

AGENDA

REGULAR MEETING OF CITY COUNCIL

2013 10 07

4:30 P.M.

COUNCIL CHAMBERS

1. ADOPTION OF MINUTES

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

Resolved that the Minutes of the Regular Council Meeting of 2013 09 23 be approved.

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

3. APPROVE AGENDA AS PRESENTED

Mover: Councillor L. Turco

Seconder: Councillor B. Watkins

Resolved that the Agenda for 2013 10 07 City Council meeting as presented be approved.

4. DELEGATIONS/PROCLAMATIONS

- a) Amie Woods, Affiliate Administrator, Habitat for Humanity Sault Ste. Marie will be in attendance concerning proclamation – World Habitat Day.
- b) David Gearing, Chair 2013 United Way Campaign Cabinet will be in attendance concerning United Way Day.
- c) Dan Fraser, Fire Prevention Officer will be in attendance concerning Fire Prevention Week.

- d) Malcolm White, City Clerk; John Luszka, Commissioner Human Resources and Nuala Kenny, City Solicitor will be in attendance to present their department's 2013 budget and year-to-date financial information – agenda item 6.(1)(a).
- e) Laura Wyper will be in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

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

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

Resolved that all the items listed under date 2013 10 07 – Part One – Consent Agenda be approved as recommended.

- a) Correspondence from AMO is attached for the information of Council.
- b) Correspondence from the Township of MacDonald, Meredith and Aberdeen Additional (concerning municipal voters lists) is attached for the information of Council.
- c) Correspondence requesting permission for private liquor license extension is attached for the consideration of Council.

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

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

Algoma University/The Speak Easy
1520 Queen Street East
Homecoming – October 19, 2013 from 12 noon to 8 p.m.

- d) Mover: Councillor L. Turco
Seconder: Councillor P. Mick
- Resolved that Mayor Debbie Amaroso be approved to attend and speak at the Age-Friendly Communities Symposium taking place in Toronto, Ontario (4 days in November) at no cost to the City.

e) Staff Travel

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

Mover: Councillor L. Turco
Seconder: Councillor B. Watkins

Resolved that the report of the Chief Administrative Officer dated 2013 10 07 concerning Staff Travel requests be approved as requested.

f) **RFP for Event Security Services – Community Centres (2013CB02P)**

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

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

Resolved that the Report of the Manager of Purchasing dated 2013 10 07 be endorsed and the proposal for the provision of Event Security Services, as required by the Community Centres Division of the Community Services Department, be accepted as recommended.

g) **2014 Council Meeting Schedule**

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

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

Resolved that the report of the City Clerk dated 2013 10 07 concerning 2014 Council Meeting Schedule be accepted and the schedule as recommended be approved.

h) **FONOM**

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

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

Resolved that the report of the City Clerk dated 2013 10 07 concerning 2014 FONOM Conference be accepted and that Council appoint the following people to serve on the conference organizing committee – Councillors Lou Turco and Susan Myers (co-chairs) and staff representatives Malcolm White, Rachel Tyczinski, Lori Ballstadt, Shelley Schell and Frank Coccimiglio and a representative from Tourism Sault Ste. Marie (Jennifer King-Callon).

i) **Essar Centre – Southwest Stair Enclosure Modifications**

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

Mover: Councillor L. Turco
Seconder: Councillor B. Watkins

Resolved that the report of the Commissioner of Community Services dated 2013 10 07 concerning Essar Centre - Southwest Stair Enclosure Modifications be accepted and the recommendation that this item be referred to the 2014 budget deliberations be approved.

j) **2014 Capital Construction – Consulting Engineering Assignments**

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

Mover: Councillor R. Niro

Seconder: Councillor P. Mick

Resolved that the report of the Design and Construction Engineer dated 2013 10 07 concerning 2014 Capital Construction - Consulting Engineer Assignments be accepted and the recommendation that Council authorize entering into agreements for engineering services as outlined in the report be approved.

k) **Designation of Authorized Representative – Wastewater Treatment Services Agreement**

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

The relevant By-law 2013-181 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

l) **Street Closing Application – Tagona Subdivision, Plan 7882**

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

The relevant By-laws 2013-176 and 2013-177 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

m) **Maintenance of a Retaining Wall at 311 Maretta Street**

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

The relevant By-law 2013-175 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) ADMINISTRATION

a) City Clerk, Human Resources and Legal Department Budget Updates

A report of the City Clerk, the Commissioner of Human Resources and the City Solicitor are attached for the consideration of Council.

Moved by: Councillor R. Niro

Seconded by: Councillor B. Watkins

Resolved that the report of the City Clerk, the Commissioner of Human Resources and the City Solicitor dated 2013 10 07 concerning Engineering and Planning Budget Update be received as information.

(2) COMMUNITY SERVICES DEPARTMENT

(3) ENGINEERING

(4) FIRE

(5) LEGAL

(6) PLANNING

a) Downtown Development Initiative – Phase 2

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

Mover: Councillor L. Turco

Seconder: Councillor P. Mick

Resolved that the report of the Planning Division dated 2013 10 07 concerning the Downtown Development Initiative – Phase 2 be received and that City Council accept this report as information, and authorize City staff to conduct public open house sessions, in cooperation with the Downtown Association, to gather public input on the proposed DCIP and to authorize staff to proceed with stage one applications to both FedNor and NOHFC for possible funding partnerships on the proposed DCIP.

b) Urban Beekeeping

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

Mover: Councillor L. Turco

Seconder: Councillor B. Watkins

Resolved that the report of the Planning Division dated 2013 10 07 concerning Urban Beekeeping be received and that City Council continue with the status quo, which is that beekeeping is permitted as an agricultural use in a Rural Area

zone, subject to all applicable legislation, including the Ontario Bees Act. Individual applications for bee hives in other zones can be assessed on a case by case basis by way of a rezoning application.

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

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

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

Whereas the City of Sault Ste. Marie once operated wading pools in parks throughout the City; and

Whereas many communities in Ontario currently offer splash parks which provide a safe and enjoyable environment for children; and

Whereas City staff have confirmed that no organization in Sault Ste. Marie is currently pursuing this project; and

Whereas there are no outdoor water related activities of this type available for young families to enjoy within the City;

Now Therefore Be It Resolved that city council ask the appropriate staff to prepare a preliminary report on the feasibility of creating and operating a splash park in one of our City parks.

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

Whereas the City of Sault Ste. Marie won a very prestigious Gold rated Youth-Friendly Community Recognition in 2008 from Play Works, an independent third party provincial organization; and

Whereas this Youth Friendly Community designation is current for five years and it is now time to reapply; and

Whereas a Youth Friendly Community is one that actively supports and provides opportunities for the growth and development of youth (ages 13 to 19) through play; and

Whereas play is defined as any non-school activity that has elements of choice, leads to satisfaction and encourages progressive learning and enjoyment; and

Whereas these activities can include, but are not limited to, recreation, sport, leisure, arts, drama, dance, civic engagement, youth activism, volunteerism, social clubs and youth leadership; and

Whereas a Youth Friendly Community provides the following benefits to the entire community:

- Provides an expression of support of and commitment to the youth in our community

- Helps to avoid the migration of young people to other communities by encouraging local youth to help guide the future of their own community
- Families are attracted to communities that provide the kind of programs and services for their teenagers that say, "We like young people here!"

Now Therefore Be It Resolved that City Council authorizes the Commissioner of Community Services to reapply to Play Works for this very important Youth Friendly Community designation.

- c) Mover: Councillor S. Butland
Seconder: Councillor T. Sheehan

Whereas the proposed Bill 91 Waste Reduction Act recently supported by the three political parties in Ontario is moving to committee; and

Whereas if passed would be the most significant development in the disposal of waste in Ontario; and

Whereas the concept of "extended producer responsibility" (i.e. producers of waste are responsible, financially and otherwise, for its disposal) is endorsed by AMO and will be of considerable benefit to municipalities and their taxpayers;

Now Therefore Be It Resolved that Council of the City of Sault Ste. Marie express to the leaders of Ontario's three political parties Council's endorsement of proposed Bill 91 and encourage its expedient passage.

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.

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

Resolved that all by-laws listed under Item 10 of the AGENDA under date 2013 10 07 be approved.

AGREEMENTS

a) **2013-181**

A by-law to designate the Land Development and Environmental Engineer, Director of Engineering Services, and Commissioner of Engineering and Planning as authorized representative for the existing Wastewater Treatment Services Agreement.

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

BUILDING

b) 2013-175

A by-law to provide access for the maintenance of a carport located at 311 Maretta Street.

A report from the Prosecutor/Solicitor is on the agenda.

LANE ASSUMPTION

c) 2013-176

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

A report from the City Solicitor is on the agenda.

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

LANE CLOSING

d) 2013-177

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

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Mover: Councillor R. Niro

Seconder: Councillor B. Watkins

Resolved that this Council now adjourn.

MINUTES

REGULAR MEETING OF CITY COUNCIL

2013 09 23

4:30 P.M.

COUNCIL CHAMBERS

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

Absent: Councillors F. Manzo (illness), J. Krmpotich (business)

Officials: J. Fratesi, M. White, N. Kenny, L. Girardi, N. Apostle, B. Freiburger, J. Dolcetti, D. Elliott, J. Luszka, D. McConnell, M. Blanchard, D. Scott, M. Nadeau, M. Provenzano, F. Brescacin, B. Davies, T. Dodds, F. Coccimiglio

1. ADOPTION OF MINUTES

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

Resolved that the Minutes of the Regular Council Meeting of 2013 09 09 be approved. CARRIED

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

3. APPROVE AGENDA AS PRESENTED

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

Resolved that the Agenda and Addendum #1 for 2013 09 23 City Council meeting as presented be approved. CARRIED

4. DELEGATIONS/PROCLAMATIONS

- a) Julie Frenette, President Francophone Centre was in attendance concerning proclamation – Francophone Day.
- b) Georgia McIntyre, Public Health Inspector Algoma Public Health was in attendance concerning proclamation – Environmental Health Week.
- c) Matt Trainor, Chair – Community Advisory Committee and Morgan Levy, Community Resource Facilitator - Learning Disability Association of Sault Ste. Marie were in attendance concerning proclamation – Learning Disabilities Awareness Month.
- d) Rhonda Bateman, General Manager and Anjum Amin, Water Resources Engineer – Conservation Authority were in attendance to present information concerning the recent storm event.
- e) Dave Pettalia, President – Sault Ste. Marie and District Labour Council, Tom Cardinal, Business Manager – United Brotherhood of Carpenters and Joiners, Wayne Scott, President – Labourers International Local 1036, Marc LePore, representing the Sault Ste. Marie Construction Association and Mike Moore Construction Ltd., Sean Reid – Progressive Contractors Association of Canada/Christian Labourer Association and Shawn Evoy – North America Construction, were in attendance concerning agenda item 6.(1)(b).
- f) Nick Apostle, Commissioner of Community Services was in attendance to present the department's 2013 budget and year-to-date financial information – agenda item 6.(2)(a).
- g) Ralph Medaglia was in attendance concerning agenda item 6.(6)(a).
- h) Ed Lofstrom was in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that all the items listed under date 2013 09 23 – Part One – Consent Agenda be approved as recommended. CARRIED

- a) Correspondence from AMO was received by Council.
- b) Correspondence from the City of Stratford (concerning enhancing community safety) was received by Council.
- c) Correspondence from the Minister of Natural Resources was received by Council.
- d) Correspondence from the Bancroft and Hastings Highlands Disaster Relief Committee concerning fundraising support was received by Council.

e) **Council Travel**

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

Resolved that Mayor Debbie Amaroso's request to travel to the Northern Ontario Business Awards and Northern Ontario Large Urban Mayors meeting taking place in North Bay (2 days in October) at an estimated cost of \$650 be approved.
CARRIED

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

Resolved that Councillor Lou Turco be authorized to travel to the AMO Board meeting being held in Toronto (2 days in September) at an estimated cost to the City of \$300. **CARRIED**

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

Resolved that Councillor Terry Sheehan be authorized to travel to the Algoma District Municipal Association meeting being held in Wawa (1 days in September) at an estimated cost to the City of \$200. **CARRIED**

f) **Staff Travel**

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

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

Resolved that the report of the Chief Administrative Officer dated 2013 09 23 concerning Staff Travel requests be approved as requested. **CARRIED**

g) **Tenders for Equipment**

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

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

Resolved that the report of the Manager of Purchasing, dated 2013 09 23, be endorsed and that the tenders for the supply and delivery of various pieces of equipment, as required by the Public Works & Transportation Department, be awarded as recommended. **CARRIED**

h) Request for Financial Assistance For National/International Sports Competition – Zephyr Rouleau

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated 2013 09 23 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide \$200 to Zephyr Rouleau to participate in the World Karate and Kickboxing Council's World Championships in Taranto, Italy from October 14-19, 2013 be approved.
CARRIED

i) Contract 2013-10E – Small Pump Station Upgrades

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

The relevant By-law 2013-172 is listed under Item 10 of the Minutes.

j) Suncor and Shell Properties

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the Commissioner of Engineering and Planning dated 2013 09 23 concerning Suncor and Shell Properties be accepted as information.
CARRIED

k) Sidewalk Construction – From 303/313 McDonald to Pine Street, South Side

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

Moved by: Councillor S. Myers

Seconded by: Councillor T. Sheehan

Resolved the agenda item 5.(k) be postponed to October 7, 2013 Council meeting. CARRIED

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Director of Engineering Services dated 2013 09 23 concerning Sidewalk Construction – from 303/313 MacDonald Avenue to Pine Street, South Side be accepted and the recommendation to have the sidewalk proposal proceed through the local improvement process be approved.
POSTPONED

l) Former St. Thomas Street Storm Sewer Replacement

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

Moved by: Councillor B. Watkins
Seconded by: Councillor L. Turco
Resolved that the report of the Design and Construction Engineer dated 2013 09 23 concerning Former St. Thomas Street Storm Sewer Replacement be accepted and the recommendation to add the replacement work to the Heritage Discovery Centre Contract as a change order at a total cost of \$80,000 with funding from the 2013 Urban Only Capital Construction Account be approved.
CARRIED

m) Stormwater Management Environmental Assessments – Two Locations – McNabb Street and MacDonald Avenue

The report of the Director of Engineering Services was received by Council. Also attached is correspondence from the YMCA and Algoma Child and Youth Services and a previous engineering report.

Moved by: Councillor B. Watkins
Seconded by: Councillor L. Turco
Resolved that the report of the Director of Engineering Services dated 2013 09 23 concerning Stormwater Management Environmental Assessments – Two Locations – McNabb Street and MacDonald Avenue be accepted and the recommendation to authorize entering into an agreement with Tulloch Engineering for completion of environmental assessments for flooding mitigation in the areas of McNabb Street near Pim Street and MacDonald Avenue near Brien Avenue be approved. CARRIED

n) Parking Enforcement's Four Year Implementation Plan for Solar Powered Pay and Display Machines on Queen Street

The report of the Manager of Transit and Parking was received by Council.

Moved by: Councillor P. Mick
Seconded by: Councillor R. Niro
Resolved that the report of the Manager of Transit and Parking dated 2013 09 23 concerning Parking Enforcement's Four Year Implementation Plan for Solar Powered Pay and Display Machines on Queen Street be accepted as information. CARRIED

o) Correspondence from AMO was received by Council.

p) Ronald Sonke – 397 Sunnyside Beach Road – Ontario Municipal Board Appeal

The report of the Solicitor/Prosecutor was received by Council.

Moved by: Councillor B. Watkins
Seconded by: Councillor L. Turco
Resolved that the report of the Solicitor/Prosecutor dated 2013 09 23 concerning Ronald Sonke – 397 Sunnyside Beach Road – Ontario Municipal Board Appeal be received as information. CARRIED

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(1) ADMINISTRATION

a) Request for Disaster Declaration

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Whereas the municipality of the Corporation of the City of Sault Ste. Marie recently experienced severe flooding as a result of extraordinary and unforeseen amounts of heavy rainfall on September 9, 2013 and experienced substantial damage to municipal property and infrastructure and has received reported losses of private damage, the Council of the Corporation of the City of Sault Ste. Marie hereby requests the Minister of Municipal Affairs & Housing to declare the City of Sault Ste. Marie a "disaster area" for the purposes of the Ontario Disaster Relief Assistance Program (ODRAP);

Further, should the Minister declare a disaster area regarding the private component of ODRAP, Council will immediately, under the authority of ODRAP, appoint members to a Disaster Relief Committee to administer ODRAP.

CARRIED

b) Supporting Resolution for the "Fair & Open Tendering Act" To End Labour Monopolies

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

Additional information is also attached for Council's information.

Moved by: Councillor T. Sheehan

Seconded by: Councillor S. Myers

Resolved that agenda item 6.(6)(1) be postponed indefinitely. CARRIED

Recorded Vote:

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

Against: Councillors S. Butland

Absent: Councillors J. Krmpotich, F. Manzo

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Whereas public employers like municipalities are not businesses and have a different purpose and mandate from commercial enterprises; and

Whereas the OLRB treats many public employers as businesses for the purpose of the construction industry provision of the Labour Relations Act, 1955; and

Whereas when a public employer is organized by an affiliated construction craft union it creates a labour monopoly for construction work that is contracted out by the employer; and

Whereas the construction section of the Labour Relations Act should not apply to public employers like municipalities; and

Whereas some local qualified construction contractors are excluded from bidding on publicly funded City construction projects due to the existing construction union affiliation monopoly thereby forcing the City in many cases to contract work to out-of-town contractors; and

Whereas construction union labour monopolies significantly increase the cost of construction projects to the taxpayer; and

Whereas an amendment to the Labour Relations Act, 1995 would ensure public employers are able to tender construction work in a free and open competitive environment that would maximize fairness and value for construction expenditures;

Now Therefore Be It Resolved that the City of Sault Ste. Marie ask the Province of Ontario to amend Section 126 of the Ontario Labour Relations Act, 1995 so that it explicitly states municipalities are not construction employers.
POSTPONED

(2) COMMUNITY SERVICES DEPARTMENT

a) Community Services Department Budget Update

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

Moved by: Councillor P. Mick

Seconded by: Councillor R. Niro

Resolved that the report of the Commissioner of Community Services dated 2013 09 23 concerning the Community Services Department Budget Update be received as information. CARRIED

(3) ENGINEERING

(4) FIRE

(5) LEGAL

(6) PLANNING

a) Application No. A-20-13-Z – filed by Marilynn Nicastro – 728 Wellington Street West

The report of the Planning Division was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the Planning Division dated 2013 09 23 concerning Application No. A-20-13-Z – filed by Marilyn Nicastro – 728 Wellington Street West be received and that City Council approve the request to rezone the subject property from 'R2', (Single Detached Residential) zone, to 'R3', (Low Density Residential) zone, subject to the following:

- 1) That a total of 2 dwelling units be permitted.
- 2) That the required minimum frontage be reduced from 18m to 15.
- 3) That the property be designated subject to Site Plan Control. CARRIED

b) Amendment to Site Plan Control Agreement – 626 Fifth Line East – Martins Trailers

The report of the Planning Division was received by Council.

Moved by: Councillor P. Mick

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2013 09 023 concerning Amendment to Site Plan Control Agreement – 626 Fifth Line East – Martins Trailers be received and that City Council deny the applicant's request to amend the Site Plan Control Agreement at 626 Fifth Line East until such time as the subject property is developed in accordance with the current agreement, final occupancy permits have been issued, and all aspects of the business have been relocated from 32 Powley Road. CARRIED

c) Urban Beekeeping

The report of the Planning Division was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that agenda item 6.(6)(c) be postponed to the Oct. 7, 2013 Council meeting. CARRIED

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the report of the Planning Division dated 2013 09 23 concerning Urban Beekeeping be received and that City Council continue with the status quo, which is that beekeeping is permitted as an agricultural use in a Rural Area zone, subject to all applicable legislation, including the Ontario Bees Act. Individual applications for bee hives in other zones can be assessed on a case by case basis by way of a rezoning application. POSTPONED

(7) PUBLIC WORKS AND TRANSPORTATION

(8) BOARDS AND COMMITTEES

a) 2012 Annual Report – Sault Ste. Marie Police Service

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

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the report of the Chief of Police dated 2013 09 23 concerning 2012 Annual Report – Sault Ste. Marie Police Services be received as information. CARRIED

Pecuniary Interest – Councillor L. Turco – wife employed by Sault Police Services.

b) 2013 Second Quarter Shareholder Report – PUC Inc. and PUC Services Inc.

A report of PUC Inc. and PUC Services Inc. was received by Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor L. Turco

Resolved that the 2013 Second Quarter Shareholder Report of the PUC Inc. and PUC Services Inc. be received as information. CARRIED

c) 2012 Annual Reports – PUC Inc., PUC Services Inc. and the Public Utilities Commission

Reports of PUC Inc., PUC Services Inc. and the Public Utilities Commission are attached under separate cover for the consideration of Council.

Moved by: Councillor B. Watkins

Seconded by: Councillor R. Niro

Resolved that the 2012 Annual Reports of PUC Inc., PUC Services Inc. and the Public Utilities Commission be received as information. CARRIED

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

a) Moved by: Councillor S. Butland

Seconded by: Councillor T. Sheehan

Whereas many significant alternative energy initiatives have been denied because of lack of transmission capacity,

Be It Resolved that the Environmental Initiatives Committee through appropriate staff consider and evaluate the MicroFIT Solar proposal from Solar Logix with attention to feasibility, logistics and economies and report back to Council. CARRIED

b) Moved by: Councillor T. Sheehan
Seconded by: Councillor P. Christian
Whereas Sault Ste. Marie's public parks are thoroughly enjoyed by all of its citizens; and
Whereas the City of Sault Ste. Marie is approached with various offers of donations for public parks individuals, private businesses and public sector organizations,
Therefore Be It Resolved that City Council requests that appropriate City Staff advise how a policy could be developed that would cover both monetary and in-kind donations for our beautiful public parks. 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

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

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

Resolved that all by-laws listed under Item 10 of the agenda under date 2013 09 23 be approved. By-laws before Council TO BE PASSED which do not require more than a simple majority. CARRIED

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

Resolved that By-law 2013-172 being a by-law to authorize execution of a contract between the City and Avery Construction Ltd. for the Muriel Avenue, Tallack Boulevard, Fort Creek Drive and Pine Street Sewage Pumping Station Upgrades (Contract 2013-10E) be PASSED in open Council this 23rd day of September, 2013. CARRIED

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

Resolved that By-law 2013-173 being a by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie be PASSED in open Council this 23rd day of September, 2013. CARRIED

Moved by: Councillor B. Watkins
Seconded by: Councillor R. Niro
Resolved that By-law 2013-174 being a by-law to authorize an agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation to carry out winter control maintenance operations on Secondary Highways 550 and 565 located in Prince Township be PASSED in open Council this 23rd day of September, 2013. CARRIED

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

12. ADDENDUM TO THE AGENDA

13. ADJOURNMENT

Moved by: Councillor B. Watkins
Seconded by: Councillor L. Turco
Resolved that this Council now adjourn. CARRIED

Mayor

City Clerk

Malcolm White

From: AMO Communications <communicate@amo.on.ca>
Sent: Monday, September 30, 2013 6:05 PM
To: Malcolm White
Subject: AMO Report to Board Members - September Board Report 2013

TO THE IMMEDIATE ATTENTION OF THE CLERK AND COUNCIL

September 30, 2013

AMO Report to Members
Highlights of the September 2013 Board Meeting

To keep members informed, AMO provides updates on important issues considered at regular AMO Board of Directors' meetings. Highlights of the September 2013 Board meeting include:

AMO's 2012 Federal Gas Tax Fund Annual Expenditure Report

The Board approved the submission of AMO's 2012 Gas Tax Fund Annual Expenditure Report and Compliance Audit to Infrastructure Canada. In 2012 municipalities invested \$555 million from the federal Gas Tax Fund on 1,500 projects worth over \$4.5 billion. Full details will be contained in the report, which will be posted online and sent to all municipalities in the coming weeks. To learn about all of the projects benefitting from the Gas Tax Fund in Ontario, visit www.gastaxatwork.ca.

Contact: Jay Paleja, Policy Advisor, email: jpaleja@amo.on.ca, Ext. 352.

OPP Commissioner

The OPP Commissioner, Chris Lewis, made a presentation to the AMO Board on the work undertaken to date in response to the Auditor General's recommendations of December 2012. Visit <http://www.amo.on.ca/AMO-Content/Policy-Updates/2012/Provincial-Auditor-2012-Report.aspx>. The Board asked questions about changes that could make policing less costly generally and about the proposed changes to the OPP billing model. AMO Board members strongly noted that any potential shifts in costs must be fair and equitable and be supported with new mitigation funding for those with cost impacts.

Contact: Monika Turner, Director of Policy, e-mail mtturner@amo.on.ca, Ext. 318.

Transit Investment Strategy Advisory Panel

Metrolinx's recent transportation financing study resulted in the recommendation of four financial tools for the Province to consider supporting transit development in the GTHA which the Province has now put to a Transit Investment Strategy Advisory Panel to consider. While the Panel is to look at GTHA, some of the financial tools could have broader application and broader impacts. The AMO Board directed that the AMO President offer some of these broader questions to this Panel.

Contact: Craig Reid, Senior Advisor, email: creid@amo.on.ca, Ext. 334.

AMO Railway Safety Taskforce

The AMO Board was updated on the AMO Railway Safety Task Force objectives and how it is welcomed by FCM and also addresses provincial matters. The Task Force is to advise the AMO Board on strategic issues, preferred policy outcomes and advocacy possibilities related to safety and preventative measures with regards to railways that operate within municipalities.

Contact: Sumeeta Kapur, Policy Advisor, email: skapur@amo.on.ca, Ext. 353.

Provincial Education – Consultations on Vision

Municipal governments are being asked to participate in consultations on the development of a new vision for education in the Province. The Ministry wants to hear from broader groups. The consultation will focus on: higher levels of student achievement, reduced gaps in student achievement, and increased public confidence in publicly funded education. Although the consultation is primarily focused on the school system, there appear to be questions that could generate a broader perspective on the role of schools for vibrant and prosperous communities.

Contact: Michael Jacek, Senior Advisor, email: mjacek@amo.on.ca, Ext. 329.

DON'T FORGET TO REGISTER: On the Horizon. AMO's 2013 Counties, Regions & Single-Tier Symposium occurs October 24 and 25 at the Quality Hotel & Conference Centre in Oshawa. Registration is available online at <http://www.amo.on.ca/AMO-Content/Events/Counties,-Regions-Single-Tier-Symposium-2013.aspx>.

Program Highlights (subject to change) include:

- Innovative Housing Options that Adapt to Changing Demographics
 - Municipal Leadership, Public Opinion and Social Services in the Age of Austerity
 - Capital and Social Legacies from Major Sporting Events in Ontario's Municipalities
- And so much more!

Attend the Stark Realities of OMERS Sustainability session, a free 90-minute session which occurs in advance of the start of the Symposium on October 24. All municipalities are urged to send representatives to this special session. A separate registration form is required. Learn more about this session on the MEPCO website: <http://www.mepco.ca/>.

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.

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

Telephone (705) 248-2441

Fax (705) 248-3091

Resolution # 13- 267

Date: Sept. 3, 2013

Moved By:

Jean Robbins

Seconded By:

Shelley Bailey

WHEREAS the voter turn-out at Federal, Provincial and Municipal elections is lower than expected and the Municipal Property Assessment Rolls are used as a residence standard for these elections;

AND WHEREAS the Canada Revenue Agency on the Income Tax forms asks that we answer Yes or no, giving authority for them to give our name, address, date of birth and citizenship to Elections Canada to update the National Register of Electors under the Canada Elections Act;

AND WHEREAS residents that are not included on the Voters List or are shown to be required to vote at a different polling station than they should be, fill in forms at the polling stations the day of the election or at advance polls to correct their residence addresses;

AND WHEREAS these forms are filed with the appropriate authorities at the end of each election, yet the voters correct address is not updated in time for the next election, also there have been cases where a husband and wife living in the same household have had to attend at two different polling stations in order to vote;

AND WHEREAS residents get frustrated with the system not being corrected, that they refuse to fill in the forms again and again and leave polling stations not voting when they find out their name is not on the Voters list after many years of living at the same address;

THEREFOR BE IT RESOLVED that the Township of Macdonald, Meredith & Aberdeen Additional request the Municipal Property Assessment Corporation and Elections Canada take the information on the List of Changes that the Returning Officers and Deputy Returning Officers file at the end of each election and update the information in a timely manner to keep it current. And further that this resolution be sent to ADMA, FONOM, AMO, MPP Mike Mantha, MP Bryan Hayes and all Central Algoma municipalities.

Mayor Lynn Watson

CD.

Lynn Watson

I certify the foregoing to be a true and correct copy of the original document of which it purports to be a copy
Dated at Echo Bay, Ontario, this
23 day of Sept., 2013.

Dawn Dugay
Clerk of the Municipality
of Macdonald, Meredith &
Aberdeen Advt.



Alcohol and Gaming
Commission of Ontario
Licensing & Registration
80 Sheppard Avenue East
Suite 200
Toronto ON M2N 0A4
Tel/Téléphone : 416 326-8700
1 800 522-2876 toll free in Ontario/sans frais en Ontario
Website/site Web : www.agco.on.ca

Temporary Extension Application (Liquor Sales Licence)

Demande d'agrandissement temporaire des locaux pourvus d'un permis d'alcool

Est # / N° établ.

App. # / N° dem.

SECTION 1 — APPLICATION INFORMATION / RENSEIGNEMENTS SUR L'ÉTABLISSEMENT

1.1 Preferred Language / Langue de préférence <input checked="" type="checkbox"/> English / Anglais <input type="checkbox"/> French / Français	1.2 Liquor Licence Number / Numéro du permis T 50059
1.3 Name of Establishment / Nom de l'établissement Algoma University/The Speak Easy	
1.4 Establishment Address / Emplacement de l'établissement 1500 Queen St. E	City, Town, Village / Ville ou village Sault Ste. Marie, ON
Postal Code / Code postal P 6 A 2 G 4	1.5 Telephone Number / N° de téléphone (705) 949-2301
1.6 Fax No. / N° de télécopieur ()	

SECTION 2 — CONTACT INFORMATION (for the purpose of processing the application) / RENSEIGNEMENTS SUR LA PERSONNE-RESSOURCE (aux fins du traitement de la demande)

2.1 Name of Contact / Nom de la personne-ressource AJ Picillo	2.2 Telephone No. of Contact / N° de téléphone de la personne-ressource (705) 943 6669	2.3 Fax No. of Contact / N° de télécopieur de la personne-ressource ()
2.4 What is the Contact Person's Relationship to the Licensed Establishment ? / Quel lien la personne-ressource a-t-elle avec l'établissement pourvu d'un permis? Manager		

SECTION 3 — EVENT INFORMATION / RENSEIGNEMENTS SUR L'ÉVÉNEMENT

3.1 Name/Type of event: (i.e. Oktoberfest/Fundraiser - Cancer Society/A Taste of The Danforth Festival, etc.) / Nom de l'événement et genre (p. ex., Oktoberfest, collecte de fonds pour la Société pour la lutte contre le cancer, Festival Taste of the Danforth) Homecoming - Beer Tent			
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--	--	--

CEASE SALE & SERVICE OF LIQUOR / ARRÊT DE VENTE ET SERVICE D'ALCOOL Sale and service of liquor / Vente et service d'alcool		CEASE SALE & SERVICE OF LIQUOR / ARRÊT DE VENTE ET SERVICE D'ALCOOL Sale and service of liquor / Vente et service d'alcool	
↓	↓	↓	↓
List Dates / Date (e.g. Sunday, August 20, 2003) (p. ex., dimanche 20 août 2003)	Start time / Heure début (each day / chaque jour)	END TIME / HEURE FIN (EACH DAY / CHAQUE JOUR)	List Dates / Date (e.g. Sunday, August 20, 2003) (p. ex., dimanche 20 août 2003)
1) Saturday, October 19, 2013	12:00pm	8:00pm	8)
2)			9)
3)			10)
4)			11)
5)			12)
6)			13)
7)			14)

SECTION 4 — EXTENSION INFORMATION / RENSEIGNEMENTS SUR L'AGRANDISSEMENT

4.1 Location of Proposed Licensed Extension / Emplacement de la zone proposée pour l'agrandissement :

Outdoors / Extérieure Indoors / Intérieure

4.2 Location of Proposed Extension in relation to currently licensed area / Emplacement de la zone proposée pour l'agrandissement par rapport aux locaux pourvus d'un permis :

FRONT LOOP OF ALGOMA UNIVERSITY

4.3 Maximum Capacity of Extension (Length x Width based on 1.11 square metres per person) / Capacité maximale de la zone proposée pour l'agrandissement (longueur X largeur en fonction de 1,11 mètre carré par personne) :

200

4.4 Licensee owns the land of the proposed extended area / La ou le titulaire du permis possède le terrain de la zone proposée pour l'agrandissement

Licensee rents/leases the land of the proposed extended area / La ou le titulaire du permis loue le terrain de la zone proposée pour l'agrandissement

Municipality owns the land of the proposed extended area / La municipalité possède le terrain de la zone proposée pour l'agrandissement

4.5 Is there tiered seating in the proposed extension? Note: A temporary tiered seating approval is required/ Y a-t-il des gradins dans la section proposée pour l'agrandissement? Remarque : Il est nécessaire d'obtenir une autorisation pour des gradins temporaires.

Yes /
Oui

No /
Non

SECTION 5 — APPLICANT(S) SIGNATURE(S) / SIGNATURE DE L'AUTEURE OU AUTEUR OU DES AUTEURS DE LA DEMANDE

Please follow the instructions below. / Veuillez suivre les instructions ci-dessous:

If the applicant is a sole proprietor, he/she must sign below.

If the applicant is a corporation, a person with authority to bind the corporation must sign below.

If the applicant is a partnership, ALL partners must sign below.

La demande doit être signée ci-dessous par la ou le propriétaire de l'entreprise lorsqu'il s'agit d'une entreprise personnelle.

La demande doit être signée ci-dessous par une personne habilitée à engager l'entreprise lorsqu'il s'agit d'une personne morale.

La demande doit être signée ci-dessous par tous les associés lorsqu'il s'agit d'une société en nom collectif.

By signing this form I/we solemnly declare that all information provided in this application is true and correct. / En signant cette formule, je déclare (nous déclarons) solennellement que les renseignements fournis sont fidèles et exacts.

(Please print and sign name clearly) / (Veuillez écrire lisiblement.)

