

AGENDA

REGULAR MEETING OF CITY COUNCIL

2012 01 09

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover: Councillor S. Butland

Seconder: Councillor F. Manzo

Resolved that the Minutes of the Regular Council Meeting of 2011 12 05 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. Christian

Seconder: Councillor J. Krmpotich

Resolved that the Agenda for 2012 01 09 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- a) Helen Shelswell will be in attendance concerning proclamation – Alzheimer Awareness Month.
- b) Sharon Graham, President – Business and Professional Women Sault Ste. Marie will be in attendance concerning Women's Week.
- c) Steffanie Date, Executive Director – Sault Youth Association will be in attendance concerning the association's 2011 Annual General Report.

- d) Bryan Hayes, Member of Parliament will be in attendance concerning Canada's Economic Action Plan (Budget) and Federal Seat Redistribution.

PART ONE – CONSENT AGENDA

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

Mover: Councillor S. Butland

Seconder: Councillor J. Krmpotich

Resolved that all the items listed under date 2012 01 09 – Part One – Consent Agenda be approved as recommended.

- a) Correspondence from AMO is attached for the information of Council.
- b) Correspondence from the City of North Bay (concerning Land Registry Offices); the County of Huron (concerning private lots and family functions held in farm buildings); the Township of Carling (concerning paved highway shoulders); and the Municipality of Clarington (concerning commercial fill operations and funding for municipal deficits) is attached for the information of Council.
- c) Correspondence from the City of North Bay and a copy of a letter from the Mayors of Sault Ste. Marie, North Bay and Timmins directed to the Ministers of Northern Development and Mines and Infrastructure concerning the Northern Growth Plan are attached for the information of Council.
- d) Correspondence from MPAC concerning MPAC Assessment Products and Services Delivery Update is attached for the information on Council.
- e) Correspondence from the World Wildlife Foundation – Canada concerning National Sweater Day and Earth Hour is attached for the information of Council.
- f) Correspondence from the Sustainable Urban Development Association is attached for the information of Council.
- g) A letter from Robyn Hamlyn concerning Blue Communities is attached for the information of Council.
- h) **Staff Travel**

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

Mover: Councillor P. Christian

Seconder: Councillor F. Manzo

Resolved that the report of the Chief Administrative Officer dated 2012 01 09 concerning Staff Travel requests be approved as requested.

i) **Appointment – Committee of Adjustment**

Mover: Councillor P. Christian

Seconder: Councillor J. Krmpotich

Resolved that citizen Jack Moore be appointed to the Committee of Adjustment from January 9, 2012 to December 31, 2014.

j) **Appointment – Planning Advisory Committee**

Mover: Councillor S. Butland

Seconder: Councillor F. Manzo

Resolved that citizen Mary Pascuzzi be appointed to the Planning Advisory Committee from January 9, 2012 to December 31, 2012.

k) **Appointment – Sault Ste. Marie Region Conservation Authority**

Mover: Councillor S. Butland

Seconder: Councillor J. Krmpotich

Resolved that Councillor Marchy Bruni be appointed to the Sault Ste. Marie Region Conservation Authority from January 9, 2012 to December 31, 2012.

l) **Appointment – Accessibility Advisory Committee**

Mover: Councillor P. Christian

Seconder: Councillor F. Manzo

Resolved that citizen Cathy Othmer be appointed to the Accessibility Advisory Committee from January 9, 2012 to December 31, 2012.

m) **2012 Corporate Membership Fees**

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

Mover: Councillor P. Christian

Seconder: Councillor J. Krmpotich

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2012 01 09 concerning 2012 Corporate Membership Fees be accepted and the recommendation to proceed with payment of the 2012 Corporate Membership Fees be approved.

n) **Funding Application – Celebrate Canada Program**

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

Mover: Councillor S. Butland

Seconder: Councillor F. Manzo

Resolved that the report of the Manager , Recreation and Culture Division dated 2012 01 09 concerning Funding Application – Celebrate Canada Program be received and the recommendation that city staff proceed with application to the Department of Canadian Heritage for the 2012 Celebrate Canada Program to assist in funding the City's Canada Day Celebration be approved.

o) 2010 Property Tax Rebate

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

Mover: Councillor S. Butland

Seconder: Councillor J. Krmpotich

Resolved that the report of the Manager, Recreation and Culture Division dated 2012 01 09 concerning 2010 Property Tax Rebate be received and the recommendation that the rebates for the 2010 tax year, and one for the 2009 tax year, be paid to the owners who made application and complied with the program be approved.

p) Repeal of By-law 2011-134 – Replace with By-law 2012-7 Lane Closing Tagona Subdivision

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

The relevant By-law 2012-7 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

q) Possible City Owned Properties to be Declared Surplus to the City's Needs

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

Mover: Councillor P. Christian

Seconder: Councillor J. Krmpotich

Resolved that the report of the City Solicitor dated 2012 01 09 be received as information and further that the list of possible city properties to be declared surplus to the City's needs be circulated to other relevant departments to determine if the City has any interest in retaining ownership.

r) Licence of Occupation Between the City and Mario Avati and Mary Melanie Avati

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

The relevant By-law 2012-8 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

s) Yard Maintenance By-law and Property Standards By-law

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

The relevant By-laws 2012-9 and 2012-10 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

t) Third Line at Great Northern Road – Eastbound Right Turn Lane

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

Mover: Councillor P. Christian
Seconder: Councillor F. Manzo

Resolved that the report of the Director of Engineering Services dated 2012 01 09 concerning Third Line at Great Northern Road – Eastbound Right Turn Lane be received as information.

u) Connecting Links – 2012-2016 5-Year Plan and Request for 2012 MTO Allocation

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

Mover: Councillor S. Butland
Seconder: Councillor J. Krmpotich

Resolved that the report of the Director of Engineering Services dated 2012 01 09 concerning Connecting Links – 2012-2016 5-Year Plan and Request for 2012 MTO Allocation be received as information.

v) Northern Avenue, East of Pine Street – Request for Reduction in Speed Limit

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

Mover: Councillor S. Butland
Seconder: Councillor F. Manzo

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 01 09 concerning Northern Avenue, East of Pine Street – Request for Reduction in Speed Limit be received as information.

w) Request for an Increased Level of Service by the Downtown Association

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

Mover: Councillor P. Christian
Seconder: Councillor J. Krmpotich

Resolved that the report of the Commissioner of Public Works and Transportation dated 2012 01 09 concerning Request for an Increase Level of Service by the Downtown Association be received as information.

x) Bloor Street West (West of Lyons Avenue) – Change of Traffic Flow from One Direction to Two

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

Mover: Councillor P. Christian
Seconder: Councillor F. Manzo

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 01 09 concerning Bloor Street West (west of Lyons

Avenue) – Change of Traffic Flow from One Direction to Two be received and further that the recommendation to change direction of traffic flow from one way to two way upon any further reconstruction be approved.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) ADMINISTRATION

(2) COMMUNITY SERVICES DEPARTMENT

(3) ENGINEERING

(4) FIRE

(5) LEGAL

(6) PLANNING

a) Application No. A-3-12-Z – Marino DeGregorio and Anna DeGregorio – 245 Wallace Terrace

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

Mover: Councillor S. Butland

Seconder: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2012 01 09 concerning Application No. A-3-12-Z – filed by Marino and Anna DeGregorio – 245 Wallace Terrace be received and that City Council accepts this report and approve the request to rezone the property to "C1" (Traditional Commercial) by repealing Special Exception No. 59 which restricts the use to an automobile repair shop and the sale of used vehicles.

b) Application No. A-4-12-Z.OP – Ficmar Holdings Inc. – 1092 Great Northern Road

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

Mover: Councillor S. Butland

Seconder: Councillor F. Manzo

Resolved that the report of the Planning Division dated 2012 01 09 concerning Application No. A-4-12-Z.OP – Ficmar Holdings Inc. – 1092 Great Northern Road be received and that City Council accept this report and approve the application subject to the 5 conditions contained in the report.

c) **Application No. A-5-12-Z – Giancarlo Viotto and Maria Viotto – 6 Village Court**

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

Mover: Councillor P. Christian

Seconder: Councillor J. Krmpotich

Resolved that the report of the Planning Division dated 2012 01 09 concerning Application No. A-5-12-Z – filed by Giancarlo and Maria Viotto – 6 Village Court be received and that City Council accept this report and approve the request to rezone the subject property from “C4” (General Business) zone to “CT2” (Commercial Transitional) zone subject to confirmation of compliance with the requirements of the Ontario Building Code.

(7) PUBLIC WORKS AND TRANSPORTATION

a) **Recycling Contract Extension – Green Circle Environmental**

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

Mover: Councillor P. Christian

Seconder: Councillor F. Manzo

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2012 01 09 concerning Recycling Contract Extension – Green Circle Environmental be accepted and the recommendation to enter into an agreement with Green Circle Environmental for a ten year extension – Option No. 1 – implementation of automated carts and collection trucks be approved.

(8) BOARDS AND COMMITTEES

a) **Ermatinger•Clergue National Historic Site – Heritage Discovery Centre (HDC)**

A report of the Chairperson of the Historic Sites Board is attached for the consideration of Council.

Mover: Councillor S. Butland

Seconder: Councillor F. Manzo

Resolved that the report of the Chairperson, Historic Sites Board dated 2012 01 09 concerning Ermatinger•Clergue National Historic Site Heritage Discovery Centre be accepted and the recommendation that City Council re-endorse its support of the Heritage Discovery Centre as follows:

a. That submission of applications for significant capital funding to various federal and provincial programs be authorized;

b. That the broadly targeted, multi-year fundraising campaign being undertaken by the Historic Sites Board to recruit sponsors be endorsed;

c. That City Council commit to support the ongoing annual operations of the proposed Centre should it be built (assuming that the cost to operate the site

nets to zero if projected revenues are realized – additional annual operating costs to the City to range from \$12,000 to \$105,000 on best-case and worst-case scenarios)
be approved

b) **Heritage Discovery Centre - Ermatinger•Clergue National Historic Site**

A report of the Financial Analyst is attached for the consideration of Council.

Mover: Councillor P. Christian

Seconder: Councillor J. Krmpotich

Resolved that the report of the Financial Analyst dated 2012 01 09 concerning funding of the Heritage Discovery Site be received as information.

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 issues relating to Emergency Medical Services (EMS) transferring patients to appropriate staff has resulted in periodic serious time delays (2 to 7 hours); and

Whereas this can compromise the ambulance service provided to the community in certain situations and also incur extra cost for providing this essential service;
Now Therefore Be It Resolved that Council request through District of Sault Ste. Marie Social Services Administration Board (DSSAB) a report on how the Sault Area Hospital (SAH) is attempting to resolve the present untenable situation.

b) Mover: Councillor S. Butland

Seconder: Councillor P. Christian

Be It Resolved that Council request of Algoma Public Health to test public drinking fountains to ascertain whether any health risks are present; and

Further that Algoma Public Health be requested to recommend a systematic approach/ maintenance guidelines to ensure hygienic safety of drinking fountains across the city.

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

9. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

10. CONSIDERATION AND PASSING OF BY-LAWS

By-laws before Council TO BE PASSED which do not require more than a simple majority.

AGREEMENTS

a) 2012-8

A by-law to authorize a Licence agreement between the City and Mario Avati and Mary Melanie Avati for the use of a portion of the City owned land abutting 63 Peach Drive, Sault Ste. Marie, Ontario.

A report from the City Solicitor is on the agenda.

DEVELOPMENT CONTROL

b) 2012-6

A by-law to designate the lands located at 284 North Street an area of site plan control (Robert Ronald Berto).

LANE CLOSING

c) 2012-7

A by-law to repeal by-law 2011-134 (a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision) and to replace it with By-law 2012-7.

A report from the City Solicitor is on the agenda.

PARKING

d) 2012-3

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

e) 2012-4

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.

PROPERTY STANDARDS BY-LAW

f) 2012-9

Being a property standards by-law for the Corporation of the City of Sault Ste. Marie.

A report from the City Solicitor is on the agenda.

STREET ASSUMPTION

g) 2012-2

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

TRAFFIC

h) 2012-1

A by-law to consolidate amendments to Traffic By-law 77-200.

YARD MAINTENANCE BY-LAW

i) 2012-10

Being a yard maintenance by-law for the Corporation of the City of Sault Ste. Marie.

A report from the City Solicitor is on the agenda.

ZONING

j) 2012-5

A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 284 North Street (Berto).

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

Seconder: Councillor

Resolved that this Council now adjourn.

MINUTES

REGULAR MEETING OF CITY COUNCIL

2011 12 05

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, M. White, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, D. Elliott, D. McConnell, K. Streich-Poser

1. ADOPTION OF MINUTES

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2011 11 21 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 J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the Agenda for 2011 12 05 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Diana Taranto, Community Christmas for Children Chair and Mario Taranto were in attendance concerning proclamation – Community Christmas for Children.
- b) Councillors Susan Myers and Terry Sheehan, Co-Chairs Celebrate 100! Committee provided an update on the upcoming Celebrate 100! activities.
- c) Constable Henry Jin, Sault Ste. Marie Police Services, was in attendance concerning agenda item 6.(8)(a).
- d) Joe Melisek, BDO N-Sci Technologies was in attendance concerning agenda item 6.(8)(c).
- e) Tom Vair, Executive Director – Innovation Centre was in attendance concerning agenda item 6.(8)(d).
- f) Peter Bortolussi was in attendance concerning agenda item 6.(6)(b).
- g) John Reda was in attendance concerning agenda item 5.(aa).
- h) Paul Beach, Co-chair – Best for Kids Committee was in attendance concerning agenda item 5.(p).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor J. Krmpotich
Seconded by: Councillor P. Christian

Resolved that all the items listed under date 2011 12 05 – Part One – Consent Agenda and Addendum #1 be approved as recommended, save and except 5.(aa). CARRIED

- a) Correspondence from AMO was received by Council.

- b) **Staff Travel**

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

Moved by: Councillor J. Krmpotich
Seconded by: Councillor S. Butland

Resolved that the report of the Chief Administrative Officer dated 2011 12 05 concerning Staff Travel requests be approved as requested. CARRIED

- c) **Council Travel**

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that Councillor Lou Turco be authorized to travel to the Northern Ontario School of Medicine Face to Face Meetings being held in Thunder Bay (2 days in December) and the FONOM Board Meeting being held in North Bay (for 2 days in December) at no cost to the City. CARRIED

d) **Appointment**

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that citizen Robert Chiarello be appointed to the Accessibility Advisory Committee from December 5, 2011 to December 31, 2012. CARRIED

e) **Tender for Carpet Replacement – Civic Centre**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Purchasing dated 2011 12 05 be endorsed and that the tender for the Replacement of Carpeting in the Civic Centre required by the Building Services Division of the Engineering and Planning Department be awarded as recommended. CARRIED

f) **Tender for New Tires and Tire Repairs**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2011 12 05 be endorsed and that the tender for the supply of New Tires & Tire Repairs required by various City Departments and co-operatively PUC Services Inc., be awarded as recommended. CARRIED

g) **Tenders for Equipment – Public Works and Transportation Department**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Purchasing dated 2011 12 05 be endorsed and that the tender for the supply and delivery of various pieces of Equipment required by the Public Works and Transportation Department be awarded as recommended. CARRIED

h) **Tender for Automotive Supplies**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2011 12 05 be endorsed and that the tender for the supply of Automotive Supplies required by various City Departments and co-operatively PUC Services Inc., be awarded as recommended. CARRIED

i) **Property Tax Appeals**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that Pursuant to Sections 354 and 357 of the Municipal Act, 2001, the adjustments for the tax accounts outlined on the City Tax Collector's report of 2011 12 05 be approved and that the tax records be amended accordingly. CARRIED

j) **Mayor and Council Travel Expenses – January 1 to September 30, 2011**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Finance and Treasurer dated 2011 12 05 concerning Mayor and Council Travel Expenses for the period January 1 to September 30, 2011 be received as information. CARRIED

k) **Borrowing By-laws for 2012**

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

The relevant By-laws 2011-193 and 2011-194 are listed under Item of the Minutes.

l) **Corporate Strategic Plan 2011-2014 – Progress Report #1**

The report of the Deputy City Clerk and Manager of Quality Improvement was received by Council.

Moved by: Councillor F. Manzo

Seconded by: Councillor P. Christian

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2011 12 05 concerning Corporate Strategic Plan 2011-2014 – Progress Report #1 be received as information. CARRIED

m) **St. Mary's Paper Corporation Property Assessment Appeal**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Finance and Treasurer dated 2011 12 05 concerning St. Mary's Paper Corporation assessment appeal be received and the recommendation to finance the City cost of the St. Mary's Paper Corporation assessment appeal with the funding from the Contingency Reserve in the amount of \$1,754,638 and the Working Fund Reserve in the amount of \$1,080,000 be approved. CARRIED

n) **John Rhodes Community Centre – Leasing of Space**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Commissioner of Community Services dated 2011 12 05 concerning leasing of space in the John Rhodes Community Centre be received and the recommendation that staff proceed with issuing a Request for Proposal to lease the main level classroom space for a training facility for the development of athletes that use the facility and report the results to Council be approved. CARRIED

o) **Roberta Bondar Pavilion – 2012 Winter Programming**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Community Services dated 2011 12 05 concerning use of the Roberta Bondar Pavilion during the winter of 2012 be received and the recommendation that staff proceed with programming including the construction of an outdoor rink, from Bon Soo through to and including the 2012 CARHA Hockey World Cup be approved. CARRIED

p) **Making Early Childhood Recreation a Municipal Priority**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor P. Christian

Resolved that the report of the Commissioners of Community Services Department and Social Services Department dated 2011 12 05 concerning the Best for Kids Committee Report be received and the recommendation that senior staff from the Community Services Department and Social Services Department be included on the committee be approved. CARRIED

q) **Co-Composting Pilot Study Update**

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

The relevant By-law 2011-196 is listed under Item 10 of the Minutes.

r) **Great Northern Road Environmental Assessment – Extension of Sackville Road from Existing Northern Limit to Third Line**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Director of Engineering Services dated 2011 12 05 concerning Great Northern Road Environmental Assessment – Extension of Sackville Road from Existing Northern Limit to Third Line be accepted and the recommendation to increase the upset limit for engineering fees to \$65,000 be approved. CARRIED

s) **Environmental Assessment – Second Line Widening – Old Garden River Road to Black Road**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Director of Engineering Services dated 2011 12 05 concerning Environmental Assessment – Second Line Widening – Old Garden River Road to Black Road be accepted as information. CARRIED

t) **Contract 2008-15E – SCADA Automation and Implementation – Consulting Fee Amendment**

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

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Land Development and Environmental Engineer dated 2011 12 05 concerning Contract 2008-15E – SCADA Automation and Implementation – Consulting Fee Amendment be received and the recommendation that the consultant fees be increased to an upset limit of \$1,632,000 (excluding HST) be approved. CARRIED

u) **White Oak Drive Reconstruction – Carmen's Way to North Street Engineering Agreement**

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

The relevant By-law 2011-195 is listed under Item 10 of the Minutes.

v) **Accessibility Regulation and Taxi Cabs**

The report of the City Solicitor was received by Council.

The relevant By-law 2011-200 is listed under Item 10 of the Minutes.

w) **Extension for 3 Years of the Licence of Occupation Between the City and Sault Trailblazers Club of the Staging Area of Strathclair Park**

A report of Corporate Counsel was received by Council.

The relevant By-law 2011-201 is listed under Item 10 of the Minutes.

x) **McNabb/South Market Realignment – Transfer of Property to Shell Canada and Suncor**

A report of Corporate Counsel was received by Council.

The relevant By-law 2011-197 is listed under Item 10 of the Minutes.

y) **Ed Vowels – 1420 Second Line West – Zoning By-law 2011-94**

The report of the City Solicitor was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Christian

Resolved that the report of the City Solicitor dated 2011 12 05 concerning Ed Vowels – 1420 Second Line West – Zoning By-law 2011-94 be received as information. CARRIED

z) **Collection Services - POA Division**

The report of the Court Liaison Supervisor was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Court Liaison Supervisor dated 2011 12 05 concerning Collection Services – POA Division be accepted and the recommendation to issue an RFP for professional collection services for the POA Division be approved. CARRIED

aa) **Winter Maintenance of the Laneway which Abuts the Residence at 32 Blake Street in Highland Park Subdivision**

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor P. Christian

Resolved that the report of the Commissioner of Public Works and Transportation dated 2011 12 05 concerning Winter Maintenance of the Laneway which Abuts the Residence at 32 Blake Street in Highland Park Subdivision be received and that the recommendation that the plowing of this lane be discontinued be approved; and

Further that should the owner of 6 Stevens Street wish the laneway to be plowed that he be allowed to do so at his own expense. CARRIED

Recorded Vote:

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

Against: Councillors F. Manzo, P. Mick

bb) Disposal of City Owned Property at 3870 Queen Street East

The report of Corporate Counsel was received by Council.

The relevant By-law 2011-198 is listed under Item 10 of the Minutes.

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) Minor Amendment to Signs By-law – Application No. A-21-11-Z.OP – Bushplane Museum – 875 Queen St. E.

The report of the Planning Division was received by Council.

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Division dated 2011 12 05 concerning Minor Amendment to Signs By-law – Application No. A-21-11-Z.OP filed by the Bushplane Museum – 875 Queen Street East be accepted and the recommendation that City Council accept this report as information be approved. CARRIED

b) Application No. A-22-11-Z – Robert Ronald Berto – 284 North Street

The report of the Planning Division was received by Council.

Moved by: Councillor F. Manzo

Seconded by: Councillor P. Christian

Resolved that the report of the Planning Division dated 2011 12 05 concerning Application No. A-22-11-Z – filed by Robert Ronald Berto – 284 North Street be received and that City Council repeal Special Exception 3, and rezone the subject property from “M2” (Medium Industrial) zone to “M1” (Light Industrial) zone, subject to the 6 special provisions contained in the report be approved. CARRIED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) Bridge Dedication for Fallen Officers

The report of the Chief of Police was received by Council.

Moved by: Councillor J. Krmpotich
Seconded by: Councillor S. Butland

Resolved that the report of the Chief of Police dated 2011 11 24 concerning Bridge Dedication for Fallen Officers be accepted and the recommendation that the Root River Bridge be renamed in memory of Constable Donald Doucet be approved. CARRIED

Councillor Turco declared a pecuniary interest – spouse employed by the Police Service

b) **2010 Annual Report – Sault Ste. Marie Police Service**

The report of the Chief of Police was received by Council.

Moved by: Councillor J. Krmpotich
Seconded by: Councillor P. Christian

Resolved that the report of the Chief of Police dated 2011 11 24 concerning 2010 Annual Report – Sault Ste. Marie Police Service be received as information. CARRIED

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

Be It Resolved that the recommendations (Page 12-14) as presented in the pre-feasibility study for the "Establishment of a Green Energy Provider in Sault Ste. Marie" be referred to Parker Venture Management Inc. for consideration prior to completion of the comprehensive Alternative Energy Strategy to be presented to Council in January 2012. CARRIED

d) **Innovation Centre Report – Memorandum of Understanding for Accountability**

The report of the Innovation Centre was received by Council.

Moved by: Councillor J. Krmpotich
Seconded by: Councillor S. Butland

Resolved that the report of the Innovation Centre – Memorandum of Understanding for Accountability dated November 2011 be received as information. CARRIED

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

a) Moved by: Councillor J. Krmpotich
Seconded by: Councillor B. Watkins

Whereas the Canadian economic downturn is putting the retirement security of many workers at risk; and

Whereas Canadian cities are directly impacted as they are key front line providers of social services and support programs for older workers and retirees; and

Whereas Ontario cities bear an additional portion of the cost of providing such program; and

Whereas the significant economic downturn in combination with an increased number of employer bankruptcies across various sectors have resulted in under-funded pension plans and the actual and potential loss of promised pension benefits; and

Whereas only one in four private sector workers belong to an employer pension plan and the remaining 3 out of 4 workers must rely more heavily on personal savings to provide for their retirement; and

Whereas the Canadian public pension system including Old Age Security (OAS) and the Guaranteed Income Supplement (GIS) plus the Canadian Pension Plan (CPP) is safe but falls well short of replacing the 50% to 70% of pre-retirement income needed to maintain a decent standard of living;

Therefore Be It Resolved that the City of Sault Ste. Marie, joins with the Federation of Canadian Municipalities (FCM) to support expansion of Canada's public pension system by and at the cost of the Federal Government and not the municipalities;

1. by increasing the Guaranteed Income Supplement (GIS) by 15%, so no senior lives in poverty; and
2. by protecting Canadian pension through a federal system of pension insurance; and

Further Be It Resolved that the City of Sault Ste. Marie supports the FCM call on the federal government to hold a national summit on the issue of pensions and support the expansion of the Canadian Pension Plan. CARRIED

b) Moved by: Councillor L. Turco

Seconded by: Councillor S. Myers

Whereas there is an opportunity for the City of Sault Ste. Marie to submit a bid to host the 2014 Federation of Northern Ontario Municipalities (FONOM)/ Ministry of Municipal Affairs and Housing (MMAH) Conference which is held annually in May of each year; and

Whereas it is recognized that hosting such a conference in Sault Ste. Marie has an economic impact of over \$150,000 and brings prestige and a high profile exposure to our community; and

Whereas 2008 was the last time Sault Ste. Marie did host this event and the event was deemed to be very successful by the FONOM organization; and

Whereas it is further recognized that there is no cost at this time to submit a bid due to the assistance provided by Tourism Sault Ste. Marie;

Now Therefore Be It Resolved that Council support proceeding with a bid submission for the 2014 Conference; and

Further that if Sault Ste. Marie is selected to host the 2014 FONOM/MMAH Conference that Council directs staff to report on possible sources of funding for the estimated \$8,000 required to fulfill host community responsibilities.

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 F. Manzo

Seconded by: Councillor S. Butland

Resolved that all by-laws listed under Item 10 of the Agenda and Addendum #1 under date 2011 12 05 be approved. CARRIED

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that By-law 2011-172 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on White Oak Drive from Carmen's Way to North Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a Third time and PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that By-law 2011-173 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Euclid Road from Pim Street to Wemyss Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a Third time and PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that By-law 2011-174 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Queen Street East from Pim Street to Simpson Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a Third time and PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo

Seconded by: Councillor S. Butland

Resolved that By-law 2011-193 being a by-law to authorize the borrowing of \$10,000,000 to meet current expenditures until taxes are collected be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-194 being a by-law to authorize the borrowing of \$15,000,000 to finance capital expenditures for short and long term purposes for The Corporation of the City of Sault Ste. Marie and \$6,200,000 for the Public Utilities Commission of the City of Sault Ste. Marie be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-195 being a by-law to authorize execution of an agreement between the City and Kresin Engineering Corporation dated the 5th day of December, 2011 for the reconstruction of White Oak Drive from Carmen's Way to North Street be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-196 being a by-law to authorize execution of an agreement between the City and AECOM Canada Ltd. dated the 28th day of October, 2011 for a co-composting pilot study be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-197 being a by-law to authorize the conveyance of PIN 31504-0002 PT SEC 33, TWP TARENTORUS; PT 1 PL 1R11700; SAULT STE. MARIE and PIN 31503-0081 PT SEC 4 ST. MARY'S PT 2 1R11700; SAULT STE. MARIE be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 21011-198 being a by-law to authorize the sale of surplus property at 3870 Queen Street East to Lewis Gelsthorpe and Louise Trottier be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-199 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on John Street from Conmee Avenue to Elm Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 586/06 be read a FIRST and SECOND time in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-200 being a by-law to amend Taxi By-law 2011-161 be PASSED in open Council this 5th day of December, 2011. CARRIED

Moved by: Councillor F. Manzo
Seconded by: Councillor S. Butland

Resolved that By-law 2011-201 being a by-law to authorize a licence of occupation between the City and The Sault Trailblazers Snowmobile Club Inc. for the use of lands at Strathclair Park be PASSED in open Council this 5th day of December, 2011. CARRIED

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

Moved by: Councillor J. Krmpotich
Seconded by: Councillor S. Butland

Resolved that Council shall now go into Caucus to discuss:

- 1) one matter concerning a potential property disposition on Yates Avenue; and
- 2) a matter concerning personal information about identifiable individuals – board and committee appointments; and

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor J. Krmpotich
Seconded by: Councillor P. Christian

Resolved that this Council now adjourn. CARRIED

MAYOR

CITY CLERK



AMO BREAKING NEWS
December 16, 2011

Federal Gas Tax

Passage of Bill C-13 makes the federal Gas Tax Fund permanent

With the passage of Bill C-13, Keeping Canada's Economy and Jobs Growing Act, the federal Gas Tax Fund is now enshrined in legislation as a permanent annual source of infrastructure funding for Canada's municipalities at \$2 billion per year. This fulfills a government commitment originally made in Budget 2008.

AMO expects the federal government to begin negotiations on a permanent agreement in the coming months. This process will be tied in with federal consultations with provinces, territories, the Federation of Canadian Municipalities (FCM) and other stakeholders to build a long-term plan for investing in public infrastructure. During this time, AMO will work with FCM to ensure the Gas Tax Fund is indexed so that investments can keep pace with the pressures of economic and population growth.

Additional information about the agreement (including individual allocations) will be provided when it becomes available. AMO is targeting completion of the negotiations and a full agreement by mid-2013, so that municipalities can execute their funding agreements and can plan for their allocation without missing any payments.

Under the existing allocation, Ontario municipalities receive \$746 million annually for investment in six categories of infrastructure or projects that contribute to long-term planning. Since 2005, the Gas Tax Fund has resulted in federal investments of over \$1.6 billion in 3,100 municipal infrastructure projects worth a total of \$5.4 billion.

Related link:

- [AMO News Release](#)

AMO Contact: Jay Paleja, Policy Advisor – Federal Gas Tax, JPaleja@amo.on.ca, 416-971-9856 extension 352.

Malcolm White

From: communicate@amo.on.ca
Sent: December 15, 2011 6:16 PM
To: Malcolm White
Subject: AMO breaking news re Court Security and Prisoner Transportation upload

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

December 15, 2011

Court Security and Prisoner Transportation Upload to Start in 2012

Today the Ministry of Community Safety and Correctional Services will be sending letters to municipal treasurers with allocation details regarding the Court Security and Prisoner Transportation upload commencing in 2012. This will fulfill a key element of the 2008 Provincial-Municipal Fiscal and Service Delivery Review agreement. This upload provides a seven-year provincial subsidy to offset municipal expenditures for providing security at provincial courts and transporting prisoners.

Ontario is the only province in Canada where legislation dictates court security be paid for with municipal property tax dollars and delivered through local police service boards via police chiefs. For the first time in 22 years, the provincial government will begin to reimburse municipalities for the cost of providing these security services at provincial courts.

The upload value for each municipality is based on their relative share of the total 2010 municipal costs. All municipalities, regardless of whether they hosted a court or not, were asked to itemize their 2008 and 2010 court security and prisoner transportation expenses. In OPP policed communities, the OPP provided these estimates. From 2012-2018 the upload will increase by 1/7 in each of those years to reach a full value of \$125 million by 2018.

Total allocations to municipalities are:

2012 - \$17.8 million

2013 - \$35.7 million

2014 - \$53.5 million

2015 - \$71.4 million

2016 - \$89.2 million

2017 - \$107.1 million

2018 - \$125 million

An initial three-year funding agreement will accompany letters to treasurers and the funding transfer to municipalities. The funding formula will be reviewed with municipalities prior to 2015 allocations being made. This will take into consideration any changes in court facilities that may take place during this period.

Efforts towards the development of court security standards continue and are led by the Ministry of the Attorney General. Discussions have included the key principle that any standards shall be flexible and appropriate to local needs and circumstances.

Work on the development of security standards for courts and an upload allocation methodology has been a cooperative venture between the province, AMO and Toronto. AMO's representatives to these discussions have included municipal staff, the Ontario Association of Police Services Boards, and the Ontario Association of Chiefs of Police.

AMO Contact: Matthew Wilson, Senior Policy Advisor mwilson@amo.on.ca extension 323.

PLEASE NOTE AMO Breaking News will be broadcast to the member municipality's council, administrator and clerk. Recipients of the AMO broadcasts are free to redistribute the AMO broadcasts to other municipal staff as required. We have decided to not add other staff to these broadcast lists in order to ensure accuracy and efficiency in the management of our various broadcast lists.

DISCLAIMER These are final versions of AMO documents. AMO assumes no responsibility for any discrepancies that may have been transmitted with the electronic version. The printed versions of the documents stand as the official record.

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL**November 29, 2011****Waste Diversion should be among the Province's Top Environmental Priorities
States Ontario's Environmental Commissioner's Annual Report**

The Environmental Commissioner of Ontario (ECO) Gord Miller released his 2010/2011 Annual Report today, *Engaging Solutions*. In the report, he called upon the recently elected provincial government to make waste diversion one of its top environmental priorities. This is consistent with AMO's Top 12 Asks. During the election campaign, Premier McGuinty committed to deliver on promoting personal and producer responsibility for waste, AMO's long-standing AMO policy position on Extended Producer Responsibility (EPR).

"What a Waste" Highlights of the ECO Annual Report include:

- Although residential waste diversion has increased over the past decade, diversion in the industrial, commercial and institutional sectors has decreased, leaving Ontario's overall diversion rate (as calculated in 2008) is still at about 23 per cent – practically the same as it was a decade earlier. This is well below the province's 60 per cent target for 2008. Meanwhile, the amount of waste generated each year has increased over the past decade.
- New and dramatic changes to Ontario's waste diversion framework are needed to move waste reduction and diversion forward.
- According to the ECO, the reasons behind the failures of the current waste diversion system are well known and outlined in four discussion papers and reports by the Ministry of Environment (MOE)
- The report identified several problems that will be of interest to municipal leaders:
 - **The Waste Diversion Act Fails to Prioritize Waste Reduction and Reuse over Recycling:** MOE observed that "while the 3Rs are mentioned in the Act, the Act could be revised to better promote waste reduction, reuse and recycling, in that order. A key policy outcome is greater reduction of waste at the source. Not producing waste in the first place is the best way to move toward zero waste, and provides the greatest environmental benefits and potentially the greatest economic advantages to society."
 - **Skewed Cost Structure Makes Landfill Cheaper than Recycling.** According to MOE, "on average, waste disposal in landfills is one-third to one-half the cost of diversion. However, the long-term environmental costs of landfills are seldom considered when establishing and operating a landfill. The absence of proper accounting for the true costs of waste results in most waste being disposed of in

landfills rather than sent for reuse or recycling – the cost structure is not conducive to diverting waste.”

- **Diversion Programs Fail to Cover all Costs.** According to MOE, “the only costs attributable to producers in programs are the costs associated with recycling the material collected within the program. The management costs associated with whatever products and packaging are not collected in an approved waste diversion program are borne elsewhere – either by **municipalities and their taxpayers**, or by other businesses or consumers.”
- **No Financial Incentives to Reduce Waste.** MOE acknowledges that “current programs under the Act do not encourage producers to focus on waste reduction first, reuse second, and recycling third. Instead, they generally focus on finding the least costly means of collecting and recycling materials.” Since steward fees are generally uniform across producers, MOE points out that “there is no direct financial incentive provided to individual producers to reduce their costs through product design, such as designing a product that is easier and cheaper to recycle. The lack of direct financial incentives to improve product design can be an impediment to reducing waste, increasing reuse, and ultimately striving for zero waste.”
- **Lack of Fairness in the Way Costs are Allocated.** Because the Blue Box Program costs are not borne wholly by stewards, but also by **municipalities (and therefore taxpayers)**, MOE observes that “a municipal taxpayer who generates little waste may in fact end up paying into the system more than his or her fair share of the cost of managing the waste he or she generates.”

MOE policy proposal have identified a number waste diversion solutions identified such as:

- Shift the basis of Ontario’s waste diversion programs from extended producer responsibility (EPR) to individual producer responsibility (IPR), i.e., make individual producers fully responsible for meeting waste diversion requirements for both residential and IC&I waste
- Ban designated materials from disposal
- Reduce steward fees proportional to the expansion of the reuse of their products
- Prohibit producers and retailers from making their environmental management costs (i.e., steward fees) visible as separate charges at point of sale. MOE notes that requiring producers to internalize these costs as another factor of production (which can be mitigated through product design, manufacturing and packaging decisions) acts as an incentive to reduce both the costs and the waste associated with their products

- Require retailers to take back products at end-of-life
- Set mandatory waste diversion targets for municipalities
- Streamline the governance and administration of waste diversion programs by: clarifying the roles and responsibilities; introducing a clearer set of checks and balances; introducing more effective compliance tools and penalties; and expanding the composition of industry funding organization Boards of Directors to include non-industry representatives.

Please note that many of these proposals have significant municipal implications which have not been analyzed to date, however they are listed so that readers can get an understanding of the range of potential policy proposals.

As the Environmental Commissioner pointed out, Ontario's current waste diversion strategy has followed over a decade of consultation and reports. Ontario needs a waste management strategy that holds industry responsible for the waste they create, ensures that property taxpayers are not left holding the bag on waste management costs, and prevents dangerous toxins being released into our environment. AMO looks forward to working with the ECO, the provincial government, and stewards on a more active and fairer waste management approach for Ontario. Waste management continues to be one of AMO's key priorities.

Also included in the 2010/11 ECO's Annual Report, were other topics of interest to municipal leaders:

- Land Use Planning – Natural Heritage System Planning, Conservation Authorities
 - Recommendation - that MNR, in association with Conservation Ontario, review and update floodplain maps in Ontario in order to adapt them to impacts from climate change.
 - Recommendation - that MNR develop a coarse-scale, overarching natural heritage system for Southern Ontario.
- Species-at-Risk (ECO is critical of the inadequacy of government response statements)
 - Recommendation - that MNR ensure that government response statements clearly articulate the actions that the Ontario government will and will not take to protect and recover species at risk.
- Source Water Protection Planning
 - Recommendation - that MOE develop Great Lake targets and ensure that Great Lakes policies are included in the source protection planning process.
 - Recommendation - that MOE update the Provincial Water Quality Objective for Total Phosphorus to reflects individual lake sensitivity and watershed-level cumulative effects

- Municipal Water Sustainability Plans – Management of municipal water, wastewater and stormwater services
 - Recommendation- that MOE require stormwater management facility owners or operators to monitor and maintain all stormwater management infrastructure in Ontario.

Links:

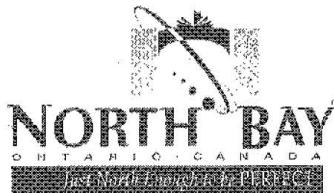
http://www.ecoissues.ca/index.php/What_a_Waste:_Failing_to_Engage_Waste_Reduction_Solutions

AMO news release of November 29, 2011

AMO Contact: Monika Turner, Director of Policy, e-mail MTurner@amo.on.ca (416) 971-9856 ext 318.

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The Corporation of the
City of North Bay
200 McIntyre St. East
P.O. Box 360
North Bay, Ontario
Canada P1B 8H8
Tel: (705) 474-0400

OFFICE OF THE CITY CLERK
CORPORATE SERVICES DIVISION
Direct Line: (705) 474-0626, ext. 2510
Fax Line: (705) 495-4353
E-mail: cathy.conrad@cityofnorthbay.ca

13 December 2011

Hon. Harinder Takhar
Ministry of Government Services
Room 4320, 4th Floor, Whitney Block
99 Wellesley Street West
TORONTO, ON M7A 1W3

Dear Madam or Sir:

This is Resolution No. 2011-815 which was unanimously passed by Council at its Regular Meeting held Monday, December 12, 2011.

Resolution No. 2011-815:

"WHEREAS there are 54 Land Registry Offices in the Province of Ontario, only 11 of which are located in Northern Ontario;

AND WHEREAS Land Registry Offices play a key role in effectively and efficiently approving, registering, storing and managing documents such as subdivision plans, condominium plans, reference plans, deeds, and mortgages;

AND WHEREAS Land Registry Offices have historically and promptly serviced the needs of a wide range of user groups including developers, lawyers, surveyors, freelance title searchers and the general public;

AND WHEREAS the Provincial Government has implemented an electronic registration of land-related documents;

AND WHEREAS effective October 3, 2011, it became mandatory that designated Land Registry Offices forward subdivision plans and condominium plans to a Complex Plan Processing Centre located in Milton, Ontario;

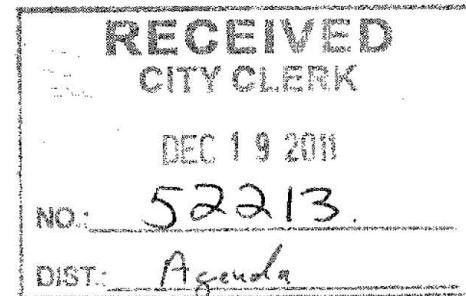
AND WHEREAS while the electronic registration may have some benefits, the system has resulted in the downsizing of Land Registry Offices both in terms of size, personnel, service and availability of land related documents resulting in significant negative impacts to customer service.

AND WHEREAS it is expected that in time the Nipissing Land Registry Office will be replaced with a kiosk service;

AND WHEREAS these changes coupled with the loss of a local Land Registrar, the loss of availability of land related documents on site for the purposes of searching and the loss of ability to have reference plans, subdivision plans or condominium plans pre-approved, processed and registered locally in a timely and cost effective manner will further erode service delivery.

