contrary. This matter is addressed later in this report.

### Legal Action

This application is the result of legal action between the applicant and the City. It is alleged that the applicant constructed a single detached dwelling on the subject property, without the benefit of proper zoning or a building permit. It is further alleged that the applicant has stripped topsoil from the subject property and stored a large amount of debris in association with a landscaping contractor, without the benefit of proper zoning. Based upon follow-up inspections, it appears that the topsoil stripping activity has ceased and the applicant has removed a significant amount of debris from the property.

### History of Maki Road

Prior to 2002, the primary function of Maki Road was to provide access to approximately 120 homes/cottages in the Red Rock/Dennis Township area. At that time the City provided summer maintenance only, while the Red Rock Road Board and Ministry of Transportation provided winter maintenance.

In 2002, a \$117,000 grant was obtained from the Ministry of Northern Development and Mines to install new culverts, upgrade the granular surface and implement drainage improvements. The upgrades focused upon the 5.6km portion between Allard Lake and the City limit. At that time, Brookfield Power also provided substantial improvements to the road, in order to provide better access to the Prince Wind Farm project.

Brookfield Power also offered to contribute the approximate cost of winter maintenance. The roadway was assumed and Council approved an agreement whereby Brookfield Power pays the City \$12,000 to maintain the roadway during winter months. This agreement is still in place.

### Initial Council Report

On March 19, 2012 City Council passed the following resolution:

*"Resolved that the report of the Planning Division dated 2012 03 19 concerning Application No. A-11-12-Z.OP - filed by Premiere Landscaping and Garden Centre Inc. be received and that this application be deferred until July 2012; and further that staff report back to City Council with respect to the possibility of allowing limited residential development within certain parts of the Shield Zone."*

## **ANALYSIS**

### **Conformity with the Official Plan**

The subject property is located within the Rural Area north of the 'Shield Line', as shown on Land Use Schedule 'C' of the Official Plan. Rural Area Policy 4 notes that 'the area north of the Shield Line should not be developed for residential purposes.' Further, the requested use of the property for the outdoor storage of goods in relation to a landscaping contractor's yard is not permitted within the Rural Area land use designation; therefore, an amendment to the Official Plan is required should this application be approved.

Current mapping also identifies both a wetland and a watercourse (fish habitat) on the subject property.

#### Wetland

The wetland appears to cover the majority of the property, including the area where the building was erected and topsoil was removed. At this point, the Wetland is not considered Provincially Significant. The following wetland policies of the OP are applicable:

- W.3 Permitted uses in wetland areas that are not "Provincially Significant" include passive or low intensity recreational uses, fish and wildlife management and forestry provided that such land uses maintain and enhance the natural functions and area of the wetland.
- W.4 Applications for development in conformity with Schedule "C" in or adjacent to wetland areas may be approved by Council, if accompanied by an Environmental Impact Study (EIS).

As previously mentioned, the uses commenced and a structure was erected on the subject property without the benefit of a permit, proper zoning or Conservation Authority approval. Consequently, an EIS was not conducted to determine any impacts to the existing wetland.

#### Fish Habitat

Current mapping identifies a watercourse which bisects the property in a northeast – southwest direction. The following fish habitat policies of the OP are applicable:

- FI.1 To protect all fish habitat from harmful disruption, alteration or destruction by not permitting development which could result in damage to these areas.
- FI.5 All fish habitat, excluding areas identified as fish habitat may be approved by City Council, if accompanied by an Environmental Impact Assessment.

Again, the uses commenced and a structure was erected on the subject property without proper approvals and therefore, an EIS was not conducted to determine any impacts to the watercourse.

#### Comments

The subject property is located on the south side of Maki Road, with 164m of frontage and 260m of depth, totalling approximately 5.26ha. Referring to the photos and air photo attached, there is a dwelling unit and 2 accessory buildings, located within the northwestern portion of the property. Comparing airphotos from 1998, 2008 and 2012, it appears as though the northwestern portion of the property was cleared sometime between 1998 and 2008. There is also a pond upon the property, just south of the existing accessory buildings. Based upon the airphotos, it appears as though the pond was either much smaller or did not exist prior to 1998. The 2008 airphoto shows a dramatically smaller pond, than that shown on the 2012

airphotos. The pond is stagnant and it is difficult to determine whether the pond's expansion is the result of site alterations or natural processes.

As part of the new Zoning By-law in 2005, the Rural Precambrian Uplands Zone was created. This zone encompasses the area north of the 'Shield Line', which is characterized as the first outcroppings of exposed rock. Running in a northeast-southwest direction, the Shield Line is especially visible just north of Second Line near the west city limit. The 'Shield Line' is the southern limit of the Precambrian Shield.

Lands zoned Rural Precambrian Uplands (RP) may only be utilized for 'Conservation Uses', which are defined as "the use of land or water for the purposes of managing, preserving and enhancing the natural environment. Such uses may accommodate passive forms of recreation so long as the preservation of the natural features is maintained." The Zoning By-law further notes that buildings and structures are prohibited. Essentially the Shield Area is a 'no development' zone, although existing residences built prior to the adoption of the new Zoning By-law (2005) are recognized. Existing buildings and structures may be expanded or altered, and accessory buildings and structures may be constructed, as long as the use legally existed prior to the passing of the new Zoning By-law in November 2005.

The rationale for prohibiting development within the Shield Zone is that the overwhelming majority of the lots do not have frontage on a publicly owned and maintained right-of-way. There are also a number of development constraints within the Shield Area, including shallow soils, steep slopes and numerous wetlands.

Since the wind turbine project, a portion of Maki Road is now maintained by the City on a year round basis, and there are some lots that appear to have appropriate buildable areas.

When City Council originally heard this application (March 2012) it was recommended that it be deferred, to allow staff to review the possibility of amending the Official Plan to allow limited residential development on lots in the Shield Area, as long as they have frontage on a publicly owned and maintained roadway and can support development, including the provision of on-site services such as well and septic systems.



03/18/2012 AM11:50

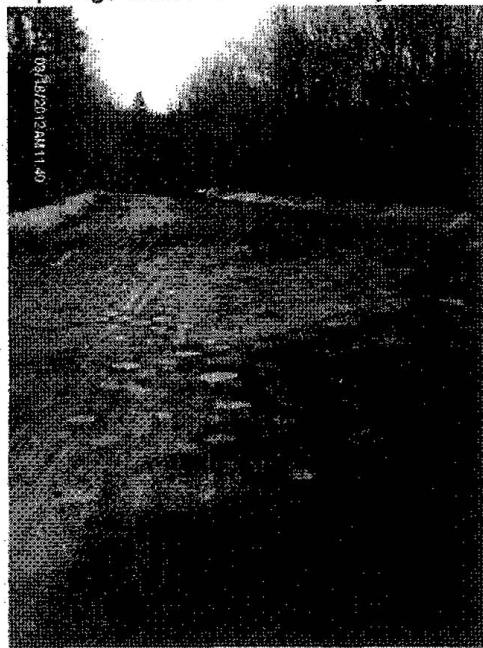
Upon further review, it appears that the deteriorated state of Maki Road, between Allard Lake and Sixth Line West is the biggest issue. As per the pictures, Maki Road is a gravel roadway. There is very little topsoil on top of the underlying bedrock. Drainage is a major problem, and PWT has

advised that creating ditches to accommodate water would require, at a substantial cost, blasting, given the exposed bedrock and lack of topsoil.

It is worth noting that the pictures were taken in the spring, when the roadway is at its worst. During summer and winter months the road base is much smoother.

The deteriorating road base requires constant maintenance, especially in the spring. The state of the roadway is further deteriorated by those utilizing Maki Road to reach homes located at 'Red Rock'.

The state of Maki Road has been contentious through the years. Many residents at Red Rock (who do not pay taxes to the City of Sault Ste. Marie) have been requesting that the City upgrade Maki Road. Further development along Maki Road would undoubtedly result in greater pressure for road upgrades. A recent estimate indicates that it would cost approximately \$1million to upgrade a roughly 5.6km portion of Maki Road to Class 'B' standards.



On-site development constraints aside, there are approximately 16 vacant lots with frontage on Maki Road, between Allard Lake and its intersection with Sixth Line West. Given the significant investment of a new home, one can foresee additional requests for upgrades to the roadway. This has certainly been the case as year-round homes have been constructed at Red Rock. The taxes generated from 16 new residences would not cover the upgrade costs. Community Improvement charges could be utilized, but that cost would be overly onerous, especially upon existing residents. Another alternative is to subsidize the costs from general revenues; however further improvements to this road are not a priority.

It is recommended that City Council deny this application, as further development (both residential and a Contractor's Yard) along this portion of Maki Road is not appropriate. Approval of this application would set precedence, resulting in additional development and additional demand for upgrades to the roadway.

### **Agency Consultation**

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

- See attached letters – Legal Division, PWT, Building Division, SSMRCA
- No objections/comments – Engineering Division, EDC, PUC, CSD, Municipal Heritage Committee, Fire Services, Accessibility Advisory Committee

This application is the result of legal action. The applicant constructed a residence and utilized the property in association with a landscaping contractor's yard, without the benefit of a permit or proper zoning. The applicant argues that there is an agreement registered on title which permits the illegally constructed dwelling. As part of a severance approval, an agreement was registered on title in 1979 stating that the subject property "will not be used for residential purposes until such time as Maki Road has been assumed by the City and is being maintained by the City on a regular basis." The applicant argues that because the roadway has been assumed and is maintained by the City, the residence is automatically a permitted use. The attached correspondence from the Legal Division notes that this agreement 'does not mean the property will automatically be rezoned to residential once the City assumes and maintains Maki Road. Rather it is a precondition before rezoning can be considered. The owner is still required to go through the entire rezoning process and the rezoning may or may not be granted."

Public Works and Transportation object to any residential development along this portion of Maki Road. PWT is responsible for the seasonal maintenance of the road and the roadway is not to City standard for further residential development. A recent estimate to upgrade the road to surface treatment is approximately \$1 million.

Building Division notes that the agreement registered on title in 1979 has no merit at this time. The attached correspondence also notes that the applicant has never filed a formal application for a building permit, prior to erecting the existing dwelling upon the subject property. This matter was brought to the Building Divisions attention via a complaint in April 2010, noting that topsoil was being stripped from the land. Based upon a site visit, there was some land stripping activity, a large amount of debris and the building. A follow-up inspection revealed that the topsoil stripping operation has ceased, and screening equipment has been removed from the site. The majority of the debris has also been cleared from the site.

Comments from the SSMRCA note that the subject property is under the jurisdiction of the Conservation Authority and as such, a permit is required. Subsequent discussions with Conservation Authority staff reveal that a permit was never applied for, prior to commencing with the topsoil stripping operation or the construction of the building.

### **Public Comments**

When this application was originally submitted, one nearby property owner visited the Planning office and noted that he owned several properties in the area, and was unaware that residential development was not permitted. A Ward Councillor also noted receiving a number of comments of this nature. Planning staff recommended that City Council defer the original application so that staff could review the impacts of permitting limited residential development on the portion of Maki Road that is zoned 'Rural Precambrian Uplands'. More specifically, a 5.6km stretch commencing from Allard Lake to the west City limit.

Two letters (attached) of objection have been received. The first letter is from the abutting owner to the west. Mr. Nash's property is separated from the applicant's

property by a 30' easement. The objection is based largely on the applicant's request to store goods in association with a contractor's yard. The storage of hazardous materials which contaminate Mr. Nash's well, as well as noise and emissions associated with machinery and equipment are cited as concerns. In brief, a landscaping contractor's yard, or the storage of goods in association with a contractor's yard is not an appropriate use in this quiet, natural and largely undeveloped area.

The second letter is from the Algoma Retriever Association, owners of 1809 Sixth Line West, which is located on the southwest corner of Maki Road and Sixth Line West, approximately 100m northwest of the subject property. Since the early 60's, the subject property has been utilized to train dogs for field trial competitions and hunting. The property hosts a number of field trials and ongoing training for local members. The property is also approved by the Police Services Board to discharge of firearms within city limits. Blank loads are discharged to simulate a shot during hunting. The Retriever Association is concerned that further development could impact their use of the property. Activities include noises such as gun blasts, barking dogs, whistles and loud voice commands. There is also significant traffic and roadside parking during field trial events. Nearby residential development would result in land use conflicts. Considered 'sensitive land uses', residential development would impact the Retriever Association's continued use of the property. Noise and traffic associated with field trials would impact those homes, and therefore, the existing use, which has legally continued since the early 60's, should be protected from further residential encroachment.

## **IMPACT**

Approval of this application would result in more applications to permit development (primarily residential) along the northern stretches of Maki Road. More development would result in greater pressure to upgrade the roadway. The limited number of lots that could be developed would not generate enough taxes to fully fund the required upgrades, and as such, the remaining costs would need to be funded from the existing budget.

## **SUMMARY**

Legal issues and site specific concerns (wetland and fish habitat) issues aside, it is recommended that City Council deny this application. The current state of the roadway is poor, and it is estimated it would cost approximately \$1 million to upgrade. Given the limited development potential, the roughly 16 lots that could be developed would not generate enough tax revenue to cover these costs. It is not appropriate for the general tax base to subsidize these costs, and it would be too onerous on the limited number of existing property owners to fund.

A recently published article on [sootoday.com](http://sootoday.com) (*Roads, roads and more roads...in Ward 6: Published August 28, 2012*) notes that on August 23, 2012 a ratepayers meeting was held to discuss issues facing Ward 6. According to the article, "the 5.6km gravel portion of Maki Road topped the list of road issues." More development will further exacerbate this situation. One could argue that those who decide to build and live in this area

6(6)(b)

would do so with full knowledge and acceptance of the existing state of the roadway, however, experience has shown that in many instances this is not the case.

Current Official Plan mapping also identifies a wetland and fish habitat on the subject property. In both cases, Official Plan policies require an Environmental Impact Study, prior to development, to address possible impacts to the function of the wetland and watercourse. Such studies were not completed.

The issues and upgrade costs that would result from increased development along this portion of Maki Road is the main issue; however site specific concerns cannot be ignored.

## STRATEGIC PLAN

Although maintenance of this portion of Maki Road is ongoing, the Strategic Plan does not identify Maki Road for major upgrades. Furthermore, the City's Capital Works Plan does not identify Maki Road for any future major upgrades. Given that further development would likely result in greater pressure for substantial road upgrades, approval of this application would impact the Strategic Plan by requiring the Municipality to include and budget for a major upgrade to Maki Road.

## RECOMMENDATION

That City Council deny the applicant's request to rezone and re-designate the subject property to legalize the existing dwelling unit, and permit the outdoor storage of goods in association with a landscaping contractor's yard on the subject property.

Respectfully submitted,

  
Peter Tonazzo, MCIP, RPP  
Planner

Recommended for approval,

  
Donald B. McConnell, MCIP, RPP  
Planning Director

Recommended for approval,

  
Jerry Dolcetti, RPP  
Commissioner Engineering & Planning

PT/ps

attachment(s)  
Data\APPLIREPORT\11-12-Z.OP(2).doc

RECOMMENDED FOR APPROVAL

  
Joseph M. Fratesi  
Chief Administrative Officer

66(b)

## Pat Schinners

---

**From:** Don McConnell  
**Sent:** March 04, 2012 9:41 AM  
**To:** Pat Schinners  
**Subject:** FW: A-11-12-Z-OP 1465 Maki Road

---

**From:** Nuala Kenny  
**Sent:** February 28, 2012 10:10 AM  
**To:** Don McConnell  
**Cc:** Orsalina Naccarato; Matthew Caputo  
**Subject:** A-11-12-Z-OP 1465 Maki Road

I have reviewed the above noted zoning application and my comments are as follows:

The owner is currently facing charges under the zoning by-law, the property standards by-law and the Building code. Rezoning will not remedy the property standard's or building code violations.

There is an agreement registered on title from 1979. It states that the subject property "will not be used for residential purposes until such time as Maki Road...has been assumed by the City and is being maintained by the City on a regular basis." This does not mean the property will automatically be rezoned to residential once the City assumes and maintains Maki Road. Rather it is a precondition before rezoning can be considered. The owner will still have to go through the entire rezoning process and the rezoning may or may not be granted.

Please let me know if you need anything further.

Nuala M. Kenny  
City Solicitor  
Corporation of the City of Sault Ste. Marie  
[www.cityssm.on.ca](http://www.cityssm.on.ca)  
[www.celebrate100saultstemarie.com](http://www.celebrate100saultstemarie.com)  
Celebrating 100 years as a city in 2012!  
[n.kenny@cityssm.on.ca](mailto:n.kenny@cityssm.on.ca)

6(6)(b)

S. Hamilton Beach, P. Eng  
Deputy Commissioner



Larry Girardi  
Commissioner

August 30, 2012

Donald McConnell  
Planning Director

**Subject:** Application Number A-11-12-Z.OP  
Request for an Amendment to the Official Plan and Zoning By-law

**Applicant:** Premiere Landscaping and Garden Centre Inc.

**Subject Property:** 1465 Maki Road

Staff from Public Works and Transportation has reviewed this application and we object to any residential development in this area. PWT is responsible for the seasonal maintenance of this road and the roadway is not to City standard for residential development. A recent estimate to upgrade the road to surface treatment is approximately \$1 million.

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

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

c.c. Dan Perri, EIT

(b)(6)

## Pat Schinners

**From:** Don Maki  
**Sent:** February 15, 2012 11:59 AM  
**To:** Peter Tonazzo; Don McConnell; Pat Schinners  
**Subject:** RE: RE: Rezoning Application A-11-12-Z.OP - Peter Notte - 1465 Maki Road

Hi Peter/Don

I had brought the agreement to the attention of the legal department and they were of the opinion that the agreement made no merit at this time. You should seek a written confirmation of this from legal. Thus we proceeded with legal action. Mr. Notte had never filed a formal application for a permit. This matter was first brought to our attention via a complaint that the owner was stripping top soil from the land in April of 2010. There was some land stripping activity as well as a large amount of debris and a newly erected structure that could be used a dwelling on the property. No permits have been issued or applied for. We are also taking legal action for the condition of the yard. We have conducted an inspection of this property last week and the owner has significantly cleaned the property. We will do a follow-up inspection when the snow leaves to ensure compliance. The by-law enforcement officer states that the soil stripping operation has now ceased. Screening equipment has been removed.

Don

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

[www.cityssm.on.ca](http://www.cityssm.on.ca)  
[www.celebrate100saultstemarie.com](http://www.celebrate100saultstemarie.com)  
Celebrating 100 years as a city in 2012!

**From:** Peter Tonazzo  
**Sent:** February 15, 2012 9:50 AM  
**To:** Nuala Kenny; Jerry Dolcetti; Susan Hamilton Beach; Dan Perri; Don Maki; Nick Apostle; 'Kevin Bell'; Tom Dodds; Paul Milosevich; 'Linda Whalen'; Joe Cain; Lynn Rosso; 'Landry, Edouard (MAH)'  
**Subject:** RE: Rezoning Application A-11-12-Z.OP - Peter Notte - 1465 Maki Road

Hello,

Please find attached additional information pertaining to the above referenced application. More specifically, Section 17 of the application notes a previous severance contained an agreement that the applicant feels releases the subject property from applicable zoning provisions and Official Plan policies. This agreement is attached.

Regards,

Peter Tonazzo, MCIP, RPP  
Planner  
City of Sault Ste. Marie  
99 Foster Dr.  
Sault Ste. Marie, ON  
P6A 5X6  
Tel: 705.759.2780  
Fax: 705.541.7165  
[p.tonazzo@cityssm.on.ca](mailto:p.tonazzo@cityssm.on.ca)

**Pat Schinners**

**From:** Marlene McKinnon <[mmckinnon@ssmrca.ca](mailto:mmckinnon@ssmrca.ca)>  
**Sent:** February 21, 2012 12:12 PM  
**To:** Pat Schinners  
**Cc:** Peter Tonazzo; Frank Tesolin (Home); Linda Whalen  
**Subject:** SSMRCA Response - A-11-12-Z.OP

February 21, 2012

Donald B. McConnell, MCIP, RPP,  
Planning Director  
City of Sault Ste. Marie  
P.O. Box 580  
Sault Ste. Marie, ON P6A 5N1

**Conservation Authority Comments:**

**Application #** A-11-12-Z.OP  
**Premiere Landscaping & Garden Centre Inc.**  
**1465 Maki Road**  
**Sault Ste. Marie**

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

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

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

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

William Robert Nash (Property Owner)  
1511 Maki Road  
Sault Ste. Marie, Ontario P6A 6K4  
March 12, 2012



Peter Tonazzo, Planner  
City of Sault Ste. Marie  
99 Foster Drive  
Sault Ste. Marie, Ontario P6A 5X6

Dear Mr. Tonazzo;

I have recently been notified via Notice of Application # A-11-12-Z-OP for the applicant, "Premier Landscaping & Garden Centre Inc.", for the request to have the subject property (1465 Maki Road) re-zoned and the existing plan amended to allow for the existence of a single detached dwelling and use of the property for the purpose of storage of goods in association with a landscaping contractor yard. I have several concerns about this application as to how any resulting change to zoning or planning will affect my property and quality of life.

My property and the applicants property is separated by a mere 30 foot wide city-owned easement. This easement also contains the remnants of an old logging road, which myself and my family have used for ease of access to extreme ends of our property since the late 1950's. I have a small cleared access way which runs from my driveway to this easement/roadway. From this easement/roadway, I have been able to occasionally observe the activities, by happenchance, occurring on the subject property over the last several years. Several observations have become a concern to me in light of the previously mentioned application for re-zoning, and I list those concerns as follows:

1 - A large portion of the property in the application is in a wetland area which shares much of its topography with my property.. I feel any commercial/industrial development of this property could be detrimental to the habitat of dozens of animals and birds which are indigenous to this area. One of the reasons I moved to this rustic rural area was the lure of being able to observe and enjoy the many nuances of nature, which could be adversely affected by any commercial/industrial development in this area.

2 - My water well, that provides me with potable water, extends a mere 60 feet below ground level. I am concerned that any commercial/industrial development on the subject property could lead to contamination of my well water, and create a health hazard to the users of my well water, as well as a financial burden to me should I require a new water well to be drilled.

6(b)(b)

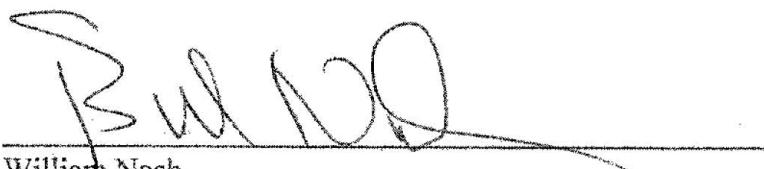
3 - The use of large machinery consistent with a landscaping contractor yard is often loud and un-muffled, which would affect the quiet environment which I have become accustomed to enjoying. The prolonged use of such machinery also produces excess toxic emissions which could adversely affect my health. Such machinery can also leak toxic fluids that could affect my well water and the ecosystem and the natural habitat for dozens of local animals and birds. The storage of fluids for the maintenance and operation of these machines can also be subject to leakage and contamination of the soil.

4 - The use of the property consistent with a landscaping contractors yard may also allow the storage of various materials and chemicals. These materials and chemicals could be toxic and possibly leak or naturally leach into the soil, which could possibly contaminate my well water and adversely affect the local wetland and the habitat of the local animals and birds.

For the above reasons, I oppose the re-zoning of this property to allow the use of the existing dwelling in conjunction with the use of the property consistent with the needs of a landscaping contractor yard.

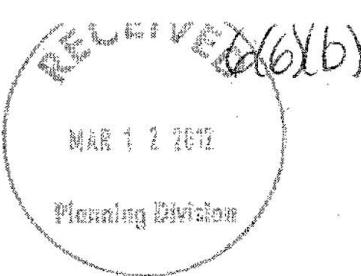
Thank you for giving me this opportunity to present my concerns to you.

Sincerely,



William Nash  
1511 Maki Road

cc: Mayor and Council of the City of Sault Ste. Marie



**Algoma Retriever Association  
P.O. Box 20037  
150 Churchill Blvd.  
Sault Ste. Marie, Ontario P6A 6W3**

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

March 12, 2012

Re: Planning Application A-11-12-Z.OP, 1465 Maki Road

We are writing to you today to outline our concerns related to the above noted request for an Official Plan amendment and Rezoning application.

The Algoma Retriever Association is a not for profit corporation and the owner of the property located at 1809 Sixth Line W. (Approximately 40 acres on the southeast corner of Sixth Line West and Maki Road). Our property lies immediately to the northwest of the subject property. Our property was purchase in the early 1960's by the founding members of our Association such as Hon. James Kelleher, Judge G. D. Holder, Dr. Levy and others. Our Association was formed as a dog training club focusing on Labrador Retrievers and the like, to be used in field trial competitions and as hunting dogs. Our Association constitution supports the use of a trained retriever while hunting to conserve wild game.