5.1 Print name / Nom en lettres moulées AJ Petruccio	Signature	Date signed / Date YY / AA MM DD / JJ 2013 Sept 20
5.2 Print name / Nom en lettres moulées Tom Mawr	Signature	Date signed / Date YY / AA MM DD / JJ 2013 Sept 20
5.3 Print name / Nom en lettres moulées	Signature	Date signed / Date YY / AA MM DD / JJ

Notification / Avis

Clear Form Entries/Effacer des entrées de la Formule

The above information is collected pursuant to the Liquor Licence Act, R.S.O. 1990, chapter L.19. The principal purpose of the collection is to determine eligibility for the issuance of a temporary extension of a liquor licence. The information may also be disclosed pursuant to the Freedom of Information and Protection of Privacy Act, R.S.O. 1990, chapter F.31. For questions about the collection of this information, please contact the Manager, Liquor Eligibility, Alcohol and Gaming Commission of Ontario, 90 Sheppard Ave. E., Suite 200, Toronto ON M2N 0A4, telephone: 416 326-8700, toll free in Ontario 1 800 522-2876. Email address: licensing@agco.on.ca /

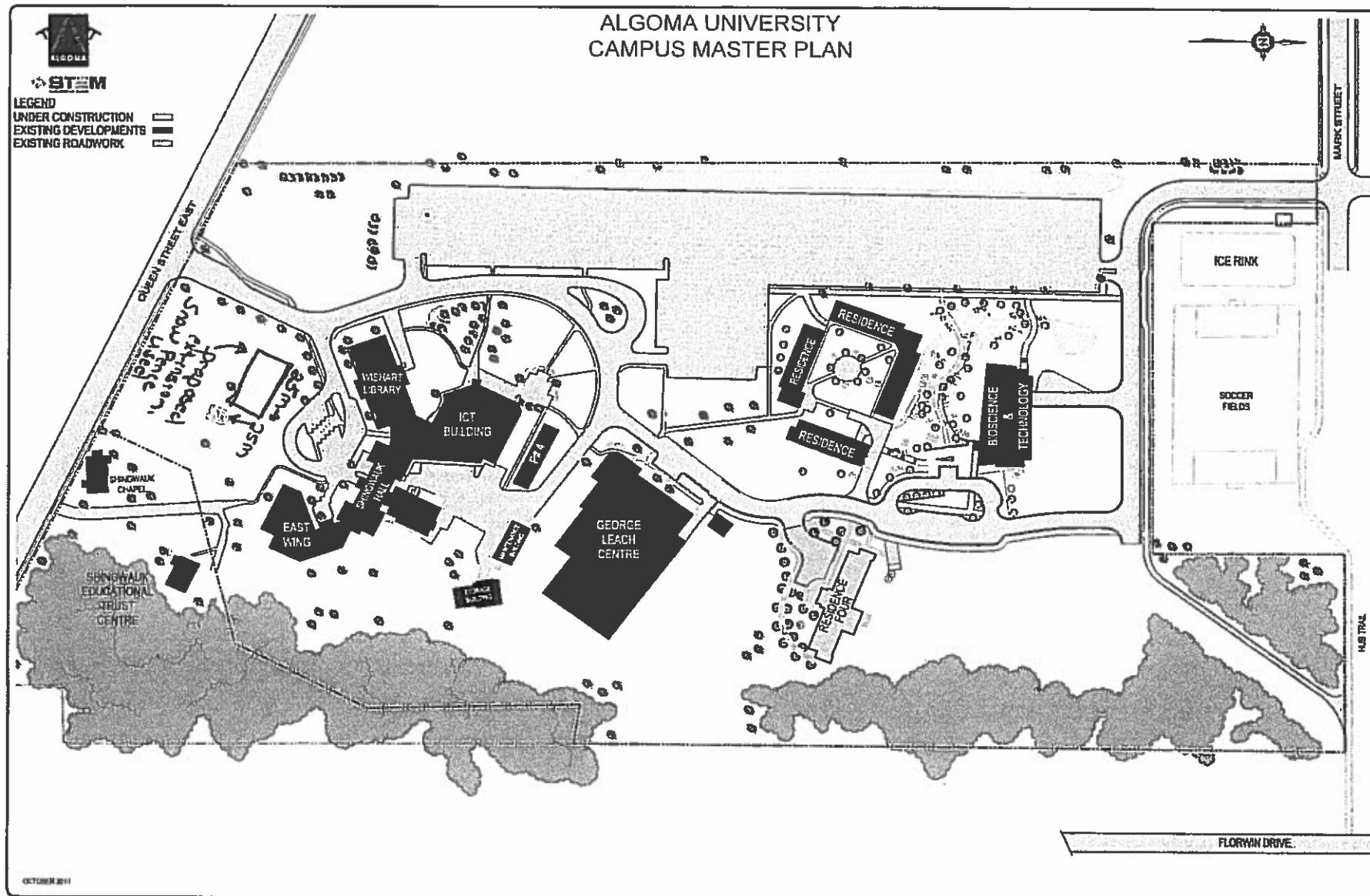
Les renseignements fournis dans la présente formule sont recueillis aux termes de la Loi sur les permis d'alcool, L.R.O. 1990, chap. L.19, dans le but premier de déterminer l'admissibilité à l'agrandissement temporaire des locaux pourvus d'un permis. Ces renseignements peuvent également être divulgués aux termes de la Loi sur l'accès à l'information et la protection de la vie privée, L.R.O. 1990, chap. F.31. Les questions relatives à la collecte de renseignements doivent être adressées à la ou au chef de l'admissibilité pour les permis d'alcool, Commission des alcools et des jeux de l'Ontario, 90, av. Sheppard Est., bureau 200, Toronto ON M2N 0A4. Tél. : 416 326-8700 ou 1 800 522-2876 (interurbains sans frais en Ontario). Courriel : licensing@agco.on.ca

S5 CANADIAN NATIONAL DRAWINGS LTD. 2005 - ALGOMA UNIVERSITY CAMPUS MASTER PLAN CURRENT CONDITIONS

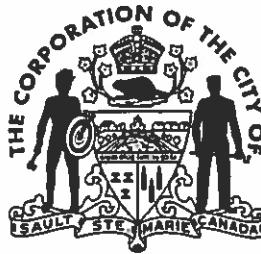
ALGOMA UNIVERSITY CAMPUS MASTER PLAN FINAL DRAWS

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GLC Fax



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

2013 10 07

Mayor Debbie Amaroso and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

Dear Council:

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

1. **Don McConnell – Engineering & Planning – Planning Division**
Northeastern Ontario Planning Workshop
October 21 – 23, 2013
Sudbury, Ontario
Estimated total cost to the City - \$ 484.98
Estimated net cost to the City - \$ 484.98
2. **Don Elliott – Engineering & Planning Department**
MEA – Annual Workshop & General Meeting
November 19 – 22, 2013
Sudbury, Ontario
Estimated total cost to the City - \$ 886.25
Estimated net cost to the City - \$ 886.25
3. **Carl Rumiel – Engineering & Planning Department**
MEA-Annual Workshop & General Meeting
November 19 – 22, 2013
Sudbury, Ontario
Estimated total cost to the City - \$ 786. 25
Estimated net cost to the City - \$ 786.25
4. **Frank Brescacin & Jim St. Jules – Fire Services**
Finalize new vehicle specifications
October 15 – 17, 2013
Snyder, Nebraska, U.S.A.
Estimated total cost to the City - \$ 50.00
Estimated net cost to the City - \$ 50.00

5. Terry Dubois – Fire Services

Hazardous Materials – Technician Level

November 4 – 8, 2013

Gravenhurst, Ontario

Estimated total cost to the City - \$ 400.00

Estimated net cost to the City - \$ 400.00

6. Susan Hamilton Beach – Public Works & Transportation

Living with Lakes

November 19 – 22, 2013

Sudbury, Ontario

Estimated total cost to the City - \$ 995.91

Estimated net cost to the City - \$ 995.91

7. Jacob Bruzas – Finance Department

2013 Diamond Client Summit

October 21 – 23, 2013

Huntsville, Ontario

Estimated total cost to the City - \$ 986.25

Estimated net cost to the City - \$ 986.25

8. Stephanie Pagnucco – Mayor's Office

Municipal Communications Conference

November 25 - 26, 2013

Toronto, Ontario

Estimated total cost to the City - \$ 1,889.53

Estimated net cost to the City - \$ 1,889.53

9. Patti Lebel – Social Services – Ontario Works Division

OW Director/Admin. Reference Group AGM

November 5, 2013

Toronto, Ontario

Estimated total cost to the City - \$ 418.00

Estimated net cost to the City - \$ 418.00

10. Patti Lebel – Social Services – Ontario Works Division

NOSDA OW Group

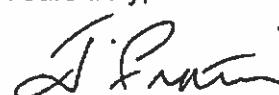
November 14 – 15, 2013

Sudbury, Ontario

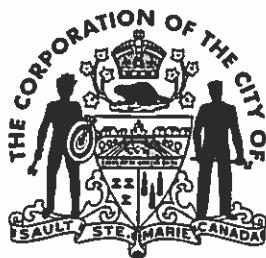
Estimated total cost to the City - \$ 563.25

Estimated net cost to the City - \$ 563.25

Yours truly,



Tim Gowans
Manager of Purchasing



Finance Department
Purchasing Division

2013 10 07

Mayor Debbie Amaroso and
Members of City Council

RE: RFP FOR EVENT SECURITY SERVICES – COMMUNITY CENTRES (2013CB02P)

PURPOSE

Attached hereto for your information and consideration is a report prepared on behalf of the Evaluation Committee concerning proposals received for the provision of Event Security Services, as required by the Community Centres Division of the Community Services Department.

BACKGROUND

The Request for Proposal was publicly advertised and RFP documents forwarded to all firms on our bidders list. Proposals were required to be submitted for consideration no later than 4:00 p.m. on September 6, 2013.

ANALYSIS

Proposals from Two (2) proponents were received prior to the closing date:

North East Regional Security Services Inc., Sault Ste. Marie, ON
Norpro Company, Sault Ste. Marie, ON

The proposals received have been evaluated by a committee comprised of staff from the Community Centres Division-Community Services Department, and Purchasing Division-Finance Department.

The proponent scoring the highest in the evaluation process was North East Regional Security Services Inc. North East Regional Security Services is presently providing Event Security Services for Community Centres.

IMPACT

Funding for this activity is provided within various Community Centres accounts.

STRATEGIC PLAN

Community Centres Event Security is not an activity listed in the Corporate Strategic Plan.

-More-

5(f)

2013 10 07
Page 2

RECOMMENDATION

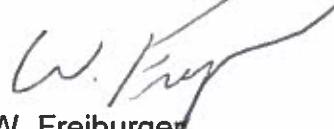
It is therefore my recommendation that the proposal submitted by North East Regional Security Services Inc. to provide Event Security Services for Community Centres be accepted. The contract will commence November 1, 2013 and continue for a period of three (3) years allowing for further one (1) year extensions by mutual agreement.

This report is submitted for Council's approval.

Respectfully submitted,


Tim Gowans
Manager of Purchasing

Recommended for approval,


W. Freiburger
Commissioner of Finance & Treasurer

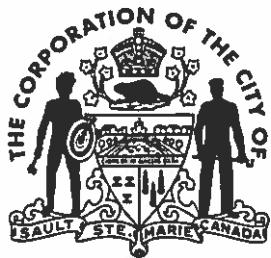
TG:nt

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

5(g)

Malcolm White
City Clerk



City Clerk's
Department

2013 10 07

Mayor Debbie Amaroso and
Members of City Council

RE: 2014 COUNCIL MEETING SCHEDULE

PURPOSE

The purpose of this report is to propose a meeting schedule for 2014 City Council meetings.

BACKGROUND

The proposed schedule is similar to previous years with the exception of the months of October, November and December. The changes to these months are necessary to accommodate the 2014 municipal election.

IMPACT

There is no budgetary impact.

STRATEGIC PLAN

This is an administrative matter not linked to activities in the corporate Strategic Plan.

RECOMMENDATION

That the report of the City Clerk dated 2013 10 07 concerning 2014 Council Meeting Schedule be accepted by Council and the schedule as recommended be approved.

Respectfully submitted,

A handwritten signature in blue ink.

Malcolm White
City Clerk

RECOMMENDED FOR APPROVAL

A handwritten signature in blue ink.

Joseph M. Fratesi
Chief Administrative Officer

attachment

5(g)



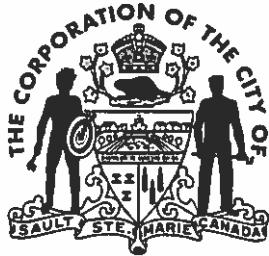
2014 COUNCIL MEETING SCHEDULE – (DRAFT)

<u>Date</u>	<u>Start Time</u>	<u>Planning</u>
January 6	4:30 p.m.	5:30 p.m.
January 20	4:30 p.m.	5:30 p.m.
February 3	4:30 p.m.	5:30 p.m.
February 18 (Tuesday)	4:30 p.m.	5:30 p.m.
March 3	4:30 p.m.	5:30 p.m.
March 24	4:30 p.m.	5:30 p.m.
April 7	4:30 p.m.	5:30 p.m.
April 28	4:30 p.m.	5:30 p.m.
May 12	4:30 p.m.	5:30 p.m.
May 26	4:30 p.m.	5:30 p.m.
June 9	4:30 p.m.	5:30 p.m.
June 23	4:30 p.m.	5:30 p.m.
July 14	4:30 p.m.	5:30 p.m.
August 18	4:30 p.m.	5:30 p.m.
September 8	4:30 p.m.	5:30 p.m.
September 29	4:30 p.m.	5:30 p.m.
November 10	4:30 p.m.	5:30 p.m.
December 1 INAUGURAL MEETING		
December 15	4:30 p.m.	5:30 p.m.

City Clerk's Department

5(h)

Malcolm White
City Clerk



City Clerk's
Department

2013 10 07

Mayor Debbie Amaroso and
Members of City Council

RE: 2014 FONOM CONFERENCE

PURPOSE

The purpose of this report is to provide information concerning the organization of the 2014 FONOM Conference which will be held in Sault Ste. Marie in early May of next year.

BACKGROUND

Council had previously agreed to host this conference. We had also hosted the conference in 2008 and 1994. The conference will be held from May 7 to 9, 2014 with the Comfort Suites serving as the host hotel. The FONOM Board of Directors, staff from the Ministry of Municipal Affairs and Housing and an organizing committee from the host community work together to stage the conference. This report recommends the appointment of the conference organizing committee which, due to its makeup, will be considered a task force as defined in the procedure by-law.

IMPACT

The financial statements of the 2012 and 2013 conferences have been reviewed and confirm that the conference is well attended and generates a healthy surplus, therefore there is little financial risk to the host community. A funding request will be forwarded to the Conferences and Major Special Events Committee for funding assistance that will primarily be used to fund a part time staff position to co-ordinate the administration of the conference.

STRATEGIC PLAN

This is an administrative matter not linked to activities in the corporate Strategic Plan.

5(h)

2014 FONOM Conference

2013 10 07

Page 2.

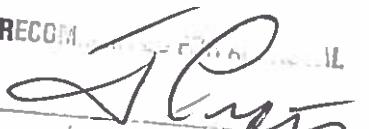
RECOMMENDATION

That the report of the City Clerk dated 2013 10 07 concerning 2014 FONOM Conference be accepted and that Council appoint the following people to serve on the conference organizing committee – Councillors Lou Turco and Susan Myers (co-chairs) and staff representatives Malcolm White, Rachel Tyczinski, Lori Ballstadt, Shelley Schell, Frank Coccimiglio and a representative from Tourism Sault Ste. Marie (Jennifer King-Callon).

Respectfully submitted,



Malcolm White
City Clerk

RECOM

Joseph M. Pust
Chief Administrative Officer



October 7, 2013

Mayor Debbie Amaroso and
Members of City Council

ESSAR CENTRE – SOUTHWEST STAIR ENCLOSURE MODIFICATIONS

PURPOSE

This report is in response to complaints received from numerous Soo Greyhounds Season Ticket holders.

BACKGROUND

The original design of the facility included covered exterior stairways in a fully air conditioned space on the southeast and southwest stairways. In order to bring the project in on budget, the coverings to both exterior stairways were taken out, leaving them exposed to the elements.

About five years ago (2008), with assistance from the Federal Government, both exterior stairways were covered in to provide safe exiting and to alleviate the gusty cold wind that was infiltrating the building. This retro fit did not include fully air conditioned space. The construction did provide for safe exiting however, gusty cold air was still infiltrating the building causing discomfort to patrons in the southwest part of the facility. The southeast exit area was fine.

ANALYSIS

The architect for the facility has been studying the issue of the infiltration of gusty cold air in the southwest stairway area and has provided a report, along with a solution (attached).

IMPACT

The consultant's report estimates the cost for the modification which is the installation of an internal vestibule to be between \$27,000 and \$33,000. This will be referred to the 2014 Budget for Council's consideration.

STRATEGIC PLAN

This matter is not specifically identified in the Corporate Strategic Plan.

RECOMMENDATION

That the report of the Commissioner of Community Services concerning the modifications to the southwest stair enclosure be referred to the 2014 Budget for Council's consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "N.J. Apostle".

Nicholas J. Apostle
Commissioner Community Services Department

RECOMMENDED FOR APPROVAL
A handwritten signature in blue ink, appearing to read "J. Fratesi".
Joseph M. Fratesi
Chief Administrative Officer

cc: B. Freiburger, Commissioner of Finance and Treasurer

jb/council/2013/essar centre sw stair enclosure

attachment

May 21, 2013

1216

The Corporation of the City of Sault Ste. Marie
 99 Foster Drive
 Civic Centre, Level 2
 Sault Ste. Marie, Ontario
 P6A 5X6

COMMUNITY SERVICES DEPT.

Attention: Mr. Nick Apostle
 Commissioner of Community Services

MAY 27 2013

Re: Essar Centre
 South West Stair Enclosure Modifications

RECEIVED

Dear Sir:

For quite some time now we have been monitoring the issue of cold gusts of wind coming into the facility through the south west stairwell entrance of the Essar Centre in order to arrive at a solution to alleviate the problem. We comment as follows.

The issue appears to be specific to the south west stairwell and attributed primarily to the way prevailing winds funnel down Bay Street and are directed at the enclosed but not sealed south west stairwell in such a way that they pressurize the stairwell in question. This pressure is relieved whenever the doors at the top of this stairwell are opened translating into gust of wind into the building of varying degrees depending on the severity of the prevailing winds at the time. Although the south east stairwell is very similar, there have been no complaints associated with the south east entrance.

We recommend proceeding with the installation of an internal vestibule of a configuration defined on the attached sketch. The scope of work associated with construction of the vestibule is generally as follows:

- 7' high Alumicor Store-Front Series 800 c/w 4 doors and associated door hardware.
- Infill above Store-Front with bulkhead consisting of heavy gauge metal framing, cross bracing, plywood backing clad with gyp.bd complete with paint finish.
- Continuously caulk bulkhead to underside of structure.
- Restore affected spray fire proofing.
- Relocate existing suspended exit sign.
- Relocate Wireless Internet device.
- Relocate existing motion detector.
- Modify existing lighting.
- Remove existing drinking fountain, cap plumbing and make good finishes.
- Remove and relocate signage.
- Modify existing sprinkler head locations to suit the revised floor plan.

5(i)

Mr. Nick Apostle
Corp. of the City of Sault Ste. Marie
May 21, 2013
Page 2 of 2

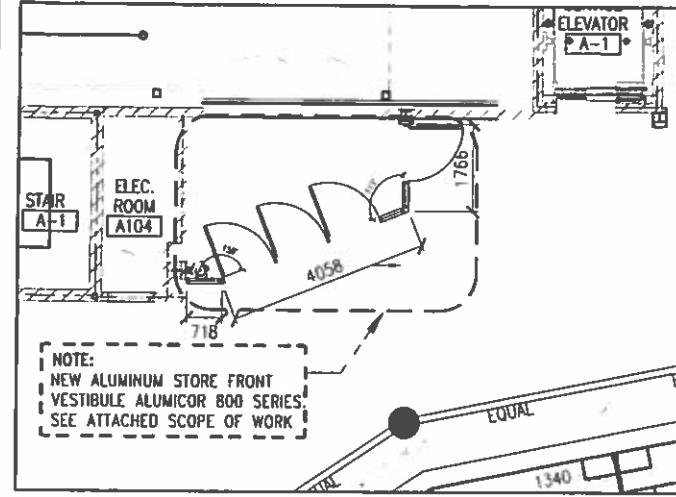
We estimate costs for implementation of the above to be of an order of magnitude of between \$27,000 and \$33,000. This is based on our understanding that the project would be implemented by the City's own forces.

We trust the above is satisfactory for your requirements at this time. Please advise if you have any questions or comments or require anything further with respect to the above.

Yours sincerely,
ePOH inc.

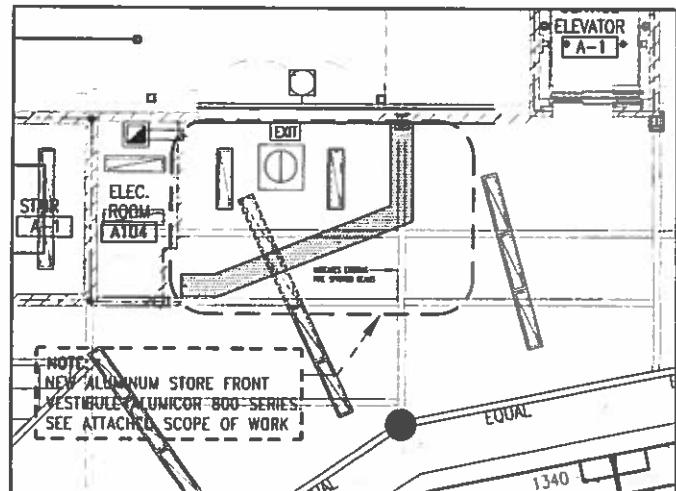


Cal F. Oswin, P. Eng., ASHRAE
Consulting Engineer



Floor Plan

Scale 1:100



Reflected Ceiling Plan

Scale 1:100

SCOPE OF WORK

- 1) PROVIDE ALUMICOR SERIES 800 STOREFRONT FRAMING SYSTEM C/W ALUMICOR 600A SERIES DOORS, 1100mm WIDE x 2134 HIGH. GLASS SHALL BE 1/4" TEMPERED. DOOR HARDWARE SHALL BE.

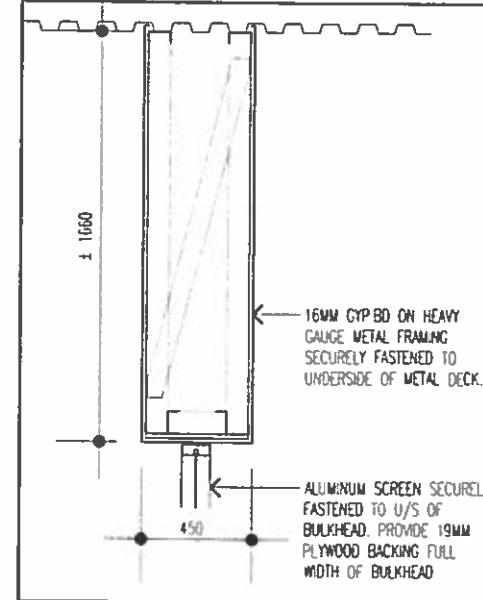
Provide each door(s) with the following:

Quantity	Description	Model Number	Price	MSRP
1	Continuous Hinge	CH-363	\$30	Carry
1	Exit Device	3602	\$28	Von-Dorn
1	Door Pull	46-202-13670-A	\$30	Carry
1	Door	4111 EDA	\$69	LCN
1	Concealed Door Stop	1003	\$28	3

- 2) CONSTRUCT GYP BD BULKHEAD ABOVE NEW ALUMINUM SCREEN AS SHOWN. CONSTRUCT OUT OF HEAVY GAUGE METAL STUDS C/W CROSS BRACING AND PLYWOOD BACKING TO ACHIEVE A SOLID CONNECTION FOR THE ALUMINUM FRAME. CUT GYP BD TO WITHIN 1/2" OF THE FLOOR DECK ABOVE AND CAULK JOINT. COORDINATE HEIGHT OF BULKHEAD WITH ALUMINUM STORE FRONT CONTRACTOR FRAME AROUND EXISTING BEAMS IN A FASHION NOT DISTURBING THE EXISTING SPRAY FIREPROOFING PAINT BULKHEAD TO MATCH COLOUR OF EXISTING STRUCTURE.
- 3) REMOVE EXISTING DRINKING FOUNTAIN CAP PLUMBING. INFILL BLOCK WORK AS REQUIRED AND PATCH AND PAINT GOOD TO ACCEPT NEW PAINT MATCHING EXISTING WALL COLOUR.
- 4) RELOCATE EXISTING CEILING HUNG EXIT SIGN AS REQUIRED - NEEDS TO BE MOVED TOWARDS THE EAST APPROXIMATELY 2'-0".
- 5) RELOCATE EXISTING WIRELESS INTERNET DEVICE TO THE FACE OF THE NEW BULKHEAD OR THE ICE SIDE.
- 6) MODIFY EXISTING LIGHT FIXTURES TO ALLOW FOR NEW CONSTRUCTION. REMOVE AND RELOCATE 2 EXISTING LIGHT FIXTURES AS SHOWN.
- 7) MODIFY EXISTING SPRINKLER HEAD LOCATIONS TO SUIT THE REVISED FLOOR PLAN.
- 8) SIGNAGE TO BE REMOVED AND RELOCATED.

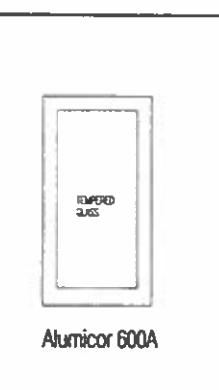
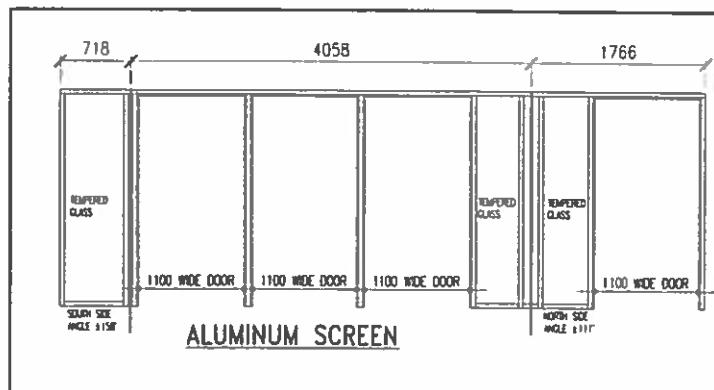
Aluminum Screen Elevation

Scale 1:50



Bulkhead Section

Scale 1:20



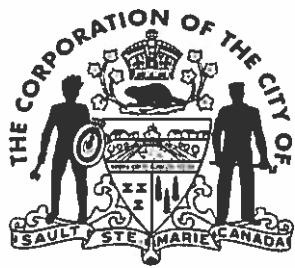
Aluminum Door Elevation

Scale 1:50

ePOH	
786 Queen Street East SAULT STE. MARIE ON CA P0A 2G9 E-mail: info@epoh.ca TEL (705) 752-5100 FAX (705) 752-5294	
Scale	
Top 100 most hot search terms selected and ranked by the # of users. Last updated 10/10/2013. An asterisk (*) is used to denote a term that is a trademark or service mark of another company or organization. All rights reserved. © 2013 ePOH Inc. All rights reserved.	
revision	
Interior South / West Vestibule Essar Centre Sault Ste. Marie Ontario	
Floor Plan Reflected Ceiling Plan Bulkhead Section & Screen Elevation	
Date	16 May 2013
Scale	as shown
Checked by	c f. osman
Drawn by	w segun
Proj No	ame-1.0
Doc No	1216

Jerry D. Dolcetti, RPP
Commissioner

Carl Rumiel, P. Eng
Design & Construction Engineer



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2013 10 07

Our File: B-97-09

Mayor Debbie Amaroso and
Members of City Council

RE: 2014 CAPITAL CONSTRUCTION – CONSULTING ENGINEERING ASSIGNMENTS

PURPOSE

The purpose of this report is to recommend that Council authorize the assignment of design and contract administration of 2014 capital construction projects to consulting engineers.

BACKGROUND

At the 2013 06 10 meeting, Council approved the 2014 capital construction program. With the exception of the design and construction of London Street from North Street to Tancred Street, which will be done by City Staff, all other projects require consulting engineers be assigned the task of design, contract preparation and construction inspection.

ANALYSIS

In accordance with City policy for retaining consulting engineering services, it is recommended that the following firms be retained to provide design and contract administration services for the 2014 Capital Road Reconstruction Program.

- 1) AECOM – resurfacing of Queen Street East – Pine Street to Gravelle Street
- 2) Genivar – reconstruction of Forest Avenue – Putney Street to Upton Road
- 3) Kresin Engineering – reconstruction of St. Andrew's Terrace – John to North Street
- 4) AECOM – reconstruction of March Street – Queen Street to Wellington Street
- 5) Kresin Engineering – Bay Street improvements Environmental Assessment
- 6) STEM Engineering – Second Phase of the Fort Creek Aqueduct reconstruction

- 7) City Engineering Department - reconstruction of London Street – Tancred Street to North Street and road resurfacing

IMPACT

The engineering fees will be included in the 2014 Capital Works budget except for the Bay Street EA which will be funded from the Miscellaneous Construction Budget.

STRATEGIC PLAN

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

RECOMMENDATION

It is recommended that Council authorize entering into an agreement for engineering services with these consulting engineers. Individual engineering agreements with an estimate of engineering fees will be brought to Council for approval at a later date.

Respectfully submitted,



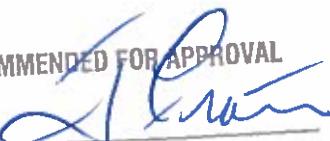
Carl Rumiel, P. Eng.
Design & Construction Engineer

Recommended for approval,



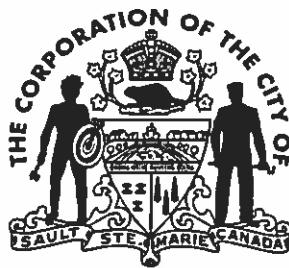
Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

CR/bb

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

Jerry Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2013 10 07

Our File: 11.4

Mayor Debbie Amaroso and
Members of City Council

**RE: DESIGNATION OF AUTHORIZED REPRESENTATIVE
WASTEWATER TREATMENT SERVICES AGREEMENT**

PURPOSE

The purpose of this report is to obtain approval to designate an authorized representative for the existing Wastewater Treatment Services Agreement.

BACKGROUND

At the June 23, 2003 meeting, Council authorized entering into an agreement with the PUC for operation of the City's wastewater treatment plants and major pump stations under by-law 2003-154. At the February 12, 2007 meeting, Council approved by-law 2007-33 which authorized an amending agreement to include operation of the expanded East End Wastewater Treatment Plant.

ANALYSIS

Section 2.5 of the Agreement titled Authorized Representatives, outlines that the Owner shall be entitled to designate in writing to the other, one or more individuals who shall be authorized to represent it in connection with the day-to-day administration of the provisions of the Agreement. The Land Development and Environmental Engineer has fulfilled this role to date. The Director of Engineering Services and the Commissioner of Engineering may also administrate the contract as may be required. Confirmation of existing roles is necessary at this time to formalize the existing process.

IMPACT

The authorized representative administers the existing PUC Agreement which permits annual capital expenditures. The estimate varies by year, however, the Engineering and Construction Division budgets approximately \$1,000,000 each year to account for these costs which are funded through the sanitary sewer surcharge budget.

STRATEGIC PLAN

The designation of an authorized representative is not linked to the strategic plan.

RECOMMENDATION

It is recommended that the report of the Land Development and Environmental Engineer concerning the Wastewater Treatment Services Agreement be received and the recommendation that the Land Development and Environmental Engineer, Director of Engineering Services, and Commissioner of Engineering and Planning be approved as authorized representatives. Bylaw 2013-181 has been placed elsewhere on the agenda for your consideration.

Respectfully submitted,



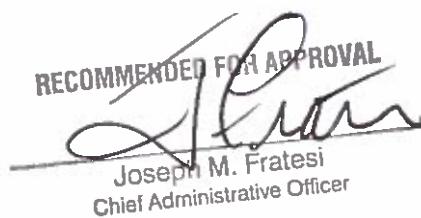
Catherine Taddo, P. Eng.
Land Development and Environmental Engineer

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering and Planning Department

c: Bill Freiburger, Commissioner of Finance/Treasurer

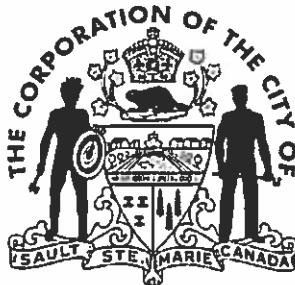


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL DEPARTMENT

File No. PR2.2

2013 10 07

Mayor Debbie Amaroso and
Members of City Council

RE: STREET CLOSING APPLICATION – TAGONA SUBDIVISION, PLAN 7882

PURPOSE

The purpose of this report is to seek Council's approval to close and convey a lane in the Tagona Subdivision, Plan 7882.

BACKGROUND

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

PIN 31607-0118 (LT) LANE PL 7882 KORAH ABUTTING LTS 38-41 PL 7882
EXCEPT T134800; SAULT STE. MARIE.

The request was circulated to the appropriate departments. All comments were favourable. The only condition of the potential closing and conveying of the subject property is the registration of an easement in favour of Bell Canada for an aerial telephone line.

ATTACHMENT

Attached as Schedule "A" is part of Map 53 showing the "subject property".

IMPACT

There is no significant financial impact associated with this matter.

-more-

5(1)

2013 10 07

Page 2

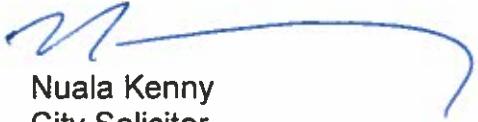
STRATEGIC PLAN

N/A

RECOMMENDATION

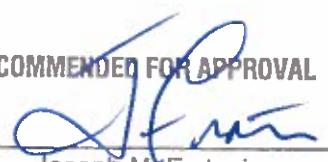
By-law 2013-176, a by-law to assume the lane for public use and establish it as a public lane and By-law 2013-177, a by-law to stop up, close and authorize the conveyance of the lane have been prepared for your consideration and appear elsewhere on the agenda. By-law 2013-177 is before Council for the first and second reading this evening.