AND WHEREAS such changes have and will result in significant delays in development in the North as well as adding further costs;

AND WHEREAS the Government of Ontario has actively promoted the reduction in Red Tape and increased efficiency in public service delivery;



Hon. Harinder Takhar
13 December 2011
Page 2

NOW BE IT THEREFORE RESOLVED THAT the City of North Bay requests the Minister of Government Services review and report on the changes being made to Ontario Land Registry Offices and further requests that the changes do not impact negatively on development through time delays or added costs to development in the North;

AND FURTHER that a copy of this resolution be forwarded to the Premier of Ontario; Hon. Harinder Takhar, Minister of Government Services; Hon. Michael Gravelle, Minister of Natural Resources; Hon. Rick Bartolucci, Minister of Northern Development and Mines; Hon. Dipika Damerla, Minister of Infrastructure; Hon. Kathleen Wynne, Minister of Municipal Affairs and Housing; Vic Fedeli, MPP for Nipissing; Leaders of the Provincial Opposition; the Association of Municipalities of Ontario; to the other four large Northern Municipalities; the Federation of Northern Ontario Municipalities; all municipalities within the Nipissing District; the North Bay & District Home Builders' Association; the Association of Ontario Land Surveyors; and the Nipissing Law Association."

Sincerely,

C. Conrad

Catherine Conrad,
City Clerk.

CMC/cjc

Copy to: Premier Dalton McGuinty
Hon. Michael Gravelle, Minister of Natural Resources
Hon. Rick Bartolucci, Minister of Northern Development and Mines
Hon. Dipika Damerla, Minister of Infrastructure
Hon. Kathleen Wynne, Minister of Municipal Affairs and Housing
Vic Fedeli, MPP for Nipissing
Tim Hudak, Leader of the Progressive Conservative Party
Andrea Horwath, Leader of the New Democratic Party
City of Timmins
City of Sault Ste. Marie
City of Greater Sudbury
City of Thunder Bay
Federation of Northern Ontario Municipalities
North Bay & District Home Builders' Association
Association of Ontario Land Surveyors
Nipissing Law Association
Nipissing District municipalities

Corporation of the
COUNTY OF HURON

WARDEN, Neil Vincent
 1 Court House Square, Goderich, Ontario N7A 1M2
nvincent@huroncounty.ca

519-524-8394
 Fax 519-524-2044

November 2nd 2011

The Hon. Kathleen Wynne,
 Minister of Municipal Affairs and Housing,
 17th Floor,
 777 Bay Street,
 Toronto, ON M5G 2E5

RECEIVED
 CITY CLERK

NOV 18 2011

NO.: 52126

DIST.:

Honourable Minister:

The Council of the County of Huron at their October 5th, 2011 County Council meeting passed the following Resolution:

WHEREAS:

Ontario's private woodlots harvested for commercial purposes are a valuable asset and a source of income to the landowners who harvest them responsibly;

AND WHEREAS:

Once a woodlot is destroyed or rendered useless; for example, the tornado that hit the Goderich area in August 2011; it will take a generation for the woodlot to be sustainable again;

AND WHEREAS:

The woodlot landowners have no recourse for this loss of income derived from the responsible harvesting of their woodlots;

AND WHEREAS:

The Ontario Disaster Relief Assistance Program (ODRAP) does not currently include claims from the private woodlots harvested for commercial purposes, for their loss of income or product; even when the woodlot landowner can provide evidence of the loss of income sustained from an eligible disaster;

AND FURTHER THAT:

The losses sustained by the woodlot landowners could be evaluated by a member of the Ontario Professional Foresters Association;

AND FURTHER THAT:

Woodlots are not insurable under a property owner's insurance;

NOW THEREFORE BE IT RESOLVED:

The Corporation of the County of Huron strongly supports the woodlot landowners within the Province of Ontario; by requesting the Minister of Finance and the Minister of Municipal Affairs and Housing to conduct an immediate review and include the losses sustained by woodlot owners in the applications for eligible assistance under ODRAP;

The Hon. Kathleen Wynne,
Minister of Municipal Affairs and Housing.
November 2nd, 2011

Page 2 of 2

AND FURTHER THAT:

The eligible assistance under ODRAP; be made retro active to the August 21st, 2011 tornado disaster that struck Goderich and area;

AND FURTHER THAT:

This Motion; be forwarded to all municipalities in the Province of Ontario for their support.

This Resolution was forwarded to your predecessor October 5th, 2011. I felt it prudent to forward it to you due to the change in the Provincial Ministries. If I can be of further assistance, please contact me at your convenience.

Sincerely,



Barbara L. Wilson, CMO,
County Clerk,
County of Huron.

c.c. Minister of Finance, Hon. Dwight Duncan

emailed to kwynne.mpp@liberal.ola.org this date

Corporation of the
COUNTY OF HURON

COUNTY CLERK, Barbara L. Wilson, CMO
 1 Court House Square, Goderich, Ontario N7A 1M2
bwilson@huroncounty.ca

519-524-8394 (ext. 257)
 Fax 519-524-2044

November 8th, 2011.

Fire Marshal Tadeusz (Ted) Wieclawek,
 Ministry of Community Safety
 and Correctional Services,
 Office of the Fire Marshal,
 Head Office,
 5775 Yonge Street, 7th Floor,
 Toronto, ON M2M 4J1

RECEIVED	
CITY CLERK	
NOV 18 2011	
NO.:	52125
DIST.:	Agenda

Dear Sir:

The Council of the Corporation of the County of Huron at their Eleventh Session on the 2nd of November, 2011; passed the following Resolution:

Moved by: Councillor J. Ginn and Seconded by: Councillor B. MacLellan:

WHEREAS:

Shed parties, barn parties and family functions held in farm buildings are an important part of rural culture;

AND WHEREAS:

Private buildings or private property should be the responsibility of the owners and as such the owners are responsible for their actions and their properties;

AND WHEREAS:

The Province of Ontario is infringing on property rights;

NOW THEREFORE BE IT RESOLVED:

The Council of the Corporation of the County of Huron strongly objects to the direction from the Fire Marshal's Office restricting said use;

AND FURTHER THAT:

This Resolution; be circulated to the Ontario Fire Marshal's Office, all Members of Provincial Parliament and all Municipalities in Ontario.

CARRIED

As this Resolution states, the Province of Ontario is infringing on property rights of rural Ontario residents. The County of Huron looks forward to hearing from you on this important matter.

Respectfully yours,

Barbara L. Wilson, CMO,
 County Clerk,
 County of Huron.

c.c. All Members of Provincial Parliament
 All Municipalities in Ontario



The Corporation of
THE TOWNSHIP of CARLING
 2 West Carling Bay Road, RR #1, Nobel, ON P0G 1G0
 Email: bschreiner@carlingtownship.ca
 Phone: 705-342-5856 ext 36 • Fax: 705-342-9527

December 16, 2011

Mr. Norm Miller, M.P.P.
 17 James St.
 Parry Sound, ON P2A 1T4

RE: Ontario MPP Introduces Private Members Bill to Pave Highway Shoulders

This is to advise you that Carling Township Council has enacted the following resolution:

11-144

Moved by Councillor Konoval
Seconded by Councillor Gordon

WHEREAS Muskoka MPP Norm Miller has re-introduced his private member's bill which would enhance public safety for the motoring public and promote active transportation in Ontario;

AND WHEREAS if Mr. Miller's bill is passed it would require a minimum one metre paved shoulder on certain provincially owned highways to improve public safety for cyclists, pedestrians and motorists alike;

AND WHEREAS studies in other jurisdictions confirm that where paved shoulders exist, accidents are drastically reduced;

AND WHEREAS there are obvious health benefits for individuals and society in general, as more opportunities are provided to cycle and walk for recreation, or for transportation;

NOW THEREFORE BE IT RESOLVED that the Township of Carling supports for MPP Norm Miller's Private Members Bill to pave highway shoulders;

AND FURTHER that Council of the Township of Carling respectfully requests that all municipalities in the province of Ontario consider supporting the resolution from the Township of Carling;

AND FURTHER that this resolution be circulated to all municipalities in Ontario.

Carried.

Yours truly,

Beth Schreiner

Beth Schreiner
 Office Assistant

cc. All municipalities

5(b)

Clarington

Leading the Way

RECEIVED
CITY CLERK

DEC 28 2011

NO. 52223

TYPE: Agenda

December 20, 2011

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

Dear Minister:

**RE: REQUEST FOR PROVINCIAL REGULATIONS REGARDING COMMERCIAL
FILL OPERATIONS
FILE NO.: E05.GE**

At a meeting held on December 19, 2011, the Council of the Municipality of Clarington approved the following Resolution #GPA-720-11:

WHEREAS municipalities are faced with requests from Commercial Fill Operators to place fill in, for example, either previously undisturbed areas or expired gravel extraction pits;

AND WHEREAS municipalities have limited resources and ability to regulate this type of operation other than through zoning restrictions and agreements associated predominantly with operational protocol;

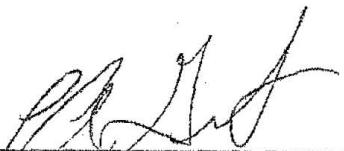
AND WHEREAS the issue of soil quality of fill imported to a receiving site potentially has a significant cross jurisdictional environmental impact that should be elevated to the Provincial level through the Ministry of the Environment;

AND WHEREAS the Ministry of the Environment has established criteria for quality of fill for Brownfield redevelopment but not for the importation and placement of fill within, as an example, undisturbed areas or expired gravel extraction pits;

BE IT THEREFORE RESOLVED that the Province, through the Ministry of the Environment, establish guidelines, regulations and a Provincially regulated approval process to govern the quality of fill imported to a receiving site other than for the purpose of Brownfield redevelopment;

AND FURTHER, THAT the Clerk forward copies of this resolution to York-Simcoe MPP, Julia Munroe, the Ministry of the Environment, the Association of Municipalities of Ontario and all Ontario Municipalities for their consideration.

Yours truly,



C. Anne Greentree, B.A., CMO
Deputy Clerk

CAG/jeg

- c. Julia Munroe, MPP, York-Simcoe
Association of Municipalities of Ontario
All Municipalities in Ontario
L. Creamer, Manager Municipal Law Enforcement

Clarington

Leading the Way

December 20, 2011

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

Dear Premier:

RE: SPECIAL PROVINCIAL FUNDING TO COVER MUNICIPAL DEFICITS
FILE NO.: F11.GE

At a meeting held on December 19, 2011, the Council of the Municipality of Clarington approved the following Resolution #GPA-719-11:

WHEREAS the *Municipal Act* requires that municipalities operate on a balanced budget;

AND WHEREAS all municipal councils face difficult decisions in the budget process in balancing (i) the needs of their communities; and (ii) being fiscally responsible;

NOW THEREFORE BE IT RESOLVED THAT:

- a) The Municipality write to the Premier of Ontario respectfully requesting that if any municipality in Ontario receives special funding from the Province to cover a budget deficit, that all local municipalities receive the same per capita funding from the Province; and
- b) That a copy of this resolution be forwarded to John O'Toole, MPP for Durham, the Association of Municipalities of Ontario, and all municipalities in Ontario requesting that they endorse this resolution.

Yours truly,



C. Anne Greentree, B.A., CMO
Deputy Clerk

CAG/jeg

- c. John O'Toole, MPP, Durham
Association of Municipalities of Ontario
All Municipalities in Ontario
N. Taylor, Director of Finance/Treasurer

CORPORATION OF THE MUNICIPALITY OF CLARINGTON

40 TEMPERANCE STREET, BOWMANVILLE, ONTARIO L1C 3A6 T 905-623-3379



The Corporation of the
City of North Bay
200 McIntyre St. East
P.O. Box 360
North Bay, Ontario
Canada P1B 8H8
Tel: (705) 474-0400

OFFICE OF THE CITY CLERK
CORPORATE SERVICES DIVISION
Direct Line: (705) 474-0626, ext. 2510
Fax Line: (705) 495-4353
E-mail: cathy.conrad@cityofnorthbay.ca

13 December 2011

Hon. Rick Bartolucci
Minister of Northern Development & Mines
Room 5630, 5th Floor, Whitney Block
99 Wellesley Street West
TORONTO, ON M7A 1W3

RECEIVED	
CITY CLERK	
DEC 19 2011	
NO.:	<u>52212</u>
DIST.:	<u>Agenda</u>

Dear Sir:

This is Resolution No. 2011-816 which was unanimously passed by Council at its Regular Meeting held Monday, December 12, 2011.

Resolution No. 2011-816:

"WHEREAS the Growth Plan for Northern Ontario has been established under *Ontario's Places to Grow Act* and serves as a strategic policy framework to guide provincial decision-making and investment planning for the next 25 years;

AND WHEREAS the Plan notes that more than half of Northerners live in the cities of North Bay, Greater Sudbury, Sault Ste Marie, Timmins and Thunder Bay, and that these cities are economic hubs that benefit all of Northern Ontario;

AND WHEREAS each of these five communities are regional economic anchors and serve as service centres for all of Northern Ontario;

AND WHEREAS only two northern cities (Thunder Bay and Sudbury), have been provincially designated as Growth Plan Pilot Site Regional Planning Areas and have received provincial funding to develop regional economic plans;

AND WHEREAS the remaining three northern cities: North Bay, Sault Ste. Marie and Timmins, which serve as vital economic and service hubs, have not received this critical consideration and support;

NOW THEREFORE BE IT RESOLVED THAT to be consistent with the Growth Plan's spirit, intent, and strategic policy framework; in recognition of the need to engage and provide a voice for the rural communities in each regional service area; in recognition of the mutual support of Northern Ontario's large urban municipalities; and our mutual interest in the growth and development of Northern Ontario, the Council of the City of North Bay requests the Province, through the Minister of Northern Development and Mines, to immediately designate all five cities in Northern Ontario as anchors and Growth Plan pilot sites for their respective regional economic planning areas, thereby enabling the cities of North Bay, Sault Ste. Marie and Timmins to serve the same Growth Plan role in their respective regions as Thunder Bay and the City of Greater Sudbury will in theirs;

AND FURTHER THAT Council of the City of North Bay requests the Province, through the Minister of Northern Development and Mines, to provide the resources and support necessary to enable the cities of North Bay, Sault Ste. Marie and Timmins, and the surrounding municipalities they support to work together to develop regional economic plans;

Hon. Rick Bartolucci
13 December 2011
Page 2

AND FURTHER THAT a copy of this resolution be circulated to the large urban Northern Ontario municipalities for their endorsement;

AND FURTHER THAT a copy of this resolution be forwarded to the Leaders of the Opposition Parties; Vic Fedeli, MPP for Nipissing."

Sincerely,

C. Conrad

Catherine Conrad,
City Clerk.

CMC/cjc

Copy to: Premier Dalton McGuinty
City of Greater Sudbury
City of Sault Ste. Marie
City of Timmins
City of Thunder Bay
Tim Hudak, Leader of the Progressive Conservative Party
Andrea Horwath, Leader of the New Democratic Party
Vic Fedeli, MPP for Nipissing

December 16, 2011

Honourable Rick Bartolucci
Minister of Northern Development and Mines
Room 5630, 5th Floor, Whitney Block
99 Wellesley Street West
Toronto, ON M7A 1W3

Honourable Bob Chiarelli
Minister of Infrastructure
Mowat Block, 5th Floor
900 Bay Street
Toronto, ON M7A 1C2

RE: Growth Plan for Northern Ontario 2011 – Strategic Core Areas

Dear Minister Bartolucci and Minister Chiarelli:

On November 1st 2011, we met to discuss a range of issues affecting our cities, including the Growth Plan for Northern Ontario. We appreciate that this Plan has been established under the *Places to Grow Act* and serves as a strategic policy framework to guide Provincial decision-making and investment planning for the next 25 years.

The Plan notes: "More than half of Northerners live in the cities of Greater Sudbury, North Bay, Sault Ste. Marie, Timmins and Thunder Bay. These cities are economic hubs that benefit all of Northern Ontario..." Each of our communities is a regional anchor and together we are the service centres for all of Northern Ontario.

Currently two northern cities have been designated by your Ministries as anchors and pilot sites for regional planning areas and have received provincial funding to develop regional economic plans. Unfortunately the remaining three northern cities, which serve as vital economic and service hubs for the region, have not received this critical consideration and support.

In order to be consistent with the Growth Plan's spirit, intent and strategic policy framework; in recognition of the need to engage and help provide a voice for the rural communities in each of our regional service areas; in recognition of our support for each other's community and their surrounding regions; and, our mutual interest in the growth and development of Northern Ontario, we respectfully request that you immediately designate all five cities in Northern Ontario as anchors and pilot sites for their respective regional economic planning areas. This would enable Sault Ste. Marie, North Bay, and Timmins to serve the

same role in their regions as Thunder Bay and the Greater City of Sudbury will do in theirs. We also respectfully request the resources and support necessary to enable these remaining three cities and the rural communities they help support to work together to develop their regional economic plans.

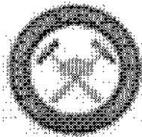
Respectfully submitted,

A handwritten signature in cursive ink that appears to read "Debbie Amaroso".

Debbie Amaroso, Mayor
City of Sault Ste. Marie

A handwritten signature in cursive ink that appears to read "Al McDonald".

Al McDonald, Mayor
City of North Bay

A handwritten signature in cursive ink that appears to read "Tom Laughren".

Tom Laughren, Mayor
City of Timmins



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

December 15, 2011

RECEIVED
DEC 19 2011
MAYOR'S OFFICE

To: Heads of Council
All Ontario Municipalities

From: Dan Mathieson
Chair, MPAC Board of Directors

Subject: MPAC Assessment Products and Services Delivery Update

I am writing to bring you up-to-date on the work we are doing at the Municipal Property Assessment Corporation (MPAC) as part of our ongoing commitment to deliver exceptional service to municipalities.

Since my last update in April, MPAC has continued to move forward on the key areas of supplementary and omitted assessment, Property Assessment Notice delivery, property reviews, and the Ontario Auditor General's Annual Report.

Supplementary and Omitted Assessment

In 2011, we added approximately \$28.4 billion in supplementary and omitted assessment to the roll, representing our highest amount ever added to the municipal roll.

We continue to work with Ontario municipalities to improve our ability to add timely and accurate supplementary and omitted assessment. A particular focus is the standardized electronic exchange of occupancy permit information, which automatically informs MPAC when a building permit has been completed and is ready for inspection. We have established a working group to increase the number of municipalities submitting (occupancy and building permit) information to us in a standardized electronic format. We also continue to work with third parties including building permit vendors and our new strategic alliance with the Electrical Safety Authority, to obtain information that will allow us to better determine when a building permit is complete so that we can arrange an inspection.

In early October, MPAC attended the Ontario Building Officials Association conference to discuss this initiative with delegates.

MPAC Assessment Products and Services Delivery Update
December 15, 2011
2 of 5

With this information and partnering with municipalities we can add new assessment to the roll in a more timely fashion. We can also improve productivity by reducing the number of times our inspector visits a property and reduce the potential for errors by eliminating the need to manually track and input information.

Property Assessment Notice Delivery

Nearly one (1) million Property Assessment Notices were mailed this Fall to properties that have experienced a change in value, classification, ownership or school support. Delivery of the assessment roll to municipalities and other year-end products to ministries and agencies will take place on or before December 13, 2011.

Property Reviews

MPAC has introduced new technology to help improve productivity and continue to move closer to our goal of a property review cycle in which every property in Ontario is reviewed at least once every 12 years.

A mobile data collection system for the assessment of new residential construction has been deployed in our high growth offices to allow property inspectors to conduct a full property inspection on site. With the mobile device, our inspectors can update property inspection and building permit information electronically, without the need to complete paper forms and travel back to the office to re-enter the information manually, providing a real-time stream of data to MPAC's property database.

We have also introduced the use of digital imagery to identify changes to properties and schedule inspections where required. Similar to Google Earth, the imagery includes aerials and, in some areas, street views of properties. This method of property review has been approved by the International Association of Assessing Officers.

Ontario Auditor General's Annual Report

We have taken action on all nine (9) of the recommendations in the provincial Auditor General's Report, which was released last spring. Of particular note, we have reinforced programs that automatically trigger a sales investigation when the sale price of a property is significantly above or below its assessed value. Over 117,000 residential sales reviews were conducted in 2011 which is almost double of that conducted in 2010.

As you may be aware, the Public Accounts Committee (PAC) released its Report in response to MPAC's appearance before the PAC on March 9, 2011. In its Committee Report, the PAC made five (5) recommendations that we had been asked to report on within 120 days. The Committee recommendations each relate specifically to the Auditor General's Annual Report.

MPAC Assessment Products and Services Delivery Update
December 15, 2011
3 of 5

I can confirm that we reported back to the Committee earlier this fall on the issues of; investigating sales on a more timely basis, finding better ways to get information from municipalities on completed building permits, exploring initiatives and future actions to help us achieve the 12 year cycle, updating the Committee that the IPS system was brought in on time and under budget, and that MPAC has aligned its procurement and travel expense policies with the directives issued by the government.

Improved Service

As our partners in the property taxation system, we are committed to improving service to Ontario municipalities.

We have introduced new follow up procedures to enhance the ability of your Municipal Relations Representative (MRR), your primary point of contact with MPAC, to address concerns in your municipality. This builds on the 2010 realignment of our core business into two streams – Residential and Farm Properties and Business Properties.

With the realignment, our valuation and customer service employees are able to work more closely together. A single staff member who has an understanding of both the local community and the properties is now responsible for addressing a property taxpayer's assessment concerns from start to finish.

Our MRRs are available to discuss any issue or make a presentation to council or committee regarding the assessment products and services MPAC offers and our plans for moving forward.

Municipal Communications Strategy

MPAC recently introduced its 2011/2012 municipal communications strategy entitled *Strengthening Partnerships – Broadening Communications*. The strategy provides an integrated, comprehensive approach to building on the relationship MPAC has already established with municipalities.

This strategy includes tactics that will help MPAC support municipalities by providing them with timely relevant information and ensuring their questions and issues are dealt with quickly and effectively.

In particular, this strategy includes an outreach and contact plan to explore new partnership opportunities. We will also work with municipalities through the appeal process to ensure that you have the information you require to better understand the valuation of significant properties under appeal in your community. Our plans are also to review the effectiveness of our communication material to ensure that we improve our communication with you next year and in the future.

MPAC Assessment Products and Services Delivery Update
December 15, 2011
4 of 5

2012 Assessment Update

You will also be interested to know that preparations are well underway for the 2012 province-wide Assessment Update, which will culminate in the mailing of Property Assessment Notices next fall. This is the second update since the Provincial Government changed legislation to introduce the four-year assessment cycle.

Since 2005, we made a concerted effort to improve service and increase public understanding of Current Value Assessment and our respective roles in the property taxation system.

Up to October 31, 2011, we held more than 1,475 outreach activities with property taxpayer associations, municipalities and other stakeholder groups and improved the Property Assessment Notice.

We will continue to keep you updated on the work we are doing in support of the 2012 Assessment Update.

New Four-Year Strategic Plan

Work began this fall on the development of a new four-year strategic plan that will go into effect following the 2012 Assessment Update and guide MPAC through to the 2016 Assessment Update. We are asking MPAC employees for their input and will be talking to municipalities, our partners in the property taxation system, to help form the development of the plan. We will keep you informed of our progress as the process unfolds.

MPAC President and Chief Administrative Officer Carl Isenburg to Retire

Earlier this year, Carl Isenburg announced his decision to retire at the end of 2011 after a 38-year career in assessment. Since Carl was appointed President and Chief Administrative Officer of MPAC in 2004, he has led MPAC through several key strategic endeavors including the implementation of the recommendations made by the Government of Ontario and the Ombudsman of Ontario, and most recently, in the Corporation's implementation of the recommendations made by the Auditor General of Ontario. The implementation of these recommendations has resulted in a number of improvements to MPAC's assessment practices.

On behalf of the Board, I would like to extend my heartfelt thanks to Carl for the incredible job he has done and to wish him all the best in his retirement.

Transition to MPAC's New President and Chief Administrative Officer

As you know, our Board of Directors announced that Antoni Wisniowski had been appointed President and Chief Administrative Officer of MPAC.

MPAC Assessment Products and Services Delivery Update

December 15, 2011

5 of 5

Antoni will assume his new duties on January 1, 2012. In the meantime, he has been working closely with Carl Isenburg and members of MPAC's executive team to ensure a smooth transition for the organization.

I am looking forward to working with Antoni as we continue to deliver on our commitment to property assessment excellence and outstanding service to our municipal partners, government stakeholders, and customers, the property taxpayers of Ontario.

As an elected municipal colleague and as the Chair of the MPAC Board of Directors, you have our commitment that we will continue to pursue excellence in meeting the needs of our shared customer.

If you have any questions or need additional information, please contact your local Municipal Relations Representative or Arthur Anderson, Director of Municipal Relations at 905 837-6993 or 1 877 635-6722 extension 6993. If you would like to speak to me directly, I can be reached at 519 271-0250, extension 234.

Yours truly,



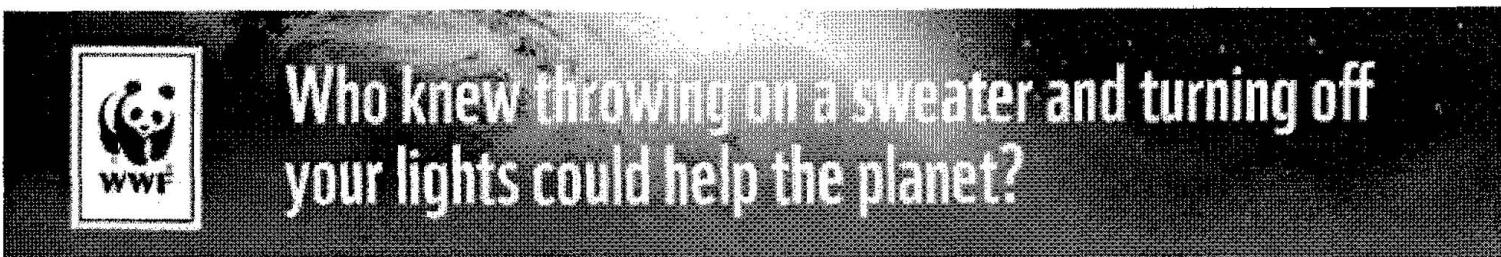
Dan Mathieson
Chair, MPAC Board of Directors

Copy MPAC Board of Directors
Carl Isenburg, President and Chief Administrative Officer, MPAC
Executive Management Group
Arthur Anderson
Account Managers, Municipal Relations, MPAC
Municipal Relations Representatives, MPAC

Malcolm White

From: Kim Vaudry on behalf of City Clerk
Sent: December 08, 2011 10:43 AM
To: Malcolm White
Subject: FW: Save the date and help save the planet with WWF-Canada!

From: WWF-Canada [mailto:earthhour@wwfcanada.org]
Sent: December 08, 2011 10:20 AM
To: City Clerk
Subject: Save the date and help save the planet with WWF-Canada!



Hello,

WWF-Canada is thrilled to invite you to participate in two events launching early 2012: National Sweater Day and Earth Hour. These events aim to engage Canadians in a fun and celebratory way while raising awareness about climate change and encouraging individual behaviour change.

On February 9th, 2012, for National Sweater Day, turn down your heat and turn up your sweater! We are calling on Canadians to turn down their thermostats and wear a fun sweater to symbolize their commitment to the environment.

On March 31st, 2012 between 8:30 - 9:30 pm, turn off your lights for Earth Hour. Year over year Canada has remained a leading country in terms of participation. For us the moment of Earth Hour is a bit like an environmental New Year, providing a chance to reflect on how our planet is fairing and what new or renewed commitments we can make to help.

There are a multitude of things that divide people: gender, nationality, race, political and religious beliefs to name a few. But when it comes to fighting climate change, it doesn't matter who we are or where we're from - we're all on the same team. This is our opportunity to ignite change and ensure that Canada is on the right path for future generations, our economy and the planet.

Pledge your commitment and support for WWF's National Sweater Day and Earth Hour and make sure these dates are in your calendar for 2012.

Last year, over 5 250 cities across the globe participated in Earth Hour - reaching over 1.8 billion people worldwide!

- Will your community be participating in Earth Hour this year? Reply to this e-mail with a simple yes and let us add your voice to the 500 cities/municipalities in Canada pledging support this year!

I can be reached by e-mail at: ayee@wwfcanada.org or by phone: 1-800-267-2632 ext. 7244.

For a living planet,

Alisha Yee
 Marketing Coordinator, WWF-Canada

Sustainable Urban Development Association

2637 Council Ring Road, Mississauga, Ontario L5L 1S6

Tel: 416-400-0553; www.suda.ca; e-mail: mail@suda.ca

SUDA



Number 21
December 2011

Places To Grow: Still Unsustainable

Municipalities in the Greater Toronto and Hamilton Area (GTHA) have incorporated provincially-mandated "Places To Grow" targets for both population and employment growth into their official plans for development between now and 2031. The plans also conform to provincial legislation that require at least 40% of all residential units built from 2015 onwards outside of Toronto to be built within existing urban boundaries, via intensification. The remaining population and employment growth that is to occur on what is now rural lands must be built at an overall minimum density of 50 residents and jobs per gross hectare.

Unfortunately, regional municipalities are taking the minimum targets as maximums. As a result, within a single generation, over 425 square kilometers of rural and agricultural lands in the GTHA will have been lost by 2031 – an area almost the size of the cities of Brampton and Mississauga combined (see table below).

Is this progress? Considering that prior to Places To Grow legislation much more land would have been lost, with less intensification and lower greenfield densities, yes. But by no means will the new minimums bring environmental sustainability or the efficiencies needed for the 21st century. As the region grows by 3,300,000 more people and jobs between 2009 and 2031, more progress is essential. Otherwise, problems will grow:

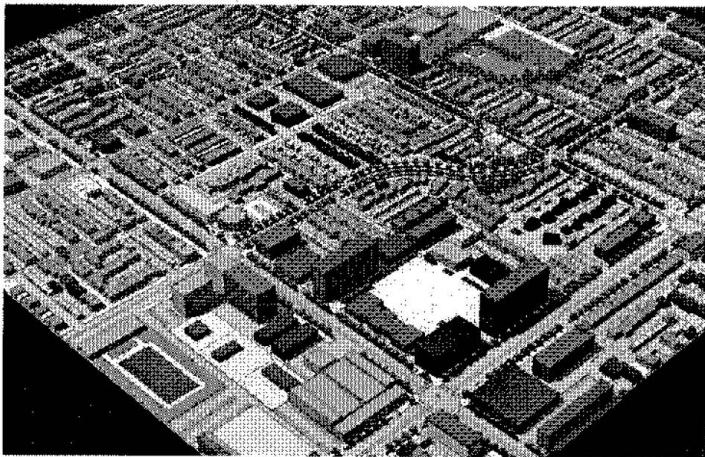
- Many more people will have to be fed from less arable land. Global and regional food security as a result of climate destabilization and energy costs of production will be at risk;
- Transportation will continue to be highly dominated by travel by automobile⁽¹⁾, traffic congestion and travel costs to households (average > \$10,000 per year) and to the economy will increase;
- Per capita costs of public infrastructure (roads, pipes) and services will remain high – much higher than for compact, mixed urban environments;
- Greenhouse gas emissions from energy consumption will increase;
- Overall environmental conditions will worsen.

Urban planners and municipal Councils can do much better than meeting minimum requirements. Not to do so compromises environmental sustainability and misses opportunities for cost efficiencies. A few forward-thinking urban development projects that are compact and efficient are being built across the region, but a scattering of individual projects do not a sustainable city make. Consistent and city-wide on-the-ground practices that implement official plan intentions in support of sustainability are not happening, or only support legislated minimums. Moreover, numerical targets for reducing greenhouse gases that are linked to urban form or reductions in vehicle kilometres have not been set by municipalities.



Relatively high overall urban densities and an intimate mixing of uses (and not only in city centres) are essential for success. In the relatively low density environments of the 905 area around Toronto,

opportunities for intensification beyond the 40% residential requirement can and should be pursued. For greenfield development, municipalities are presented with a blank slate. Densities can be much higher than the 50 minimum. Doubling the overall resident and job density to 10,000 or more per square kilometer, applied across entire designated greenfield areas, is a reasonable and doable target. If well-designed, these environments can be highly marketable⁽²⁾. Rural/Agricultural land losses would be cut by more than 50%, public infrastructure and services (especially transit) would be much more efficient and affordable, and energy impacts on the environment and economy would be reduced. The long term well-being of people would be improved.



In a city that is environmentally and economically sustainable, transportation is no longer dependent on travel by automobile. Almost everyone is able to easily walk to daily services, or easily walk or take public transit to work. This implies mixing of uses such that a high proportion of buildings are multi-storey and multi-use (residential and non-residential), except for the most disruptive activities, and that building setbacks (residential as well as non-residential) are minimal – in other words, environments that are more urban than suburban. But until

transportation planners see more land use decisions in support of sustainable transportation, they will continue to assume that travel demand growth will remain focused on travel by automobile⁽³⁾.

As density and mixing of uses increase, so do energy savings. Moving aggressively to building forms that reduce per-unit building surface exposure to the elements, such as attached homes (townhomes) and multi-storey multi-unit buildings, makes both long-term environmental and economic sense. District heating and cooling systems (for example, sourcing energy from under every athletic field in a municipality) would add another layer of efficiency, and further reduce the economic drain of imported fuels.

A summary of some of the measures that GTHA municipalities can implement to move more aggressively towards sustainability can be found at <http://www.suda.ca/f/018 - Oil Crunch part 2.pdf>.

Note 1: Currently, outside the City of Toronto, about 78% of all daily trips are taken by automobile and less than 9% by public transit. Metrolinx (the transportation planning authority for the Greater Toronto and Hamilton Area) targets a 60% overall increase in peak period trips by public transit in 25 years in the GTHA. Trips by automobile will increase by 28%, but decrease to 70% of all trips.

Note 2: To see a one square kilometre conceptual example of a family-friendly high density urban environment, visit <http://www.suda.ca/newburgx.html>. See also <http://www.suda.ca/HASS.html> for SUDA's survey of acceptability of compact housing.

Note 3: As an example of how density and separation of uses affects transportation, the overall density of the City of Mississauga is 45 residents and jobs per hectare (very close to greenfield density minimums set by the Province for greenfield development), yet 83% of daily trips are by automobile. The transit modal share is only 10% (7% local + 3% GO?). Per Transportation Tomorrow Survey 2006.

Population and Employment Growth to 2031 in the Greater Toronto and Hamilton Area Excluding Toronto		
Population	2031	5,540,000
	2006	3,680,000
Increase to 2031		1,860,000
Ontario average household size		2.63
Residential units		714,748
Intensification Units phased in to 40% by 2015		250,182
Avg. household size for intensification		2.0
Intensification population		500,324
Greenfield population growth 2009-2031		1,379,676
 Employment		
	2031	2,690,000
	2006	1,800,000
Increase 2009 to 2031		890,000
Estimate for intensification @ 10%		89,000
Greenfield employment		801,000
Total greenfield growth to 2031 for Population + Employment		2,180,676
Targeted overall greenfield development density per gross hectare		50
Total hectares or rural land lost 2009 to 2031		43,614
Square kilometre equivalent		436
107,771 acres		
 Brampton + Mississauga are 523 sq.km. combined. Rural Lands Lost excludes natural areas within urbanizing area.		

SUDA is a registered Canadian charitable organization whose mission it is to foster a healthy natural environment by providing information about sustainable city-building, by providing information to organizations and individuals in the Toronto region through outreach, research and analysis, networking and electronic communications.

Your financial contribution is welcome, and can be made at <http://www.suda.ca/Invest.html>.

5(g)

November 12, 2011

Mayor Debbie Amaroso
The City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, Ontario P6A 5n1

RECEIVED

NOV 17 2011

MAYOR'S OFFICE

Dear Mayor Amaroso,

My name is Robyn Hamlyn. I live in Kingston, Ontario and I'm 13 years old.

In August I met with my mayor, Mark Gerretsen, to discuss a letter I wrote to him earlier. This letter told him about my worries about our fresh water supply and that we had to do something now to help.

In June, my teacher showed us a documentary called Blue Gold: World Water Wars and it shocked me. It showed us that:

- 1) Our earth holds 97% salt water and 3% fresh water. Almost all of that 3% is polluted.
- 2) We use up water faster than it can be replenished. Just around the Great Lakes, we pump almost 3.2 trillion litres of water a day. 7.6 billion litres do not get returned.
- 3) Canada is a water rich country and as water becomes polluted, the rest of the world will look to us for water. The Great Lakes are a main target. What is really scary is that they are saying this will probably happen within 10 to 20 years from now when I'm a young adult.

This information changed my life. It made me realize the bigger picture, that there's going to be a huge water collapse and possibly a war, in ten to twenty years. We're all going to be apart of it.

My mayor listened to me and agreed that something had to be done. I told him that I wanted to make Kingston a Blue Community. In order for this to happen, three resolutions needed to be passed. They are:

- 1) Ban the sale of bottled water in public facilities.
- 2) Recognize water as a human right.
- 3) Promote publicly owned and operated water and sanitation services.

He invited me to speak on September 20, 2011 to Kingston's City Council. I did and Kingston was declared a Blue Community that night.

I have a goal and that is to make all municipalities in Ontario Blue Communities. After that, I want to approach other provinces.

I know that I can do this, but I need your support.

Can I come and meet with you to discuss these resolutions?

I can be reached at 613-634-8055 or by e-mail at my mother's e-mail address joanne.hamlyn@sympatico.ca.

Sincerely,

Robyn Hamlyn

localnews

00 days in jail

COUNCIL

not too fun

g his pro-
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probation
er, Foxton
has taken
ite being
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supervi-
sion.
avoided

marked cruiser on Wilson Street saw Foxton and running toward them on his dirt bike, but before they could apprehend him, she said, he headed into the fields behind the Wally Blane Youth Centre and out again onto MacCauley Street, where they lost him a second time.

He surfaced once more, with the same result, according to Foxton, before police eventually located the yellow dirt bike he'd been riding parked outside a res-

Kingston declared 'blue community'

FROM PAGE 1

Councillors declared Kingston a "blue community" Tuesday night based on United Nations resolutions recognizing that all people have the right to clean water and sanitation.

Criteria for the blue designation include having banned the sale of bottled water in public facilities and at municipal events, recognizing water as a human right and committing to publicly

financed, owned and operated water and wastewater services.

The concept of becoming a blue community was introduced to council by Robyn Hamlyn, a 12 year-old student from Lancaster Drive Public School.

At deadline Tuesday night, councillors were debating a plan to invest \$13.6 million into affordable housing, a top priority of the current council.

The City has a waiting list of

people in need of 1,173 units ranging from one to five bedrooms and including seniors apartments.

The average wait time in Kingston for a one-bedroom apartment is five to eight years. Seniors can wait up to four years for rental accommodation.

The vacancy rate for rental units in Kingston is just 1%.

pchamman@thewhig.com

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



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

2012 01 09

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. **John Luszka – Human Resources**
Prehearing Preparation
January, 2012
Toronto, Ontario
Estimated total cost to the City - \$ 634.57
Estimated net cost to the City - \$ 634.57
2. **Mathew Wiesel – Engineering & Planning – Building Division**
General Legal Course
January, 2012
Woodbridge, Ontario
Estimated total cost to the City - \$ 1,954.50
Estimated net cost to the City - \$ 1,954.50
3. **Gerry Grandinetti – Social Services Department**
Homelessness Partnering Strategy Conference
January, 2012
Toronto, Ontario
Estimated total cost to the City - \$ 900.57
Estimated net cost to the City - \$ 900.57
4. **Don McConnell – Engineering & Planning – Planning Division**
Provincial Policy Statement Review Meeting
January, 2012
Sudbury, Ontario
Estimated total cost to the City - \$ 353.25
Estimated net cost to the City - \$ 353.25

5(h)

5. **Tyler Moody – Engineering & Planning – Building Division**
Part 3 – Large Buildings Health and Safety
January, 2012
Sudbury, Ontario
Estimated total cost to the City - \$1805.71
Estimated net cost to the City - \$ 1805.71

6. **Madison Zuppa – Engineering & Planning Department**
Municipal Adaptation Train-the-Trainer
March, 2012
Toronto, Ontario
Estimated total cost to the City - \$ 496.77
Estimated net cost to the City - \$ 496.77

Yours truly,



JMF:bb

Joseph M. Fratesi
Chief Administrative Officer

Rachel Tyczinski
Deputy City Clerk and Manager
of Quality Improvement



City Clerk's Department

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: 2012 Corporate Membership Fees

PURPOSE

The purpose of this report is to advise City Council as to 2012 corporate membership fees.

BACKGROUND

The following memberships will become due in 2012:

	2012 Renewal	2011 Fees
1. Algoma District Municipal Association	300.00	300.00
2. Association of Municipalities of Ontario	12,411.21	12,033.58
3. Canadian Institute of Forestry	339.00	339.00
4. Chamber of Commerce	363.86	363.86
5. Federation of Canadian Municipalities	10,170.66	9,893.34
6. Federation of Northern Ontario Municipalities	3,000.00	3,000.00
7. Great Lakes and St. Lawrence Cities Initiative	4,000.00	4,000.00
8. Ontario Good Roads Association	2,123.11	2,123.11
9. Ontario Traffic Conference	490.00	490.00
33,197.84		32,542.89

2012 01 09
Page 2

IMPACT

The 2011 operating budget projected corporate memberships at \$32,500. 2012 costs are estimated at \$33,197.84.

STRATEGIC PLAN

This is an operational issue not linked to an activity in the Strategic Plan.

RECOMMENDATION

That the report of the Deputy City Clerk and Manager of Quality Improvement concerning corporate membership fees be received as information and the recommendation to proceed with payment of 2012 membership fees be approved.