Since the early 1960's our property has been used to support our members training needs and provide the members dogs with a safe training grounds complete with fields and water. Each year we host a Canadian Kennel Club approved field trial, where competitors from across North American come to compete and earn championship points. This event brings in approximately 70 to 100 competitors each year from out of town. Our property is the headquarters for the field trial and events are run there every Civic Holiday weekend. In addition the club members use the property from spring to fall for their own training activities. Our property has been approved by the Police Services Board for the legal discharge of firearms within City limits. Blank loads are used in the firearms while dog training to simulate a shot during hunting. This is something the Association has been doing on this property for over 50 years.

Our understanding is that development on properties in this area is currently not permitted under the current official plan or zoning. We would prefer that this area remain rural. Our activities of dog training include noises such as gun blasts, dogs barking, whistles and loud voice commands. There is also a significant increase in traffic and vehicles parked on the road side along with many people and their dogs walking to and from their parked vehicles during our field trials.

Our concern is that development in this area may result in complaints against us for doing what our Association has been doing on our property for over 50 years, in a very rural setting. If council should allow this or any other future development in the area we would hope that the property owners understand the use of our property. (if you build by the airport, then don't complain about the airplanes).

If any clarification is required on our concerns, please do not hesitate to contact myself at the number below or Jim Ralph at 705-949-2629.

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Yours truly, on behalf of the Algoma Retriever Association



Mike Marinovich,  
Secretary/Treasurer

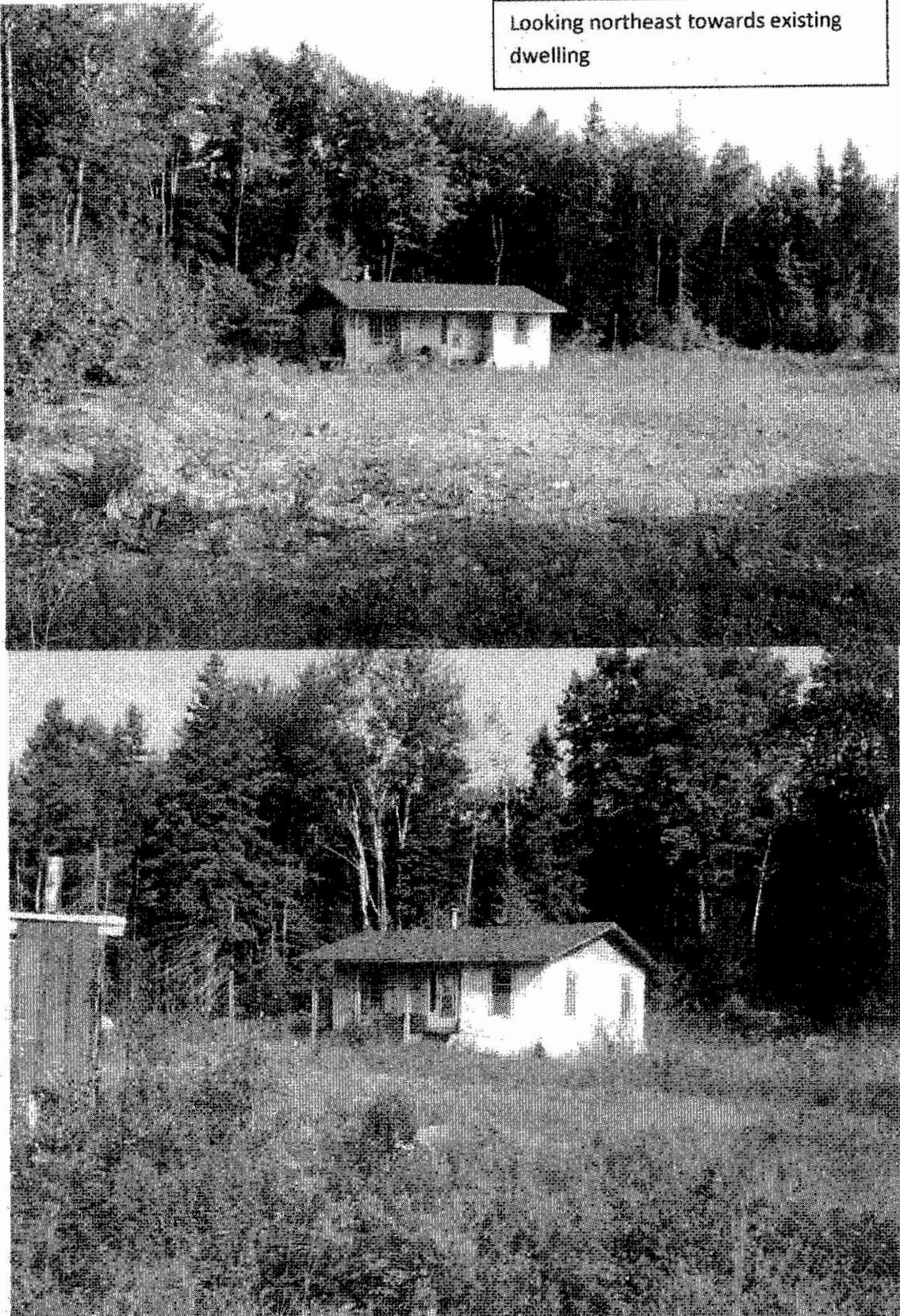
705-941-5773 (work)

cc. Mr. Malcom White, City Clerk  
Mr. Joe Krmpotich, Councillor, ward six  
Mr. Frank Manzo, Councillor ward six

6(6)(b)

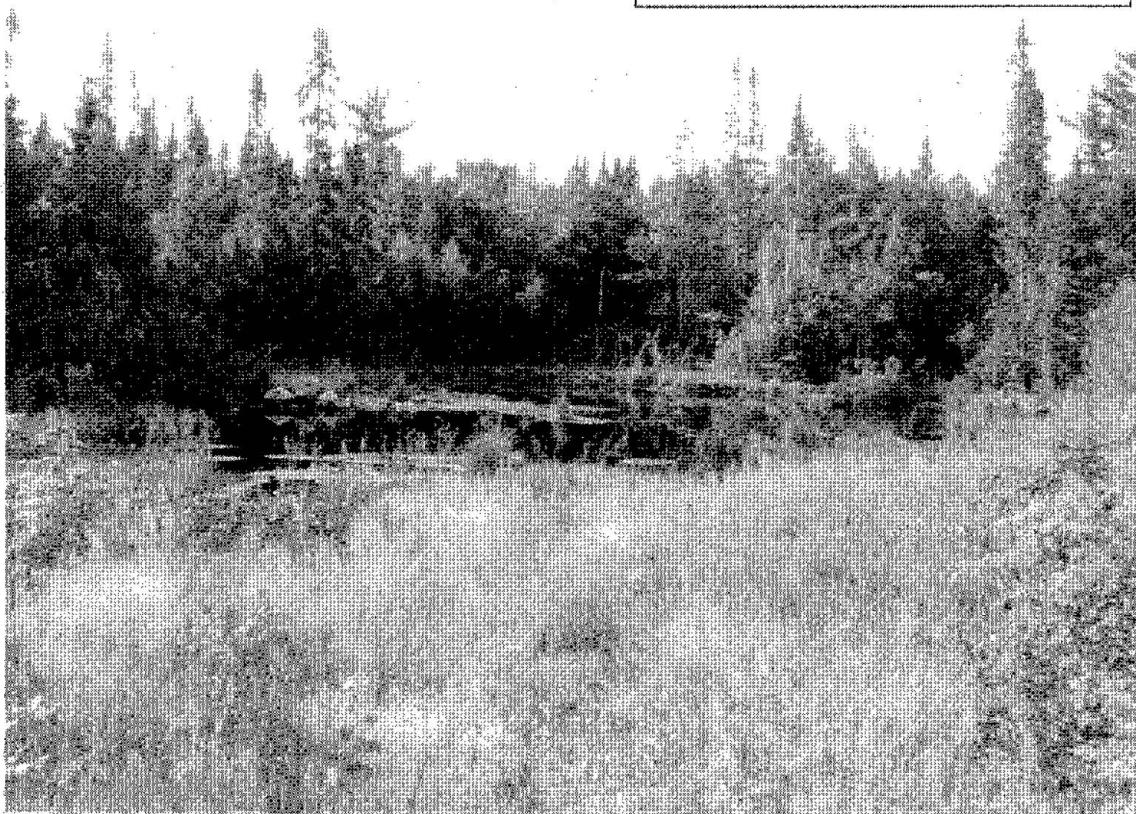
Looking northeast towards existing dwelling

Pictures Taken: August 31, 2012



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Looking South Towards Pond



Looking South Towards Pond



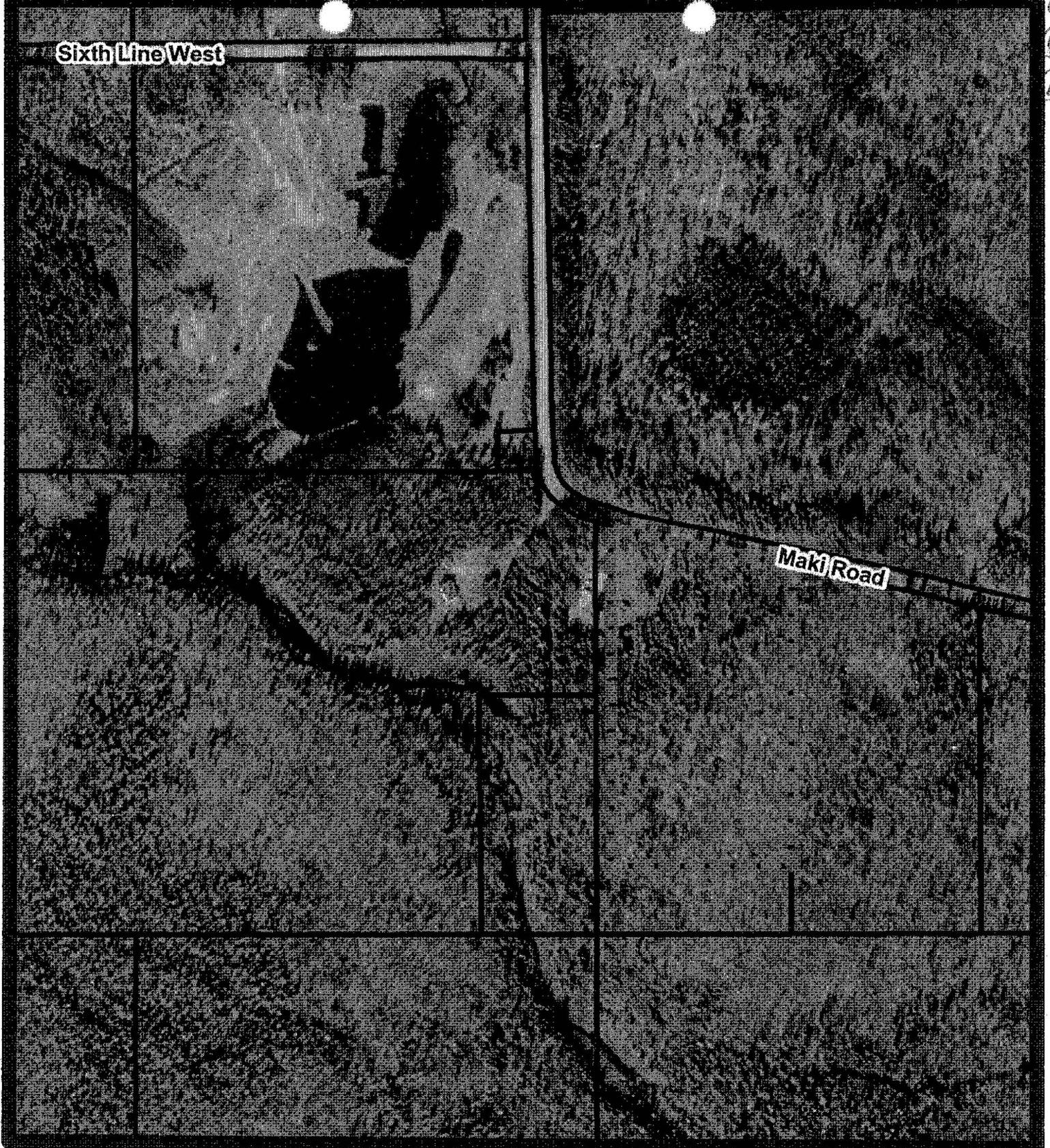
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Looking East towards Accessory Buildings



Sixth Line West

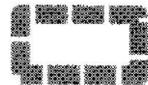
Maki Road



# 2008 ORTHO PHOTO

Planning Application A-11-12-Z-OP

1465 Maki Road



Subject Property = 1465 Maki Road



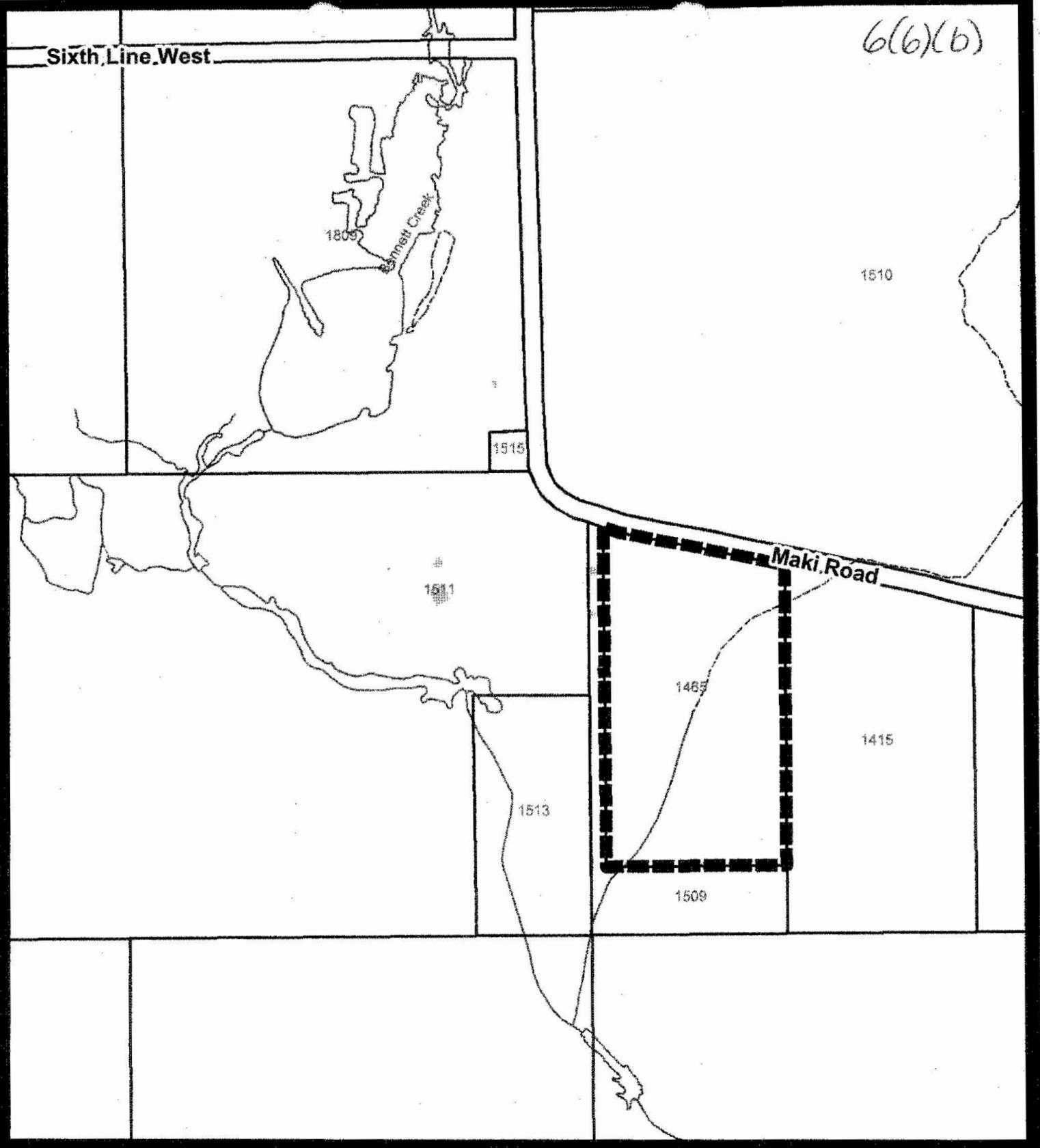
Metric Scale  
1 : 4500

Maps  
501 & 2-56

Mail Label ID  
A-11-12-Z

6(6)(b)

Sixth Line West



# **SUBJECT PROPERTY MAP**

Planning Application A-11-12-Z-OP

**1465 Maki Road**



Subject Property = 1465 Maki Road

Metric Scale  
1 : 4500

Maps Mail Label ID  
501 & 2-56 A-11-12-Z



**RP**

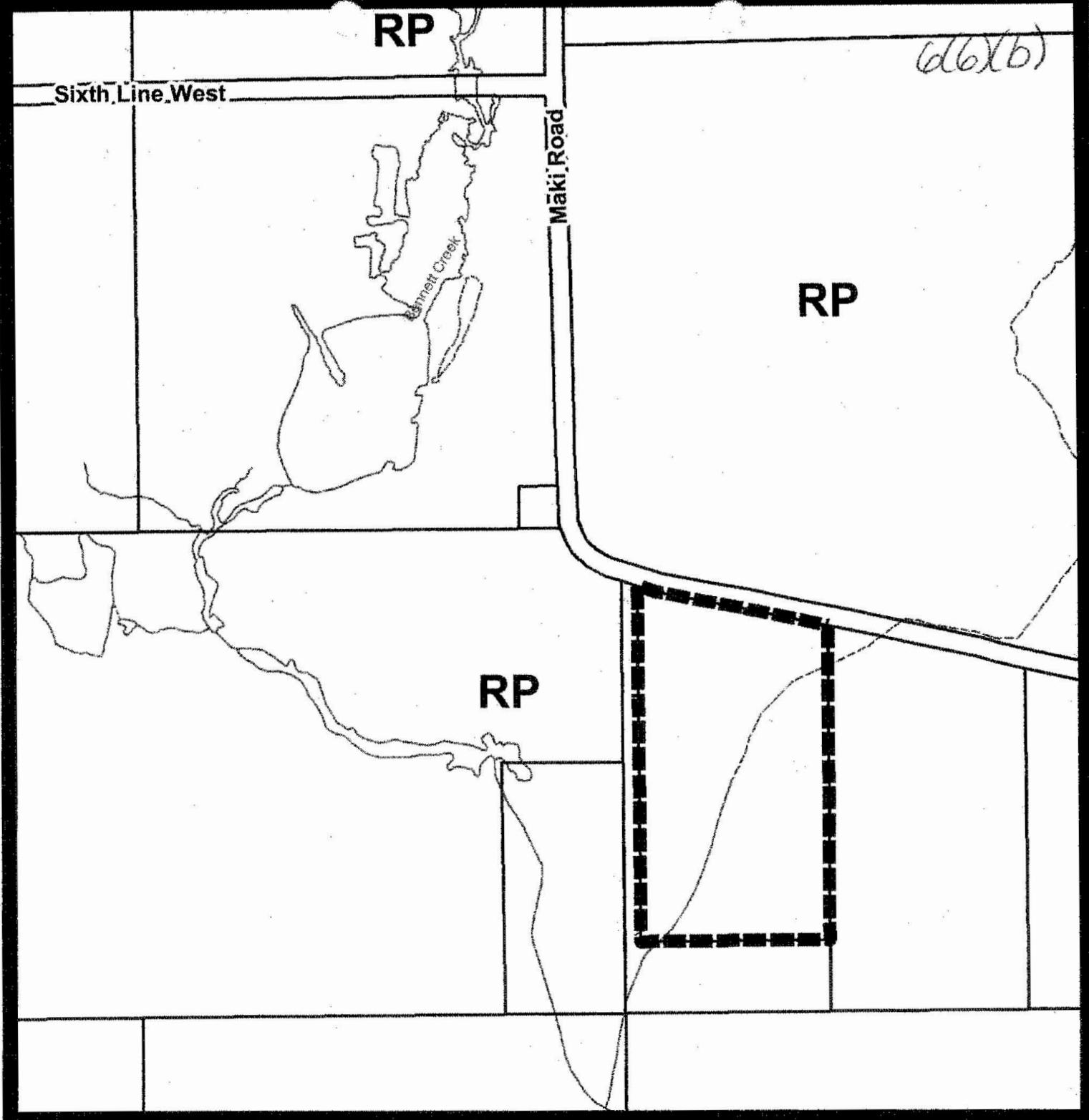
Sixth Line West

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Maki Road

**RP**

**RP**



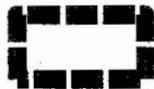
## **ZONING MAP**

**Planning Application A-11-12-Z-OP**

**1465 Maki Road**



Metric Scale  
1 : 4500



Subject Property = 1465 Maki Road



RP - Rural Precambrian Uplands Zone

Maps  
501 & 2-56

Mail Label ID  
A-11-12-Z

(6)(c)

Jerry D. Dolcetti, RPP  
Commissioner

Donald B. McConnell, MCIP, RPP  
Planning Director



ENGINEERING & PLANNING DEPARTMENT

Planning Division

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

Celebrate 100!  
\*1912 - 2012\*

2012 09 10

Mayor Debbie Amaroso and  
Members of City Council

## RE: ARCHAEOLOGICAL SITE POTENTIAL ASSESSMENT

### PURPOSE

This report recommends an Official Plan Amendment that sets out an approach to archaeological assessments required as a condition of development approvals as per the requirements of the Provincial Policy Statement and Ministry of Tourism and Culture Guidelines.

### BACKGROUND

As part of the 2010 Capital Works Budget, City Council approved funding for an archaeological site potential assessment of the community.

This study is a requirement of the Provincial Policy Statement which sets out land use planning requirements for municipalities in the Province of Ontario. Archaeological resources are scarce, fragile and nonrenewable and must be managed in a prudent manner if their significance is to remain meaningful for future generations.

The Provincial Policy Statement requires that:

*"Significant built heritage resources and significant cultural heritage landscapes shall be conserved."*

*Development and site alterations shall only be permitted on lands containing archaeological resources or areas of archaeological potential if the significant archaeological resources have been conserved by removal and documentation, or preservation on site. Where significant archaeological resources must be preserved on*

site, only development and site alteration which maintain the heritage integrity of the site may be permitted.

*Development and site alteration may be permitted on adjacent lands to protected heritage property where the proposed development and site alteration has been evaluated and it has been demonstrated that the heritage attributes of the protected heritage property will be conserved."*

To satisfy this requirement, a Steering Committee with representation from the Municipal Heritage Committee and City staff was formed.

With the Committee's assistance, a Request for Proposals was issued and in January 2010 City Council authorized Archeological Services Inc. of Toronto to undertake a study identifying areas of potential archeological significance and to provide advice on follow-up implementation measures. This firm is the largest archaeological consulting company in Canada and has extensive experience with studies of this type.

This work has been completed and reviewed by the Committee. The consultant has provided two reports. The first is a planning study which sets out the approach used to determine areas of archaeological potential; summarizes existing legislation and recommends an approach to implementation. The second report describes both the pre-contact (prior to 1600 AD) and post contact history of the community, and the detailed research involved with creating the archeological site potential model. Both reports, along with an Executive Summary are available on the City's website.

In August 2011, City Council authorized a public open house which was held on October 5, 2011. As a result of additional information obtained at the open house, several changes were made to the final reports.

City staff was originally planning to include the required Official Plan Amendments as part of the Comprehensive Review of the Official Plan that is currently underway. However given that the OP Review will not be completed until later this year, staff is bringing this report forward at this time.

## **ANALYSIS**

The overall purpose of the study was to identify those areas of archaeological potential within the city. New development approvals within these areas will require an archaeological assessment as a condition of approval.

A three-part study process was followed.

The first phase included the compilation of known archeological sites within the city and an overview of the settlement history related to potential archaeological resources. At present, there are 36 registered archeological sites within the city limits, which date from 10,000 years ago through to the 19th and early 20th centuries.

The second phase involved the development of the archaeological site potential model, based on known site locations, past and present land uses, and environmental, cultural and historical data.

The third phase included a review of relevant legislation and a recommended land use management strategy for dealing with both known and potential archaeological areas within the city.

## IMPACT

Using the Ministry of Tourism and Culture's guideline, new development in more than 90 percent of the community would be subject to an archaeological assessment. Based on the work done by Archaeological Services Inc., this total has been reduced to approximately 51 percent.

Of those areas identified as having archaeological potential, 60.2 percent are in the Rural Area, 14.5 percent are zoned Environmental Management (creeks, wetlands) and have very little development potential and another 8.6 percent are existing parks. A portion of the airport and various residential, commercial and industrial properties comprise the remaining 16.7%.

It should be noted that all areas within the community are already approved for development subject to the regulations contained in the City's Zoning By-law. It is only when an Official Plan or Zoning By-law amendment, a new subdivision or a severance is proposed that an archaeological assessment may be required. Archaeological assessments should also be conducted when a work proposed by the municipality falls within an area of archaeological potential.

It is important that no grading or other in-ground work be done on a property that has been identified as having archaeological potential prior to an assessment being completed.

Archaeological assessments (similar to environmental assessments) are done in four stages as described below. Each stage is only conducted if the preceding phase determines the need for additional study.