Respectfully submitted,


Nuala Kenny
City Solicitor

NK/cf
attachment

RECOMMENDED FOR APPROVAL

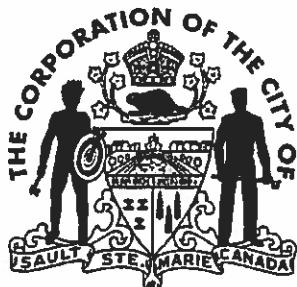

Joseph M. Fratesi
Chief Administrative Officer

cf LEGAL\STAFF\COUNCIL REPORTS\2013\Lane CLOSING Tagona sub Piazza oct7.13

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL DEPARTMENT

File No. B1

2013 10 07

Mayor Debbie Amaroso and
Members of City Council

RE: MAINTENANCE OF A RETAINING WALL AT 311 MARETTA STREET

PURPOSE

The purpose of this report is to seek Council's approval for a by-law made pursuant to Section 132 of the *Municipal Act, 2001* authorizing entry onto a neighbour's property for the purpose of maintaining a retaining wall, subject to such conditions as Council may consider advisable.

ATTACHMENT

The request from Guy Renault and the drawing provided are attached as Schedule "A" to this report. Correspondence from the City Legal Department to Mr. Zielke is attached as Schedule "B" to this report. Section 132(1) of the *Municipal Act, 2001* is attached as Schedule "C" to this report.

BACKGROUND

The City Legal Department was contacted by Guy Renault, owner of 311 Maretta Street located in the City of Sault Ste. Marie (the "Renault Property"). Mr. Renault advised that he has contracted Ozzie Grandinetti (the "Contractor") to perform maintenance on the Renault Property. Mr. Renault advised that the outer retaining wall for his carport has lifted up eight (8") inches at the front. He contacted the Contractor who advised that he could drastically reduce any further lifting of this retaining wall by putting insulation down as a frost barrier. It would require him to dig down approximately one and a half (1.5') feet to enable the insulation to be placed.

-more-

2013 10 07

Page 2

Prior to work commencing, Mr. Renault contacted his neighbour, Raymond Zielke, and requested that access be granted to 315 Maretta Street (the "Zielke Property") in order to allow this maintenance to occur. Mr. Zielke initially denied access to the Zielke Property.

Attached to this report is a copy of correspondence sent from the City Legal Department to Raymond Zielke and Melinda St. Pierre, dated September 27, 2013. In this correspondence, the City confirmed the request for access to the Zielke Property for the purpose of maintenance on the retaining wall at 311 Maretta Street. The letter advised Mr. Zielke and Ms. St. Pierre that City Council has authority under the *Municipal Act, 2001* to pass a by-law authorizing a person to go on to his neighbour's property to make repairs to a building, fence or other structure. The letter requested that Mr. Zielke and Ms. St. Pierre confirm whether or not they consented to access by the Renault's Contractor to the Zielke Property for the outlined purposes. The letter further advised that if consent was not provided, the matter would be brought forward to City Council.

The City Legal Department was subsequently contacted by Mr. Zielke who advised that he would only provide his consent to the access request made by Mr. and Mrs. Renault if City Council passed a by-law allowing it. He wanted to ensure that the access was only granted to the Contractor, and not to the Renaults'.

ANALYSIS

Attached to this report is Section 132(1) & (2) of the *Municipal Act, 2001* which gives authority to City Council to authorize the owner or occupant of land to enter adjoining land, at reasonable times and under conditions that Council may consider advisable, for the purposes of maintaining a building or structure on the land of the owner or occupant. Section 132 specifically states that such entry onto adjoining land is only to the "extent necessary to carry out the repairs or alterations".

The concerns raised by Mr. Zielke are adequately addressed by Section 132 (1) & (2) of the *Municipal Act, 2001*. Specifically, the Contractor would only be permitted to enter upon the adjoining land only "to the extent necessary to carry out the repairs or alterations" and therefore the Contractor is not permitted access to the entirety of the adjoining land. In this case, the Contractor has requested access to a distance of ten (10') feet from the property line onto the Zielke Property to complete the maintenance. Further, the City may impose time frames for completion of the work undertaken by the Contractor. The Contractor estimates that it will take one (1) day to complete the maintenance of the retaining wall. Given various contingencies that may arise in construction (ie. weather, illness, construction materials, time) the by-law for consideration by Council provides the Contractor with two (2) weeks from the date of passing of the by-law to complete the requested maintenance. This time limit ends upon the completion of the requested work.

-more-

2013 10 07

Page 3

Further, Section 132(2)(5) requires Mr. and Mrs. Renault to restore the Zielke Property to its original condition and provide compensation for any damages caused by the entry onto the adjoining lands. This is outlined in the by-law presented to Council.

IMPACT

There is no financial impact to the City with respect to the passing of this by-law.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

By-law 2013-175 appears elsewhere on this agenda, and provides the Contractor with access to the Zielke Property located at 315 Maretta Street for the purpose of the maintenance of a retaining wall at 311 Maretta Street under conditions as set out in the by-law, and is recommended for approval.

Respectfully submitted,

Matthew Caputo
Solicitor/Prosecutor

Recommended for approval,

Nuala Kenny
City Solicitor

MC/cf
Attachment

Staff/Council Reports/2013/Access Neighbours Maretta oct7.13

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

Schedule "A"

City of Sault Ste. Marie.

THE
CITY

Legal Department.

SEP 26

Guy Renau 5(P)
311 Maretta St
Sault Ste. Marie
Ont P6C 4A6

Dear Mathew Caputo : **LEGAL DEPARTMENT** 705 949 0482

My house has an attached carport on the north side. The outside outer retaining cement wall is next to my neighbor's property.

Through the years (20 or so) it has lifted up to 8" at the front.

Ozzy Grandinetti (my contractor) said he can drastically reduce any further lifting by putting insulation down as a frost barrier. He would possibly use A very construction to do the digging. They would dig down approx 1 $\frac{1}{2}$ ' to enable Ozzy to put down the insulation.

My neighbor Ray ? at 315 Maretta will not allow anyone to dig on his property

When approved. the work can be done within a few days - weather permitting.

Ozzy Grandinetti stated that it would take less than a day (possibly 2-3 hrs) from start to finish. A drawing is supplied.

The access needed to do the job is approx 8' wide, and 30' plus ft. long.

The only way to put a frost barrier down is to dig down about 1 $\frac{1}{2}$ ' and put the insulation in place.

The area to be dug up and used for the equipment is a gravel driveway. The ~~area~~ area in question will be returned to its original state once the job is done.

Rt.

Thank You Guy Renau

5(m)

311 Martetta

315
Martetta

Area
Needed
to Dig

Retaining
wall

30'

10'

Y

4"

8"

Property

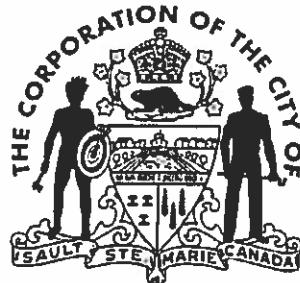
Schedule "B"

5(m)

NUALA KENNY
CITY SOLICITOR

MELANIE BOROWICZ-SIBENIK
ASSISTANT CITY SOLICITOR

MATTHEW CAPUTO
SOLICITOR/PROSECUTOR



LEGAL DEPARTMENT

File No. B1

2013 09 27

Mr. Raymond Zielke and Ms. Melinda St. Pierre
315 Maretta Street
Sault Ste. Marie, ON P6C 4A6

Dear Mr. Zielke & Ms. St. Pierre:

RE ACCESS REQUEST FOR THE MAINTENANCE OF A RETAINING WALL FOR THE CARPORT AT 311 MARETTA STREET

Mr. Guy Renault has advised my office that he requires access over your property in order to conduct maintenance on his retaining wall attached to his carport. I understand that you have spoken to Mr. Renault and have refused consent to allow him to access your property. I am advised by Mr. Renault that this maintenance can occur at any time, weather permitting, as soon as the issue of access has been resolved.

As I have explained to Mr. Renault there is a section of the *Municipal Act, 2001* that allows City Council to pass a by-law to authorize a person to go onto his neighbour's property and make repairs or alterations to a building, fence or other structure. Unless you can resolve this matter with Mr. Renault prior to October 2, 2013, I give you notice that there will be a report on the Council agenda along with a by-law authorizing Mr. Renault to have access to your property for the purposes of maintaining the retaining wall for the carport located at 311 Maretta Street.

Upon receipt of this letter, I would kindly ask that you contact me to confirm whether or not you have provided your consent to Mr. Renault to access your property for the purposes as indicated above. As stated if consent is not provided or if I do not hear from you before October 2, 2013, the matter will be brought forward to City Council as indicated in the paragraph above.

Page 1 of 2

5(m)

2013 09 27

Page 2

I look forward to hearing from you at your earliest opportunity. I can be reached at 705-759-2662 or at m.caputo@cityssm.on.ca. Please be advised that from September 30th to October 4th I will be on holidays and as such you should contact Melanie Borowicz-Sibenik, the Assistant City Solicitor, at 705-759-5403 to discuss whether an agreement has been reached between you and Mr. Renault or not.

I appreciate your assistance in this matter.

Yours truly,

Matthew Caputo
Solicitor/Prosecutor
MC/cf

c.c. Mr. Guy Renault, 311 Maretta Street

Staff/Legal/Building/B1 General/Zielke sept27.13

Repairs or alterations

132. (1) A local municipality may authorize the owner or occupant of land to enter adjoining land, at any reasonable time, for the purpose of making repairs or alterations to any building, fence or other structures on the land of the owner or occupant but only to the extent necessary to carry out the repairs or alterations. 2001, c. 25, s. 132 (1).

Conditions

(2) The following apply to a power of entry under a by-law under this section:

1. The power of entry may be exercised by an employee or agent of the owner or occupant of land.
2. A person exercising the power of entry must display or, on request, produce proper identification.
3. Nothing in a by-law under this section authorizes entry into a building.
4. The owner or occupant shall provide reasonable notice of the proposed entry to the occupier of the adjoining land.
5. The owner or occupant of land shall, in so far as is practicable, restore the adjoining land to its original condition and shall provide compensation for any damages caused by the entry or by anything done on the adjoining land. 2001, c. 25, s. 132 (2).

6(1)(a)

**City of Sault Ste Marie
CLERK'S - ADMINISTRATION
For the Eight Months Ending August 31, 2013**

Department	August	YTD		Variance	Percentage		2012
		Actual	Budget		Budget-Ram	Actual	
REVENUE							
Fees and user charges	(\$5,640.00)	(\$38,880.00)	(\$48,000.00)	(\$9,120.00)	19.00%	(\$45,960.00)	
Government grants		(12,476.75)	(\$27,500.00)	(\$15,023.25)	54.63%	(\$1,256.85)	
Contribution from own funds			\$0.00	\$0.00	0.00%	(\$5,208.04)	
Other income	(47.75)	(390.75)	(\$1,800.00)	(\$1,409.25)	78.29%	(\$358.00)	
	(5,687.75)	(51,747.50)	(\$77,300.00)	(\$25,552.50)	33.06%	(\$52,782.89)	
EXPENDITURES							
Salaries	60,132.50	332,279.52	\$512,470.00	\$180,190.48	35.16%	\$452,860.57	
Benefits	12,034.03	81,788.61	\$108,265.00	\$26,498.39	24.47%	\$109,261.04	
Travel and training	1,016.58	5,502.20	\$5,790.00	\$287.80	4.97%	\$6,447.32	
Vehicle allowance, maintenance and repairs		123.77	\$200.00	\$76.23	38.12%	\$32.15	
Materials and supplies	3,964.55	28,992.60	\$46,755.00	\$17,762.40	37.99%	\$54,290.44	
Maintenance and repairs			\$400.00	\$400.00	100.00%	\$0.00	
Goods for resale		9,800.00	\$19,200.00	\$9,600.00	50.00%	\$19,200.00	
Financial expenses	0.01	244.70	\$0.00	(\$244.70)	0.00%	\$454.44	
Purchased and contracted services	1,232.31	1,615.18	\$18,050.00	\$16,434.82	91.05%	\$5,628.34	
Capital expense		142.45	\$2,000.00	\$1,857.55	92.88%	\$677.25	
	78,379.98	460,287.03	\$713,150.00	\$252,862.97	35.46%	\$848,751.55	
NET (REVENUE)/EXPENDITURE	72,692.23	408,539.53	\$635,850.00	\$227,310.47	35.75%	\$595,968.86	

6(1)(a)

**City of Sault Ste Marie
CLERK'S - OFFICE SERVICES
For the Eight Months Ending August 31, 2013**

Department	August	YTD Actual	YTD Budget	Variance	Percentage Budget-Ram	2012
						Actual
REVENUE						
EXPENDITURES						
Salaries	\$11,050.90	\$62,398.19	\$91,632.00	\$29,233.81	31.90%	\$90,400.89
Benefits	2,733.33	16,421.33	\$27,398.00	\$10,978.67	40.06%	\$22,041.34
Vehicle allowance, maintenance and repairs	50.97	276.45	\$350.00	\$73.55	21.01%	\$533.97
Materials and supplies	68.63	1,065.32	\$1,600.00	\$534.68	33.42%	\$1,328.42
Maintenance and repairs	790.71	1,839.93	\$3,150.00	\$1,310.07	41.59%	\$1,791.44
Rents and leases		987.08	\$7,850.00	\$6,862.94	87.43%	\$4,551.72
Purchased and contracted services	3,067.56	49,630.32	\$67,750.00	\$17,819.68	28.45%	\$74,587.13
Capital expense		421.48	\$2,500.00	\$2,078.54	83.14%	\$0.00
	17,760.10	133,240.06	\$202,230.00	\$68,989.94	34.11%	\$195,228.91
NET (REVENUE) EXPENDITURE	17,760.10	133,240.06	\$202,230.00	\$68,989.94	34.11%	\$195,228.91

6(1)(a)

City of Sault Ste Marie
ELECTION EXPENSE
For the Eight Months Ending August 31, 2013

Department	YTD		Variance	Percentage Budget-Rem	2012 Actual
	August	Actual			
REVENUE					
EXPENDITURES					
Materials and supplies		\$0.00	\$0.00	0.00%	\$345.88
Transfer to own funds	60,000.00	\$60,000.00	\$0.00	0.00%	\$60,000.00
	60,000.00	\$60,000.00	\$0.00	0.00%	\$60,345.88
NET (REVENUE)EXPENDITURE	60,000.00	\$60,000.00	\$0.00	0.00%	\$60,345.88

6(1)(a)

City of Sault Ste Marie
QUALITY MANAGEMENT
For the Eight Months Ending August 31, 2013

Department	August	YTD	YTD	Variance	Percentage	2012
		Actual	Budget		Budget-Rem	
REVENUE						
EXPENDITURES						
Materials and supplies		\$1,012.51	\$8,000.00	\$7,987.49	88.75%	\$1,373.76
Purchased and contracted services		176.00	\$29,250.00	\$29,074.00	99.40%	\$851.73
		1,188.51	\$38,250.00	\$37,061.49	96.89%	\$2,225.49
NET (REVENUE) EXPENDITURE		1,188.51	\$38,250.00	\$37,061.49	96.89%	\$2,225.49

City of Sault Ste Marie
HUMAN RESOURCES DEPARTMENT
For the Eight Months Ending August 31, 2013

Department	August	YTD		Variance	Percentage Budget-Rem	2012 <i>Actual</i>
		Actual	Budget			
REVENUE						
Government grants			(\$20,625.00)	(\$20,625.00)	100.00%	(\$2,513.70)
			(\$20,625.00)	(\$20,625.00)	100.00%	(\$2,513.70)
EXPENDITURES						
Salaries	78,624.28	427,015.05	\$664,482.00	\$237,466.95	35.74%	\$629,866.78
Benefits	47,355.17	323,600.16	\$479,585.00	\$155,984.84	32.52%	\$489,773.10
Travel and training	840.00	33,947.70	\$56,685.00	\$22,737.30	40.11%	\$32,726.70
Vehicle allowance, maintenance and repairs		332.10	\$1,000.00	\$667.90	66.79%	\$838.87
Materials and supplies	(6,464.31)	47,397.13	\$67,085.00	\$19,687.87	29.35%	\$83,676.74
Maintenance and repairs		1,538.97	\$4,500.00	\$2,961.03	65.80%	\$1,300.01
Purchased and contracted services	16,949.41	136,010.40	\$270,775.00	\$134,764.60	49.77%	\$169,402.78
Transfer to own funds			\$0.00	\$0.00	0.00%	\$28,757.60
Capital expense	73.00	6,665.43	\$11,500.00	\$4,834.57	42.04%	\$5,132.73
Depreciation			\$0.00	\$0.00	0.00%	\$2,467.35
	137,377.55	976,506.94	\$1,555,612.00	\$579,105.06	37.23%	\$1,443,942.66
NET (REVENUE)/EXPENDITURE	137,377.55	976,506.94	\$1,534,987.00	\$558,480.06	36.38%	\$1,441,428.96

6(1)(a)

6(1)(a)

**City of Sault Ste Marie
LEGAL ADMINISTRATION
For the Eight Months Ending August 31, 2013**

Department	August	YTD		Variance	Percentage		2012 Actual
		Actual	Budget		Budget-Ram	Actusel	
REVENUE							
Fees and user charges	(\$17,357.82)	(\$771,557.29)	(\$842,965.00)	(\$71,407.71)	8.47%	(\$973,999.06)	
Other income		(50.00)	\$0.00	\$50.00	0.00%	(\$100.00)	
	(17,357.82)	(771,607.29)	(\$842,965.00)	(\$71,357.71)	8.47%	(\$974,099.06)	
EXPENDITURES							
Salaries	47,950.84	270,117.28	\$420,240.00	\$150,122.72	35.72%	\$422,271.85	
Benefits	10,480.24	70,581.20	\$105,026.00	\$34,464.80	32.82%	\$88,716.39	
Travel and training		2,017.53	\$4,585.00	\$2,567.47	56.00%	\$3,063.34	
Materials and supplies	1,209.32	9,832.43	\$27,100.00	\$17,267.57	63.72%	\$18,384.01	
Maintenance and repairs			\$0.00	\$0.00	0.00%	\$216.87	
Taxes and licenses		26,415.38	\$43,420.00	\$17,004.62	39.16%	\$40,571.98	
Purchased and contracted services	383.39	4,684.93	\$39,400.00	\$34,705.07	88.08%	\$18,200.63	
Transfer to own funds		122,097.17	\$275,200.00	\$153,102.83	55.63%	\$305,392.24	
Capital expense			\$1,500.00	\$1,500.00	100.00%	\$1,011.35	
	60,023.79	505,735.92	\$916,471.00	\$410,735.08	44.82%	\$905,828.66	
NET (REVENUE)/EXPENDITURE	42,685.97	(265,871.37)	\$73,506.00	\$338,377.37	481.70%	(\$68,270.40)	

6(1)(a)

**City of Sault Ste Marie
LEGAL POA ADMINISTRATION
For the Eight Months Ending August 31, 2013**

Department	August	YTD	YTD	Variance	Percentage	2012 Actual
		Actual	Budget		Budget-Ram	
REVENUE						
Fees and user charges	(\$349,311.00)	(\$1,174,844.94)	(\$1,300,000.00)	(\$125,155.06)	9.63%	(\$1,062,091.66)
Investment income	(1,019.25)	(9,125.28)	\$0.00	\$9,125.28	0.00%	(\$8,878.20)
	(350,330.25)	(1,183,970.22)	(\$1,300,000.00)	(\$116,029.78)	8.93%	(\$1,070,969.86)
EXPENDITURES						
Salaries	33,319.00	184,308.33	\$236,861.00	\$52,552.67	22.19%	\$368,216.02
Benefits	6,844.10	44,292.02	\$46,137.00	\$1,844.98	4.00%	\$88,277.73
Travel and training	425.18	1,798.23	\$3,380.00	\$1,591.77	46.95%	\$2,858.66
Materials and supplies	7,008.81	15,257.16	\$30,460.00	\$23,202.82	60.33%	\$126,995.87
Rents and leases	4,813.91	44,607.16	\$12,700.00	(\$31,907.16)	(251.24%)	\$43,899.19
Purchased and contracted services	10,267.66	34,214.61	\$83,000.00	\$28,785.39	45.69%	\$81,409.10
Capital expense			\$2,000.00	\$2,000.00	100.00%	\$1,403.10
	62,678.67	324,477.53	\$402,548.00	\$78,070.47	19.39%	\$712,859.67
NET (REVENUE) EXPENDITURE	(287,651.58)	(859,492.69)	(\$887,452.00)	(\$37,959.31)	4.23%	(\$358,110.19)

6(1)(a)

**City of Sault Ste Marie
LEGAL POA PROSECUTION
For the Eight Months Ending August 31, 2013**

Department	August	YTD	YTD	Variance	Percentage	2012 Actual
		Actual	Budget		Budget-Rem	
REVENUE						
EXPENDITURES						
Salaries	\$13,709.43	\$78,119.33	\$130,907.00	\$52,787.67	40.32%	\$903.10
Benefits	3,135.93	22,692.03	\$14,852.00	(\$7,840.03)	(52.79%)	(\$25.25)
Travel and training	308.66	1,481.84	\$4,255.00	\$2,773.16	65.17%	\$1,807.54
Vehicle allowance, maintenance and repairs			\$250.00	\$250.00	100.00%	\$0.00
Materials and supplies	167.97	2,025.32	\$6,570.00	\$4,544.88	69.17%	\$4,555.57
Purchased and contracted services	30.96	2,749.04	\$15,600.00	\$12,850.96	82.38%	\$3,796.40
Capital expense			\$500.00	\$500.00	100.00%	\$1,368.49
	17,353.15	107,067.56	\$172,934.00	\$65,866.44	38.09%	\$12,405.85
NET (REVENUE)EXPENDITURE	17,353.15	107,067.56	\$172,934.00	\$65,866.44	38.09%	\$12,405.85

6(1)(a)

City of Sault Ste Marie
LEGAL POA COURT
For the Eight Months Ending August 31, 2013

Department	August	YTD		Variance	Percentage		2012 Actual
		Actual	Budget		Budget-Ram		
REVENUE							
EXPENDITURES							
Travel and training			\$500.00	\$500.00	100.00%		\$0.00
Materials and supplies	495.13	4,916.18	\$6,500.00	\$1,583.81	24.37%		\$4,203.92
Purchased and contracted services	25,209.79	66,445.82	\$137,100.00	\$70,654.18	51.53%		\$166,271.51
Capital expense		255.15	\$5,000.00	\$4,744.65	94.90%		\$5,369.31
	25,704.92	71,617.16	\$149,100.00	\$77,482.84	51.97%		\$175,844.74
NET (REVENUE) EXPENDITURE	25,704.92	71,617.16	\$149,100.00	\$77,482.84	51.97%		\$175,844.74

6(1)(a)

City of Sault Ste Marie
LEGAL INSURANCE
For the Eight Months Ending August 31, 2013

Department	August	YTD Actual	YTD Budget	Variance	Percentage Budget-Ram	2012 Actual
REVENUE						
	=====	=====	=====	=====	=====	=====
EXPENDITURES						
Taxes and licenses	\$13,137.95	\$1,513,694.83	\$1,561,820.00	\$48,125.17	3.08%	\$1,639,632.03
	13,137.95	1,513,694.83	\$1,561,820.00	\$48,125.17	3.08%	\$1,639,632.03
NET (REVENUE)/EXPENDITURE	13,137.95	1,513,694.83	\$1,561,820.00	\$48,125.17	3.08%	\$1,639,632.03

6(6)(a)

Jerry D. Dolcetti, RPP
Commissioner

Donald B. McConnell, MCIP, RPP
Planning Director



Celebrate 100!
1912 - 2012

ENGINEERING & PLANNING DEPARTMENT

Planning Division

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

2013 10 07

**Mayor Debbie Amaroso and
Members of City Council**

RE: Downtown Development Initiative – Phase 2

PURPOSE

The purpose of this report is to inform Council on a proposed Downtown revitalization strategy and to provide an assessment of the previously approved Downtown Development Initiative.

BACKGROUND

On April 16, 2007, City Council approved a Downtown Community Improvement Plan (CIP). The Plan was a policy framework, which identified a number of program initiatives to help revitalize this important area of the community. The Plan attempted to enhance the competitive viability of the downtown, by encouraging both private sector investment and public capital improvements.

As part of the 2007 Plan, City Council had authorized \$285,000 for this initiative. The authorized funding assisted in securing an additional \$570,000 from the Ministry of Agriculture, Food and Rural Affairs (OMAFRA) and \$500,000 from FedNor. The total budget for the 2007 Downtown CIP implementation was \$1,355,000.

The 2007 program concluded in March 2012 and was tremendously successful in leveraging approximately \$20 million of private sector investment into the Downtown area, \$12 million of which was directly attributed to the Downtown CIP.

The 2013 Downtown Community Improvement Plan is based upon the success of the original 2007 Plan. Given the success of the original 2007 DCIP, Council, by way of resolution (March 22, 2010), has initiated staff to continue the revitalization efforts for the Downtown. Council has also passed a resolution (March 9, 2009) regarding the on-going loss of occupied office space and has asked staff for strategies to encourage the re-use of Downtown vacant space.

The Growth Plan for Northern Ontario also provides an outline for the development of strategic core areas and states that; core areas should develop a revitalization strategy that includes targeted approaches to support the revitalization, intensification and the prioritization of opportunities for the redevelopment within the core areas.

This current DCIP builds on the successes of the original CIP, but also seeks to enhance residential development opportunities and address the overall public realm throughout the Downtown.

ANALYSIS

As part of the 2007 Downtown CIP, City Council awarded Private Sector Assistance grants and tax rebates. The successful projects ranged from new residential buildings, to store front façade improvements and upper floor office refurbishments. The grant requests and work done is a sign of the success this initiative achieved in generating new investment and enhancing the built form of the Downtown area.

Of the total \$1.355 million implementation budget, \$602,500 was dedicated towards the Private Sector Assistance grant programs. The following is what had been committed to successful grant applicants:

Private Sector Assistance Program	Budget Amount	Total Number of Grants to Date	Funding Committed
Architectural Design Assistance Program (ADAP)		41	\$69,153
Building Restoration and Improvement Grant (BRIG)		27	\$306,062
Façade Improvement Grant (FIG)		34	\$204,837
Project Feasibility Study Grant (PFSG)		7	\$21,250
Municipal Tax Increment Rebate Program (MTIR)		4	Forgone Revenue
Totals:	\$602,500	113	\$601,302

Private Sector Assistance Programs

The Private Sector Assistance Programs were tremendously successful. With the completed projects, the total investment into the Downtown during the course of the 2007 program was over \$12.2 million. The grants provided a significant incentive for property and business owners to undertake much needed building improvements and

have brought new energy to the Downtown area. As a result of the new development, a Private/Public investment ratio of approximately 9 to 1 had been achieved (\$12.2 million from private investments: \$1.355 million from City/RED/FedNor). Over the course of this program, over 100 grants were awarded to approximately 68 business and property owners.

In addition to the above mentioned grant programs, 4 developments had been approved under the Municipal Tax Increment Rebate program, two of which were constructed (a condominium building at 719 Bay Street and an apartment building at 723 Bay Street).

The PUC had also contributed \$100,000 in funding toward building improvements that related to electricity conservation. 17 applications had been approved under this program.

Public Sector Capital Improvements

As part of the original 2007 Downtown Development Initiative study, a number of public sector capital improvements were identified. Pedestrian laneways, which provide important connections between parking areas and Queen Street, the main commercial corridor through downtown were identified as priorities. To facilitate the improvements, IBI Group (a land use and design consultant who worked on the original Downtown study) was retained to develop concept and construction drawings for three laneways: Queen Street/King Street Laneway; Queen Street/March Street, and; Paul Mall Laneway. A second initiative, identified by the Downtown Association, was a feasibility analysis of an expanded Farmers Market.

In 2009, the City was successful in obtaining \$500,000 from FedNor for the Downtown Development initiative. FedNor's contribution was applied solely to the pedestrian laneway improvements and the farmers' market study.

In December 2011, the three identified pedestrian laneways were completed and enhanced in terms of landscaping, visual appeal and safety. As well in 2011, the farmers' market study had been completed outlining the need for an expanded market in terms of both number of vendors and variety of products. The study also identified a number of key locations in the downtown that could accommodate a possible expanded farmers' market operation.

Next Steps

In March, 2010, City Council requested that staff proceed with the review of possible next steps for the continued revitalization of the Downtown area. Since that time, Planning staff has collaborated with both City staff and the Downtown Association on identifying key issues and establishing a number of priority items for a future Downtown revitalization strategy.

One of the main issues that Downtown continues to face is commercial vacancies. Many buildings within the Downtown area are being underutilized and are in need of redevelopment or re-use. The proposed 2013 Downtown Community Improvement Plan

(DCIP) aims to encourage major new development and provide incentives for property owners to restore the condition of existing buildings. The restoration of these once vibrant buildings within the Downtown area will create a catalyst for new development in the heart of the city and will help address the issue of declining assessment values in the Downtown.

The goal of this current DCIP is to allow the Downtown to remain commercially viable for new businesses and to serve as a competitive commercial area in the community.

Another aim is to foster a greater mix of higher density residential development. The purpose of residential units within the Downtown is to stabilize the neighbourhood population and allow for more pedestrian traffic. Additionally, residents within the Downtown will serve as a primary customer base for businesses within the area. With a more dense population throughout the Downtown, it will boost the Downtown economy and increase the rate of investment within the area.

As part of this current Downtown Development Initiative, a number of stakeholders, including the Downtown Association, City staff and the EDC have assessed the relevant issues facing the Downtown today. Overall the critical issues focus on:

1. Redevelopment of underutilized, derelict sites and areas
2. Deficiency of recreational and green spaces within the Downtown
3. Lack of new higher density residential development
4. Need to establish a sense of place within the Downtown
5. Loss of Downtown status as a competitive commercial area

Draft DCIP

Attached to this report is a DRAFT Downtown Community Improvement Plan that aims to address the items outlined above. The main action items proposed include: Private Sector Financial Incentive Programs; Encouraging the Redevelopment of Underutilized Sites, and; Cultivating a "Sense of Place"

Financial Incentive Programs

The 2013 DCIP identified a need for financial incentive programs to stimulate and leverage private sector investments. These incentive programs are meant to act as a catalyst to encourage private sector investment in the Downtown. These incentives will be reviewed by a Downtown Steering Committee and will require final approval from City Council.

As part of this plan, two types of financial incentive programs are proposed: a Tax Increment-Equivalent Grant Program, and; Building and Façade Improvement Grants

Tax Increment-Equivalent Grant Program

A Tax Increment Equivalent Grant (TIEG) is generally delivered as a "pay as you go" grant - meaning the owner is responsible for the up-front remediation and redevelopment costs. Each eligible year, the owner must pay the property taxes in full. Grants are equal to a percentage of the municipal tax increment on a declining rate basis for a maximum 5 year period. When an approved project is complete, a grant will be paid annually by the City to the eligible applicant following the full payment of property taxes.

Under the 2013 DCIP, two tax incentive zones are proposed: one targeting the Gore Street and west section of Queen Street East, and second targeting the remainder of the Downtown. The incentive for each zone is outlined in the table below:

Time Period	Gore Street, west Queen Street East area.	Remainder of Downtown
Year 1	100%	100%
Year 2	100%	75%
Year 3	100%	50%
Year 4	100%	25%
Year 5	100%	

A minimum investment of \$500,000, and which will result in an increase in municipal assessment, will be required to be eligible for the tax grant.

Building and Façade Improvement Grants

The Building Improvement Grant Program is a matching grant program for interior renovations to non-residential properties (commercially zoned) to promote functional improvements or changes in use as permitted under the Zoning By-law. The grant is designed to promote the re-use of buildings, use of second floors for commercial or residential uses and to create sustainable buildings capable of providing a competitive location for commercial activity. Property improvements can include partial or full conversion to residential uses subject to the provisions of the Zoning By-law.

The Building Improvement Grant is based on a matching funds basis, and provides grants up to \$17,500 or a maximum of 50% of eligible costs, whichever is the lesser.

The Façade Improvement Grant Program is a matching grant program for exterior renovations to non-residential properties to promote aesthetic improvements consistent with established design guidelines prepared as part of the Community Improvement Plan. The grant is designed to promote additional improvements in façade treatment by

property owners that otherwise may not occur due to cost premiums associated with these improvements.

The Facade Improvement Grant is based on a matching funds basis, and provides grants up to \$12,500 (minimum grant of \$2,000) or a maximum of 50% of eligible costs, whichever is the lesser.

For both grants, if the property is sold or interest in the granted property is transferred (in part or in whole) within one year of the completed building improvements, full repayment of the grant will be required. The grant will be determined based on the overall investment, quality, and significance of the improvement to the Downtown Area.

Developing Underutilized Sites

There are five key sites identified in this plan which will benefit from the proposed incentives and targeted expenditures outlined in the DCIP. The overall goals for these sites include:

- Encourage adaptive re-use approach, reusing a site or building for a purpose other than which it was built or designed for;
- Promote post-secondary institution clusters in the Downtown (i.e. satellite campuses, residences, facilities, etc.); and
- Encouraging a high standard of urban design to ensure signature development along the City's Waterfront and throughout the Downtown.

The five specific sites identified are: Blueforest Ventures Inc. (former St. Mary's Property) Redevelopment site, Gateway Site, Suncor Property, Former Sault Area Hospital (SAH) site, and the Former Northern Breweries site. For all five sites, the City will proactively work to facilitate the redevelopment or re-use of these sites.

With respect to the former St. Mary's and Gateway sites, Council has already initiated an urban design study to facilitate development in the Canal District area, in an effort to ensure the proposed developments complement one another and facilitate integration within the larger Downtown area.

Cultivate a "Sense of Place"

To attract new private sector investment, it is recommended that targeted capital improvements throughout the Downtown encourage a "Sense of Place". "Sense of Place" is often referred to as a place that is unique from other places or cities, authentic, or generally instils a certain positive feeling within people experiencing that place.

To cultivate a sense of place, it is recommended that streetscape improvements be implemented throughout the Downtown, specifically along Gore Street and Queen Street. In addition, it should be noted that a number of Downtown roads are slated for either reconstruction or resurfacing in the next five years. As part of these improvements, streetscape elements should be included in the overall works.