Respectfully submitted,



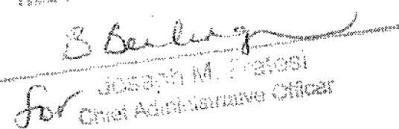
Rachel Tyczynski
Deputy City Clerk and
Manager of Quality Improvement

Recommended for approval,



Malcolm White
City Clerk

RECOMMENDED FOR APPROVAL



for Joseph M. Pratesi
Chief Administrative Officer

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

VIRGINIA MCLEOD
SUPERVISOR COMMUNITY SERVICES



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 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: Funding Application – Celebrate Canada Program

PURPOSE

The Recreation and Culture Division is eligible to apply for assistance under the Department of Canadian Heritage – Celebrate Canada Program; however, the applicant's governing authority must approve the grant submission.

BACKGROUND

Each year, the Community Services Department's Recreation and Culture Division coordinates a July 1st Canada Day Celebration held at Roberta Bondar Park. This celebration includes family entertainment throughout the day, followed by a fireworks presentation at dusk.

ANALYSIS

Not applicable.

IMPACT

Financial support to assist with costs to host this event is available from the Department of Canadian Heritage – Celebrate Canada Program. The funding received helps to offset the costs incurred for the Canada Day Celebration.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

It is therefore recommended that City Council authorize staff to apply to the Department of Canadian Heritage for the 2012 Celebrate Canada Program to assist in funding the City's Canada Day Celebration.

Respectfully submitted,

A handwritten signature in black ink.

Virginia McLeod
Supervisor Community Services

Recommended for approval,

A handwritten signature in black ink.

Nicholas J. Apostle
Commissioner Community Services

jpm/special events/canada day/2012/council approval

RECOMMENDED FOR APPROVAL
A handwritten signature in black ink.
Joseph M. Fratesi
Chief Administrative Officer

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION



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 01 09

Mayor Debbie Amaroso and
Members of City Council

2010 PROPERTY TAX REBATE

This report is in regards to the Heritage Property Tax Rebate Program for heritage properties designated Under Part IV of the Ontario Heritage Act.

PURPOSE

This report is to provide Council with a summary of, and to seek Council's approval for, the tax rebates being recommended for the 2010 tax year for those owners of heritage properties enrolled in the Heritage Property Tax Rebate Program.

BACKGROUND

The Ontario Government, under the Municipal Act, allows municipalities to grant tax rebates of 10% to 40% on the value of an "eligible" heritage property in order to stimulate the restoration and preservation of Ontario's unique heritage assets. In the spring of 2005, City Council passed a resolution accepting the implementation of a 40% Tax Rebate Program in our community. Bylaw 2005-186 outlines the guidelines for those enrolled in the program.

Heritage properties are an important community resource; however, increased costs are often associated with their restoration and maintenance. Programs such as the Sault Ste. Marie Heritage Property Tax Rebate Program recognizes these costs, and are seen as an investment in the community by preserving our City's unique cultural heritage and supporting owners of heritage properties. Currently there are 15 owners of 16 heritage properties enrolled in the program. There are a total of 37 heritage sites in the city of Sault Ste. Marie designated under Part IV of the Ontario Heritage Act, and 6 registered sites of cultural heritage value under section 27(1.2) of the Act. Enrolment into the program requires the completion of a Heritage Easement Agreement between the City and the property owner which is then registered on the property title.

2010 Property Tax Rebate

2012 01 09

Page 2

ANALYSIS

Owners enrolled in the Heritage Property Tax Rebate Program must complete an annual application for the rebate and indicate what work they plan to do on the heritage property to justify the rebate. In 2011 the Municipal Heritage Committee, which oversees the program on behalf of City Council, implemented an inspection program for heritage properties enrolled in the tax rebate program. This involved members of the Municipal Heritage Committee along with a City Building Inspector attending at each heritage property enrolled in the program. The inspections were carried out in the spring and owners were sent the results and asked to file an action plan to address any immediate concerns and indicate planned future maintenance for their heritage property. All the owners complied with filing an action plan as requested.

Of the 15 owners of heritage properties enrolled in the tax rebate program, 14 applied for the 2010 heritage property tax rebate. A list of those who applied for the rebate is attached for Council's information. One owner also qualifies for the 2009 tax rebate as noted on the list.

The Municipal Heritage Committee passed the following resolution at their December 7, 2011 meeting.

Moved by: K. Marshall

Seconded by: T. Wall

"Resolved that the owners who have applied for the 2009 & 2010 tax rebates under the Heritage Property Tax Rebate Program and complied with the program be recommended for payment of the tax rebates, and that a report be sent to City Council for their approval".

CARRIED

IMPACT

For the 2009 tax year, the total value of the rebates was \$73,084.92 of which \$47,934.73 was the municipal tax portion. The total 2010 rebate is expected to be similar to the 2009 rebate except for any augmentation due to increasing assessment values.

STRATEGIC PLAN

Not applicable.

2010 Property Tax Rebate

2012 01 09

Page 3

RECOMMENDATION

That the report of the Manager of Recreation and Culture concerning 2010 heritage property tax rebates be received and that the recommendation that the rebates for the 2010 tax year, and one for the 2009 tax year, be paid to the owners who have made application and complied with the program be approved.

Respectfully submitted on behalf of the Sault Ste. Marie Municipal Heritage Committee,



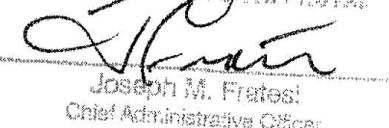
Joseph J. Cain
Manager Recreation & Culture

Recommended for approval,



Nicolas J. Apostle
Commissioner Community Services Department

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

[/jrcouncil/2012/council-report-2010-rebate](#)

attachment

2010 Property Tax Rebate

2012 01 09

Page 4

The following properties and owners qualify for the Heritage Property Tax Rebate for the 2010 tax year. One owner also qualifies for a 2009 rebate as noted.

1. **875 Queen Street – Forest Insect Laboratory** - 1022291 Ontario Ltd.
2. **69 Church Street – Air Service Hanger** - 1022291 Ontario Ltd.
3. **10 Kensington Terrace, Unit #1- Upton House** - Dawn MacPhee
4. **10 Kensington Terrace, Unit #2 – Upton House** - Margaret Keenan
5. **10 Kensington Terrace, Unit #3- Upton House** - Samuel and Darleen Fera
6. **193 Pim Street – Wellington Square Townhouses** - Mark Coleman
7. **189 Pim Street – Wellington Square Townhouses** - Jacques Potvin and Joanne Zeppa
8. **191 Pim Street – Wellington Square Townhouses** - Greg and Patricia Vaughan
9. **115 Upton Road – 1902 Family Residence** - Dr. T. Best and Dr. M. Leahy
10. **242 - 246 Queen Street East – Hussey Block** - W. M. Watts Investments Limited
11. **864 Queen St. East – Algonquin Hotel** - Martin Fiser
12. **708 Queen Street East – Dawson Block** - David Felton
13. **143 McGregor Avenue – former McLeod Family Residence** - Jonathan Coulman & Karen Booth
14. **1048 Queen Street East – Eastbourne Manor** - Essar Steel Algoma Inc.
15. **358 – 356 Queen Street – Barnes/ Fawcett Block** - Sault Financial (Corp) Limited
Qualifies for both 2009 and 2010 tax rebates

5(p)

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

File No. LC-5

2012 01 09

Mayor Debbie Amaroso and
Members of Council

**RE: REPEAL OF BY-LAW 2011-134 – REPLACE WITH BY-LAW 2012-7
LANE CLOSING TAGONA SUBDIVISION**

PURPOSE

The purpose of this report is to authorize the repeal of By-law 2011-134 and replace it with By-law 2012-7.

BACKGROUND

On October 24, 2011, Council passed By-law 2011-134 which stopped up and closed the lane in Tagona Subdivision, more particularly described in the attached Schedule "A". It also declared the lane surplus to the requirements of the City and authorized the conveyance of the lane, subject to the retention of easements.

By-law 2011-134 was registered on the title to the property as Instrument Number AL94898 on November 14, 2011. The description used in the registration was inadvertently mentioned as PT LANE PL 7882 KORAH PT 1 PL12105; SAULT STE. MARIE. The correct description used should have been PT LANE PL 7882 KORAH PT 1 PL 1R12105.

In order to correct the description used in the registration of the By-law as is required by the Land Registry Office, a by-law repealing By-law 2011-134 is required, with a new by-law passed using the correct description. This new by-law (By-law 2012-7) will then be registered on title.

-more-

The Corporation of the City of Sault Ste. Marie

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

Telephone: (705) 759-5400 ~ Fax: (705) 759-5405

www.cityssm.on.ca

2012 01 09
Page 2

ANALYSIS

Not Applicable.

IMPACT

Not Applicable.

STRATEGIC PLAN

Not Applicable.

RECOMMENDATION

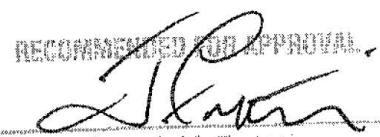
By-law 2012-7 appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,



Nuala Kenny,
City Solicitor
Legal Department

NK/da



RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(q)

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. E.5.2.

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

**RE: POSSIBLE CITY OWNED PROPERTIES TO BE DECLARED SURPLUS
TO THE CITY'S NEEDS**

PURPOSE

The purpose of this report is to provide Council with a list of City owned properties that could be declared surplus and offered for sale. The potential properties are described in the attached Schedule "A". This is a preliminary list only. The properties may have size, zoning or other impediments that may render them not appropriate for sale.

ATTACHMENT

Attached hereto as Schedule "A" is a list, with drawings attached, of City owned properties that potentially could be declared surplus to the City's needs and sold.

BACKGROUND

This matter was before Council on November 21, 2011. At that time Councillor Butland asked that a list of City owned properties be compiled so that Council may look at declaring them surplus and selling them.

-more-

5(g)

2012 01 09

Page 2

ANALYSIS

The procedure under City By-law 2007-150 regarding City owned property is that City Departments are circulated. The other City Departments may identify issues that may make the properties inappropriate for sale. If the other departments are agreeable then we ask City Council to declare the property surplus. If the property is declared surplus then notice that the property is surplus to the City's needs is placed on the City Web page and once in the Sault Star and bids are invited by a certain date.

IMPACT

Not applicable.

STRATEGIC PLAN

Not applicable

RECOMMENDATION

The recommendation is that Council give permission to circulate other relevant departments and see if the City has any interest in retaining ownership.

Respectfully submitted,



Nuala Kenny
City Solicitor
Legal Department
NK/da

Attachment



RECOMMENDED FOR APPROVAL
Joseph M. Frates
Chief Administrative Officer

SCHEDULE "A"CITY OWNED PROPERTY

	<u>ADDRESS/DESCRIPTION OF PROPERTY</u>	<u>ZONED</u>	<u>NOTES:</u>
1)	467 River Road	R2	Along waterfront
2)	818 Wellington St E	R4	busy intersection
3)	Frontenac Lot 5 Plan H718	RA EM	79 x 300
4)	Third Line E Pt Lt 18 Plan H738 Pt 4 1R5753	RA EM	65.78 frontage 5.18 acres
5)	657 Fourth line East	HZ	100 x 125
6)	184 James Street	C1	77.5 x 100.72
7)	1393 Peoples Road	R2	66 x 150
8)	1384 Korah Road	R3	67 x 136

SF	SF	SF	SF	SF	SF	SF	SF	VL
85	89	93	97	101	105	109	117	121

PARKINWORTH PLACE

VL	SF	89
72	76	91
VL	SF	85
68	VL	SF
64	VL	SF
60	VL	SF
56	VL	SF
52	VL	SF
48	VL	SF
44	VL	SF
40	VL	SF
36	VL	SF
32	VL	SF
28	VL	SF
	VL	SF
	VL	SF

DRIVE

MURIEL

RIVER

106	SF	VL
84	SF	VL
80	SF	VL
76	SF	VL
72	SF	VL
68	SF	VL
64	SF	VL
62	SF	VL
58	SF	VL
52	SF	VL
48	SF	VL
44	SF	VL
40	SF	VL
36	SF	VL
32	SF	VL
28	SF	VL
15	SF	VL
11	SF	VL
7	SF	VL
3	SF	VL

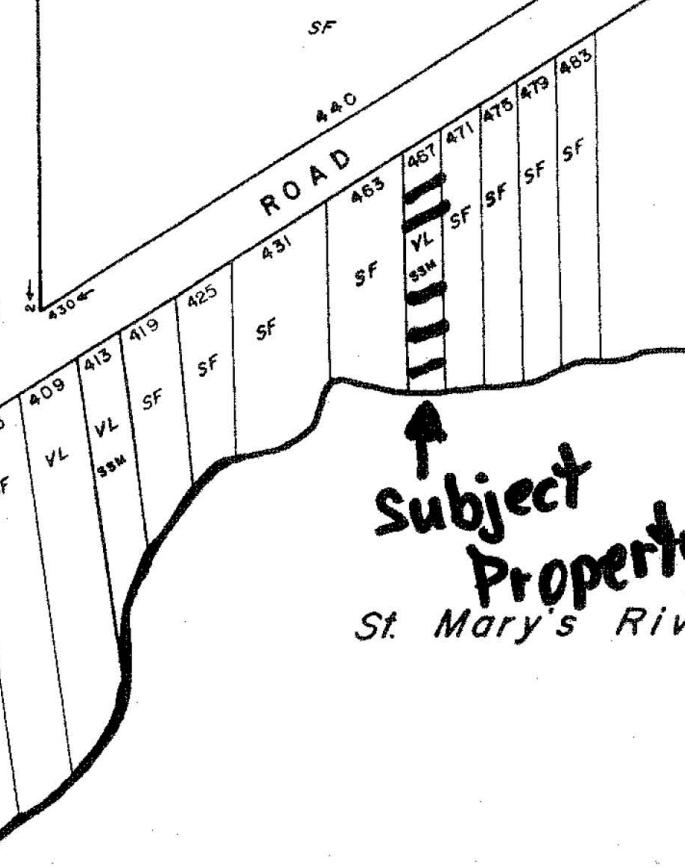
85	86	87
81	82	83
78	79	80
75	76	77
71	72	73
68	69	70
55	56	57
51	52	53
48	49	50
45	46	47
42	43	44
39	40	41
36	37	38
33	34	35
30	31	32
27	28	29
24	25	26
21	22	23
18	19	20
15	16	17
12	13	14
9	10	11
6	FENCED YARD	7
3	4	5

106	SF	VL
84	SF	VL
80	SF	VL
76	SF	VL
72	SF	VL
68	SF	VL
64	SF	VL
62	SF	VL
58	SF	VL
52	SF	VL
48	SF	VL
44	SF	VL
40	SF	VL
36	SF	VL
32	SF	VL
28	SF	VL
15	SF	VL
11	SF	VL
7	SF	VL
3	SF	VL

ROAD

FALLDIEU

ROAD



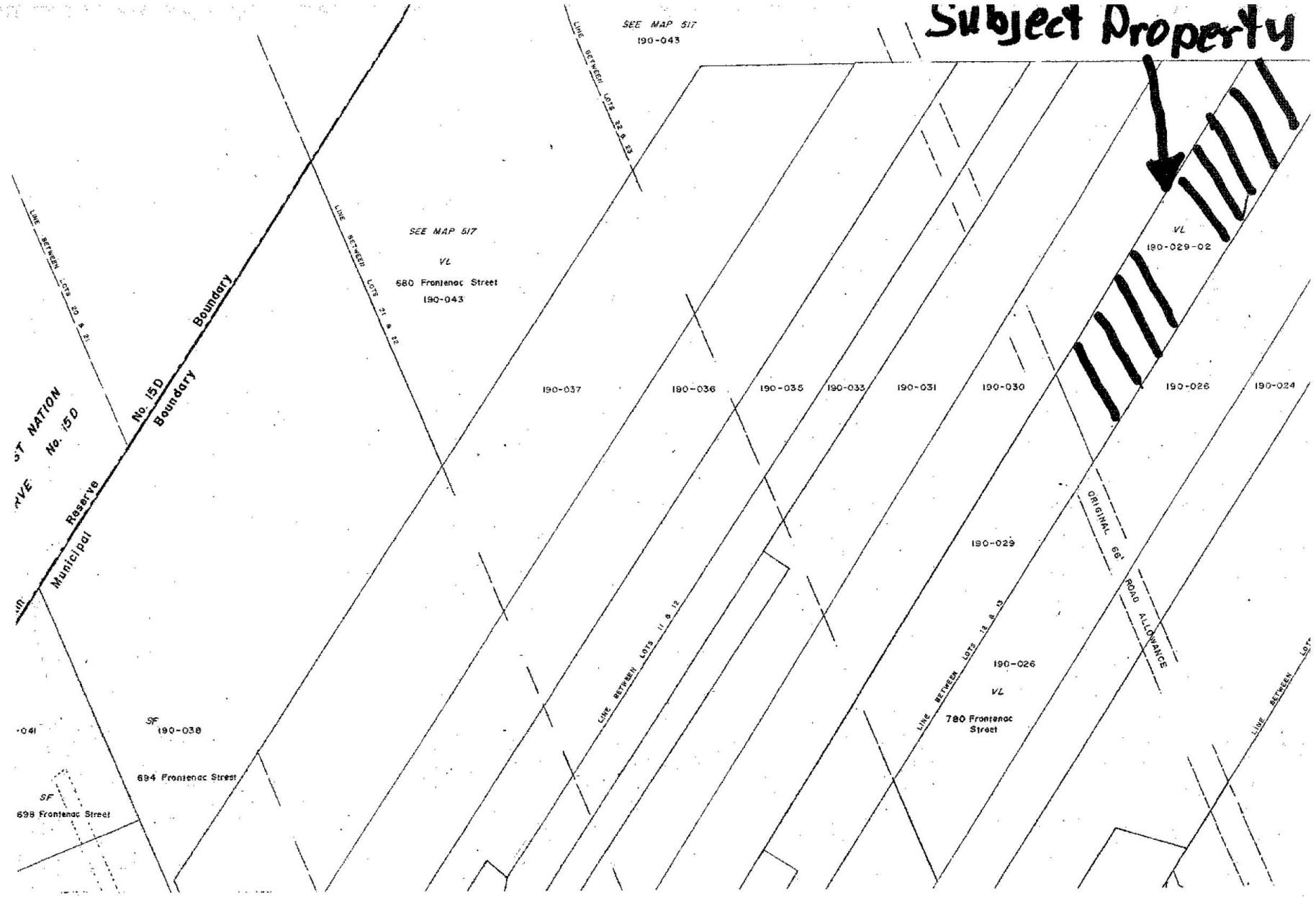
Subject
Property
St. Mary's River

5(q)

1

Subject Property

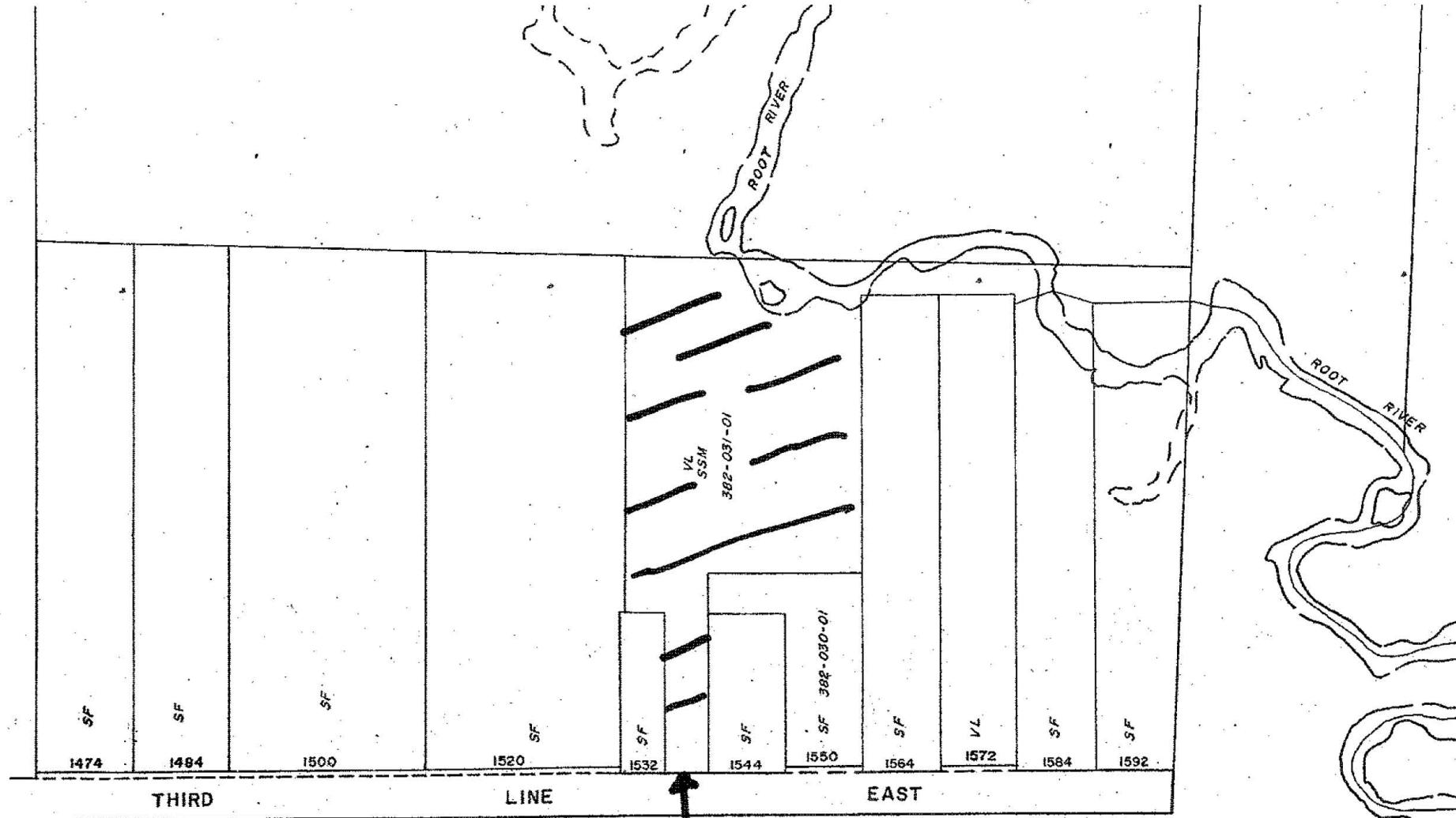
564



Part of Map 4.

③

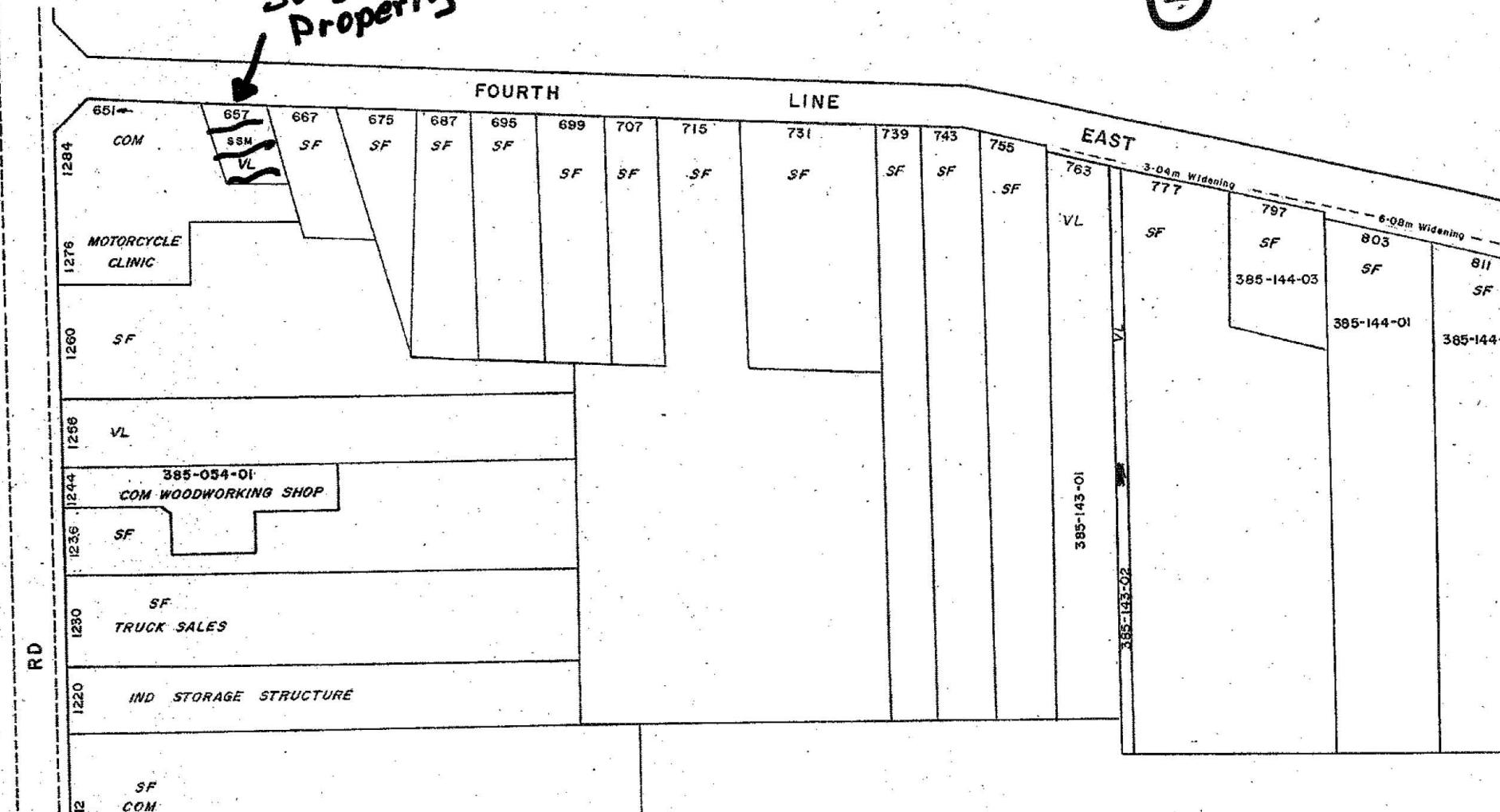
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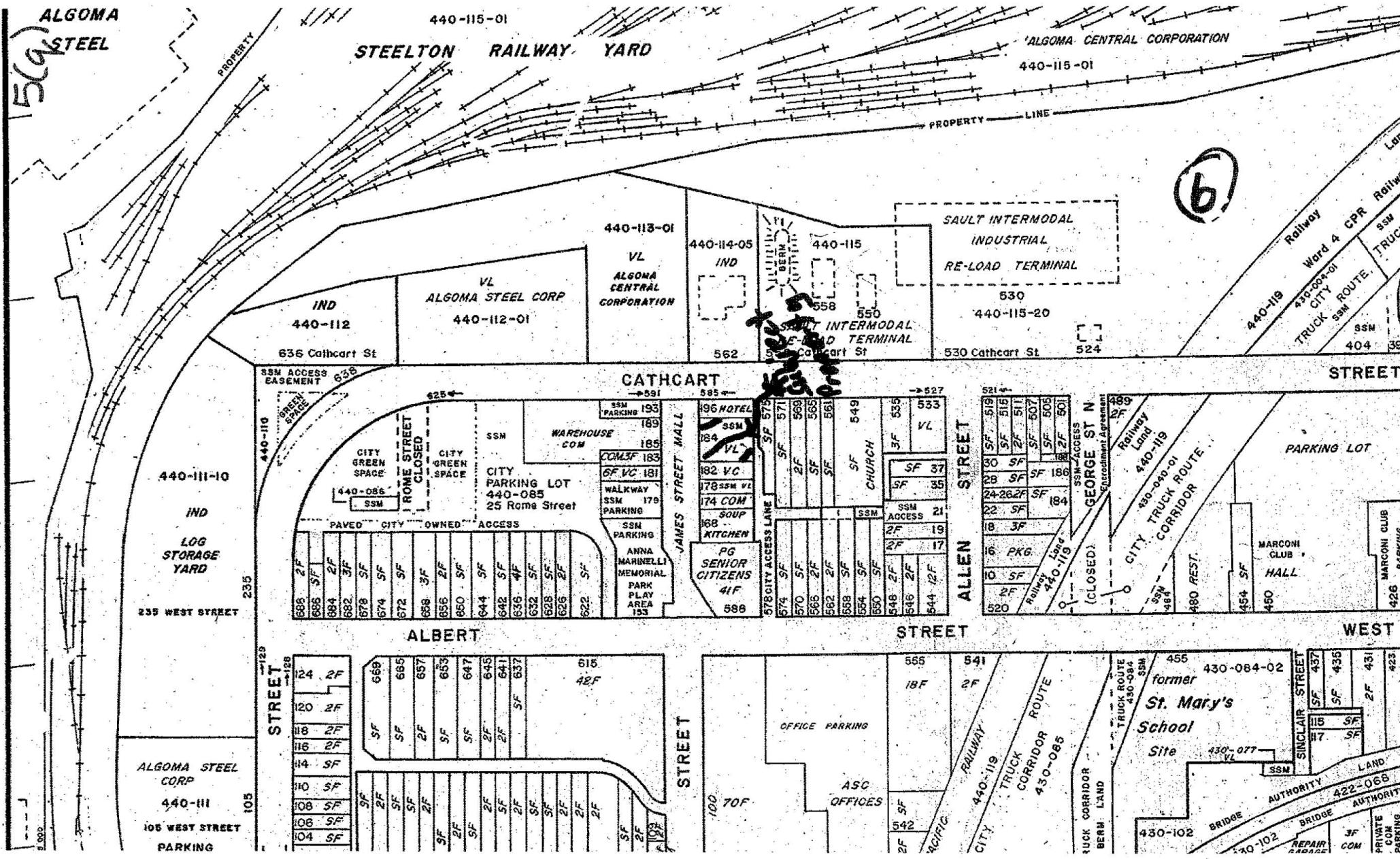


Subject
Property

Part of Map 117

④





60-001-01

(SEE MAP 123)

1386

1393

SF

PEOPLES

1281

Storm Sewer
Easement

SF

KENT CRESCENT

20	SF	3F	15	SF
19	SF	16	SF	11
18	SF	17	SF	12
17	SF	18	SF	13
16	SF	19	SF	14
15	SF	20	SF	10
14	SF	21	SF	9F
13	SF	22	SF	8F
12	SF	23	SF	7
11	SF	24	SF	6
10	SF	25	SF	5
9	SF	26	SF	4
8	SF	27	SF	3
7	SF	28	SF	2
6	SF	29	SF	1
5	SF	30	SF	0
4	SF	31	SF	-
3	SF	32	SF	-
2	SF	33	SF	-
1	SF	34	SF	-
0	SF	35	SF	-

TALLACK BOULEVARD

SF

ROAD

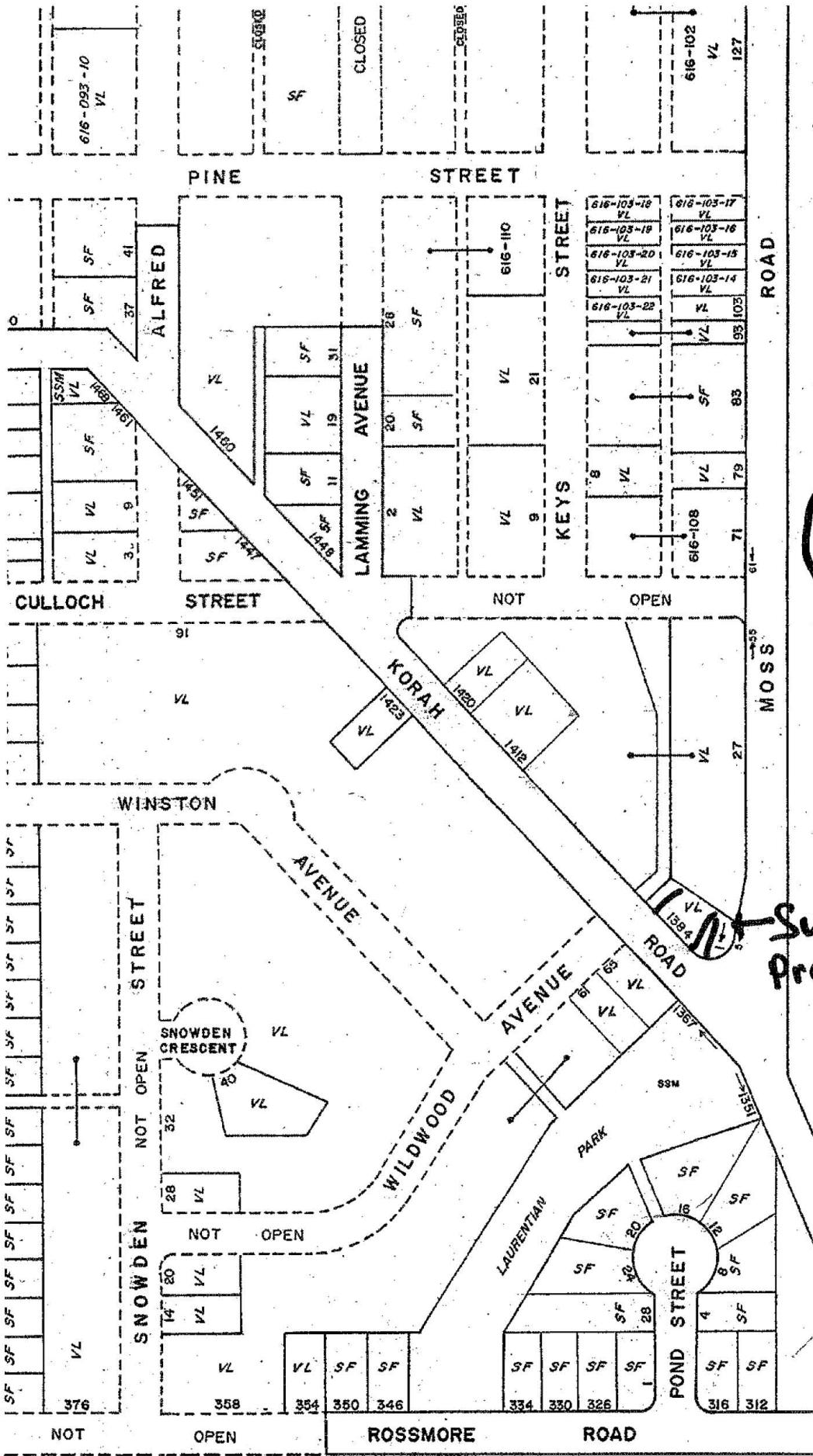
SF

Subject
Property

Part of Map 109
5(a)

⑦

5(q)



NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



**LEGAL
DEPARTMENT**

File No. LE-96

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

**RE: LICENCE OF OCCUPATION BETWEEN THE CITY AND MARIO AVATI
AND MARY MELANIE AVATI**

PURPOSE

The purpose of this report is to seek Council's approval for a new Licence agreement between the City and Mario Avati and Mary Melanie Avati.

BACKGROUND

When completing a final inspection of Clearview Heights Phase II, the Engineering Department noticed that the owners of 63 Peach Drive, being Mario Avati and Mary Melanie Avati had encroached with their landscaping of their back yard onto City owned park land.

ANALYSIS

An agreement is required for insurance purposes.

IMPACT

There is no significant financial impact with this licence as the rent is nominal.

-more-

2012 01 09

Page 2

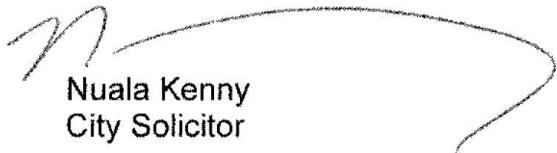
STRATEGIC PLAN

Not Applicable

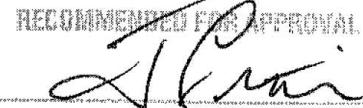
RECOMMENDATION

By-law 2012-8 which appears elsewhere on the agenda authorizes a Licence of Occupation agreement with Mario Avati and Mary Melanie Avati and is recommended for approval.

Respectfully submitted,


Nuala Kenny
City Solicitor

NK/da


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

LEGAL\STAFF\COUNCIL REPORTS\2011\LICENCE AVATI MARIO AND MARY MELANIE LE-96 JAN 9 12.DOC

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. B.1.4.

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

**RE: YARD MAINTENANCE BY-LAW AND PROPERTY STANDARDS
BY-LAW**

PURPOSE

The purpose of this report is to introduce City Council to two new by-laws whose aim is to ensure homes and properties in Sault Ste. Marie are maintained in good repair.

BACKGROUND

On April 13, 2011 City passed the following resolution moved by Councillor Niro and seconded by Councillor Turco:

"Whereas the large majority of homeowners in SSM take pride in maintaining their homes in good repair and in keeping their properties neat and clean; and

Whereas some homes have been allowed to end up in a state of disrepair, with some being vacated and boarded up; and

Whereas some of these homes and buildings have been vacated and boarded up for years; and

Whereas some yards have become holding areas for garbage, old furniture, derelict vehicles and vehicle parts, pet excrement etc.; and

Whereas homes in disrepair and dirty yards are regulated by the City's Property Standards and Minimum Standards By-law; and

-more-

2012 01 09
Page 2

Whereas the Engineering Department and the Legal Department continue to do a good job at enforcing the said by-laws;

Now therefore be it resolved that City Council request that the Engineering Department and the Legal Department conduct an extensive review of the City by-laws regulating Minimum Standards for buildings and Property Standards for yards; and

Be it further resolved that the review including the following:

1. The comparison of our By-laws to those of other communities.
2. The ensurance that our By-laws are the most aggressive they can be, while still meeting Legal and Ontario Building Code restrictions.
3. The ensurance that notification periods are at their minimums.
4. To incorporate if possible into the By-law, a section on repeat offends and how they can be dealt with.
5. The hiring of a University summer student dedicated strictly to the Building Department to check out property complaints and follow up on notices that are sent out by the By-law Enforcement Officers.
6. To investigate, if not already in place, a revenue stream resulting from on the spot fines if the yard is not cleaned up by the date set out by the By-law Enforcement Officer in the issuance of an order."

The result of the resolution is the two proposed by-laws before Council tonight.

ANALYSIS

The Legal Department worked with the Engineering Department to create the two proposed by-laws before Council. Both the Dirty Yard By-law (By-law 76-185) and the Property Standards By-law (By-law 94-54) have been significantly changed. The new Dirty Yard By-law is smaller and more precise than its predecessor. Much of the extraneous material previously incorporated in By-law 76-185 has been removed. The issues in the old by-law are now covered by the Building Code Act. The result is a cleaner definition section. In the past prosecutors have experienced problems in court with broad or vague definitions. The new definition section is more accurate. The new by-law also sets out a precise timeline in which an owner must rectify dirty yard problems. Under the new by-law owners are given seven days in which time to make the necessary repairs. It also authorizes the municipality to correct the work and proceed with prosecution where warranted.

2012 01 09

Page 3

The new Property Standards By-law is also an improvement on its predecessor. The definitions are clear and plain. The by-law now addresses vacant buildings. The new by-law now requires owners of vacant buildings to take steps to protect the building against hazards. It also allows for greater monetary penalties of up to \$100,000 on conviction.

Following the preparation of the draft by-law, staff (Don Maki, Jerry Dolcetti and myself) met with a committee of Council comprised of Councillor Niro, Councillor Myers, Councillor Christian, Councillor Bruni and Councillor Turco. Staff received clear direction from the Council committee to enforce the by-law zealously. It was also clear that Council wants extensions of time to be granted only in exceptional circumstances. It was determined by the committee that it was not necessary to include these directions in the by-law. However, staff will report back to City Council in one year as to the success of the enforcement of the by-laws.

IMPACT

By expediting enforcement the City will be operating in a more cost effective manner.

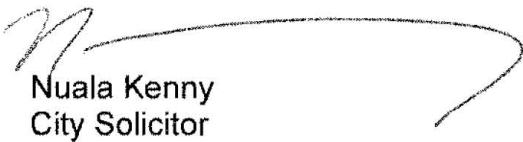
STRATEGIC PLAN

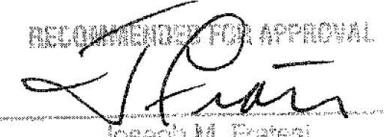
This is an operational issue that is not linked to any activity in the Strategic Plan currently.

RECOMMENDATION

Recommended that Property Standards By-law 94-54 be repealed and replaced with By-law 2012-9 and Building By-law 76-185 be repealed and replaced with By-law 2012-10. By-laws 2012-9 and 2012-10 are located elsewhere on the Agenda tonight and they are recommended for your approval.

Respectfully submitted,


Nuala Kenny
City Solicitor
Legal Department
NK/da

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Engineering & Planning Name
Engineering Division

2012 01 09

Our File:

Mayor Debbie Amaroso and
Members of City Council

RE: THIRD LINE AT GREAT NORTHERN ROAD – EASTBOUND RIGHT TURN LANE

PURPOSE

This report is in response to the Council resolution dated 2011 09 12:

"Whereas the extension of Third Line West now joins Great Northern Road combined with the opening of our new hospital in the immediate vicinity and expansion and redevelopment plans are now surrounding this intersection including our existing EA of the remainder of Third Line East, and whereas these continuing changes should allow for traffic volume increases especially accessing the main hospital entrance and our major retail area from this new northern route and whereas at this point there is not provision for a right turn lane to proceed southbound to these major destinations; now therefore be it resolved that city staff review traffic movement and patterns at the intersection of Great Northern Road and Third Line with a view to create proper turning lanes in anticipation of the expected significant increase in traffic volume."