- Stage 1 consists of background research on the land use history of the property
- Stage 2 consists of a field survey of the property
- Stage 3 consists of a more detailed site investigation and usually includes test pits
- Stage 4 consists of extensive excavation and preservation of artifacts where required

Recommended archaeological assessment requirements for the various types of development approvals are set out in the following chart.

(6)(c)

Deeply Buried or previously undiscovered artifacts	All work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City's Engineering & Planning Department must be contacted immediately for further direction.
--	---

The consultant has also recommended changes to the City's Official Plan. The Steering Committee has reviewed these recommendations and supports their adoption.

A copy of the proposed Official Plan Amendment is attached.

The Steering Committee, Municipal Heritage Committee and Planning Advisory Committee have all reviewed and endorsed this report. Staff from the Ministry of Culture and Tourism has also reviewed the report and are in agreement with the recommendations.

## STRATEGIC PLAN

Implementing a Community Archaeological Assessment is identified in the City's Corporate Strategic Plan as part of Strategic Direction 3: Enhancing Quality of Life. Specifically, it is one of seven activities listed as part of Objective 3B – Planning for the Future. Approval of the following recommendation will allow this project to be completed in a timely manner.

## RECOMMENDATION

That City Council approve Official Plan Amendment #188 concerning requirements for development within areas of archaeological potential.

Recommended for approval,



Donald B. McConnell, MCIP, RPP  
Planning Director

Recommended for approval,



Jerry Dolcetti, RPP  
Commissioner Engineering & Planning



RECOMMENDED FOR APPROVAL

Joseph M. Fratesi  
Chief Administrative Officer

DBM/ps

attachment(s)

**AMENDMENT NO.188  
TO THE  
SAULT STE. MARIE OFFICIAL PLAN**

**PURPOSE**

This Amendment is an amendment to the text of the Official Plan as it relates to the Built Heritage policies and includes a new schedule identifying areas of archaeological potential.

**LOCATION**

This amendment applies to the entire community, including those areas which have been identified through the Archaeological Potential Study as having archaeological potential.

**BASIS**

These Amendments are necessary in view of the recently approved Archaeological Potential Study completed by Archaeological Services Inc.

**DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO**

Council now considers it desirable to amend the Official Plan by adding a new section entitled '2.4.1 Archaeological Heritage Resources'. This amendment also includes adding a new Schedule to the Official Plan, entitled Schedule E – Archaeological Resources.

The new Policies and Schedule are attached.

**INTERPRETATION**

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

**Editor's Notes:**

Crossed Out – Text to be deleted

Highlighted – Text to be added

### **2.3 Culture Policy Direction**

The residents of Sault Ste. Marie have created a community with a rich and diverse cultural heritage. It is important that this diversity be recognized within the community and efforts be made to preserve our diverse traditions and experiences.

As stated in the Municipality's Cultural Policy the Plan does support:

- CU.1 Promoting and encouraging the community's cultural identity and diversity.
- CU.2 Encouraging the appreciation and enjoyment of culture.

### **2.4 Built Heritage**

Each major theme in Canadian History is represented in the history of Sault Ste. Marie. Throughout the City, there are several locations and structures that serve as a link to this past. These sites are part of the City's cultural heritage and should be preserved for the benefit of local residents and visitors to the City. Two examples include the Ermatinger Old Stone House and the Sault Ste. Marie Lock.

Heritage resources include, but are not restricted to, archaeological sites, buildings, structures, monuments, cairns, plaques, structural remains of historical and architectural value, and groups of distinctive structures in a specific area, districts or landscapes of historic or scenic interest and significant vistas and ridge-lines.

The following policies may be implemented with the advice, assistance and recommendations of the Municipal Heritage Committee; other recognized advisory bodies and the Ministry of Citizenship, Culture and Recreation.

- HE.1 Identify, map and maintain an inventory of the following:

- Isolated structures, buildings, sites, areas, neighbourhoods of historical, archaeological, architectural, physical, aesthetic or cultural significance, and medium to high archaeological potential sites,

- Significant cultural or natural landscapes, units, corridors, significant vistas and ridge-lines,
- Nationally and Provincially significant Historic or Prehistoric sites.

HE.2 Pursuant to the Ontario Heritage Act Council may,

- Designate properties to be of historic or architectural value or interest or,
- Define and/or designate areas as heritage conservation districts or neighbourhoods.

HE.3 It is not always possible to preserve all buildings or sites of historical, architectural or archaeological worth, but their significance shall be assessed and recorded prior to demolition or alteration.

HE.4 Wherever possible, heritage resources shall be managed in a manner that perpetuates their functional use while maintaining their heritage value and benefit to the community.

HE.5 Historical monuments, cairns and plaques shall be preserved.

HE.6 The demolition and alteration of heritage resources shall be controlled.

HE.7 All development applications shall be reviewed for their impact on existing heritage resources.

HE.8 The preservation or rescue excavation of significant architectural resources shall be encouraged.

HE.9 An Archaeological impact assessment meeting the Ministry of Citizenship, Culture, and Recreation guidelines shall be required for development that impacts medium to high potential archaeological sites.

#### **2.4.1 Archaeological Heritage Resources – Schedule E**

It is this Plan's goal to recognize, protect and conserve archaeological sites. The areas of the community with archaeological potential are shown on Archaeological Resources Schedule E. The following policies will implement the 2011 Archaeological Potential Study:

**2.4.1.1** Where lands proposed for development may include archaeological resources, or where such lands are located within an area of archaeological potential, as shown on Schedule E, the following studies must be conducted by a licensed archaeologist, at the expense of the owner or applicant:

<b>Development Approval</b>	<b>Archaeological Assessment Requirement</b>
<ul style="list-style-type: none"> <li>• Official Plan Amendment</li> <li>• Zoning By-law Amendment</li> <li>• Severance – Urban Area</li> <li>• Within 250 m of a known archaeological site</li> </ul>	Archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area excluding those lands zoned Environmental Management.
<ul style="list-style-type: none"> <li>• Subdivision Approval</li> </ul>	Archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area. This is a requirement of Ontario Regulation 544/02, Schedule 1.
<ul style="list-style-type: none"> <li>• Severance – Rural Area</li> </ul>	Where a proposed severance is within 250 m of a known archaeological site or where more than 3 new lots are proposed, an archaeological assessment is required if any portion of the proposed development area is within an Archaeological Potential Area. The Committee of Adjustment may restrict development within certain areas as a condition of approval in lieu of an archaeological assessment where appropriate.
<ul style="list-style-type: none"> <li>• Municipal Projects involving previously undisturbed land.</li> </ul>	Archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area.

2.4.1.2 Archaeological assessments may not be required in areas that have been subject to previous intensive and extensive soil disturbance.

2.4.1.3 The City will encourage the conservation of any archaeological resources that may be identified by the City, Province or other group or agency, and will continue to enforce municipal and provincial legislation with respect to the discovery of items of archaeological or historic interest on a property.

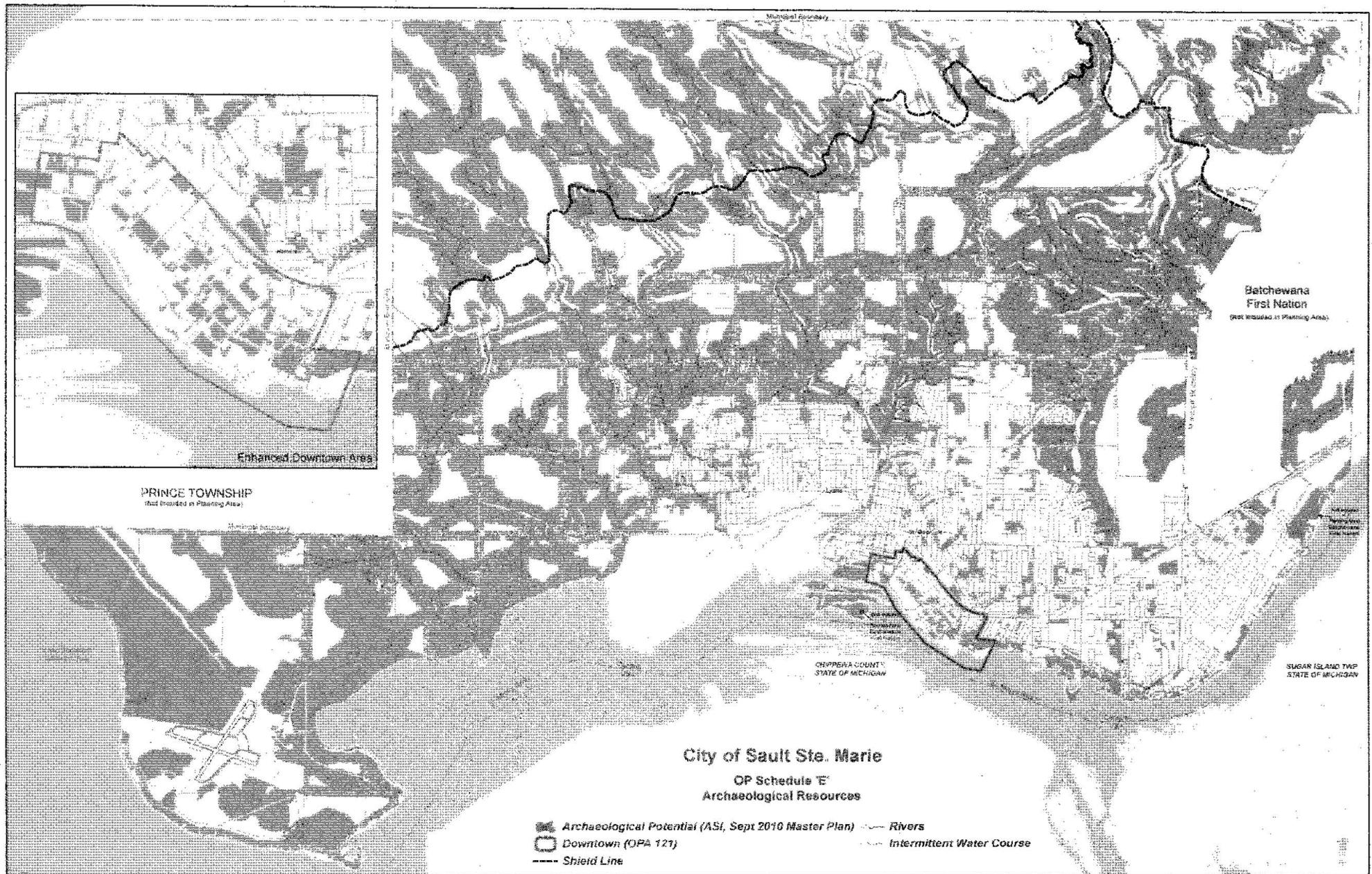
2.4.1.4 The City will cooperate with the Provincial Government to designate archaeological sites in accordance with the Ontario Heritage Act.

2.4.1.5 The City will keep confidential the existence and location of archaeological sites to protect against vandalism, disturbance and the inappropriate removal of resources, as per the Ministry of Tourism and Culture and the City of Sault Ste. Marie data sharing agreement.

- 2.4.1.6 All archaeological assessment reports must be reviewed and a compliance letter issued by the province and a copy of the assessment report will be provided and held by the City for information purposes.
- 2.4.1.7 A contingency plan must be prepared, with the advice of a licensed archaeologist and/or the Ministry of Tourism and Culture and adopted by by-law, for emergency situations to protect archaeological resources on accidental discoveries or under imminent threat(s).
- 2.4.1.8 Where burial sites are encountered during any excavation or other action, the provisions of the Cemeteries Act and its regulations will apply. Where there are First Nations burials, they will be addressed by consultation with all relevant First Nations communities.

Type of Artifact	Required Actions
Human Remains	All work must immediately cease and the site must be secured. The Sault Ste. Marie Police, the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services (416-326-8494), the Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City's Engineering & Planning Department must be contacted immediately for further direction.
Deeply Buried or previously undiscovered artifacts	All work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture (416-314-7123) and the City's Engineering & Planning Department must be contacted immediately for further direction.

--SCHEDULE E--



## What about health & safety?

Health and Safety are paramount to Bell Mobility. Health Canada has established electro-magnetic exposure guidelines, known as Safety Code 6, to ensure the safe operation of wireless antenna installations. Bell ensures that all of its facilities operate well below the allowable limits measured, taking into account all pre-existing sources and combined effects of additional carrier co-locations; in fact, this site will be thousands of times below the allowable limits.

Bell Mobility attests that the radio antenna system described in this notification package will be constructed in compliance with the National Building Code of Canada which includes all applicable CSA Radio Communications Regulations.

Regulatory and consultative procedures for telecommunications antennas can be found in Industry Canada's CPC 2-0-03 Issue 4.

Bell Mobility attests that the radio antenna system described in this notification package will comply with Transport Canada / NAV Canada aeronautical safety requirements. Bell Mobility has made all necessary applications to Transport Canada and NAV Canada and will undertake to provide these requirements when they are made available.

The proposed facility would include one locked, alarmed and electronically monitored mechanical equipment shelter. Fencing would be installed around the lease area and would include one locked gate access point.

## Your Bell Mobility contact

Bell Mobility is committed to public consultation. You are invited to provide comments to Bell Mobility about this proposal by mail, electronic mail or fax. In order to ensure your comments are considered you must respond by **September 19, 2012** to:

Deborah Williamson, SR/WA, ATC  
Altus Group  
Email: [dawilliamson@vianet.ca](mailto:dawilliamson@vianet.ca)  
Phone: 705-983-0545

## Your Industry Canada contact

ATTENTION: Antenna/Tower Issue  
Bell Mobility Site: W4161 Dacey-Queen

**Eastern & Northern Ontario District**  
2 Queen Street East  
Sault Ste. Marie, ON  
P6A 1Y3

Phone: (705) 941-4208  
Email: [spectrum.sault-ste-marie@ic.gc.ca](mailto:spectrum.sault-ste-marie@ic.gc.ca)

## Your City of Sault Ste Marie contact

Don McConnell, MCIP, RPP  
Planning Director  
Email: [dmconnell@citysm.on.ca](mailto:dmconnell@citysm.on.ca)  
Phone: 705-759-5375

## For more information

General information from Industry Canada:  
<http://strategis.ic.gc.ca/antenna>

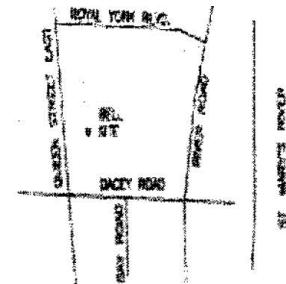
Health Canada's Safety Code 6:  
<http://www.ic.gc.ca/epic/site/smt-gst.nsf/en/sf05990e.html>

7(a)  
Bell

# Community Notification

For a 35m  
Telecommunications  
Mono-Pole

Location:  
Vacant Land  
68 Dacey Road  
Sault Ste Marie, ON



Bell Site Code: W4161  
Dacey-Queen

7(c)

## Your local land use authority

While antenna siting falls under the Federal Government's exclusive jurisdiction, Industry Canada's policy is to seek meaningful local input with respect to antenna siting. In an attempt to promote balance, Industry Canada requires that proponents of telecommunication facilities consult with the public, either through the local land use authority's existing public consultation process, or through the Industry Canada Default Process, as part of their regulatory obligations.

The requirement to consult can be found in Industry Canada's document, Client Procedure Circular (CPC) 2-0-03 (2008). The purpose of consultation, as outlined in CPC 2-0-03 (2008), is to ensure that the public are aware of significant antenna structures and/or installations proposed within their communities and that local authorities can make known to the proponent, and Industry Canada, factors which may have bearing on ensuring that antenna systems are deployed in a manner which consider local surroundings.

While the Federal Government's exclusive jurisdiction does not give a municipality the right to veto the proposal, Industry Canada expects proponents to consider constructive comments brought forth by the public and land use authorities with a view to allowing a site to proceed, while ensuring a proposed site accommodates local concerns for which solutions can be found. While the site is not bound by local zoning by-laws, the proponent must provide (when requested) supporting information to the land use authority so that comments may be provided to assist the proponent in developing a site plan which reflects as closely as is reasonable the intent of the zoning plan.

Notwithstanding the Federal Government's requirements for public consultation, Bell Mobility is committed to working with the local land use authority, The City of Sault Ste Marie. This public notification has been designed to provide all the necessary information as required by both The City of Sault Ste Marie and Industry Canada to those properties that fall within the notification radius of 121.92m (400ft) of the tower center.

## Why is a new tower required?

A radio antenna and tower are the two most important parts of a radio communication system. The antenna is needed to send and receive signals for the radio station. The tower raises the antenna above obstructions such as trees and buildings so that it can send and receive these signals clearly. Each radio station and its antenna system (including the tower) provide radio coverage to a specific geographic area, often called a cell. The antenna system must be carefully located to ensure that it provides a good signal over the whole cell area, without interfering with other stations. In areas where there are many cells, the antennas do not need to be very high. Where the cells are larger, the antennas must be higher above the ground level in order to provide good radio coverage for the whole area.

In this case, Bell Mobility has determined the need for new antennas in the area in order to adequately provide continuous coverage and service to our existing and future customer base in the Dacey Road, Queen Street area. Currently, our network is burdened by a combination of poor voice and data quality in these areas. In some cases, the coverage is such that a handset would be unable to place a mobile call at all in the subject location and surrounding area. The result of this situation is on-going customer complaints, high "dropped call" rates, and in extreme circumstances, the potential inability to place a mobile call that may be absolutely critical in an emergency situation.

## Where will it be located?

The proposed location is located at

68 Dacey Road (Vacant Land)

Sault Ste Marie, ON

The geographic coordinates for the site are:

Latitude (NAD 83) N46° 31' 15.25"

Longitude (NAD 83) W84° 14' 54.20"

7(a)

Bell Mobility strongly supports co-location on existing towers and structures. The use of existing structures minimizes the number of new towers required in a given area and is generally a more cost effective way of doing business. Unfortunately in this case, there were no existing structures in the area to be considered.

## What will it look like?

Bell is proposing a 35m mono-pole tower to improve upon the overall coverage in your area.



Above is a photo rendering of a similar mono-pole tower

## What about the environment?

Bell Mobility attests that the radio antenna system described in this notification package will comply with the Canadian Environmental Assessment Act, as this facility is excluded from assessment.

## Open House Information Session

Bell Mobility will host an Open House Information Session should you have any further questions or comments you would like to make in person.

**A Bell Mobility Representative will be at the Water Tower Inn, Library Room, Wednesday, August 29, 2012 from 7:00 PM to 8:00PM**

## Additional Information attached

A copy of the Site Survey Plan & Photo Rendering of the proposed installation has been included in this notification for your reference.

(2)(c)

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-172

**AGREEMENT:** (E2.3) A by-law to authorize the execution of an agreement between the City and Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment who is responsible for Environment Canada for the Urban Stormwater Control and Monitoring project.

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 an agreement in the form of Schedule "A" hereto attached and dated the 10<sup>th</sup> day of September, 2012 and made between the City and Her Majesty the Queen in Right of Canada as represented by the Minister of the Environment who is responsible for Environment Canada for the Urban Stormwater Control and Monitoring project.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 10<sup>th</sup> day of September, 2012.

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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"****CONTRIBUTION AGREEMENT**

**BETWEEN      HER MAJESTY THE QUEEN IN RIGHT OF CANADA**  
as represented by the Minister of the Environment who is responsible for  
Environment Canada ("EC")

**AND            The Corporation of the City of Sault Ste Marie**  
("Recipient")

Project Title: Urban Stormwater Control and Monitoring ARN12-203

Whereas EC is responsible for the Transfer Payment Program entitled "Sustainable Ecosystems", which provides the authority to enter into this Agreement under the program: Great Lakes Sustainability Funds (GLSF) ("EC Program");

Whereas the Recipient is eligible and has the capacity to carry out the Project;

Whereas the Recipient is providing or has secured additional funds from other interested parties totalling \$86,265 and thereby is meeting the EC Program requirement to obtain funding from other sources;

Whereas the Recipient shall not generate profit as a direct result of the Project directly supported by this agreement;

Whereas EC wishes to provide financial assistance to the Recipient to enable it to undertake the Project;

Whereas the financial payment to the Recipient shall not directly result in EC acquiring a good or service from the Recipient; and,

Whereas this Agreement is the instrument under which EC's contribution shall be made;

Now, therefore, this Agreement witnesses that in consideration of the mutual promises and agreements hereinafter set out, EC and the Recipient ("Parties") agree as follows:

**1. DEFINITIONS**

Unless the context otherwise requires:

"Agreement" - means this document along with the appendices and schedules in following list which together form an integral part of this Agreement, and together constitute the entire agreement between the parties, superseding all previous agreements, documents, representations, negotiations, understandings and undertakings related to its subject matter. The Recipient acknowledges having read the Agreement and agrees with the contents.

- Appendix A – General Terms and Conditions,
- Appendix B – Project Cashflow and Environment Canada Funding,
- Appendix C – Payment Request Form,
- Appendix D – Reporting Templates,
- Appendix E – ARN12-203 SSM Stormwater Appendix E Workplan.doc, which describes the project in more detail,

"Advance Payment" means a payment made by EC under the terms of this Agreement before the performance of that part of the Agreement in respect of which the payment is made. Advance Payments are not accountable advances in the context of Section 38 of the Financial Administration Act and the Accountable Advance Regulations.

"EC Contribution" means the contribution referred to in Section 5a).

"Eligible Expenditure" means an expenditure incurred by the Recipient between the date of last signature of this Agreement and the Agreement End Date, according to the terms and conditions of Section 6.

"Fiscal Period" means the period or part of the period commencing April 1 and ending March 31 of any year during the Agreement.

"In Kind Contribution" means the cash-equivalent contribution in the form of a useful and valuable good, service or other support provided to the Project, for which no cash is exchanged but that is essential to the Project and that would have to be purchased on the open market, or through negotiation with the provider, if it were not provided.

"Project" means the project, activities or initiatives described in Section 4a) and detailed in Appendix E – ARN12-203 SSM Stormwater Appendix E Workplan.doc.

"Total Canadian Government Funding" means the total cash and in-kind funding available to the Recipient for the Project from federal, provincial, territorial and municipal governments.

"Total Contribution" means the total value of the cash and in-kind contributions from all sources secured for expenditures related to the Project, as set out in Section 5b).

## 2. DURATION

This Agreement comes into force on the date of last signature ("Effective Date") and ends on March 31, 2015 ("Agreement End Date") unless this Agreement is terminated earlier in accordance with the terms of the Agreement.

The Project shall be completed by the Agreement End Date.

### **3. PURPOSE & EXPECTED RESULTS**

The purpose of this Agreement is to establish the terms and conditions for the provision of EC's Contribution to the Recipient.

EC's Contribution shall enable the Recipient to identify impacts from urban stormwater and develop suitable remedial actions to mitigate those impacts.

This Agreement supports the objectives of the following EC program activity: 1.3.4 - Ecosystems Initiatives, with the expected result(s) of:

- i. New knowledge and data produced by collaborating organizations contribute to the management and sustainability of Canadian ecosystems.

### **4. ACTIVITIES, PROJECT OR INITIATIVE BEING FUNDED**

- a) In order to achieve the expected results, the Recipient shall undertake the Project. The EC Contribution shall support, in whole or in part, the following key Project activities:
  - i. Please see Appendix E – ARN12-203 SSM Stormwater Appendix E Workplan.doc attached to this Agreement, which describes the Project activities in detail.

### **5. MAXIMUM AMOUNT OF CONTRIBUTION**

- a) EC agrees, subject to the terms and conditions of this Agreement, to contribute towards the Eligible Expenditures set out in this Agreement incurred by the Recipient to undertake the Project, up to a maximum amount of \$47,134 cash.
- b) The Total Contributions secured or provided by the Recipient for the Project is \$133,399.
- c) Of this total, the Total Canadian Government Funding (cash and in-kind) is \$133,399 which represents 100% of the Total Contributions (cash and in-kind).
- d) By the Effective Date the Recipient provided, and EC accepted, a project cashflow for the duration of Project as set out in Appendix B – Project Cashflow and Environment Canada Funding. EC's cash contribution shall be based on the agreed upon cashflow requirements, and the maximum amounts to be available for each Fiscal Period are as follows:
  - for the Fiscal Period 2012-2013 in the amount of \$560
  - for the Fiscal Period 2013-2014 in the amount of \$22,287
  - for the Fiscal Period 2014-2015 in the amount of \$24,287

The maximum amounts available for each Fiscal Period shall be confirmed or amended annually, upon review by both EC and the Recipient upon review of the cashflow requirements, as set out in Appendix B – Project Cashflow and Environment Canada Funding.

- e) The Recipient shall immediately advise EC if any amount of the EC Contribution provided will not be (or has not been) spent within the current Fiscal Period. If EC is advised prior to the end of the Fiscal Period, then EC will determine the follow-up actions required, which may include amend the Agreement and/or requiring a repayment to EC. If EC is advised at or subsequent to the end of the Fiscal Period then the Recipient shall be required to repay to EC the balance within 30 days following the end of that Fiscal Period.