Included in the 2013 DCIP is an allowance to conduct streetscape planning and to initiate streetscape improvements along Gore Street and Queen Street. For Gore Street, it is envisioned that capital improvements be implemented within the boulevards, including such works as new curbs, wider sidewalks, landscape features, benches, bike racks, garbage bins, etc. For Queen Street, new streetscape furniture is proposed to modernize the pedestrian amenities and to address a lack of garbage and recycling bins, as well as the lack of resting and gathering areas along this corridor.

For all public realm improvements, the goal is to encourage age-friendly built form that promotes pedestrian travel, as well as opportunities for gathering or rest. In addition, these improvements will instill confidence in the private sector when making major investments into the Downtown.

Sense of place is also cultured by ensuring property standards are properly maintained. To this effect, the City needs to proactively enforce property standards to ensure properties are maintained in a manner that aesthetically pleasing and do not pose a risk to the general public.

IMPACT

Staff estimates that the total cost to implement the proposed 2013 DCIP is \$2,535,000, of which, \$600,000 is estimated to come from matching private sector investment. It is also anticipated that these initiatives will foster a tremendous amount of additional new construction and will result in increased tax revenue for the municipality.

To move forward on the implementation of this current DCIP, Planning staff is requesting \$300,000 from the Economic Development Fund. This funding will be used to lever additional funding from both NOHFC and FedNor. As part of the DCIP analysis, City staff met with both NOHFC and FedNor on the proposed Downtown initiatives. Both agencies were supportive of the strategy and recommended applying for an initial Stage One funding applications. As well, the Downtown Association has committed \$35,000 towards the implementation of this program.

STRATEGIC PLAN

It has been identified by the City of Sault Ste. Marie Corporate Strategic Plan, Strategic Direction 1: Developing Solid Infrastructure, Objective 1-C Property Management and Development, that phase two of the Downtown Development Initiative be prepared and implemented as an integral part of the strategic direction of Sault Ste. Marie.

SUMMARY

The 2013 DCIP attempts to build on the success of the original 2007 Downtown plan by seeking to encourage private sector investment, and foster a sense of place that is unique and supports pedestrian and age-friendly design. Planning staff are submitting this report and the DRAFT plan as information for Council's review. Planning staff are now asking for Council's support to host public open house sessions to gain input from

community residents, and to proceed with Stage one funding applications to both FedNor and NOHFC in support of the overall implementation strategy.

As part of this process, City staff will also conduct the required consultation with the Ministry of Municipal Affairs and Housing. Once the open houses and consultation has been completed, and the applications reviewed, Planning staff will report back to Council, requesting formal adoption of the DCIP, as well as the required City funding needed for implementation.

RECOMMENDATION

That City Council accept this report as information, and authorize City staff to conduct public open house sessions, in cooperation with the Downtown Association, to gather public input on the proposed DCIP, and to authorize staff to proceed with stage one applications to both FedNor and NOHFC for possible funding partnerships on the proposed DCIP.

Respectfully submitted,



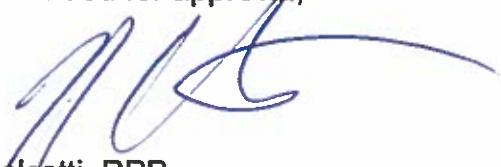
Stephen Turco, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

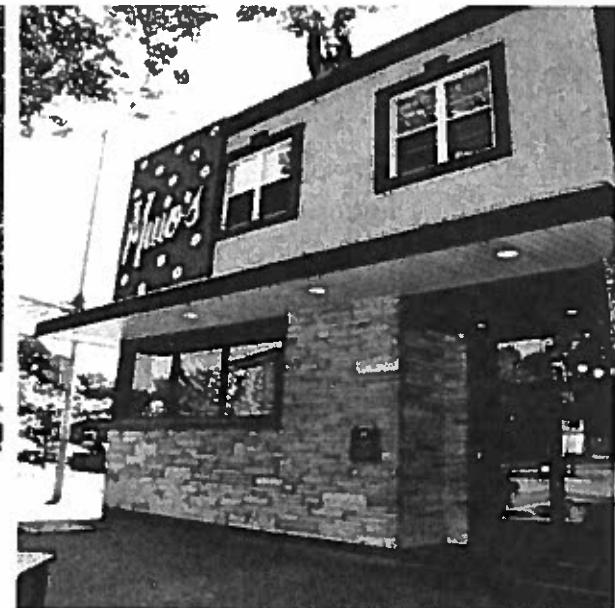


Jerry Dolcetti, RPP
Commissioner Engineering & Planning

ST/ps

attachment(s)

6(6)(a)



Sault Ste. Marie

Downtown Community Improvement Plan

August 2013

DRAFT

Enacted by-law number (date passed)

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1.0 Introduction

Community improvement planning is one of the most effective sustainable community planning tools found in the Planning Act that can help municipalities address challenges. It provides a means of planning and financing development activities that effectively use, reuse and restore lands, buildings and infrastructure.

The following Downtown Community Improvement Plan (DCIP) has been prepared to allow the City of Sault Ste. Marie to use authorities legislated through section 28 (7) of the *Planning Act* and Section 365.1 of the *Municipal Act* to use grants, loans and tax increment financing to registered or assessed owners of lands and buildings within the designated area. This authority allows the City to develop innovative approaches and financial incentives to spark redevelopment, leverage private sector investment and strategically target municipal capital improvements.

1.1 Background

Over several years, Downtown's prominence as the main commercial centre has diminished due to growth and commercial investments elsewhere in the community. Specifically, with the introduction of large-format retail, and the relocation of the Sault Area Hospital from the Downtown to the northern part of the city, the Downtown has suffered to maintain itself as the business, administrative and cultural centre of the community.

The decline in the Downtown is economical, as seen with the falling assessment values, but also psychological, as community residents view the downtown as unsafe, and no longer the centre of attraction. Both of these phenomenon's serve to detract new investment into the Downtown area.

The current situation, however, brings forth a tremendous opportunity for the Downtown to evolve, not just into a thriving commercial centre, but into a vibrant and sustainable mixed use neighbourhood, where a variety of people live, and the commercial activity serves as a place for people to work, obtain services and socialize within close proximity of their homes. As part of this evolution, Downtown can transform itself, and regain its prominence as "the place to be" for the entire community and the region.

Like many other downtowns across North America, Downtown Sault Ste. Marie continues to struggle. Currently, there is little financial motivation to invest in the Downtown, given declining assessment values. This in turn, makes it less feasible for existing business and property owners to re-invest into established businesses and aging buildings.

And with newer forms of retail and offices throughout the community, Downtown continues to struggle with chronic vacancies, with large concentrations seen in the Gore Street and west

Queen Street area. The Downtown residential areas also struggle with a lack of varying income levels throughout the neighbourhood population.

The health of a downtown is a reflection of the overall well-being of a city. It is for this reason the Downtown core must be revitalized and restored to its full potential and serve as a community node for work, shopping and living as it was in past years.

To succeed the Downtown can no longer be thought as a “commercial centre” but more as a mixed use neighbourhood where living, working and leisure activities and uses are all intertwined in the urban fabric of the area. Uses and activities that are beyond the “9 to 5” must be encouraged to bring and keep people in the downtown during the day and evenings.

The hallmark of any successful downtown is a healthy, stable residential population that is made up a variety of household sizes and income levels. To this end, new, higher density residential must be encouraged to create a vibrant downtown. A healthy residential population animates the streets and sidewalks with activity and creates a critical market for the existing and new downtown businesses and services.

Residential development is essential for the long-term success of the Downtown. However, it is important for the Downtown business community to stay relevant and sustainable in order to serve the demands of a Downtown neighbourhood and the community as a whole. The success of the business community will serve many larger objectives. First, the commercial businesses will be a key source of goods and services for the downtown population, the City and the region. Second, expanded or new commercial establishments will generate economic activity that will sustain and create jobs in the Downtown and increase commercial assessment values for the City. Third, a thriving commercial downtown will foster the ability to support a neighbourhood where one can live and work within close proximity, reducing the need to utilize an automobile for employment purposes.

To spur both residential and commercial development, it is vital to cultivate a “sense of place” where the Downtown creates a unique feeling for those that experiencing the area. Elements that encourage the use of the public realm must be supported to ensure that the Downtown becomes a vibrant and safe environment; a place that allows people of all ages and abilities gather and socialize within the Downtown area.

The DCIP is meant to stimulate revitalization within the downtown and encourage renewal. The Plan also makes reference to a defined list of targeted revitalization areas to help investors in recognizing potential project areas that will nurture Downtown restoration.

The entirety of this plan is developed in coordination with the Sault Ste. Marie Official plan and Zoning By-Law. This plan also exercises the City’s authorities through Provincial Planning

Legislation to use grants, loans and tax increment financing made to registered or assessed owners of lands and buildings within the designated project area.

1.2 Legislative Authority

Section 28 of the Planning Act and Section 365.1 of the Municipal Act allows municipalities to issue grants or loans, or provide property tax assistance to registered owners, assessed owners or tenants of lands within a Community Improvement Plan (CIP) Project Area.

Section 28(2) of the Planning Act and Part VII (Implementation) of the City's Official Plan allows City Council to designate the whole or any part of the area covered by the Official Plan as a Community Improvement Project Area. On February 6, 2006 City Council approved By-law 2006-32 to designate the entire municipality as a Community Improvement Project Area.

Powers available to municipalities for community improvement purposes, as legislated by the Planning Act and the Municipal Act include:

- Acquiring, holding, clearing, grading or otherwise preparing land for community improvement (s. 28(3)).
- Constructing, repairing, rehabilitating or improving buildings on municipal land (s. 28(6)(a)).
- Selling, leasing or otherwise disposing of municipal land (s. (28(6)(b)).
- Providing grants or loans to owners, tenants and their assignees within the community improvement area to pay the whole or any part of identified eligible costs (ss. 28(7) and (7.1)).
- Providing property tax assistance for redevelopment purposes (s. 28(7.3) by reference to s. 365.1 of the Municipal Act, 2001)

This Downtown Community Improvement Plan has been prepared as permitted by Section 28(4) of the Planning Act and includes the authority for City Council to provide grants or tax rebates, in conformity with the Community Improvement Plan, to registered owners, assessed owners and tenants of lands and buildings within the Community Improvement Project Area for eligible costs as permitted by Section 28(7) of the Planning Act.

Public Notice of City Council's intent to adopt the Downtown CIP will be published in accordance with Section 28(5) of the Planning Act.

1.3 Enabling Official Plan Policies

The City of Sault Ste. Marie Official Plan places high priority on the enhancement of the Downtown. Specific community improvement policies are provided in Section 6.9 of the City of Sault Ste. Marie Official Plan. As an objective for community improvement, the Official Plan states that "Council may by By-law designate an area or areas within the municipality as a 'Community Improvement Area'. Within areas so designated, Council may carry out such improvements to the land or structures and/or administer grants or loans in accordance with its

adopted improvement strategy for that area". As a result of the previous community improvement plans, the Downtown Area, as defined in Policy C.3 (SECTION 2.2), is designated as Community Improvement Plan Area.

The Official Plan sections: Part III - Economic Development, Marketing; Part VI - Social Development, Housing; Part VI - Physical Development - Built Environment, Urban Design and Commercial Land Use; outline the specific policies relevant to the Downtown, and are outlined as follows;

Downtown's Regional Significance

MR.1: The City shall continue to develop and promote itself as an attractive, clean, culturally rich, friendly and safe community.

C.5: The Downtown area should be maintained as the primary administrative, business and cultural center of the community. Parks and other public facilities shall be permitted. Mixed use and high density residential development shall be permitted. Construction of major office buildings outside of the Downtown area shall be discouraged and new office buildings shall be encouraged to locate in the Downtown core.

Residential Development a key for Downtown

C.8: The Downtown area includes an established residential area. Substantial residential structures should be preserved. Existing residential development should be maintained and improved where practical. New residential development may be permitted on lands designated Commercial within the Downtown are subject to zoning By-law approval.

C.9: Existing residential building in the Downtown may be converted to permit additional units or for limited commercial uses where the abutting properties are of a similar use and adequate off street parking can be provided subject to Zoning By-law approval without an Official Plan amendment. Front yard parking shall be discouraged and removed where practical.

C.10: New development and redevelopment proposals should consider surrounding residential uses. Priority should be given to mixed land use projects.

Where new multi-storey residential development is proposed within the Downtown area, ground floor uses such as retailing and services will be encouraged within existing commercial areas.

HO.2: Innovative and alternative residential development standards supporting affordable housing and compact urban form shall be encouraged. However, climate and other local circumstances should not be neglected.

Improvements in the Design and Appearance of New and Existing Development

D.1: The physical form of the community shall be friendly and accessible to all users and development shall respect and reinforce the human scale. New development should be designed to integrate with the existing urban fabric. Development or redevelopment should replicate and/or respond to existing colour, texture, scale, and massing in order to harmonize with the existing streetscape rhythm and the relationship of uses.

D.2: Streetscape improvements and the upgrading of existing building facades, signage, sidewalk improvements, lighting, street furniture, parking areas and landscaping shall be encouraged.

D.6: A high standard of site design in strategic or prominent locations such as the downtown, along major arteries, at street intersections and at entrances to the City shall be promoted.

D.8: Site design shall consider the impact on street functions and pedestrian, cycling and vehicular access. The effects of traffic noise, vibration and odor shall be assessed.

D.15: Ground floors of buildings within the existing commercial areas of the Downtown will be used for retail or service uses wherever possible.

D.16: Built form, massing, scale, height and setbacks of new buildings or expansions will be compatible with the traditional physical character of the Downtown area. Wherever possible, uniform setbacks will be maintained.

D.17: Building densities which create higher density development will be encouraged in the Downtown area.

E.2: Infill development to maximize the use of existing services shall be encouraged.

E.3: Rehabilitation and retrofitting of existing buildings for improved energy efficiency shall be promoted.

1.4 Basis of the CIP

The 2013 Downtown Community Improvement Plan is based upon the success of the original 2007 Downtown CIP, which resulted in approximately \$20 million in private sector investment over the course of that program. Given the success of the original 2007 DCIP, Council, by way of resolution, has initiated staff to continue the revitalization efforts for the Downtown. Council has also passed a resolution regarding the on-going loss of occupied office space and has asked staff for strategies to encourage the re-use of Downtown vacant space.

The Growth Plan for Northern Ontario also provides an outline for the development of strategic core areas and states that; core areas should develop a revitalization strategy that includes targeted approaches to support the revitalization, intensification and the prioritization of opportunities for the redevelopment within the core areas.

This current DCIP builds on the successes of the original CIP, but also seeks to enhance residential development opportunities and address the overall public realm throughout the Downtown.

1.5 Purpose of the DCIP

The purpose of the DCIP is to establish consistency with the downtown vision for Sault Ste. Marie. The initiatives within the Downtown Community Improvement Plan are designed to attract private and public investment as well as promote upgrades and the restoration of existing buildings within the Downtown area.

Specifically the purpose of the DCIP is to:

- a) Establish a clear vision for the Downtown area with strategic goals and objectives for community improvement in the Downtown area;
- b) Define a set of financial incentive programs available to eligible property owners to stimulate and leverage private sector investment;
- c) Work with the companion Queen Street Urban Design Guidelines to ensure a high level of quality for development and restoration improvements;
- d) Develop an implementation and monitoring program for the Sault Ste. Marie Downtown Community Improvement plan.

1.6 Companion Urban Design Guidelines

The Downtown area, as defined in part VI – Physical Development – Built Environment, Section 2.32, Policy C.3, is an area of the community that is unique in terms of both built form and function.

To reflect this unique area, the Queen Street Urban Design Guidelines, will be enforced as a companion document to this CIP. The Guidelines are written as a tool to guide and evaluate future development, and to ensure that this development supports the community's vision for Queen Street and the Downtown.

The overall goal of the Queen Street Urban Design Guidelines is to support new residential and commercial development in a manner that is compatible with the physical form of Queen Street and the Downtown.

The purpose of the Urban Design Guidelines is to establish design principles and guidelines with respect to the built form, facades, streetscape, and open spaces, including, for example;

- Encourage the removal of contemporary finishes to uncover original building elements. The preservation and restoration of heritage features is the most direct way of preserving and maintaining Sault Ste. Marie's unique architectural characteristics along Queen Street;
- Continue the scale and form of the primary character buildings along Queen Street, through creating new commercial façades that are complementary to the character of the street;
- Celebrate a distinct Sault Ste. Marie through buildings and infrastructure which is authentic and reflects the City of Sault Ste. Marie's distinct character, recognizing the City's historical linkage between nature and industry including nautical, rail, and industrial heritage;
- Create physical and visual connections between existing activities or nodes and incorporate linkages to new amenities and Districts including both visual and physical connections;
- Promote green buildings and incorporate green infrastructure when investing public funds; and
- Ensure the proper design and effective use of the Downtown built environment to enhance the safety and well-being for all members of the community.

2.0 Sault Ste. Marie Community Improvement Strategy

2.1 Sault Ste. Marie's Critical Needs

One of the issues facing the Downtown is commercial vacancies. Many buildings within the Downtown area are being underutilized and are in need of redevelopment or re-use. The Downtown Community Improvement Plan aims to encourage new development and provide incentives for property owners to restore the condition of these once vibrant buildings. The restoration of the buildings within the Downtown area will create a catalyst for new development in the heart of the city and will help address the issue of declining assessment values in the Downtown.

A goal of the DCIP is to allow the Downtown to remain commercially viable for new businesses and to serve as a competitive commercial corridor, in light of big box development elsewhere in the community. The Downtown area thrives commercially because it provides a market place shopping "experience". It serves as an authentic place which urban design balances between natural and built heritage. It has the ability to accommodate new development and possesses a unique retail ambience that appeals as a destination for both residents and visitors of the city.

Another aim is to foster a greater mix of higher density residential development. The purpose of residential units within the Downtown is to stabilize the neighbourhood population and allow more pedestrian traffic. Additionally, residents within the Downtown will serve as a primary customer base for businesses within the area. With a more dense population within the downtown, it will boost the Downtown economy and increase the rate of investment within the area.

As part of this current Downtown Development Initiative, a number of stakeholders, including the Downtown Association and City staff assessed the relevant issues facing the Downtown today. Overall the critical issues focus on:

1. Redevelopment of underutilized, derelict sites and areas
2. Deficiency of recreational and green spaces within the Downtown
3. Lack of new higher density residential development
4. Need to establish a sense of place within the Downtown
5. Loss of Downtown status as a competitive commercial area

2.2 Sault Ste. Marie Community Improvement Project Area

The City of Sault Ste. Marie Downtown Community Improvement Plan applies to the Downtown area defined under the City of Sault Ste. Marie Official plan. The downtown is defined as those properties bounded by or with frontage on;

The north by:

- Wellington St, including those properties on Bruce Street south of Huron Central Railway

The east by:

- Church St.
- Queen St. E.
- The easterly property line of the former hospital lands (969 Queen St. E)

The south by:

- St. Mary's River waterfront

The west by:

- North St.
- Cathcart St.
- Albert St. W.
- Huron St, including the former St. Mary's Paper property.

The following map is the defined Downtown Community Improvement Area:



2.3 Goals and Objectives for Community Improvement

The goal of the Downtown Community Improvement Plan is to establish the downtown as:

- An attractive, vibrant, multi-functional urban center
- A focal area for investment in residential, employment, retail, entertainment, recreational, arts and cultural and major infrastructure developments.

Objectives:

- a) Use municipal resources to demonstrate leadership and forward thinking in the design (or redesign) and development (or redevelopment) of public buildings, spaces, parks, streets and infrastructure within the designated Community Improvement Project Area;
- b) Establish a vibrant and safe atmosphere in the Downtown by encouraging new investment in residential development, business retention and business start-ups;
- c) Provide for building rehabilitation and improvements to enhance the Downtown, and encourage revitalization or redevelopment through private investment;
- d) Provide incentives to eligible property owners to encourage and stimulate the design or redesign, development or redevelopment, construction and rehabilitation of privately or publicly owned buildings or properties within the Community Improvement Project Area; and
- e) Monitor the performance of the Downtown Community Improvement Plan on an on-going basis to ensure that the goals of the Community Improvement Plan are being met.

3.0 Community Vision for Downtown Area

The Downtown Vision for the Sault Ste. Marie Community as outlined in the 2007 Downtown Improvement Study is as follows:

1. More than main street – A “true” neighbourhood:

The Downtown is more than a Main Street (Queen Street). It is more than a place to shop or work; it is a desirable place to live, a place to come from – it is a “neighbourhood” in the most traditional sense. The Downtown neighbourhood is home to many generations, young and old. It is a desirable and welcoming place for all demographics; families, young professionals and retirees.

2. An Authentic Place:

The Downtown neighbourhood is a showpiece in the community but it is an authentic place that embraces and balances its natural and built heritage/history while accommodating the changing needs and preferences of the community.

3. A "24/7" Neighbourhood:

The Downtown is a neighbourhood that lives beyond the office hours of its office towers; the streets are not "rolled up" after 5p.m. The new Downtown neighbourhood will be alive and active during the day, in the evening, on weekends and throughout all seasons.

4. The Entertainment and Cultural Centre of The City:

The Downtown neighbourhood is the place that the community and its visitors go to entertain and be entertained. The Downtown is home to the community's premier visitor/tourist and cultural attractions as well as a variety of complementary services, facilities and events to entertain and fulfill individuals, families or couples for an afternoon or evening.

5. A Market Place Shopping Experience:

The commercial offerings of the Downtown neighbourhood provide a reprieve from the flash and pace of the fast growing commercial strips. Shopping in the Downtown is an interesting and leisurely experience of exploration and indulgence.

6. A Well-Connected Place:

The physical and visual connections of the Downtown neighbourhood are prominent and easy to understand. There are logical and convenient means for pedestrians and vehicles to move into and within the Downtown and its various activity and land use nodes.

7. A Safe Place

The Downtown is neighbourhood in which you feel safe and are safe. The new Downtown neighbourhood is known for its low incidence of crime, accidents and injuries. It feels safe and is safe to be out at night, to cross the street and walk along side streets and alleyways.

3.1 Municipal Leadership Strategy

It has been identified by the City of Sault Ste. Marie Corporate Strategic Plan, Strategic Direction 1: Developing Solid Infrastructure, Objective 1-C Property Management and Development, that phase two of the Downtown Development Initiative be prepared and implemented as an integral part of the strategic direction of Sault Ste. Marie.

3.2 City Benefits

The Downtown area has the potential to reassert itself as the economic, recreational and cultural center of the City. The concentrated size provides a more comfortable and less

overwhelming environment compared to areas dominated by auto-centric, big box retail corridors. The smaller size also makes the downtown more walkable with shorter distances between destinations. With the proper attention paid to streetscape, design amenities, and economic activities, these features can lend to the establishment of a strong sense of place. The significance of the Downtown can be illustrated as follows:

1. The central business district is a prominent employment center in Sault Ste. Marie. The downtown area employs thousands of people and is one the largest concentration of employment in the community.
2. The Downtown represents 22.43% of the community's overall commercial tax assessment and generated over \$5,310,000 in tax revenue in 2013 (See Appendix E). When compared to the remainder of the City, the Downtown's per acre assessment value and 2012 property taxes is more than 10 times that of the remainder of the City. If this district declines, property values in this area will decrease and would subsequently increase the tax burden on other parts of the community.
3. The Downtown is the historic core of Sault Ste. Marie. Many of the buildings are historically significant and help highlight the community's rich waterfront history.
4. Downtown represents a vast amount of public and private investment. The costs to recreate all the public infrastructure and buildings already existing in the central business district would be immense. There is a substantial cost to the currently underutilized downtown.
5. The Downtown is a government center. It is where City Hall, the Courthouse, and main post office are located as well as a number of other provincial and federal offices. These centralized locations for government services are a notable feature of the Downtown area.

3.3 Downtown Association

The Downtown Association is a group of local business and commercial property owners within the defined Downtown who have collaborated with the City, and seek to create thriving, competitive and safe business area that will attract shoppers, diners, tourists and new businesses. By working together as a Business Improvement Area (BIA), local business have the organizational and funding capacity to be catalysts for civic improvement, enhancing the quality of life in their local neighbourhood and the City as a whole.

The Association is run by a volunteer Board of Management elected from its members at an Annual General Meeting. The Board works on behalf of its BIA and meets regularly to develop budgets, set priorities, implement capital improvements, plan festivals and promote its business area.

The Downtown Association BIA is committed to improving and promoting downtown Sault Ste. Marie through investment, advocacy and events to ensure the area is a great place to work, live, shop, dine and visit.

The BIA is funded through a special tax levy that is collected from all commercial and industrial property within the BIA's boundary by the municipality and passed on entirely to the BIA organizations. Calculation of this levy is based on the proportionate value of each property's commercial and/or industrial assessment.

3.4 Public Open House Results

TBD

4.0 Financial Incentive Programs

4.1 Purpose

The City of Sault Ste. Marie Downtown Improvement Study identified a need for financial incentive programs to stimulate and leverage private sector investments. This DCIP outlines a framework for the several incentive programs offered in this plan. These incentive programs are meant to act as a catalyst to encourage private sector investment in the Downtown. The availability of these programs and incentives will be evaluated and decided upon by City Council.

This Plan outlines the following financial incentive programs:

- Tax Increment-Equivalent Grant Program;
- Building and Façade Improvement Grant

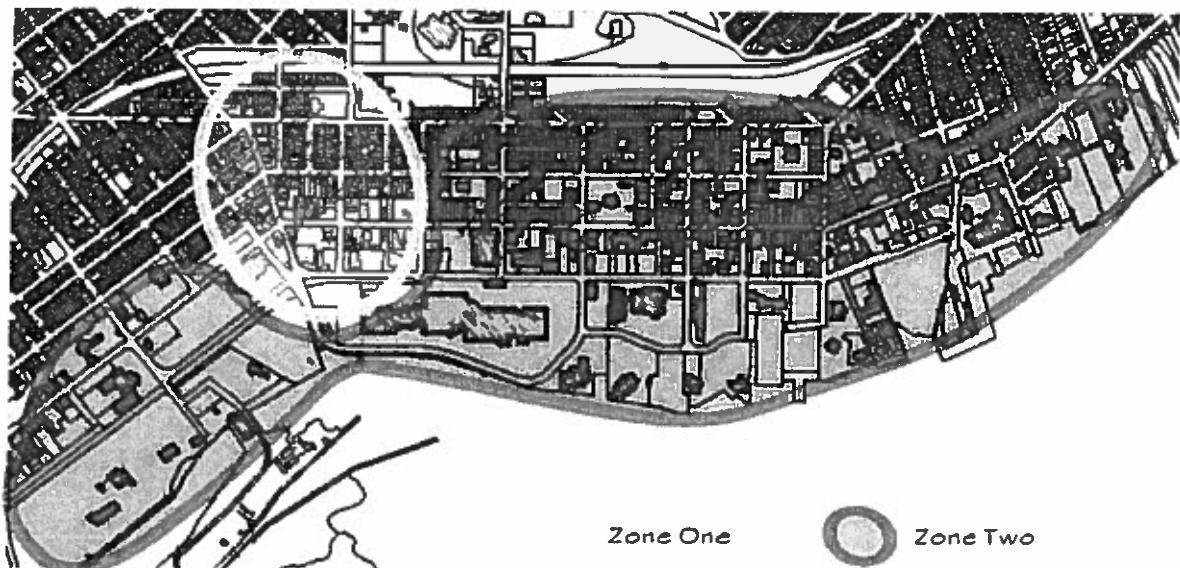
4.2 Tax Increment-Equivalent Grant Program

A Tax Increment Equivalent Grant (TIEG) is generally delivered as a "pay as you go" grant - meaning the owner is responsible for the up-front remediation and redevelopment costs. Each eligible year, the owner must pay the property taxes in full. Afterward, the municipality will provide to the registered owner a grant equal to a portion of the tax increment.

A TIEG is a favourable incentive with little expense to the City. The subject sites underutilized today make a tax contribution which reflects their current depressed value. Without an incentive to invest, the situation may be unlikely to change. While the municipality forgoes the tax increases of redeveloped property in the short term, the investment will spawn economic activity, much needed housing mix and will eventually contribute to a higher level of taxation.

Grants are equal to a percentage of the municipal tax increment on a declining rate basis for a maximum 5 year period. When an approved project is complete, a grant will be paid annually by the City to the eligible applicant following the full payment of property taxes. In year one, the grant to the approved applicant may equal 100% percent of the incremented taxes for the subject property. Year 1 is defined as the first full calendar year in which taxes are paid after the project has been completed and reassessed.

The grant amount for Zone One (Map Below) will include additional incentives throughout the grant program in the form of a 100% rebate each program year. Zone One is addressed as a targeted improvement area within the Downtown and of this Community Improvement Plan. The additional rebate for Zone One is meant to concentrate development on Gore Street and the section of Queen Street between Dennis Street and Gore Street (see Zone One boundary on Appendix A).



The grant amount for Zone Two in this program shall not exceed 100% of the increase in the municipal portion of the taxes in year one, decreasing to 75% in year two, 50% in year three, and 25% in year four. The grant amount for Zone Two was established to encourage infill projects, new development and enhancing the overall vibrancy of the Downtown (see Zone Two boundaries on Appendix A).

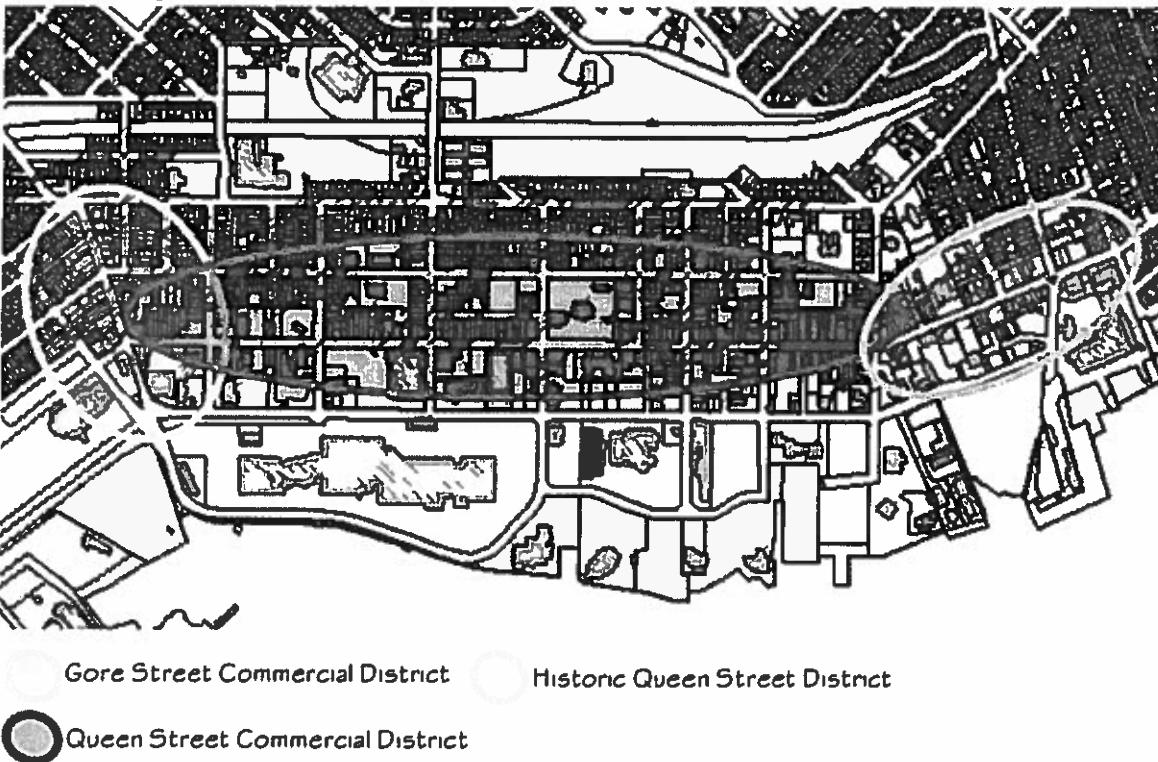
The maximum payment schedule for all DCIP Tax Grants is as follows:

Time	Zone One	Zone Two
Year 1	100%	100%
Year 2	100%	75%
Year 3	100%	50%
Year 4	100%	25%
Year 5	100%	

In addition, eligible program participants may apply for cancellation of the educational portion of property taxes through the Province of Ontario's Brownfields Financial Tax Incentives Program (BFTIP). Provision of tax assistance for the education portion of a property tax increase is subject to an application by the City to the Ministry of Municipal Affairs and Housing. Provision of the tax assistance for the educational portion of a property tax increase is limited to those costs associated with remediation.

4.3 Private Sector Assistance Programs

4.3.1 Target Areas



4.3.2 Building Improvement Grant Program

The Building Improvement Grant Program is a matching grant program for interior renovations to non-residential properties (commercially zoned) to promote functional improvements or changes in use as permitted under the Zoning By-law. The grant is designed to promote the re-use of buildings, use of second floors for commercial or residential uses and to create sustainable buildings capable of providing a competitive location for commercial activity. Property improvements can include partial or full conversion to residential uses subject to the provisions of the Zoning By-law.

The Building Improvement Grant is based on a matching funds basis, and provides grants up to \$17,500 or a maximum of 50% of eligible costs, whichever is the lesser. The grant amount will be determined on the overall investment, quality, and significance of the improvement to the Downtown Area.

	Major Improvements	Design
Grant Amount (Maximum)	\$15,000 or 50% of the eligible costs (whichever is the lesser)	\$2,500 or 50% of the eligible costs (whichever is the lesser)

Eligible projects include: Privately owned, commercial zoned property owners or tenants (with owner's authorization) located in the Downtown Community Improvement Policy Area.

Eligible costs for the Building Improvement Grant program include costs borne by the property owner relating to materials, labour, equipment and professional fees associated with building restoration, improvement, renovation, minor building additions and barrier free improvements to the interior of the building and its major building systems (e.g. HVAC systems).

Prior to the issuance of any approved grant, all eligible costs must be paid in full by the owner/tenant. A copy of all invoices will be required prior to the issuance of the grant. In addition, all renovations/improvements must ensure that all required building permits are obtained (cost of building permits are not an eligible expense under this program) and finalized (occupancy permit) before the grant will be disbursed. If the property is sold or interest in the granted property is transferred (in part or in whole) within the first year of the building improvements, full repayment to the City is required.

4.3.3 Façade Improvement Grant Program

The Façade Improvement Grant Program is a matching grant program for exterior renovations to non-residential properties to promote aesthetic improvements consistent with established design guidelines prepared as part of the Community Improvement Plan. The grant is designed to promote additional improvements in façade treatment by property owners that otherwise may not occur due to cost premiums associated with these improvements.