BACKGROUND

In response to this resolution, staff obtained a summary of past reports and design considerations and decisions from the engineering consultant retained to complete the work. The existing lane configuration is in accordance with the design.

ANALYSIS

The consultant has advised that the projected traffic volumes to 2016 do not justify a dedicated eastbound right turn lane on Third Line at Great Northern Road. However, if assumptions about future development are accurate, the volume of traffic will be approaching the capacity of the intersection, and a right turn lane may be warranted at that time. The need for intersection improvements will depend on the rate of additional development in the area in future years. In the interim, actual traffic counts can be obtained now that the road is open. The consultant also advises that an additional lane will present challenges due to the need for property acquisition, Hub Trail relocation and considerable utility relocation.

The Traffic Division completed a traffic count at the intersection on Tuesday, November 8, 2011, and has advised that the volumes are not sufficient enough to warrant an additional lane at this time.

IMPACT

There is no immediate impact on existing budgets. If traffic counts warrant a right turn lane in the future, then costs for property acquisition, design and construction will have to be allocated.

STRATEGIC PLAN

Evaluation of this intersection is linked to the Transportation Network Improvements objective under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended by the Engineering Division and the Traffic Division concurs, that the City follow the advice of the consultant, and take a wait and see approach to the provision of a right turn lane at the eastbound approach to the Third Line intersection with Great Northern Road. If traffic volumes and intersection level of service warrant its construction in the future, then it can be evaluated together with other capital improvement projects and priorities.

Respectfully submitted,



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

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL.


Joseph M. Fratesi
Chief Administrative Officer

5(u)

Jerry Dolcetti, RPP
Commissioner

Don Elliott, P. Eng.
Director of Engineering Services



Celebrate 100!
1912 - 2012

Engineering & Planning
Department

2012 01 09
Our File: 9.5.9

Mayor Debbie Amaroso and
Members of City Council

RE: CONNECTING LINKS – 2012-2016 5-YEAR PLAN AND REQUEST FOR 2012 MTO ALLOCATION

PURPOSE

The purpose of this report is to advise Council of the 2012-2016 5-year plan for capital construction on provincial connecting links, to review the progress of the 2011 program and to provide details of the 2012 allocation requested of the Ministry of Transportation (MTO).

BACKGROUND

In the fall of each year, the Engineering Department submits a request for the following year's connecting link allocation. Under the connecting link program, MTO funds 75% of capital improvements to designated connecting links. Unfortunately, the MTO will not fund maintenance leaving those costs 100% to the City. The attached table shows our recommended five-year connecting link schedule which was submitted to MTO in December.

ANALYSIS

2011 Program

The 2011 program rehabilitated the two bridges over the Root River on Great Northern Road, north of Fourth Line. This work addressed deficiencies and added considerable life to both structures. The project is complete. Given the low tender price compared to the project estimate and budget, it is projected that there may be a grant surplus in the order of \$700,000. In the City's submission to the MTO, it was requested that the surplus, once finalized, be applied to the 2012 program.

The MTO did not approve the other component of the 2011 program request, which was the resurfacing of Second Line from Great Northern Road to Old Garden River Road. That project is now part of the 2012 request outlined below.

2012 Program

Second Line Resurfacing, Great Northern Road to Old Garden River Road

The 2012 program includes \$480,000 to resurface this block. The MTO share is estimated at \$288,750 and the City share is \$191,250 which includes \$95,000 in unsharable cost for a new sidewalk on the south side of Second Line.

Second Line – Old Garden River Road to Pine Street

The widening of this section of road is the preferred alternative identified in a class environmental assessment discussed in a report to Council at the December 5, 2011 meeting. MTO has been asked to allocate the 2012 connecting link grant and the surplus from the 2011 program to widening this section of road. The work will be under the same contract for constructing the intersection of Pine Street and Second Line. If MTO does not approve it, the intention is to only construct the intersection and regrading the Second Line approaches to the intersection. The widening would be a separate project in the future.

The MTO share of the project is estimated to be \$2,172,000 and the City's is \$1,650,000. If MTO applies the 2011 surplus to the project, then the 2012 allocation becomes \$1,459,500. If MTO does not approve the project, it is estimated that the City can complete the intersection only within the amount budgeted in the 2011/12 plan.

2013 Program

Great Northern Road – Second Line to Third Line

It is the City's intention to request that the MTO allocation for 2013 be provided for the resurfacing of Great Northern Road between Second and Third Lines. The work will involve an asphalt recycling technique. The City's share in the attached table includes a sidewalk on the west side of the road.

2014 and 2015 Programs

The 2014 and 2015 programs will complete the widening of Second Line from Pine Street easterly to Black Road. Estimates are preliminary.

2016

The 2016 program is assumed to be the resurfacing of Black Road from Trunk Road to McNabb.

Needs beyond 2016

There will likely be a need to widen Black Road in the future, especially if the connection of highway 17 (new) to Second Line continues to be delayed. Connecting link sections like Second Line between Carmen and North will also need resurfacing. All other connecting link sections are listed on the attached spreadsheet, in no particular order of priority.

IMPACT

Allowances for connecting link planning are included in our approved 5 year capital works plan. The City's 25% share of costs and the cost of unshared items comes from the capital works budget. The new sanitary sewer on Second Line must be funded through the sanitary sewer surcharge.

2012 01 09
Page 3

Traffic flow will be restricted on Second Line during construction of the Pine Street intersection and widening. It is noted that if MTO does not approve the first phase of the Second Line widening for 2012, the level of service on this corridor will further diminish as the north end of the City continues to develop. The level of service will be improved when the widening is approved by MTO, and construction proceeds for the second time on this road section.

The Engineering Division will maintain close contact with MTO to determine whether or not the widening will be approved. It is imperative that a timely announcement is made given the need to finalize design drawings and specifications for a timely tender in the spring.

STRATEGIC PLAN

This is linked to Objective 1B, Transportation Network Improvements under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is recommended that Council accept the 2012-2016 Connecting Link forecast and the 2012 allocation request as information.

Respectfully submitted,



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

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

attachment



RECOMMENDED FOR APPROVAL
Joseph M. Pratesi
Chief Administrative Officer

Capital Construction Plan, Connecting Links (2012 to 2016)									
Year	Type	Street	From	To	Total Cost	Not Shareable**	Sharable	MTO Cost	City Cost
2012	Resurface	Second Line East	Great Northern Rd	Old Garden R. Rd	\$ 480,000	\$ 95,000	\$ 385,000	\$ 288,750	\$ 191,250
2012	Par Recon	Second Line East	Old Garden R. Rd.	Pine St.	\$ 3,822,000	\$ 926,000	\$ 2,896,000	\$ 2,172,000	\$ 1,650,000
				Total	\$ 4,302,000	\$ 1,021,000	\$ 3,281,000	\$ 2,460,750	\$ 1,841,250
		Estimated unused portion of 2011 Connecting Link Grant:						-\$ 712,500	
		Grant required for 2012						\$ 1,748,250	
2013	Resurface	Great Northern Rd	Second Line E.	Terrance Ave.	\$ 925,000	\$ 205,000	\$ 720,000	\$ 540,000	\$ 385,000
	Resurface	Great Northern Rd	Terrance Ave	Third Line	\$ 950,000	\$ 230,000	\$ 720,000	\$ 540,000	\$ 410,000
				Total	\$ 1,875,000	\$ 435,000	\$ 1,440,000	\$ 1,080,000	\$ 795,000
2014	Par Recon	Second Line East	Pine Street	A/C width change	\$ 2,300,000	\$ 800,000	\$ 1,500,000	\$ 1,125,000	\$ 1,175,000
				Total	\$ 2,300,000	\$ 800,000	\$ 1,500,000	\$ 1,125,000	\$ 1,175,000
2015	Par Recon	Second Line East	A/C width change	Black Rd	\$ 1,877,000	\$ 100,000	\$ 1,777,000	\$ 1,332,750	\$ 544,250
				Total	\$ 1,877,000	\$ 100,000	\$ 1,777,000	\$ 1,332,750	\$ 544,250
2016	Resurface	Black Road	Trunk Road	McNabb Street	\$ 1,117,000	\$ -	\$ 1,117,000	\$ 837,750	\$ 279,250
				Total	\$ 1,117,000	\$ -	\$ 1,117,000	\$ 837,750	\$ 279,250
Notes: ** Not sharable cost are primarily sidewalks and sanitary sewers									
Cost estimates in bold are pre-design estimates, others are budget estimates only									
Needs Beyond 2015:									
	Resurface	Second Line East	Carmen's Way	North St					
		Trunk Road	East City Limit	Boundary Road					
		Trunk Road	Boundary Road	Black Road					
		Black Road	McNabb Street	Second Line					
		Carmen's Way	Second Line	Conmee Avenue					
		Carmen's Way	Conmee Avenue	Wellington Street					
		Carmen's Way	Wellington Street	Queen Street					
		Queen Street West	Carmen's Way	Huron Street					
		Great Northern Road	Third Line	Fourth Line					
		Great Northern Road	Fourth Line	Fifth Line					
		Great Northern Road	Fifth Line	North City Limit					
		Second Line East	North Street	Great Northern Rd					

5(4)

**Susan Hamilton
Beach, P. Eng.
Deputy Commissioner**



**Public Works and
Transportation**

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*1912 ~ 2012**

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

**RE: NORTHERN AVENUE, EAST OF PINE STREET
REQUEST FOR REDUCTION IN SPEED LIMIT**

PURPOSE

This report has been prepared in response to the Council resolution dated 2011 10 24 which reads:

"Whereas there has been a citizen request for lower speeds on the eastern block of Northern Ave. E. due to increased traffic;

Therefore Be It Resolved that Council requests Public Works and Transportation for a report on the feasibility of lowering the speed limit and/or other solutions to this problem."

BACKGROUND

Northern Avenue east of Pine Street is approximately 300m long ending at a dead end. The roadway is approximately 10m wide with the hub trail located along the north side. This roadway has seen substantial construction activity over the last couple of years with the establishment of the hub trail, the construction of the Pine Street extension and the construction of the \$40 million Extendicare long-term care facility.

All of the construction activity has resulted in a higher volume of traffic in the area. It is our understanding the Extendicare facility is expected to open in 2012 and the Pine Street extension will be completed in 2012. Council is well aware that the hub trail construction in this area is complete.

ANALYSIS

Generally lower speed limit zones are restricted to areas with a high volume of young pedestrians such as that around a daycare facility or elementary school. The use of reduced speed limit zones is limited to these areas in order to safeguard their effectiveness. As per the Highway Traffic Act the speed limit on all Ontario roadways is 50 kph unless otherwise posted.

2012 01 09
Page 2

A recent speed study completed on Northern Avenue, east of Pine Street indicates an 85th percentile speed of 51 kph.

Due to the facts that:

- the construction in this area will be completed soon,
- the short length of roadway under study (ie. Northern Avenue east of Pine Street); and
- the results of the recent speed study

Public Works and Transportation recommends no change to the posted speed limit.

IMPACT

There is no budget impact or recommended change to the Traffic By-law.

STRATEGIC PLAN

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

RECOMMENDATION

That the report of the Deputy Commissioner of Public Works and Transportation addressing the request to lower speeds on Northern Avenue east of Pine Street be received as information and that no changes to the speed limit be approved.

Respectfully submitted,



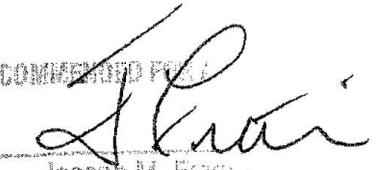
Susan Hamilton Beach, P.Eng.
Deputy Commissioner

Recommended for approval,



Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL


Joseph M. Francis
Chief Administrative Officer

Larry Girardi
Commissioner

Public Works &
Transportation Department



2012 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: Request for an Increase Level of Service by the Downtown Association.

PURPOSE

This report is in response to a request from the Downtown Association to have Public Works and Transportation (PWT) increase the level of service presently provided to the Downtown Association regarding Winter Maintenance.

BACKGROUND

The present level of service for the Downtown Association includes the following:

- The Downtown area is on a first priority when it comes to snow removal after the start of a snow event.
- All laneways at the rear of the downtown businesses are cleaned as a first priority to service the Downtown Association and its members along with other businesses in the down town core.
- Parking Lots in the downtown area are also on a first priority when it comes to snow removal.
- Under normal winter conditions Public Works cleans all the snow accumulated on Queen Street at least twice a year. Usually once just before Christmas if required and one more time just before the spring thaw. The first clean provides easier access for visitor's to the downtown area during the holiday season. The second clean eliminates the amount of snow and sand that may cause flooding during the spring thaw.

The Downtown Association and PWT have met on a few occasions to discuss the possibility of adding access points for visitors to the downtown area. A trial was agreed upon which included opening pedestrian access points at each end of the bays located between Brock Street and East Street, being eight locations.

ANALYSIS

With the new winter program in full swing, we felt it necessary to meet with the Downtown Association representative to discuss what the expectations of the Association are regarding the trial that was done thru last season between East and Brock Streets and also what the long term expectations might be of the Association. At the meeting, it became very clear that the Downtown Association wanted to have the access points increased starting at Pim Street and ending at Dennis Street. This is the area that encompasses all the businesses that are members of the Downtown Association. PWT has reviewed the amount of parking bays located on Queen Street which in total comes to 14 with the potential of 28 access points that will have to be cleared of snow. This does not include the blocks on Queen that do not have any parking bays located in them. It was noticed by staff that after the first major snow fall of the 2011/2012 season, approximately 40 businesses took it upon themselves to clear the snow from the front of their perspective businesses

With the increased level of service expected by the Downtown Association comes an increase of level of service. This level of service will cost the City approximately \$1078.00 per snowfall. On average we will have approximately 25 snow events in an average winter which brings the total cost of equipment and labour to \$26,950.00. This is **not** something that PWT is able to accomplish within its present winter maintenance budget.

PWT has no problem accepting this addition to its work load but funding would have to be made available in order to accomplish this task.

Council may also consider providing funds for a private contractor to provide these access points for visitors to the downtown area.

IMPACT

There is a budgetary impact of approximately \$26,950.00 on an average winter.

If Council chooses to increase the level of service to the Downtown Association they may want to:

- put this in as a supplementary request referred to the 2012 budget process
- or suggest the Downtown Association increase its levy to the Business Improvement Area (B.I.A.) to cover the cost of this increase level of service which can be done by PWT or possibly a third party contractor.

Council will have to also consider that this increased service may be requested from other areas through out the City who are in similar situations like Steelton and Gore Street area or perhaps residents wanting their driveway ends cleaned after roads have been graded.

STRATEGIC PLAN

This report does not directly affect the Strategic Plan but could be considered under the Downtown revitalization portion of the Plan.

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RECOMMENDATION

Public Works and Transportation does not recommend an increased level of service for winter maintenance in the Downtown B.I.A. If, however, Council wishes to increase the level of service they consider, during the 2012 budget deliberations, allocating funds permanently to the winter maintenance budget.

This report has been prepared for Council's information.

Respectfully submitted,

Larry Girardi
Commissioner
Public Works and Transportation

RECOMMENDED FOR APPROVAL

Joseph M. Frabes
Chief Administrative Officer

Susan Hamilton Beach P. Eng.
Deputy Commissioner



**Public Works and
Transportation**

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1912 - 2012

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

**RE: Bloor Street West (west of Lyons Avenue)
Change of traffic flow from one direction to two**

PURPOSE

This report is in response to the Council resolution dated 2011 07 18:

"Whereas One-Way signs on Bloor Street West (west of Lyons Ave.) have been a concern to residents in the area; and

Whereas exiting Bloor Street at Lyons Ave. can be quite dangerous, especially if you are making a left hand turn; and

Whereas it would be safer if vehicles could travel west on Bloor Street and use Patrick Street to exit on the traffic lights,

Therefore Be It Resolved that the appropriate staff review this matter and report back to Council."

BACKGROUND

The Traffic Division of Public Works and Transportation was first contacted in 2010 about the possibility of changing Bloor Street West from one direction to two directional traffic flow. It is our understanding that Bloor Street West was changed from two direction to one direction traffic flow over 20 years ago due to traffic and safety concerns with vehicles exiting and entering the then Algoma Steel property.

Staff thought it would be prudent to obtain feedback from the residents of the area. A survey was distributed in January, 2011 with 2 (13%) replies received (1 for and 1 against the proposed change). Based on the lack of response to the original request, a second mailing was distributed in November, 2011. This second attempt resulted in 5 (33%) responses - 3 for, 1 against and 1 stated no opinion towards the proposed change.

ANALYSIS

If bi-directional traffic was restored on Bloor Street this would aid in snow removal operations and potentially increase safety for residents exiting this area. It is anticipated, however, that it would also bring increased traffic volumes and introduce other possible safety concerns due to speed of vehicles and increased volume at the Bloor Street and Patrick Street, Bloor Street and Adelaide Street and Bloor Street and Lyons Avenue intersections.

Through the process of soliciting public input from the area residents, they expressed concerns with the current condition of the road. After consultation with the Engineering Department it is recognized that this street is on the "now deficient" list, however, it has not been scheduled for upgrade within the five (5) year approved plan.

Public Works and Transportation supports the re-establishment of two-way traffic at the time that the street is re-constructed or if Council directs the change to occur.

IMPACT

There is no budget impact due the proposed future traffic changes. There will be a budget impact if and when the road is reconstructed. This would be incorporated into the capital works budget. Changes to the Traffic By-law would occur when this is implemented.

STRATEGIC PLAN

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

RECOMMENDATION

That the report of the Deputy Commissioner of Public Works concerning the change of the flow of traffic on Bloor Street West be received as information and that Engineering incorporate bi-directional traffic flow on this street at the time it is reconstructed.

Respectfully submitted,

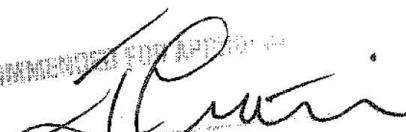


Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval,



Larry Gjordi
Commissioner

RECOMMENDED FOR APPROVAL

Joseph M. Pratesi
Chief Administrative Officer

5(x)



Current Situation

5(x)



Proposal

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Planning Division

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

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1912 - 2012

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-3-12-Z – filed by Marino and Anna DeGregorio

PURPOSE

The applicants, Marino and Anna DeGregorio, are requesting a rezoning from "C1.S59" (Traditional Commercial) zone with a Special Exception to "C1" (Traditional Commercial) zone. The effect of this application is to repeal Special Exception 59 which limits the use of the property to motor vehicle sales, repair and maintenance only. Removal of Special Exception 59 would allow the property to be used in accordance with the full list of uses permitted within the "C1" (Traditional Commercial) zone.

Subject Property:

- Location – Located at the northeast corner of Lyons Avenue and Farwell Terrace, Civic No. 245 Wallace Terrace
- Size – Approximately 34m (112') frontage on Farwell Terrace and 47m (154') frontage on Wallace Terrace; 1598m² (0.39 acres)
- Present Use – Automotive repair and maintenance
- Owner – Marino and Anna DeGregorio

BACKGROUND

This property has been used for automotive services since at least the mid 1960s and was zoned "B7" (Automotive Service Business) under the City's old Zoning By-law. In 1981 the property was rezoned to "B3" (General Business) with a Special Exception limiting the uses to the automobile repair shop and the sale of used vehicles. With the approval of the City's new Zoning By-law in 2005, this property was zoned "C1" (Traditional Commercial) and the existing Special Exception was retained. The present owners are requesting that the Special Exception be repealed to permit a wider range of commercial uses.

ANALYSIS

Conformity with the Official Plan

The subject property is designated Commercial in the City's Official Plan. Therefore the request to rezone to permit a wider range of commercial uses conforms to the policies of the Official Plan.

Consultation

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

- Engineering Department, Conservation Authority, Accessibility Advisory Committee - See attached letters;
- Building Division, EDC, CSD, Municipal Heritage Committee, PWT, Fire Services, PUC Services - No objections or comments

Comment

As noted above, this property has been used for various automotive related services for many years. The present owners are requesting that the full range of "C1" (Traditional Commercial) uses be permitted. The owners have no specific plans at this time but would like an opportunity to consider other types of commercial development and have submitted a site plan showing a possible new take-out restaurant building.

The "C1" zone is used in many older areas including Korah Road, Steelton and Gore Street. The main purpose of the zone is to encourage the reuse of existing buildings for either commercial or residential purposes. A list of the permitted uses is attached.

The property abuts a residential duplex to the east and is across from two homes on the north side of Wallace Terrance. Alfano Auto Body occupies the remaining properties to the north. Commercial and industrial uses are opposite this property on the west and south respectively. Given the size of the property, it is likely that any new business would be of the neighbourhood commercial type, i.e. intended to provide services to the surrounding area. Therefore, the requested "C1" (Traditional Commercial) zoning is appropriate and recommended.

This property has already been designated as subject to Site Plan Control as per Section 41 of the Planning Act. This will allow for a review of the vehicle access locations, walkways, storm water drainage, garbage collection facilities, landscaping and buffering prior to construction of any new buildings. This will also allow for the comments from the Conservation Authority, Engineering & Construction Division

6(b)(a)

and Accessibility Advisory Committee to be considered during the preparation of a new site plan.

IMPACT

There are no significant impacts on municipal services resulting from the approval of this application.

SUMMARY

The subject property has been used for various automotive related services for many years. The present owners are requesting that the full range of "C1" (Traditional Commercial) uses be permitted. The main purpose of this zone is to encourage the reuse of existing buildings in older commercial areas.

This request conforms to the policies of the Official Plan and is recommended for approval.

STRATEGIC PLAN

Approval of this application is not related to any activity identified in the City's Corporate Strategic Plan.

RECOMMENDATION

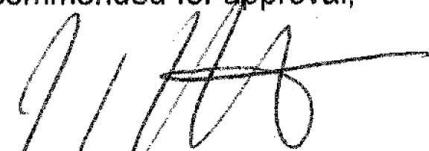
That City Council accepts this report and approve the request to rezone the property to "C1" (Traditional Commercial) by repealing Special Exception No. 59 which restricts the use to an automobile repair shop and the sale of used vehicles.

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

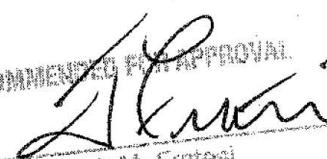


Jerry Dolcetti, RPP
Commissioner Engineering & Planning

DBM/ps

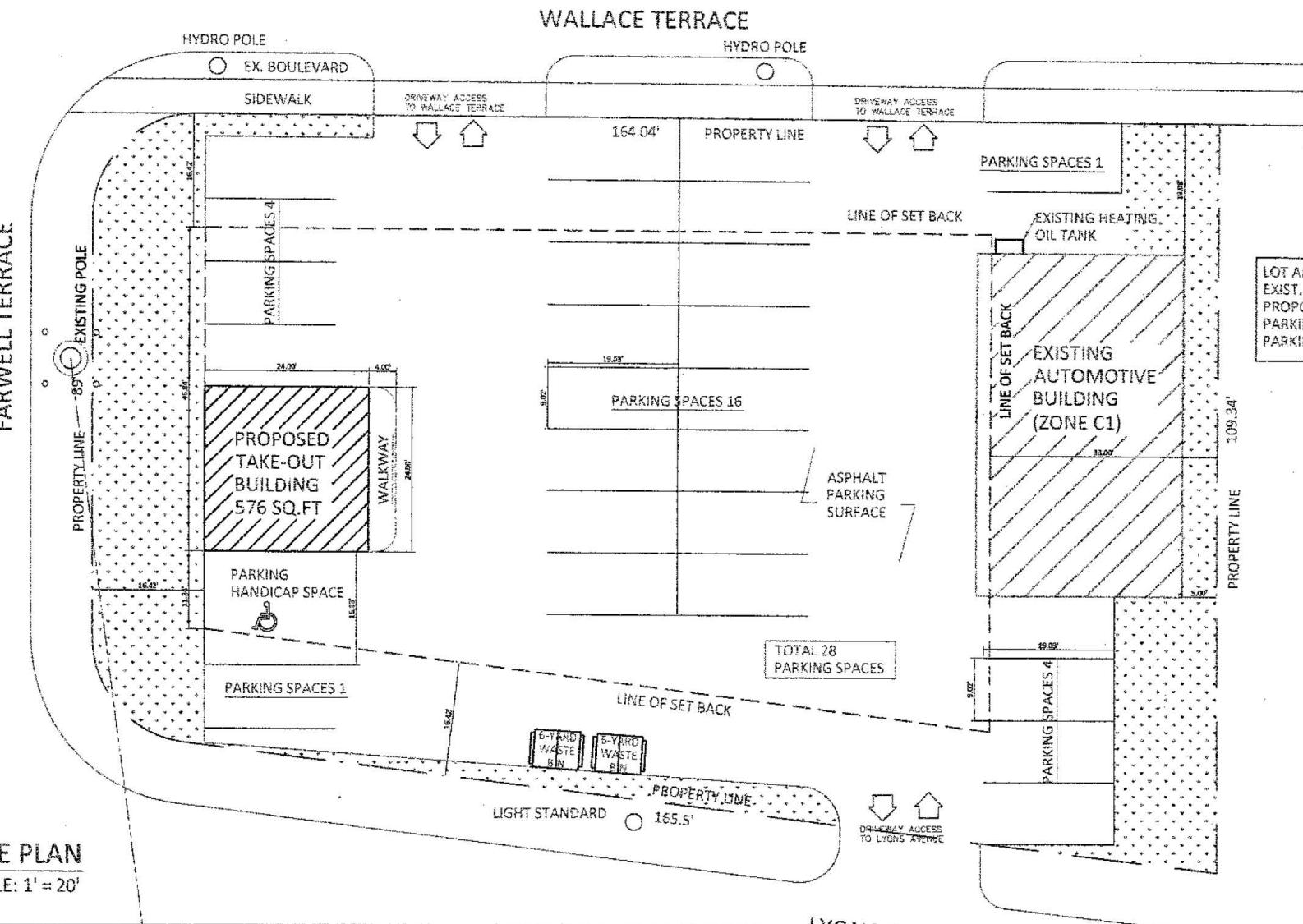
attachment(s)

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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

SITE PLAN

SCALE: 1' = 20'



THIS PLAN IS TO OUTLINE PROPERTY AND BUILDING MEASUREMENTS ONLY. IT IS NOT A LEGAL DOCUMENT AS MEASUREMENTS WILL CHANGE TO ACCOMMODATE BUILDING ON SITE. TIE IN SURVEY WILL LEGALLY INDICATE FINAL MEASUREMENTS.

NOTE:
MAINTAIN A MINIMUM CLEARANCE OF 10' FROM OVERHEAD POWER LINES TO PROJECTING EAVES, ROOF, OR BUILDING STRUCTURE. (TO BE CONFIRMED IN THE FIELD)

(a)(6)(c)



13 COMMERCIAL ZONES

13.1 TRADITIONAL COMMERCIAL ZONE (C1)

Introduction

The main principle of this zone is to reduce regulations and encourage the re-use of existing buildings for commercial and/or residential purposes. Existing buildings in older, high intensity commercial areas (Gore, Korah, Steelton) shall maintain present standards, including parking, even if the use changes.

13.1.1 PERMITTED USES

- Accessory uses
- Accessory use storage trailers
- {2006-200} Accessory use wind turbines - Refer to Section 4.13 for additional regulations
- Accommodation services
- Amusement and fitness facilities
- Arts, culture, and heritage uses
- Assembly facilities
- Bed and breakfasts
- Bingo Halls
- Building, hardware, and garden supply stores
- Day care facilities
- Delivery and courier services
- Food Services
- Fuel sales
- Home based business
- Information and technology services
- Medical centres
- Motion picture and sound recording studios
- Motor vehicle rental and leasing services
- Motor vehicle sales and parts dealers
- Nursing and residential care facilities
- Office Uses - Maximum gross floor area of 300m², but does not apply to existing buildings
- Parking Lots
- Personal services
- Personal storage
- Places of worship
- Printing and related support activities
- Repair and maintenance services



- *Residential Dwellings* – Located within *existing buildings*, subject to C1 building regulations
 - *Single Detached Dwellings* – Subject to R3 building regulations
 - *Semi-Detached Dwellings* – Subject to R3 building regulations
 - *Duplexes and Triples* - Subject to R3 building regulations
 - *Multiple Attached Dwellings* – Subject to R4 building regulations
 - *Apartment Dwellings* – Subject to R4 building regulations
- *Retail trade* (Max. gross floor area= 300 square meters – but does not apply to *existing buildings*)
- *Rooming houses*
- *Similar uses*
- *Warehousing, wholesaling and distribution centres*

13.1.2 TRADITIONAL COMMERCIAL ZONE (C1) BUILDING REGULATIONS

All Minimums Unless Otherwise Noted

	Metres
<i>Front yard</i>	5m
<i>Exterior side yard</i>	5m
<i>Interior side yard</i>	0m
Abutting a Residential Zone	1.2 for 1 storey, 1.8 for 2 storeys
<i>Rear yard</i>	5m
Abutting a Residential Zone	10m
<i>Maximum building height</i>	2 Storeys

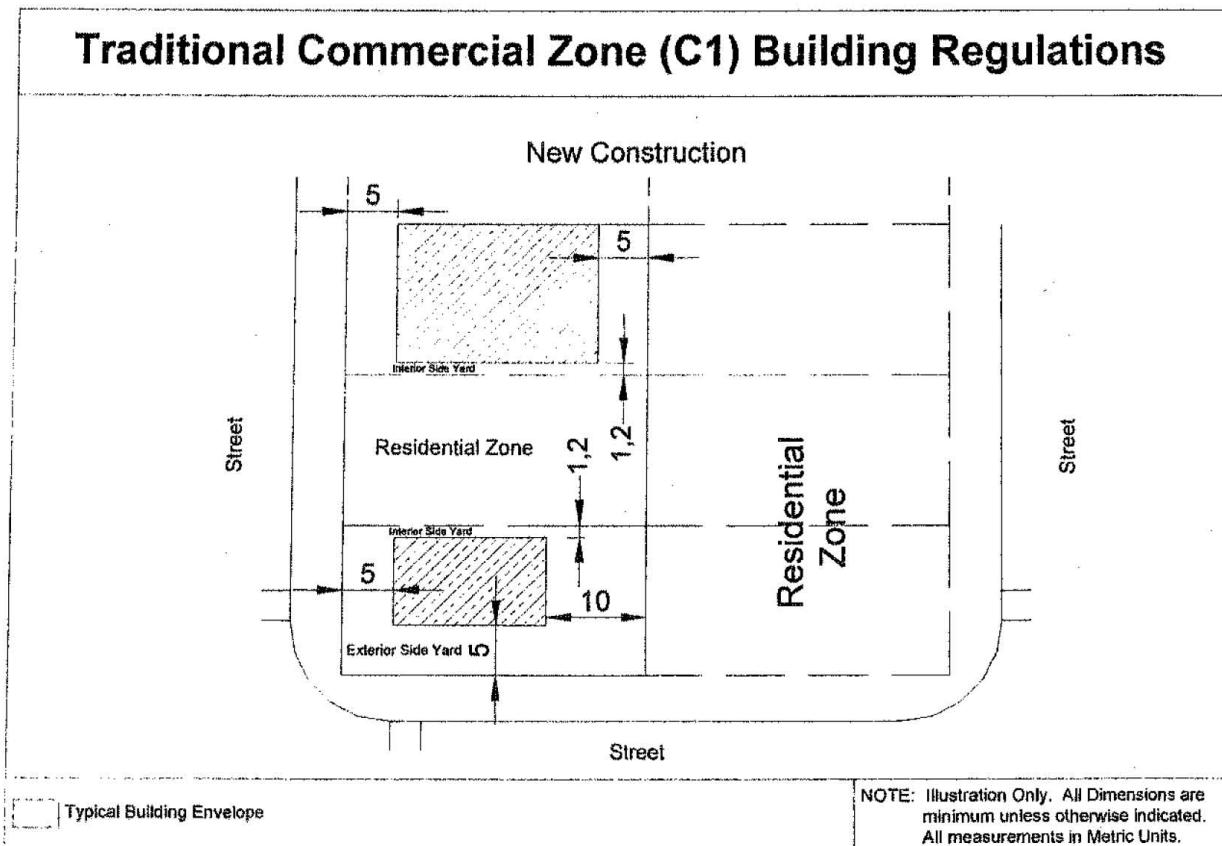
13.1.3 ADDITIONAL TRADITIONAL COMMERCIAL ZONE (C1) REGULATIONS

13.1.3.1 FUEL SALES: SETBACKS FOR FUEL PUMP ISLAND AND CANOPY

The minimum distance between any *lot line* and any part of a fuel pump island, including a canopy, shall be 4.5m.



Table 26 : Traditional Commercial Zone (C1) Building Regulations



Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: December 09, 2011 4:06 PM
To: Pat Schinners
Cc: Peter Tonazzo; Frank Tesolin (Home); Linda Whalen
Subject: SSMRCA Response - A-3-12-Z

December 9, 2011

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-3-12-Z**
 Marino and Anna DeGregorio
 245 Wallace Terrace
 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 will require a site plan review 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

Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2011 12 13
Our File: A-3-12-Z

Via email

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

Dear Mr. McConnell:

**RE: A-3-12-Z
REQUEST FOR AN AMENDMENT TO THE OFFICIAL PLAN & ZONING BY-LAW**

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

- Any proposed development, must consider that post-development flows should not exceed predevelopment flows from the site.

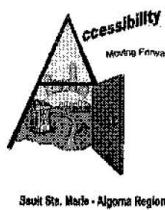
If you have any questions, please contact the undersigned.

Sincerely,

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

- c: Jerry Dolcetti, Commissioner, Engineering & Planning (via email)
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT (via email)
Steve Turco, Planner, Planning Division (via email)
Don Maki, CBO (via email)

(6)(b)(a)



December 5, 2011

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW -A-3-12-Z

Dear Mr. McConnell

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

Exterior

1. Parking:
2. Walkways & Sidewalks:
3. Curb Cuts:
4. Ramping: Keep at grade to ensure a safe path of travel or ensure that ramping is in compliance with Building Code.
5. Transit Access:
6. Lighting: In accordance with the Illuminating Engineers Society of North America Standards
7. Signage:
8. Other:

Thank you for your attention to these recommendations.

We request a Site Plan We do not want a Site Plan for review

Sincerely,

Diane Morrell
Interim Chair, Site Plan Sub Committee
on behalf of The Accessibility Advisory Committee



2008 ORTHO PHOTO

245 WALLACE TERRACE

Planning
Application
A-3-12-Z

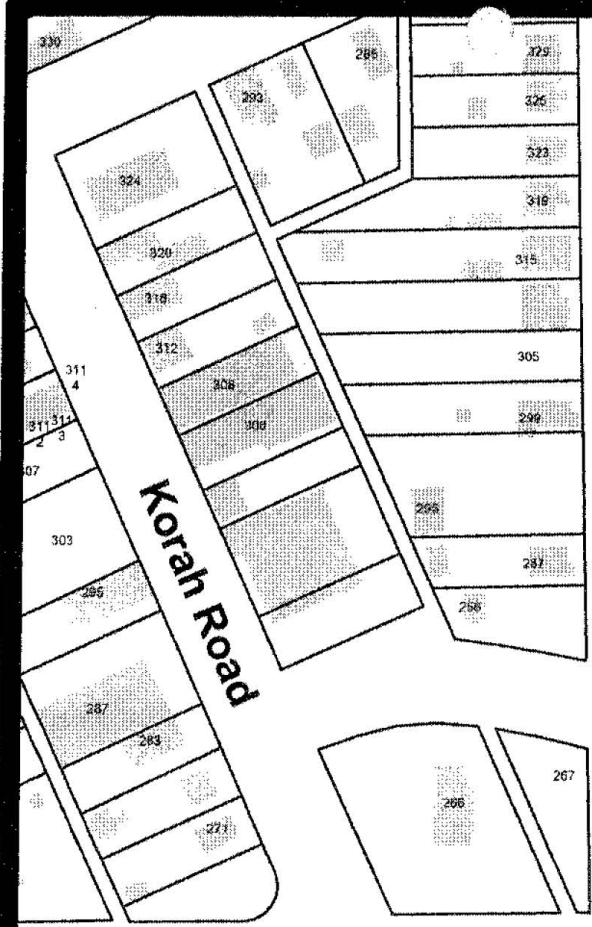


Subject Property = 245 Wallace Terrace

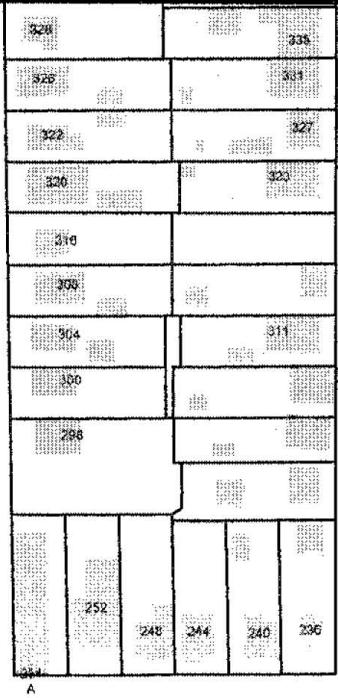
Metric Scale
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Mail Label ID
A-3-12-Z

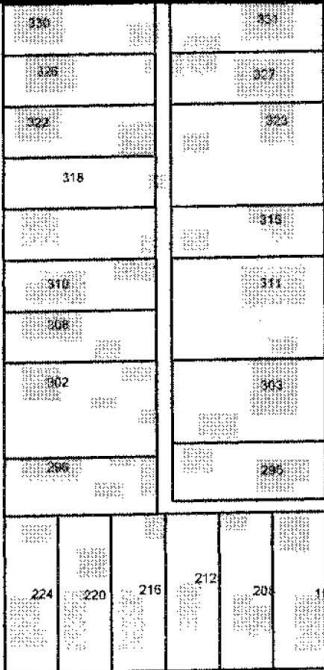
Maps
39 & 1-72



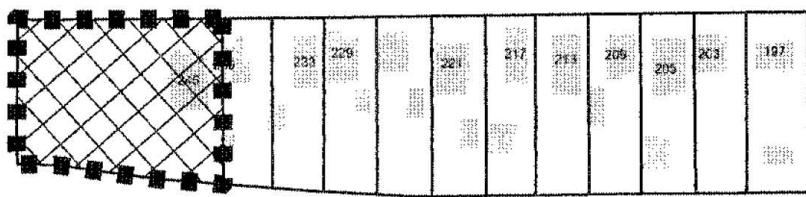
Wallace Terrace



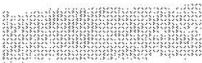
Franklin Street



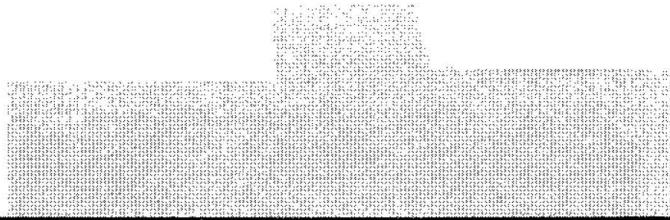
Maretta Street



Algoma Steel



Roll 601-001



SUBJECT PROPERTY MAP 245 WALLACE TERRACE

Planning
Application
A-3-12-Z



Metric Scale
1 : 1800

Maps
39 & 1-72

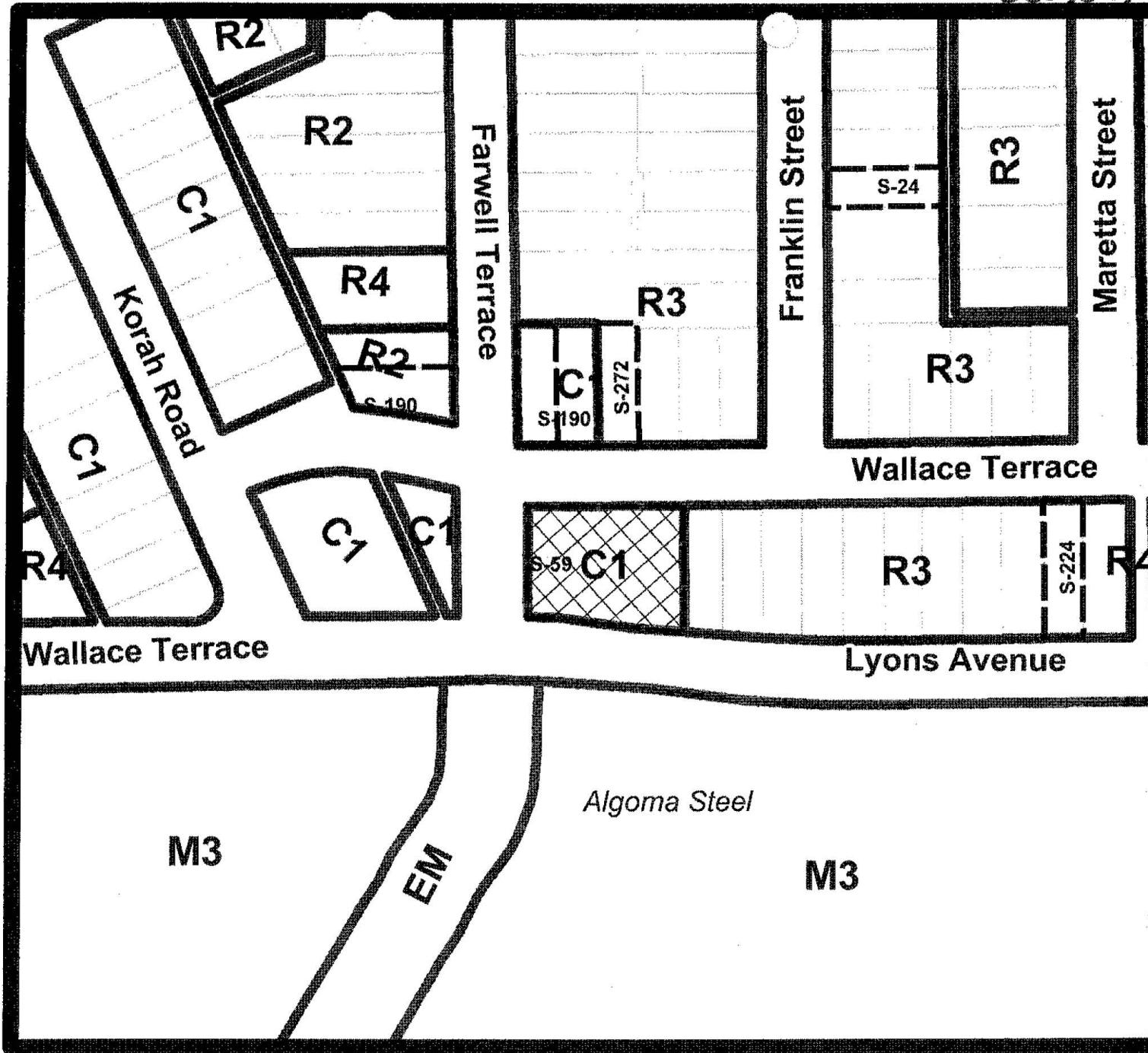


Subject Property = 245 Wallace Terrace



Subject Property = 245 Wallace Terrace

Mail Label ID
A-3-12-Z



EXISTING ZONING MAP

Subject Property = 245 Wallace Terrace

- R2 - Single Detached Residential Zone
- R3 - Low Density Residential Zone
- R4 - Medium Density Residential Zone
- C1 - Traditional Commercial Zone
- M3 - Heavy Industrial Zone
- EM - Environmental Management Zone
- S-No. = Special Exception Zoning

245 Wallace Terrace



Metric Scale
1 : 1800

Planning
Application
A-3-12-Z

Maps
39 & 1-7

Mail Label II
A-3-12-Z

ENGINEERING & PLANNING DEPARTMENT

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Planning Division

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

Celebrate 100!
1912 - 2012

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-4-12-Z.OP – filed by Ficmar Holdings Inc.