## **6. ELIGIBLE EXPENDITURES**

- a) The following shall be Eligible Expenditures, if directly incurred for the purposes of the Project and if the terms and conditions set out in this Agreement are met by the Recipient, at the satisfaction of EC:
- Management and professional service expenditures
  - Contractors
  - Material and supplies expenditures
  - The eligible expenditures above include any GST/HST that is not reimbursable by the Canada Revenue Agency and any PST not reimbursable by the Provinces

No overhead shall be included in the eligible expenditures in this Section.

- b) Expenditures, other than those herein allowed, are ineligible unless specifically approved in writing by EC prior to the time the expenditures are incurred.

## **7. BASIS AND METHOD OF PAYMENT**

### a) Basis of Payment

Within the limits of Section 5 of the Agreement and Section 19 of Appendix A, and upon receipt and acceptance of any required reports and/or forms under this Agreement, and in accordance with EC's policies and the applicable laws relating to financial administration, as amended from time to time, EC agrees to pay the Recipient up to the maximum amount specified in Section 5a).

### b) Method of Payment

- i. The Recipient is eligible to receive payments for EC's Contribution stated in Section 5d) in advance of incurring eligible expenditures and/or in advance of being able to provide an accounting to EC of the final type and amount of eligible expenditure incurred.

To be eligible for an advance payment, the Recipient shall demonstrate the need for the requested advance payment by attaching the required supporting documents and information outlined in the prescribed form provided in Appendix C – Payment Request Form.

If, at any time during the life of the Project, the Recipient determines that an advance is not needed, or can not sufficiently demonstrate the need for an advance payment, then the Recipient shall be reimbursed for the eligible expenditures incurred.

Requests for payment may be submitted at any time during the Fiscal Period, but typically not more frequently than four times per Fiscal Period. The Recipient shall submit to EC requests for payment using the prescribed form provided in Appendix C – Payment Request Form.

- ii. A requested payment shall not result in total payments for the Fiscal Period exceeding the total EC Contribution for the Fiscal Period as set out in Section 5d).

The Recipient may request a new advance without accounting for the use of any previous advance(s) as long as the following maximum unaccounted advance balances are not exceeded:

- 2012-2013: \$504
- 2013-2014: \$20,058
- 2014-2015: \$21,858

EC must respect the requirement to withhold the final payment, per Section 7c), and may be required to reduce any advance requests in the final Fiscal Period of the project accordingly.

EC may further limit the maximum unaccounted advance balances. EC shall communicate any such restrictions to the Recipient, and amend this Agreement accordingly.

- iii. Should the Recipient request an advance that would otherwise cause the maximum unaccounted advance balance stated in Section 7b)ii to be exceeded, then the Recipient shall either:
- reduce the amount of advance requested to remain within the maximum unaccounted advance balance, or,
  - account for some or all of any previous advance(s) when requesting the new advance, such that the cumulative advance unaccounted for by the Recipient does not exceed the maximum unaccounted advance balance.

The Recipient shall account for the use of some or all of any previous advance(s) by completing the prescribed form provided in Appendix C – Payment Request Form.

c) Final Payment

During the final Fiscal Period EC shall withhold a minimum of \$2,429 of EC's Contribution allocated to the final Fiscal Period. EC shall issue the final payment to reimburse the unpaid balance of Eligible Expenditures upon receipt and acceptance by EC of the final report(s) required by Section 8. The Recipient shall submit the request for final payment with the final report(s) required by Section 8.

**8. REPORTING**

a) Financial Reporting

*Cash Flow Statement*

By the Effective Date of this Agreement, the Recipient has provided and both Parties have agreed to a cashflow statement for the entire period specified in Section 2, as detailed in Appendix B – Project Cashflow and Environment Canada Funding.

By March 31 of each year, both Parties shall review and agree to the quarterly cashflow requirements pertaining to the following twelve months. Any changes to the cashflow statement that do not result in a change to the total EC Contribution in a Fiscal Period shall be signed by both Parties and appended as an update to this present Agreement. Any changes to cashflow requirement that necessitate changes to other sections of this Agreement shall require an amendment to this Agreement, signed by both Parties.

*Financial Forecasting*

By September 30 and December 31 of each Fiscal Period the Recipient shall provide a financial forecast of the expenditures pertaining to the balance of the Fiscal Period.

*Annual Reporting*

The Recipient shall, no later than 30 days after the end of each Fiscal Period, provide an annual financial report including:

- an annual Project income and expenditure summary which shall identify all sources and use of the Project funds during the Fiscal Period;
- a statement detailing the use of EC Contributions provided during the Fiscal Period, including an explanation of any financial variances.

*Final Reporting*

Following completion of the Project the Recipient shall, no later than 30 days after the Agreement End Date as referred to in Section 2, provide a final financial report including:

- a Project income and expenditure summary which shall identify all sources and use of the total Project funds over the duration of the entire Agreement;
- a statement detailing the use of EC's Contribution provided over the duration of the entire Agreement, including an explanation of any financial variances.

The accounting of total Project funding shall confirm that the Recipient continued to meet the eligibility requirements of the EC Program and identifies the need for any repayment, in part or in whole, of EC's financial contribution described in Section 5.

Per Section 7c), the Recipient shall submit the final request for payment when submitting the final report(s).

*Certification / Attestation*

All Financial Reports submitted by the Recipient shall be certified by a senior officer of the Recipient's organization (such as a CEO or CFO) attesting to the correctness and completeness of the financial information provided.

**b) Project Activity Progress Reporting***Project Description*

By the Effective Date of this Agreement, the Recipient has provided and both Parties have agreed upon a Project description for the entire period specified in Section 2.

By March 31 of each year, both Parties shall review and agree to the Project pertaining to the following 12 months. Any changes to the Project may constitute an amendment to this Agreement which shall be approved, in writing, by both parties.

*Ongoing Communication*

The Recipient shall make all reasonable efforts to respond to ad-hoc requests by EC for information on Project progress. The Recipient shall also advise EC immediately of any substantial events that could impact the Project timeline or cashflow requirements.

*Annual Reporting*

The Recipient shall, no later than 30 days after the end of each Fiscal Period, provide an annual progress report on the Project, and progress made in achieving the results, as set out in Sections 3 and 4.

*Final Reporting*

Following completion of the Project the Recipient shall, no later than 30 days after the Agreement End Date as referred to in Section 2, provide a Project Performance Report with Project highlights, description of outcomes with respect to results set out in Section 3, quantitative and qualitative description of the accomplishments / success of the Project; challenges faced and solutions found, information on results (negative or positive) that were not anticipated, and lessons learned.

Per Section 7c), the Recipient shall submit the final request for payment when submitting the final report(s).

- c) The Recipient shall provide the reports required by Section 8 using the templates provided by EC in Appendix D – Reporting Templates, or an alternative format as pre-approved by EC.

**9. COMMUNICATIONS AND REQUESTS FOR PAYMENT**

- a) Any request for payment or notice or other formal communication between the Parties shall be:
  - i. delivered personally; or
  - ii. scanned and sent by email; or
  - iii. mailed by registered mail, return receipt requested; or
  - iv. sent by facsimile transmission, proof of transmission required, and addressed as follows:

for EC:

Department of the Environment  
Kate Taillon, Senior Program Coordinator  
Great Lakes Areas of Concern, RDG-Ontario  
4905 Dufferin St  
Toronto, Ontario  
Canada, M3H 5T4

for the Recipient:

The Corporation of the City of Sault Ste Marie  
Catherine Taddo, Land Development and Environmental Engineer  
99 Foster Dr., Box 580  
Sault Ste Marie, Ontario  
CANADA, P6A 5X6

- b) If such notice or other formal communication is delivered in person, it shall be deemed to have been received on the date of delivery. If such notice is sent by registered mail, it shall be deemed to have been received by the party on the fifth business day following the day it is so mailed, or on the day it is received whichever is earlier. If the notice is sent by email or facsimile transmission, it shall be deemed to be received as of the date of the transmission, and for facsimile as evidenced by an automated confirmation of transmissions.

**10. SIGNATURES**

The Parties have executed this Agreement by the hands of their duly authorized officers as follows:

For The Corporation of the City of Sault Ste Marie

By: Debbie Amaroso  
(print name)

Malcolm White

Title: Mayor  
(print title)

City Clerk

Signature: \_\_\_\_\_

We represent and warrant that we are duly authorized to bind The Corporation of the City of Sault Ste Marie

Signed this 10th day of September, 2012

HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by the Minister of the Environment who is responsible for Environment Canada

By: Jon Gee

Title: Manager, Great Lakes Areas of Concern

Signature: \_\_\_\_\_

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_

**APPENDIX A**  
**GENERAL TERMS AND CONDITIONS**

**1. APPROPRIATION**

Payment of the EC Contribution shall be made at EC's discretion, which shall not be reasonably withheld, and shall be subject to an annual appropriation of funds by the Parliament of Canada for the Fiscal Period in which any payment is to be made.

EC may reduce or terminate the EC Contribution in response to a reduction or a denial of an appropriation by the Parliament of Canada in accordance with Section 11d) of Appendix A.

**2. ALLOCATION**

EC may, in accordance with Section 11d) of Appendix A, reduce or terminate the EC Contribution in response to the Government of Canada's annual budget, a parliamentary, governmental or departmental spending decision, or a restructuring or re-ordering of the federal mandate and responsibilities that impact on the EC Program under which this Agreement is made.

**3. PERSONS NOT TO BENEFIT AND LOBBYISTS**

The Recipient warrants that:

- a) no current or former public servant or public office holder to whom the Conflict of Interest Act, the Conflict of Interest and Post-Employment Code for Public Office Holders or the Values and Ethics Code for the Public Service applies shall derive direct benefit from this Agreement unless the provision or receipt of such benefit is in compliance with such legislation and codes;
- b) no member of the Senate or the House of Commons shall be admitted to any share or part of this Agreement, or to any benefit arising from it, that is not otherwise available to the general public;
- c) no bribe, gift, or other inducement has been paid, given, promised or offered to any person for, or with a view to, the obtaining of this Agreement by the Recipient;
- d) it has not employed any person to solicit or secure this Agreement upon any agreement for commission, percentage, brokerage or contingent fee; and,
- e) it and any person lobbying on its behalf to obtain the contribution under this Agreement or any benefit hereto related and who is required to be registered pursuant to the Lobbying Act, is registered pursuant to that Act

**4. LIABILITY**

The Recipient shall indemnify and save harmless Canada, EC, its officers, servants and agents from and against all liability, loss, damages, costs and expenses, including reasonable solicitor/client fees, administrative fees and disbursements, and from all claims, demands, actions, or any other proceeding whatsoever and by whomever made, for personal injury, death, environmental effect or property damage, arising directly or indirectly and whether by reason of anything done or omitted to be done, as a result of negligence or otherwise, from the performance or any default or delay in performance of the Recipient's obligations under this Agreement.

EC shall not be liable for any loan, capital lease or other long-term obligation in relation to the Project for which the contribution is provided.

**5. AUDIT**

EC may request, at its sole discretion, that an audit of the Recipient's financial statements, as they relate to this Project, be conducted at any point in time. The audit shall be carried out by an independent accredited auditor and be in accordance with the audit scope determined by EC and at EC's expense.

**6. REPAYMENT**

An amount paid by Canada as part of the EC Contribution or which is treated as such pursuant to the terms of this Agreement, and to which the Recipient is not entitled according to the terms of this Agreement shall be repayable to Canada and until repaid constitutes a debt due to Canada. EC shall deduct any such amount from subsequent payments of the EC Contribution or, if such amount is determined in or after the final Fiscal Period, the Recipient shall repay the amount within thirty (30) days of receiving written notification by EC. Interest shall be due and payable in accordance with the Interest and Administrative Charges Regulations SOR/96-188 made under the federal Financial Administration Act.

**7. RECORDS**

The Recipient agrees to keep proper accounts and records of the revenues and expenditures for the subject matter of the Agreement, including all invoices, receipts and vouchers relating thereto for a period of six years after the expiration or early termination of the Agreement.

**8. ACCESS TO RECORDS AND INFORMATION**

Subject to applicable access and privacy legislation and case law, the Recipient shall allow representatives of EC to have access to any records, information, databases, audit and evaluation reports and such information that may be in any way relative to the project, as EC may request during the life of the Agreement or within six years after its early termination or expiration.

Furthermore, the Recipient shall make records and information available to the Auditor General of Canada when requested by the Auditor General for the purposes of an inquiry under the Auditor General Act, R.S.C. 1985, c. A-17..

"Auditor General" means the Auditor General of Canada appointed pursuant to subsection 3(1) of the Auditor General Act, R.S.C. 1985, c. A-17..

**9. ACCESS TO PREMISES**

The Recipient agrees to give access to EC, by giving a five business day notice to the Recipient, to visit the premises or site where the Project is being carried out in order to review and assess the progress of the Project and compliance with the Agreement , and for the purpose of ensuring that any mitigation measures required by EC to be taken per Section 19 have been implemented. The Recipient will provide such access only when the Recipient has control of the site or premises and authority to grant access.

**10. CONSENT TO DISCLOSURE**

The Recipient consents to the public disclosure by EC of any information provided under this Agreement, including without limitation information which relates to activities and objectives which are the subject of this Agreement, except where such information would not be disclosed pursuant to Section 20 of the Access to Information Act R.S.C. 1985, c. A-1. It is expressly agreed that EC may disclose, among other information, the following elements of information:

- a) Name of the Recipient;
- b) Maximum amount of the contribution;
- c) Purpose of the Agreement;
- d) Activities to be undertaken under the Agreement
- e) Duration of the Agreement; and
- f) Analysis, audit and evaluation reports relating to the Project performed by either of the Parties.

## 11. DEFAULT, REMEDIES, TERMINATION BY REASON OF DEFAULT AND REDUCTION OR TERMINATION AT EC's DISCRETION

### a) Default

EC may declare a default under this Agreement if any of the following events occur:

- the Recipient becomes bankrupt, has a receiving order made against it, makes an assignment for the benefit of creditors, takes the benefit of a statute relating to bankrupt or insolvent debtors, ceases to actively carry on a business or is subject to an order made or resolution passed for the winding-up of the operations of the Recipient;
- the Recipient has submitted false or misleading information to EC or has made a false or misleading representation in respect of any matter related to this Agreement, except for an error in good faith, demonstration of which is incumbent on the Recipient, to EC's satisfaction;
- EC, at its discretion concludes, pursuant to a review of any of the financial reports submitted pursuant to Section 5, that a material discrepancy exists between the actual revenues and expenditures incurred by the Recipient to date and the forecast amounts set out in Appendix B or between the results attained by the Recipient to date and those that could reasonably be expected to have been attained at that point in time;
- the Recipient is no longer eligible under the eligibility requirements of the EC Program;
- the Recipient fails to complete the Project on the terms and conditions herein; and/or
- the Recipient fails to perform or comply with any term, condition, or other obligation contained in this Agreement for which it has responsibility.

### b) Remedies

If EC declares that an event of default has occurred, EC may, in addition to any other remedy provided by law or pursuant to this Agreement, exercise one or more the following remedies:

- reduce the EC Contribution level;
- suspend the payment of any amount in respect of EC Contribution; or
- require the Recipient to repay all or part of the EC Contribution disbursed, with interest, calculated in accordance with the Interest and Administration Charges Regulations, SOR/96-188 from the date of demand for repayment.

The fact that EC refrains from exercising a remedy or any right herein shall not be considered to be a waiver of such remedy or right and, furthermore, partial or limited exercise of a remedy or right by EC shall not prevent EC in any way from later exercising any other remedy or right under this Agreement or other applicable law.

### c) Termination by Reason of Default

- In the event of default, EC may immediately terminate this Agreement by means of a written notice of default and termination given to the Recipient. EC may also exercise any lawful remedy that EC deems appropriate.
- Notwithstanding the foregoing, EC reserves the right, where EC determines that the Recipient's default is capable of cure and that a delay for these purposes is appropriate, to send a written notice of default specifying a cure period of no less than thirty (30) days from

the date of the Recipient's deemed receipt of the notice and requiring that the Recipient provide EC with proof of the cure within that delay. At the end of the cure period, EC may proceed to give the Recipient written notice of default and termination of this Agreement, and EC may also exercise any other lawful remedy that EC deems appropriate.

d) Reduction or Termination at EC's Discretion

- At any time before the completion of the Project, EC may, by giving notice in writing to the Recipient, reduce the EC Contribution or terminate this Agreement.
- In the case of a reduction to the EC Contribution, the reduction notice shall give the Recipient sixty (60) days written notice of that reduction in the EC Contribution. Subject to the maximum amount of the EC Contribution under Section 5 of this Agreement and any limits on Eligible Expenditures imposed within the reduction notice, EC shall reimburse the Recipient for any Eligible Expenditures incurred and claimed to the effective date of the reduction. The Parties understand that any such reduction may affect the full implementation of the Project which may require amending the Agreement in accordance with Section 24 of Appendix A.
- In the case of termination of this Agreement, the termination notice shall give the Recipient sixty (60) days written notice of the termination. Subject to the maximum amount of the EC Contribution under Section 5 of this Agreement and any limits on Eligible Expenditures imposed within the termination notice, EC shall reimburse the Recipient for any Eligible Expenditures incurred and claimed to the effective date of the notice of termination. The funding obligations of EC shall cease as of the effective date of termination.

**12. NO PARTNERSHIP**

The Parties acknowledge no principal-agent, employer-employee, partnership or joint venture is created by virtue of this Agreement and that the Recipient shall not represent itself as an agent, employee or partner of EC, including in any agreement with a third party.

**13. CONFLICT OF INTEREST**

The Recipient confirms and warrants that it has, for the duration of this Agreement, no interest, pecuniary or otherwise, in any business matter that would put it in an real and/or apparent conflict of interest. The Recipient shall immediately notify EC, in writing, should any real and/or apparent conflict of interest exist or arise that could have a direct impact on EC's contribution to the Project.

**14. PUBLIC ACKNOWLEDGEMENT**

Due acknowledgement of EC's contribution for the Project shall be made in the Recipient's publications, public information releases, advertising, promotional announcements, activities, speeches, lectures, interviews, ceremonies and its web site.

EC shall provide the Recipient with the necessary templates and/or electronic files containing the logos and/or acknowledgement statements to be used.

The Recipient shall provide EC with final copies of any document or material utilizing the EC logo, Government of Canada logo and/or acknowledgement statements prior to printing or distribution, for EC approval of the use of said logos and/or acknowledgement statements.

Due acknowledgement consists of including the following in both appropriate official languages:

**This project was undertaken with the financial support of:**

**Ce projet a été réalisé avec l'appui financier de :**



**Environment  
Canada**

**Environnement  
Canada**

The EC logo can not be used without the statement.

If space does not permit, the following statement only is to be used:

**This project was undertaken with the financial support  
of the Government of Canada through the federal  
Department of the Environment.**

**Ce projet a été réalisé avec l'appui financier  
du gouvernement du Canada agissant par l'entremise  
du ministère fédéral de l'Environnement.**

## 15. CONFIDENTIALITY

- a) "Confidential Information" means confidential, private or secret information in all material forms and however fixed, stored, expressed or embodied (and includes, without limitation, samples, prototypes, specimens and derivatives) that is disclosed by the Parties to each other during discussions, telephone calls, meetings, tests, demonstrations, correspondence, any other exchange, communication or otherwise under this Agreement and includes, without limitation:
- all scientific, technical, business, financial, legal, marketing or strategic information;
  - information that is non-public, protected, privileged or proprietary in nature, which may have actual or potential economic value, in part, from not being known; and
  - information that is related to activities pursuant to this Agreement, irrespective of whether or not such information is specifically marked confidential or identified as confidential at the time of disclosure.

The responsibility rests with the disclosing Party to clearly mark all Confidential Information as "confidential", "private", "secret", "protected", or equivalent wording.

- b) Confidential Information disclosed under this Agreement shall remain the exclusive property of the disclosing Party and the disclosure of the Confidential Information to the receiving Party shall in no way be deemed to be a grant of a licence or a proprietary right.
- c) The receiving Party shall use the Confidential Information solely for the purposes for which it is disclosed, as indicated in writing by the disclosing party at the time of disclosure, and for no other purposes.
- d) Unless the disclosing party gives to the receiving party its prior written consent to disclosure, the receiving party shall keep confidential, hold in confidence, safeguard and not disclose the Confidential Information to third parties.
- e) The receiving party shall use all reasonable efforts and take such action as may be appropriate to prevent the unauthorized use or disclosure of, and to preserve the confidentiality of, all Confidential Information, including, without limitation:
- ensuring that the Confidential Information is disclosed only to those: who have a need to know for the purposes of this Agreement; who are subject to a contractual duty of confidentiality; and who are properly instructed to maintain the Confidential Information in confidence; and
  - safeguarding all Confidential Information against theft, damage or access by unauthorized persons by all reasonable means, including, without limitation, visitor control, controlled photocopier access, computer firewalls, secure computers, and physical security of facilities and computer networks.
- f) The receiving party shall promptly notify the disclosing party in writing if it has reason to believe that unauthorized use, possession, acquisition, dissemination or disclosure of any

Confidential Information has occurred, and the receiving party shall use its reasonable endeavours to cooperate with any appropriate action taken by the disclosing party to protect such Confidential Information.

- g) Upon termination of this Agreement or upon EC's request, all Confidential Information in any form, including without limitation, any hard or electronic copies, shall be promptly returned to EC or destroyed without reviewing any copies or excerpts thereof. The Recipient shall have no right to continue any use of or disclose the Confidential Information in any way, whatsoever.
- h) Nothing in this Agreement shall be interpreted so as to preclude EC from disclosing information that EC may be required or ordered to disclose pursuant to any applicable federal laws, including, without limitation, the Access to information Act, R.S. 1985, c. A-1, the Privacy Act, R.S. 1985, c. P-21 or judicial order.

## **16. PRIVACY AND PERSONAL INFORMATION**

The Parties shall conduct their activities in accordance with applicable legislation dealing with the protection of the privacy and personal information of individuals. For greater certainty, the Recipient shall ensure that its employees, agents and contractors are made fully aware of their obligations to protect personal information.

## **17. SUPPORTING DOCUMENTATION**

The Recipient shall provide EC, as and when requested, all supporting documentation EC deems appropriate to enable EC to review and accept any request for payment. In such case, EC shall advise the Recipient of the appropriate level of detail and of any specific supporting documentation required.

## **18. AMOUNTS OWING TO THE FEDERAL GOVERNMENT**

The Recipient attests to have declared any past-due amounts owing to the federal Crown under any legislation or any agreement with the federal Crown before the signing of this Agreement and agrees to declare any amounts owing to the federal Crown under any legislation or any agreement with the federal Crown that become past-due during the course of this Agreement.

The Recipient acknowledges that any amounts due to the Recipient pursuant to this Agreement may be set-off against any past-due amounts owing to the federal Crown.

## 19. ENVIRONMENTAL ASSESSMENT

The Recipient acknowledges that if EC determines that an environmental assessment of some or all of the activities to be funded under this Agreement is required to be conducted in accordance with the Canadian Environmental Assessment Act, no EC Contribution related to those activities shall become payable under this Agreement unless:

- an environmental assessment of the activities to be funded has been conducted in accordance with the Act; and
- EC has determined that the activities to be funded are unlikely to result in any significant adverse environmental effects or that the implementation of certain mitigation measures shall likely eliminate any significant adverse environmental effects that might otherwise be expected.

If EC determines that an environmental assessment of some or all of the activities to be funded under this Agreement is required:

a) Environmental Assessment Expenditures

EC does not normally provide funding to support expenditures related to environmental assessment, mitigation or follow-up measures.

Expenditures related to environmental assessment, mitigation or follow-up measures required by EC are not considered Eligible Expenditures for the purpose of this Agreement unless set out in Appendix B – Project Cashflow and Environment Canada Funding.

b) Environmental Assessment Results

If EC determines that the activities to be funded are unlikely to result in any significant adverse environmental effects or that the implementation of certain mitigation measures shall likely eliminate any significant adverse environmental effects that might otherwise be expected, EC shall then reimburse any Eligible Expenditures related to the project activities.

If EC determines that the activities to be funded are likely to result in any significant adverse environmental effects or that the implementation of certain mitigation measures shall not eliminate any significant adverse environmental effects that might otherwise be expected, then, in order to avoid activities resulting in significant adverse environmental effects:

- EC and the Recipient may amend the scope and activities of the Project, or
- EC may terminate the Agreement in accordance with Section 11 as the Project could not proceed without amendment to the scope and activities of the Project.

c) Follow-up Program

Where EC has designed a follow-up program under the Canadian Environmental Assessment Act, the Recipient shall co-operate with EC in the implementation of the follow-up program.

d) Supplementary Follow-up

If EC reaches the conclusion that the implementation of any of the mitigation measures contained in the environmental assessment report per 19b) has not resulted in the avoidance of any significant adverse environmental effects, EC may specify additional mitigation measures in respect of the activities to be funded under this Agreement or EC may terminate the Agreement in accordance with Section 11.

## **20. SUSTAINABLE DEVELOPMENT**

The Recipient shall plan and implement the Project in a manner that promotes sustainable development and ensures the protection of the environment to the greatest extent possible.