The Façade Improvement Grant is based on a matching funds basis, and provides grants up to \$12,500 (minimum grant of \$2,000) or a maximum of 50% of eligible costs, whichever is the lesser. If the property is sold or interest in the granted property is transferred (in part or in whole) within the first year of the building improvements, full repayment to the City is

required. The grant amount will be determined on the overall investment, quality, and significance of the improvement to the Downtown Area.

Grant Amount (Maximum)	\$10,000 (minimum grant of \$2,500 or 50% of the eligible costs (\$4,000) or 50% of the eligible costs (whichever is the lesser))
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Eligible projects include: Privately owned, commercial zoned property owners or tenants (with owner's authorization) located in the Downtown Community Improvement Policy Area.

Eligible costs include costs borne by the property owner relating to materials, labour, equipment and professional fees associated with façade improvements and restoration, improvement. Examples of eligible works include:

Brick Cleaning façade treatments, such as power washing; Exterior painting; Replacement of doors and windows; Replacement and/or repair of cornices, parapets and other architectural features; Replacement and/or repair of awnings or canopies; Repair and/or re-pointing of façade masonry, the maintenance of brick facades will be encouraged; Installation and improvement of signage; Installation of exterior decorative lighting and upgrading of fixtures; Redesign of storefront; Installation of wheelchair accessibility ramp.

Eligible facades include both front and side facades (for corner properties). Rear façade improvements will be considered secondary for the purposes of allocating funds.

Prior to the issuance of any approved grant, all eligible costs must be paid in full by the owner/tenant. A copy of all invoices will be required prior to the issuance of the grant. In addition, all renovations/improvements must ensure that all required building permits are obtained (cost of building permits are not an eligible expense under this program) and finalized (occupancy permit) before the grant will be disbursed. If the property is sold or interest in the granted property is transferred (in part or in whole) within the first year of the building improvements, full repayment to the City is required.

4.4 Review of Grant Programs

Proposed projects will be reviewed in accordance with the Queen Street Urban Design Guidelines. Projects that are not consistent with these guidelines will not be eligible for any financial assistance grants.

5.0 Major Development Sites

5.1 Develop Underutilized Sites

There are five key sites identified in this plan which will benefit from the proposed incentives and targeted expenditures outlined in the DCIP. The overall goals for these sites include:

- Encourage adaptive re-use approach, reusing a site or building for a purpose other than which it was built or designed for;
- Promote post-secondary institution clusters in the Downtown (i.e. satellite campuses, residences, facilities, etc.); and
- Encouraging a high standard of urban design to ensure signature development along the City's Waterfront and throughout the Downtown.

The five specific sites identified are:

Blueforest Ventures Inc. (former St. Mary's Property) Redevelopment

The Blueforest Ventures Inc. property is rich in history and in an effort to create a unique sense of place, the City of Sault Ste. Marie will work with the Blueforest Ventures Inc. to facilitate the creation of a Regional Tourist attraction. In order to ensure the preservation of the unique Sault Ste. Marie waterfront and its buildings, the development should preserve and respect the numerous heritage buildings within the property. The City of Sault Ste. Marie will also encourage additional uses that would revitalize the former industrial site as well as add to the overall vibrancy of the Downtown.

Gateway Site

The Gateway Site has been established as a primary waterfront development site with immense potential. The City of Sault Ste. Marie will work with post-secondary institutions on the development of Downtown facilities. Another consideration for this primary site is to ensure development is built in a manner that encourages pedestrian and vehicular travel to the remainder of the Downtown. Consideration should also be given to the development of a permanent casino, should that result from the ongoing modernization efforts of OLG.

Suncor Property

The Suncor Property is a blight along the City's waterfront. In order to realize the full potential of this waterfront site, the Suncor Property needs to be evaluated, in conjunction with the property owner, for various development opportunities. Possible opportunities for the Suncor

Property Site range from residential or commercial development or the implementation of passive-recreation green space or other environmentally sustainable alternatives. The City is seeking to work with the property owner to move forward on some form of development.

Former Sault Area Hospital (SAH) Site

The Former Sault Area Hospital (SAH) Site provides a prime opportunity to enhance and restore a prime waterfront development site that has been vacant since the relocation of the hospital. The City of Sault Ste. Marie will continue to work with the new owner to facilitate the re-use and redevelopment of the site.

Former Northern Breweries Site

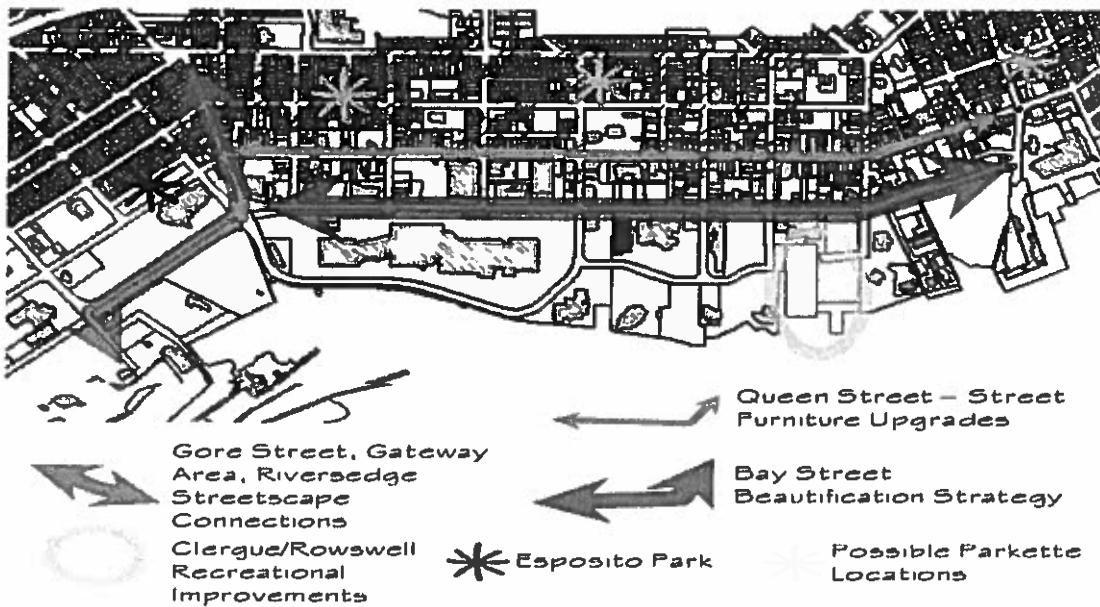
The Former Northern Breweries Site is currently in a state of disrepair and needs to be brought up to proper standards to ensure public safety. To ensure a high level of safety in the Downtown area, the City will proactively seek to ensure that the building is brought to a safe condition.

5.1.1 Underutilized Sites – Action Items

- A set of design principles will be developed to guide future develop of the Canal District (Blueforest, Gateway/Casino Site);
- A partnership with Blueforest Ventures Inc. will be launched to coordinate a funding application to NOHFC for the establishment of a regional tourism and mixed use development;
- Work with Suncor to explore Federation of Canadian Municipalities Green Municipal funding to begin site assessment and remediation initiatives.

5.2 Cultivate a “Sense of Place”

Public Realm Improvements will help to cultivate a “sense of place” by focusing capital investments to encourage increased public accessibility and address aesthetic concerns throughout the Downtown. The Improvements involve several project goals relating to the Downtown areas of focus. The following is a map of the public realm improvement areas identified in this plan.



5.2.1 Public Realm and Streetscape Improvements

Over the next few years, a number of Downtown area streets are proposed for reconstruction/re-surfacing. Well-designed streetscape connections will enrich the public realm and create unique pedestrian experiences for both residents and tourists. For example, Bay Street, when re-surfaced can utilize a number of beautification strategies that will foster better integration of the Blueforest and Gateway development sites into the Downtown core areas, and establish improved linkages to existing tourism developments such as the Art Gallery of Algoma, the Canadian Bushplane Heritage Center, and the Ermatinger-Clergue National Historic Site.

Street furniture upgrades along Queen Street will encourage an age-friendly form that encourages pedestrian travel, as well as opportunities for gathering or rest. In addition it will also establish a unique identity for the Downtown area by incorporating distinctive streetscape elements such as light pole accessories, benches, recycling bins, bike racks, message/map boards etc. The use of tree lighting will also enhance the Downtown ambiance and increase night-time safety, which is strongly encouraged by the current Downtown Association.

In addition, Gore Street streetscape improvements are proposed to foster a built environment that attracts private sector investment into this under-utilized area. Streetscape improvements will be identified as part of the public realm and streetscape planning proposed as part of this plan.

Public Realm planning will also allow for the opportunity to plan for areas that encourage social gathering and reclaim orphaned spaces. “Orphaned Space” is an area within the public realm that could potentially be used for gathering and interaction, but because of their design (or lack of design) are not accessible or not utilized by the public. Orphaned Space can be reclaimed using public art to create visual interest points throughout the Downtown and generate areas that are welcoming to interaction and investment. To encourage the installation of Public Art in “Orphaned Space” a City policy should be established for selecting public art installations and locations. Other areas that could be reclaimed include pedestrian walkways, under-utilized parking stalls, sidewalk areas, boulevards, etc.

Another need identified in the Downtown is access to recreational amenities. Recreational Improvements to Clergue Park will address the lack of recreation space within the Downtown in order and create an environment inviting to families and children. In addition, the existing water fountain is nearing its functional life. The maintenance of this feature is difficult given its offshore location and many of the parts needed to maintain this fountain can no longer be obtained. It is recommended that a surface fountain be used to replace the obsolete offshore fountain.

In addition to Clergue Park improvements, parkette locations will be identified throughout the Downtown area. Parkettes are small green space areas that are open to the public and contain amenities like children's play facilities, benches and tables. Currently vacant or under-utilized properties within the Downtown neighbourhood area can potentially be converted to park space. Parkette development will encourage under-utilized properties to be used as play areas and gathering places for the Downtown residents. It will also embolden residential investment in the Downtown by creating recreational play areas.

5.2.2 Strenuously Enforce Property Standards

Where derelict or abandoned buildings have outstanding work orders, are in tax arrears, and where there is no intent of the property owner to bring the property to a minimum standard, the City should proactively work to have these buildings demolished. This will serve to prevent “broken window” syndrome in the Downtown.

5.2.3 Sense of Place Action Items

Streetscape and Public Realm Improvements

- Retain urban design professionals to develop streetscape plan focusing on landscape, street furniture, lighting, as well as other aesthetic improvements, focusing on Queen Street, Gore Street as well as other Downtown roads identified in the 5 year capital works plan

- Implement new streetscape elements along Queen Street, Gore Street and other Downtown streets planned for reconstruction or resurfacing in the next 5 years.
- Identify vacant or under-utilized properties within the Downtown neighbourhood area that can be converted to park space
- Acquire lands through tax arrears process for park space development
- Acquire and install park equipment
- Establish City policy for selecting public art installation and locations
- Work with local Art Council to establish a committee to screen and acquire public art for installation at various locations in the Downtown.
- Identify potential areas for public art installation and social gathering

Clergue Park Improvements

- Initiate site planning design, and site servicing improvements (i.e. water, sanitary, storm water) to accommodate future recreational facilities, water fountain
- Acquire and install of water fountain feature, park equipment

Enforce Property Standards

- Strenuously enforce sub-par property standards
- Prosecute on-going property standards offences and utilize tax arrears process to demolish derelict sites

6.0 Monitoring Program

6.1 Purpose

The City of Sault Ste. Marie will conduct periodic reviews of the Downtown Community Improvement Plan in order to determine its effectiveness. Specifically, the purpose of the Monitoring Program is to determine if:

- a) The programs are achieving the goals and objectives set out; and/or
- b) Program adjustments are required

6.2 Monitoring Process

In order to successfully monitor the DCIP, the Downtown Community Improvement Committee will undertake the collection of statistical data in order to determine baseline information upon the adoption of the DCIP. The collection of baseline data will allow the City to compare results and to determine if the program is achieving the goals and objectives set out by the DCIP or if program adjustments are required.

The following are examples of values to be monitored for the evaluation of the DCIP;

- Number of successful applications;
- Project details as proposed by application;
- Municipal assessment and taxes prior to commencement of approved project;
- Square footage of habitable floor space created;
- Square footage of industrial or commercial space rehabilitated or constructed;
- Acreage of land remediated and/or redeveloped; and
- Total value of project;
- Increase in assessed value of property and municipal property taxes upon completion of project; and
- Total dollar amount granted by tax increment per year.

6.2 Reporting

Based on the information obtained through the regular and the continuous tracking of Financial Incentive Program applications and the monitoring of variables, the DCIP Review Committee will prepare an annual report in order to provide an overview of the program to Council and the general public.

6.3 Program Adjustments

City Council will review this Community Improvement Plan at regular intervals to ensure that the intent and project objectives are being met. City Council may discontinue or modify all or part of the program incentives without a formal amendment to the Community Improvement Plan, provided that the variation does not exceed the original maximum credit allowed.

7.0 Implementation

7.1 Interpretation

The City of Sault Ste. Marie Downtown Community Improvement Plan must be read and interpreted in entirety, and in conjunction with the Planning Act, Municipal Housing Act and all other municipal planning documents.

In addition, this Community Improvement Plan will be interpreted at the sole discretion of the City of Sault Ste. Marie in consultation with, or based on advice from the City's Planning Division.

7.2 Timing

The Downtown Community Improvement Plan will remain in effect for three years but may be extended by City Council subject to appropriate review and notice.

7.3 Administration of the Financial Incentive Programs

The financial incentives programs offered through the Downtown Community Improvement Plan will be administered by the Downtown Community Improvement Plan Committee with representation from the City's Planning, Building, Engineering, Public Works and Finance Departments. All grant applications for financial assistance will be reviewed by this committee, with final approval being subject to City Council authorization. Representatives from EDC will also participate on the review of proposed public realm improvements.

Coordinator	Tax Increment	Building and Façade Improvement	Public Improvements	Realm
Planning Division	X	X	X	
Building Division		X	X	
Engineering Division			X	
Public Works Department			X	
Finance Department	X	X	X	
Economic Development Corporation			X	

7.4 Financial Management of Financial Incentive Programs

Program	TOTAL
Incremental Tax Rebates	Forgone Revenue
Private Sector Assistance Grants	\$600,000
Public Realm and Streetscape Planning	\$50,000
Downtown Public Realm & Streetscape Improvements	\$1,180,000
Administration	\$105,000
Private Sector Matching Investment	\$600,000
TOTAL	\$2,535,000

City	NOHFC	FedNor	Downtown Association	Private Sector	TOTAL
\$300,000	\$800,000	\$800,000	\$35,000	\$600,000	\$2,535,000

7.5 General Eligibility Requirements of the Financial Incentive Programs

The following are General Eligibility Requirements applicable to all incentive programs, and must be met in order for an applicant to be able to participate in the DCIP initiatives.

- An application to the City must be received prior to the application for a building permit for the project to be considered under the program.
- Property taxes must not be in arrears at the time of application.
- If the property is under an assessment appeal, the application will not be accepted until the appeal is resolved.
- Applicants must agree to not file a property tax appeal while receiving a grant or rebate under this program.
- Outstanding Work Orders from the City's Fire Services or Building Services Division and requests to comply shall be addressed prior to the submission of an application.
- Improvements made to the buildings or land shall be made pursuant to a Building Permit, and constructed in accordance with the Ontario Building Code and applicable Zoning requirements.
- Should the project fail to meet the eligibility requirements during the program, the full amount of property taxes including interest will become due and payable, or no grant will be provided, as if no incentives had been approved.
- Approved project incentives are applicable to the registered owner and the approved incentive (tax rebate, improvement grants) is assignable to any person to whom such an owner has assigned the right to receive the incentives such as a tenant or other assignee.
- This program may be used in combination with any other program provided that the total amount of assistance provided does not exceed the eligible costs.

Where the program is approved for use, the following conditions apply:

- This program would not exempt property owners from an increase in municipal taxes due to a general tax rate increase or a change in assessment for any other reason after the property has been improved.
- The property owner would be responsible for the full payment of the taxes and/or the building improvements, after which the City would provide the grant. For the time frame beyond the approval period, the owner would be required to pay the full amount of the taxes with no grant provisions.
- The tax assistance is based upon increases in property taxes as a result of development and rehabilitation, and is not based on occupancy or changes in occupancy.

- The maximum assistance will be calculated based on the difference between the assessed value of the property prior to the date of the application for building permit and the assessed value at occupancy.
- The municipal portion of the tax assistance will be calculated after tax capping calculations have been applied as required by Part 9 of the Municipal Act.
- For tax rebates, if the property is sold, conveyed, assigned or otherwise transferred in whole or in part before the program lapses no further assistance shall be given by the City. Nothing in this section prevents the City from entering into a new agreement with any subsequent owners of the property to receive the balance of the assistance under this program.
- For business improvement grants, if the property is sold, conveyed, assigned or otherwise transferred in whole or in part after 1 year of the approval, any grants issued, plus interest, will be repayable to the City.

7.6 Process and Submission Requirements of the Financial Incentive Programs

In order to be eligible for any of the incentive programs, applicants must submit a completed application in accordance with the General Process and Submission Requirements outlined below;

A complete application will include:

- Completed application forms; and
- Supporting materials such as plans, cost estimates and contracts, applicable reports, and any additional information required by the City of Sault Ste. Marie or the Downtown Community Improvement Plan Committee.

General Process and Submission Requirements include:

- The City is not responsible for any cost related to the CIP application process;
- An application must be submitted to the City prior to the commencing of any community improvement works;
- All Sources of additional funding/ incentives must be declared at the time of the application submission; and
- The Committee will evaluate all applications and supporting materials. Based on the evaluation, a recommendation will be made to the City Council. Council will have approval authority for all DCIP grant applications.
- All plans, reports, etc. required as part of the application process will be prepared by a professional qualified in that field (i.e. architects, engineers, etc.)

7.7 Severability

If a court of competent jurisdiction declares any section or part of a section of this DCIP by-law to be invalid, such section or part thereof, shall not be construed as having persuaded or influenced City Council to pass the remainder of the by-law, and it is hereby declared that the impugned section shall be severable and distinct from the remainder of the by-law, and the remainder of the by-law shall be valid and remain in force.

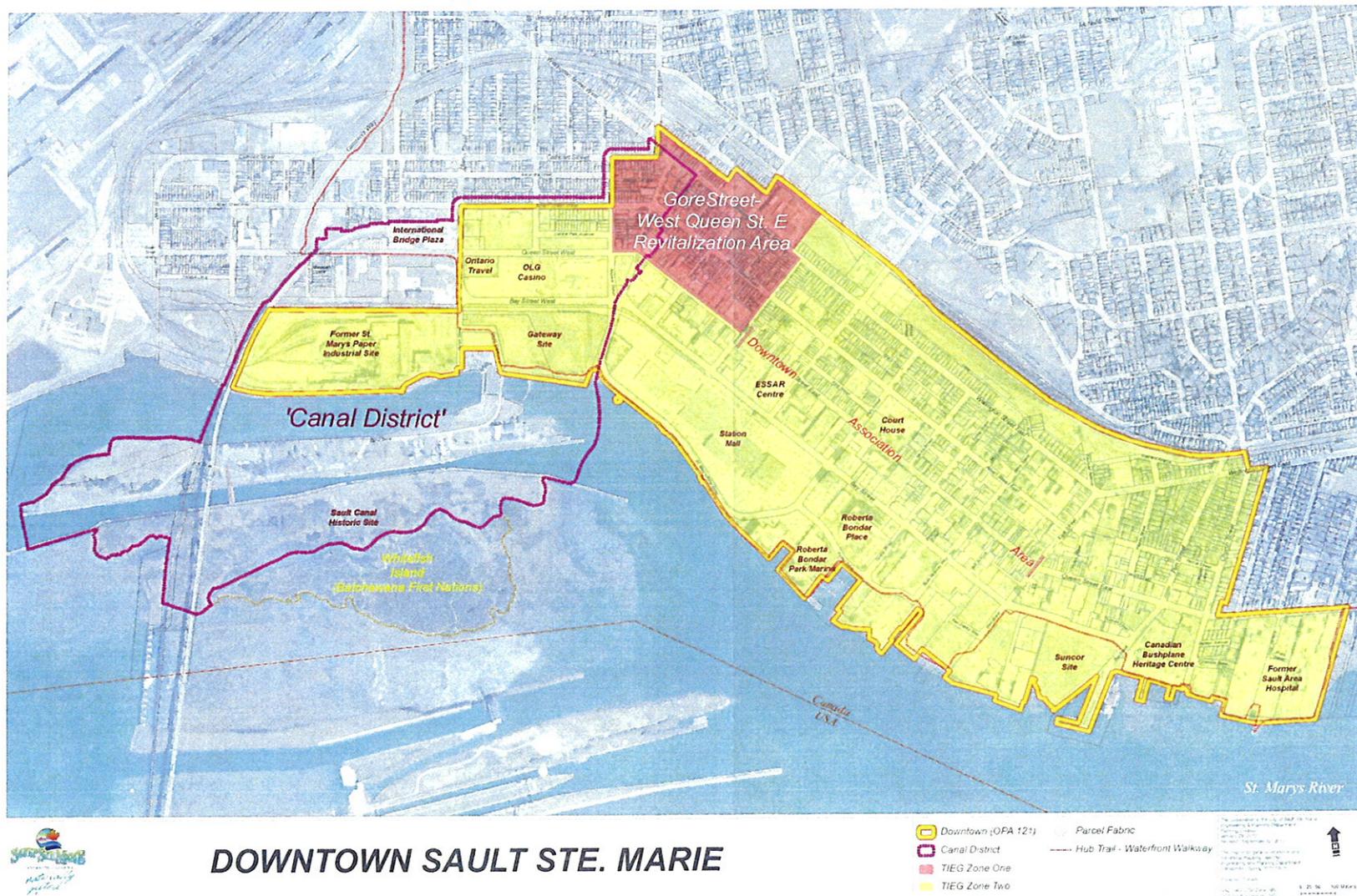
8.0 Conclusion

The City of Sault Ste. Marie Downtown Community Improvement Plan is designed to provide a framework that guides the Downtown area into a vibrant, thriving part of the city and re-establishes the regional significance of the Downtown.

The Downtown Community Improvement Plan outlines a set of goals and objectives, a community vision for the Downtown area and financial incentives, all designed to stimulate and leverage private sector investment in the Downtown. Implementation and monitoring of this plan will be undertaken by the City of Sault Ste. Marie and the Downtown Community Improvement Plan Committee.

The plan will remain in effect for three years effective from the date Council approves the plan and is subject to any and all criteria outlined in this document.

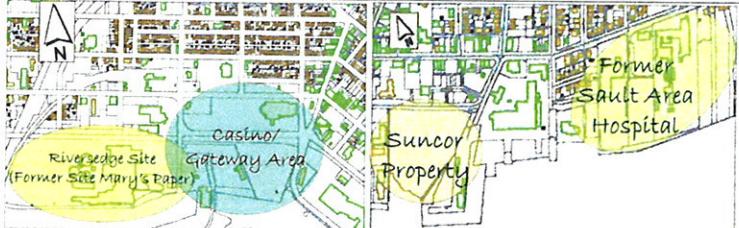
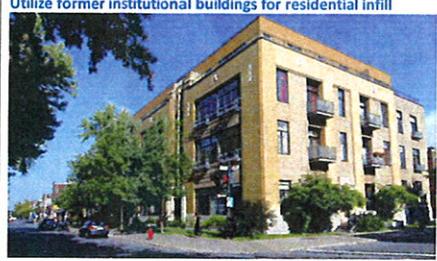
Appendix A – Community Improvement Policy Area



Appendix B – Downtown “Big Picture” Action Items

City of Sault Ste. Marie Downtown Development Initiative – 2.0

Big Picture Action	Downtown Area(s) of Focus	Project Types			
Promote Catalyst Development	<p>Zone One</p> <p>Zone Two</p>	Mixed Use Development 	At grade commercial, above grade residential 	High Density Residential: Condo/Apartments 	Long-term care facilities
Project Goals Catalyst Development <ul style="list-style-type: none"> Encourage infill development that promotes positive economic spin-offs through-out the Downtown Foster development that supports existing business and services by creating a market of new residents within the Downtown Accommodate demand for apartment units Accommodate the need for affordable housing units Focus on high-quality urban design that integrates higher density development within the historic built form of the Downtown Create vibrancy in under-utilized or stagnant areas of the Downtown 		Actions/Tools			
		<ul style="list-style-type: none"> Establish task force made up of downtown property owners from the Gore Street and west Queen Street area to discuss the issue of chronic vacancies Implement Tax Rebate programs as incentive to re-invest in the Downtown Set up staff review committee to assess rebate applications Incremental Tax Rebates: <table border="0" style="width: 100%;"> <tr> <td style="vertical-align: top; width: 50%;"> Zone One: <ul style="list-style-type: none"> 100%/Year 1; 100%/Year2; 100%/Year 3; 100%/Year 4; 100%/Year 5 </td> <td style="vertical-align: top; width: 50%;"> Zone Two <ul style="list-style-type: none"> 100%/Year 1; 75%/Year2; 50%/Year 3; 25%/Year 4 </td> </tr> </table> <p>Applicants would pay the full increase in municipal assessment and will be rebated at the rates outlined above</p>	Zone One: <ul style="list-style-type: none"> 100%/Year 1; 100%/Year2; 100%/Year 3; 100%/Year 4; 100%/Year 5 	Zone Two <ul style="list-style-type: none"> 100%/Year 1; 75%/Year2; 50%/Year 3; 25%/Year 4 	
Zone One: <ul style="list-style-type: none"> 100%/Year 1; 100%/Year2; 100%/Year 3; 100%/Year 4; 100%/Year 5 	Zone Two <ul style="list-style-type: none"> 100%/Year 1; 75%/Year2; 50%/Year 3; 25%/Year 4 				
Funding City of Sault Ste. Marie: Forgone Tax Revenue					
Time Period for Implementation					
2014: Establish review committee, formulate program eligibility requirements					
2014-2017: Initiate rebate applications for eligible projects					

Big Picture Action	Downtown Area(s) of Focus	Project Types
Develop Under-Utilized Sites		<p>Conversion of former industrial space to office uses</p>   <p>Ensure future casino complements surrounding Downtown area</p>
	<p>Project Goals</p> <p>Under Utilized Sites:</p> <ul style="list-style-type: none"> • Encourage adaptive re-use approach, reusing a site or building for a purpose other than which it was built or designed for. • Promote post-secondary institution clusters in the Downtown (i.e. satellite campuses, residences, facilities, etc.). • Encourage a high standard of urban design to ensure signature development along the City's waterfront. • Ensure future casino development integrates within surrounding Downtown area <p>Specific Project Areas:</p> <p>Blueforest Ventures Inc. (former St. Mary's Property) Redevelopment</p> <ul style="list-style-type: none"> • Work with new property owners to facilitate the creation of a Regional Tourist attraction • Facilitate a development that preserves and respects the numerous heritage buildings • Encourage other uses that would both revitalize the former industrial site as well as add to the overall vibrancy of the Downtown <p>Gateway Site</p> <ul style="list-style-type: none"> • Work with post-secondary institutions on the development of Downtown facilities • Ensure development is built in a manner that encourages pedestrian and vehicular travel to the remainder of the Downtown. <p>Suncor Property</p> <ul style="list-style-type: none"> • Evaluate, in conjunction with property owner, options for environmental remediation • Assess possibility for the development of a passive-recreation green space <p>Former Sault Area Hospital (SAH) Site</p> <ul style="list-style-type: none"> • Continue cooperation with the new owner of the former SAH to facilitate the re-use and redevelopment of the site. <p>Former Northern Breweries</p> <ul style="list-style-type: none"> • Demolish derelict aspects of building • Ensure remainder of building is brought up to a safe condition 	<p>Re-purpose vacant industrial lands for recreational uses</p>  <p>Utilize former institutional buildings for residential infill</p> 
		<p>Actions/Tools</p> <ul style="list-style-type: none"> • Establish design principles to guide future development of Canal District (Blueforest, Gateway, Casino Site) • Assess financial viability of a regional tourism attraction with Blueforest Ventures Inc. • Partner with Blueforest to coordinate a funding application to NOHFC for the establishment of a regional tourism and mixed use development • Work with Suncor to begin site assessment and remediation initiatives <p>Funding</p> <p>Design Principles: City: \$40,000 (<i>Already Committed</i>)</p> <p>Financial Assessment – Regional Tourism Attraction: City: \$25,000 (<i>Already Committed</i>)</p> <p>Blueforest Mixed Use/Tourism Development: NOHFC: \$5,000,000</p>
		<p>Time Period for Implementation</p> <p>2013: Design Principles</p> <p>2013 – 2017: Blueforest re-development plan</p> <p>2015: Suncor Site Assessment</p>

Big Picture Action	Downtown Area(s) of Focus	Project Types
Advance Downtown as a viable commercial node	<p>Gore Street Commercial District Historic Queen Street District Queen Street Commercial District</p>	<p>Transition "incubated" businesses to vacant commercial space</p> <p>Utilize vacant commercial space for start-up business</p> <p>Provide catalyst funding for Façade improvements</p> <p>Support retrofitting of existing commercial spaces to update established businesses</p>
Project Goals Create a viable commercial node <ul style="list-style-type: none"> Promote re-investment into established Downtown businesses to ensure area remains commercially viable in-light of the newer, large format retail elsewhere in the community Maintain the Downtown commercial areas as a major source of tax revenue for the City Utilize entrepreneurial start-ups (retail, food services, arts, etc.) to stimulate previously vacant spaces, transforming them into vibrant destinations. Foster collaboration between vacant property owners and individuals looking at starting new businesses. Encourage transition of EDC and Innovation Centre incubation start-ups to vacant Downtown commercial spaces. Specific Project Areas: Gore Street, Queen Street Commercial Areas		

Big Picture Action	Downtown Area(s) of Focus	Project Types	
Cultivate a "Sense of Place"		<p>Children's Play Area</p> <p>Water Fountain</p>	<p>Outdoor Fitness Equipment</p> <p>Streetscape Improvements</p>
	<p>Project Goals</p> <p>Public Realm and Streetscape Street Improvements:</p> <ul style="list-style-type: none"> • Enrich the public realm by creating unique pedestrian experiences for both residents and tourists. • Foster better integration of Blueforest and Gateway development sites into the Downtown core areas. <p>Queen Street, Gore Street and Downtown Streetscape Improvements</p> <ul style="list-style-type: none"> • Encourage age-friendly built form that encourages pedestrian travel, as well as opportunities for gathering or rest. • Establish unique identity for the Downtown area by incorporating distinctive streetscape elements such as lighting, benches, recycling bins, bike racks, message/map boards, etc. <p>Clergue Park Recreational Improvements</p> <ul style="list-style-type: none"> • Address the lack of recreational space within the Downtown, in order to create an environment inviting to families and children. • Replace existing, obsolete water fountain with easier to maintain surface fountain • Create signature waterfront attraction inviting residents and tourists to the Downtown <p>Parkettes</p> <ul style="list-style-type: none"> • Repurpose under-utilized property to create play areas/gathering places for the Downtown residents • Encourage residential investment in the Downtown by creating recreational play area. 	<p>Actions/Tools</p> <p>Public Realm and Streetscape Improvements</p> <ul style="list-style-type: none"> • Retain urban design professionals to develop streetscape plan focusing on landscape, coordinated street furniture, lighting, as well as other aesthetic improvements • Upgrade streetscape amenities along Queen Street, Gore Street and other Downtown Roads planned for capital improvements <p>Clergue Park Improvements</p> <ul style="list-style-type: none"> • Initiate site planning design, and site servicing improvements (i.e. water, sanitary, storm sewer) to accommodate future recreational facilities, water fountain • Acquire and install of water fountain feature, park equipment <p>Parkette Development</p> <ul style="list-style-type: none"> • Identify vacant or under-utilized properties within the Downtown neighbourhood area that can be converted to park space • Acquire lands for park space development • Acquire and install park equipment <p>Funding</p> <p>Streetscape Planning: \$50,000</p> <p>Queen Street, Gore Street and Downtown Streetscape and Public Realm Improvements: \$1,180,000</p> <p>Time Period for Implementation</p> <p>2014: Streetscape Planning, identify properties for Parkette development</p> <p>2015-2017: Streetscape and Public Realm Improvements</p>	

Big Picture Action	Downtown Area(s) of Focus	Project Types	
"Sense of Place" cont.	<p>Project Goals</p> <p>Strenuously enforce Property Standards</p> <ul style="list-style-type: none"> Work to demolish derelict or abandoned buildings that do not meet minimum property standards Prevent "broken window" syndrome in the Downtown <p>Use Public Art and Create Gathering areas</p> <ul style="list-style-type: none"> Create visual interest points throughout Downtown in an effort to generate areas that are welcoming to interaction and investment. Attract people to gather and socialize throughout the Downtown in order to create activity and vibrancy. <p>Tree Lighting Strategy</p> <ul style="list-style-type: none"> Enhance Downtown ambiance and night time safety with the use of tree lighting 	<p>Address Derelict Properties</p> 	<p>Use Public Art to create points of interest</p> 
	<p>Project Types</p> <p>Encourage Public Art that embraces local heritage</p>  <p>Street Tree Lighting</p> 	<p>Reclaim spaces to encourage social gathering areas</p> 	<p>Create areas inviting to pedestrians</p> 
	<p>Actions/Tools</p> <p>Enforce Property Standards</p> <ul style="list-style-type: none"> Establishing an operating fund to enforce sub-par property standards Acquire lands/properties with on-going property standards work orders or tax arrears Partnerships with Private Sector Developers to redevelop derelict sites <p>Public Art/Public Space Reclamation</p> <ul style="list-style-type: none"> Establish City policy for selecting public art installations and locations Work with local Art Council to establish a committee to screen and acquire public art for installation at various locations in the Downtown. Identify potential areas for public art installations and social gathering 		
	<p>Funding</p> <p>Enforce Property Standards: City: Operational Budget</p>		
	<p>Time Period for Implementation</p> <p>2014: Identify derelict sites with outstanding work orders and/or tax arrears</p> <p>2014: Develop Public Art policy, establish selection and review committee</p> <p>2015-2017: Heightened enforcement of Downtown properties, acquire derelict sites, initiate public art, public area improvements</p>		