PURPOSE

The purpose of this application is to permit the relocation of a home building contractor (Ficmar Builders) and to legalize an existing water purification systems and sales operation (Culligan Man). Ficmar will be located in the main building at the front of the property with Culligan Man in a secondary building behind. In addition, the applicant seeks an Official Plan amendment and rezoning to allow future industrial uses at the rear of the property.

Subject Property:

- Location – Located on the east side of Great Northern Road, approximately 705m (2313') north of its intersection with Third Line East, Civic No. 1092 Great Northern Road
- Size – Approximately 50m (164') frontage x 387m (1270') depth; 1.9 ha (4.69 acres)
- Present Use – Commercial/Industrial
- Owner – Ficmar Holdings Inc.

BACKGROUND

The applicant is seeking to rezone the front (westerly) 161m (528') of the subject property from "HZ" (Highway) zone to "HZ.S" (Highway) zone with a Special Exception, to permit office space, a wood working facility, warehousing and a contractor's yard specializing in the sale and service of water purification systems and refills. The applicant is also asking to re-designate the rear (easterly) 226m (742') of the subject property from Rural Area to Industrial on Schedule "C" of the Official Plan and to rezone the rear property from "RA" (Rural Area) zone to "M2" (Medium Industrial) zone to permit future industrial uses.

ANALYSIS

Conformity with the Official Plan

The subject property has an approximate frontage of 50m (164') and an approximate depth of 387m (1270'). The front portion of the property is designated Commercial on Schedule "C" of the Official Plan and the remaining property is designated Rural Area.

For the front portion of the property, the proposed and existing uses conform to the general intent of the Commercial policies of the Official Plan and are consistent with the type and scale of businesses located along this area of Great Northern Road.

With respect to future industrial uses at the rear of the property, an Official Plan amendment is required, re-designating the rear lands from Rural Area to Industrial. Re-designating the rear of this property is warranted and would add to the City's inventory of readily available and serviceable industrial land. In addition, the commercial frontage and industrial rear land use designation is consistent with most deep lots along the west side of Great Northern Road, as well as 1032 Great Northern Road, located on the east side.

Consultation

The following departments and agencies have provided comments on the application as part of the consultation process:

- Building Division, Engineering Department, Conservation Authority, - See attached letters;
- EDC, CSD, Municipal Heritage Committee, PWT, Fire Services, PUC Services, Accessibility Advisory Committee - No objections or comments

Comment

Currently, the front of the subject property is zoned "HZ", (Highway) zone, which does not permit office uses, woodworking and cabinet shops, and contractor yards (associated with Ficmar Builders) or the manufacture of food and beverages (part of Culligan Man's operations). Planning staff are recommending that these uses be permitted by way of a Special Exception zoning.

The Urban Design policies of the Official Plan encourage a high standard of site design along major arterial roads and that the visual quality of visitor access corridors be enhanced. Given that the uses are proposed on Great Northern Road, which is a major gateway into the community, staff note that any outdoor storage areas should be visually screened from the street, utilizing a combination of visually solid fencing and/or high quality landscaping as required by the City's Zoning By-law. It is recommended that the entire property be designated as an area of Site Plan Control to review access locations, landscaping, storm water management facilities and other details of future development.

Any future industrial uses at the rear of the property may impact a residential dwelling located immediately south of the subject property (approximately 160m behind Gino's Restaurant). Medium Industrial (M2) uses are generally described as those uses which require that noise, dust, odours and vibrations impacting abutting properties be kept to a minimum. However residential uses are considered sensitive uses and Ministry of Environment (MOE) guidelines prescribing appropriate setbacks and buffering will be required at the time of development.

At this time, it is unclear what industrial uses will eventually be developed. Planning staff is recommending that the rear lands be re-designated to allow industrial uses, and that the proposed "M2" (Medium Industrial) zoning be subject to a Holding provision. A Holding provision may be used, as outlined in the Official Plan, when the uses that will be developed are known (in this case future industrial type uses) but the details of development are not known and conditions as set out by Council must be met before development occurs.

As a condition of removing the Holding provision, no industrial development should be permitted until the environmental impact of the development (if any) is determined, along with the appropriate set backs and buffering that would be required in accordance with MOE guidelines. This will allow a future review of a specific industrial uses and ensure that the development does not have a negative impact on the abutting residence.

It should be noted that a portion of the rear lands has been identified as an area of archaeological potential. As such, a Stage 1 archaeological assessment report should be completed as a condition of removing the Holding provision. A stage 1 assessment consists of background research on the land use history of the property. If the stage 1 assessment identifies further potential, additional assessment reports may be required. The front portion of the property is outside the area of archaeological potential and therefore the proposed zoning amendment for that portion of the property is not affected

In reviewing the environmental constraints of the Official Plan, the rear (approximate) 100m (328') of the property is regulated by the Sault Ste. Marie Region Conservation Authority. Any future development or alteration of these lands will require a permit from the Conservation Authority.

Engineering has commented that for any proposed development; post-development storm water flows should not exceed pre-development flows from the site. The use of Site Plan Control will allow staff to review any impact relating to storm water and will ensure that the Conservation Authority is satisfied that development will not negatively impact lands within their jurisdiction.

IMPACT

There are no significant impacts on municipal services resulting from the approval of this application.

SUMMARY

The proposed rezoning to permit additional uses for the front portion of the property conforms to the general intent of the Commercial policies of the Official Plan and is consistent with the type and scale of businesses located along this section of Great Northern Road. The proposed additional uses are recommended by way of a Special Exception zoning to the current Highway Zone (HZ).

With respect to future industrial uses proposed for the rear of the property, the required Official Plan amendment is recommended, however the "M2" (Medium Industrial) zoning should be approved with a Holding provision. This will ensure that any negative impact on the abutting residence can be minimized through appropriate setbacks and buffering and that any potential archaeological resources can be evaluated prior to development.

It is also recommended that the entire property be designated as an area of Site Plan Control.

STRATEGIC PLAN

The rear of the subject property is an area of archaeological potential, which relates to the Community Archaeological Assessment identified as part of the Quality of Life section of the Corporate Strategic Plan.

RECOMMENDATION

That City Council accept this report and approve the application subject to the following five conditions:

1. That Official Plan Amendment No. 182 be approved re-designating the westerly 161m lands shown on the attached schedule from "Commercial" and "Rural Area" to "Commercial," and the easterly 226m lands from "Rural Area" to "Industrial" on Schedule "C" of the Official Plan.
2. That the front (westerly) 161m (528') of the subject property be rezoned from "HZ" (Highway) zone to "HZ.S" (Highway) zone with a Special Exception, to permit office uses, woodworking and cabinet shops, and contractor yards associated with a building contractor, and the manufacture of food and beverages.
3. That the rear (easterly) 226m (742') of the subject property be rezoned from "RA" (Rural Area) zone to "M2" (Medium Industrial) zone, subject to a Holding Provision.
4. That the Holding Provision outlined in condition No. 3 be removed, upon City Council's approval, once appropriate setbacks and buffering have been determined and any potential archaeological resources have been evaluated.

6(b)(D)

5. That the subject property be designated as an area of Site Plan Control.

Respectfully submitted,



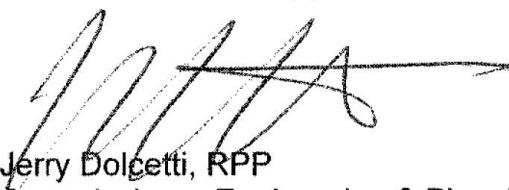
Stephen Turco, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT/ps

attachment(s)

Data\APPL\REPORT\4-12-Z.OP.doc

RECOMMENDED FOR APPROVAL



Joseph M. Prateci
Chief Administrative Officer

6(b)(D)

Pat Schinners

From: Don Maki
Sent: November 30, 2011 11:48 AM
To: Don McConnell; Pat Schinners
Subject: Rezoning Application A-4-11-Z.OP 1092 Great Northern Road

Hi Don

The application indicates that the buildings would be undergoing a change of use. This would require permits and a determination of compliance to the change of use provisions under part 10 of the Ontario Building Code.

Don

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

www.cityssm.on.ca

www.celebrate100saultstemarie.com

Celebrating 100 years as a city in 2012!

6(6)(b)

Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2011 12 13

Our File: A-4-12-Z.OP

Via email

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

Dear Mr. McConnell:

**RE: A-4-12-Z-OP
REQUEST FOR AN AMENDMENT TO THE OFFICIAL PLAN & ZONING BY-LAW**

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

- The majority of the rear portion of the site appears to be grassed and/or wooded area. Therefore, any proposed development must consider that post-development flows should not exceed predevelopment flows from the site.

If you have any questions, please contact the undersigned.

Sincerely,

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

c: Jerry Dolcetti, Commissioner, Engineering & Planning (via email)
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT (via email)
Steve Turco, Planner, Planning Division (via email)
Don Maki, CBO (via email)

Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: December 09, 2011 4:04 PM
To: Pat Schinners
Cc: Peter Tonazzo; Frank Tesolin (Home); Linda Whalen
Subject: SSMRCA Response - A-4-12-Z.OP

December 9, 2011

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-4-12-Z.OP
Ficmar Holdings Inc.
1092 Great Northern Road
Sault Ste. Marie

The subject property is located in an area under the jurisdiction of the Conservation Authority with regard to the O. Reg. 176/06 for Development, Interference with Wetlands and Alterations to Shoreline and Watercourses. The subject property will require a site plan review for any development as the regulated area is the rear quarter of the property.

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

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

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

**AMENDMENT NO. 182
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

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

LOCATION:

Lot 35 and Part of Lot 34A, RCP H737 (PIN 31510-0115) located on the east side of Great Northern Road approximately 705 north of Third Line east.

BASIS:

This Amendment is necessary in view of the request to rezone the subject property to permit the lands to be utilized for commercial and industrial purposes.

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

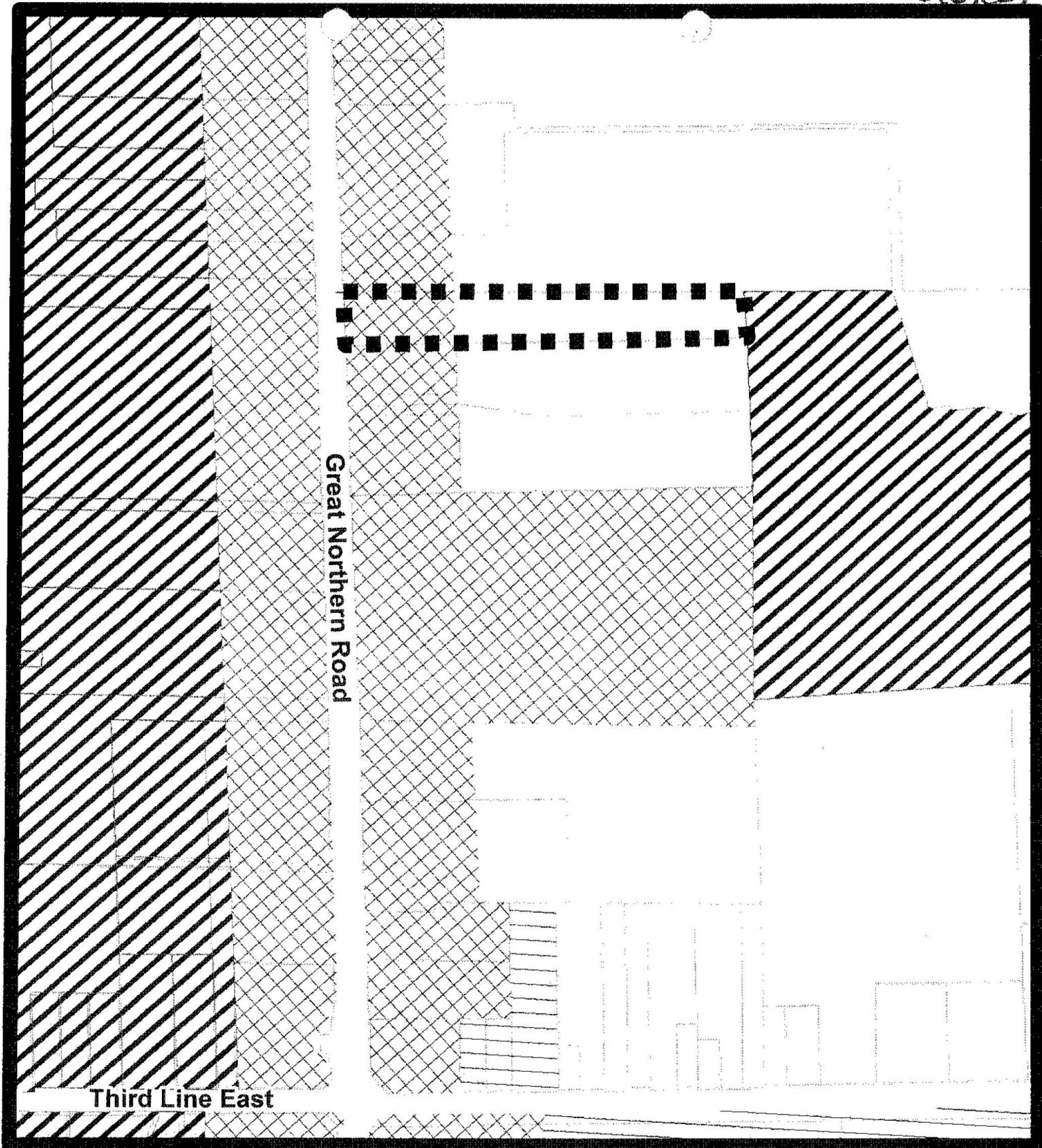
Council now considers it desirable to amend the Official Plan re-designating the subject property from "Rural Area" to "Commercial" and "Industrial."

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the Sault Ste. Marie Official Plan is hereby amended by re-designating the westerly 161m lands shown on the attached schedule from "Commercial" and "Rural Area" to "Commercial," and the easterly 226m lands from "Rural Area" to "Industrial."

INTERPRETATION

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



OFFICIAL PLAN MAP 1092 GREAT NORTHERN ROAD

Land Use Designation Industrial

Commercial

Institutional

Subject Property = 1092 Great Northern Road

Planning
Application
A-4-12-Z-OP



Metric Scale

1 : 5000

Maps

113 & 1-142

016XDI



SUBJECT PROPERTY MAP 1092 GREAT NORTHERN ROAD

Legend

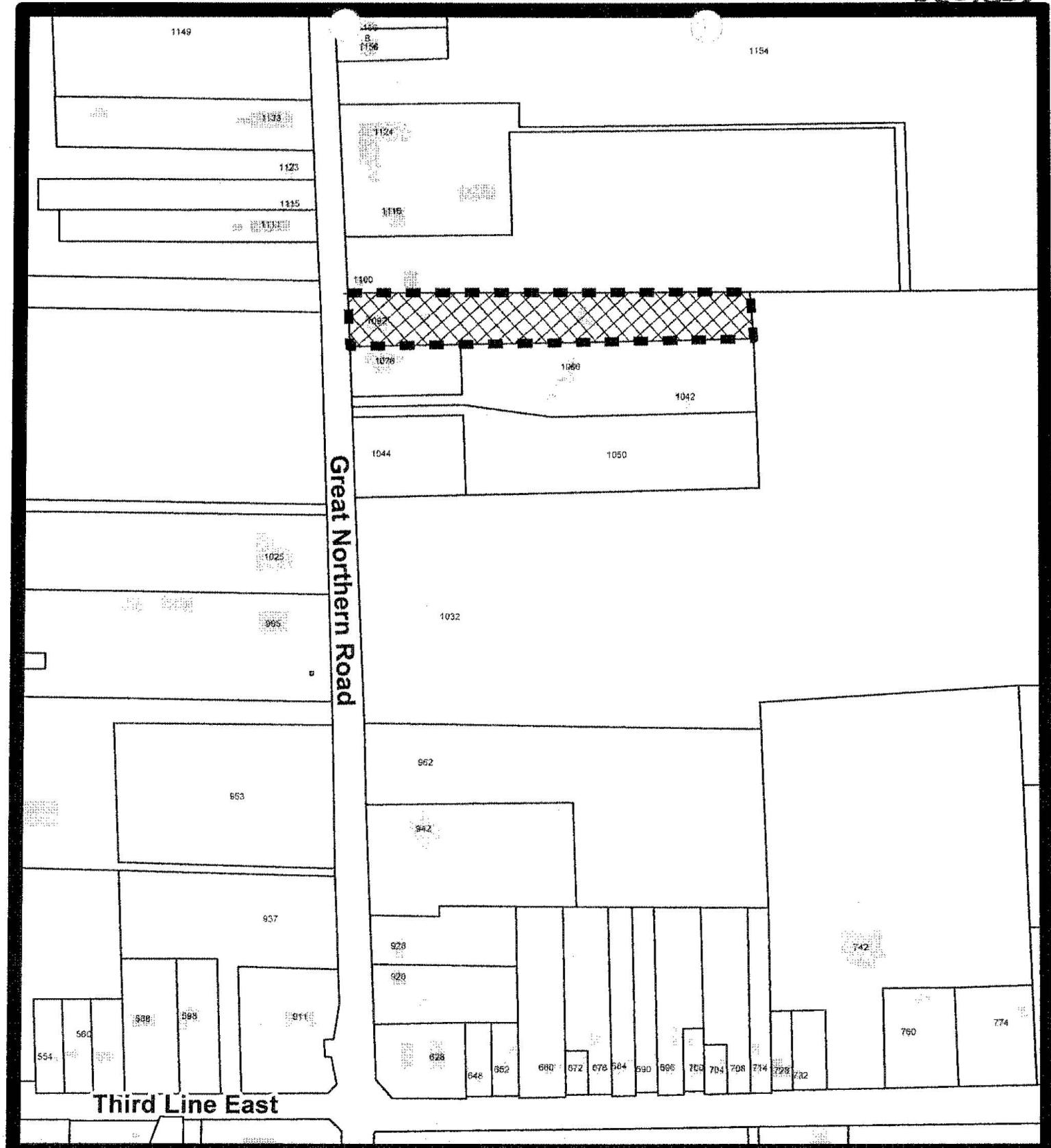
■ ■ ■ Subject Property = 1092 Great Northern Road

Planning
Application
A-4-12-Z-OP



Metric Scale
1 : 5000
Maps
113 & 1-142
Mail Label ID
A-4-12-Z

6C61LD



SUBJECT PROPERTY MAP

1092 GREAT NORTHERN ROAD

Legend

■ ■ ■ Subject Property = 1092 Great Northern Road

❖ ❖ ❖ Subject Property = 1092 Great Northern Road

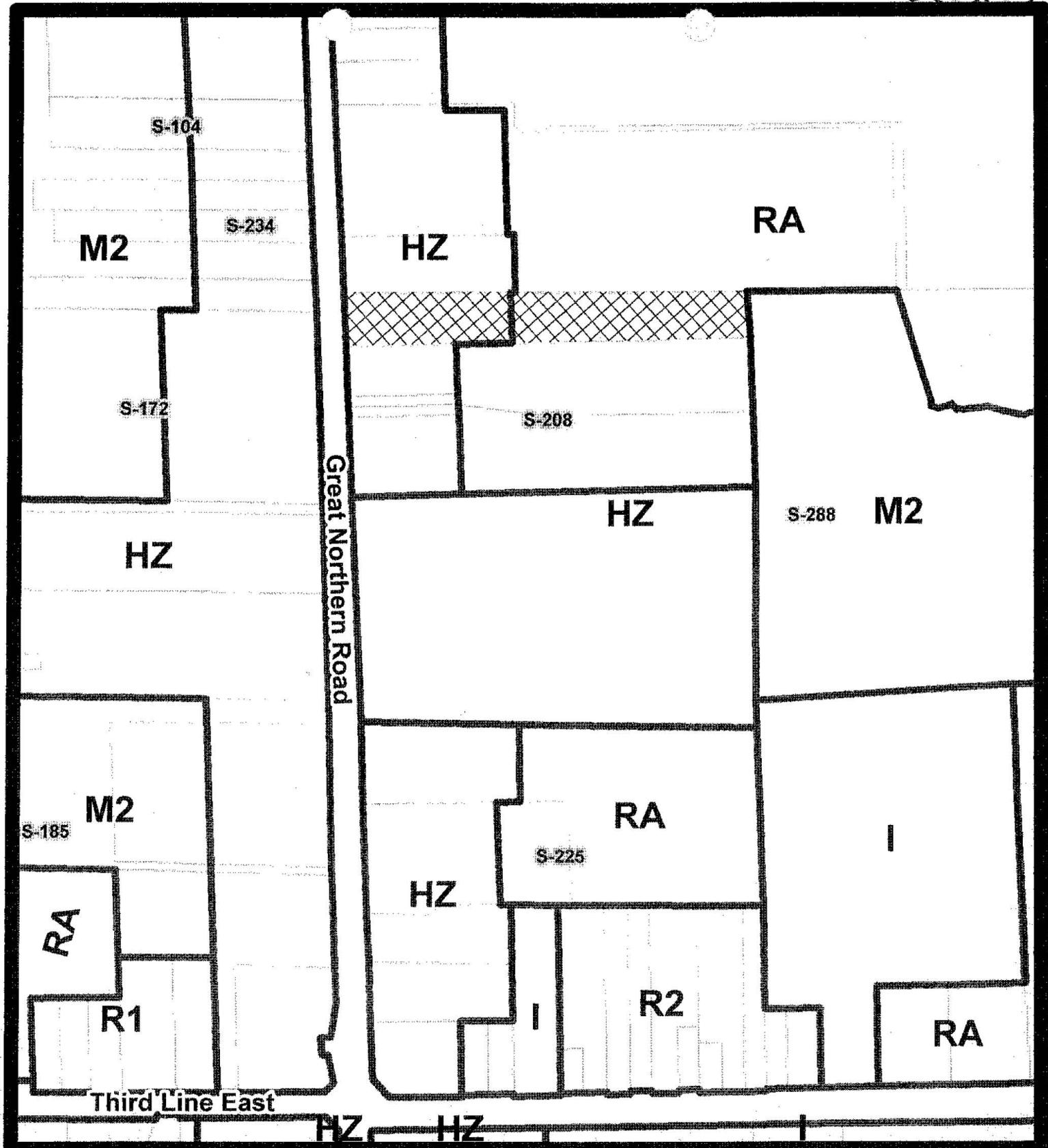
Planning
Application
A-4-12-Z-OP



Metric Scale
1 : 5000

Mail Label ID
A-4-12-Z

Maps
113 & 1-142



ZONING MAP 1092 GREAT NORTHERN ROAD

XXX Subject Property = 1092 Great Northern Road

R1 - Estate Residential Zone

R2 - Single Detached Residential Zone

RA - Rural Area Zone; RAhp

Planning Application
A-4-12-Z-OP

- | | |
|--------------------------|-----------------------------|
| <input type="checkbox"/> | HZ - Highway Zone |
| <input type="checkbox"/> | M2 - Medium Industrial Zone |
| <input type="checkbox"/> | I - Institutional Zone |
- S-No. = Special Zoning

Metric Scale
1 : 5000
Maps
113 & 1-142



Jerry D. Dolcetti, RPP
Commissioner
Donald B. McConnell, MCIP, RPP
Planning Director



ENGINEERING & PLANNING DEPARTMENT

Planning Division

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

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: Application No. A-5-12-Z – filed by Giancarlo and Maria Viotto

PURPOSE

The applicants, Giancarlo and Maria Viotto, are requesting a rezoning to amend the existing "C4" (General Commercial) zone to "CT.2" (Commercial Transitional) zone to legalize the two (2) existing basement apartments.

Subject Property:

- Location – Located at the northeast corner of Lake Street and Village Court, Civic No. 6 Village Court
- Size – Approximately 44.5m (146') of frontage on Village Court and 51.2m (168') frontage on Lake Street
- Present Use – General Commercial and Residential
- Owner – Giancarlo and Maria Viotto

BACKGROUND

This property is part of the Sunrise Ridge Estates Subdivision and was included as part of an overall rezoning to permit the subdivision in 1994. The subject property was rezoned under the old Zoning By-law to "B1" (Local Business) with a Special Exception to allow a number of neighbourhood commercial type uses with two apartments on the second floor. With the approval of the City's new Zoning By-law in 2005, this property was rezoned to "C4" (General Commercial) which also allows for apartments on the upper floor.

Following the completion of construction in 1996, the property was purchased by the current owners, Mr. and Mrs. Viotto. Two additional apartments had also been constructed in the basement and the applicants' solicitor has advised that the owners believed these units were permitted by the Zoning By-law. Recently the owners

received an offer to purchase the building and the circumstance concerning the illegal status of the basement apartments was discovered.

This application is to rezone the property from "C4" (General Commercial) to CT2 (Commercial Transitional). The Commercial Transitional Zone provides for a mix of commercial, small office and residential uses within residential areas and would legalize the existing situation while providing a better mix of commercial uses that would likely locate in this area.

ANALYSIS

Conformity with the Official Plan

The subject property is designated Residential in the Official Plan. The Residential policies of the Official Plan state that "other uses associated and accessory to the residential uses that contribute to the completeness of the neighbourhood but do not depreciate or affect the amenity of the residential environment are permitted." Specifically "small scale commercial uses which are compatible with the residential nature of the area, such as convenience stores, day care centres, home occupations and bed and breakfast establishments are also permitted."

The Plan also states that "small scale intensification may be permitted in all residential areas unless adequate supporting infrastructure is not available or significant physical constraints exist."

Therefore, both the request to amend the commercial zoning category and the addition of two residential units is consistent with and conforms to the City's Official Plan.

Consultation

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

- Building Division, Fire Services, Conservation Authority - See attached letters;
- Engineering Department, EDC, PWT, PUC Services, Accessibility Advisory Committee - No objections or comments

Comment

From a land use viewpoint, the current situation has been in existence for 15 years without any apparent problems.

All of the building setback and yard requirements of the "CT2" zone are currently met. Taking into account the two additional apartments, a total of 15 parking spaces are required and 19 are provided including two barrier free spaces.

As noted in the attached correspondence from both the Chief Building Official and the Assistant Fire Chief, the basement apartments were constructed without permits

or inspections. The Chief Building Official is recommending that prior to finalizing the rezoning; the applicant should engage the services of a qualified designer to apply for a building permit for the two basement apartments and demonstrate how compliance with the Ontario Building Code will be obtained.

IMPACT

There are no significant impacts on municipal services resulting from the approval of this application.

SUMMARY

The applicants are requesting a rezoning to amend the existing "C4" (General Commercial) zone to "CT.2" (Commercial Transitional) zone to legalize the two (2) existing basement apartments. The current situation has been in existence for 15 years without any apparent problems and the request conforms to the policies of the City's Official Plan.

The City's Chief Building Official is recommending that prior to finalizing the rezoning; the applicant should engage the services of a qualified designer to apply for a building permit for the two basement apartments and demonstrate how compliance with the Ontario Building Code will be obtained.

The rezoning can be approved with this condition.

STRATEGIC PLAN

Approval of this application is not related to any activity identified in the City's Corporate Strategic Plan.

RECOMMENDATION

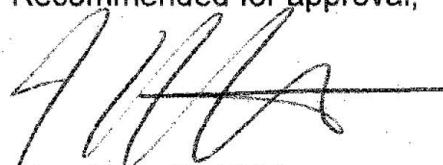
That City Council accept this report and approve the request to rezone the subject property from "C4" (General Business) Zone to "CT2" (Commercial Transitional) Zone subject to confirmation of compliance with the requirements of the Ontario Building Code.

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,



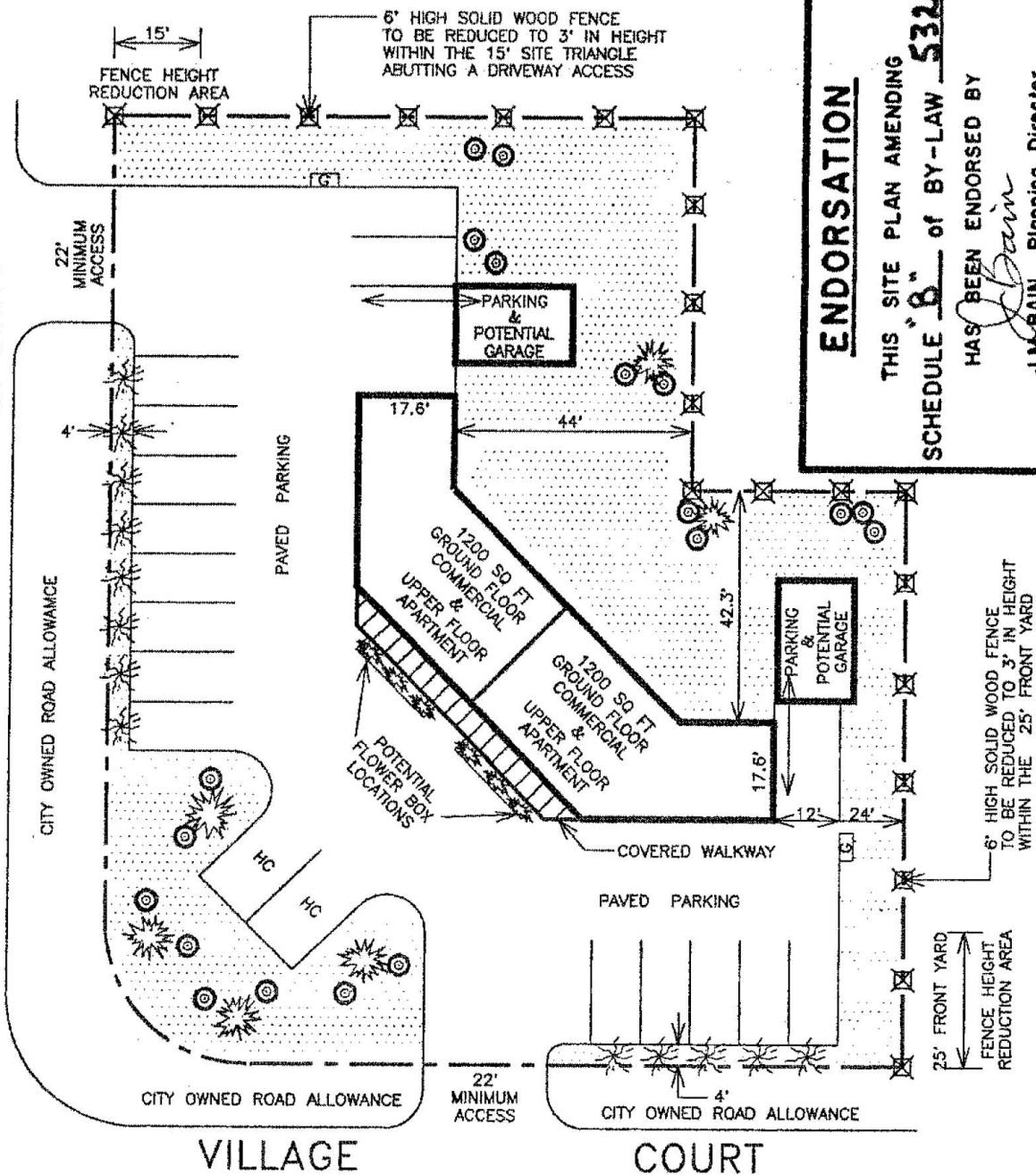
Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT/DBM
attachment(s)
Data\APPL\REPORT\5-12-Z.doc

VILLAGE COURT COMMERCIAL COMPLEX

6(6)(c)

FUTURE LAKE STREET EXTENSION



ENDORSATION

THIS SITE PLAN AMENDING
SCHEDULE "B" OF BY-LAW 532

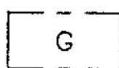
HAS BEEN ENDORSED BY

J.M. BAIN,
Planning Director

THIS 2 DAY OF MAY, 1996

6' HIGH SOLID WOOD FENCE
TO BE REDUCED TO 3' IN HEIGHT
WITHIN THE 25' FRONT YARD

PARKING	(1)...STANDARD 9' X 19' PARKING SPACE15 SPACES
	(2)...HANDICAP 12' X 19' PARKING SPACE 2 SPACES
	(3)...POTENTIAL GARAGE FOR RESIDENTIAL UNITS 2 SPACES
TOTAL	19 SPACES



GARBAGE RECEPTACLE



TREE LOCATIONS (Approximate)

NORTH

SCALE... 1" = 30'

File - R : VILLAGE

Don McConnell

Subject: FW: Rezoning 6 Village.doc

From: Don Maki

Sent: December 07, 2011 3:20 PM

To: Don McConnell; Pat Schinners

Subject: Rezoning Application A-5-12-Z

Hi Don

Our file does not indicate when these additional 2 units where added. At the time of final inspection the basement space was being finished beyond the original permit. The matter was brought forward to the contractor via a letter requesting amended drawings and an additional permit. The Chief Building Official allowed the contractor more time to apply for rezoning if they wanted to continue to install the additional dwelling units. No plans were ever sent in, no application applied for and the owners did not apply for rezoning of these units. These units were completed without a building permit or approvals from our office or the proper zoning. Prior to the rezoning of these units proper plans should be submitted to this office from a qualified designer demonstrating compliance to the Ontario Building Code and an application for a building permit should be submitted. It should be noted that no approvals have been given to occupy these additional 2 units.

Don

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

www.cityssm.on.ca

www.celebrate100saultstemarie.com

Celebrating 100 years as a city in 2012!

6(6)(c)

Fire Chief Marcel Provenzano

Division Heads

Suppression – Frank Brescacin

EMS – Robert Rushworth

Fire Prevention – Paul Milosevich

Support Services – Jim St. Jules



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

RECEIVED

DEC 08 2011

Planning Division

December 8, 2011

MEMORANDUM

To: Donald McConnell, Planning Director

Re: Application No. A – 5 – 12 – Z
6 Village Court

Please be advised that this building was recently inspected in November of 2011. Several Fire Code violations were found and have been corrected since. It was noted during the inspection that the basement apartments were not addressed under Part 9 of Retrofit as they were likely installed after the retrofit compliance date of July 1994. Upon discussion with the Chief Building Official Don Maki, we have decided that his office would address all code concerns to gain compliance.

Should you have any questions or concerns, please contact me at 705-949-3377 extension 233.