## **21. INTELLECTUAL PROPERTY RIGHTS**

"Intellectual Property Rights" means any and all intellectual property rights recognized by law, including but not limited to intellectual property rights protected through legislation.

a) Any Intellectual Property Rights created by the Recipient in association with the Project shall vest in and remain the property of the Recipient.

## **22. DISCLAIMER**

The Recipient shall include the following disclaimer in any public information releases, advertising, promotional announcements, activities, speeches, lectures, interviews, ceremonies and web sites when the Recipient expresses a view or opinion specifically relating or referring to the Project.

"The views expressed herein are solely those of The Corporation of the City of Sault Ste Marie"

"Les opinions exprimées dans ce document sont celles de The Corporation of the City of Sault Ste Marie"

## **23. SETTLEMENT OF DISPUTES**

The Parties agree that any matter in dispute under this Agreement shall first be referred to senior officers of the Parties. If the matter cannot be resolved, it shall be submitted to a mediator as agreed upon by both Parties. The Parties shall bear the expenditures directly related to the mediation process equally.

**24. AMENDMENTS**

This Agreement may be amended by the mutual written consent of the Parties. To be valid, any amendment to this Agreement shall be in writing and signed by the Parties, while this Agreement is in force.

**25. SURVIVAL OF TERMS**

All representations and obligations contained in this Agreement on the part of each of the Parties expressly or by nature shall survive the early termination or the expiration of this Agreement until they are satisfied or until they expire by nature.

The following sections shall survive the termination of this Agreement:

- Agreement, Section 7c) – Final payment
- Agreement, Section 8 – Reporting
- Appendix A, Section 4 – Liability
- Appendix A, Section 5 – Audit
- Appendix A, Section 6 – Repayment
- Appendix A, Section 7 – Records
- Appendix A, Section 8 – Access to Records and Information
- Appendix A, Section 11 – Default, Remedies, Termination by Reason of Default, and Reduction or Termination at EC's Discretion
- Appendix A, Section 21 – Intellectual Property
- Appendix A, Section 25 – Survival of Terms

**26. WAIVER OF RIGHTS**

The waiver of any rights following any breach of any representation, warranty, covenant, obligation or agreement shall not be deemed to be a waiver of any further breach. No waiver is effective unless in writing.

**27. LEGALITY**

The Recipient shall ensure that the Project shall be conducted in compliance with all applicable laws.

**APPENDIX B****Project Cashflow and Environment Canada Funding****2012-2013****Project Cashflow****Project Funding**

Contributor	Contributor Type	TOTAL		
		Cash	In-Kind	All Funding
Great Lakes Sustainability Fund	Environment Canada	560		560
City of Sault Ste Marie	Municipal Government	1,040	2,000	3,040
<b>Total Project Funding</b>		<b>1,600</b>	<b>2,000</b>	<b>3,600</b>

**Project Costs****Cost Detail**

Cost Detail	Cost Category	TOTAL		
		Cash	In-Kind	All Funding
Sample collections and analysis, review and meetings	Management and professional service expenditures	1,600	2,000	3,600
<b>Total Project Funding</b>		<b>1,600</b>	<b>2,000</b>	<b>3,600</b>

**EC Funding****Expenditure Detail**

Expenditure Detail	Expenditure Category	Apr, May, Jun	Jul, Aug, Sep	Oct, Nov, Dec	Jan, Feb, Mar	TOTAL		
		Cash	Cash	Cash	Cash	Cash	In-Kind	All Funding
Sample collections and analysis, review and meetings	Management and professional service expenditures			560		560		560
<b>Total Expenditures</b>		<b>0</b>	<b>0</b>	<b>560</b>	<b>0</b>	<b>560</b>	<b>0</b>	<b>560</b>

**2013-2014****Project Cashflow****Project Funding**

Contributor	Contributor Type	TOTAL		
		Cash	In-Kind	All Funding
Great Lakes Sustainability Fund	Environment Canada	22,287		22,287
City of Sault Ste Marie	Municipal Government	38,818	2,000	40,818
<b>Total Project Funding</b>		<b>61,105</b>	<b>2,000</b>	<b>63,105</b>

**Project Costs****Cost Detail**

Cost Detail	Cost Category	TOTAL		
		Cash	In-Kind	All Funding
Sample collections and analysis, review and meetings	Management and professional service expenditures	18,000	2,000	20,000
operations review and reporting	Contractors	42,574		42,574
Contingency for equipment needs	Material and supplies expenditures	531		531
<b>Total Project Funding</b>		<b>61,105</b>	<b>2,000</b>	<b>63,105</b>

**EC Funding****Expenditure Detail**

Expenditure Detail	Expenditure Category	TOTAL		
		Cash	In-Kind	All Funding
Sample collections and analysis, review and meetings	Management and professional service expenditures	6,300		6,300
sample collection and analysis, operations review and reporting	Contractors	15,987		15,987
<b>Total Expenditures</b>		<b>22,287</b>	<b>0</b>	<b>22,287</b>

**2014-2015****Project Cashflow****Project Funding**

Contributor	Contributor Type	TOTAL		
		Cash	In-Kind	All Funding
Great Lakes Sustainability Fund	Environment Canada	24,287		24,287
City of Sault Ste Marie	Municipal Government	40,407	2,000	42,407
<b>Total Project Funding</b>		<b>64,694</b>	<b>2,000</b>	<b>66,694</b>

**Project Costs****Cost Detail**

Cost Detail	Cost Category	TOTAL		
		Cash	In-Kind	All Funding
Sample collections and analysis, review and meetings	Management and professional service expenditures	19,200	2,000	21,200
operations review and reporting	Contractors	44,800		44,800
Contingency for equipment needs	Material and supplies expenditures	694		694
<b>Total Project Funding</b>		<b>64,694</b>	<b>2,000</b>	<b>66,694</b>

**EC Funding****Expenditure Detail**

Expenditure Detail	Expenditure Category	TOTAL		
		Cash	In-Kind	All Funding
Sample collections and analysis, review and meetings	Management and professional service expenditures	6,720		6,720
sample collection and analysis, operations review and reporting	Contractors	17,067		17,067
Contingency for equipment needs	Material and supplies expenditures	500		500
<b>Total Expenditures</b>		<b>24,287</b>	<b>0</b>	<b>24,287</b>

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**Grand Total****Project Cashflow**

<b>Project Funding</b>		<b>TOTAL</b>		
<b>Contributor</b>	<b>Contributor Type</b>	<b>Cash</b>	<b>In-Kind</b>	<b>All Funding</b>
Great Lakes Sustainability Fund	Environment Canada	47,134		47,134
City of Sault Ste Marie	Municipal Government	86,265	6,000	86,265
<b>Total Project Funding</b>		<b>127,399</b>	<b>6,000</b>	<b>133,399</b>

**Project Costs**

<b>Project Costs</b>		<b>TOTAL</b>		
<b>Cost Detail</b>	<b>Cost Category</b>	<b>Cash</b>	<b>In-Kind</b>	<b>All Funding</b>
Sample collections and analysis, review and meetings	Management and professional service expenditures	38,800	6,000	44,800
operations review and reporting	Contractors	87,374		87,374
Contingency for equipment needs	Material and supplies expenditures	1,225		1,225
<b>Total Project Funding</b>		<b>127,399</b>	<b>6,000</b>	<b>133,399</b>

**EC Funding**

<b>Expenditure Detail</b>		<b>TOTAL</b>		
<b>Expenditure Detail</b>	<b>Expenditure Category</b>	<b>Cash</b>	<b>In-Kind</b>	<b>All Funding</b>
Sample collections and analysis, review and meetings	Management and professional service expenditures	13,580		13,580
sample collection and analysis, operations review and reporting	Contractors	33,054		33,054
Contingency for equipment needs	Material and supplies expenditures	500		500
<b>Total Expenditures</b>		<b>47,134</b>	<b>0</b>	<b>47,134</b>

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**APPENDIX C**  
**Recipient Payment Request Form**

[Click here to generate stand-alone  
Payment Request Form](#)

**SECTION 1: Recipient and Project Identification**

BC Finance ID #	Claim #	Final Payment?
Recipient Name:	The Corporation of the City of Sault Ste Marie	
Project Title:	Urban Stormwater Control and Monitoring ARN12-203	
Address:	99 Foster Dr., Box 580, Sault Ste Marie, Ontario, CANADA, P6A 5K6	
Contact Name:	Contact Phone Number:	
Fiscal Year:	Claim Period	to
Payment Method:	Recipient's Reference/Invoice # (if applicable):	

**SECTION 2: Accounting for Eligible Expenditures Paid this Fiscal Year**

Expenditure Type	Current Accounting	Previous Balance	Total for this Fiscal Year
<b>TOTAL Eligible Project Costs</b>	(a)		

**SECTION 3: Advances**

Advance limit for current fiscal year (from section 7 b) in of your agreement)	Amount
Advance(s) already issued	(b)
Advance(s) previously accounted for (excluding amount from Section 2 above)	(c)
Advance(s) to be accounted for in Section 2 above	(d)
Advance that is unaccounted for	(e)
Current available advance limit	(f)
Advance requested (see note below)	(g)
Note: You must clearly demonstrate the need for any advance. Provide an updated cashflow if it has changed since the last time submitted to FC. You should also provide other supporting documents to demonstrate the need for an advance, clearly indicating a gap between the timing of the project costs and the funding received from all project funders.	

**SECTION 4: Payment Amount**

This Payment	Requested
Reimbursement of Eligible Expenditures Requested	
Advance Payment Requested	
Payment to be Issued	

**SECTION 5: Payment Summary**

Total EC Funding	Current Fiscal Year
Total of previous advance payments and reimbursements	(h)
Current payment (from Section 4 above)	(i)
Total Payments	
Balance of EC Funding Available	

**SECTION 6: Recipient Certification**

I hereby certify that the information provided in this form is accurate and that (1) any reimbursement requested or accounting for advance is for an eligible expenditure as defined by the Agreement and/or (2) any advance requested will be used in accordance with the Agreement

Name and Title (Print) \_\_\_\_\_ Signature \_\_\_\_\_

<b>DEPARTMENTAL USE ONLY</b>				
Verified By	Certified Pursuant to s 34 of the FAA			
Name	Date	Name (print)	Signature	Date
Invoice Number		Financial Coding	Line of Coding	Amount
Commitment:				

**APPENDIX D**  
**Reporting Templates**

Further to Section 8, "Reporting" of the Agreement, EC has attached to this agreement, or will provide under separate cover, the following templates which are to be used to meet the reporting requirements of this Agreement.

**Financial Reporting - Section 8 a)**

<b>Reporting Requirement</b>	<b>Template or Documentation Required</b>
Annual Quarterly Cashflow Statement	Annual Quarterly Cashflow Statement
Financial Forecasting	EC will contact the Recipient directly to obtain the required information
Annual Reporting	Annual Reporting template (for both Financial and Activity progress reporting)
Final Reporting	Final Reporting template (for both Financial and Activity results reporting)

In addition, Appendix C - *Request for Payment Form* is to be used for all requests for reimbursement of expenditures, requests for advance payment and/or accounting for an advance previously issued, as stated in Section 7, "Basis and Method of Payment" in the Agreement

**Project Activity Progress Reporting - Section 8 b)**

<b>Reporting Requirement</b>	<b>Template or Documentation Required</b>
Annual Reporting	Annual Reporting template (for both Financial and Activity progress reporting)
Final Reporting	Final Reporting template (for both Financial and Activity results reporting)

- EC may revise these reporting templates and will provide the Recipient with updated templates in a timely basis.
- As stated in "Ongoing Communication" in Section 8b) of the Agreement, EC may request that the Recipient provide information on the financial and/or activity progress of the project, in addition to the reports required by this Agreement.

## Appendix E Workplan

The project will determine what actions should be taken in relation to three distinct areas:

1. ten storm specified sewer outfalls, (see Figure 1 appendix F)
2. the Bellevue Park pond, and
3. the East End Snow Dump

### **1. Stormwater Outfalls**

This project will conduct monitoring at each of nine outfalls by a recent Stormwater Management Study for the City of Sault Ste. Marie (Figure 1, Appendix F), and determine the current baseline water quality data for possible installation of potential oil/grit separators. One outfall with an existing oil/grit separator will also be monitored as a comparator. Follow-up monitoring is also proposed at the outfall(s) affected by the installation(s) in a complementary project that is outside the scope of work for this agreement.

The specific activities to be undertaken in year 2 and 3 of this project include the following:

- Monitoring program for ten (10) outfalls for eight (8) events per year (June and July) over two years for a total of 16 events at each outfall to include the following, relating to nine (9) potential oil/grit separators, and one (1) existing oil/grit separator:
  - \* E. Coli once per week
  - \* Total Suspended Solids (TSS) once per week
  - \* Total Phosphorus (TP) once every two weeks
  - \* Total Oil and Grease (O&GT) once per month
  - \* Biochemical Oxygen Demand (BOD) once per month
  - \* Total Kjeldahl Nitrogen (TKN) once per month
  - \* pH once per month
  - \* Total phenols once per month
  - \* Particle size distribution
- Collect additional samples during the first flush when possible, which is within one half hour of a rainstorm. It is the intent to collect four (4) first flush events per year.
- Conduct a review potential spill response measures for each outfall in year two and three, including:
  - Recommendations for spill response equipment to be used, including any capital upgrades that may be necessary at the outfalls, including cleanup equipment.
  - On an annual basis, the data will be compiled and an Annual Report prepared and submitted summarizing the test results.

## 2. East End Snow Dump

This project will conduct monitoring at East End Snow Dump to assess potential impacts to the St Marys River and provide baseline data for a preliminary feasibility study of alternative measures available to mitigate the identified impacts. The specific activities to be undertaken at this site in years 2 and 3 of the project will quantify the potential impacts and provide baseline data for future remedial works, as follows:

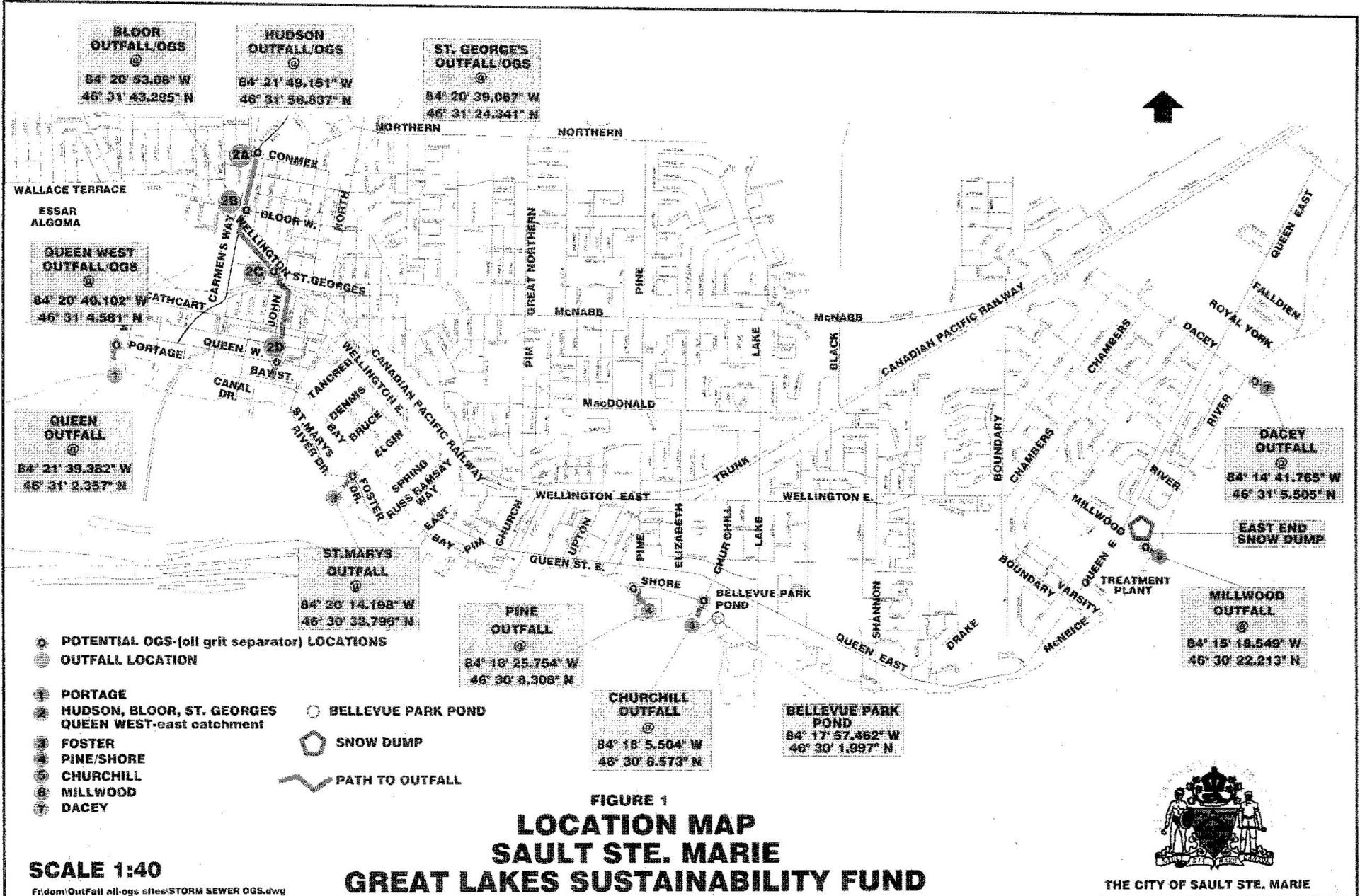
- Review operations on site with the City's Department of Public Works and Traffic including a review of geotechnical report(s) for neighbouring property (year two).
- Install 3 groundwater monitoring wells (year two) on site to document groundwater flow patterns and allow sampling of near-surface groundwater quality. Groundwater will be sampled three times per year (spring, summer and fall) for a duration of two years. This will lead to an assessment of potential groundwater discharges to the river and potential impacts from this source.
- Install flow control sampling stations for assessment of snow melt run-off (year two). Snow-melt run-off will be sampled twice per year at two sampling locations each event for a duration of two years. Samples of snow-melt run-off will be obtained and tested at an accredited laboratory for parameters of concern relating to potential impacts to the St. Marys River. Parameters to be tested will include total suspended solids, metals, sodium, chlorides, and oil/grease. Sample waters will also be subjected to a particle size distribution analysis for possible future use in the design of any solids removal remedial works.
- Sample and analyse sediments remaining on site following snow-melt. This will provide baseline information for potential contaminants in run-off to the St. Marys River. Soils will be sampled once per year following snow-melt at three sample locations per year for a period of two years.
- Compile all the above data to quantify and assess the impacts to the river from this site (year three).
- Provide an assessment of remedial measures to mitigate identified impacts to the river and report (year three).

**Bellevue Park Pond**

The Bellevue Park pond has been identified as a source of contaminants to the St. Marys River, particularly in relation to bacteriological inputs. This project will obtain baseline monitoring data to quantify the potential impairment and provide information to assess potential mitigating actions.

The specific activities to be undertaken as part of this project include the following:

- Review of available information and meetings with regulatory agencies (year two);
- Detailed site survey and Base Plan preparation to analyze the hydraulics of the pond and document the findings. (year two);
- Sampling and analysis of inlet, pond and outlet waters for parameters of concern including total coliforms, e-coli, total solids, nutrients, metals, and oil/grease (year two). Sampling will include four sampling events with four samples per event, all in one year for a total of 16 samples.
- This will provide baseline information for the assessment of any remedial activities (year three) and to measure the performance of any implemented works (future project);
- Assessment of remedial actions to improve water quality and level of water within the pond. An assessment of potential remedial actions to address water quality, water level and aesthetic issues associated with the site will be conducted (year three).



(10) 01



FIGURE 2  
AERIAL PHOTO  
LOCATION OF OUTFALLS  
SCALE 1:40

10(a)



FIGURE  
AERIAL PHOTO  
EAST END SNOW DUMP  
SCALE 1:2000

10(c)



CHU LAI PHOTO  
CHU LAI PARK POND

101a

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE  
BY-LAW 2012-173

**AGREEMENT:** (E2.2) A by-law to authorize a contract between the City and S & T Electrical Cont. Ltd. for the bridge cleaning and installation of a bird barrier system at Wellington Street underpass. (Contract 2012-10E)

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 a contract in the form of Schedule "A" attached hereto, dated September 10, 2012 and made between the City and S & T Electrical Cont. Ltd. for the cleaning and installation of a bird barrier system at Wellington Street underpass.

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 10<sup>th</sup> day of September, 2012.

---

MAYOR – DEBBIE AMAROSO

---

CITY CLERK – MALCOLM WHITE

**NOTICE**

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CITY SOLICITOR

## Schedule "A":

CORPORATION OF THE CITY OF SAULT STE. MARIE  
CONTRACT 2012-10E  
FORM OF AGREEMENT

This Agreement made (in triplicate) this tenth day of September in the year 2012 by and between S & T Electrical Cont. Ltd., hereinafter called the "Contractor".

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

**BRIDGE CLEANING AND INSTALLATION OF BIRD BARRIER SYSTEM  
CONTRACT 2012-10E**

which have been signed in triplicate by both parties and which were prepared under the supervision of Jerry Dolcetti, R.P.P., Commissioner of Engineering and Planning, acting as and herein entitled, the Engineer.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.
3. The Contractor will complete all the work to the entire satisfaction of the Engineer within the period of time specified.
4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.
5. The Corporation shall pay the Contractor for work that is ordered in writing by the Engineer and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.
6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

10(b)

7. All communications in writing between the Corporation, the Contractor and the Engineer shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile as follows:

**THE CORPORATION:** The Corporation of the City of Sault Ste. Marie  
P.O. Box 580  
Civic Centre  
99 Foster Drive  
Sault Ste. Marie, Ontario  
P6A 5N1

**THE CONTRACTOR:** S & T Electrical Cont. Ltd.  
158 Sackville Road  
Sault Ste. Marie, Ontario  
P6B 4T6

**THE ENGINEER:** Mr. John McDonald P. Eng.  
Tulloch Engineering  
71 Black Road, Suite 8  
Sault Ste. Marie, Ontario  
P6B 0A3

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered  
in the presence of

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

---

MAYOR – DEBBIE AMOROSO

(seal)

---

CITY CLERK – MALCOLM WHITE

**THE CONTRACTOR**

S & T Electrical Cont. Ltd.  
COMPANY NAME

(seal)

---

SIGNATURE

Page 2 of 2

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-171

AMENDMENT TO BOUNDARIES OF URBAN SERVICE  
AREA - AMALGAMATION ORDER N. 4804-63 (Part 2)  
(C2.13(4) – A by-law to instruct the City Solicitor to apply to  
the Ontario Municipal Board for an order to alter the  
boundaries of the urban service area.

IN THE MATTER OF Section 370.1(1) of the Municipal Act, S.O. 2001, c. 25.

-and-

IN THE MATTER OF an application by The Corporation of the City of Sault Ste. Marie pursuant to subsection 1 of Section 370.1 of the Municipal Act for a supplementary order to alter the boundaries of the urban service area defined in Schedule "A" to the Ontario Municipal Board Order dated May 17, 1965.

WHEREAS the said supplementary order dated May 17, 1965 defined the boundaries of an "urban service area" to be established for The Corporation of the City of Sault Ste. Marie;

AND WHEREAS the boundaries of the urban service area have previously been changed as follows:

BY-LAW NO.	O.M.B DATE OF APPROVAL	O.M.B. FILE NO.
78-122	September 19, 1978	M 78106
88-193	November 18, 1988	M 8800070
90-34	April 20, 1990	M 900039
92-5	February 24, 1992	M 920022
93-91	August 31, 1993	M 930088
94-20	March 25, 1994	M 940027
94-109	August 22, 1994	M 940067
97-136	November 10, 1997	M 970089
2000-24	July 20, 2000	M 000013
2001-175	December 7, 2001	M 010083
2004-53	March 8, 2004	M 040033
2006-54	April 24 <sup>th</sup> , 2006	M060039
2007-203	June 3, 2008	MM070013
2010-81	September 8, 2010	MM100019

AND WHEREAS the Council of The Corporation of the City of Sault Ste. Marie wishes to change the boundaries of the said urban service area.

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions of subsection 370.1(1) of the Municipal Act, S.O. 2001, c. 25 and amendments thereto, ENACTS as follows:

1. **APPLICATION TO ONTARIO MUNICIPAL BOARD**

The City Solicitor is hereby authorized and instructed on behalf of The Corporation of the City of Sault Ste. Marie to apply to the Ontario Municipal Board for an order supplementary to the order made by the Ontario Municipal Board on May 17, 1965 which application will request the Ontario Municipal Board to amend the said supplementary order as hereinafter indicated.

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the form of the DRAFT copy.  
CITY SOLICITOR

10(c)

2. **PROPOSED AMENDMENT**

It is proposed to amend Schedule "A" attached to the said supplementary order dated May 17, 1965 as amended by incorporating the addition outlined on Schedule "A" to this by-law, which schedule consists of a map showing the expanded urban service line area for municipal water and sewer services.