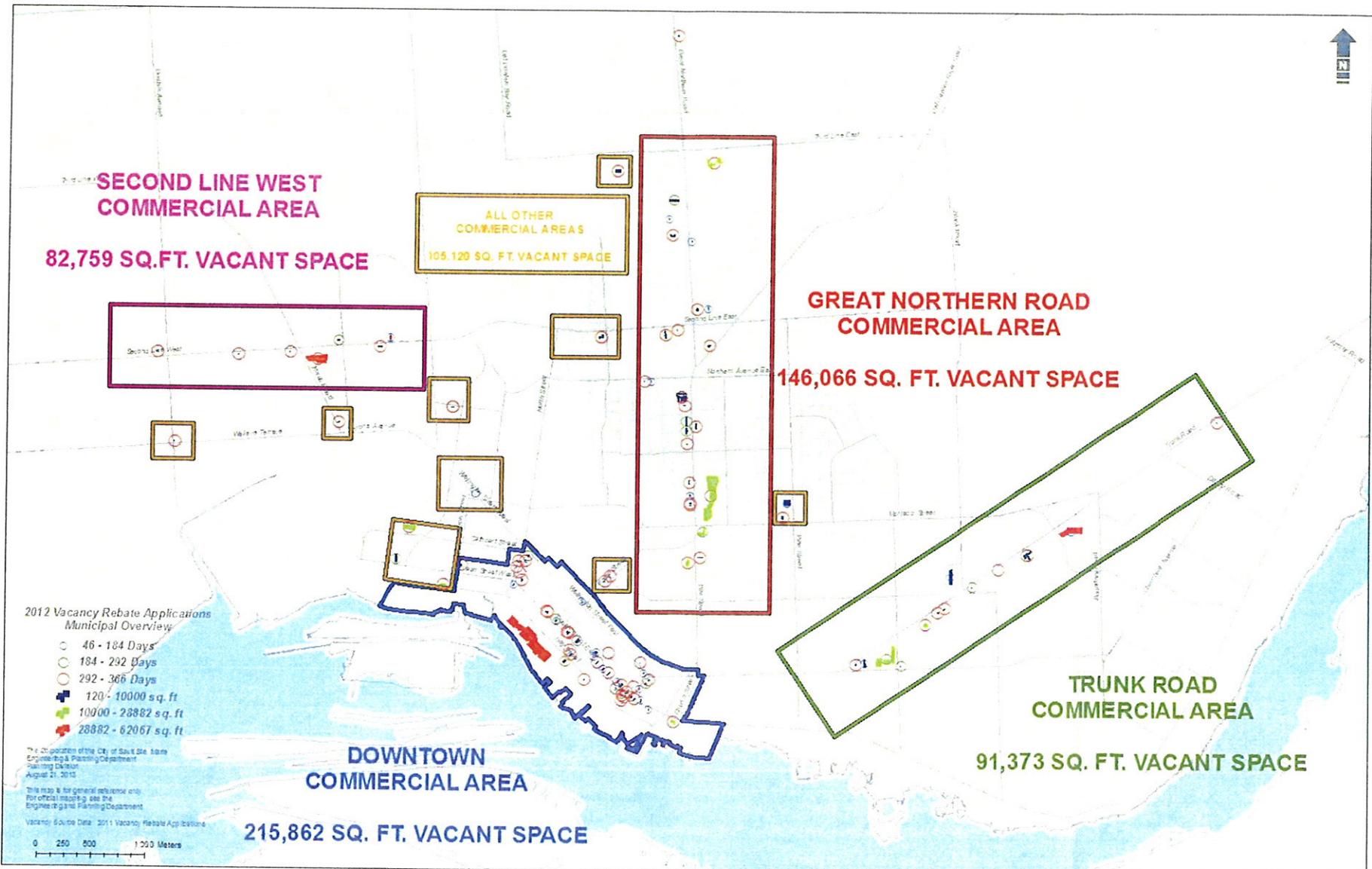
Appendix C – Downtown Funding Strategy

Downtown Development Initiative - 2.0 Proposed Funding Partnership

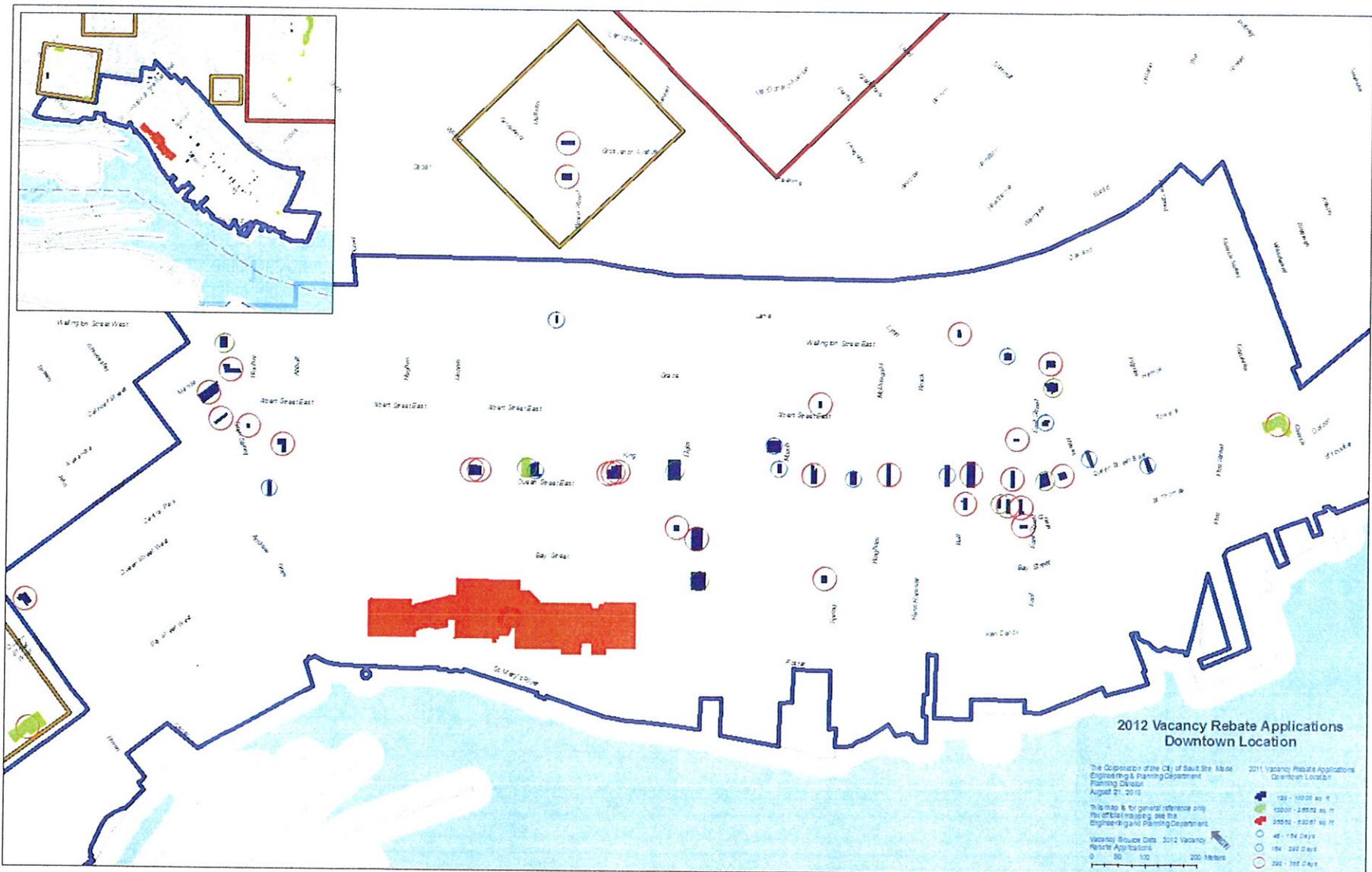
Proposed Funding Sources

Program	COSTS	Funding Partnership	
Incremental Tax Rebates		City	\$300,000
Private Sector Assistance Grants		NOHFC	\$800,000
• Business Improvement Grant			
• Façade Improvement Grant	\$600,000		
Public Realm and Streetscape Planning		FedNor	\$800,000
• Urban and public realm design elements			
• Street furniture identification			
• Streetscape Planning for Bay Street, Queen Street, March Street, etc.	\$50,000		
Downtown Public Realm & Streetscape Improvements		Downtown Association	\$35,000
• Gore Street Streetscape Improvements			
• Queen Street Furniture and Tree Lighting Upgrades			
• Parkette Development			
• Public Art Installation	\$1,180,000		
Administration	\$105,000	Private Sector	\$600,000
Private Sector Matching Investment	\$600,000		
TOTAL	\$2,535,000	TOTAL	\$2,535,000

Appendix D – Commercial Vacancy Analysis



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Appendix E – Commercial Assessment Analysis

2013 Downtown and City Comparison, By Assessment Value and Adjusted Taxes

Location	Area (Acres)	Assessment Value	2013 Taxes
Downtown Area	201.46	\$ 118,567,367.00	\$ 5,310,972.36
	Per Acre	\$ 589,887.40	\$ 26,362.36

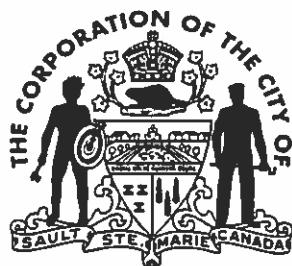
Remainder of the City	7047	\$ 410,001,959.00	\$ 18,047,228.00
	Per Acre	\$ 58,181.06	\$ 2,560.98

TOTAL COMPARISON	Area (Acres)	2013 Assessment	2013 Taxes
City Wide Commercial	7248	\$ 528,569,326.00	\$ 23,358,200.36
Downtown Commercial	201	\$ 118,567,367.00	\$ 5,310,972.36
Downtown Percentage of City Wide Commercial	2.78%	22.43%	22.74%

6(6)(b)

Jerry Dolcetti, RPP
Commissioner

Donald B. McConnell, RPP
Planning Director



ENGINEERING & PLANNING
DEPARTMENT

Planning Division

2013 10 07

Mayor Debbie Amaroso and
Members of City Council

RE: URBAN BEEKEEPING

PURPOSE

This report is in response to a Council resolution requesting staff to review the merits of allowing beehives within an urban setting.

BACKGROUND

On June 10, 2013 City Council passed the following resolution:

"Whereas a request has come forward for the consideration of City Council to change current by-laws related to beekeeping within the urban limits of the City,

Now Therefore Be It Resolved that appropriate staff look into the matter of urban beekeeping and report back with recommendations as soon as possible."

On June 13th, Jerry Dolcetti, Commissioner of Engineering, Peter Tonazzo, Planner, and Matt Caputo, Solicitor/Prosecutor met with Laura Wyper to discuss her proposal to allow urban beekeeping. This meeting included a discussion on timelines, process, and a preliminary discussion on urban beekeeping practices in other jurisdictions.

ANALYSIS

Resurgence of Urban Agriculture

Small-scale urban crop and livestock production were quite common 70 years ago. Historically urban agriculture was a necessity, providing sustenance during difficult economic times. Those residing locally during the war years and shortly after will vividly recall small scale agriculture as a part of the urban fabric.

Sometime after the post war years, urban agriculture declined, gardens became hobby oriented and jurisdictions throughout North America implemented regulations to prohibit any type of urban livestock production, which was seen as a nuisance and public health concern.

Throughout North America urban agriculture and food production has recently experienced a resurgence, which is attributed in part to rising gas prices, environmental concerns over large scale farming practises, and health concerns associated with the use of pesticides, hormones and other chemicals. There is an ever growing movement to 'know where one's food comes from'. The '100km diet' is an example of a movement which aims to have foods consumed within 100km's of where they are produced. The growth and success of the 'organic foods' market is another example of an ever-growing awareness of one's diet.

Urban agriculture is being held as an important goal for the creation of sustainable cities, as a means for urbanites to develop connections with nature, and as a way for communities to improve access to fresh, healthy food. There are a number of local organizations with a mandate to market locally grown fresh foods.

Urban beekeeping or apiculture is a part of this movement. Advocates of urban beekeeping argue that it can be a safe and healthy practise with a number of environmental, economic and social benefits for practitioners and cities alike. In Toronto, there exist a number of relatively high profile urban beekeeping initiatives, including hives on the roof of the Royal York Hotel, and the recent 'Green Toronto Award' winners, the Toronto Beekeepers Co-op.

The Bee Hive

Honey bees are social insects, living together in large well organized family groups. A honey bee colony typically consists of three kinds of adult bees: workers, drones and a queen. Each member has a task to perform and the survival of a beehive requires the collective efforts of the entire colony.

Swarming is the mechanism by which new honey bee colonies are formed. Most swarms occur in the spring, and include roughly half of the worker bees, who follow a new queen in an attempt to establish a new hive.

Honey bees are vegetarians, gathering nectar to produce honey and pollen for raising their brood. While they are gathering nectar from plants, pollen grains are transported on their bodies, leading to pollination of other plants. For millions of years, plants and bees have co-evolved, creating a complete interdependence between the two.

Environmental Considerations

According to the United States Department of Agriculture (USDA) in the summers of 2006 and 2007 honey bee colonies across North America experienced an unprecedented rate of mortality. More than 1 in 5 beekeeping operations in the U.S. lost 30-90% of their total bees. The condition came to be known as Colony Collapse Disorder (CCD). While no single cause of CCD has been found, it is suggested that commonly used pesticides are weakening the immunity of bee colonies, making them more susceptible to disease. It is also suggested that large mono-crop landscapes with short pollination timeframes have also contributed to a loss

of honey bees, to a point where large commercial colonies are shipped throughout Canada and the United States to provide pollination for food corps.

Although the City may be an important habitat for honey bees, and honey bees may provide a benefit to the urban landscape by pollinating the wide variety of plants which grow throughout the season, one cannot assume that honey bees are the only pollinator for cities. Dr. Ernesto Guzman, Head of the Honey Bee Research Centre at the University of Guelph suggests the city is home to a huge variety of pollinators that can adequately fulfill the city's pollination needs.

Studies in Poland and Vancouver, where urban beekeeping is quite common, suggest that honey bees may not be required for the sake of urban bio-diversity; conversely, their introduction to cities through the practice of urban beekeeping does not seem to pose a threat to existing urban pollinators.

Economic Considerations

Similar to large scale farming, the honey market is saturated with large scale operators, producing consistently coloured and flavoured honey under controlled conditions, with very small profit margins. Consequently, at this point in time, small scale urban beekeeping is not likely to yield significant profits, although as food awareness increases, larger markets may emerge. Having said this, profits and economic gains are generally not the primary reason for engaging in any urban agricultural practise, including urban beekeeping.

There is an economic argument to be made for rural beekeeping in agricultural areas where pollination is critical to ensuring the continued viability of certain crops. The literature suggests that honey bees will typically travel 3km's from a hive to forage, however honey bees can travel up to 10km's from the hive if forage is limited. Therefore, urban bee colonies have the potential to pollinate rural areas, including crops.

Social Considerations

Research has shown that honey bees are docile, rarely stinging unless there is a perceived threat to the colony. Even during a swarm, honey bees are primarily focused upon following the queen, and again, will only sting where there is a perceived threat to the group. More aggressive wasps and hornets are more prone to stinging.

Many people also identify as being allergic to bee stings. In reality, virtually everybody is sensitive to a bee sting. According to the USDA, serious bee allergies only affect 1-2 people per 1,000, or 0.1 to 0.2% of the population. Furthermore, those who are allergic to honey bees may not be allergic to wasps or hornets, or vice versa. According to the USDA, 10 stings per pound of body weight have the potential to be fatal.

The World Health Organization estimated that in 2000, there were 54 deaths attributed to bee stings in the United States, out of a total population of 281 million people. To put this into perspective, according the National Oceanic and Atmospheric Administration (NOAA), each year, an average of 90 Americans are killed by lightning.

The likelihood of being stung by a bee, being allergic to bees or being stung numerous times to a point of serious health issues or death is very low, but the perception of bees for many is one of fear. Although research indicates that society has greatly amplified this threat, to an individual this threat is very real. A nearby bee hive resulting in an increased number of bees present can have a very real impact on one's enjoyment of their property.

Legal Considerations - The Ontario Bees Act

The Ontario Bees Act (1990) is the crucial piece of legislation which regulates beekeeping in Ontario. The main focus of the Bees Act is to ensure bee health. Other provisions within the Act regulate bee transport, outline the rights of bee inspectors, and require that all bee hives be registered with the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA). Section 19 of the Ontario Bees Act also requires that all beehives be at least 30m (98') from any lot line. These setbacks essentially prohibit beekeeping on most urban lots, both locally and throughout the Province. In order to meet the 30m setback, assuming that a bee hive could be located within the exact centre of a particular property, a minimum lot size of 60m x 60m (197' x 197') totalling 0.35ha (0.89acres) is required. Locally, there are few urban lots which could accommodate a beehive in accordance with the setbacks outlined in the Bees Act.

Proponents for urban beekeeping note that with regards to public safety, it's not linear distance that is important, but rather ensuring people keep away from a bee's flight path to and from the hive entrance. Many jurisdictions outside of Ontario do not have strict linear setbacks, rather hives must be elevated at least 2.43m (8') or located beside hedges or fences that are at least 2.43m (8') tall, to ensure that those on neighbouring properties do not inadvertently encroach upon the bees flight path to the hive.

'Bee Acts' in jurisdictions, including Alberta, British Columbia, Manitoba, Quebec, California, Illinois, and New York do not include any setback distances. Quebec's legislation includes a setback distance of 15m (49') which can be substituted by elevating the hive, or ensuring that a 2.43m (8') fence or hedge is located beside beehives.

Vancouver, Calgary, San Francisco, Chicago, New York City and Montreal permit urban beekeeping, even in residential zones. The most common regulations in these instances includes limiting the number of hives, minimum height of the hive, or surrounding fence/hedge, and a requirement that such hives be registered with the relevant Provincial or State entity.

Even though there is a growing movement in Ontario to amend the Bees Act, OMAFRA representatives have confirmed the required 30m setback still applies, and at this time there is no intent to amend the setback requirements. Paul Kozak, the Provincial Apiarist, agrees that there are other best management practises or approaches that work, however the 30m setback creates a regulatory framework which helps to avoid conflict between neighbours.

Mr. Kozak notes that there are 6,400 registered bee yards in Ontario, and it is recognized that many registered hives do not conform to the 30m setback. An article published by the Globe and Mail notes 107 bee hives registered in the City of Toronto, many of which are in parts of

the city where they are "very unlikely to be 30m away from a property line." Mr. Kozak concedes that bee hive registration may not specifically address setbacks, however, if there is an issue or a complaint the regulatory framework (30m setback) allows inspectors to request that the hives be moved to a more appropriate location, either on the property or off-site. In this sense OMAFRA is 'reactive' in its implementation of Section 19 of the Bees Act. Mr. Kozak also notes that the main focus of the Act is honey bee health, and the inspector's main focus is to ensure that registered hives are healthy and free of diseases which have greatly reduced bee populations in recent years.

Public Consultation

Beyond discussions and correspondence with the proponent, there has not been any public consultation on this matter. During the initial phases staff felt that public consultation in the form of at least one public open house would be critical; however upon confirming that Section 19 (30m setback) of the Bees Act is still in effect, staff is of the opinion that public consultation at the local level is not warranted at this time. To this end, the proponent may wish to take this matter up at the Provincial level.

SUMMARY

The Municipality cannot pass a local by-law that is inconsistent with Provincial Legislation, in this case, the Ontario Bees Act, and more specifically Section 19 of the Bees Act, which requires hives to be setback at least 30m from any lot line. Staff explored the approach of allowing beekeeping in certain urban zones, subject to OMAFRA registration and adherence to the regulations of the Bees Act. In this approach, it was felt that OMAFRA would appropriately address issues even though the setback requirements of the Act may not be directly adhered to. Staff is of the opinion that this approach would also legally require the Municipality to enforce the 30m setbacks.

There is also a real concern related to one's enjoyment of their property. Although in most respects the threat posed by honey bees is very minimal, to an individual the fear is very real and a nearby bee hive has the potential to drastically alter one's ability to enjoy their property.

Locally, there have been instances of nuisance complaints resulting from beehives. In these cases, the issues were the result of hives being left unattended or best practises not being followed by the beekeeper. This also raises the point that beekeeping, especially in an urban setting, requires the diligence of individual beekeepers to spend a great deal of time and effort in managing the hive to ensure its overall health and well-being.

It is therefore recommended that Council maintain the status quo, and that beekeeping continue to be permitted in the Rural Area zone as an agricultural use. A map showing the areas in the community zoned Rural Area (RA) is attached. The rural area is generally characterized as having low development densities and much larger lots than those found in the urban area. Consequently, there are numerous lots in the rural area which are large enough to adhere to the required 30m setbacks as outlined in the Bees Act. This approach is consistent with most Municipalities in Ontario, including Thunder Bay, Timmins, Sudbury and North Bay. Applications to rezone urban properties for beehives could be reviewed on a case by case basis, which would include public notice and the ability for nearby property owners to

comment. In reviewing such applications, a major consideration would be to ensure that hive locations meet the requirements of the Ontario Bees Act.

IMPACT

The recommendation to maintain the status quo as it relates to urban beekeeping will not financially impact the municipality.

STRATEGIC PLAN

The recommendation is not directly related to any policies contained within the City's Corporate Strategic Plan.

RECOMMENDATION

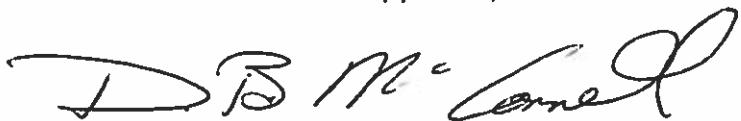
That City Council continues with the status quo, which is that beekeeping is permitted as an agricultural use in a Rural Area zone, subject to all applicable legislation, including the Ontario Bees Act. Individual applications for bee hives in other zones can be assessed on a case by case basis, by way of a rezoning application.

Respectfully submitted,



Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,



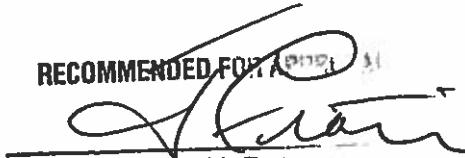
Donald B. McConnell, MCIP, RPP
Planning Director

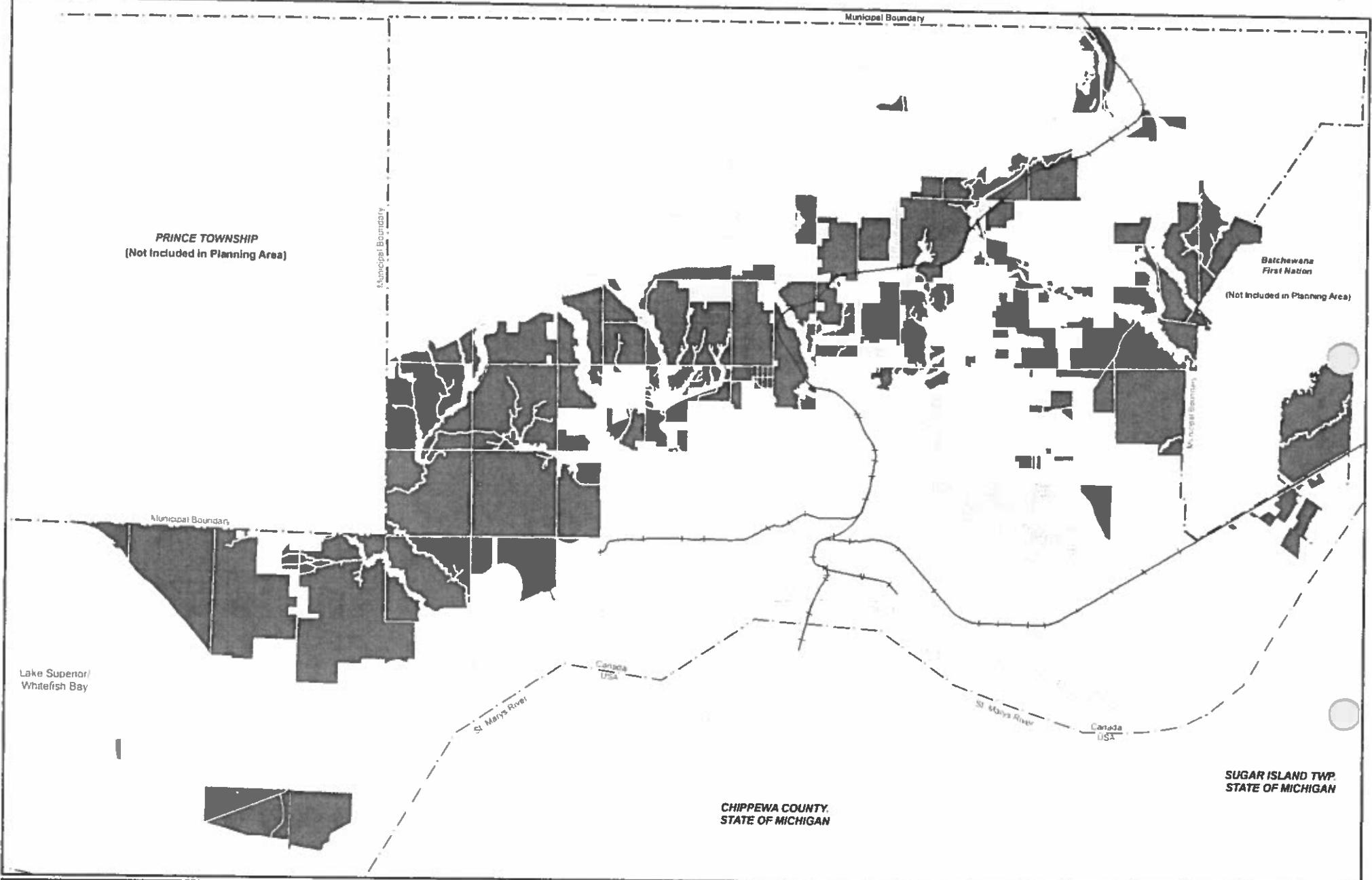
Recommended for approval,



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT/ps
Attachment(s)

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



AREAS ZONED RA - RURAL AREA ZONE

CITY OF SAULT STE. MARIE
BYLAW 2005-150



The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
September 05, 2013

This map is for general reference only.
For official mapping, see the
Engineering and Planning Department
Orthophoto: None

Projection Details

NAD 1983 UTM Zone 16N
GCS North American 1983

RA - Rural Area Zone

0 500 1,000 2,000 Meters



Malcolm White

From: Peter Tonazzo
Sent: Thursday, September 19, 2013 3:26 PM
To: Malcolm White
Cc: Don McConnell; Nuala Kenny
Subject: FW: Urban beekeeping coming to council Monday

From: Laura Wyper [mailto:Laura.Wyper@algomau.ca]

Sent: Thursday, September 19, 2013 3:01 PM

To: Mayor Amaroso; Steve Butland; Paul Christian; Terry Sheehan; Susan Myers; Pat Mick; Brian Watkins; Rick Niro; Lou Turco; Marchy Bruni; Frank Fata; Joe Krmpotich

Cc: Peter Tonazzo

Subject: Urban beekeeping coming to council Monday

Hello Mayor and Councillors,

Response to the Report to City Council from Peter Tonazzo et. al.

Re: Urbanbeekeeping

As I may not be able to be at the council meeting Monday when the urban beekeeping initiative report comes back to you [I am teaching a class at Algoma U until 5:30] I would just like to highlight the fact that urban beekeeping is not simply about if you will let individuals keep a hive in their yard or not.

It is in fact an issue that is about education of the public and our youth in terms of pollinators and:

Environment * Ecology * Biodiversity * Food Security * Food Sovereignty * Poverty * Social Justice *Culture *Human Rights

According to the Report:

The argument to keep with the status quo and not allow zoning changes to allow urban beekeeping in Sault Ste. Marie is based almost entirely on the 30m regulation in the Bees Act, stating that there are not many urban lots that would allow this.

Although on first inspection this is true, it does not take into consideration:

A) The many urban lots that would comply (like Algoma University which also has a community garden and would easily accommodate an apiary, all elementary and secondary schools, and larger / double lot owners).

B) That neighbourhoods could collectively keep bees with the idea of the 'beeyard' as a collective endeavor by multiple neighbours and their lots, ensuring that the hive complies with the 30m across said lots.

C) That pollinators do live in our city as do honey bees when they are a wild colony. *Honey bees can live in a tree on a urban lot as a wild colony but presently could not in a hive box on the same urban lot without being illegal...*(That citizens within our city that are environmentally / ecologically minded and want to support various pollinators aren't allowed to seems quite silly in light of this fact)

2. In terms of other related issues in the report:

A) The city's ability to be supportive and responsible to the intersecting issues around urban beekeeping including: the environment, ecology, food security, food sovereignty, biodiversity, and urban agriculture is called into question when they fall back on *status quo decisions that were made in a very different time historically and which do not represent the needs of our society as we move forward.*

B) Sault Ste. Marie could lead by example in the North rather than take the status quo of what other Northern cities are doing. *Particularly when we name ourselves the 'greenest city' we should actually be this and use this measure in our decision making.*

C) That putting the onus on each individual case to have to apply for rezoning is not a progressive stance, *is a lost opportunity for the city in terms of true greening of our municipality as well as all of the related lost opportunities or cascading effects of this decision.*

D) True bee allergies are rare and as the report suggests citizens are more likely to be struck by lightning. Bee Allergies for the individual involved are serious but *the significance of the minimal risk needs to really be highlighted* and public education has a role to play here, which could be taken on by urban beekeepers in conjunction with the city.

E) As mentioned in the report there are cities that have working height / hedge / bee line requirements as a proactive approach to urban beekeeping. These have been put in place to minimize issues with other property owners. Again, this needs to be highlighted. *Urban beekeeping is working well in MANY highly / densely populated cities, showing, through an already working model, that is could easily work here.*

F) As mentioned in the report swarming happens when bee populations outgrow hives, *but what the report fails to acknowledge is that beekeepers actively monitor their hives and split hives when showing signs of possible swarming to avoid this.* Beekeepers in many municipalities also voluntarily give their services and are listed as resource people to remove swarms if they do occasionally occur.

3. Taking an alternative view from that given by the city planning department:

A) Urban beekeeping could, like the Hub trail, be a sign of a city that is progressively greening itself, takes ecology, the environment and biodiversity seriously; it could also be a sign of a city that believes in sustainability in terms of local food security, our human right to grow our own food [food sovereignty], and urban agriculture as integral to the future of regional self-reliance.

B) Through education programs for residents, neighbourhood initiatives that could incorporate bee friendly facts into their programs (like city beautification, garden tours, fallen fruit, community gardens, etc.) and using height / hedge / beeline requirements like Vancouver, the city could be proactive with beekeepers and the public, thus decreasing the likelihood of problems for other property owners.

C) The city's decision affects the ability of urban beekeepers to even begin to educate the public through hands-on activities, grow mentorship programs, etc.. in the city if a status quo 'no' stance is taken, and is a lot of extra work for each individual who must take up precious city employee time with individual zoning requests.

D) A status quo / individual rezoning stance can also be seen as a historically and globally based divide and conquer strategy that decreases the ability of beekeepers to work in solidarity with neighbours and in neighbourhoods that are committed to the environment, ecology, food security, food sovereignty, biodiversity, and urban agriculture, puts activists at risks of legal consequences and thus impedes grassroots initiatives that are often times the basis of later community development initiatives in communities the globe over.

In Conclusion:

I ask that City Council consider the broader implications of the planning departments recommendation rather than just accepting the status quo and consider looking at urban beekeeping as a progressive initiative for the city because:

- The Sault says it is committed to being a green city and there are creative ways to work with the provincial BeeAct for compliance
- True bee allergies are rare and citizens are more at risk of being struck by lightning
- The city could easily work with urban beekeepers in a 'baby-steps' approach to changing over this zoning by working on pilot projects, (rather than have every individual have to apply for rezoning – which may never be allowed – have a commitment to this change in stages if needed).
- Public education could happen through some of the ideas mentioned above.
- This issue intersects with and is a part of larger issues around a commitment to the environment, ecology, food security, biodiversity, urban agriculture, and our basic human right to be able to grow our own food.
- The city itself could be leading by example, planting more pollinator friendly plants, working with urban beekeepers, and even marketing this as one of its 'green initiatives'.

Laura Wyper
Citizen of SSM

And affiliated with the:
Department of Community Economic and Social Development
Junior Lecturer
Algoma University

Malcolm White

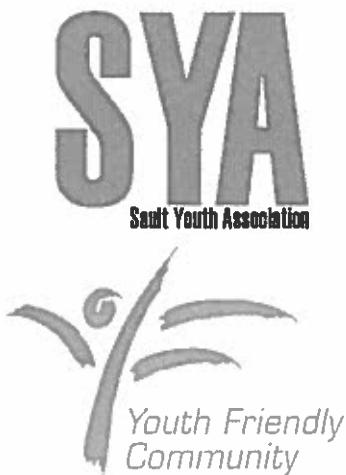
From: Peter Tonazzo
Sent: Friday, September 20, 2013 12:51 PM
To: Malcolm White
Subject: FW: bee's

From: Frank Allen [mailto:cismca@yahoo.ca]
Sent: Friday, September 20, 2013 10:35 AM
To: Peter Tonazzo
Subject: bee's

I understand that there will probably not be a change to the zoning rules to allow urban bee-keepers. Once again the Sault proves that it is not very welcoming or modern. Perhaps in fifty years you will change your mind. When I visit my father-in-law in a senior's home in downtown Toronto, they have a hive colony on top of their building (four stories).

Disappointed but not surprised.

frank Allen



FOR IMMEDIATE RELEASE
May 8, 2009

Sault Ste. Marie Receives a GOLD Youth Friendly Community Designation Grade

SAULT STE. MARIE, Ontario (May 08, 2009) – The Sault Youth Association (SYA) announced today that the City of Sault Ste. Marie has been recognized as a GOLD Youth Friendly Community Builder.

The golden grade was achieved by meeting 15 out of 16 criteria as defined by the Play Works Partnership Committee. These criteria are used to determine whether or not a community provides opportunities for "play" to their youth.

Opportunities for "youth play," as defined by Play Works, include such things as recreation, sport, arts, drama, dance, civic engagement, youth activism, volunteerism, social clubs, and youth leadership.

Terry Sheehan, Chair of the Youth Resources Committee states, "I am absolutely delighted that our City has achieved a Gold Youth Friendly Rating. It demonstrates that the funding for Youth that City Council made last year at budget time was well worth it. This designation will definitely be an asset to us when we market our City for the purpose of attracting businesses, health professionals and students."