Paul Milosevich—Assistant Fire Chief—Fire Prevention
Sault Ste. Marie Fire Services

PM/ks

6(6)(c)

Pat Schinners

From: Marlene McKinnon [mmckinnon@ssmrca.ca]
Sent: December 09, 2011 3:56 PM
To: Pat Schinners
Cc: Peter Tonazzo; Frank Tesolin (Home); Linda Whalen
Subject: SSMRCA Response - A-5-12-Z

December 9, 2011

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-5-12-Z**
 Giancarlo and Maria Viotto
 6 Village Court
 Sault Ste. Marie

The subject property is not 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 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

1000JC



2008 ORTHO PHOTO 6 VILLAGE COURT



PLANNING
APPLICATION
A-5-12-Z

Metric Scale
1 : 2000

Maps
45 & 1-52

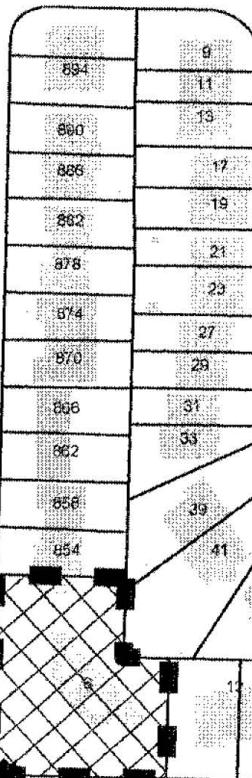


Subject Property = 6 Village Court

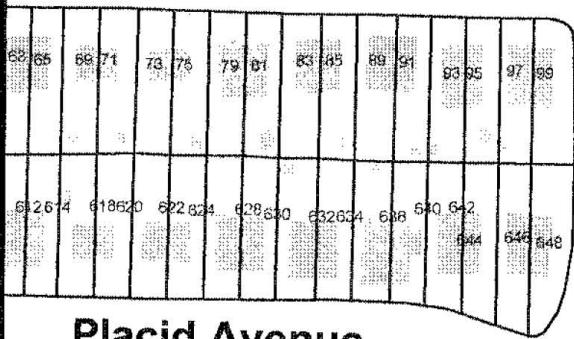
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A-5-12-Z

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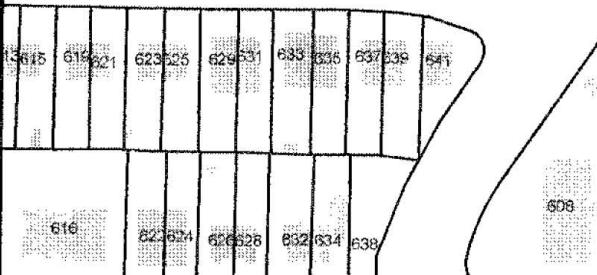
Park Place Court



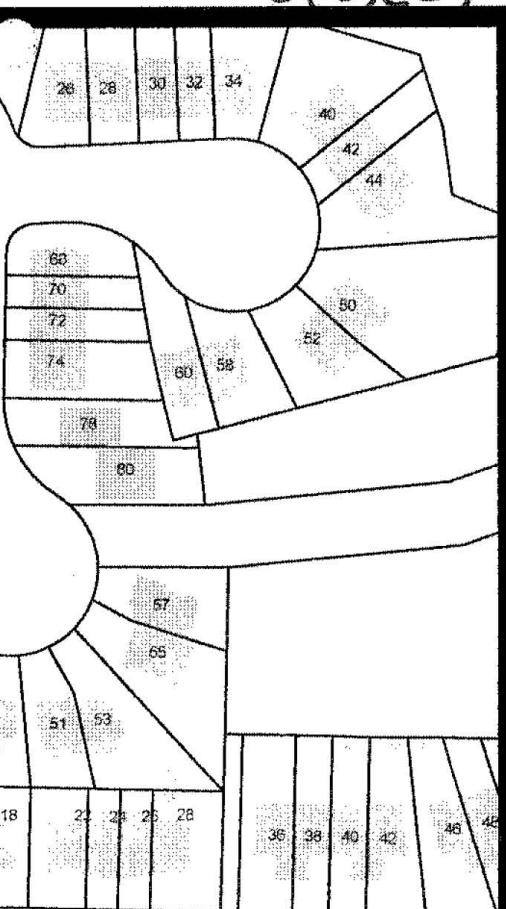
Paladin Avenue



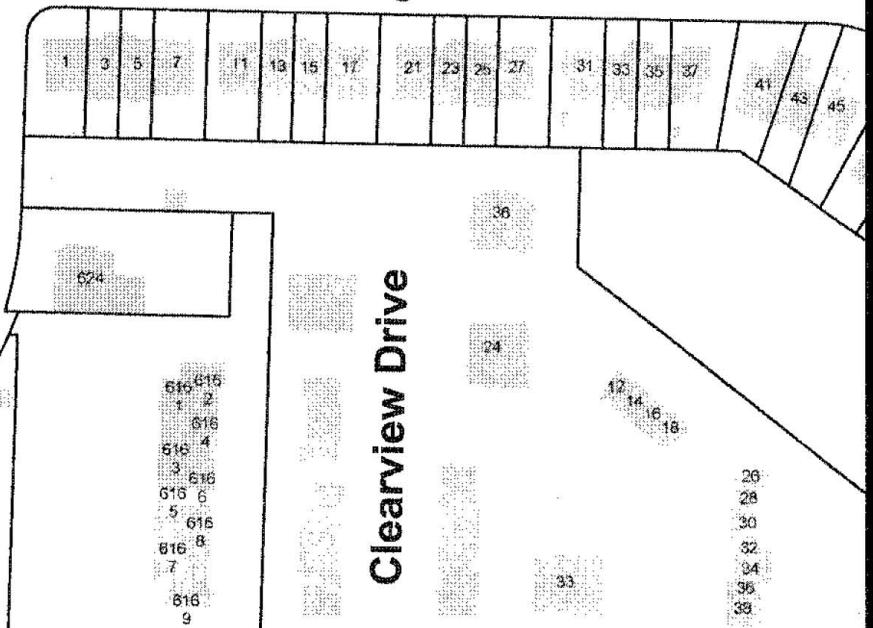
Placid Avenue



Lake Street



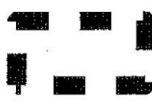
Village Court



Clearview Drive

616
1
2
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5
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7
8
9

SUBJECT PROPERTY MAP 6 VILLAGE COURT



Subject Property = 6 Village Court



Subject Property = 6 Village Court

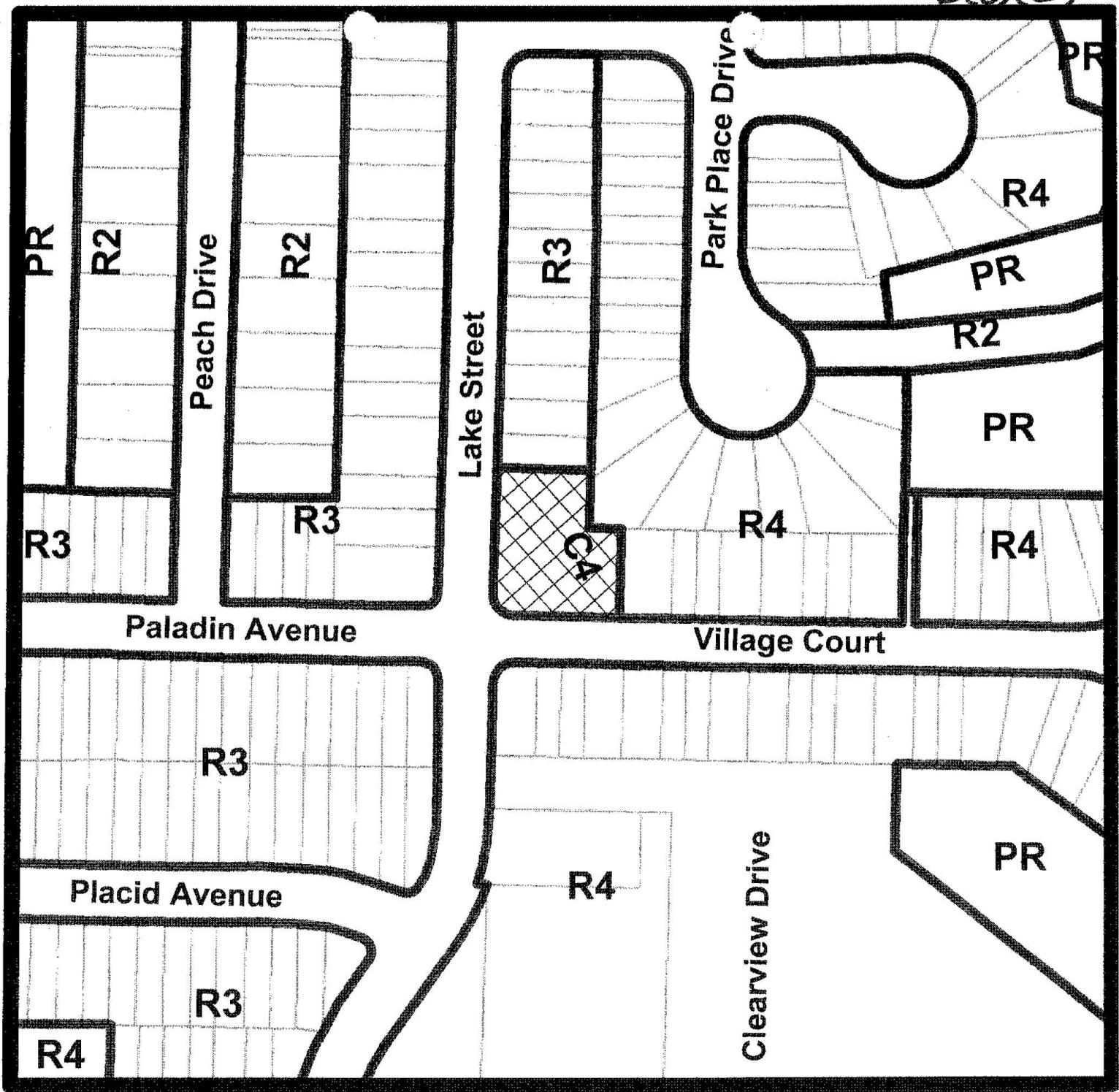
**PLANNING
APPLICATION
A-5-12-Z**



Metric Scale
1 : 2000

Maps
45 & 1-52

Mail Label ID
A-5-12-Z



EXISTING ZONING MAP 6 VILLAGE COURT

Subject Property = 6 Village Court

- R2 - Single Detached Residential Zone
- R3 - Low Density Residential Zone
- R4 - Medium Density Residential Zone
- C4 - General Commercial Zone
- PR - Parks and Recreation Zone

**PLANNING
APPLICATION
A-5-12-Z**



Metric Scale
1 : 2000

Maps
45 & 1-52

Mail Label ID
A-5-12-Z

S. Hamilton Beach, P. Eng.
Deputy Commissioner



**Public Works and
Transportation**

Celebrate 100!
1912 - 2012

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

**RE: RECYCLING CONTRACT EXTENSION
GREEN CIRCLE ENVIRONMENTAL**

PURPOSE

The purpose of this report is to inform Council of Public Works and Transportation's desire to extend the current recycling contract with Green Circle Environmental ('Green Circle') and to ensure all legal concerns with this contract extension are addressed.

BACKGROUND

In 2002, the City of Sault Ste. Marie with the assistance of TSH Engineering (now AECOM) prepared a Request for Proposals for the Collection and Processing of Recyclables. This was a very lengthy process and fundamentally set us on a new path for recycling. Until that point in time our diversion was dismal. The residential sector was achieving approximately 9%. The City owned the Material Recovery Facility ('MRF') on lower McNabb Street and Canadian Waste was our contractor operating the facility. The building, processing equipment and collection trucks were inadequate.

The Request for Proposal opened the door for opportunity and revamped the entire system. It also provided protection and control for the City by including clauses addressing the following:

- *Compliance with Laws* – The contractor must comply with all Federal, Provincial and Municipal laws, etc. and must bring to the City's attention (in writing) any provision in the Contract which is contrary or inconsistent with any laws, etc.;
- *Auditing and Site Inspections* – The City has the right to audit financial statements, invoices, etc. and has the right to inspect the work place;
- *Resident Inquiries* – The Contractor shall advertise and maintain a local or toll-free number for residents with questions or complaints; and

- *Standard of Performance* – All work is to be performed under the contract will be performed to the satisfaction of the City and to be carried out in accordance with the current provisions and future amendments that may be approved during the term of the contract.

In order to evaluate the submissions, evaluation criteria was established and included the following:

- Contractor's profile and experience;
- Personnel assigned to the project;
- Quality of equipment provided;
- Description of operations;
- Ability to commence operations in a timely manner;
- Ability to meet optional service requirements;
- Innovation;
- Diversion potential; and
- Price.

The criteria were weighted with the key objective of the new contract to increase the diversion rate in Sault Ste. Marie to a level consistent with similar cities. Three submissions were received. Based on the evaluation criteria, Green Circle was the successful proposal.

The City of Sault Ste. Marie then entered into a ten (10) year contract with Green Circle Environmental in September, 2002. Graph No. 1, attached, shows the residential waste diversion rate for Sault Ste. Marie for the period of time from 1999 (9%) to 2009 (34%). Important to note is the stepped improvement that occurred in the time period from 2001 to 2003. This significant increase in diversion is a result of the program implemented by Green Circle and the City. Additional materials, particularly more paper products were added to the collection list.

Critical to the success of the program was also the development of Green Circle's MRF on Sackville Road. The additional materials were able to be collected, processed and sold to available markets as the facility could handle those volumes. It is our understanding that no other local contractor has a MRF capable of processing the tonnage collected by our residential sector. A MRF requires approvals from the Ministry of the Environment prior to construction and operation which are lengthy to receive.

The recycling industry is forever changing and growing. More and more waste materials are finding themselves becoming new products instead of waste after its 'useful life'. One such area is the plastics industry which is continually finding ways to use its 'waste' products.

In general, the City has had a good working relationship with Green Circle and would like to see the recycling program develop further.

ANALYSIS

Green Circle Environmental has requested that the clause within the existing contract be exercised which states that "the Contract may be extended 5 years if suitable terms can be established through negotiations". Following the request by Green Circle, discussions have been had with staff from Public Works and Transportation, the Engineering Department as well as our waste management consultant, AECOM, the Finance Department, the CAO and the Legal Department.

There are ultimately two options proposed for contract extension. These options are detailed in two (2) letters included in Appendix 1 of this report – dated November 4, 2011 and December 6, 2011.

Option No. 1 – Implementation of automated carts and collection trucks

Following several discussions regarding Option No. 1, it is Staff's understanding that Green Circle proposes to:

- purchase and provide all residents with carts (approximately \$2 million) for the automated collection of recyclable materials for the next ten (10) years and beyond. There are approximately 26,200 carts required. There are many advantages to these carts and several municipalities are transitioning to them. They allow for more material to be collected, they manoeuvre quite easily, they can be tracked (ie. RF ID technology or a bar coding option), they have lids preventing material from being blown about in poor weather conditions; they do not require the operator to lift and empty manually therefore mitigating injury;
- provide carts to new residents for the term of the contract as well as replacement carts if they are damaged by the contractor or found to be defective;
- provide automated trucks to collect the carts (approximately \$1.8 million);
- finance all expenses associated with the robotic collection of curbside recyclables; and
- potentially upgrade the current processing facility to prepare for legislation changes and program expansion.

Through negotiations, Green Circle requests that the contract for Option No. 1 be extended for ten (10) years. This period of time allows for the financing of the new robotic technology. The carts and collection vehicles will allow for a safer, more efficient collection process with a total value of approximately \$3.8 million. Communities (ie. Timmins, Guelph, Toronto and Quebec City) have implemented similar technology. City staff are confident with a strong public education program the carts will be well received by the public.

Green Circle commits to the implementation of the robotic arm technology within one (1) year of the contract extension (September, 2013).

Green Circle also agrees to review the contract clause regarding frequency of pickup every three (3) years to determine if bi-weekly recycling collection is a viable option.

Option No. 2 – Manual pickup

The second option is to continue with manual pickup. If this is the preferred option of Council, the request for extension is for five (5) years only. It needs to be recognized that with this option Green Circle cautions it would be difficult to implement any significant program expansion. Health and safety issues (ie. compliance with Ministry of Labour industry standards) may be problematic.

For both the conversion to the robotic technology and remaining with the manual pickup, Green Circle requests that the contract extension include a Fuel Escalation Clause. This type of clause has been included in both the City's multi-family waste collection contract and the residential curbside collection contract for the designated contract area. Staff understands that the incorporation of this clause is reasonable and should be considered for all future collection contracts.

Should neither contract extension option be acceptable, Staff advise Council of the following:

- A Request for Proposal ('RFP') must be prepared immediately. PWT would recommend our waste management consultant, AECOM, be engaged to prepare this request.
- This process, nine (9) years ago, took many months to be accomplished. Staff from PWT and Engineering would be involved in the process.
- Several months would be required for Staff to assess the RFP submissions.
- As the City no longer owns the Material Recovery Facility ('MRF') the successful proponent of the RFP would be mandated to provide the service by September, 2012 – the expiry of the current contract and/or an agreement would be necessary for Green Circle to provide the service in the interim as the City is regulated to provide a recycling program to the residents.
- There is potential for new equipment and a MRF to be required which may take year(s) to be designed, approved, constructed and/or supplied.

IMPACT

For Council's information the value of this contract is approximately \$1.3 million annually. This is approximated as it is based on a rate per tonne collected. The greater the volume collected – which is the objective – landfill space is saved and thus the associated dollar value with that space is gained. It should be recognized by Council that a community of our size is regulated to recycle and that the program is currently funded by the following:

- Waste Diversion Ontario ('WDO') – Through the completion of the annual datacall the City receives significant funding from WDO. This funding is based on the success of our program ie. diversion rate, material collection options, etc. (approximately \$400,000/annually);
- Revenues are shared with Green Circle – These revenues vary from year to year based on market conditions and volumes collected, but, represent significant funds (approximately \$250,000/annually);

- Landfill Reserve Fund – This fund is financed by the rates established through the business plan for Solid Waste Management; and
- General Tax Levy – A portion of this service is paid through the general tax levy.

The unique financial impacts of each option are described below. Ultimately, there is no significant financial difference from the cost of recycling for the City today.

Option No. 1 – Implementation of automated carts and collection trucks

FINANCIAL

There are several financial impacts associated with Option No. 1 as noted below:

1. AECOM has assessed the financial implication of a Fuel Escalation Clause in the existing contract and, on average, its inclusion would have meant approximately \$77,000. annually. As previously stated, staff suggest this financial impact is inevitable as most, if not all, collection contracts will require such a clause in the future.
2. With Option No. 1 there is the possibility to expand the current program and the materials accepted at curb. The City's contract with Green Circle includes a clause that the revenues and losses associated with the sale of the material is shared 50/50 with the municipality. Although, an exact dollar value cannot be given to the potential revenue in an expanded program – it is probable that additional funds may be received to offset the potential additional expense associated with the Fuel Escalation Clause.
3. Replacement yellow and blue boxes would not be required at an annual expense of approximately \$30,000. The automated carts come with a warranty and can be tracked.

SOLID WASTE ENVIRONMENTAL ASSESSMENT ('EA')

An enhanced recycling program is a recommendation of the City's Solid Waste Environmental Assessment ('EA') i.e. Increased diversion. Participants in every workshop associated with that EA have stressed they would like to be able to recycle more materials. Ultimately, more diverted material means that the landfill's remaining life is longer. Also, as the City seeks Ministry of Environment ('MOE') approvals for additional disposal capacity, diverting as much material as possible from the landfill will play a factor on the MOE's acceptance of our plan.

Option No. 2 – Manual pickup

FINANCIAL

If manual pickup is the preferred option the financial implications are as follows:

1. The inclusion of the Fuel Escalation Clause, will have the same financial implications as with Option No. 1 (average \$77,000 annually). Staff understands this financial

impact is inevitable as most, if not all, collection contracts will include such a clause in the future.

2. There would be little potential to expand the current recycling program and therefore minimal additional revenue could be received to offset expenses.
3. Replacement yellow and blue boxes would continue to be required each year at an expense of approximately \$30,000.
4. Poor weather conditions (i.e. strong winds and rain/snow) mean material, fully exposed to the elements, is either blown out of the boxes and becomes litter or is in poor condition for processing. This ultimately is lost revenue for the City and Green Circle Environmental.

SOLID WASTE ASSESSMENT ('EA')

Increased diversion, as recommended in the Solid Waste EA, will be limited based on the curbside containers (ie. yellow and blue boxes) and the continuation of manual pickup.

STRATEGIC PLAN

As discussed in the Impact Section of this report, the Corporate Strategic Plan – Objective 1A – Environmental Leadership includes the completion of the EA for Solid Waste Disposal. The desired result of this activity is to reduce waste/refuse and increase waste disposal capacity. Recycling, in general, works towards this goal. It is Staff's recommendation that proceeding with Option No. 1 provides the greatest potential to enhance the current recycling program in a safe and efficient manner.

SUMMARY

Based on the analysis and the examination of the overall impact of Option No. 1, Option No. 2 and the possibility of not pursuing a contract extension, Public Works and Transportation recommends that Option No. 1 be pursued and that an agreement be entered into for a ten (10) year extension to the contract with Green Circle Environmental.

The request to sole source the provision of the collection and processing of recyclables can be compared to recent Council decisions to award the wastewater contract to the Sault Ste. Marie Public Utilities Commission ('PUC') as well as the provision of the City's insurance coverage and banking service. Ultimately, Green Circle Environmental meeting our objective of increased diversion in a professional and efficient manner as well as owning and operating the only MOE approved MRF of adequate size is good reason to continue with their service.

The terms and conditions of the current agreement shall be carried forward in the extended agreement, including:

- Compliance with laws;
- Auditing and Site Inspections;
- Resident Inquiries and Complaints; and
- Standard of Performance.

New clauses shall be incorporated to ensure the system reflects the commitment that:

- Carts will be purchased and provided to all residents and very small businesses;
- The carts will incorporate RFID technology and/or bar-coding option;
- Carts will be provided to new residents for the term of the contract as well as replacement carts if they are damaged by the contractor or found to be defective;
- Automated trucks will be provided to collect carts to service the City collection routes;
- Green Circle will finance the purchase of the carts and the collection vehicles;
- Improvements will be made to the MRF to help increase diversion and improve product quality; and
- Green Circle will implement the new robotic arm technology within one year of the contract extension (ie. September 2013).

RECOMMENDATION

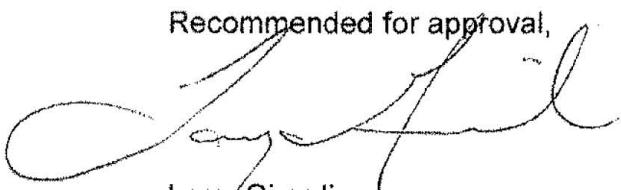
"That the report of the Deputy Commissioner of Public Works and Transportation concerning the contract extension with Green Circle Environmental be received and the recommendation to proceed to enter into an agreement with Green Circle Environmental for a ten (10) year extension for Option No. 1 - Implementation of automated carts and collection trucks be approved."

Respectfully submitted,



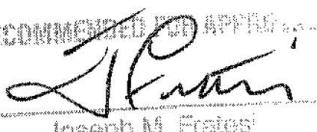
Susan Hamilton Beach, P. Eng.
Deputy Commissioner

Recommended for approval,



Larry Girardi
Commissioner

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

6(7)(a)

Appendix 1

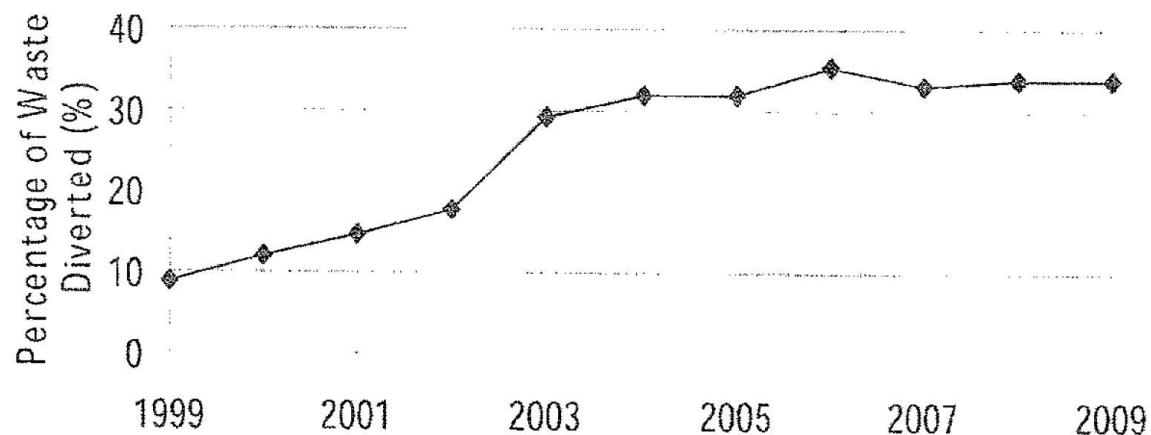
Letters from Green Circle Environmental
Dated
November 4, 2011 and
December 6, 2011

AECOM

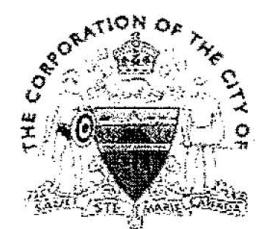
DILLON
CONSULTING

Accomplishments

Residential Waste Diversion Rate, 1999-2009



Increased residential diversion rate
from 9% in 1999 to 34% in 2009.



Graph No. 1

67(1)(a)

6(7)(a)



86 Sackville Rd
Sault Ste Marie, ON
P6B 4T6



We're thinking Green because they can't!

*Established in 1991.
Locally Owned & Operated*

November 4, 2011

The City of Sault Ste Marie
128 Sackville Rd
Sault Ste Marie, Ont
P6B 4T6

SUBJECT: Curbside Recycling Collection Services 10 Year Extension

Attention: Mr. Larry Girardi
Mrs. Susan Hamilton Beach

To whom it may concern,

Green Circle Environmental is currently requesting a 10 contract renewal for the processing and collection of curbside recyclables for The City of Sault Ste Marie. If Green Circle is successful and is granted an extension it will begin to implement the following changes;

- 1) Green Circle will purchase and provide carts to the residents and (very) small businesses, approximately 26,200 for automated collection
- 2) Carts will be ordered with RFID technology and/or bar-coding option.
- 3) Green Circle will provide new (to new residents) and replacement carts to the residents for the 10 years of the contract
- 4) Green Circle will purchase automated trucks to collect the carts to service the City collection routes
- 5) Green Circle will finance all expenses associated with the robotic collection
- 6) Green Circle is currently working to seek available funding programs for the automated collection system
- 7) Green Circle will begin making improvements to the current processing facility to help increase diversion and improve product quality.
- 8) Green Circle will implement the Robotic Arm technology within one year of the contract extension (September, 2013)

If the City of Sault Ste Marie decides that automated collection is not the route they would like to choose at this present time, Green Circle asks the City exercises a 5 year extension to Green Circle to the current contract. If the 5 year extension is granted Green Circle will then maintain the current manual collection system and current processing system. Problems we foresee with the current manual collection system are as follows;

- 1) Product quality will not improve; Glass is currently contaminating our 3-7 plastics. If we could remove the glass from this product we could begin accepting the more product at the curb. In order to do this we would have to make improvements to our processing facility.
- 2) WSIB rates will only increase; drivers are getting older and there are no new drivers that want to do manual collection.
- 3) There will be no increase in product diversion from the consumer because they are stuck with a small blue and yellow box. We have seen over the past 10 years people throwing the remainder of their recyclables in the trash because their boxes are full.

6(7)(a)

- 4) Environment has been changing over the past few years. We are seeing more windy days which are causing not only an environmental mess on the streets but Green Circle and the City are losing about 2 tones of product on those windy days.
- 5) The City's current costs for purchasing blue and yellow boxes annually is approximately 35,000 to 50,000 per year. These costs will only increase annually as weather changes.
- 6) Scavenging is becoming a bigger problem as the years go on. Going to an automated system will eliminate the scavenging in the boxes. The carts are too big for the scavengers to sort out of and too time consuming. We receive countless calls from residents that scavengers are on people's property going through their boxes. People are hesitant to place their boxes curbside because they are concerned about their privacy.
- 7) Ministry of labor has already been in contact with our facility in regards to the collection system that is currently in place. They do promote that we go to an automated system and do feel that it may be mandatory in the next few years once it reaches the political spectrum.

Thanking you in advance for your consideration and trusting that we may have the pleasure of serving you, we remain;

Yours truly,
GREEN CIRCLE ENVIRONMENTAL INC.

John Martella

JM/d

John Martella.

6(7)(a)



December 6, 2011

The City of Sault Ste Marie
128 Sackville Rd.
Sault Ste Marie, On.

Subject: Curbside Recycling Program

Attention: Larry Girardi

Dear Sir:

Green Circle Environmental will agree to a review of the recycling contract every three years with the municipality to determine if bi-weekly recycling collection is a viable option.

In addition to this Green Circle Environmental agrees to deal with any and all complaints that may arise due to the implementation of the cart collection system. Green Circle Environmental worked with the community to establish the blue and yellow box program and worked with the public to solve the complaints on an individual basis. Green Circle Environmental has learned from this experience that each individual complaint has to be dealt with on an individual basis.

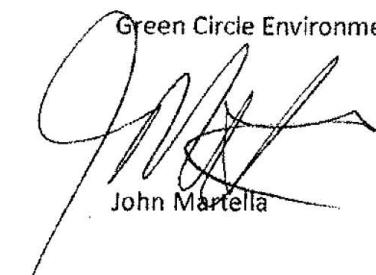
Questions about seniors and special cases will be dealt with in the manner above. Green Circle Environmental will assess issues with seniors related to curbside collection, if necessary and will ensure that all solutions meet the needs of the program and the resident. We do need to ensure that everyone knows that this is a curbside program and all containers will need to be at the curb. Issues that cannot be resolved will be communicated with the City.

Green Circle Environmental will supply carts to all new homes built during the contract period and replace or repair any container damaged by the contractor or any defective container. Containers damaged by the residents will be the responsibility of the resident.

If you have any other questions or concerns please feel free to contact Randall Roy @ 705-945-7554.

Yours Truly

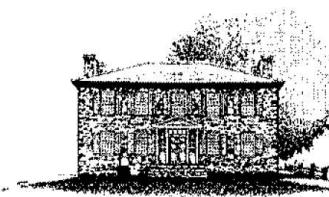
Green Circle Environmental



John Martella

6(8)(a)

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



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

Historic Sites Board

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

ERMATINGER-CLERGUE NATIONAL HISTORIC SITE HERITAGE DISCOVERY CENTRE (HDC)

PURPOSE

The Historic Sites Board is seeking a resolution reaffirming City Council's support of the Heritage Discovery Centre on its completion - to accompany pending funding applications to the Federal Government.

BACKGROUND

City Council previously endorsed the Heritage Discovery Centre Project in a resolution passed on July 27, 2009. A copy of the resolution is attached for City Council's review. The status of this project was reported to City Council in February and March 2011. A briefing note was also distributed to Council dated November 16, 2011. These reports are attached for City Council's information.

The Heritage Discovery Centre is identified in the City's Strategic Plan. To date the City and the Historic Sites Board have leveraged and invested \$337,000 on direct costs associated with the project. These expenditures have produced the Business Plan and construction drawings which are revised and ready for tender.

The Historic Sites Board has for 30 years preserved and restored the City's unique National Historic Site (Ermatinger Old Stone House and the Clergue Blockhouse) through various funding sources, which has included on one occasion a loan from the City - subsequently repaid.

CURRENT SITUATION

The cost of the project, as estimated by C. Tossell, Architect, in November 2011 is \$4 million. The project has four components:

- 1) Construct the building envelope (\$3.1 million)
- 2) Design and install the exhibits and interior interpretive features – including an 1812 legacy gallery (\$400,000)

Report to Council – Heritage Discovery Centre
2012 01 09
Page 2

- 3) Move administrative offices and curatorial space to the new Centre, permitting the renovation of the Summer Kitchen attached to the Ermatinger Old Stone House to improve accessibility and enlarge educational programming capacity (\$160,000)
- 4) Miscellaneous costs including consulting fees for the Heritage Discovery Centre tender and construction contract administration, Design Network consulting fees, printing, out-of-pocket expenses and contingency allowance of 5% (\$340,000).

Items 2, 3 & 4 above can, to varying degrees, be staged as to their commissioning and timing of cash outlays. Some of the site-related improvements and other components can be accounted for as *contributions-in-kind* from the City against the governments' contributions. Our fund raising campaign is targeting the private sector and foundations as well as through the activities of the incorporated not-for-profit "Friends of the Ermatinger-Clergue National Historic Site" and possibly other unexplored government avenues.

Meetings with our M.P. and M.P.P. have been very supportive. We are advised that M.P. Bryan Hayes has also kept Canadian Heritage Minister Moore abreast of the project. In November staff of Canadian Heritage – Cultural Spaces came to Sault Ste. Marie and advised that another application for \$1.8 million will be accepted for evaluation. Further, if we meet a **January 15th application deadline** under the "1812 Commemorative Fund" a \$400,000 application will be accepted for consideration for the 1812 legacy component of the Heritage Discovery Centre.

Heritage Canada officials advised that it would be important to the federal evaluators if City Council reaffirms its commitment to move ahead with the project. To this end, a letter of support from the CAO has been requested, confirming that on completion of the building project the City is committed to the ongoing operation of the Heritage Discovery Centre.

The deadline for submission of applications to our Heritage Canada federal funding partners is mid-January. There is not likely to be another opportunity for significant capital support from Heritage Canada.

In response to Heritage Canada's request, the Historic Sites Board on December 8th, resolved to make this presentation and report to City Council.

STRATEGIC PLAN

The Heritage Discovery Centre has been and remains on the Strategic Plan for the City of Sault Ste. Marie. In the past it was listed as one of the City's top four projects. Many of these projects are now underway.

In order to coincide with the Bi-Centennial of the War of 1812 (in the years 2012 – 2014), the City's Centennial, and the 200th year of the Ermatinger Old Stone House (2014), we hope to have construction underway in 2012, with project completion by spring 2014.

Report to Council – Heritage Discovery Centre
2012 01 09
Page 3

IMPACT

At this stage, prior to Heritage Canada decisions we are not able to present comprehensive funding detail. The Board will report back to City Council as information becomes available.

RECOMMENDATION

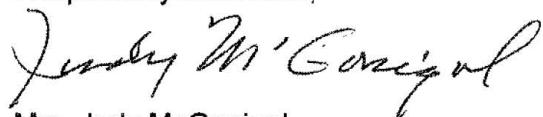
The Historic Sites Board therefore recommends that:

- 1) City Council re-endorse and support the Heritage Discovery Centre as follows:
 - Authorize the submission of applications for significant capital funding to various Federal and Provincial programs;
 - Endorse the broadly targeted, multi-year fundraising campaign being undertaken by the Historic Sites Board to recruit sponsors;
 - Commit to support the ongoing annual operations of the proposed Centre should it be built;
- 2) City Council direct the C.A.O. to provide a letter of support regarding the future operation of the Heritage Discovery Centre as outlined in the Business Plan, which will accompany the resolution from City Council.

On behalf of the members of the Historic Sites Board, I am asking for your support of the recommendation and the efforts of the Historic Sites Board. Based on the hoped-for success of our applications, the Board will seek your authorization to issue a tender call for the Heritage Discovery Centre later in the year.

Thank you in advance for consideration of this request.

Respectfully submitted,



Mrs. Judy McGonigal,
Chairperson Historic Sites Board

li/rec&cult/HSB/2012/council report jan 9 jm dec 30

cc: J. Fratesi, C.A.O., City of Sault Ste. Marie
B. Freiburger, Commissioner of Finance
N. Apostle, Commissioner Community Services
J. Cain, Manager Recreation & Culture
K. Fisher, Curator ECNHS
D. McConnell, Planning Director

attachments

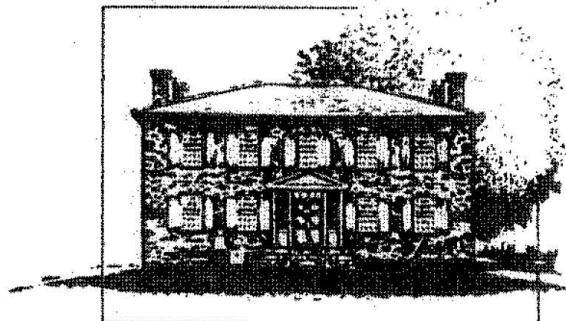
Council Resolution

July 27, 2009 City Council Meeting Minutes
Clerk's Department

Moved by Councillor J. Caicco
Seconded by Councillor O. Grandinetti

Resolved that the report of the Chair, Historic Sites Board dated 2009 07 27 concerning Visitor Centre Legacy Project for the War of 1812 Bi-Centennial Commemoration be accepted and the recommendation that City Council endorse and support the Heritage Discovery Centre as follows:

- 1) commit the required municipal property to the west of the Ermatinger-Clergue National Historic Site on which to build the Centre;
 - 2) authorize the submission of applications for significant capital funding to various Federal and Provincial programs;
 - 3) commit to support the ongoing annual operations of the proposed Centre should it be built (this assumes that the cost to operate the site nets to zero if projected revenues are realized; the additional operating costs to the City in 2012 would range from \$12,000.00 to \$105,000.00 based on best-case and worst-case scenarios)
- be approved. CARRIED.



Ermatinger • Clergue National Historic Site

2011-11-16

Mayor Amaroso
and Members of City Council

BRIEFING NOTE

**ERMATINGER•CLERGUE NATIONAL HISTORIC SITE
HERITAGE DISCOVERY CENTRE – BACKGROUND AND CURRENT STATUS**

As the Historic Sites Board continues to move forward with the Heritage Discovery Centre, I want to provide this project report to ensure that all our funding partners are fully updated, informed of our progress, and working towards the same goal.

To recap: The \$4 million project did not proceed after it was tendered in June 2010. Why? The tenders came in \$500,000 over the cost estimates that had been verified through an independent cost analysis by the City. One possible cause—the construction industry was running full out at the time. Scheduling constraints attached to \$1.8 million funding approved by Heritage Canada under the Federal Government's Special Recovery (Infrastructure) Program required substantial completion of construction by March 31, 2011. Another hurdle was encountered when FedNor subsequently advised that an application for \$500,000 for creation of exhibits and interpretive materials for the centre had been denied as being outside the agency's economic development focus. This view seems to have overlooked the significant contribution that the Centre would make to our tourism sector.

In February 2011, the Historic Sites Board reported to Council its intent to continue to pursue funding opportunities and to identify cost savings in the construction component of the building. Subsequently, the Board received Council's approval to have revisions made to the Architectural, Structural and Mechanical drawings so that the Heritage Discovery Centre project could be made fully tender/shovel ready.

Status now:

- Revised drawings reflecting an estimated saving of \$400,000 have been received;
- NOHFC has agreed to extend the guarantee of their \$1 million contribution until 2013;
- Heritage Canada/Cultural Spaces representatives have confirmed the opportunity to resubmit our \$1.8 million funding application;
- A Letter of intent has been forwarded to Department of Canadian Heritage's 1812 Commemoration Fund for \$400,000 for interpretive design and installation of exhibits;
- A recent meeting with FEDNOR officials indicated that the project is not eligible;
- A total of \$300,000 is available from the Municipality and the Historic Sites Board's own reserve fund;
- The Hudson Bay Foundation is now open for applications;
- Sponsorship from Bank of Montreal through the Ermatinger brothers' involvement as founding shareholder is under exploration;
- Friends of Ermatinger-Clergue National Historic Site and the Historic Sites Board are seeking other sponsorships.

Looking Forward:

Several application processes are underway, and other prospective funding sources are being pursued. The Board expects to be in a position to re-tender the Heritage Discovery Project in the spring of 2012, with construction to commence that summer.

As a courtesy, this summary is being shared with our supporters, Brian Hayes M.P. and David Orazietti M.P.P.

Respectfully Submitted,



Judy McGonigal
Chair, Historic Sites Board

Cc : N. Apostle, Commissioner, Community Services Department
J. Cain, Manager Recreation and Culture, Community Services Department
K. Fisher, Curator, Ermatinger-Clergue National Historic Site
S. Kindred, President, Friends of the ECNHS

February 7, 2011

Mayor Amaro
and Members of City Council

ERMATINGER•CLERGUE NATIONAL HISTORIC SITE HERITAGE DISCOVERY CENTRE UPDATE

Copies of the latest issue of the Newsletter of the Ermatinger•Clergue National Historic Site have been distributed to you. As noted, the Historic Sites Board (HSB) has developed this nationally significant site as an integral part of the City's cultural resources and visitor attractions for more than 40 years. It serves as an important anchor, with the Bushplane Centre, to the east end downtown area and is now to be linked to the riverside Boardwalk.

I hope the newsletter has awakened some personal memories and connections with the 'Old Stone House', as well as engaging your interest in the past progress and future plans of the Historic Sites Board. It is useful to note that this volunteer Board is somewhat unique, being under the care and direction of Council and acting on Council's behalf as the management board for the City owned and operated Site.

The centre pages of the newsletter present the immediate goal and challenge for the HSB in 2011/2012—achieving further progress on the Heritage Discovery Centre project.

In 2009 the following phases were accomplished in the development of the project:

- Concept development (after more than 5 years of preparation)
- Formulation of a multi-year business plan
- Successful solicitation of government offers to contribute to the project

In 2010 the following elements were accomplished:

- Commissioning of architectural and engineering services
- Completion of construction drawings and tender documents incorporating gold level LEED Certification specifications
- Archaeological site report
- Soils investigation report
- Land surveys
- Survey/design of site services
- Incorporation of the City's Facility Accessibility Design Standards, including approval of the HDC plan by Accessibility Advisory Committee
- Development of interpretation and exhibition concepts
- Establishment of not-for-profit support organization "Friends of the Ermatinger•Clergue National Historic Site"
- On the Board's behalf, construction tenders were called by the City and bids reviewed

Last August, the report of Commissioner of Community Services identified for Council some unexpected hurdles related to the project's construction costs, as well as scheduling constraints imposed by the federal government's Special Recovery Program. At that point, City officials felt that financial liabilities for the City could have become, potentially, too onerous to proceed. The tender process was cancelled and a thorough review of the project was undertaken by the Historic Sites Board.

The Board, with City staff and the architect, have identified cost saving measures for the construction component of the project, as well as a more practical project schedule than was imposed by the federal "infrastructure funding" guidelines. These revisions will modestly alter the structure, thereby requiring revisions to the engineering and mechanical drawings. Other cost reductions under consideration could include the elimination of LEED certification for the HDC building, although the new specifications would still provide a high level of "green" efficiency. The Board is working to ensure that the project is fully tender/shovel ready when funding is secured.

The construction phase for the Centre is projected to be approximately 18 months from tendering to completion. It is the Board's goal to have a new tender call issued and the successful bidder selected by the City within 12 months. This timetable would result in the start of construction by the spring of 2012 – a fitting project for the City's Centennial year. The project and the National Historic Site will also feature prominently in celebrations and re-enactments for the International Bicentennial of the War of 1812, and the 200th Anniversary of the "Old Stone House".

On the financial front, we have in hand a commitment of \$1 million, through to March 2012, from the Northern Ontario Heritage Fund, plus the Historic Sites Board reserve fund of \$100,000 and an earlier undertaking of some capital support from the City. Heritage Canada has also stated its willingness to consider a new request for support. This year, the Board will vigorously pursue funding sources, particularly the replacement of the \$1.8 million originally offered by Heritage Canada, and through fund raising activities in the community and beyond.

The Heritage Discovery Centre project is important to Sault Ste. Marie. On completion, it will add greatly to the utility and appeal of the entire Ermatinger•Clergue complex as a unique visitor attraction for a wide range of interests. Equally important, residents will also be provided with a more complete and compelling picture of the deep roots and diverse cultural history of this community—as the "gathering place" by the river.

Mr. Fratesi, CAO, has agreed with the Board's request that a representative from the Finance Department and the Commissioner of CSD be officially assigned to assist the HSB working committee to move the project forward in the time frame noted above. As we proceed, other specialized knowledge may be needed. We will also be seeking the input of the EDC to strengthen the tourism linkages which are a key function of the Heritage Discovery Centre.

I anticipate that we will next report to Council within six months with the results of the Board's concerted funding search.

2011 03 21

Mayor Amaro
and Members of City Council

**HERITAGE DISCOVERY CENTRE DRAWING REVISIONS
ERMATINGER•CLERGUE NATIONAL HISTORIC SITE**

On February 7, 2011, the Historic Sites Board report to City Council included the following information:

"The Board, with City staff and the architect, have identified cost saving measures for the construction component of the project, as well as, a more practical project schedule than was imposed by the federal "infrastructure funding" guidelines. These revisions will modestly alter the structure, thereby requiring revisions to the engineering and mechanical drawings."

Included in the power point presentation, "Next steps", the first action item was to: *"make revisions to the Architectural / Structural / Mechanical drawings to be shovel / tender ready."*

At the February 10, 2011 Historic Sites Board meeting, the following resolution was passed:

"Resolved that the Historic Sites Board direct C. Tossell to proceed with the updates to the drawings for the Heritage Discovery Centre Project as presented."

A price quote was received from C. Tossell on the revisions for \$39,500. + HST.

As a Board of Council, we are requesting Council's approval for the expenditure of this amount through the Historic Sites Board reserve / trust accounts.

RECOMMENDATION

That Council support the Historic Sites Board's decision to direct C. Tossell to proceed with the updates to the drawings for the Heritage Discovery Centre project with the understanding that payment will be made from the Historic Sites reserve / trust accounts in the amount of \$39,500. + HST.

Respectfully submitted,

Mrs. Judy McGonigal, Chairperson
Historic Sites Board

jb/mab/2011/council report march 21

cc: N. Apostle, Commissioner Community Services
K. Fisher, Curator ECNHS

6(8)(b)

Jacob Bruzas, CA
Financial Analyst



Finance Department

2012 01 09

Mayor Debbie Amaroso and
Members of City Council

RE: HERITAGE DISCOVERY CENTRE – ERMATINGER-CLERGUE NATIONAL HISTORIC SITE

PURPOSE

Elsewhere on the agenda is a report from the Historic Sites Board seeking recommitment of Council's support of the Heritage Discovery Centre project. This report will provide details on the known funding implications of the project.