3. **SCHEDULE "A"**

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

4. **BY-LAWS 2007-203 AND 2010-81 REPEALED**

By-law 2007-203 and 2010-81 are hereby repealed.

5. **EFFECTIVE DATE**

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

PASSED in Open Council this 10<sup>th</sup> day of September, 2012.

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MAYOR – DEBBIE AMAROSO

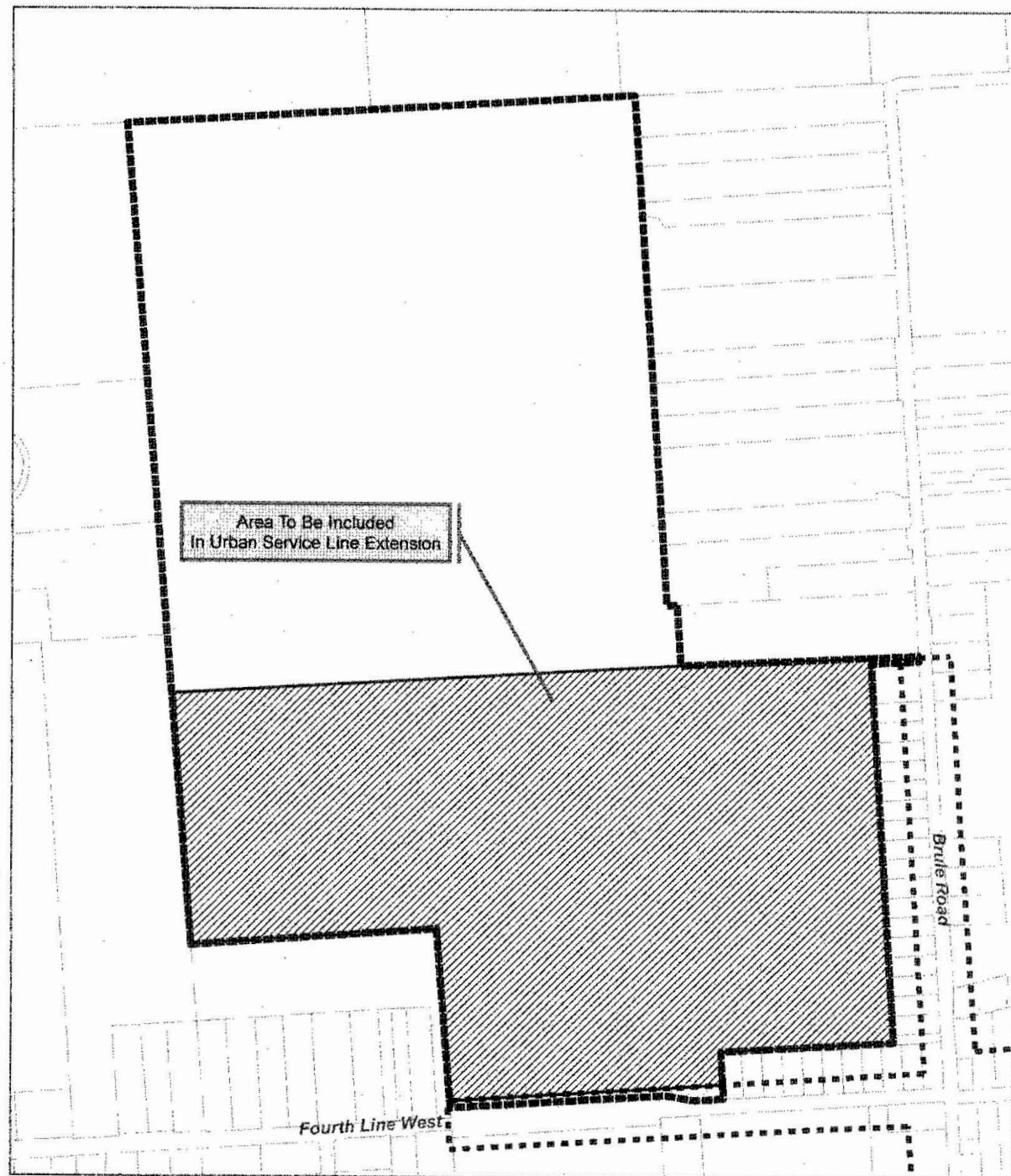
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CITY CLERK – MALCOLM WHITE

10(c)

SCHEDULE "A"

TO BY-LAW 2012-171 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE PASSED IN OPEN COUNCIL THIS 10<sup>th</sup> DAY OF SEPTEMBER, 2012.



**Crimson Ridge Property**  
**Urban Service Line Extension Overview**

CrimsonRidge

USL Extension

■ ■ Urban Service Line (USL)

Parcel Fabric

The Corporation of the City of Sault Ste. Marie Projection Details:  
Engineering & Planning Department

Planning Division  
September 06, 2012  
NAD 1983 UTM Zone 16N  
GCS North American 1983

This map is for general reference only  
For official mapping, see the  
Engineering and Planning Department.  
Orthophoto: 2012 25cm Colour  
0 2550 100 Meters  
18,000

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-168

**APPOINTMENTS:** (B1.3) A by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act.

WHEREAS Section 3 of the Building Code Act requires the Municipality to appoint inspectors under the Building Code Act, 1992;

AND WHEREAS Section 15 of the Police Services Act allows municipal Council to appoint persons to enforce the by-laws of the municipality;

NOW THEREFORE pursuant to the Building Code Act, 1992 and the Police Services Act, Council enacts as follows:

**1. BUILDING CODE INSPECTORS**

The persons listed on Schedule "A" to this by-law are appointed as Building Code Inspectors.

**2. MUNICIPAL LAW ENFORCEMENT OFFICERS**

The persons listed on Schedule "A" to this by-law are appointed as Municipal Law Enforcement Officers.

**3. BY-LAW REPEALED**

By-law 2012-81 is hereby repealed.

**4. EFFECTIVE DATE**

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

PASSED in Open Council this 10<sup>th</sup> day of September, 2012.

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MAYOR – DEBBIE AMAROSO

---

CITY CLERK – MALCOLM WHITE

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CITY SOLICITOR

10(d)

**Schedule "A" to By-law 2012-168**

Freddie Pozzebon

Larry Kennedy

Glen Irwin

Frank Bentrovato

Tyler Bertrand

Francois Couture

Peter Schell

Matthew Wiesel

Gary Schryer

Michael Allard

10(e)

THE CORPORATION OF THE CITY OF SAULT STE.MARIE

BY-LAW 2012-166

OFFICIAL PLAN AMENDMENT: A by-law to adopt Amendment No. 190 to the Official Plan (Maple Leaf Forest Products 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. 190 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 10<sup>th</sup> day of September, 2012.

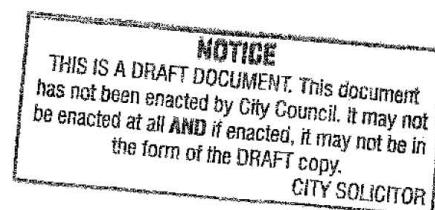
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MAYOR – DEBBIE AMAROSO

---

CITY CLERK – MALCOLM WHITE

cf/Staff/zoning/8.zoning & op/2012-166 & 2012-167 Maple Leaf



**AMENDMENT NO. 190  
TO THE  
SAULT STE. MARIE OFFICIAL PLAN**

**PURPOSE:**

This Amendment is an amendment to the text of the Official Plan as it relates to the Rural Area designation.

**LOCATION:**

Located on the north side of Fourth Line West, approximately 320 m west of its intersection with Brule Road. Civic Number 418 Fourth Line West.

**BASIS:**

This Amendment is necessary in view of the request to develop a 50 unit residential condominium at the Crimson Ridge Golf Course.

The proposal does not conform to the existing Rural Area or Urban Settlement Area policies of the Official Plan as they relate to the subject property.

City Council now considers it desirable to amend the Official Plan, by way of a notwithstanding clause given that the property is already serviced with municipal water and sewer and that the ongoing viability of the golf course will further support economic development in the community.

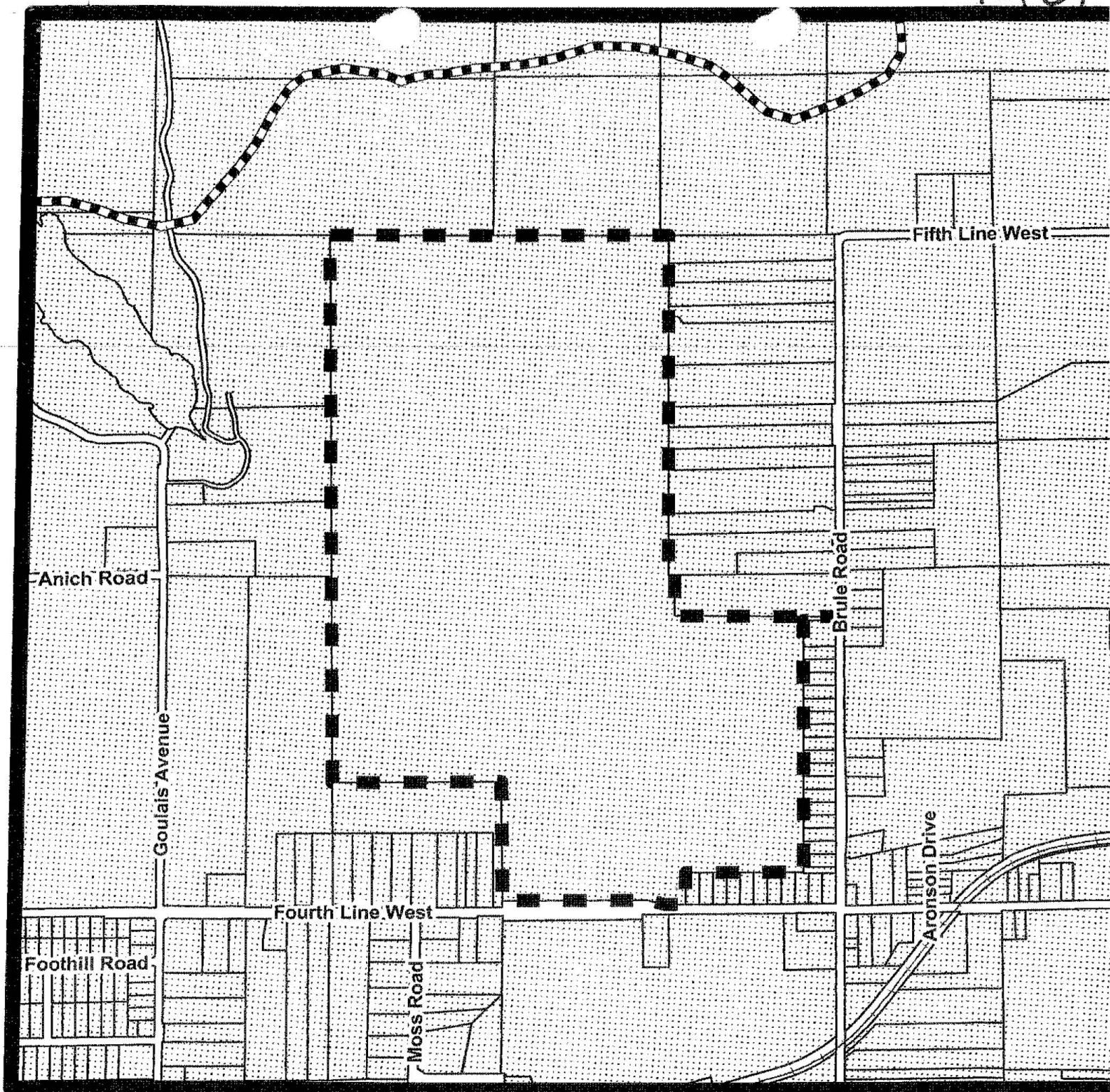
**DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:**

129. Notwithstanding the Rural Area and Urban Settlement Area policies of the Official Plan, the lands described as Parcel A3259 AWS Part of Section 14 of the former Township of Korah, Plan 1M 540 located on the north side of Fourth Line West, approximately 320 m west of its intersection with Brule Road. Civic Number 418 Fourth Line West may be used to develop a maximum of 50 residential condominium units.

**INTERPRETATION**

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

10(e)



## OFFICIAL PLAN LAND USE MAP

Planning Application: A-26-12-Z-OP

Subdivision Reference: 57T-12-501

418 FOURTH LINE WEST

[Crimson Ridge Golf Course Site]



Subject Property = 418 Fourth Line West

— Shield Line

Land Use Designation

Rural Area



Metric Scale

1 : 13000

Maps

136 & 2-3'

OFFICIAL PLAN  
AMENDMENT  
No. 190

Mail Label II  
A-26-12-Z

10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-169

**PARKING:** (P.1.2.4.) A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 15 of the Police Services Act, R.S.O. 1990, chapter P.15 and amendments thereto, **ENACTS AS FOLLOWS:**

1. **SCHEDULE "A" TO BY-LAW 90-305 AMENDED**

Schedule "A" to By-law 90-305 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 10<sup>th</sup> day of September, 2012.

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MAYOR – DEBBIE AMAROSO

---

CITY CLERK – MALCOLM WHITE

cf Bylaws\2012\2012-169 Parking Officers – Private lots

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CITY SOLICITOR

10(f)

<u>ADGE SPECIAL CONSTABLE</u>	<u>EMPLOYER</u>	<u>PROPERTY LOCATION</u>
12 ROUSE,BRIAN	ALGOMA UNIVERSITY	1520 QUEEN ST E
26 MCLEOD,ROD	FLEMING & SMITH	378 QUEEN ST E & APARTMENTS & 27 KING ST
30 RENDELL,VERN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
35 ORR,DEREK	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
59 BARONE,MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN ST E
109 SEBEVIC,JOHN,LUDVIC	DENTAL BUILDING	946 & 216 QUEEN ST E
113 TAYLOR,GARY	ALGOMA UNIVERSITY	1520 QUEEN ST E
115 LEE,RICHARD,JOHN	ALGOMA UNIVERSITY	1520 QUEEN ST E
138 CAIN,JOSEPH	CITY OF SAULT STE MARIE BELLUVE MARINA & BONDAR MARINE & PARK	
151 PARR,DEREK,RAYMOND	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
153 TASSONE,VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163 BUMBACCO,PHILIP,CARMEN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
178 D'AGOSTINI,ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST.
191 BROWN,STEVEN,GEORGE	SEP SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
196 SEABROOK,LAURA LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
240 MASON,STEPHEN	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
241 COGHILL,ROBIE	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
248 CHAN,GILBERT	DR. RAYMOND CHO	71 & 131 EAST ST / 129 SECOND LINE W
249 CHO,LINDA	DR. RAYMOND CHO	71 & 131 EAST ST / 129 SECOND LINE W
253 TRAVSON,TERRENCE(TERRY NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE	
267 CORBIERE,JOHN(TED)	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
276 SMITH DENIS,ROBERT	G4S SECURITY	CROSS-COUNTRY/AIRPORT
314 AASEN,PAULINE	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E
321 LORENZO,COREY	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
334 MILLER,BRADLEY	CITY OF SAULT STE MARIE TRANSIT SERVICE AREAS	
335 GROSSO,DONALD	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
343 CHILLMAN,JODI	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
344 HARPE,KENNEITH	DAYS INN	DAYS INN HOTEL
346 HAZELTON,MARGARET	CITY OF SAULT STE MARIE BELLUVE MARINA & BONDAR MARINE & PARK	
354 STEEVES,ROBERT	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
366 TROINOW,VICTORIA	G4S SECURITY	CROSS-COUNTRY/AIRPORT
369 CARMICHAEL,MARY	ON.FINNISH HOME ASS.	FINNISH REST HOME
370 HANSEN,LOUIS	ON.FINNISH HOME ASS.	FINNISH REST HOME
372 BENOIT,ALAIN	ON FINNISH HOME ASS.	FINNISH REST HOME
374 TAAVEL,ANDRE	CITY OF SAULT STE MARIE TRANSIT SERVICE AREAS	
376 FINN,ROBERT	G4S SECURITY	CROSS-COUNTRY/AIRPORT
377 BADGERO,PAUL	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
384 BOREAN,RICK	CITY OF SAULT STE MARIE BELLUVE MARINA & BONDAR MARINE & PARK	
389 SANDIE,KEVIN	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
391 MCLEOD,HEATHER	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
397 LAFRAMBOISE,YVON	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
400 JOHNSON,MICHAEL	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
404 HUDSON,BRIAN	CORPS OF COMM	22 BAY ST (FEDERAL BUILDING)
405 MATCHETT,CASEY	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
406 LEBLANC,SERGE	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
410 POYNER,HAROLD	G4S SECURITY	CROSS-COUNTRY/AIRPORT
411 MOORE,ROBERT	G4S SECURITY	CROSS-COUNTRY/AIRPORT
413 HILL,MICHAEL	CORPS OF COMM	SAULT HOSPITAL
420 FABIANO,ANTONIO	G4S SECURITY	CROSS-COUNTRY/AIRPORT
423 VANDERLIFT,DYLAN	CORPS OF COMM	SAULT HOSPITAL
430 RUSCIO,DOMINIC	MAJOR CONTR.	TRAVELODGE
431 DICKSON,SHANE	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
435 TRUMBLE,GEORGE	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
439 LAMBERT,JOSEPH	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E
440 HAMMERSTEDT,ERIC	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
441 WILSON,DAVID	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
442 MACLENNAN,MATTHEW	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
443 MARCIL,MARK	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
444 MARSHALL, JONATHAN	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
446 HALLIDAY,DANA	SAULT COLLEGE	SAULT COLLEGE
447 FRIGAULT, JESSE	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
450 CHAPMAN,DANIEL	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
452 ROGERS,RICHARD	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
453 DERASP,RICHARD	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
455 BOYCHUK,BLAINE	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
456 CONEYBEARE,KEVIN	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
458 ROBINSON,GEORGE	CORPS OF COMM	SAULT AREA HOSPITAL
459 SLEEMAN,RAY	CORPS OF COMM	SAULT AREA HOSPITAL
460 BOUGIE,DAN	CORPS OF COMM	SAULT AREA HOSPITAL
462 GAULT,JAMES	CORPS OF COMM	SAULT AREA HOSPITAL
463 MORIN,ALEX	CORPS OF COMM	SAULT AREA HOSPITAL
464 DITOMMASO,RYAN	2220917 ONT. INC.	489 BAY ST.
465 DELAVALLE,DON	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
467 BERNIER,JUNE	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
468 AGNEW,BRENDAN	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
469 SANTELLI,DOMINIC	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
470 WOOLLEY,NATHANIEL	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
471 STOYCHEFF,CHRISOPHER	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
472 BRUNETTA,ANGELO	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
474 MANCUSO ANTHONY	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
475 TORRANCE,RENEE	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
477 BROWLEY,DAVID	CORPS OF COMM	SAULT AREA HOSPITAL
479 GROULX,VINCE	CORPS OF COMM	SAULT AREA HOSPITAL

481	FORD,BRIAN	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
482	LEWCELLE,BRACE	CORPS OF COMM	SAULT AREA HOSPITAL
484	MCLEOD,VIRGINIA	CITY OF SAULT STE MARIE BELLEVUE MARINA & BONDAR MARINE & PARK	
485	ARMSTRONG,KENNETH	CITY OF SAULT STE MARIE BELLEVUE MARINA & BONDAR MARINE & PARK	
486	LONGO,NADIA	GT,NORTHERN RET.HOME 760 GREAT NORTHERN RD.	
487	ROUGEAU,MARISA	GT,NORTHERN RET.HOME 760 GREAT NORTHERN RD.	
488	LEPLEUR,MARILYN	GT,NORTHERN RET.HOME 760 GREAT NORTHERN RD.	
489	MCQUEEN,WANDA	GT,NORTHERN RET.HOME 760 GREAT NORTHERN RD.	
490	LUXTON,JEFF	GT NORTHERN RET.HOME 760 GREAT NORTHERN RD.	
492	PARKER,MICHAEL	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
493	BROWN,FRASER	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
494	SHEWFELT,CODY	G45 SECURITY	CROSS-COUNTRY/AIRPORT
497	ALLEN,ROBERT	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
498	MARQUES,STEVEN	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
499	SCALI,NICOLA	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
500	EASBY,JOSHUA	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
501	QUARRELL,ROBERT	ELSTRONG MANAGEMENT	621.627.631 MACDONALD AVE
502	HAMEL,CHRIS	ELSTRONG MANAGEMENT	621.627.631 MACDONALD AVE
503	HAMEL,MELANIE	ELSTRONG MANAGEMENT	621.627.631 MACDONALD AVE
505	JONES,CHELSEY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
507	SMYTHE,RICHARD	BANK OF MONTREAL	550 QUEEN ST E
509	MATTALO,JOE	CORPS OF COMM	SAULT AREA HOSPITAL
511	ADAIR,BRENDAN	CORPS OF COMM	SAULT AREA HOSPITAL
512	DIMMA,JUSTIN	CORPS OF COMM	SAULT AREA HOSPITAL
513	MEINCKE,KEN	CORPS OF COMM	SAULT AREA HOSPITAL
514	BONIFERO,BRIAN	CORPS OF COMM	SAULT AREA HOSPITAL
515	MANGONE,MATT	CORPS OF COMM	SAULT AREA HOSPITAL
516	GAY,JAMES	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
517	ROY,BRENDA	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
518	TREPASSO,GRANT	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
519	FRAGOMENI,JOSEPH	CORPS OF COMM	SAULT AREA HOSPITAL
520	THOMPSON,JOHN	CORPS OF COMM	SAULT AREA HOSPITAL
522	MCNAMA,STEVEN	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
523	MCBRIDE,GUY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
524	DUNLOP,DAVID	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
525	IACHETTA,CHRIS	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
526	JOHNSTON,CORY	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
527	KOZAK,EMILIE	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
529	ROMAIN,GERALDINE	NORTH EAST SECURITY	A UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS/S.COLLEGE
530	WADE,SAMUEL	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
531	AHIAEGBE,ENDOHUMEN	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
532	BROUILLARD,BERNARD	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
533	STILLERT,CHRISTIAN	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
534	LADOUCEUR,RACHAEL	CORPS OF COMM	SAULT AREA HOSPITAL
535	HUTZAN,CHRISTIAN	CORPS OF COMM	SAULT AREA HOSPITAL
536	SAUERZOPF,JUSTIN	CORPS OF COMM	SAULT AREA HOSPITAL
537	GRAWBARGER,KYLE	CORPS OF COMM	SAULT AREA HOSPITAL
538	MCCAIG,BRANDON	CORPS OF COMM	SAULT AREA HOSPITAL
539	CUTLER,BRANDON	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
540	ZEPPA,ROBERT	NORPRO SECURITY	REGENT PRO/DAVEY HOME/GHC/QUEENS CENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
541	DIMMA,WMILLIAM	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
542	RALPH,NANCY	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
543	HAYNES,MICHAEL	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
544	NELSON,MATTHEW	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
545	GRECO,BRYAN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
546	ZORIT,TRAVIS	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
547	LIEPA,MATTHEW	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
548	CARON,ROGER	CITY OF SAULT STE MARIE 99 FOSTER DR,(CIVIC CENTRE)	

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-170

**TRAFFIC:** (T.2.1) A by-law to amend Schedule "A", Schedule "F", Schedule "G", Schedule "H", and Schedule "O" to Traffic 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 Traffic By-law 77-200 is amended by deleting Items 130, 472 and 473.

Schedule "A" of Traffic By-law 77-200 is amended by changing Item 462 as follows:

NO.	STREET	SIDE	FROM	TO	PROHIBITED TIMES OR DAYS
462	Pine St.	east	"MacDonald Avenue"	9 m south of Cunningham Road	"any time".

2. **SCHEDULE "F" OF BY-LAW 77-200 AMENDED**

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

579A.	McNabb Street & South Market	westerly	McNabb Street
453A.	John Street & Bloor Street	east/westerly	Bloor Street
445A.	Industrial Park Crescent & Third Line	northerly	Industrial Park Crescent
721A.	Queensgate Boulevard & Ruscio Court	westerly	Ruscio Court
63A.	Beaumont Ave. & Konkin Avenue	easterly	Beaumont Avenue
386A.	Greenfield Drive & Konkin Avenue	easterly	Greenfield Avenue
868A.	Third Line West & Balsam Lane	southerly	Balsam Lane
653A.	Palomino Drive & Pinto Crescent	northerly	Pinto Crescent
653B.	Palomino Drive & Appaloosa Avenue	southerly	Appaloosa Avenue
653C.	Palomino Drive & Arabian Court	westerly	Arabian Court
747A.	Rossmore Road & Cooper Street	westerly	Cooper Street
747B.	Rossmore Road & Morgan Court	northerly	Morgan Court
185A.	Chatfield Drive & Balsam Lane	northerly	Balsam Lane
185B.	Chatfield Drive & Konkin Avenue	southerly	Konkin Avenue
638A.	Old Garden River Road & Windsor Trail	easterly	Windsor Trail
337A.	Fourth Line & Backcountry Court	southerly	Backcountry Court".