Sault Ste. Marie and another 11 new communities, who also applied in 2008, have joined a total of 32 Youth Friendly Communities (YFCs) across Ontario inducted since 2005. Sault Ste. Marie was the only community this year to receive Gold status, while the City of Brampton and Municipality of Port Hope received Platinum with eight others receiving either Silver or Bronze status. Fifteen communities from across the Province applied for this special recognition.

SYA also unveiled two metal signs showcasing the Youth Friendly recognition that will be displayed within our community and all organizations wishing to participate in this celebration are encouraged to incorporate the Youth Friendly logo on their marketing materials. An official recognition ceremony is slated to take place at Queen's Park in June.

Alvin Olar, Chair of the Sault Youth Council reminds us that, "Sault Ste. Marie must now work together to ensure our community maintains and builds upon this recognition by putting our youth at the forefront of our activities."

Our gold status is good for five years, at which time we can reapply to achieve a platinum Youth Friendly Community Builder.

SYA are the presenters of Buskerfest and the publishers of The Fresh Magazine. SYA is an independent membership organization working as advocates to empower youth to strengthen their community.

Play Works Partnerships: The Ontario Partnership for Active Youth is a group of organizations concerned about the future of our youth who have joined forces to bring back the power of play to Ontario's young people. Key members of Play Works include the Arts Network for Children and Youth, Educational Research and Youth Representatives, YMCA Ontario, and the Ontario Physical and Health Education Association.

www.playworkspartnership.ca

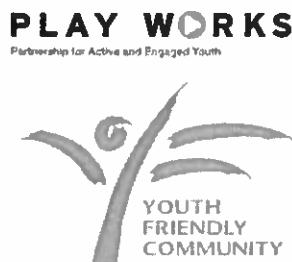
- 30 -

Contact:

Joanne Kovich, Business Director
Sault Youth Association
joanne@thefreshmagazine.com
(705) 946-1299

SYA is generously supported by:



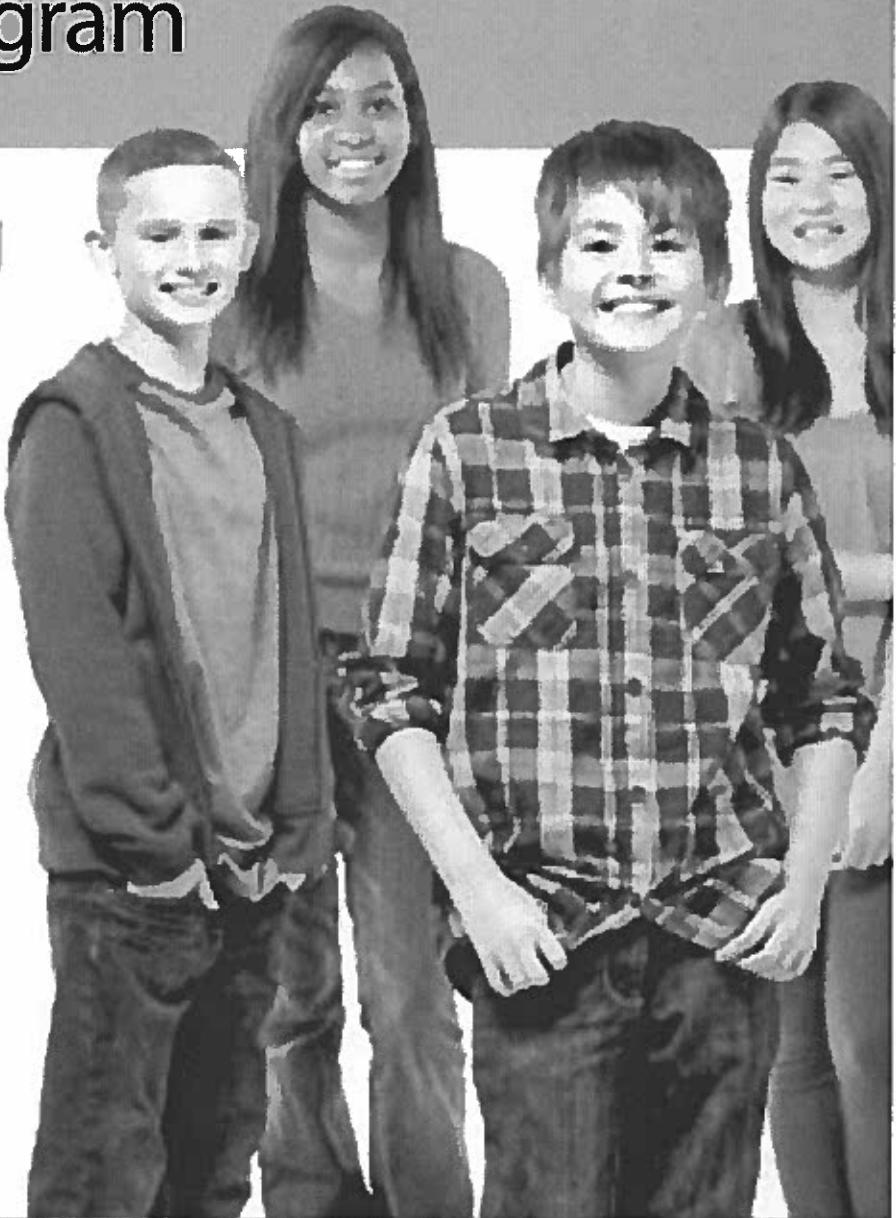


2013 Youth Friendly Community Recognition Program

We're looking
for a place
to play.

A place
where
we can –

Be physically active.
Be creative. Be leaders.
Feel accepted.
Feel connected.
Feel safe.



Is It Your Community?

Find out how being recognized as
YOUTH FRIENDLY can help your community...

What do we mean by play?

Play is any non-school activity that has elements of choice, leads to satisfaction, and encourages progressive learning and enjoyment.

Activities can include – but are not limited to – recreation, sport, leisure, arts, drama, dance, civic engagement, youth activism, volunteerism, social clubs and youth leadership.



"The City of Belleville is pleased to be recognized as a Youth Friendly Community. We have a variety of agencies and organizations in Belleville helping to support our youth and develop our young people now and for their futures. This assistance gives them a sense that they are appreciated and encourages them to make a positive contribution in their area. Caring for the youth of today is an integral part toward the betterment of our community tomorrow."

*Mayor Neil Ellis
City of Belleville*

Have you ever asked yourself if your community is "youth friendly?"

Play Works presents the Youth Friendly Community Recognition Program.

Play Works is on the search for communities in Ontario that are meeting the needs of adolescent youth.

A YOUTH FRIENDLY community is one that actively supports and provides opportunities for the growth and development of youth (ages 13 to 19) through play.

- Does your community believe in supporting youth?
- Does your community offer young people opportunities to participate in meaningful play?

- Does your community have a variety of play activities, such as recreation, arts, drama, sports and dance?
- Does your community offer play opportunities that include activism, volunteerism, and leadership development?

If so, your community could be recognized as "youth friendly."

Why get involved?

Because it makes sense.

A community where youth have the space, support and freedom to play tends to be one with less crime and more post-secondary graduates. Fewer people use social services and more people use bike paths. A community where opportunities for recreation, arts, culture and civic responsibility bloom is one that is healthy, competitive and artistic.

Because a Youth Friendly community provides benefits to the entire community:

- Provides an expression of support of and commitment to the youth in your community.
- Helps to avoid the migration of young people to other communities by encouraging local youth to help guide the future of their own community.
- Families are attracted to communities that provide the kind of programs and services for their teenagers that say, "We like young people here!"

Because, with a Youth Friendly designation, your community will be recognized:

- as a Bronze, Silver, Gold or Platinum Community Builder through a formal presentation to be held at a distinguished location and to which those who assisted with the community application will be invited
- through communication to all municipalities in Ontario
- in a news release to media in Ontario
- as a Youth Friendly Community on the Play Works website
- as a mentor for other communities to become youth friendly



Who is eligible to apply?

Any community in Ontario can apply.* Communities can be a geographically-specific neighbourhood such as Lawrence Heights in Toronto, a small township such as Brooke-Alvinston, a First Nations community such as Wikwemikong, a defined community such as a Canadian Forces Base or a larger city such as Richmond Hill.

The lead applicant can be from the municipal government, an agency such as the Boys and Girls Club or YMCA, or someone representing a collection of local agencies. All application forms must be signed by the most senior elected official of the municipality, township or First Nations community.

Co-applicants are also encouraged to play an active role in providing documentation to support the application. Like lead applicants, co-applicants can come from any group such as the faith community, community associations, schools, etc.

* A community is not an individual agency, organization or parks and recreation department. It is larger than just one service provider. It is all the service providers combining their efforts to best serve the needs of youth in their community.

To apply:

- Fill out the application form and provide documentation as outlined on the application form.
- There are 16 youth friendly criteria. Applicants must provide evidence that they meet at least 10 of the 16 criteria as listed on the application form. It is not expected that communities will meet all 16 criteria in the first year of application. Those that meet 10 or 11 criteria will be recognized as a **Bronze Youth Friendly Community Builder**, those that meet 12 or 13 criteria will be recognized as a **Silver Youth Friendly Community Builder**, those that meet 14 or 15 criteria will be recognized as a **Gold Youth Friendly Community Builder** and those that meet all 16 criteria will be recognized as a **Platinum Youth Friendly Community Builder**.
- Recognition is awarded for a five-year period, after which communities must re-apply for recognition. At any point a community that has been recognized and has not met all 16 criteria may re-apply to do so. A full new and updated application must be submitted for the criteria that the community believes it meets.
- On-going development is encouraged so that communities can re-apply and work toward meeting all the criteria within the five-year period.
- There is no cost for application or re-application to be recognized as a Youth Friendly Community.
 - The program is not a competition and there is no limit to the number of communities recognized each year. However, a Review Team considers each application and submitting does not automatically ensure recognition.



For all communities that have previously applied for recognition, please note that there are slight changes to the criteria, which should be considered in your application preparation.

For communities that have previously been recognized and are re-applying for the next phase of recognition, all documentation should be current. The Review Team will look for ways in which your community has continued to advance and champion youth play and takes your community past its previous application.

Youth Friendly Communities

CITIES

Barrie
Belleville
Brampton
Burlington
Cambridge
Hamilton
London
Markham
Mississauga
Peterborough
Pickering
Sarnia
Sault Ste. Marie
Greater Sudbury
Thunder Bay
Vaughan
Welland
Windsor

COMMUNITIES

Lawrence Heights, Toronto

MUNICIPALITIES

Chatham-Kent
Port Hope
South Huron

TOWNS

Ajax
Aurora
Blind River
Bracebridge
Caledon
Halton Hills
Hanover
Ingersoll
Milton
Newmarket
Oakville
Richmond Hill
Whitby
Whitchurch/Stouffville

COUNTIES

Brant
Norfolk

TOWNSHIPS

Brooke-Alvinston
Rideau Lakes

FIRST NATIONS

Wikwemikong Unceded
Indian Reserve No. 26

CANADIAN FORCES BASES

Petawawa

Application deadline:

Monday,
December 2, 2013

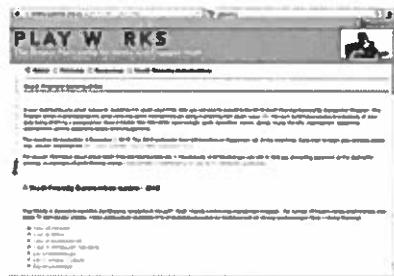
Recognition Ceremony:
April 2014

Application assistance...



"The City of Vaughan views opportunities for youth as an investment in the future – today's youth will be tomorrow's leaders. Actively engaging young people in community life helps strengthen their social and educational skills, builds confidence and ultimately contributes to improving the quality of life of our entire community. The City of Vaughan offers a variety of youth-oriented programs and services to encourage youth involvement and to create awareness of opportunities for activities that promote active, healthy living. We are proud to be recognized by Parks and Recreation Ontario as a Youth Friendly Community."

**Mayor Maurizio Bevilacqua
City of Vaughan**



Visit the Play Works website:
www.playworkspartnership.ca

In particular, review the 16 criteria listed. As you click through each description, you will find examples from Youth Friendly Communities in Ontario. These may give you an idea of where to find documentation about how your community is Youth Friendly.

Contact Play Works

While this is not a requirement of application, previous experience has shown that those communities that take this step have appreciated the help. This initial contact often results in a subsequent one-hour orientation call where you (and representatives of agencies in your community that will be helping with the application process) can learn more about how to approach the application process. Play Works can provide you with information on how to engage youth in the process and how to involve the community and community agencies.

For more information, or to set up an orientation call, please contact Play Works at 416-426 7142 or email pwp@playworkspartnership.ca.



The Honourable Michael Chan, Minister of Tourism, Culture and Sport, presents Mayor Wayne Emmerson, Councillor Richard Bartley, youth and staff with their plaque at the Play Works Youth Friendly Community Recognition Ceremony on April 27, 2013. The Town of Whitchurch-Stouffville was one of 10 communities being recognized and elected officials, youth and local representatives were on hand for this prestigious event.

PLAY WORKS
Partnership for Active and Engaged Youth

Play Works is a group of organizations that are concerned about the future of our youth and have joined forces to bring back the power of play to Ontario's young people. Play Works believes there are communities across Ontario that are taking steps to open their doors to youth by reinvesting in youth play. Let us know about yours! Those involved with Play Works include: 4-H Ontario; Arts Network for Children and Youth; Boys and Girls Clubs of Canada - Central Region; Ophea; Parks and Recreation Ontario; Sport Alliance Ontario; YMCA Ontario; and the Laidlaw Foundation and PROSeeds, supporters of Play Works.

- 3) **Youth Friendly Community Criteria** — Please check the criteria for which you are applying and upon which you are basing your application (a minimum of 10 criteria must be checked). For each criterion include a one to two-page description of how your community meets this criteria and provide additional tangible documentation for that specific criteria of how your community is meeting this criteria. This can include minutes of meetings, council or board reports, terms of reference, policies that support youth friendly play, newspaper clippings, copies of flyers, videos, pictures, program statistics summaries, etc. Please do not reference URL addresses for the Review Team to source. Rather, please include a copy of any URL page being referenced.

Please submit the 3 copies of the application form and the support materials as outlined in question 3 above. Include these in a binder format, beginning with the application form and then separating each criteria with numbered tabs so that the introductory page(s) for each criteria is immediately followed by the tangible evidence to meet that criteria and before the next tab.

- 1) Youth have options for play.
- 2) Youth are formally connected to the community.
- 3) Facilities are dedicated to youth play.
- 4) It is easy for youth to find information about play activities in the community.
- 5) The community supports public youth events.
- 6) The community celebrates and recognizes youth.
- 7) The community commits funding for youth play.
- 8) The community supports positive youth development.
- 9) The community supports youth volunteerism and leadership development.
- 10) The community has effective community partnerships.
- 11) Youth activism and advocacy for play is nurtured.
- 12) Youth feel valued in their community.
- 13) Youth can get to the play programs that are offered.
- 14) Schools support the youth friendly approach.
- 15) Adults champion the cause for youth play.
- 16) Play is inclusive.

- 4) **Local issue response** — Identify one issue in your community that is affecting youth's ability to play. In two pages or less, outline how your community has responded/is responding to that issue AND the results to date (i.e. how it has led to increased youth play in the community). Please include this information in a separate tab at the back of the binder.
- 5) **Local youth input** — To complete this application form, you must provide a summary of input received from a cross section of youth in your community as to why they feel your community is youth friendly. To gather this information, you may choose to have a youth focus group, have youth provide personal testimonials, do a random phone or written survey, and/or have youth create a PowerPoint or some other media presentation. Every application needs to include the voice of youth; youth who are highly engaged in their community and those who may be less actively engaged. Please include this information in a separate tab at the back of the binder.
- 6) **Co-Applicant Endorsement** — Please have a representative of at least three other youth service providers in the community, and who have contributed to the documentation included in this application, review and endorse this submission.

Name: _____ Organization: _____ Signature: _____
 Name: _____ Organization: _____ Signature: _____
 Name: _____ Organization: _____ Signature: _____

- 7) **Youth Endorsement** — Please have at least two youth review and sign this application and provide a letter of endorsement as to why they feel their community is youth friendly

Name: _____ Affiliation (group represented): _____ Signature: _____
 Name: _____ Affiliation (group represented): _____ Signature: _____

- 8) **Official Endorsement** — Please have the most senior elected official of the municipality, township or aboriginal community review and endorse this application.

Name: _____ Organization: _____ Signature: _____

- 9) **Submit Application by December 2, 2013 to:**

Youth Friendly Community Recognition Program: Play Works
 #302 – 1 Concorde Gate, Toronto, ON M3C 3N6

Tel: 416-426-7142 pwp@playworkspartnership.ca
 Fax: 416-426-7371 www.playworkspartnership.ca

Youth Friendly Criteria Descriptions

For the purpose of this recognition program, 'youth friendly' means that youth (ages 13 to 19) are actively supported and provided with opportunities for their growth and development through 'play.' All documentation included to provide tangible evidence of how your community meets the criteria must relate to the 13 to 19 age group. Documentation for those 12 and under will not be considered by the Review Team.

The youth friendly list of criteria was developed by Play Works, in consultation with youth groups and youth serving agencies from across Ontario. The descriptions include examples that show how each of the criteria might be met. Note: your community may have different examples.

1) Youth have options for play.

The community offers a consistent and varied mix of play opportunities for youth, ages 13 to 19. Play options include a range of examples, such as recreation, sport, arts, drama, dance, civic engagement, youth activism, volunteerism, social clubs and youth leadership opportunities. Play activities are both structured and unstructured, facility and non-facility based, competitive and recreational, and active and passive. They are a combination of adult-led and peer-led. Play opportunities are offered by parks and recreation departments, not-for-profit community agencies, private sector businesses and/or through informal self-directed individuals with common interests. The community provides tangible evidence that a variety of play options are available and, more importantly, that youth are actively participating in those opportunities.

2) Youth are formally connected to the community.

The community has formal and publicly recognized ways in which youth can have their voices heard. Examples may include designated youth positions on City Councils, School Boards of Trustees and not-for-profit agency Boards of Directors. Within these structures, youth may also be on standing committees, such as Finance, Transit, Accessibility or Human Resources. When focus groups and public consultations around agency/community and master planning occur, youth have a place at the table. Opportunities for youth input and voice are also evident in the form of neighbourhood or community-wide youth advisory committees/councils that provide feedback and recommendations to elected governing bodies. Youth can also have a formal voice through public media opportunities, such as writing a regular column in the local newspaper, hosting a community television show and/or designing and maintaining a community-sponsored website.

3) Facilities are dedicated to youth play.

Dedicated facilities mean more than youth just having access to a weekly hour-long program in a community centre. It means spaces and places are available in which youth feel a sense of ownership and belonging. They see the space as being theirs and the space 'reflects' their presence – permanently or temporarily - during the time which they use it. Youth programs are not 'bumped' when the space is needed by other paying groups or age groups. Dedicated space is not limited to one location but is in a number and variety of settings such as community centres, not-for-profit agencies, schools, faith centres, private businesses and/or service clubs. Space is made available at times and locations suitable to youth participation and access to space increases relative to the youth demographics. The community provides evidence that facilities are both dedicated to and used by youth.

4) It is easy for youth to find information about play activities in the community.

The community has a variety of media and communication outlets to share opportunities for and activities about youth. These include websites, newsletters, bulletins, brochures, bus shelter ads, dedicated community/school bulletin boards, and newspaper advertisements and articles. Social marketing tools such as Facebook, Twitter, and texting are also used and there is evidence that youth actively use these to access information. Parks and recreation departments, community agencies, sport clubs, private businesses, schools and other service providers are using traditional and more modern forms of communication to connect with youth in a way that is both easy and accessible.

5) The community supports public youth events.

The community supports large-scale public events in which youth have a major focus in planning and/or participating. Through these events, local citizens see youth in a public and positive light. Public youth events are not fundraising events, while this might be a by-product of the event. Examples include youth art shows, skateboard exhibitions, sports tournaments, battle of the bands, Idol competitions, etc. Events that are part of a larger community event, such as an agricultural fair, a city festival or film festival, have specific activities identified for youth in the 13 - 19 age range and marketing initiatives target youth as a specific audience to attend. Community organizations and groups, such as 4-H, YMCAs, Boys and Girls Clubs, Cadets, Scouts, Guides, health, police, local government, parks and recreation, culture, schools, service clubs and accessibility groups collaborate to present and support public events. There is evidence that youth, including those who are traditionally not connected with local services, participate in these events.



How to organize your submission

For ease of reference for the review team, please separate the documentation you are providing for each criterion.

Please submit the 3 copies of the application form and the support materials as outlined in question # 3 on page 6. Include these in a binder format, beginning with the application form and then separating each criteria with numbered tabs so that the introductory page(s) for each criteria is immediately followed by the tangible evidence to meet that criteria and before the next tab.



"It's true – the youth of today are tomorrow's leaders, and that's why we are committed to supporting them through a wide range of programs and services in Richmond Hill. Our Youth Action Committee is very active in the community, participating in a wide variety of events throughout the year. We are honoured to be recognized as a Gold Level Youth Friendly Community."

**Mayor Dave Barrow
Town of Richmond Hill**

Youth Friendly Criteria Descriptions (continued)

6) The community celebrates and recognizes youth.

The community offers awards, special recognition and/or scholarship programs to recognize the contributions youth make as participants, leaders, volunteers and/or engaged community members. This recognition may be awarded by local government, service clubs, schools, and/or community agencies, and a diversity of community groups offer these opportunities. Formal announcements about such initiatives, and the results of these recognition processes, are publicized and promoted in newspaper articles, on the radio, on the municipal website, on community agency websites, in program brochures and/or in newsletters. Adults promote this recognition and the application processes and there is evidence that youth actively take advantage to access these opportunities

7) The community commits funding for youth play.

The community has a variety of funding sources that support youth play. Funds are designated in the annual municipal operating budget and, where possible, youth programmer position(s) are funded by the local tax base. Youth-serving agencies provide evidence of financial support for play-specific activities. Support to advance youth play opportunities is evident from groups such as service clubs, sports groups and/or the business community. There is evidence of youth play programs that are low or no cost. Where there are special granting or subsidy programs to increase access, the community is able to assist youth where needed in the application process and to identify the number of youth applying for and accessing the funding and to increase its availability as needed. The community commits funding for current and long-term capital for youth-oriented facility development and improvement, such as youth centres, skate parks, creative arts spaces, and/or dance studios. Parks and recreation departments and local service providers have written policies that reflect their commitment to and investment in youth play opportunities.

8) The community supports positive youth development.

Positive youth development is a formal process through which a youth makes the transition from childhood to adulthood. During this time, youth are exposed to and learn the critical five competencies: social, emotional, ethical, cognitive and physical. They also participate in programs and services which meet their seven developmental needs, which are: meaningful participation, mastery and achievement; positive interaction with adults and peers, physical capacity, creative expression, self-definition, and structure and clear limits. The community, and community agencies, do not reference 'deficit-based approaches' in their language and promotional information (e.g. reduce crime, get kids 'off the streets'; pregnancy prevention workshops) but rather speak to the skills and talents and potential which youth have and which the community is working to support (the 5 C's – Competence, Connection, Confidence, Caring and Character). The community supports positive youth development by ensuring staff and volunteers of youth service programs are offered opportunities, and are actively encouraged to participate, in orientation and training sessions on positive youth development and there is evidence of this training occurring in the community.

9) The community supports youth volunteerism and leadership development.

The community recognizes youth volunteerism and leadership development. There are systems to help youth get connected to a variety of volunteer opportunities which are meaningful and which help them develop a variety of competencies. Youth identify that they are familiar with these systems and that they regularly and readily access them. Younger youth are sought out to fill junior leadership roles in various groups such as sports clubs, day camps, youth centres and/or faith groups. They are encouraged to and do take on increasingly significant leadership roles in planning, implementing and evaluating community-based services. Training for youth to be successful in their volunteer and leadership experiences is continually provided.

10) The community has effective partnerships that support youth play.

Access to affordable youth play is a key component of community-based partnerships. Local government departments work cooperatively with each other and with community groups to provide the best menu of opportunities for youth play. Specific attention is given to meeting the need for play of hard-to-reach, isolated, vulnerable and disenfranchised youth and there is evidence that these youth are being engaged through these partnerships. Community partners include not-for-profit agencies, cultural groups, housing cooperatives, youth associations, sports clubs, arts groups, justice, social services, the faith community, health, and education. Local businesses play an active role in supporting youth play, above and beyond sponsoring or funding youth play. They do this through representation at events, using their business to market youth play activities, and/or by providing regular coverage of youth events.

Youth Friendly Criteria Descriptions (continued)

11) Youth activism and advocacy for play is nurtured.

There is evidence that youth are able to spontaneously address issues as they arise and about the quality of and access to youth play. Examples of advocacy and activism can include rallies, delegations to council, letters to the editor, YouTube videos, etc. Youth are supported in their efforts and know to whom they can go for guidance in preparing their case on politically sensitive issues. Adults view these activities in a positive light and as a sign of responsible and engaged youth. This adult support is publicly confirmed. Decision makers and media respond proactively to youth advocacy for change. Because the youth voice is being heard, change happens and this change is evident in specific community examples.

12) Youth feel valued by their community.

Youth confidently say they feel respected and valued in their community. They are not asked to leave locations, or limit how many can socialize at the same time in the same area, or leave their bags at the store door when they go shopping (shopping is a great leisure activity for many youth). Rather, the community encourages businesses, recreation centres, malls, theatres and other locations to understand the needs of youth and works to recognize and engage youth as contributing citizens within the community. Spaces are promoted as 'youth friendly' and youth are provided opportunities to interact with others in a positive and mutually respectful way. Tangible documentation and testimonies from youth, who are representative of the larger community demographics, attest to the fact that their community is youth friendly.

13) Youth can get to the play programs that are offered.

The community has ways in which youth can get safely and efficiently to and from play opportunities. Getting to programs can include: responsive transit systems with routes passing by dedicated youth facilities and that operate on days and times during which youth are available and programs are running; lighted bike paths and/or bike lanes on major roads; car pools; standard-rate taxi services; reduced or free youth transit fees; and mobile outreach into isolated areas. Play is also intentionally located - or relocated - to be closer to where youth are (or where those who may be driving them will go). Examples of this include spaces that are in or near local neighbourhoods, schools, libraries, fitness centres, grocery stores and shopping centres.

14) Schools support the youth friendly approach.

Schools are recognized for their contribution to the community's youth friendly approach. They encourage the circulation and explanation of information to students on play activities. The schools offer opportunities for service providers and the larger community to become involved with school-based play activities. They also actively participate in, and have a presence at, community-based youth play events. Representatives from local schools and/or school boards sit on community committees to bring the student/school perspective to discussions. Schools work to adjust bussing to help youth get to play areas. They pro-actively work to increase access to school facilities through formal relationships with service providers, the Community Use of Schools Agreement and through reciprocal agreements with local governments.

15) Adults champion the cause for youth play.

The community has many adult leaders from diverse backgrounds and positions who recognize and advocate the need for positive youth play. They publicly support youth by ensuring elected officials, police, local celebrities and media are involved in local youth events and their efforts are reflected in print and visual media and in other publications. For their part, youth regularly share their experiences of positive play with adults and at adult-led events, such as service club meetings, school board sessions, annual general meetings and professional association meetings. There is evidence that youth are able to identify those who are champions of youth in their community.

16) Play is inclusive.

In a Youth Friendly Community, all youth have options for play. Whether they be programs for youth with physical or developmental considerations, programs that are intentionally and proactively sensitive to the ethnic, gender or sexual orientation of youth, or programs that consider the increasing number of youth with mental health challenges, there are options for, there is outreach to, and there is evidence of, inclusive play opportunities for youth.



7(b)



**2013 Youth Friendly
Community Recognition Program**

#302 – 1 Concorde Gate, Toronto, ON M3C 3N6
416-426-7142

pwp@playworkspartnership.ca
www.playworkspartnership.ca

Application Deadline: December 2, 2013

PLAY WORKS

Partnership for Active and Engaged Youth



Curb the fight over garbage

Ontario has an opportunity to do something truly innovative with the important — though decidedly unsexy — issue of garbage. There's a proposed bill at Queen's Park that could transform Ontario's recycling programs and turn the province from laggard to leader in the way we manage some 13 million tonnes of waste every year. It's high time for all three of the province's political parties to put aside their partisan squabbling and show the Waste Reduction Act some love.

There's a lot at stake. According to the province's waste management association, the changes created by this new act could open the door to a \$1-billion investment in the industry and lead to the creation of thousands of jobs. Not bad for curbside castoffs.

Consumers will benefit because the inevitable built-in recycling costs on the products they purchase will actually go to a program that has a far better shot at success. The current program's costs, most of which are passed on to consumers, were roughly \$176 million in 2012. That's a lot to spend on a flawed system.

But now that the Waste Reduction Act has arrived at Queen's Park, it's at risk of falling victim to the political infighting that is delaying many bills proposed by the minority Liberal government. That shouldn't be allowed to happen.

Tim Hudak's Progressive Conservatives should put aside their partisan shenanigans and support the act, since many of its ideas were in fact proposed by them. Even though Environment Minister Jim Bradley has taken the bold steps needed to rewrite the earlier legislation, the Tories can also take some credit. What's not to like about that?

Indeed, the new act would fundamentally alter the system of waste diversion in Ontario — not a bad thing when our overall diversion rates have been stuck at a mere 24 per cent for the past 10 years, a dismal showing compared to Nova Scotia's 42-per-cent rate. The key to success is the act's new philosophy, which focuses on "individual producer responsibility." That means companies that manufacture electronics or produce household waste are responsible for recycling their own goods. In other jurisdictions, such a system has succeeded in lighting the fires of competition, creating greener product designs and ultimately lower fees for consumers.

Under Ontario's current system, producers benefit from a cozy arrangement: Corporations that sell electronics, for example, get together and agree upon the costs of eco fees to be charged to consumers, and oversee how wastes are divided among the approved recycling companies. It all makes for a comfortable relationship among the producers, but it doesn't lead to the best result for the environment. It's too expensive and it's driving some innovative companies out of business because they can't get enough waste materials to survive.

If that sounds like a government-mandated mess, it is. But the worst of it is that without competition there's no economic motive for an individual company to find a better design for its products or packaging.

The proposed law would change that and the timing couldn't be better. As the Ontario Waste Management Association says, the industry is brimming with new technology and ideas. It just needs an open marketplace to compete. If the act were passed, and Ontario could get to a 50-per-cent diversion rate (Bradley's eventual target is 60 per cent), the association says the industry would flourish, creating 5,000 direct and 17,500 indirect jobs. Surely all political parties can get behind that.

Those who prefer the status quo are lobbying against the bill. Many would be happy to see it sent back for review and quietly die whenever the next provincial election is called. That would be a shame for the environment, for industry and for jobs.

The Waste Reduction Act must become law.

This is one opportunity that Ontario's politicians shouldn't throw away.



Environment Minister Jim Bradley has taken the bold steps needed to rewrite the earlier waste management legislation

10(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2013-181

WASTEWATER TREATMENT SERVICES AGREEMENT: (P4.2) A by-law to designate the Land Development and Environmental Engineer, Director of Engineering Services, and Commissioner of Engineering and Planning as authorized representatives for the existing Wastewater Treatment Services Agreement.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to section 2.5 of the Wastewater Treatment Services Agreement, attached hereto, ENACTS as follows:

1. **WASTEWATER TREATMENT SERVICES AGREEMENT**

The Council of the Corporation of the City of Sault Ste. Marie hereby designates the Land Development and Environmental Engineer, Director of Engineering Services, and Commissioner of Engineering and Planning as authorized representatives for the existing Wastewater Treatment Services Agreement.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 7th day of October, 2013.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOM WHITE

c:\Staff\by-laws\2013\2013-181 delegate Engineering PUC agreement

NOTICE
THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR



Schedule "A"

10 (2)

WASTEWATER TREATMENT SERVICES AGREEMENT

THIS AGREEMENT made effective this 1st day of July, 2003

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
hereinafter called the "Owner"

OF THE FIRST PART

AND

PUC SERVICES INC.
hereinafter called "PUC Services"

OF THE SECOND PART

CONCERNING:

OPERATION AND MAINTENANCE OF THE
CITY OF SAULT STE. MARIE'S WASTEWATER TREATMENT
FACILITIES

RECITALS

- (a) PUC Services is in the business of providing operation and maintenance services ("Services") for water and wastewater facilities.
- (b) The Owner is the owner of the facility, more particularly described in Schedule A (the "Facility").
- (c) The Owner wishes to retain the services of PUC Services to operate and maintain the Sault Ste. Marie Wastewater Facilities (as further described in Schedule A, the "Facility") in accordance with the provisions of this agreement (the "Agreement")
- (d) The Owner and PUC Services (collectively, the "Parties") are entering this Agreement to clarify and set out their respective rights and obligations with respect to the operation, maintenance, invoicing and payment arrangements for the facility.
- (e) The Council of the Owner on the 23rd day of June, 2003, passed By-Law No. 2003-154 authorizing the owner to enter into this Agreement.

NOW THEREFORE the Owner and PUC Services agree as follows:

ARTICLE 1 - INDEX TO DEFINITIONS

Section 1.1 - Definitions

In this Agreement, definitions are set out in Schedule B, or within applicable provisions as indicated.

ARTICLE 2 - RESPONSIBILITIES OF PUC SERVICES

Section 2.1 - Retention of PUC Services

The Owner retains PUC Services to provide management, operation, administration and maintenance services, as further described in Schedule "C" to this Agreement, in respect of the Facility (the "Services").