BACKGROUND

This project was originally supported by Council in 2009, however, after tender amounts received were higher than anticipated, the project was delayed until such time that the project scope could be pared down and additional funding found.

At the February 7th, 2011 Council meeting, the Chair of the Historic Sites Board recommended in Agenda Item 6.8 (a) that the Commissioner of Community Services and a representative of the Finance Department (I, Jacob Bruzas, was subsequently appointed) be assigned to assist the Historic Sites Board Working Committee for this project.

Also in 2011, the architect on the project, Chris Tossel, was engaged to provide a redesign of the project on a lesser scope. With this now complete, the Historic Sites Board is ready to submit new funding applications for the revised project.

ANALYSIS

In Mr. Tossel's November 2011 report to the Historic Sites Board, he estimated the cost of the project to continue to completion to be approximately \$4 million. This is in addition to the already incurred costs of \$337,000, bringing the total project cost to approximately \$4.3 million.

The \$337,000 to date has been fully funded by a combination of Canadian Heritage-Cultural Spaces funding (\$129,000), City funds (\$110,000 of the \$200,000 originally set aside by Council for this project), Northern Ontario Heritage Fund (\$80,000 of the \$1 million approved for this project) and the remainder (\$18,000) from the Heritage SSM Trust Funds.

-More-

Heritage Discovery Centre – Ermatinger Clergue National Historic Site
2012 01 09
Page 2.

Additional known funding sources to date are the remainder of the \$1 million commitment from NOHFC, and the remainder of the \$200,000 originally set aside for this project by the City.

The Historic Sites Board is in the process of submitting applications to Canadian Heritage-Cultural Spaces for \$1.8 million and to the "1812 Commemorative Fund" for \$400,000. It is not clear as of yet as to whether or not the \$1.8 million to be requested from Canadian Heritage-Cultural Spaces will be in addition to the \$129,000 that they have already given to the project.

There is approximately \$125,000 available for this project from the Historic Sites and Heritage SSM Trust Funds. However, the Historic Sites Board needs to give their approval before these funds can be fully committed to the project.

IMPACT

Based on the current assumptions as described in this report, this leaves a financial capital risk to the City of approximately \$655,000 to \$784,000.

This is in addition to the estimated increase in annual operating costs of \$12,000 to \$105,000 per year (figures originally provided to Historic Sites Board via business plan).

The Historic Sites Board is actively exploring other funding sources for this project.

A summary of the financial breakdown as described has been attached for your information.

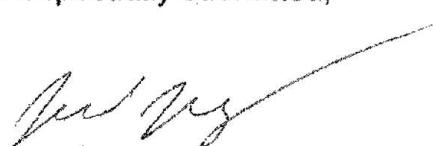
STRATEGIC PLAN

The Heritage Discover Centre is identified in the City's Strategic Plan.

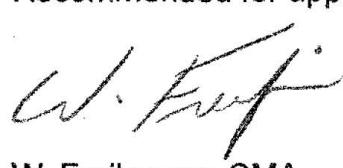
RECOMMENDATION

We recommend that the report of January 9, 2012 concerning funding of the Heritage Discovery Site be received as information.

Respectfully submitted,


Jacob Bruzas, CA
Financial Analyst

Recommended for approval,


W. Freiburger, CMA
Commissioner of Finance and Treasurer

RECOMMENDED FOR APPROVAL


Joseph M. Fratoceli
Chief Administrative Officer

attachment

cc: J. McGonigal, Chair Heritage Sites Board
N. Apostle, Commissioner of Community Services Department

Ermatinger Historic Site Visitor Centre

Cost/Funding Breakdown

Expenditures:

Costs incurred to date:	336,827
Construction Cost Estimate:	3,430,456
Summer Kitchen:	160,000
Interpretive Features:	<u>400,000</u>
Total Expenditures:	<u>4,327,283</u>

Per C. Tossel

Funding:

Approved:

Funded to Date:	336,827	(NOHFC, Cdn Heritage and City funds)
NOHFC Remaining:	920,249	(original approved amt.: \$1 million)
City Reserve Remaining:	89,487	(original approved amt.: \$200,000)

Pending Approval:

Cdn Heritage-Cultural Spaces	1,800,000	(not clear if inclusive of \$129K funded to date or not)
1812 Fund	400,000	
Historic Sites and Heritage SSM Trusts	<u>125,000</u>	(estimated available amount as at Dec 31, 2011)
Total Funding:	<u>3,671,563</u>	(not yet approved)

Remaining Funding Needed Based on Above: **655,720 *****

*** Note: if the \$1.8 million from Cdn-Heritage is not in addition to funding they have already provided the City for this project, then the remaining funding needed would be \$784,000.

Off Load Delays (OLD)

This is the term given to the extra time it takes for a paramedic crew arriving at the hospital until they can transfer patient care to a hospital staff member. Historically this has been a big problem in larger centres and now we have started experiencing it locally. At the new Sault Area Hospital (SAH) site this has become an increasing burden on our resources and the table below shows the average time a crew spends in the hospital committed to caring for a patient. The "average minutes per call" is from the time the paramedics gave report to the Emergency Department (ED) receiving staff, until the patient care was accepted by SAH staff.

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

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

While two paramedics are continuing care and monitoring their patients inside the hospital hallways, they cannot provide emergency ambulance responses to the community. In reality, at crisis times we may leave a patient in the care of one paramedic to relieve another or a crew takes on a second patient to monitor and care for them until ED staff and beds are available. Our patient care cannot be compromised and these are less than ideal fixes that allows us to continue emergency service we are responsible for.

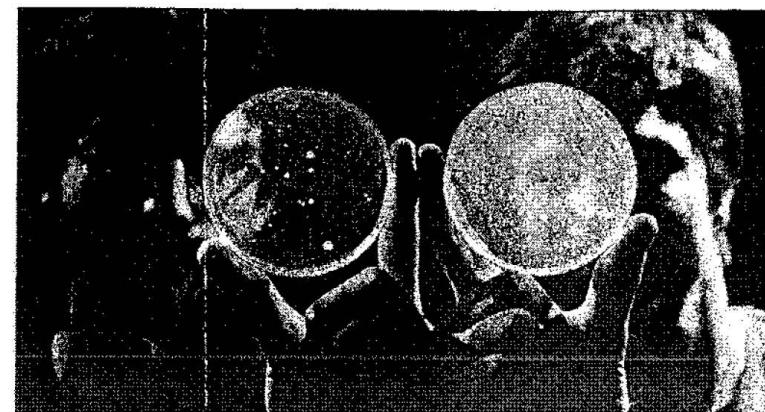
Hours lost are one factor but another concern is the growing cost borne by the service to replace these lost hours. In September we tracked this and had to up-staff (bring in extra crews) at a cost of approx. \$1800.00 due to emergency calls waiting outside of the hospital while crews were on Off Load Delay. In fact this cost was low as we were able to use mostly part time staff (straight pay instead of over time (1.5x)).

We continue to work with the SAH management staff to see if there is any solution but progress is slow and many other in-hospital factors lead to these delays. As relayed in the Sault Star article "SAH plans to cut ER wait time" Nov.22/11, the problem is not just an ED issue but a domino effect caused by an intake - output imbalance.

At this time, better communication of patient needs and tracking of incoming patients is the direction the SAH is going to possibly improve the flow of EMS patients. I cannot speak to staffing issues within the ED but both beds and nursing staff are a finite number in this new larger ED.

Contributing Factors are:

- EMS transported patients are not always the 'sickest' to arrive at the SAH but we must provide care until they can be taken in
- Limited alternate care in the community exists except the ED for many patients and EMS can only transport to the SAH for emergent care.
- Backlogs of patients waiting to leave the ED for hospital beds or discharge delay bed availability
- Call volume for EMS continues to rise but does not always correlate to increases in OLD
 - Belief EMS fast track you to a Dr, we continue to try and educate patients and families about triage process



TANNIS TOOHEY/TORONTO STAR

A Star probe into the state of drinking fountains and water coolers made some disturbing findings. James Byrne, left, shows a petri dish with bacteria grown from a dog dish located outside a café, while Gabriel Wolfaardt holds a sample taken from a Queen's Park water cooler, which has an obviously much higher bacteria count.

division is responsible for the maintenance and cleaning of drinking fountains at City Hall and Nathan Phillips Square. There are approximately 100 drinking fountains in the building and five in the square.

"All drinking fountain spigots and basins are cleaned daily with a germicidal product named 'Easy Clean' and checked periodically throughout the day," city spokeswoman Cheryn Thoun said. "The method involves washing the spigot and the inside of the basin with a small mop-type cotton tool. The fountains are then run for approximately 30 seconds to rinse the chemical out."

Fountains in public parks are another story. There are 671 of them.

Each spring, they are tested to ensure they meet provincial standards. While spot checks are conducted, basins and bubbler heads are not sanitized with regularity.

A Haws spokesperson said the company recommends at least a weekly cleaning of its fountains.

"This is a public health issue," said Councillor Glenn De Baeremaeker, who supported the bottled-water ban. "We'll sit down with our custodial staff and our public health department to make sure the cleaner itself is effective and that we are ensuring (the fountains) are clean

to continue

The results, researchers said, confirm lack of cleanliness. Complex DNA testing would be needed to determine whether the bacteria pose a health risk.

A series of tests was run on the spouts of three water coolers in the Legislative Assembly building at Queen's Park. Because of concerns about lead, coolers are the primary watering holes on site.

The spout of the second-floor water cooler outside the Liberal Caucus meeting room was visibly soiled with what looked like lipstick. Analysis showed the spout contained at least 10 times more bacterial growth than the dog bowl we tested,

6 This is a public health issue.

GLENN DE BAEREMAEKER,
CITY COUNCILLOR AND
CHAIR OF PUBLIC WORKS
COMMITTEE

,

which was sitting outside Starbucks at Queens Quay and York St.

(a) L

Dirty drinking fountains

Half of 20 spouts we tested at public drinking water fountains and coolers showed high levels of contamination in two separate tests — a potential health risk indicator.

What we found

Locations where bacteria found was "too high to count"— 300 CFU/mL or more

	Hygiene meter count (RLU)	Bacteria count (CFU/mL)
City Hall, main lobby, near cafeteria	8,570	300+
Royal Ontario Museum, near school entrance	8,389	300+
Sherwood Park, near children's splashpad	8,310	300+
Eaton Centre, Queen St. entrance near washrooms	8,146	300+
Nathan Phillips Square, S.E. corner near Queen/Bay	6,448	300+
High Park, near Parkside Rd.	6,356	300+
Queen's Park, 2nd floor near caucus meeting room	4,529	300+
Etobicoke Olympium	4,120	300+
Pearson Airport, 3rd Floor, Gate A	2,640	300+
Queen's Park, 1st floor, north entrance	1,311	300+
900 Bay St., Queen's Park office tower, main lobby	531	300+

Less than 300 CFU/mL

CBC headquarters, Front St. atrium	173	293
Ulster Park in the Annex	2,910	291
Toronto Reference Library, main floor, near washrooms	1,053	235
Toronto Police Headquarters, College St.	991	126
Holt Renfrew, near customer service counter	93	96
Withrow Park soccer field, Frizzell and Carlaw entrance	1,106	85
Starbucks Dog Bowl, Queens Quay and York St.	172	56
Ramsden Park, Summerhill, near children's splashpad	4,281	38
Queen's Park, 3rd floor	219	6

The two tests

1. A "hygiene meter" measures the amount of organic residue on a surface. 50-100 is the standard for office cleanliness. Food preparation areas should be below 30. The readings are given in relative light units (RLU).
2. Ryerson researchers cultured samples from the spouts and found high bacteria levels. Above 300 CFU/ml (colony forming units per millilitre) they stop counting. Half the samples were over that level. There is no standard for drinking fountain surfaces.

..... or any.

The *Star*'s results should not discourage people from drinking at water fountains, says one of Canada's top environmental microbiologists. They should encourage agencies responsible to give the units a good scrubbing, making sure to avoid cross-contamination. In other words, a floor-cleaning cloth should never be used to wipe out the fountains.

"We will never live, and cannot survive in an environment free of microorganisms," said Ryerson's Gideon Wolfaardt, a Canada Research Chair who supplied the *Star* with researchers from his lab.

"This however does not mean we should be careless in the maintenance of facilities, especially those in public. Regular, proper cleaning procedures are important," he said.

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2012-8

AGREEMENT: (LE-96) A by-law to authorize a Licence agreement between the City and Mario Avati and Mary Melanie Avati for the use of a portion of the City owned land abutting 63 Peach Drive, Sault Ste. Marie, Ontario.

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

1. **EXECUTION OF DOCUMENT**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement dated December 12, 2011, and made between the City and Mario Avati and Mary Melanie Avati for the use of a portion of the City owned property abutting 63 Peach Drive, Sault Ste. Marie, Ontario in the form of Schedule "A" hereto.

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 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\2012\2012-8 LICENCE AGREEMENT AVATI MARIO AND MARY.DOC

NOTICE

THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.

CITY SOLICITOR

LICENCE TO OCCUPY CITY PROPERTY

THIS LICENCE made in duplicate this 12th day of December, 2011.

B E T W E E N: **THE CORPORATION OF THE CITY
OF SAULT STE. MARIE**
(herein referred to as the "City")

- and - **MARIO AVATI and MARY MELANIE AVATI**
(herein referred to as the "Licencee")

The City grants to the Licencee the right to occupy the property of the City ("the City property") identified as a portion of land abutting 63 Peach Drive, being part of Forest Glen Park as shown in Schedule "A" attached to this Licence to Occupy City Property

This licence is subject to the conditions set out in Schedule "B" attached.

In this Licence "City" means the "Council" of the City of Sault Ste. Marie and any person authorized to act on its behalf.

This Licence shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors and assigns.

In witness thereof the parties hereto have affixed their hands and seals on the date written above.

SIGNED, SEALED AND DELIVERED)


MARIO AVATI


MARY MELANIE AVATI

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

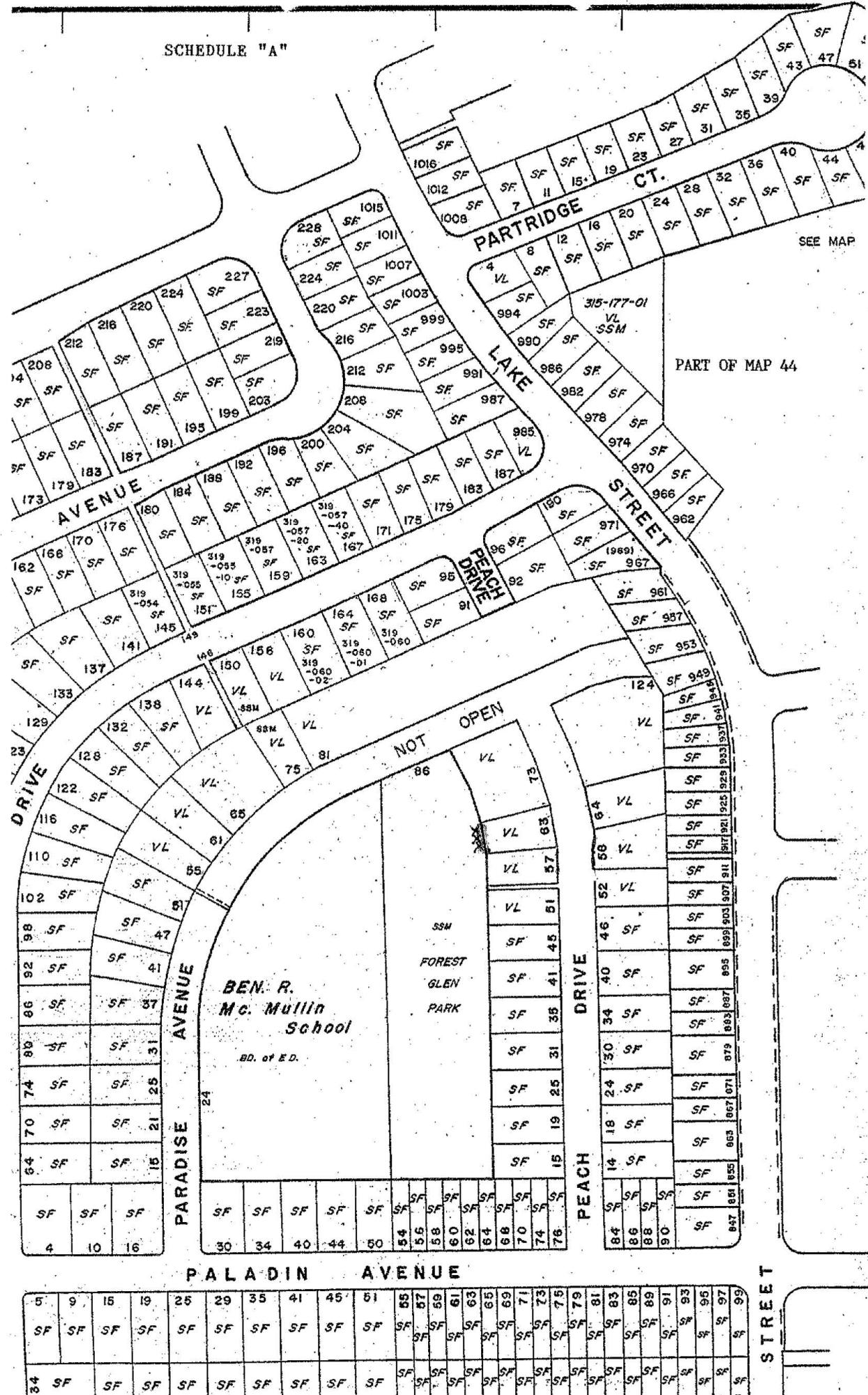
MAYOR – DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

**WE HAVE THE AUTHORITY TO BIND
THE CORPORATION**

10(a)

SCHEDULE "A"



SCHEDULE "B"

This Licence is subject to the following conditions:

1. The City has no obligation to make any improvements or provide any maintenance to the property described in this Licence Agreement. These obligations are the Licencee's.
2. Either party may cancel this agreement on giving thirty (30) days written notice to the other party of the intention to do so. Notices shall be deemed given if deposited in the mail with postage charges prepaid and addressed to the party for whom intended at such party's address herein specified.

CITY	City Solicitor The Corporation of the City of Sault Ste. Marie P.O. Box 580 Sault Ste. Marie, Ontario P6A 5N1
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LICENCEE	MARIO AVATI and MARY MELANIE AVATI 63 Peach Drive Sault Ste. Marie, Ontario P6B 5N3
-----------------	--

3. This Licence may not be assigned without the written permission of the City.
4. With respect to the City property, the Licencee will indemnify and save harmless the City from and against all claims including claims by the Licencee and including, without limiting the generality of the foregoing, all claims for personal injury or property damages regardless of the cause and from all costs, counsel fees, expenses, and liabilities incurred in or about such claim or any action or proceeding brought thereon.
5. The Licencee will not use or permit the use of the said land for any purpose other than the purpose herein set out, that is the extension of the rear yard of the property at 63 Peach Drive. No buildings or structures will be erected on the City owned property.
6. The Licencee shall keep in force during the term hereof, property damage insurance and personal injury insurance against claims for bodily injury, death or property damage occurring on the subject lands in an amount not less than Two Million (\$2,000,000.00) Dollars. Proof of said insurance shall be filed with the Legal Department of the City of Sault Ste. Marie.

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-6

DEVELOPMENT CONTROL: A by-law to designate the lands located at 284 North Street an area of site plan control (Robert Ronald Berto).

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

1. **DEVELOPMENT CONTROL AREA**

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

2. **SITE PLAN POWERS DELEGATED**

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

3. **SCHEDULE "A"**

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

4. **PENALTY**

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

5. **EFFECTIVE DATE**

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

PASSED in Open Council this 9th day of January, 2012.

NOTICE

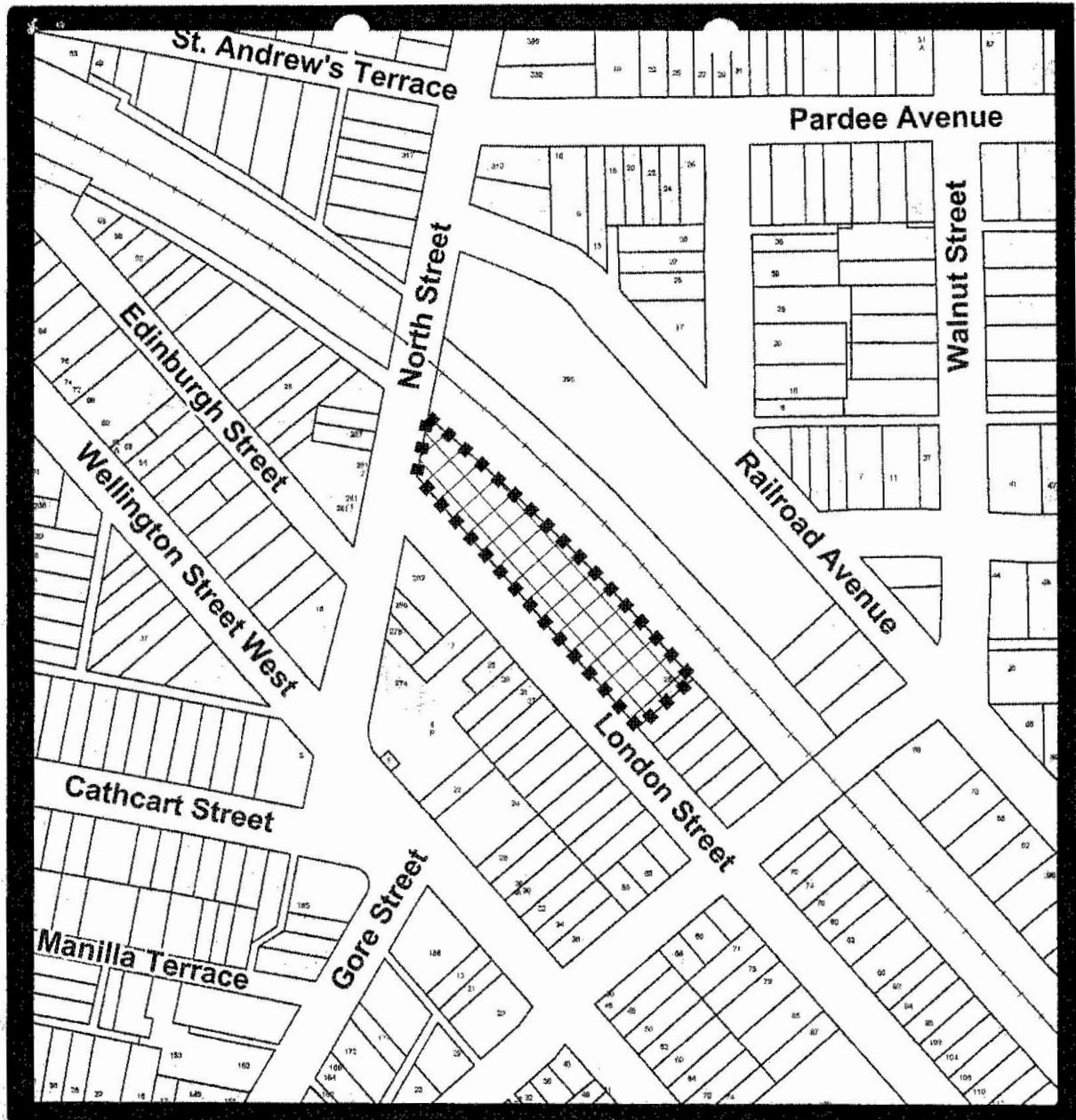
THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR

MAYOR –DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

1D(b)

SCHEDULE "A" TO BY-LAW 2012-6 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE BE PASSED IN OPEN COUNCIL THIS 9th DAY OF JANUARY, 2012.



SUBJECT PROPERTY MAP
PLANNING APPLICATION A-22-11-Z
284 NORTH STREET



Subject Property = 284 North St



Subject Property = 284 North St

Oct, 2011

Metric Scale
1 : 2200

Maps
26 & 1-29

Mail Label ID
A-22-11-Z



ID(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-7

LANE CLOSING: (LC-5) A by-law to repeal by-law 2011-134 (a by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision) and to replace it with By-law 2012-7.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 115 of the Municipal Act, 2001, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **BY-LAW 2011-134 REPEALED AND REPLACED WITH BY-LAW 2012-7**

By-law 2011-134 is hereby repealed by this by-law and replaced as follows:

2. **LANE CLOSING:** A by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision

WHEREAS the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2011-133;

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:

3. **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.

4. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

5. **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.

6. **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.

7. **SCHEDULE "A"**

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

NOTICE

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CITY SOLICITOR

10(c)

8. **EFFECTIVE DATE**

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

PASSED in open Council this 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

da\LEGAL\STAFF\BYLAWS\2012\2012-7_and REPEAL 2011-134 LANE CLOSING TAGONA SUB.DOC

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-3

PARKING: (P.1.2.4.) A by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie.

WHEREAS from time to time persons have been appointed by-law enforcement officers;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, chapter p. 15 and amendments thereto, **ENACTS** as follows:

1. **SCHEDULE "A" TO BY-LAW 93-165 REPEALED**

Schedule "A" to by-law 93-165 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

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

PASSED in Open Council this 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK –MALCOLM WHITE

cf Bylaws\2012\2012-3 City Parking Officers

ARTICLE
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CITY SOLICITOR

SCHEDULE "A"

Don Scott	1
Sam Piraino	3
David Etchells	51 (Mechanic)
Renee Vanderklift	71
Frank Jolicoeur	72
Alan Smith	81
Dave Devoe	84
Edward Pigeau	89
Dave Browley	90
Terry Boston	91

10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-4

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 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK –MALCOLM WHITE

of Bylaws\2012\2012-4Parking Officers – Private lots

NOTICE

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CITY SOLICITOR

BADGE NO.	SPECIAL CONSTABLE	EMPLOYER	PROPERTY LOCATION
12	ROUSE,BRIAN	ALGOMA UNIVERSITY	1520 QUEEN ST E
26	MCLEOD,ROD	FLEMING & SMITH	378 QUEEN ST E & APARTMENTS
30	RENDELL,VERN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
35	ORR,DEREK	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
59	BARONE, MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN ST E
108	SEBECIC,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/S.COLLEGE/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.
186	HARMAN,JASON	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
191	BROWN,STEVEN,GEORGE	SEP.SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
195	SEABROOK,LAURA LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
240	MASON,STEPHEN	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
241	COGHILL,ROBIN	NORPRO SECURITY	REGENT PRO/S.COLLEGE/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 STJ 129 SECOND LINE W
253	TRAVSON,TERRANCE(TERRY)	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN/MALLCHURCHILL&PINE PLAZA/TENARIS
267	CORBIERE,JOHN(TED)	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
274	DAVIDSON,JAMES	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
276	SMITH,DENNIS,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
297	SWIRE,WILLIAM,JAMES	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
314	AASEN,PAULINE	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
321	LORENZO,COREY	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
334	MILLER,BRAD	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREAS
335	GROSSO,DONALD	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIA MALL/CHURCHILL&PINE PLAZA/TENARIS
342	PICK,DENNY	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
343	CHILLMAN,JODI	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
344	HARPE,KENNEITH	DAYS INN	DAYS INN HOTEL
345	SETCHELL,RODDY	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIA MALL/CHURCHILL&PINE PLAZA/TENARIS
346	HAZELTON,MARGARET	CITY OF SAULT STE MARIE	BELLUVE MARINA & BONDAR MARINE & PARK
354	STEEVES,ROBERT	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
366	TRONOW,VICTORIA	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
368	CARMICHAEL,MARY	ON.FINNISH HOME ASS.	FINNISH REST HOME
370	HANSEN,LOUIS	ON.FINNISH HOME ASS.	FINNISH REST HOME
371	LAKE,ROBERT	ON.FINNISH HOME ASS.	FINNISH REST HOME
372	BENOIT,ALAIN	ON.FINNISH HOME ASS.	FINNISH REST HOME
373	RISSANEN,ANJA	ON.FINNISH HOME ASS.	FINNISH REST HOME
374	TAAVEL,ANDRE	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREAS
376	FINN,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
377	BADGERO,PAUL	NORPRO SECURITY	REGENT PRO/S.COLLEGE/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 MALL/CHURCHILL&PINE PLAZA/TENARIS
396	THOMAS,RANDELL	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
397	LAFRAMBOISE,YVON	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
400	JOHNSON,MICHAEL	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
404	HUDSON,BRIAN	CORPS OF COMM	22 BAY ST. (FEDERAL BUILDING)
405	MATCHETT,CASEY	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
406	LEBLANC,SERGE	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
410	POYNTER,HAROLD	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
411	MOORE,ROBERT	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
413	HILL,MICHAEL	CORPS OF COMM	SAULT HOSPITAL
420	FABIANO,ANTONIO	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
423	VANDERKLIFT,DYLAN	CORPS OF COMM	SAULT HOSPITAL
428	DIAS,JASON	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
430	RUSCIO,DOMINIC	MAJOR CONST.	TRAVELOGUE
431	DICKSON,SHANE	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
433	MAJOR,ROBERT	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
435	TRUMBLE,GEORGE	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
436	COUTURIERE,NATASHA	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
439	LAMBERT,JOSEPH	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
440	HAMMERSTEDT,ERIC	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
441	WILSON,DAVID	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
442	MACLENNAN,MATTHEW	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
443	MARCI,L MARK	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
444	MARSHALL, JONATHAN	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
446	HAILEY,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	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
452	ROGERS,RICHARD	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
453	DERASP,RICHARD	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
455	BOYCHUK,BLAINE	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
456	CONNEYBEARE,KEVIN	NORTH EAST SECURITY	A.UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALLCHURCHILL&PINE PLAZA/TENARIS
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
461	DUNN,PATRICK	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	BITOMA,HOA DUYAN	2000012 ONT INC	400 BAY ST

10/12

465	DELAVALLE, DON	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS
466	LAFORCE, JULIE	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
467	BERNIER, JUNE	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
468	AGNEW, BRENDAN	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
469	SANTELLI, DOMINIC	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
470	WOODLEY, NATHANIEL	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS
471	STOYCHEFF, CHRISTOPHER	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS
472	BRUNETTA, ANGELO	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
473	MCCAIG, BRANDON	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
474	MANCUSO, ANTHONY	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
475	TORRANCE, RENEE	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER
477	BROWLEY, DAVID	CORPS OF COMM	SAULT AREA HOSPITAL
479	GROULX, VINCE	CORPS OF COMM	SAULT AREA HOSPITAL
480	TELFORD, JASON	CORPS OF COMM	SAULT AREA HOSPITAL
481	FORD, BRIAN	CORPS OF COMM	SAULT AREA HOSPITAL
482	LEWECELLIE, BRACE	CORPS OF COMM	SAULT AREA HOSPITAL
483	DARCY, ROY	CORPS OF COMM	SAULT AREA HOSPITAL
484	MCLEOD, VIRGINIA	CITY OF SAULT STE MARIE	BELLUVE MARINA & BONDAR MARINE & PARK
485	ARMSTRONG, KENNETH	CITY OF SAULT STE MARIE	BELLUVE 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	LEFLEUR, 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.
491	GRISDALE, KYLE	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
492	PARKER, MICHAEL	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
493	BROWN, FRASER	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL & PINE PLAZA/TENARIS
494	SHWFELT, CODY	G4S SECURITY	CROSS-COUNTRY/SAULT HOSPITAL/SAULT AIRPORT
495	CASTELLANI, NINO	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
496	CAVICCHIOLI, MATTHEW	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
497	ALLEN, ROBERT	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
498	MARQUES, STEVEN	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
499	SCALI, NICOLA	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
500	EASBY, JOSHUA	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
501	QUARRELL, ROBERT	ELSTRONG MANAGEMENT	621,627,631 MACDONALD AVE
502	HAMEL, CHRIS	ELSTRONG MANAGEMENT	621,627,631 MACDONALD AVE
503	HAMEL, MELANIE	ELSTRONG MANAGEMENT	621,627,631 MACDONALD AVE
504	LAPRADE, DANIEL	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
505	JONES, CHELSEY	NORTH EAST SECURITY	A. UNIVERSITY/ESSAR CENTRE/CAMBRIAN MALL/CHURCHILL&PINE PLAZA/TENARIS
506	GREGORY, LEE	NORPRO SECURITY	REGENT PRO/S.COLLEGE/GHC/QUEENSCENTRE/ST MARY'S PAPER/ELGIN TOWER/APH
507	SMYTHE, RICHARD	BANK OF MONTREAL	556 QUEEN ST E
508	ALBERT, DESIREE	CORPS OF COMM	SAULT AREA HOSPITAL
509	MATTALO, JOE	CORPS OF COMM	SAULT AREA HOSPITAL
510	LAVALLEE, MEGAN	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	BONIFERRO, BRIAN	CORPS OF COMM	SAULT AREA HOSPITAL
515	MANGONE, MATT	CORPS OF COMM	SAULT AREA HOSPITAL

10(f)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-9

PROPERTY STANDARDS BY-LAW: (B.1.4.) Being a property standards by-law for The Corporation of the City of Sault Ste. Marie.

WHEREAS under Section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23, a Bylaw may be passed by the Council of a municipality prescribing the standards for the maintenance and occupancy of property within the municipality provided the official plan for the municipality includes provisions relating to property conditions;

AND WHEREAS the Official Plan for the *City of Sault Ste. Marie* includes provisions relating to property conditions;

AND WHEREAS the Council of the *City of Sault Ste. Marie* is desirous of passing a Bylaw under Section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23;

AND WHEREAS Section 15.6(1) of the *Building Code Act*, S.O. 1992, c.23 requires that a Bylaw passed under Section 15.1(3) of the *Building Code Act*, S.O. 1992, c.23 shall provide for the establishment of a Property Standards Committee;

NOW THEREFORE the Council of The City of Sault Ste. Marie hereby enacts the following:

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CITY SOLICITOR

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PART 1
DEFINITIONS

1.01 In this Bylaw:

- 1) **"Accessory Building"**- means a detached building or structure, not used for human habitation that is subordinate to the primary use of the same property.
- 2) **"Act"** -means an enactment or statute of the Province of Ontario.
- 3) **"Approved"**- means acceptance by the Property Standards Officer.
- 4) **"Basement"** - shall mean that portion of a building between two floor levels, which is partly underground and which has at least one-half its height from finished floor to the underside of the first floor joists above the average finished grade level adjacent to the exterior walls of the building;
- 5) **"Building"** - means any structure used or intended to be used for supporting or sheltering any use or occupancy
- 6) **"Building Code"** - means the Building Code Act and any regulations made under that Act;
- 7) **"Chief Official"** - means the Chief Building Official appointed under Section 3 of the *Building Code Act*, 1992, c. 23 and having jurisdiction for the enforcement thereof.
- 8) **"Citation - Property Standards Bylaw"** This Chapter may be cited as the "Property Standards Bylaw."
- 9) **"City"** - shall mean The Corporation of the City of Sault Ste. Marie unless the context requires otherwise
- 10) **"Code"** - means a regulation of the Province of Ontario known,
 - a) with respect to matters relating to building, as the Building Code;
 - b) with respect to matters relating to electricity, as the Electrical Safety Code;
 - c) with respect to matters relating to fire, as the Fire Code; and
 - d) with respect to matters relating to plumbing, as the Plumbing Code.
- 11) **"Committee"** - means a Property Standards Committee established under this Chapter.
- 12) **"Council"** - shall mean the Council of the City of Sault Ste. Marie.
- 13) **"Dwelling"** - means a building structure, mobile home or recreational vehicle with or without kitchen facilities or a part of such a building or structure, which is, or is intended to be used for the purpose of human habitation, and includes such a building, home or vehicle that would be or would be intended to be used for such purposes, except for its state of disrepair;
- 14) **"Dwelling unit"** – means a room or a suite of rooms operated as a housekeeping unit, used or intended to be used as a domicile by one or more persons and supporting general living conditions usually including cooking, eating, sleeping, and sanitary facilities. Dwelling unit is two or more rooms used or designed to be used by one or more individuals as an independent or self-contained domestic unit or housekeeping establishment.
- 15) **"Exterior property area"** - means the building lot excluding buildings
- 16) **"Fence"** –means any structure, wall or barrier, other than a building, erected at grade for the purpose of defining boundaries of property, separating open space, restricting ingress to or egress from property, providing security or protection to property or acting as a visual or acoustic screen.
- 17) **"First Storey"** - means that part of a building having a floor area closest to grade with a ceiling height of more than 1.8 metres (6 ft.) above grade.
- 18) **"Ground cover"** - means organic or non-organic material applied to prevent soil erosion such as concrete, flagstone, gravel, asphalt, grass or other landscaping.
- 19) **"Guard"** - means a protective barrier installed around openings in floor areas or on the open sides of a stairway, a landing, a balcony, a mezzanine, a gallery, a raised walkway, and other locations as required to prevent accidental falls from one level to another. Such barriers may or may not have openings through them.

- 20) **"Habitable room"** - means any room in a dwelling unit used or designed to be used for the purpose of living, sleeping, eating, cooking or preparation of food and without limiting the foregoing shall include den, library, sunroom or recreational room or any combination thereof;
- 21) **"Non-habitable space"** - means a bathroom, toilet room, water closet compartment, laundry, pantry, foyer, lobby, hall, corridor, stairway, passageway, closet, storage room, boiler room, furnace room, accessory space for service, maintenance or access within a building or a room or space which does not comply with the minimum standards for residential occupancy.
- 22) **"Non-Residential Property"** - means a building or structure or part of a building or structure not occupied in whole or in part for the purpose of human habitation, and includes the lands and premises appurtenant and all of the outbuildings, fences or erections thereon or therein.
- 23) **"Occupant"** - means any person or persons over the age of eighteen (18) years in possession of the property.
- 24) **"Officer"** - means a Property Standards Officer who has been assigned by the Council the responsibility of administering and enforcing the provisions of this Bylaw.
- 25) **"Owner"** - includes the owner in trust, a mortgagee in possession, the person for the time being, managing or receiving the rent of the land or premises in connection with which the word is used whether on his own account, or as agent or trustee of any other person, or who would receive the rent if the land and premises were let, and shall also include a lessee or occupant of the property who, under the terms of a lease, is required to repair and maintain the property in accordance with the standards for the maintenance and occupancy of property;
- 26) **"Person"** - means and includes any person, firm, partnership, corporation, company, association, or organization of any kind.
- 27) **"Property"** - means a building or structure or part of a building or structure, and includes the lands and premises appurtenant thereto and all mobile homes, mobile buildings, mobile structures, outbuildings, fences and erections thereon whether heretofore or hereafter erected and includes vacant property.
- 28) **"Repair"** - includes the provision of such facilities and the making of additions or alterations or the taking of such action as may be required so that the property shall conform to the standards established in this Bylaw.
- 29) **"Safe condition"**- means a condition that does not pose or constitute an undue or unreasonable hazard or risk to life, limb or health of any person on or about the property, and includes a structurally sound condition.
- 30) **"Sewage system"** - means the City of Sault Ste. Marie system of storm sewers, sanitary sewers and combined sewers, or a private sewage disposal system approved by the Chief Building Official within the City of Sault Ste. Marie.
- 31) **"Sign"** - means any device or notice, including its structure and other component parts, which is used or capable of being used to identify, describe, illustrate advertise or direct attention to any person, business, service, commodity or use
- 32) **"Vehicle"** - includes a motor vehicle, trailer, boat, motorized snow vehicle or other mechanical power driven equipment.
- 33) **"Visual barrier"** - shall mean a continuous, uninterrupted structure and/or fence which completely blocks lines of sight when viewed perpendicularly from either of its sides and shall consist of one or more of the following materials: wood, stone, bricks, mortar, fabricated metal or other similarly solid material approved by the Chief Property Standards Officer or Chief Building Official.
- 34) **"Waste"**- means any debris, rubbish, refuse, sewage, effluent, discard, or garbage of a type arising from a residence, belonging to or associated with a house or use of a house or residential property and/or from industrial or commercial operations, or belonging to or associated with industry or commerce or industrial or commercial property, which for greater certainty includes all garbage, discarded material or things, broken or dismantled things, and materials or things exposed to the elements, deteriorating or decaying on a property due to exposure or the weather
- 35) **"Yard"** means the land other than publicly owned land around or appurtenant to the whole or any part of a residential or non-residential property and used or capable of being used in connection with the property.

PART 2
GENERAL STANDARDS FOR ALL PROPERTY AND USES

2.01 SCOPE

1. No person, being the owner or occupant of a property, shall fail to maintain the property in conformity with the standards required in this Bylaw.
2. The owner of any property which does not conform to the standards in this Bylaw shall repair and maintain the property to conform to the standards in this By-law or shall clear the property of all buildings, structures, debris or refuse and shall leave the property in a graded and leveled condition.
3. All repairs and maintenance of property shall be carried out with suitable and sufficient materials and in a manner accepted as good workmanship within the trades concerned.
4. All new construction or extensive repairs shall conform to the Ontario Building Code, where applicable.
5. This by-law does not apply so as to prevent a farm, meeting the definition of "agricultural operation" under the Farming and Food Production Protection Act, 1998, S.O. 1998, c. 1, from carrying out a normal farm practice as provided for and defined under that Act.

2.02 YARDS

Shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire or accident hazard.