NOTICE

Court

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CITY SOLICITOR

Schedule "F" of Traffic By-law 77-200 is amended by deleting Items 135 and 557.

**3. SCHEDULE "G" OF BY-LAW 77-200 AMENDED**

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

"66A. Trunk Road and South Market

28A. Great Northern Road and McNabb Street

44A. Pine Street and Northern Avenue".

Schedule "G" of Traffic By-law 77-200 is amended by deleting Item 16.

**4. SCHEDULE "H" OF BY-LAW 77-200 AMENDED**

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

"38A. Byrne Avenue & Morin Street	north/southerly	Byrne Avenue
305A Windsor Trail & Foxborough Trail	southerly	Foxborough Trail
117A Foxborough Trail & Bridlepath Court	westerly	Bridlepath Court
117B Foxborough Trail & Martingale Court	westerly	Martingale Court".

Schedule "H" of Traffic By-law 77-200 is amended by deleting Item 151.

**5. SCHEDULE "O" OF BY-LAW 77-200 AMENDED**

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

"2. Bay Street at Andrew Street	east
3. Bay Street at Spring Street	east
4. Black Road at McNabb Street	north & east
5. Great Northern Road at Cambrian Mall	south
6. Great Northern Road at Fourth Line	south & west
7. Great Northern Road at Home Depot	south
8. Great Northern Road at Hospital	west
9. Lyons Avenue at Korah Road	east
10. Lyons Avenue at Wellington Street West	east & west
11. Northern Avenue at Sackville Road	south & west
12. Pim Street at Bruce Street	north
13. Second Line at Carmen's Way	west
14. Second Line at Old Garden River Road	south & east
15. McNabb Street at St. George's Avenue	west
16. Trunk Road at Black Road	north & west
17. Trunk Road at Boundary Road	north & west
18. Trunk Road at Lake Street	north
19. Trunk Road at Wellington Street East	west
20. Wellington Street West at Conmee Avenue	south & east
21. Wellington Street West at Gore Street	west
22. Wellington Street West at Huron Street	west
23. Willow Avenue at Northern Avenue	west".

10(g)

**6. EFFECTIVE DATE**

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

PASSED in Open Council this 10<sup>th</sup> day of September, 2012.

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**MAYOR – DEBBIE AMAROSO**

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**CITY CLERK – MALCOLM WHITE**

da \LEGAL\STAFF\TRAFFIC\BY-LAWS\2012\2012-170.DOC

10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-164

**ZONING:** A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 181 John Street.

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

**1. 181 JOHN STREET; LOCATED ON THE NORTHWEST CORNER OF JOHN STREET AND ALEXANDRA STREET; CHANGE FROM R.3 TO R.3.S WITH A "SPECIAL EXCEPTION".**

The zone designation on the lands described in Section 2 of this by-law, which lands are shown on Map 1-27 of Schedule "A" to By-law 2005-150, is changed from R.3 (Low Density Residential) zone to R.3.S (Low Density Residential) zone 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(317) and heading as follows:

**"2(317) 181 John Street**

Despite the provisions of By-law 2005-150 the lands located on the northwest corner of John Street and Alexandra Street having civic no. 181 John Street and outlined and marked "Subject Property" on the map attached as Schedule 317 hereto is changed from R.3 (Low Density Residential) zone to R.3.S (Low Density Residential) zone with a "Special Exception" to permit, in addition to those uses permitted in an R.3 zone, the following:

- 1) Four (4) dwelling units; and
- 2) That the required number of parking spaces be reduced from five (5) to the number of parking spaces that currently exist on site, but at no time shall the number of parking spaces be less than two (2)."

**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.

PASSED in Open Council this 10<sup>th</sup> day of September, 2012.

MAYOR – DEBBIE AMAROSO

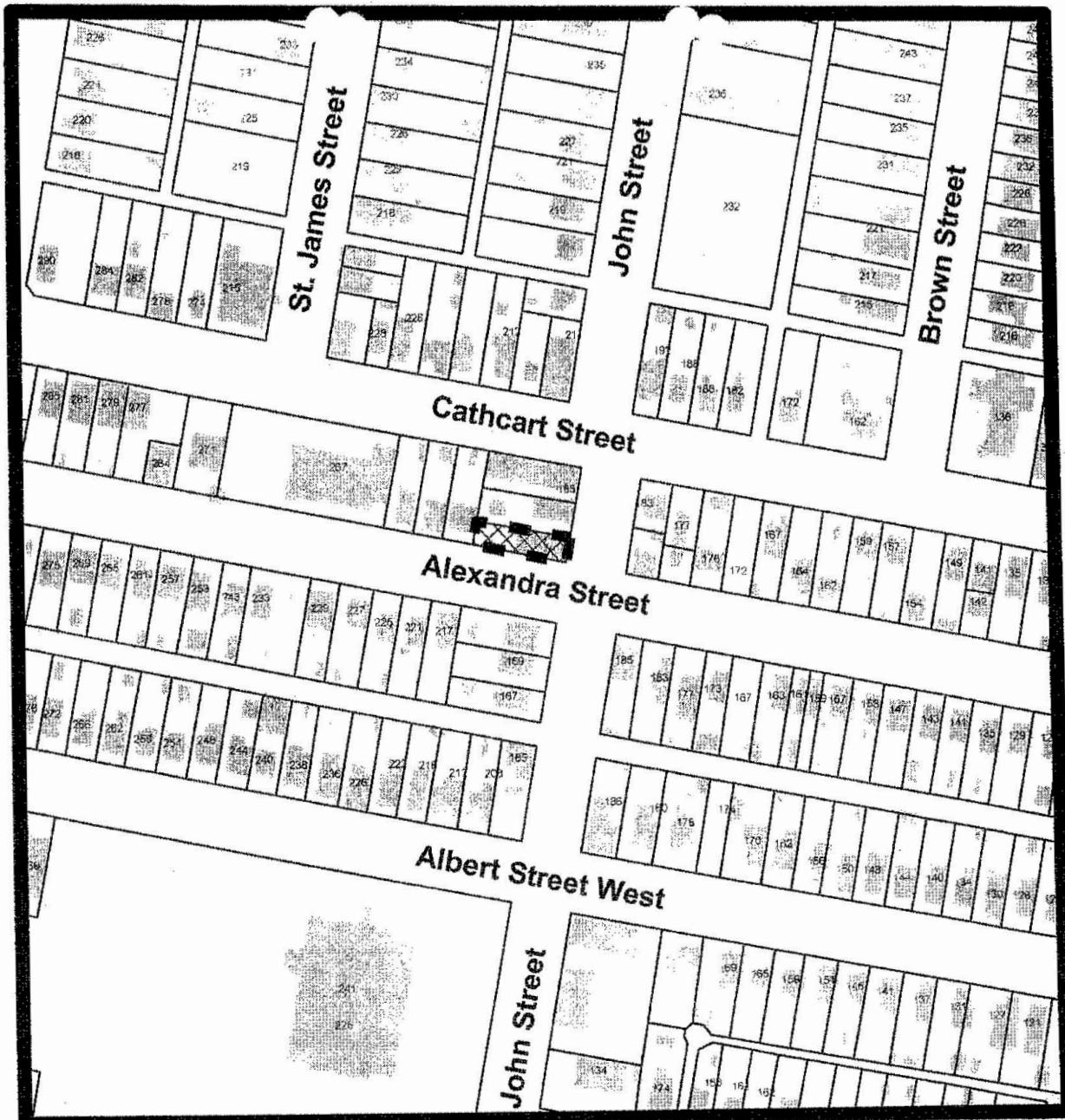
CITY CLERK – MALCOLM WHITE  
NOTICE

Cf/staff/zoning/5. Zoning with special exception/2012-164 Stapleford

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CITY SOLICITOR

10(h)

SCHEDULE "A" TO BY-LAW 2012-164 AND SCHEDULE 317 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE BE PASSED IN OPEN COUNCIL THIS 10<sup>th</sup> DAY OF SEPTEMBER, 2012.



## **SUBJECT PROPERTY MAP**

**181 JOHN STREET**  
**Planning Application A-23-12-Z**

### **Legend**

- Subject Property = 181 John St
- Subject Property = 181 John St

Metric Scale  
1 : 1700

Maps  
16 & 1-27

Mail Label ID  
A-23-12-Z

10(i)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-165

**ZONING:** A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 400 Shannon Road.

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

1. **400 SHANNON ROAD; LOCATED ON THE NORTHEAST CORNER OF SHANNON ROAD AND BENNETT BOULEVARD; CHANGE FROM R.2 TO R.2.S WITH A "SPECIAL EXCEPTION".**

The zone designation on the lands described in Section 2 of this by-law, which lands are shown on Map 1-22 of Schedule "A" to By-law 2005-150, is changed from R.2 (Single Detached Residential) zone to R.2.S (Single Detached Residential) zone 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(318) and heading as follows:

**"2(318) 400 Shannon Road**

Despite the provisions of By-law 2005-150 the lands located on the northeast corner of Shannon Road and Bennett Boulevard having civic number 400 Shannon Road and outlined and marked "Subject Property" on the map attached as Schedule 318 hereto is changed from R.2 (Single Detached Residential) zone to R.2.S (Single Detached Residential) zone with a "Special Exception" to permit, in addition to those uses permitted in an R.2 zone, a second dwelling unit."

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.

PASSED in Open Council this 10<sup>th</sup> day of September, 2012.

**NOTICE**

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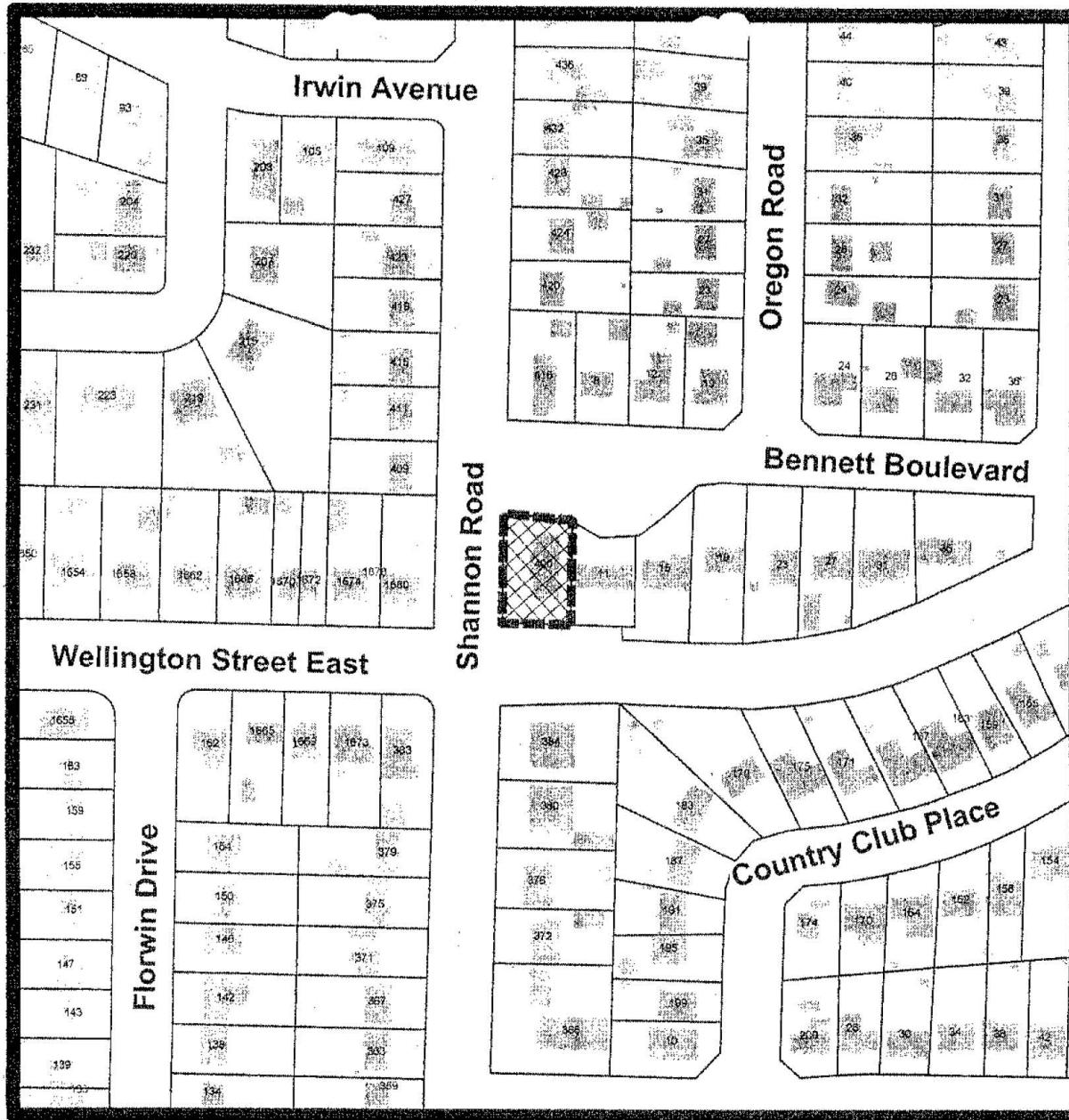
CITY SOLICITOR

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

10(i)

SCHEDULE "A" TO BY-LAW 2012-165 AND SCHEDULE 318 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE BE PASSED IN OPEN COUNCIL THIS 10<sup>TH</sup> DAY OF SEPTEMBER, 2012.



**SUBJECT PROPERTY MAP**  
Planning Application A-25-12-Z  
400 SHANNON ROAD

 Subject Property = 400 Shannon Road  
 Subject Property = 400 Shannon Road



Metric Scale  
1 : 1800

Maps  
12 & 1-22

Mail Label ID  
A-25-12-Z

10(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-167

**ZONING:** A by-law to amend Sault Ste. Marie Zoning By-Laws 2005-150 and 2005-151 concerning land located at 418 Fourth Line West.

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

**1. 418 FOURTH LINE WEST; LOCATED ON THE NORTH SIDE OF FOURTH LINE WEST, APPROXIMATELY 320 METRES (1050') WEST OF ITS INTERSECTION WITH BRULE ROAD; CHANGE FROM PR TO R.3.S WITH A "SPECIAL EXCEPTION"**

The zone designation on the lands described in section 2 of this by-law which lands are shown on Map 136 of Schedule "A" to By-Law 2005-150, also shown outlined and marked "Subject Property" on the map attached is changed from PR (Parks and Recreation) zone to R.3.S (Low Density Residential) zone 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(319) and heading as follows:

**"2(319) 418 Fourth Line West**

Despite the provisions of By-law 2005-150, the zone designation on the lands located on the north side of Fourth Line West, approximately 320 metres (1050') west of its intersection with Brule Road and having civic no. 418 Fourth Line West and outlined and marked "Subject Property" on the map attached as Schedule 319 hereto is changed from PR (Parks and Recreation) zone to R.3.S (Low Density Residential) zone with a "Special Exception" to permit those uses permitted in an R.3 zone subject to the following special provisions:

- 1) That a maximum of fifty (50) municipally serviced residential condominiums be permitted on the Subject Property.
- 2) That an archaeological assessment of the subject property to the satisfaction of the Ministry of Tourism, Culture and Sport be completed.
- 3) That a Servicing Agreement with the City for the provision of any required works on Municipal lands be executed.

**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. 190.

**NOTICE**  
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CITY SOLICITOR

10(j)

PASSED in Open Council this 10<sup>th</sup> day of September, 2012.

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MAYOR - DEBBIE AMAROSO

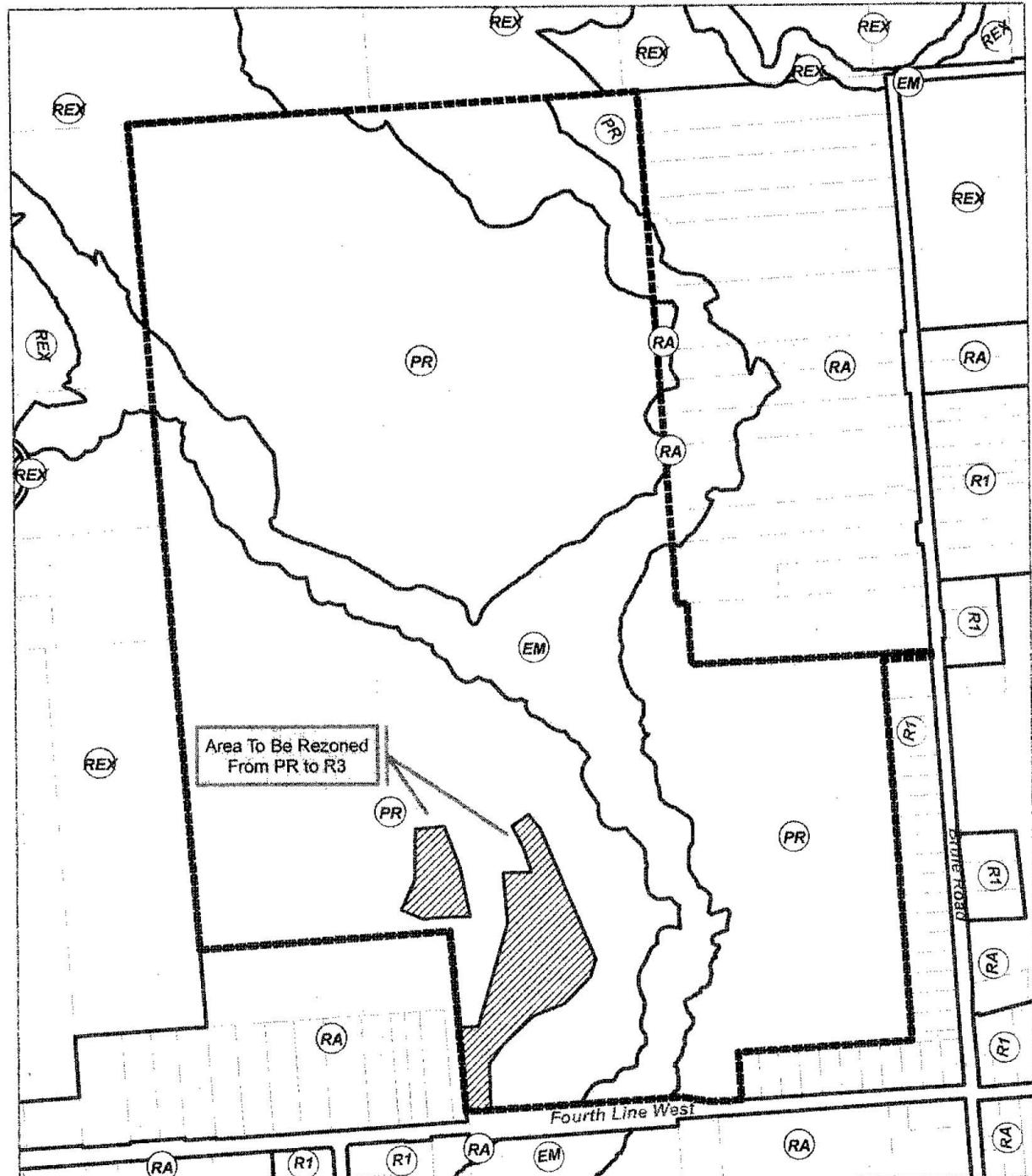
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CITY CLERK - MALCOLM WHITE

cf/staff/zoning/8. Zoning & op/2012-166 & 2012-167 Maple Leaf

10(j)

SCHEDULE "A" TO BY-LAW 2012-167 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, PASSED IN OPEN COUNCIL THIS 10<sup>TH</sup> DAY OF SEPTEMBER, 2012.



**Crimson Ridge Property  
Rezone Overview**



Celebrate 100!  
1912 - 2012\*

CrimsonRidge



Bylaw 2005-150 (Zoning)

Area To Be Rezoned

Parcel Fabric

The Corporation of the City of Sault Ste. Marie Projection Details

Engineering & Planning Department  
Planning Division  
September 06, 2012

NAD 1983 UTM Zone 16N  
GCS North American 1983

This map is for general reference only.  
For official mapping, see the  
Engineering and Planning Department.  
Orthophoto: 2012 25cm Colour

0 2550 100 Meters  
||||| 1:8,000



(D(K))

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2012-80

**LANE CLOSING:** LS(1) a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision Plan 7882.

**WHEREAS** the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2012-79;

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

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

3. **EXECUTION OF DOCUMENTS**

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

4. **EASEMENTS TO BE RETAINED**

The laneway is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

5. **SCHEDULE "A"**

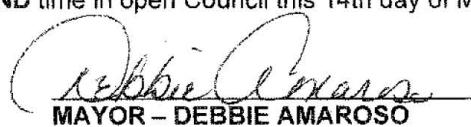
Schedule "A" forms a part of this by-law.

6. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time in open Council this 14th day of May, 2012.

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the form of the DRAFT copy.  
CITY SOLICITOR

  
MAYOR – DEBBIE AMAROSO

  
CITY CLERK - MALCOLM WHITE

10(K)

READ a THIRD time and finally PASSED in open Council this 10<sup>th</sup> day of September, 2012 after notice thereof had been published once a week for two consecutive weeks and after the Council had met to hear every person who had applied to be heard.

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MAYOR – DEBBIE AMAROSO

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CITY CLERK - MALCOLM WHITE

SCHEDULE "A" TO BY-LAW 2012-79 AND BY-LAW 2012-80

$\log(k)$

PART OF PIN 31607-0135 (LT)

PART LANE PLAN 7882 BOUNDED BY LOTS 56 TO 58, LOT 91, PLAN 7882 AND  
PART OF LOTS 59 TO 63 BEING PART OF PART 1, PLAN 1R4667; SAULT STE.  
MARIE

MARIE

Part of  
Map 53

EAST Balfour Street

H. M. Robbins  
School

# **ADDENDUM**

## **REGULAR MEETING OF CITY COUNCIL**

**2012 09 10**

**4:30 P.M.**

## **COUNCIL CHAMBERS**

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

Mover: Councillor

Seconder: Councillor

Resolved that the Addendum #1 for the 2012 09 10 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 AMO, OGRA is attached for the information of Council.
- b) Correspondence from the Deputy Minister of Northern Development and Mines to the Chief Administrative Officer concerning the Northern Policy Institute is attached for the consideration of Council.

Mover: Councillor B. Watkins

Seconder: Councillor R. Niro

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

And further that the Deputy Minister be thanked for agreeing to meet with the CAO's of the five large northern cities to discuss the much expressed concerns regarding the process and the plans for implementation of the Growth Plan Initiatives, including Sault Ste. Marie's position that the draft model for the Northeast Regional Economic Development Planning Initiative is inconsistent

with the spirit and intent of the Growth Plan and simply will not work in achieving its objectives.

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

c) Additional correspondence is attached for the consideration of Council.

**q) Council Travel**

Mover: Councillor B. Watkins

Seconder: Councillor L. Turco

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

Mover: Councillor P. Mick

Seconder: Councillor R. Niro

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

## **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**

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

Additional correspondence is attached for the consideration of Council.

Mover: Councillor P. Mick

Seconder: Councillor L. Turco

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

**(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) Mover: Councillor

Seconder: Councillor

Whereas residents on Euclid Road have reported concerns regarding the speed of motorists traveling on this residential street; and

Whereas Euclid Road is being reconstructed at this time; and

Whereas following the McGregor Avenue pilot project for speed humps a Traffic Calming Management process was put in place for staff to review requests for traffic calming; and

Whereas at that time it was noted by the Ward Two Councillors that other requests are best considered during reconstruction in order to minimize any cost implications;

Therefore Be It Resolved that Euclid Road be reviewed for consideration for a traffic calming through the process established by Public Works and staff report back to City Council in the near future.

**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**



**Malcolm White**

**From:** communicate@amo.on.ca  
**Sent:** August 19, 2012 12:30 PM  
**To:** Malcolm White  
**Subject:** Breaking News: AMO Submits Infrastructure Funding Priorities to Federal Government

**TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL**

August 19, 2012

The Board of the Association of Municipalities of Ontario has approved a submission to Infrastructure Canada that lays out the needs of Ontario's municipalities in a new federal Long-Term Infrastructure Plan.

The AMO submission calls for a long-term investment program that would allow municipalities to plan capital works and ensure that local priorities are funded. These include:

- A long term, ideally at least ten-year, program;
- Funding allocations by province based on population and economic importance;
- Dedicated portion of the funds to be directly for municipal infrastructure reflecting the fact that municipal governments are owners of the greatest portion of public infrastructure; and
- Eligibility of all local priorities determined by municipal councils through long term municipal asset management planning.

In approving the submission, AMO's Board noted the critical importance of municipal infrastructure as the foundation for economic and social development, environmental protection and quality of life and passed a resolution that articulates municipal priorities. This resolution is appended below and local councils are encouraged to support it or use it as a basis for their own resolutions to the federal and provincial governments.

The submission will be provided to the federal government and posted to the AMO website in the near future.

**Resolution – Federal Long-Term Infrastructure Plan**

**Whereas** municipalities in Ontario are responsible for the majority of infrastructure in the province and that infrastructure is an investment in the economic, social and cultural development and the environmental protection of our communities; and

**Whereas** the Government of Canada is developing a new Long Term Infrastructure Plan for federal support for infrastructure in Canada; and

**Whereas**, despite increased investment in municipal infrastructure by municipal, provincial and federal orders of government in recent years, Ontario's municipalities still have a significant infrastructure deficit.