- 1) Every property shall be kept free from garbage, rubbish, waste or accumulations of such materials that prevent access to or exit from the property
- 2) Without restricting the generality of this Section, such maintenance includes the removal of:
 - (a) rubbish, garbage, waste, litter and waste;
 - (b) trees, bushes and hedges, including any branches or limbs thereof, which are dead, decayed or damaged, and brush;
 - (c) wrecked, dismantled, inoperative or discarded vehicles, trailers, machinery or parts thereof, except in an establishment licensed or authorized to conduct a salvage, wrecking or repair business and then only if such establishment conforms with any relevant Bylaws, Chapters or statutes; and
 - (d) dilapidated or collapsed buildings, structures or erections, and the filling in or protecting of any unprotected well.

2.03 OUTDOOR STORAGE OF MATERIALS- NO IMMEDIATE USE

1. No machinery or parts thereof, or other object, or material, not associated with the normal occupancy and use of a property, including among other things, appliances, fixtures, paper, cartons, boxes, or building materials such as lumber, masonry material or glass, other than that intended for immediate use on the property, shall not be stored or allowed to remain in an exterior property area.

2.04 UNENCLOSED PORCH - BALCONY

1. Every unenclosed porch or unenclosed balcony, and every exterior and common area shall be kept free of garbage, waste, or appliances.

2.05 GRASS-TREES- BUSHES-HEDGES-LANDSCAPING

1. Grass, trees, bushes, hedges and other landscaping, shall be maintained to prevent overgrowth in relation to the neighbouring environment.

2.06 LOT GRADING-DRAINAGE

1. All yards shall be provided and maintained with adequate surface water drainage, including suitable provisions for its disposal, without causing erosion, or the entrance of water into a basement or crawlspace.
2. No roof, driveways or other surface drainage, and the drainage of water from swimming pools shall be discharged on an entranceway, walkway, sidewalk, stair, steps or adjacent property, or on to any highway, or in such a manner that it will penetrate or damage a building, structure or property.
3. Every roof drainage system shall be discharged onto the ground at least 1 meter (39 inches) from the building or structure, providing that it does not damage adjacent properties, or cause erosion.
4. No fill shall be allowed to remain in an unleveled state on any property for longer than fourteen (14) days, unless the property is:
 - (a) a construction site for which a building permit is in effect;

2.07 WALKWAYS AND DRIVEWAY

1. Surface conditions of walkways, driveways and yards shall be installed and maintained in a safe condition with non-organic ground cover so as to:
 - a) prevent ponding of storm water;
 - b) be kept free of garbage and waste;
 - c) provide for safe passage under normal use and weather conditions, day or night.

2.08 PARKING LOTS

1. Parking lots, driveways and other similar public access areas of a yard shall be maintained so as to afford safe passage under normal use and be free from health and other hazards.
2. Parking lots, driveways and other similar public access areas of a yard shall be kept clean and free of litter, rubbish, waste, salvage, refuse, decaying or damaged trees, branches and limbs, objects or conditions that might create a health, fire or accident hazard.

2.09 EXTERIOR LIGHTING

1. Every stairway, exterior exit and entrance doorway, cellar, basement entrance or building entrance shall have a permanently installed lighting fixture that shall be maintained in good working order.
2. All underground parking areas and common areas shall be illuminated so as to provide safe passage under normal use.
3. Facilities for lighting shall be maintained in a good working order.

2.10 RETAINING WALL

1. All retaining walls, screen walls and ornamental walls shall be constructed of durable material and shall be maintained in a structurally sound condition.

2.11 WELLS -CISTERN-CESSPOOL-PRIVY VAULT-PIT OR EXCAVATION

1. A well, cistern, cesspool, privy vault, pit or excavation shall be permanently sealed, or secured by a fence, cover or netting, unless it is in active use, in which event it shall be secured by fencing with warning signs until the use has ceased, whereupon they shall be sealed or secured as required above.

2.12 ACCESSORY BUILDINGS

1. The foundations, walls, roofs and all parts of accessory buildings and other structures appurtenant to the main building shall be:
 - a) constructed with suitable materials;
 - b) maintained in good repair;
 - c) protected from deterioration by the application of paint or other suitable protective material.

2.13 FENCE

1. A fence erected on a property or separating adjoining properties shall be maintained:
 - a) in good repair; (free from loose or insufficiently secured, rotten, warped or broken materials);
 - b) in a safe and structurally sound condition so as to be capable of sustaining safely its own weight together with any load to which it might reasonably be subject to.
 - c) shall be free of dangerous objects, and:
 - d) reasonably plumb, unless specifically designed to be other than vertical.

2.14 TOWER-GANTRIES-MASTS-ANTENNAE

1. Towers, gantries, masts, antennae and structures of similar character and any attachment thereto shall be maintained:
 - a) reasonably plumb, unless specifically designed to be other than vertical;
 - b) in good repair; and
 - c) in a safe and structurally sound condition.

2.15 SIGNS

1. A sign and any structure connected therewith shall be installed and maintained:
 - a) in good repair;
 - b) in a safe and structurally sound condition; and
 - c) in a reasonably vertical plane unless otherwise approved by the City of Sault Ste. Marie. An unused or discarded sign shall be removed from the property or shall be stored within a building.

PART 3 EXTERIOR PROPERTY AREAS

3.01 STRUCTURAL ADEQUACY-CAPACITY

1. All repairs and maintenance of property required by the standards prescribed in this Bylaw shall be carried out in a manner accepted as good workmanship in the trades concerned and with materials suitable and sufficient for the purpose.
2. Every part of a property shall be maintained in good repair and in a structurally sound condition so as:
 - a) to be capable of sustaining safely its own weight, and any additional load to which it may normally be subjected;
 - b) to be capable of safely accommodating all normal structural movements without damage, decay or deterioration;
 - c) to prevent the entry of moisture that would contribute to damage, fungus growth, decay or deterioration; and
 - d) to be capable of safely and adequately performing its function subject to all reasonable serviceability requirements.

3.02 FOUNDATION WALLS-BASEMENTS

1. All foundation walls and the basement, cellar or crawl space floors shall be maintained in good repair and structurally sound.
2. Every basement, cellar and crawl space in a property shall be maintained in a reasonably watertight condition so as to prevent or control the leakage of water into the building.

3.03 EXTERIOR WALLS-SURFACES-CLADDING-MASONRY

All exterior walls and surfaces of every building or structure shall be sound, plumb, and weather tight, free from loose or unsecured objects and maintained in good repair:

1. In good repair free from cracked or broken masonry units, defective or deteriorated wood or metal siding or trim, cracked, broken or loose stucco, loose or unsecured objects; and
2. Shall be so maintained by the painting, restoring or repairing of the walls, coping or flashing, by the waterproofing of joints and the walls themselves, by the installation of or repairing of weather tight finishing, or the installation of termite shields, if required.
3. All exterior surfaces that have previously been covered with paint or other protective or decorative materials shall be maintained in good repair and the covering renewed when it becomes damaged or deteriorated.
4. Every part of a building including the exterior shall be maintained in a structurally sound condition and so as to be capable of sustaining safely its own weight and any additional weight that may be put on it through normal use.

3.04 DOORS-WINDOWS-CELLAR- HATCHWAYS

1. Windows, skylights, exterior doors and frames, basement or cellar hatchways, attic access doors including storm and screen doors and storm windows shall be maintained in good working order, good repair, in a safe condition and shall be of such construction so as to prevent the entrance of wind, snow or rain into the building.
2. At least one entrance door in every dwelling unit shall have hardware so as to be capable of being locked from inside and outside the dwelling unit.
3. All windows capable of being opened and all exterior doors shall have hardware so as to be capable of being locked or otherwise secured from inside the building.
4. All windows capable of being opened shall be equipped with a screen to prevent the passage of insects and the screen shall be maintained in a good condition.

3.05 WINDOW SCREENS

1. When an exterior opening is used or required for ventilation or illumination and is not required to be protected by a door, window or similar closure, it shall be protected with:
 - a) mesh screening, metal grills, or other equivalent durable rust proof material; or
 - b) other protection so as to effectively prevent the entry of rodents, large insects or vermin.

3.06 CANOPIES-MARQUEES-AWNING

1. All canopies, marquees and awnings shall be properly anchored so as to be kept in safe and sound condition and shall be protected from decay and rust by application of weather-coating material.

3.07 ROOF

1. Every roof and all of its components shall be maintained in good repair and in a safe and structurally sound condition.
2. Without restricting the generality of this Section, such maintenance includes:
 - a) removal of loose, unsecured or rusted objects or materials;
 - b) keeping roofs and chimneys in water-tight condition so as to prevent leakage of water into the building; and
 - c) keeping all roof-related structures plumb unless specifically designed to be other than vertical.

3.08 EAVES TROUGH SYSTEM- METAL DUCTS-FLASHING

1. Eaves trough, roof gutter, rainwater pipe, downspouts, flashing and all exterior ducts shall be properly secured free from loose or unsecured objects, free from obstructions and health hazards, weather-tight, free of holes and maintained in good repair.
2. Every eaves trough, roof gutter, rainwater pipe, downspout and flashing shall be properly secured and be kept in good repair, free from obstructions and health hazards.
3. Metal eaves troughs, rainwater pipes, flashing and all exterior metal ducts shall be kept free from rust by application of a suitable protective material such as paint, and shall be renewed when necessary.
4. Every roof drainage shall be discharged onto the ground at least 1 meter (39 inches) from the building or structure, when it is physically possible to do so, providing that it does not adversely affect adjacent properties, or cause erosion.

3.09 CHIMNEY FLUES

1. Chimney, vent pipes, smoke stacks, flues, ducts and other similar equipment shall be constructed, installed and maintained free from obstruction and shall prevent:
 - a) the entrance of smoke or gases into a building
 - b) the heating of adjacent combustible materials, walls and structural members to unsafe temperatures; and
 - c) fire, health or other hazards.
2. Any fuel burning heating equipment used in a building shall be properly vented to the exterior by means of an approved smoke pipe, vent pipe or chimney.

3.10 GARAGE-CARPORT

1. Garages and carports, including floors, shall be maintained in good repair and free from hazards.

**PART 4
INTERIOR OF BUILDINGS, STRUCTURES AND DWELLINGS****4.01 INTERIOR STRUCTURE-COLUMNS-BEAMS**

1. In every building, all structural components, including but not limited to all joists, beams, studding, and roof rafters, shall be of sound material and adequate for the load to which they are subjected.

4.02 WALLS-CEILINGS

1. Every interior surfaces and finishes of walls and ceilings shall be maintained:
 - a) in good repair, a surface which is reasonably smooth, clean, tight and easily cleaned
 - b) free of holes, cracks, loose plaster or other material
 - c) in a safe condition; and
 - d) so as to possess the fire resistant properties required by the Building and Fire Codes.
2. In any bathroom the walls to a height of forty-two (42) inches above a bathtub equipped with a shower or six (6) feet above the floor of a shower stall, shall be maintained as to be water resistant and readily cleaned.

4.03 FLOORS

1. Every floor shall be smooth and level and maintained so as to be free of all loose, warped, protruding, broken or rotted boards that may create an unsafe condition or surface. Such defective floors shall be repaired or replaced.
2. Where a floor covering has become worn or torn so that it retains dirt or may create an unsafe condition, the floor covering shall be repaired or replaced.

3. Every bathroom, kitchen, laundry and shower room shall have a floor covering of water-resistant material and be capable of being cleaned.
4. Every cellar and basement shall have a floor of concrete or other material acceptable under the provisions of the Building Code, to ensure water drainage and to guard against the entry of vermin.

4.04 STAIRS- HANDRAILS-GUARDS

1. Every inside or outside stair and every porch or landing appurtenant to it shall be maintained so as to be free of holes, cracks and other defects which constitute accident hazards.
2. All handrails and balustrades, stairways, fire escapes, balconies, landings and porches and similar appurtenances shall be maintained in good repair so as to be free of holes and other defects which constitute accident hazards, shall be properly anchored so as to be kept in a safe and secured condition, shall be structurally sound for the loads imposed through their normal use and, if metal, shall be protected from rust or similar decay by a periodic application of paint.
3. Handrails shall be installed and maintained in good repair on all exterior stairs that have more than 3 risers and on all interior stairs within dwelling units that have more than 2 risers.
4. All handrails and balustrades, stairways, fire escapes, balconies, landings and porches and similar appurtenances shall be maintained in good repair, shall be properly anchored so as to be kept in a safe and secured condition, shall be structurally capable of supporting the loads imposed through their normal use and, if metal, shall be protected from rust or similar decay by a periodic application of a protective coating such as paint.

4.05 ELEVATORS

1. Elevating devices in a building, including all parts, lighting fixtures, lamps, elevator buttons, floor indicators and ventilation fans shall be maintained in good repair and operational.
2. All elevating devices including elevators, dumb-waiters, hoists, escalators, incline lifts and other elevating devices shall be installed and maintained:
 - a) in good working order and good repair; and
 - b) in a safe condition.

4.06 MEANS OF EGRESS

1. In every **multi-residential dwelling** where a security locking-and-release system has been provided in the front or rear lobby for the entrance into the multiple dwelling and that system is controlled from each dwelling unit, such system shall be maintained in good repair and in an operating condition.
2. Where a **non-residential building** contains **dwelling units** located at other than grade level, there shall be a secondary means of continuous and unobstructed egress from such dwelling units.
3. All means of egress within a **non-residential property** shall be provided with lighting facilities capable of illuminating the means of egress to ensure the safe passage of persons exiting the building.

4.07 HEATING

1. Every **residential dwelling** shall have heating equipment capable of maintaining a temperature of 21°Celsius (70 °Fahrenheit).
2. It is the responsibility of the owner that all heating and mechanical systems, and their components be installed, operational and maintained in good working order.

3. Only heating equipment approved for use by a recognized standards and testing authority shall be provided in a room used or intended for use for sleeping purposes.
4. No rental **residential dwelling unit** shall be equipped with portable heating equipment as the primary source of heat.
5. Solid fuel burning appliances shall conform to the standards as set out in the Building Code. Fireplaces and similar construction used or capable of being used for burning fuels in open fires shall be connected to approved chimneys and shall be installed so as not to create a fire hazard to nearby or adjacent combustible materials and structural members.
6. If heating equipment burns solid or liquid fuel, a storage place or receptacle for the fuel shall be provided in a safe place and maintained in a safe condition.
7. Fuel-burning equipment shall be vented to a flue by means of rigid connections leading to a chimney or a vent or flue. All flues shall be kept clear of obstructions
8. Every chimney, smoke pipe and flue shall be maintained so as to prevent gas from leaking into the building.

4.08 ELECTRICAL

1. Every dwelling and dwelling unit shall be wired for electricity and shall be connected to an approved electrical supply system. An adequate supply of electrical power shall be available in all occupied parts of every dwelling, suite and building.
2. The connection to the building and the system of circuits and outlets distributing the electrical supply within the building shall provide adequate capacity for the use of the building and such connections, circuits, wiring and outlets along with any fuses, circuit breakers and other appurtenances thereto shall be installed and maintained in good working order.
3. Extension cords are not permitted on a permanent basis.

4.09 VENTILATION

1. Ventilation shall be provided to and maintained and operated in all rooms and spaces within a building so as to prevent accumulations of heat, dust, fumes, gases, including carbon monoxide, vapours and other contaminants which may create a fire, explosion, toxic hazard or health hazard.
2. Every ventilation system shall be cleaned regularly and maintained:
 - a) in good working condition and good repair
3. When an exterior opening is used or required for ventilation and is not required to be protected by a door, window or similar closure, it shall be protected with screens in accordance with this Bylaw.
4. An opening for natural ventilation may be omitted from a bathroom or toilet room where a system of mechanical ventilation has been provided.
5. Every basement, cellar, unheated crawl space and attic shall be vented and such vents shall be designed and maintained to prevent entry of snow, rain, rodents and insects:

4.10 LIGHTING

1. Every stairway, exterior exit and entrance doorway, bathroom, toilet room, kitchen, hall, cellar, basement, laundry, furnace room and non-habitable work room in a suite, dwelling unit or building shall have a permanently installed lighting fixture that shall be maintained in a safe condition and in good working order.
2. Lighting equipment shall be installed throughout every property to provide adequate illumination for the use of each space so as to provide safe passage.

4.11 PLUMBING

1. All plumbing, drain pipes, water pipes and plumbing fixtures in every building and every connecting line to the sewage system shall be maintained in good working order and free from leaks and defects and all water pipes and appurtenances thereto shall be protected from freezing.
2. Plumbing systems on a property shall be provided, installed and maintained:
 - a) in compliance with the respective requirements of any applicable Act or Bylaw;
 - b) in good working order and good repair; and
 - c) in a safe condition.
3. All plumbing fixtures shall be connected to the sewage system through water seal traps.

4.12 WATER SUPPLY

1. Every dwelling and every building to which water is available under pressure through piping shall be provided with:
 - (a) adequate supply of hot water with a temperature range from 60 to 73.8 Celsius or 140 to 165 degrees Fahrenheit shall be provided and maintained in all dwelling units; and
 - (b) piping for hot and cold water connected to every kitchen fixture, every washbasin, bathtub, shower, sink and laundry area; and
 - (c) piping for cold water connected to every toilet and hose bib.

4.13 SEWAGE SYSTEM

1. Every plumbing fixture in every building shall discharge the water, liquids or sewage into drainage piping, which shall be connected to a municipal sewage system, or a system approved by the authority having jurisdiction and in accordance with all applicable law.
2. Sewage or organic waste shall not be discharged to the surface of the ground, but into a sewage system where such system exists. Where a sewage system does not exist, sewage or organic waste shall be disposed of in a manner according to the Ontario Building Code.

PART 5
ADDITIONAL REQUIREMENTS FOR RESIDENTIAL OCCUPANCY

5.01 OCCUPANCY STANDARDS

1. A non-habitable room shall not be used as a habitable room.
2. No kitchen shall be used as a bedroom.
3. No basement or portion thereof shall be used as a dwelling unit, unless it meets the following requirements:
 - a) access to each habitable room shall be gained without passage through a furnace room, boiler room or storage room;
 - b) each habitable room shall comply with all the requirements for ingress, egress,
 - c) light, ventilation and ceiling height set out in this Bylaw;
 - d) floors and walls are constructed so as to be impervious to leakage of underground or surface run-off water.

5.02 TOILET AND BATHROOM FACILITIES

1. Every dwelling unit shall contain plumbing fixtures in good repair and in an operative condition, consisting of a minimum of one toilet, one sink, and one bathtub or shower.
2. All bathrooms and toilet rooms shall be located within and accessible from within the dwelling unit.

3. All bathrooms and toilet rooms shall be fully enclosed and maintained so as to provide privacy for the occupant.
4. No toilet or urinal shall be located within a bedroom or a room that is used for the preparation, cooking, storing or consumption of food.

PART 6 NON-RESIDENTIAL PROPERTY STANDARDS

6.01 YARDS

1. Every owner, and every occupant in that part of non-residential property that is occupied or controlled by the occupant, shall maintain to the standards as described in Part 2 of this Bylaw and:
 - a. in a sanitary and safe condition, free from litter, refuse and waste including such litter and refuse as may be left by customers or other members of the general public and shall provide containers for the disposal of such litter or refuse;
 - b. free from objects conditions which are health, fire or safety hazards; and
2. The warehousing or storage of material or operative equipment that is required for the continuing operation of the industrial or commercial aspect of the property shall be maintained in a neat and orderly fashion so as not to create a fire or accident hazard or any unsightly condition and shall provide unrestrictive access for emergency vehicles. Where conditions are such that a neat and orderly fashion is achieved but is still offensive to view, the offensive area shall be suitably enclosed by a solid wall or a painted board or metal fence not less than 1.8 metres (6 ft.) in height and maintained in good repair.

6.02 GUARDRAILS

1. A guard shall be installed and maintained in good repair on the open side of any stairway or ramp containing three (3) or more risers including the landing or a height of 600 mm (24 inches) between adjacent levels. A handrail shall be installed and maintained in good repair in all stairwells. Guardrails shall be installed and maintained in good repair around all landings, porches, balconies. Guardrails, balustrades and handrails shall be constructed and maintained rigid in nature.

6.03 VENTILATION

1. All non-residential properties shall be adequately ventilated by natural or mechanical means and with regard to the operations carried on therein, to ensure that persons within the property are not exposed to conditions deleterious to their health or safety.
2. Ventilation shall be provided for every locker room, clothes drying room and room in which plumbing fixtures are installed, either by means of natural ventilation through openings directly to the outside air or by means of mechanical ventilation, which ventilation will ensure a complete change of air within the rooms at least once per hour.
3. Mechanical ventilating equipment and the supports shall be maintained in good repair and in safe mechanical condition.

6.04 LIGHTING

1. All non-residential establishments shall install and maintain sufficient windows, skylights, and lighting fixtures necessary for the safety of all persons attending the premises.

6.07 SALVAGE YARD

1. Salvage yards shall be effectively screened from public view.

PART 7
VACANT- DAMAGED-DEMOLITION

7.01 VACANT LAND

1. Vacant land shall be maintained to the standards as described in Part 2, of this Bylaw.

7.02 VACANT BUILDING

1. If any building is unoccupied for more than 90 days, the owner or the agent shall protect every such building against the risk of fire, accident, or other hazard and shall effectively prevent the entrance thereto of all unauthorized persons.
2. The owner or agent of a vacant building shall board up the building to the satisfaction of the Property Standards Officer by covering all openings through which entry may be obtained with at least 12.7 mm (0.5 inch) weatherproof sheet plywood securely fastened to the building and painted a colour compatible with the surrounding walls.
3. If a building remains vacant for a period of more than **ninety (90) days**, the owner or agent thereof, shall ensure that all utilities serving the building are properly disconnected or otherwise and secure the building to prevent accidental or malicious damage to the building or adjacent property, but this provision shall not apply where such utilities are necessary for the safety or security of the building.

7.03 DAMAGE BY FIRE-STORM-OTHER CAUSES

1. In the event of fire or explosion, damaged or partially burned material shall be removed from the premises, except that such material may be temporarily stored within the barricaded damaged building or structure, provided that such storage does not exceed **ninety (90) days**.
2. Fire damaged buildings, or portions thereof, shall be repaired to their original condition or shall be demolished accordingly **within 90 days**.

7.04 DEMOLISH BUILDING

1. Where a building, accessory building, fence or other structure is demolished and removed of all containments, the property shall be cleared of all rubbish, waste, refuse, masonry, lumber, wood, and other materials and left in a graded and leveled condition immediately upon demolition.
2. Where a building, accessory building, fence or other structure is being demolished, every precaution shall be taken to protect the adjoining property and members of the public. The precautions to be taken include the erection of fences, barricades, covered walkways for pedestrians and any other means of protection necessary for the protection of the adjoining property and members of the public.

PART 8
ADMINISTRATION AND ENFORCEMENT

- 8.01** This Bylaw shall apply to all property within the limits of the municipality.

- 8.02** The imperial measurements contained in this Bylaw are given for reference only.

8.03 NON-COMPLIANCE

1. The owner of any property which does not conform to the standards as set out in this Bylaw shall repair and /or maintain said property to comply with the standards or the property shall be cleared of all buildings, structures, waste or refuse and left in a levelled and graded condition.

2. Where any person fails to comply with an order issued, the municipality may cause the required work to be done at the cost of the person. The cost of such work may be recovered by action or by adding the costs to the tax roll and collecting them in the same manner as property taxes

8.04 CONFLICTS-BYLAWS-STANDARDS-REGULATIONS

1. Where a provision of this Chapter conflicts with the provisions of another Bylaw, Act Regulation in force within the municipality, the provision, which establishes the higher standards to protect the health, safety and welfare of the occupants and the general public, shall prevail.

8.05 VALIDITY

1. If any provision or article of this Bylaw is for any reason found to be invalid by a court of competent jurisdiction, the provision or article found to be invalid shall be severed from the Chapter and the remaining provisions or article shall remain in effect until repealed.

8.06 PENALTY

1. An owner who fails to comply with an order that is final and binding under this Bylaw is guilty of an offence under Section 36(1) of the *Building Code Act*, S.O. 1992, c.23, and is liable to a penalty or penalties as set out in Section 36 of that Act.

8.07 SEVERABILITY

1. It is hereby declared that each and every of the foregoing provisions of this Bylaw is severable and that, if any provisions of this Bylaw should, for any reason, be declared invalid by any Court, it is the intention and desire of this Council that each and every of the then remaining provisions hereof shall remain in full force and effect.

8.08 TRANSITIONAL RULES

1. After the date of the passing this Bylaw, **Bylaw No (94-54)** as amended, shall apply only to those properties in which an Order to Comply has been issued prior to the date of passing of this Bylaw, and then only to such properties until such time as the work required by such Order has been completed or any enforcement proceedings with respect to such Order, including any demolition, clearance, or repair carried out by the municipality shall have been concluded.

8.09 TITLE

This Bylaw may be referred to as "The Property Standards Bylaw".

10(f)

SCHEDULE 'A'
Schedule 'A' - Service use and activity charges

Service or Activity Fee

Appeal Property Standards Order.

Where the order is not entirely quashed on appeal, for each order issued pursuant to this Chapter in respect of any property
Fee \$100.00

Inspections where owner fails to comply with an Order.

Owner who failed to comply with a confirmed Order shall pay the fee for each inspection to determine if contraventions of this By-law observed on an initial inspection have been corrected where the contraventions have not been remedied by the time provided for in the said Order.

Fee \$100.00 for each additional inspection

Order has been registered and required discharged.

Where a property standards order has been registered, an owner or occupant may apply for an inspection of the property in respect of the order and shall pay a fee at the time of application; this fee includes the registration of a discharge where compliance with the order is found.

Fee \$100.00

City undertakes to complete the work.

Where the City undertakes to complete the work 100% of the required to comply with any final order, for cost of the all work performed necessary work, plus a further administrative fee of an additional

Fee 10% of overall cost.

Certificate of Compliance.

Where after inspecting a property, an officer, may, or on the request of the owner, issue the owner a certificate of compliance

Fee \$50.00

1D(f)

Corporation of the Municipality of [Name of Municipality]

NOTICE OF VIOLATION
(Discretionary)

Owner's Name and
Address

Date

Dear Sir/ Madam

RE: Description and Location of Property in Violation

Be advised that on (Date of Inspection) an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards Bylaw No. _____.

Schedule "A" attached hereto, sets out the work required to remedy such violation and to bring the property into compliance with the Bylaw.

Be advised that Bylaw No. _____ gives the municipality the authority to issue an **ORDER TO COMPLY** pursuant to Section 15.2-(2), *Ontario Building Code Act*, S.O. 1992, c.23.

It is desired that you will comply with this informal notice that the aforementioned procedural step will not be necessary.

A re-inspection of this property will take place on or about 14 day (Date) to ascertain compliance.

Should you require further information pertaining to this matter please do not hesitate to contact the undersigned during normal business hours.

Property Standards Officer
Telephone Number

10(f)

Corporation of the Municipality of [Name of Municipality]

O R D E R

Pursuant to Section 15.2 of the Ontario Building Code Act, S.O.
1997, c.23

Owner's Name and
Address

Date

Dear Sir/ Madam

RE: Description and Location of Property in Violation

BE ADVISED that on (Date of Inspection) an inspection of your property, as noted above, revealed certain violations of the Municipality's Property Standards Bylaw No.

The violation(s) are set out in **Schedule "A"**, attached hereto, and forms part of this **ORDER**

IT IS HEREBY ORDERED THAT the violation(s) as set out in **Schedule "A"** be remedied and the property brought into a condition of compliance with the prescribed standards as set out in the Property Standards Bylaw No. _____ on or before:
Date

TAKE NOTICE that if such violation(s) are not remedied within the time specified in this order, the municipality may commence legal action and/or correct such violations at the expense of the owner.

APPEAL TO PROPERTY STANDARDS COMMITTEE

If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order the owner or occupant appeal may to the Property Standards Appeals Committee by sending a **NOTICE OF APPEAL** by registered mail to the Secretary of the committee within **fourteen (14) days** after service of the order, and, in the event that no appeal is taken, the order shall be deemed to be final and binding..

FINAL DATE FOR APPEAL: Date

Property Standards Officer
Telephone Number

**NOTICE OF APPEAL
TO PROPERTY STANDARDS COMMITTEE
Pursuant to Section 15.1 of the Ontario Building Code Act**

To the Secretary *Date*
Property Standards Appeal Committee
Corporation of the Municipality of [Name of
Municipality]
formal address

**RE: Order to Remedy Violation of Standards of
Maintenance and Occupancy at:**

Description and Location of Property in Violation

TAKE NOTICE of the appeal of the undersigned to the Property Standards Appeal Committee because of dissatisfaction with the above referenced order to remedy violation of standards of maintenance and occupancy served upon the undersigned on

Name (Owner or Agent)

Address:

Telephone Number:

APPEAL TO PROPERTY STANDARDS COMMITTEE

If an owner or occupant upon whom an order has been served is not satisfied with the terms or conditions of the order the owner or occupant appeal may to the Property Standards Appeals Committee by sending a NOTICE OF APPEAL by registered mail to the Secretary of the committee within **fourteen (14) days** after service of the order, and, in the event that no appeal is taken, the order shall be deemed to be final and binding.

Ontario Building Code Act, S.O. 1992, Chapter 23, Section 15.3(1)

Signature of Owner or Authorized Agent

10(f)

BY-LAW 94-54 REPEALED

By-law 94-54 is hereby repealed.

EFFECTIVE DATE

This By-law shall be effective on the final day of its passing.

PASSED in open Council this 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

10(g)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-2

STREET ASSUMPTION: (S.2.3) a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Sections 11(1) and 31(1) of the Municipal Act, S.O. 2001, c.25 thereto ENACTS as follows:

1. **STREETS ESTABLISHED AND ASSUMED**

The streets or parts of streets more particularly described in Schedule "A" to this by-law are hereby established as public streets and are assumed for public use.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 9th day of January, 2012.

MAYOR - DEBBIE AMAROSO

CLERK - MALCOLM WHITE

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CITY SOLICITOR

10(g)

SCHEDULE "A" TO BY-LAW 2012-2

- 1) PIN 31612-0262 (LT)
PT SEC 32 KORAH PT 3 1R12065; SAULT STE. MARIE
- 2) PIN 31505-0097 (LT)
PT LT 17 RCP H735 TARENTORUS; PT 7 1R9398; SAULT STE. MARIE
- 3) PIN 31566-0619 (LT)
BLOCK 10, PLAN 1M584; SAULT STE. MARIE

PIN 31566-0620 (LT)
BLOCK 11, PLAN 1M584; SAULT STE. MARIE

PIN 31566-0621 (LT)
BLOCK 12, PLAN 1M584; SAULT STE. MARIE

10(h)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2012-1

TRAFFIC: (T.2.1.) A consolidation of amendments 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, chapter 25 and amendments thereto ENACTS as follows:

1. **BY-LAW 77-200 SCHEDULES AMENDED**

Schedules A to Z inclusive to Traffic By-law 77-200 are amended by renumbering the items in each schedule to form consecutive numerical order, so that the said schedules are in the form of the schedules attached hereto as Schedules A to Z inclusive.

2. **SCHEDULES**

Schedules A, AA, B, C, D, E, F, G, H, I, J, K, L, M, N, O, P, Q, R, S, T, U, V, W, X, Y, Z, hereto form part of this By-law 2012-1 and by-law 77-200.

3. **EFFECTIVE DATE**

This by-law is effective from the date of its final passing.

PASSED in open Council this 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

da\LEGAL\STAFF\TRAFFIC\BY-LAWS\2012\2012-1 TRAFFIC T.2.1. DOC

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2012-10

YARD MAINTENANCE BY-LAW: (B.1.4.) Being a yard maintenance by-law for the Corporation of the City of Sault Ste. Marie.

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

1. Definitions

In this by-law:

"Chief Building Official" means the Chief Building Official (CBO) or any of his or her designates

"City" means the Corporation of the City of Sault Ste. Marie

"debris" includes refuse, waste, discarded materials or garbage of any kind whatsoever and includes, whether of value or not:

- a) accumulations of litter, remains, garbage, rubble, waste, construction material,
- b) weighty or bulky items such as appliances, furnaces, furnace parts, pipes, pipe fittings, water or fuel tanks placed in a condition or location where they cannot or are not being used for their intended purposes,
- c) paper, boxes, cartons,
- d) dilapidated or abandoned furniture,
- e) crockery, glass, cans, containers,
- f) garden refuse and trimmings,
- g) post-construction and -demolition project materials,
- h) domestic and industrial waste,
- i) earth or rock fill,
- j) mechanical equipment or equipment parts placed in a condition or location where they cannot be used for their intended purposes, or
- k) clothing or other household linens lying in an unprotected condition.

"inoperative vehicles" means licensed or unlicensed motor vehicles, trailers, boats, snowmobiles having missing, damaged, deteriorated or removed parts including, but not limited to wheels, motor transmission, doors, glass or other parts or mechanical equipment necessary for its safe operation.

"yard" means a space, appurtenant to a building or structure, located on the same lot as the building or structure, and which space is open, uncovered and unoccupied from the ground to the sky except for such accessory buildings, structures or uses as are specifically permitted.

2. Repeal By-law 76-185

By-law 76-185 is hereby repealed.

3. Every yard, including vacant lots shall be kept clean and free from:

- a) grass in excess of 20cm
- b) heavy undergrowth and excessive growth of weeds
- c) dead, decaying or damaged trees or other natural growth, or branches or limbs that create an unsafe condition
- d) debris that constitutes an unsafe condition

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CITY SOLICITOR

- e) broken glass from any source including glass from windows, doors and vehicles
 - f) holes, pits, excavations or trenches constituting an unsafe condition
 - g) inoperative, wrecked or dismantled vehicles or other machinery or any part thereof, except in an establishment licensed or authorized to conduct and operate such a business
 - h) dilapidated, collapsed or abandoned partially constructed structures
 - i) dilapidated, collapsed or abandoned partially constructed fences
 - j) abandoned or discarded appliance such as refrigerators, stoves and freezers
 - k) post-construction or -demolition material resulting from, or as part of, construction or demolition projects
4. Where a yard is in any of the aforementioned conditions, the City shall notify the owner of the property in writing of the breach of a condition of this by-law.
- a) The owner or occupant shall have minimum of seven days to bring his or her yard into compliance with the provisions of this by-law.
 - i. The owner or occupant may request from the CBO an extension of time to achieve compliance
 - ii. The CBO may extend compliance for a reasonable time
 - iii. The reasonable time for compliance shall be determined by the Chief Building Officer
5. After a reasonable time and in accordance with s. 436(1) and (2) of the Municipal Act, the City may enter onto the property for the purpose of determining if compliance has been achieved.
6. If, after an inspection under s.4 and after such a reasonable time as set out in s.4(a) has passed, the CBO determined that the property or any portion thereof remains in a non-compliant condition, the City may enter the premise and perform the work necessary or authorize the entry and performance of the work. The work shall done at the expense of the owner of the property and the cost of such work and any associated administrative fees shall be then due and payable to the City that shall recover the expense in the same manner as municipal taxes.
7. Without limiting s.5, the City may, in conjunction with bringing the yard into compliance with this by-law, proceed with prosecution of the owner for breach of the terms of this by-law.
8. Every person who contravenes any provision of this by-law is guilty of an offence and liable to a fine as provided for in the s.61 of the Provincial Offences Act R.S.O. 1990 c.P.33.

9. **Effective Date**

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

PASSED in open Council this 9th day of January, 2012.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

10(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2012-5

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 284 North Street (Berto).

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. **284 NORTH STREET; LOCATED ON THE NORTHEAST CORNER OF NORTH STREET AND LONDON STREET; CHANGE FROM M2.S TO M1.S.**

The zone designation on the lands described in Section 2 of this by-law, which lands are shown on Map 1-29 of Schedule "A" to Zoning By-law 2005-150, is changed from M2.S (Medium Industrial with a "special exception") zone to M1.S (Light Industrial with a "special exception") zone.

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

Section 2 of By-law 2005-151 is amended by repealing section 2(3) and adding the following subsections 2(307) and heading as follows:

"2(307) 284 North Street

Despite the provisions of By-law 2005-150, the lands located on the northeast corner of North Street and London Street, and having Civic No. 284 North Street and marked "subject property" on the map attached as Schedule 307 hereto is changed from M2.S (Medium Industrial with a "special exception") zone to M1.S (Light Industrial) zone with a "special exception" subject to the following special conditions:

1. That motor vehicle sales and parts dealers be permitted in addition to those uses permitted within an "M1" zone;
2. That the required exterior side yard setback along London Street be reduced to 5m;
3. A minimum 5m strip adjacent to London Street shall be provided and maintained as a landscaped area. The landscaped area may be phased in as the site develops or is occupied. Parking is not permitted within 5m landscaped strip of land;
4. That the required interior side yard setback adjacent to the rail line right of way be reduced to 0m;
5. That a commercial snow dump site be expressly prohibited from operating on the subject property. For the purposes of this By-law, a 'commercial snow dump site' is defined as the storage and disposal of snow that is collected and removed from other properties and brought on site."

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.

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10(j)

PASSED in Open Council this 9th day of January, 2012.

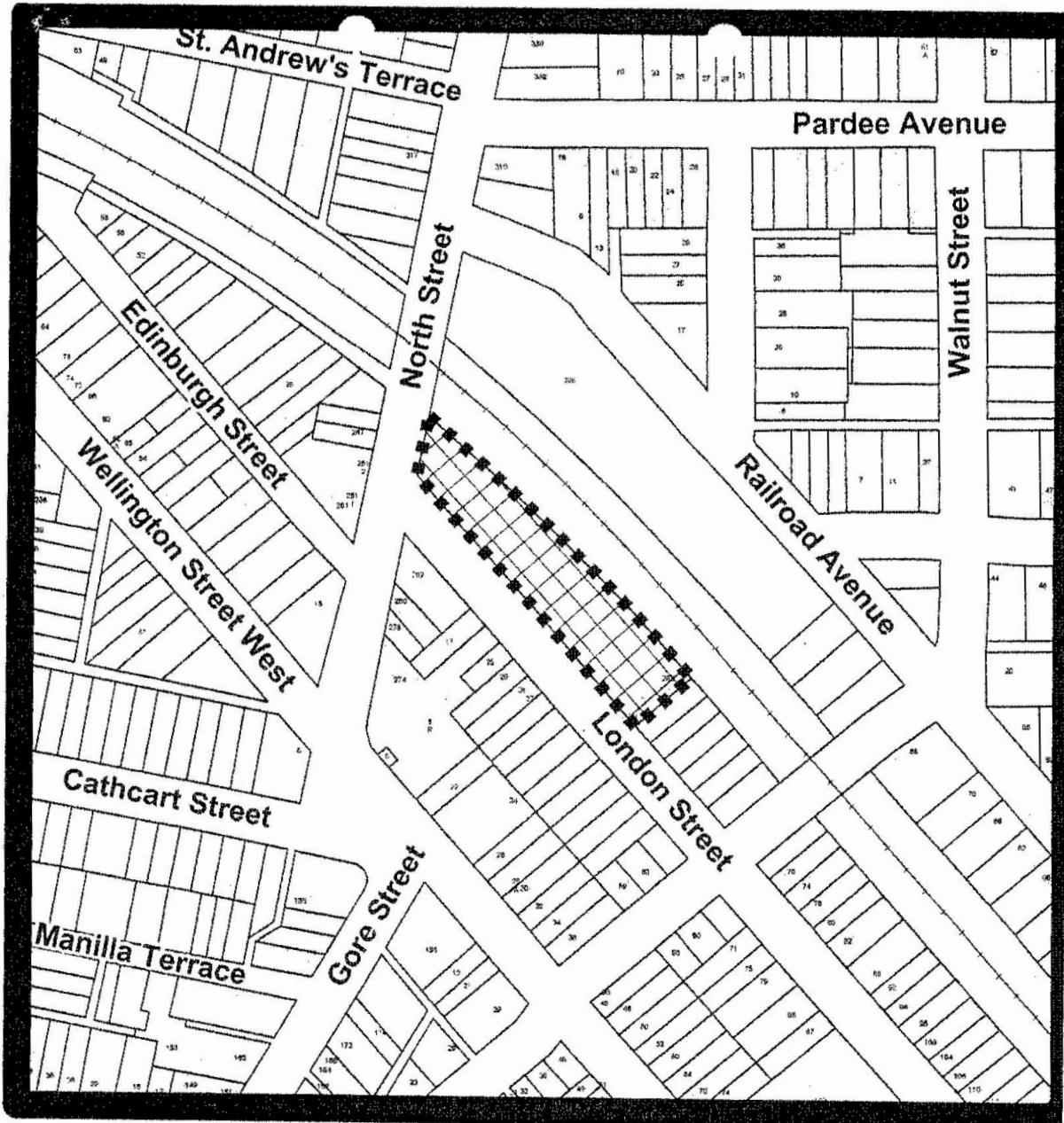
MAYOR - DEBBIE AMAROSO

CITY CLERK - MALCOLM WHITE

mc/zoning/zoning dc special/2012-5

10(j)

SCHEDULE "A" TO BY-LAW 2012-5 AND SCHEDULE 307 TO BY-LAW 2005-151 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE, BE PASSED IN OPEN COUNCIL THIS 9th DAY OF JANUARY, 2012.



SUBJECT PROPERTY MAP

PLANNING APPLICATION A-22-11-Z

284 NORTH STREET

■ ■ ■ ■ ■ Subject Property = 284 North St

■ ■ ■ ■ ■ Subject Property = 284 North St



Metric Scale
Oct, 2011
1 : 2200

Maps
26 & 1-29
Mail Label ID
A-22-11-Z