**Now, therefore, the Board of the Association of Municipalities of Ontario resolves that:**

**Any new federal infrastructure support program must be long-term in its scope and horizon, ideally at least ten years, to help infrastructure investment partners tackle our significant infrastructure needs; and**

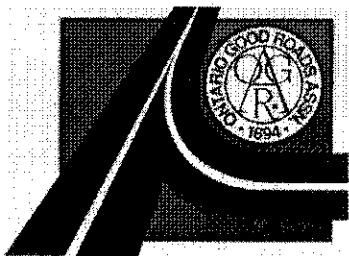
**That Ontario, as Canada's most populous province, should be allocated infrastructure support under any new federal infrastructure support commensurate with its population and economic importance; and**

**That any new federal infrastructure support program must recognize the number and variety of infrastructure systems owned, managed and operated by municipalities in Ontario and the critical supports these provide to local communities and economies by providing for an exclusive municipal allocation in any new federal infrastructure support program; and**

**That the priorities of local governments in Ontario, as defined by their long-term municipal asset management plans, must be recognized and eligible for direct federal support under any new federal infrastructure support program; and**

**That those municipalities that have or will have comprehensive asset management plans in place at the time the Federal program is in effect should be considered immediately eligible for any new infrastructure program funding from the federal government.**

**AMO Contact:** Craig Reid, Senior Policy Advisor, email: [creid@amo.on.ca](mailto:creid@amo.on.ca), (416) 971-9856 ext. 334



*Working for Municipalities*

# Heads UP

## Alert

keeping members informed.

August 17, 2012

### Minister of Infrastructure Rolls out Asset Management Funding Program

OGRA President Alan Korell was in attendance in Trenton yesterday when Minister of Infrastructure Bob Chiarelli announced the Province's new Municipal Infrastructure Strategy. The strategy will require municipalities that request provincial infrastructure funding to show how projects fit within a comprehensive asset management plan.

Asset management plans help municipalities make smart planning decisions about building, operating, maintaining, renewing and replacing infrastructure over the long-term.

Through the strategy, Ontario is providing \$60 million over the next three years to municipalities. Up to \$9 million will be used to help municipalities prepare their plans, while the remaining funds will be used to address critical projects identified in those finalized plans.

In his address Minister Chiarelli stated, that "the government has made unprecedented investments in infrastructure across the province. We will continue to partner with all municipalities to invest in local infrastructure to support economic growth and enhance quality of life."

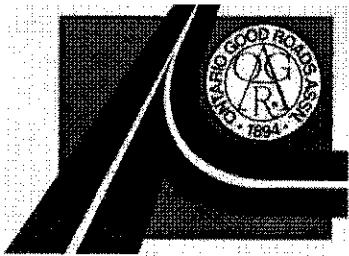
OGRA President Alan Korell stated that "The federal, provincial and municipal governments need to work together to fund the infrastructure that makes Ontario communities prosperous. The Province's decision to provide funding to small municipalities to prepare asset management plans confirms a commitment to approaching infrastructure needs in partnership, and to investing wisely."

"This is exactly the direction that we had hoped the Province would take" said OGRA Executive Director Joe Tiernay. "Municipalities need to do asset management but they also need financial assistance to get the job done." He also restated OGRA's commitment to the Municipal DataWorks (MDW) program confirming that access to OGRA municipal members would continue at no cost.

Municipalities interested in accessing the funding must submit an "Expression of Interest" by no later than October 22, 2012.

Click the following link to be redirected to the on-line form.

[Funding for Asset Management - Expression of Interest Form](#)



*Working for Municipalities*

# Heads UP Alert

keeping members informed.

August 17, 2012

## Minister of Transportation Agrees to "Open up" MMS Regulations

OGRA is very pleased to advise that the Minister of Transportation, Bob Chiarelli has agreed to open up the Minimum Maintenance Standards (MMS) regulations to address the problems created by the recent Ontario Court of Appeals decision in *Guiliani v Region of Halton*. Further he has made the commitment to address the problems "before the snow flies" this winter.

Late last year the Ontario Court of Appeal overturned a lower court ruling in the matter of *Guiliani v The Region of Halton* which has serious implications for all municipalities in Ontario. The ruling undermines the ability of municipalities who are in compliance with their existing Minimum Maintenance Standards to defend court actions brought against them. Members of the OGRA Board and Staff met with both Minister Chiarelli and Premier McGuinty at the 2012 ROMA/OGRA Combined Conference to apprise them of the matter and to advise that while OGRA was supporting an appeal to the Supreme Court of Canada, that if all legal avenues were exhausted, we would be back requesting that the regulations and/or the legislation be amended.

OGRA supported the appeal by OMEX to the Supreme Court of Canada. Unfortunately the Supreme Court refused to hear the appeal and OGRA immediately contacted the Minister's office to set up a meeting.

OGRA President Alan Korell stated "We are extremely pleased that the Minister has seen the important role that the MMS plays in protecting municipalities from frivolous law suits and that he has agreed to act so quickly."

The Committee that OGRA had established to develop new best practices to deal with the court ruling will be re-tasked to draft the revised regulations to be submitted to the Minister this fall."

Executive Director Joe Tiernay stated "OGRA will continue to take a leadership role in ensuring that the MMS provide the level of protection that municipalities need and we will also continue to press for legislative changes to the bigger issue of Joint and Several Liability."

For more information contact OGRA at [info@ogra.org](mailto:info@ogra.org)

5(b)

**From:** Mackintosh, Fiona (MNDM) [mailto:[Fiona.Mackintosh@ontario.ca](mailto:Fiona.Mackintosh@ontario.ca)] **On Behalf Of** Ross, George (MNDM)  
**Sent:** August 30, 2012 6:35 PM  
**To:** j.fratesi (Internet)  
**Cc:** Bartolucci, Rick (MNDM); McDonald, Cal (MNDM); [d.orazietti.mpp.co@liberal.ola.org](mailto:d.orazietti.mpp.co@liberal.ola.org); Mayor Amaroso; City Councillors; Tom Dodds; [tvair@ssmic.com](mailto:tvair@ssmic.com); [rreid@nsci.ca](mailto:rreid@nsci.ca); [president@algomau.ca](mailto:president@algomau.ca); Doug Nadorozny; Jerry Knox; j.fratesi (Internet); Joe Torlone; Tim Commisso  
**Subject:** RE: Northern Policy Institute Announcement

Dear Mr. Fratesi

Thank you for your email of August 30, and the attached copy of the resolution from the City of Sault Ste Marie regarding your position on the north-eastern model for the pilot regional economic development area.

As you are aware, the announcement for the launch of the Northern Policy Institute is scheduled for August 31 and we are confident that the Special Advisors to the Minister have provided their expert advice, taking into account the contributions from the 1400 stakeholders that surveys were sent to, including input from the northern CAOs, of which yours was a part.

The Multimodal Transportation strategy, led by our partner Ministry, the Ministry of Transportation, is progressing into stage three where significant consultation with public sector, private sector and Aboriginal groups is being planned. Any contributions from the City of Sault Ste Marie would be welcomed.

With respect to the regional economic development planning initiative, as you know, this is a pilot initiative where we hope to learn what constitutes the best way to proceed with regional economic development planning in Northern Ontario. It is my understanding that the northeast task force planning team has extended an invite to the four CAOs to meet with them to share concerns regarding this "draft" document. I encourage you and your colleagues to take advantage of this opportunity.

Over the coming weeks we expect that stakeholder input, partner Ministry feedback and staff analysis will contribute to a model that we can advance and your input is requested and welcome. We look forward to the final model that will be submitted at the end of September. We will continue to work together with stakeholders and community partners of any size who wish to build their capacity and develop the economies of their regions.

I am pleased that you consider the Northern Growth Plan to have merit, given that it was developed by northerners for northerners through an inclusive process. I appreciate your commitment to the people-of the northeast and your interest in the progress on the current initiatives aligned with implementing the Growth Plan for Northern Ontario. I would be pleased to meet with you on these concerns.

Once again, thank you for writing,

Sincerely,

George Ross  
Deputy Minister  
Ontario Ministry of Northern Development and Mines  
416 327 0647 (Office)  
416 568 1713 (Mobile)  
[george.ross@ontario.ca](mailto:george.ross@ontario.ca)



## Malcolm White

---

**From:** Bianca Berlingieri  
**Sent:** September 04, 2012 11:35 AM  
**To:** Malcolm White  
**Subject:** FW: Northern Policy Institute Announcement  
**Attachments:** Resolution-NGP-NAC-Aug.13.pdf

Malcolm:

Joe would like this email (Northern Growth Plan) as part of the Council Agenda. I will be sending you another email, as well. This is the 1<sup>st</sup> of 2 emails.

Thanks,

B

---

**From:** Bianca Berlingieri  
**Sent:** August 30, 2012 9:36 AM  
**To:** 'george.ross@ontario.ca'  
**Cc:** 'rick.bartolucci@ontario.ca'; Cal McDonald (cal.mcdonald@ontario.ca); d.oraziotti.mpp.co@liberal.ola.org; Mayor Amaroso; City Councillors; Tom Dodds; Tom Vair (tvair@ssmic.com); rreid@nsci.ca; Richard Myers (president@algomau.ca); Doug Nadorozny; Jerry Knox; Joe Fratesi; Joe Torlone; Tim Commissio  
**Subject:** Northern Policy Institute Announcement

Dear Deputy Minister:

How disappointing it was to learn third-hand that the Province intends to make an announcement regarding the proposed Northern Policy Institute tomorrow. The fact that the announcement will be made concurrently in Sudbury and Thunder Bay, after the government asked the Presidents of Laurentian University and Lakehead University to give it advice on this matter, leads to suspicion about the predisposition of your Ministry on this matter. I am a member of the NAC Advisory Committee and understood that this matter was going to be discussed by the Committee prior to its finalization and announcement. This obviously did not occur and I am sure my disappointment is shared by the many other members of NAC who believed that the Committee would be consulted at some point.

The City of Sault Ste. Marie has already expressed its concern and disappointment for the model which has been proposed for the Northeastern Ontario-REDA. We similarly have expressed our disappointment with respect to the lack of involvement of our City and the NAC in the Northern Multi-modal Transportation Initiative mentioned in the Plan. Now, we express our disappointment with the lack of consultation with communities in Northern Ontario other than Thunder Bay and Sudbury regarding the Northern Ontario Policy Institute.

The Northern Growth Plan, as announced by the Province, gave us considerable hope for the future of all of Northern Ontario. It is indeed a good Plan. The implementation and the process to determine such implementation, however, has not been inclusive and certainly is not aligned with the Northern Growth Plan. Sault Ste. Marie City Council has passed a resolution (copy attached) with respect to this concern and the matter has been thoroughly discussed by the CAO's of the five major Northern cities. It is the hope of the Northern CAO's that a meeting can be arranged with you at your convenience so that we can discuss appropriate next steps that might see this whole process "put back on the rails", restoring the hope that most of us had regarding the future of all of Northern Ontario. Please advise of your willingness and availability to meet with us as soon as possible.

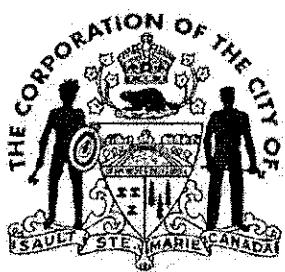
Yours truly,  
 Joe Fratesi

Joseph M. Fratesi  
 Chief Administrative Officer  
 City of Sault Ste. Marie

5(b)

99 Foster Drive  
Sault Ste. Marie, ON P6A 5X6  
Phone 705-759-5347  
[j.fratesi@cityssm.on.ca](mailto:j.fratesi@cityssm.on.ca)

[www.cityssm.on.ca](http://www.cityssm.on.ca)  
[www.celebrate100saultstemarie.com](http://www.celebrate100saultstemarie.com)  
*Celebrating 100 years as a city in 2012!*



## CITY COUNCIL RESOLUTION

5(b.)

Agenda Item

5(R)

Date: 2012 08 13

MOVED BY  
SECONDED BY

Councillor  
Councillor

S. Myers  
F. Fata

Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Northeast Ontario Regional Economic Planning Pilot - Northern Growth Plan be received as information and the recommendation that the City of Sault Ste. Marie not support the Northeast Northern Advisory Committee (NAC) model as proposed as it is inconsistent with the Growth Plan direction and policy and simply unworkable be approved; and

Further that this position be communicated to the Northern Growth Plan, the NAC and the Deputy Minister of Northern Development and Mines, and

Further that the Deputy Minister of Northern Development and Mine be requested to meet with the CAO's of the five large Northern Ontario cities, which are recognized as important 'economic hubs' in the Growth Plan to discuss appropriate next steps towards developing a workable implementation plan.

I, Rachel Tyzinski, Deputy City Clerk of The Corporation of the City of Sault Ste. Marie, certify the foregoing to be a true and correct copy of the original document of which it purports to be a copy,  
Dated at Sault Ste. Marie, Ontario, this

16th day of August 2012

CARRIED  
 REFERRED

DEFEATED  
 OFFICIALLY READ NOT DEALT WITH

AMENDED

DEFERRED

SIGNATURE

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

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

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

5(6)



BUSINESS  
Sault Ste. Marie  
Chamber of Commerce



Sault Ste. Marie  
ECONOMIC  
DEVELOPMENT  
CORPORATION



TOURISM  
Sault Ste. Marie  
Chamber of Commerce

September 6, 2012

Mr. Joe Fratesi, CAO  
City of Sault Ste. Marie

Dear Joe,

Please be advised that the Sault Ste. Marie Economic Development Corporation (SSMEDC) met on September 4, 2012 and passed a motion supporting the following City Council resolution concerning the Sault Ste. Marie position and response to the Draft Final Report and Proposed Northeast Ontario Regional Economic Planning Pilot - Northern Growth Plan, passed on August 13, 2012.

*"Resolved that the report of the Chief Administrative Officer dated 2012 08 13 concerning Northeast Ontario Regional Economic Planning Pilot – Northern Growth Plan be received as information and the recommendation that the City of Sault Ste. Marie not support the Northeast Northern Advisory Committee (NAC) model as proposed as it is inconsistent with the Growth Plan direction and policy and simply unworkable be approved; and Further that this position be communicated to the Northern Growth Plan, the NAC and the Deputy Minister of Northern Development and Mines, and Further that the Deputy Minister of Northern Development and Mine be requested to meet with the CAO's of the five large Northern Ontario cities, which are recognized as important 'economic hubs' in the Growth Plan to discuss appropriate next steps towards developing a workable implementation plan."*

Please also be advised that the SSMEDC supports the spirit and intent of the proposed resolution (below) to be discussed at the next City Council meeting.

*"Resolved that Sault Ste. Marie City Council receives as information the email that was sent by the CAO on August 30, 2012 to George Ross, Deputy Minister of Northern Development and Mines concerning the Northern Policy Institute announcement and general concerns regarding the implementation of the Northern Growth Plan, as well as the reply that was received back that same day by the CAO, And further that the Deputy Minister be thanked for agreeing to meet with the CAO's of the five large northern cities to discuss the much expressed concerns regarding the process and the plans for implementation of the Growth Plan Initiatives, including Sault Ste. Marie's position that the draft model for the Northeast Regional Economic Development Planning Initiative is inconsistent with the spirit and intent of the Growth Plan and simply will not work in achieving its objectives."*

These concerns have been expressed by all the Sault Ste. Marie representatives on the Growth Plan's Northern Advisory Committee and conveyed to MNDM staff on numerous occasions.

Sincerely,

Tom Dodds, CEO



5(6)

SAULT STE. MARIE  
ECONOMIC DEVELOPMENT CORPORATION

Board of Directors' Meeting

Tuesday, September 4, 2012  
Russ Ramsay Board Room  
11:30 am.

AGENDA ITEM 2.3

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Moved by: Rob Reid

Seconded by: Greg Punch

Resolved to accept the Report prepared by the City's Chief Administrative Officer dated 08 13 2012 regarding Sault Ste. Marie's position and response to the draft final report and proposed Northeast Ontario Regional Economic Planning Pilot - Northern Ontario Growth Plan;

And further that the Sault Ste. Marie Economic Development Corporation's Board of Directors supports the City's position not to support the proposed Northeast NAC model as it is inconsistent with the Growth Plan direction and policy. CARRIED.



September 7, 2012

Honourable Rick Bartolucci  
Minister, Northern Development and Mines  
Unit 302, 93 Cedar St  
Sudbury ON P3E1A7

Dear Minister Bartolucci:

It was with disappointment I received an invitation to an announcement on the Northern Policy Institute (NPI) with two days' notice last week.

As you are aware, the Northern Policy Institute concept was announced in March 4<sup>th</sup>, 2011 with \$5M from the Northern Ontario Heritage Fund and was simultaneously passed to the Presidents of Lakehead and Laurentian Universities to study and make recommendations on its implementation. The consultation process consisted of an E-mail with three questions posed to stakeholders across Northern Ontario. At no time did any direct dialogue take place with the Presidents of Algoma University and Sault College or other members of our community on this important initiative.

At the same time, members of the Northern Advisory Committee continually requested the government share information and provide an opportunity for the NAC to contribute their thoughts on what could be an important new institution for Northern Ontario. The group was also clear in stating its discomfort for the process in which this institute was being developed.

Rather than living up to the ideals of the Growth Plan of creating an environment of empowerment and togetherness for Northern Ontarians, the process and result of the NPI is leading in the opposite direction. Meaningful discussion should have taken place with key stakeholders in Northern Ontario and there is any number of ways that the strengths of different institutions and communities could have been leveraged to make this a more positive outcome. This is an unfortunate opportunity lost.

5(b)

We continue to believe in the tremendous opportunity for growth and development in Northern Ontario and the ideals that the Growth Plan documented. We look forward to working more closely with fellow stakeholders from across the North to build future prosperity for the region.

Best regards,



Tom Vair  
Executive Director

Cc:

David Orazietti, MPP Sault Ste. Marie  
George Ross, Deputy Minister, Ministry of Northern Development and Mines  
Joe Fratesi, CAO, The Corporation of the City of Sault Ste. Marie  
Rob Reid, Past-President, Sault Ste. Marie Chamber of Commerce  
Dr. Richard Myers, President, Algoma University  
Dr. Ron Common, President, Sault College  
Tom Dodds, CEO, Sault Ste. Marie Economic Development Corporation

**Malcolm White**

**From:** Bianca Berlingieri  
**Sent:** September 07, 2012 1:58 PM  
**To:** Malcolm White  
**Subject:** FW: Meeting with Deputy Minister MNDM - Chamber response

Malcolm:

This email will be another addition to the Northern Growth Plan attachments in the Council package. Joe did talk to Rob Reid and he told Joe, he will probably provide a letter from the Chamber to us on Monday. Once he does, I will provide you with it, but if for some reason, he is unable to, then we will have to use the email below. So hang tight until Monday early, p.m. and I will follow through with you, one way or another.

Sorry for all of this,

B

---

**From:** Robert Reid [mailto:[rreid@nsci.ca](mailto:rreid@nsci.ca)]  
**Sent:** September 07, 2012 11:21 AM  
**To:** Bianca Berlingieri; Tom Dodds; [president@algomau.ca](mailto:president@algomau.ca); [tvair@ssmic.com](mailto:tvair@ssmic.com)  
**Cc:** 'Robert Reid'  
**Subject:** RE: Meeting with Deputy Minister MNDM - Chamber response

Joe,

Unfortunately, the Chamber is unable to get a letter through our Board before Monday but you can use this email, or I can provide something more specific, to show our support for the cause and to indicate that we will be sending out a similar letter to Minister Bartolucci next week. Sorry for the late response but I've had several client issues to deal with this week.

Regards,

Robert Reid, P.Eng. MBA  
Immediate Past President  
Sault Ste. Marie Chamber of Commerce

---

**From:** Bianca Berlingieri [mailto:[b.berlingieri@cityssm.on.ca](mailto:b.berlingieri@cityssm.on.ca)]  
**Sent:** September-05-12 3:17 PM  
**To:** Tom Dodds; [rreid@nsci.ca](mailto:rreid@nsci.ca); [president@algomau.ca](mailto:president@algomau.ca); [tvair@ssmic.com](mailto:tvair@ssmic.com)  
**Subject:** Meeting with Deputy Minister MNDM

Gentlemen:

Attached is a resolution which I will be bringing to City Council as discussed at our meeting earlier this week. I asked each of you to do your own separate letter setting out your position as a NAC member. I would very much appreciate it if I could have a copy of any such correspondence so I can place it on Monday night's Council meeting agenda so that Council is well aware that this is indeed a concerted effort on all of our parts.

Yours truly,  
Joe

Joseph M. Fratesi  
Chief Administrative Officer  
City of Sault Ste. Marie

5(c)

Helen & Marcel Girard  
222 River Road  
Sault Ste. Marie ON P6A 6C7  
705-759-8113  
Email: hy\_girard@hotmail.com

September 6, 2012

Mayor Amarosa and City Councillors:  
99 Foster Drive P O Box 580  
Sault Ste. Marie ON P6A 5N1

RECEIVED	
CITY CLERK	
SEP 06 2012	
NO.	52550
DIST:	

**HAND DELIVERED:** to  
City Clerk

Dear Mayor Amarosa & City Councillors:

RE: Request for a Public Inquiry into the PUC donations

We are in support of an inquiry on the bases that the city of Sault Ste. Marie is the sole shareholder in the PUC as such, the city is responsible to the tax payers. The City Council follows a criterion when funding organizations and is elected by the taxpayers, therefore, has the mandate to do so on behalf of the taxpayer.

The fact being that this donation is perceived as a conflict of interest on the part of Mr. Curran, stems from the fact that although he did not benefit personally, he however, benefitted in successfully providing funds to a cause he was the Chair thereof. Justice must not only be done but must be seen to be done; the less than arm's length relationship as between this business and the fund-raising campaign Chair raises the specter of conflict of interest.

We request a written response to our concern.

We, would appreciate, your prompt attention in this matter.

Yours truly,

Helen Girard

  
Marcel Girard



741 Dawson Ave.,  
Sault Ste. Marie, Ont.  
Sept. 4, 2012.

RECEIVED	CITY CLERK
SEP 06 2012	
NO. 52551	D. M. Adams
DIST.	

City of Sault Ste. Marie,  
Mr. Steve Jones Jr., Planner,  
re: Occupied & Vacant lots, object  
to the proposed change to 1465 Makin  
Ave. Application P-11-12 T. O.P.  
The Zoning By-Law does not  
permit the change and we agree with  
that.

On our property is directly across the  
road, we would not like to see that  
property cluttered with equipment, large  
vehicles and assorted clutter.  
We feel it would affect the value  
of our property.

D. M. Adams

Real Estate

6(6)(b)

(6)(b)

# LIBERO C. PACI, J.D.

BARRISTER AND SOLICITOR  
479 ALBERT STREET EAST  
SAULT STE. MARIE, ONTARIO  
P6A 2K1



TEL. (705)254-4311  
FAX. (705)254-4704  
E-MAIL:  
[LIBERO.PACI@BELLNET.CA](mailto:LIBERO.PACI@BELLNET.CA)

## FAX COVER LETTER

DATE: September 7, 2012

TIME: 4:15 p.m.

Telecopier Message From: LIBERO PACI

To the Attention of Sault Ste. Marie Engineering & Planning

Att: Donald B. McConnell/Peter Tonazzo

Sender: Libero C. Paci

Number of Pages (including this page)-1

RE: Application No A-11-12-Z-OP-Premiere Landscaping

Further to yours of September 4, 2012 and the Report thereto attached received on September 6, 2012 please be advised that I am unable to attend at the Council meeting set for September 10, 2012 and would request that the matter be set over to the next Council meeting. Please confirm the new date for the hearing of this matter.

Thank You.

LIBERO C. PACI, J.D.

LIBERO. C. PACI

The contents of this facsimile are confidential intended solely for the parties to whom it is directed. If you received this in error, please contact our office as soon as possible. Thank you.

7(b)

To the Mayor  
Members of City Council  
Sault Ste. Marie, ON

Reference: Reconstruction of Euclid Road

Greetings:

Even prior to the reconstruction of Euclid Road it was a shortcut speedway with some drivers going through at maniacal speeds.

There are a number of small children and also senior citizens that reside on this short street.

With the reconstruction the south sidewalk has been eliminated leaving only the street and parked cars and no pedestrian walkway. It is not practical to expect children and seniors to cross the street to use the sidewalk with speeding cars going through at any moment.

With new pavement and smooth surface the speeds will only increase.

In view of the above the residents of Euclid Road request that at least two speed humps be installed at one third and two third marks of the street to try to alleviate the above dangerous concerns.

On behalf of myself and Euclid Road residents,

Respectfully submitted,

  
Erno A. Gulyas  
27 Euclid Rd.,  
Sault Ste. Marie, ON  
P6B 1A1

September 5, 2012

RECEIVED	CITY CLERK
SEP 06 2012	
NO.:	52552
DIST.:	Agenda