Section 2. 2 - Performance of Services

- (a) PUC Services shall operate the Facility in compliance with all applicable laws, regulations and authorizations except as described in Paragraphs 2.2(b) and (c) below and in any of the following circumstances:
 - (i) the Owner not making the Capital Expenditures reasonably recommended by PUC Services in the Estimate as described under Section 4.6 below;
 - (ii) mechanical failure of any equipment at the Facility unless the mechanical failure is due to negligent maintenance or operation by PUC Services;
 - (iii) the wastewater transmitted to the Facility for treatment does not meet the requirements of the Owner's sewer use by-law or any Applicable Law;
 - (iv) the wastewater transmitted to the Facility for treatment contains contaminants or other substances which cannot be treated or removed by the Facility's processes; or
 - (v) the quantity of wastewater transmitted to the Facility exceeds the Facility's design capacity.
- (b) PUC Services may temporarily cease to provide or reduce, the level of provision of Services hereunder in the event of an emergency, a breakdown or any Uncontrollable Circumstance; provided, however, that PUC Services shall, when practicable, endeavour to give the Owner reasonable advance notice of each such occurrence.
- (c) Notwithstanding any other provision of this Agreement, delay in the performance of, or a failure to perform any term of this Agreement by PUC Services, shall not constitute default under this Agreement or give rise to any claim for damages suffered by the Owner if and to the extent caused by occurrences or circumstances beyond the reasonable control of PUC Services, including but not limited to, decrees of government, acts of God (including but not limited to hurricanes, tornadoes, floods and other weather disturbances), sabotage, strikes, lockouts and other industrial disturbances, insurrections, war, civil disturbances, riots, explosions, fire and acts of third parties (any such occurrence or circumstance is referred to as an "Uncontrollable Circumstance").
- (d) PUC Services, in its discretion, shall take remedial measures that it determines are reasonably necessary to attempt to maintain compliance with Applicable Laws. Within the context of Section 2, such measures may be beyond the Services and as such would be subject to extra costs as described in Paragraph 4.5 (f). PUC Services shall use its best efforts to contact the Owner and obtain the Owner's approval prior to undertaking such remedial measures.
- (e) Notwithstanding Paragraph 2.2(d) above, the Owner recognizes that such remedial measures taken by PUC Services may be as a result of an emergency situation or an Uncontrollable Circumstance and that in such situations PUC Services' primary concern will be making all reasonable efforts to maintain compliance with Applicable Laws.
- (f) The Owner has retained a consultant to prepare operating and maintenance specifications that are specific to the Facility (the Specifications). PUC Services shall operate the Facility in accordance with the Specifications to be established. While it is anticipated that the Specifications will not require a lower level of operating and maintenance activities than the current practice, it is agreed by the parties hereto that any significant impact on operating costs, either increase or decrease, shall be negotiated.

Section 2. 3 - Excluded Services

Any services not set out in the Services (the "Excluded Services") are excluded from this Agreement and, without limiting the generality of the foregoing, those services set out in Schedule "D" to this Agreement are examples of Excluded Services. If the Owner subsequently requires PUC Services to provide the Excluded Services, they may be provided at additional cost to the Owner.

Section 2. 4 - PUC Services as Independent Contractor

In performing the Services, PUC Services shall be acting as an independent contractor and only to the extent and for the specific purposes expressly set forth herein. Neither PUC Services nor its employees, agents or subcontractors shall be subject to the direction and control of the Owner, except as expressly provided in this Agreement.



Section 2.5 - Authorized Representatives

Each of PUC Services and the Owner shall be entitled to designate in writing to the other one or more individuals who shall be authorized to represent it in connection with the day-to-day administration of the provisions of this Agreement (the "Authorized Representatives"). Each of the parties shall be entitled to rely on the acts and approvals given by the other party's Authorized Representative until such time as it receives a written notification of change in the other party's Authorized Representative.

Section 2.6 - Reporting

Within thirty days of the completion of each calendar quarter or such other period as the Owner and PUC Services may agree upon, PUC Services shall provide the Owner's Authorized Representative with a report describing the Facility's performance for that period.

Section 2.7 - Access to the Facilities

As the operator of the Facility, it is the responsibility of PUC Services to ensure the integrity of the operation of the Facility as well as the health and safety of PUC Services staff and, as necessary, any contractors and other persons visiting or working at the Facility, including any representatives of the Owner who may be visiting the Facility.

To ensure that both PUC Services and the Owner can meet their respective responsibilities with respect to the Facility, the Owner shall ensure that its staff, agents and/or contractors (the "Owner Representative") who have access to the Facility will follow the following protocol:

- (a) Owner Representatives will provide PUC Services' operations manager for the Facility with reasonable advance notice of their intention to visit the Facility;
- (b) All visits made by Owner Representatives shall be made during normal working hours while PUC Services staff are present at the Facility;
- (c) All Owner Representatives visiting the Facility must sign in and out of the logbook. At all times, PUC Services staff need to be aware of who is visiting the Facility and their whereabouts;
- (d) No Owner Representative will be allowed access to the Facility until they have received a risk/hazard orientation session with PUC Services staff. The purpose of this orientation session would be to ensure that all Owner Representatives are made aware of the potential safety risks/hazards at the Facility as well as those areas of the Facility where access is prohibited (e.g. confined spaces). All Owner Representatives visiting the Facility should wear appropriate attire (e.g. safety footwear) and be familiar with the Owner's safety procedures as well as the procedures set out in PUC Services' Safety Manual (recognizing that in some circumstances Contractors retained by the Owner may have their own Health and Safety Policy in place that is adequate to address the risks within the Facility or the work being performed);
- (e) Owner Representatives shall not in any way interfere with PUC Services' operation of the Facility and, in particular, Owner Representatives shall not at any time manipulate/adjust/re-set any equipment, process control, etc. within the Facility without the prior approval of the Facility's Operation Manager;
- (f) The Owner shall release PUC Services its directors, officers, employees and agents (collectively the "Released Parties") from any and all actions, damages, claims, liabilities, injuries, costs and charges (each a "Claim") associated with any action taken or failure to act by an Owner Representative while visiting the Facility and the Owner shall take full responsibility for any Claims resulting from any actions or failure to act of an Owner Representative at the Facility and shall indemnify PUC Services and the Released Parties for all such Claims incurred or suffered by PUC Services and/or anyone or more of the Released Parties as a result of such actions.

Section 2.8 - Indemnification of the Owner

PUC Services shall exonerate, indemnify and hold harmless the Owner, its officers, employees and agents from and against any and all Claims which may be suffered or incurred by, accrue against or be charged to or recoverable from the Owner that are caused by PUC Services' negligence or willful misconduct when performing the Services. The Owner shall be deemed to hold the provisions of this Section 2.8 that are for the benefit of the Owner's officers, employees and agents in trust for such officers, employees and agents as third party beneficiaries under this Agreement.



10(a)

Section 2. 9 - Insurance

- (a) PUC Services shall arrange for insurance coverage of the Facility as described in Schedule "E" to this Agreement (the "Insurance") and, with the exception of automobile insurance, the Owner shall be an additional insured under such Insurance. If there is a significant change in the Insurance, the Owner will be notified of such change.
- (b) The Owner may, at its cost, maintain additional insurance in respect of the Facility if it wishes and PUC Services shall be an additional insured under such insurance.
- (c) The Owner shall be responsible for securing its own insurance for any operations with which it is involved or which are Excluded Services that are not the subject of this Agreement. The Owner acknowledges that it will have no recourse under PUC Services' policies of insurance for any such operations.
- (d) In the event of a claim under the Insurance, the payment of deductibles is as specified in Schedule "E".

Section 2. 10 - Representations and Warranties of PUC Services

PUC Services represents and warrants to the Owner that the following are true and correct:

- (a) That it has power and authority and has taken all necessary steps to enter into and perform its obligations under this Agreement; and
- (b) PUC Services' staff are trained and capable of carrying out the terms of this Agreement.

ARTICLE 3 - RESPONSIBILITIES OF THE OWNER

Section 3. 1 - Representations and Warranties of the Owner

The Owner represents and warrants to PUC Services that:

- (a) The Owner has the full power and authority to enter into and perform its obligations under this Agreement.
- (b) The Owner has passed all necessary by-laws and obtained all necessary Authorizations to enable it to enter into and perform its obligations under this Agreement and to operate the Facility, including without limitation, any Authorizations required from the Ontario Municipal Board and the Ministry of the Environment, and each of the Authorizations are in good standing.
- (c) The Owner has provided PUC Services with a true copy of each of the Authorizations referred to in paragraph 3.1 (b) above, prior to the date of execution of this Agreement, including a certified copy of each municipal by-law and other approval required to authorize the Owner to enter into and perform its obligations under this Agreement.
- (d) As owner of the Facility the Owner is fully aware of its responsibilities and obligations and, as part of its due diligence in operating the Facilities, has selected PUC Services as operator to provide the Services.

Section 3. 2 - Covenants of the Owner

The Owner hereby covenants for the benefit of PUC Services:

- (a) The Owner agrees to promptly provide PUC Services with any information relating to the Facility which could have a bearing on the provision of Services by PUC Services.
- (b) The Owner shall repair, maintain and keep in a good working state, in accordance with good engineering practice and the standards reasonably applicable to an owner of like facilities, all wastewater works that belong to or are under the control of the Owner and that collect and transmit wastewater to the Facility.
- (c) The Owner shall take reasonable steps to ensure that wastewater transmitted to the Facility complies with the Owner's sewer use by-law and any Applicable Law.



Section 3.3 - Exoneration and Indemnification of PUC Services

- (a) Subject to Paragraph 3.3(c) below, the Owner shall exonerate, indemnify and hold harmless PUC Services, its directors, officers, employees and agents (collectively referred to as the "Indemnified Parties") from and against any and all Claims which may be suffered or incurred by, accrue against, or be charged to or recoverable from any one or more of the Indemnified Parties that, in any way, either arise from or are connected with the operation of this Agreement.
- (b) PUC Services shall be deemed to hold the provision of this Section 3 that are for the benefit of PUC Services' directors, officers, employees and agents in trust for all such Indemnified Parties as third party beneficiaries under this Agreement.
- (c) Notwithstanding the other provisions of this Section 3, the Owner shall not be liable in respect of damages arising out of any Claim where:
 - (i) to the extent that such Claim is covered by the Insurance or a policy of insurance put in place by PUC Services, the premiums of which were paid for by the Owner; or
 - (ii) where the Claim arose solely as the result of PUC Services' negligence or willful misconduct in providing the Services.

ARTICLE 4 - ARTICLE 4- TERM, PAYMENT FOR SERVICES AND OTHER CHARGES

Section 4.1 - Initial Term of Agreement

This Agreement shall start on July 1, 2003 and shall continue in effect for an initial term of five and a half years (the "Initial Term") and then shall be renewed for successive five year terms unless terminated under Section 6.2 of this Agreement.

Section 4.2 - Annual Price for Initial Term

- (a) Subject to any adjustments made pursuant to other provisions of this Agreement, the Owner shall pay PUC Services for provision of the Services, a price for each year of the Initial Term in the following amounts (the "Annual Price"):
 - (i) For Year One from July 1, 2003 through to December 31, 2003 inclusive: \$797,432.00 (One half of the full year price of \$1,594,864.00).
 - (ii) For Year Two beginning January 1, 2004 and subsequent Years: \$1,594,864.00 plus an adjustment for inflation calculated as described below in Paragraph 4.2(b).
- (b) Statistics Canada Consumer Price Index, All Items (Ontario) ("CPI") shall be used to calculate the inflation adjustment referred to in Paragraph 4.2(a) above. The percentage difference between the CPI during June of the previous year as compared to the CPI of June of the current year, less the reduction identified in Paragraph 4.2(c), shall be the inflation adjustment for the next year. For example, the inflation adjustment for year 2004 is the CPI of June 2003 divided by the CPI of June 2002. The adjustment will be calculated as soon as necessary information is available from Statistics Canada and the Annual Price will be retroactively adjusted to January 1. In year two of the Agreement and subsequent years, the inflation adjustment shall be added to the Annual Price for year one of the Agreement on a cumulative basis.
- (c) The reduction referred to in Paragraph 4.2(b) above shall be equal to one half (1/2) percent. This reduction shall not be used to reduce the inflation adjustment, in any particular year, to less than zero (0) percent.

Section 4.3 - The Annual Price in Renewal Terms

The Annual Price for any renewal term will be as agreed between the Owner and PUC Services. If the Parties can not agree on the Annual Price for any renewal term within six months of the beginning of the last year of the Initial Term or a renewal term (the "Current Term"), this Agreement will be terminated six months from the last day of the Current Term. During this six month period, the Owner shall pay the Annual Price paid for the last year of the Current Term, as indicated above, pro-rated over the six month period.



Section 4.4 - Payment of the Annual Price

The Owner shall pay PUC Services the Annual Price for each year of the Initial Term or any Current Term, in twelve monthly payments, in advance, on the first day of each month. Payment may be made by the Owner by pre-authorized bank debit from a bank account designated by the Owner or by payment upon receipt of invoice. In Year One of the Initial Term, the monthly payment of the Annual Price shall be \$132,905.33. The first payment shall be due and payable on July 1, 2003 and available in the Owner's designated bank account on that date.

Section 4.5 - Items not included in the Annual Price

The Annual Price, for each year of the Initial Term and any subsequent term, covers all charges for the Services, but does not cover items or matters that are outside the scope of the Services, and without restricting the generality of the foregoing, does not include the following:

- (a) any Capital Expenditures as agreed to by the Owner, or resulting from any failure of the Owner to implement reasonably recommended Capital Expenditures;
- (b) any charges resulting from any changes in Services required by changes to Applicable Laws;
- (c) Unexpected Expenses (as defined in Paragraph 4.7(a) below);
- (d) the payment of municipal taxes or municipal grants in lieu of taxes; and
- (e) any charges resulting from adverse tax changes in respect of the Services or the Facility, excluding income taxes payable by PUC Services on its own revenues.
- (f) any charges resulting from PUC Services having to address an Uncontrollable Circumstances and, without limiting the generality of the foregoing, such charges resulting from those situations addressed in Section 2.2 of this Agreement.
- (g) any charges for utilities including hydroelectric power, natural gas and water.

Section 4.6 - Capital Expenditures

- (a) "Capital Expenditures" means the charges for all capital items in relation to the Facility, including new or replacement equipment, any overhaul or rebuild of equipment, any non-routine repair or maintenance, (excluding routine maintenance); any alterations and any associated installations, commissioning, including labour and preselection "charges, together with PUC Services' service fee.
- (b) No later than October 31st of each year this Agreement is in force, or a date as the parties may agree in writing, PUC Services will provide the Owner with an estimate of the Capital Expenditures reasonably required for the operation of the Facility for the following year. The Owner's written approval of any estimate authorizes PUC Services to incur the Capital Expenditures included in the estimate (the "Approved Capital Expenditures").
- (c) PUC Services will invoice the Owner for the Approved Capital Expenditures together with any additional supporting documentation and the Owner shall pay the invoice within 30 days of receipt.

Section 4.7 - Unexpected Expenses

- (a) "Unexpected Expenses" means unanticipated expenditures that PUC Services reasonably incurs in order to address equipment failure, acts of third parties, or other circumstances beyond PUC Services' reasonable control, including but not limited to unregulated septic dumping, illegal industrial waste discharges or overflows, any emergency situation or any situation resulting from an Uncontrollable Circumstance.
- (b) In the event that PUC Services is required to incur Unexpected Expenses, the prior approval of the Owner with respect to those Unexpected Expenses will be required only if time permits. Within ten days of incurring the Unexpected Expenses, PUC Services will provide the Owner with a report detailing the reasons the Unexpected Expenses were incurred and the Owner shall pay PUC Services for the Unexpected Expenses within thirty (30) days of receipt of an invoice from PUC Services.



Section 4.8 - Interest on Late Payments

If the Owner's monthly payment of the Annual Price is not available in its designated bank account on the agreed to date of payment, or if a certified cheque payable to PUC Services has not been received, PUC Services will notify the Owner that the funds were not available. On the next Business Day, PUC Services will again attempt to withdraw the monthly payment. If funds are not available when the second attempt to withdraw funds is made, PUC Services will notify the Owner that the payment is late, and in addition to paying the monthly payment owing to PUC Services, the Owner shall pay PUC Services interest at that rate determined by PUC Inc., from time to time, as payable on overdue accounts, in accordance with the Financial Administration Act plus any banking and administrative charges.

Section 4.9 - Partial Payment of Disputed Invoices

If the Owner disputes any portion of an invoice, the Owner shall nonetheless pay to PUC Services the undisputed portion of the invoice by the due date. If any additional amount is finally determined to be payable to PUC Services, the Owner shall pay PUC Services the additional amount, plus interest as provided in Paragraph 4.8 above, within ten days from the date of final determination.

ARTICLE 5 - DISPUTE RESOLUTION

Section 5.1 - Arbitration

- (a) If a dispute arises between the Owner and PUC Services which cannot be resolved within a reasonable time, the issue shall be determined by a sole arbitrator appointed by mutual agreement between the Owner and PUC Services.
- (b) Failing agreement, the issue shall be determined by a panel of three arbitrators: one arbitrator shall be appointed by the Owner and a second arbitrator shall be appointed by PUC Services. These two arbitrators shall appoint a third, who shall chair the arbitration. The determination of the sole arbitrator or the arbitration panel, as applicable, shall be final and binding upon PUC Services and the Owner and there shall be no appeal from the determination.
- (c) The arbitration shall be governed by the provisions of the Arbitrations Act.
- (d) The fees and expenses of the arbitrator(s) shall be borne equally between the Parties.

ARTICLE 6 - EXISTING AGREEMENTS AND TERMINATION

Section 6.1 - Termination of Agreement

- (a) At least twelve calendar months before the expiry of the Initial Term, or any Renewal Term, either party may notify the other in writing whether it wishes to terminate this Agreement at the end of the Initial Term or any Renewal Term. If no notice is given as required by this section or the parties do not otherwise agree in writing then the Agreement shall renew for a further five year period ("Renewal Term").
- (b) During the Initial Term or any Renewal Term, this Agreement may be terminated by either the Owner or PUC Services ("termination for Cause") if:
 - (i) there has been a material breach of the Agreement; and
 - (ii) the party complaining of the breach has given written notice of the breach to the other party; and
 - (iii) the other party does not correct the breach within thirty days of receiving the notice.
 - (iv) After the thirty days referred to in paragraph (iii) above has expired, the party complaining of the breach gives the other party six months written notice of termination.
- (c) If either Party disputes the existence of a breach or that the breach is material, the dispute may be referred to arbitration under Section 5.1 of this Agreement.



- (d) After the Initial Term, either the Owner or PUC Services may terminate this Agreement as follows:
 - (i) in accordance with Section 4.3;
 - (ii) for any reason, upon twelve months prior written notice; or
 - (iii) if there has been a material breach of the Agreement, in accordance with the procedures described in Paragraph 6.1(b) above.

Section 6.2 - Early Termination

- (a) Subject to paragraphs (b) and(c) below, the Owner shall be entitled to terminate this Agreement for any reason prior to the expiry of the Initial Term, on a six months prior written notice to PUC Services.
- (b) The Owner acknowledges that PUC Services is able to offer the Annual Price because of long term agreements PUC Services enters into with suppliers and other third parties. If the Owner terminates this Agreement early pursuant to paragraph (a) above, the Owner shall:
 - (i) assume for the duration of the Initial Term, any contractual obligations that PUC Services may have made with respect to the Facility or in connection with this Agreement for the supply of services, products or materials, including but not limited to any obligations to suppliers and sludge haulers, or the Owner shall compensate PUC Services for any costs, expenses and losses incurred by PUC Services in terminating this Agreement. Such costs, expenses and losses shall not include any claim for severance packages for employees or loss of profit.
 - (ii) pay PUC Services a reasonable price for any equipment at the Facility purchased by PUC Services (and not paid for by the Owner) in order to make operations at the Facility more efficient.
- (c) If the Owner terminates this Agreement pursuant to paragraph (a) above, the last day on which PUC Services shall operate the Facility shall fall on the last day of a calendar quarter.

Section 6.3 - Inventory Count of Consumables/Supplies

PUC Services and the Owner will conduct an inventory count of consumables/supplies at the Facility on the first day of the Initial Term, or as soon as the parties may agree on. Upon termination of this Agreement, PUC Services shall either:

- (a) ensure that there is the same amount of consumables/supplies at the Facility on the date of termination as there was on the first day of the Initial Term; or
- (b) reimburse the Owner for any shortfall.

If the amount of consumables/supplies at the Facility on the date of termination exceeds the amount on the first day of the Initial Term, the Owner will either reimburse PUC Services for any excess or PUC Services may take possession of any excess, as PUC Services may determine.

Section 6.4 - Final Settlement

If PUC Services ceases to operate and maintain the Facility, there shall be a final settlement of all accounts with respect to the Annual Price and any other expenses incurred by PUC Services and amounts owing by or to the Owner under this Agreement and any Existing Agreement including, but not limited to the outstanding debt, if any, owed to PUC Services, no later than ninety days after PUC Services ceases to provide the Services.

ARTICLE 7 - INNOVATIONS

Section 7.1 - Innovations

Either Party may bring forward innovative ideas for the operation of the Facility and both parties agree to reasonably consider such innovative ideas



ARTICLE 8 - GENERAL

Section 8.1 - Ownership of Technology

The Owner acknowledges and agrees that in providing the Services, PUC Services may utilize certain technology developed by or for PUC Services, whether existing now or in the future, including but not limited to technology such as WMS, and PCD (the "Technology"). The Owner further agrees that the use of the Technology at the Facility does not in any way give the Owner any ownership rights in or Intellectual Property Rights to, the Technology.

Section 8.2 - Headings

The division of this Agreement into Articles, Sections and Paragraphs and the insertion of headings are for convenience of reference only and will not affect the construction or interpretation of this Agreement.

Section 8.3 - Entire Agreement

This Agreement constitutes the entire agreement between the Owner and PUC Services with respect to the subject matter hereof and cancels and supersedes any prior understandings, undertakings, representations, warranties, terms, conditions and agreements, whether collateral, express, implied or statutory, between the Owner and PUC Services with respect thereto.

Section 8.4 - Amendments and Waivers

No amendment to this Agreement will be valid or binding unless it is in writing and duly executed by both of the parties hereto. All amendments shall be attached to this Agreement as a Schedule. No waiver of any breach of any provision of this Agreement will be effective or binding unless it is in writing and signed by the party purporting to give such waiver and, unless otherwise provided, will be limited to the specific breach waived.

Section 8.5 - Successors and Assigns

This Agreement shall operate to the benefit of and be binding upon, the parties hereto and their successors and assigns. This Agreement may be assigned in the discretion of either party.

Section 8.6 - Survival

All representations, warranties and indemnities given by each of the parties, shall survive indefinitely the termination of this Agreement.

Section 8.7 - Severability

If any covenant, obligation or provision hereof or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remaining provisions or the application of each provision to persons or circumstances other than those as to which it is invalid or unenforceable, shall not be affected thereby and shall continue to be valid and enforceable.

Section 8.8 - Notices

- (a) Any notice, or other communication required or permitted to be given hereunder by either party to this Agreement shall be in writing and shall be delivered in person, transmitted by fax or sent by registered mail, addressed as follows:

- (i) if to the Owner:

City of Sault Ste. Marie, Engineering and Planning Department
P.O. Box 580, 99 Foster Drive, Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 759-5329 Fax: (705) 541-7165
Attention: Don Elliott, Environmental/Construction Engineer

- (ii) if to PUC Services:

PUC Services Inc.
P.O. Box 9000, 765 Queen Street East, Sault Ste. Marie, ON P6A 6P2
Telephone: (705) 759-6552 Fax: (705) 759-6534
Attention: Dominic Parrella, V.P. Operations and Engineering



- (b) If delivered in person or transmitted by fax, any such notice or other communication shall be deemed to have been given and received on the day on which it was delivered or transmitted (or, if such day is not a Business Day, on the next following Business Day).
- (c) If mailed, any such notice or other communication shall be deemed to have been given and received on the third Business Day following the date of mailing; provided, however, that if at the time of mailing or within three Business Days afterwards a labour dispute or other event occurs, which might reasonably be expected to disrupt the delivery of documents by mail, any notice or other communication hereunder shall be delivered or transmitted by fax as provided in this Section 8.8.
- (d) A party to this Agreement may change its address for the purpose of this Section by giving the other party notice of such change of address in the manner provided in this Section.

Section 8.9 - Counterparts

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

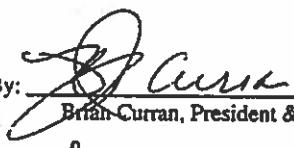
Section 8.10 - Freedom of Information

The Owner understands and agrees that this Agreement and any materials or information provided to PUC Services through the performance of the Services may be subject to the Freedom of Information and Protection of Privacy Act, R.S.O., 1990, C-F. 31, as amended.

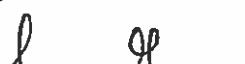
IN WITNESS WHEREOF the parties have duly executed this Agreement.

PUC SERVICES INC.

Date of Signing

By: 
Brian Curran, President & CEO

Date of Signing

By: 
Terry Greco, Treasurer

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

2003 06 23

Date of Signing

By: 
John Rowswell, Mayor

2003 06 23

Date of Signing

By: 
Donna Irving, City Clerk



SCHEDULE A

The Facility

Part I. Description of the Facility

For the purposes of this Agreement, the Facility is comprised of the following:

West End Plant

The West End Plant is a 20,000 cubic meter per day conventional activated sludge wastewater treatment plant. The plant includes two lift stations, mechanical bar screens, two vortex grit removal units and two primary clarifiers with scum removal equipment. Secondary treatment is provided by four aeration cells with fine bubble diffusers and two secondary clarifiers as per the Certificate of Approval. The plant has a sludge dewatering system consisting of two diaphragm sludge transfer pumps, two gorators, three single piston positive displacement pumps (Willett) and two 1200 mm plate and frame sludge presses.

Lift Stations

There are two large and one smaller screw pumps at each station. The smaller pump is used as the duty pump with the larger ones as standby. The pumps are of axial, high lift flow design operating on a start/stop operation cycle. The daily pumping capacity of the lift station is 410,000 cu.m./day, the two large pumps each with a capacity of 190,000 cu.m./d, and the smaller one with a capacity of 30,000 cu.m./d. The lift stations are each equipped with a permanent standby diesel generator. The Intermediate pump station, located at 800 Young Street, produces 300 Kilowatts and will operate all equipment. The Main pump station generator, located at 55 Allen's Side Road, produces 400 Kilowatts and operates all lift station equipment as well as the Control Room in the administration building which contains the alarm system.

Primary Overview

The screening and degritting building contains two mechanically operated bar screens and one manually cleaned screen for emergency purposes. Rags, sticks and other material collect on these screens and are transferred to a disposal bin via a screw conveyor. Two vortex grit removal tanks allow the collection of inorganic material, which is transferred to the waste bin via a belt conveyor for disposal at the City's landfill site. The West End Plant primary sedimentation includes 2 tanks with a total capacity of 2,904 cu.m. allowing for 6.5 hours of detention time under average flow conditions. The primary clarifier tanks are both 44m x 11m x 3m, 1,452 cu.m. in size. Slide gates allow inlet flow control. Travelling bridges direct the settled solids into 4 hoppers with diaphragm pumps for solids removal. Surface scum is removed with a cross collector system and deposited in tanks for disposal at landfill.

Biological Overview

The West End Plant biological process includes 4 tanks with a total capacity of 4,600 cu.m. for approx. 5.5 hours detention time under average flow conditions. Each tank is 30m x 15m x 5m, or 1,160 cu.m. in size. There are 4 blowers located in the Blower Building, which can deliver up to 1,425 cu.m./hr air volume to provide the oxygen necessary for the micro-organisms.

Secondary Overview

West End Plant secondary sedimentation system includes 2 clarifiers with a total capacity of 5,090 cu.m. providing approx. 5.8 hours of detention time under average flow conditions. Each final clarifier tank is 30m diameter x 3.6m, for a capacity of 2,545 cu.m.

Disinfection- Effluent Disposal Overview

Chlorine gas stored in the Chlorine Building is used in the chlorination process of the final effluent. The average volume of treated effluent to be disposed of is 10,500 cu.m/d and is directed into the St Mary's River after the final treatment stage via a 2 km outfall.

Solids Handling Overview

The sludge dewatering process produces a solids mass that is greater than 25% solids. This facility incorporates plate presses for dewatering purposes. The total volume treated by this process is 1,520 cu.m/month. Anionic polymers are applied at the Willett pumps to assist in the removal of water. The total volume of sludge produced per annum requiring disposal is 1,900,000 kg of dewatered cake hauled in 2,500 cu.m. loads via tractor-trailers.



East End Plant

The East End plant is a primary plant with chemical phosphate removal, designed for a total flow of 54,550 cu.m/d. Upgrades were made in 1987 to incorporate Phosphate removal via the addition of aluminum sulphate and polymer, as well as improved sludge dewatering quality and quantity with the addition of Plate Presses. Approximately two thirds of the cities' sewage is collected by several pumping stations and directed to the East End plant. This flow is collected from the east area of the city, as well as the central area and the west, up to and including the Peoples Road area. The plant includes three lift stations, influent monitoring, mechanical bar screens, degitters, and six clarifiers with scum removal.

Influent Works

As the influent enters the head of the plant, the flow is split to A and B plants, usually at a ratio of 4:1. Aluminum Sulphate is added to each of the two flow streams, then the flows are metered in the parallel parshall flumes. The alum is paced to flow based upon the meter readings. When high flows occur, usually due to runoff, the alum feed is automatically switched to manual settings.

Screening and Degritting

The first physical process in the treatment takes place in the detritor buildings, where the flow passes through mechanical bar screens and then the grit removal system (detritors and grit rakes). The screens collect and remove rags, sticks and other large objects to a belt conveyor, which transports them to a storage bin.

The detritors reduce the velocity of the flow, allowing grit, sand, gravel and silty material to settle out (inorganic). A revolving collector mechanism at the bottom of the detritor draws the settled material to a sump from which a reciprocating rake lifts the material to a conveyor for transportation to a storage bin. The rake channel is equipped with two organic return pumps that return suspended organic material back into the flow. The accumulated rags and grit are hauled to the city landfill site.

At the discharge of the detritors a predetermined dosage of polymer is added, based on the flow measured at the parshall flumes.

Primary Sedimentation Tank

From the detritor, the flow is discharged via a distribution chamber to the primary sedimentation tanks (also known as clarifiers). Here, the flow rate is reduced to allow heavier solids to settle to the bottom of the tanks. The alum and polymer additions result in floc by joining solids, causing them to settle in the clarifiers rather than flow untreated (unaffected) through the plant. This floc contains the phosphorous that has reacted with the alum, as well as the particles of solids typically left behind with normal primary treatment, reducing the total phosphorous to <1.0 mg/l during optimum treatment.

The settled solids (or sludge) is collected by revolving mechanical scrapers, to the centre of the clarifier where it is pumped by diaphragm pumps to holding tanks at the dewatering building. The scum that collects on the surface of the settling tanks is removed by skimmer mechanisms and deposited into a scum pit. This scum is pumped off the bottom to the sludge holding tanks, from where it is hauled to landfill by vacuum trucks.

Chlorine Contact Chamber

The effluent from the primary tanks, with > 70% of the suspended solids removed, flows by gravity to the chlorine contact chamber. Chlorine is added at this point and, following a twenty minute detention time in the chamber is discharged via a 54 inch outfall sewer to the St. Mary's River with a 0.5 mg/l chlorine residual. Any process bypass within the plant flows through the chlorine contact chamber for disinfection.



Dewatering

The chemically treated sludge collected by the primary settling tanks is dewatered by use of two plate presses. To operate these units efficiently, they must have a sufficient supply of sludge and polymer to fill the press. Optimal process operation is to keep sludge in the primary clarifiers to a minimum, therefore, sludge holding tanks are mixed to prevent the sludge from separating or becoming septic before pressing.

Immediately before entering the press, the sludge is preconditioned (mixed) with a polymer coagulant that assists in releasing the water and bonding the solids into a floc. The dewatered sludge or press cake is discharged to a trailer for haulage to the city landfill site.

Part 2. Street Address of the Facility

The street address of the Facility is as follows:

<u>West End Plant</u>	55 Allen's Side Road, Sault Ste. Marie, ON
<u>Main Lift Station (West End)</u>	55 Allen's Side Road, Sault Ste. Marie, ON
<u>Intermediate Lift Station (West End)</u>	800 Young Street, Sault Ste. Marie, ON
<u>East End Plant</u>	2221 Queen St. E., Sault Ste. Marie, ON
<u>River Road Station (East End)</u>	79 River Road, Sault Ste. Marie, ON
<u>Clark Creek Station (East End)</u>	1677 Queen Street E., Sault Ste. Marie, ON
<u>Pim St. Station (East End)</u>	816 Bay Street, Sault Ste. Marie. ON



SCHEDULE B

Definitions

In this agreement, the following terms are defined below or in the section in which they first appear:

“Agreement” means this agreement together with Schedules A, B, C, D and E attached hereto and all amendments made hereto by written agreement between PUC Services and the Owner.

“Annual Price” is defined in Paragraph 4.2(a) of this Agreement.

“Applicable Laws” is to be broadly interpreted and means, with respect to any person, property, transaction, event or other matter dealt with in this Agreement, any and all statutes, by-laws, regulations, enactments, ordinances, rules, permits, consents, approvals, certificates of approval, licenses, judgements, orders, judicial decisions, common-law rules, decrees, injunctions, agreements, authorizations, regulations, policies, directives, objectives, whether federal, provincial or municipal including, but not limited to all laws relating to occupational health and safety matters, fire prevention and protection, health protection and promotion, land use planning, environment, Building Code, or workers’ compensation matters.

“Approved Capital Expenditures” is defined in Paragraph 4.6(b) of this Agreement.

“Authorizations” means each of the sewer use and water by-laws, licences, certificates of approval, permits, consents and other authorizations or approvals required under any Applicable Law from time to time in order to operate the Facility.

“Authorized Representatives” is defined in Section 2.5 of this Agreement.

“Business Day” means a day other than a Saturday, Sunday or statutory holiday in Ontario.

“Capital Expenditures” is defined in Paragraph 4.6(a) of this Agreement.

“Claim” means any claim, fine, penalty, liability, damages, loss and judgements (including but not limited to, costs and expenses incidental thereto) of any kind and nature whatsoever.

“Current Term” is defined in Section 4.3 of this Agreement.

“Excluded Services” is defined in Section 2.3 of this Agreement.

“Facility” is defined in Paragraph (c) of the Recitals to the Agreement and described in Schedule “A”.

“Indemnified Parties” is defined in Section 3.3 of this Agreement.

“Initial Term” is defined in Section 4.1 of this Agreement.

“Insurance” is defined in Paragraph 2.9(a) and further described in Schedule E.

“Intellectual Property Rights” means any copyright, trademark, patent, registered design, design right, topography right, service mark, application to register any of the aforementioned rights, trade secret, rights in unpatented know-how, right of confidence and any other intellectual or industrial property rights of any nature whatsoever in any part of the world.

“Parties” is defined in Paragraph (d) of the Recitals to the Agreement.

“PCD” or “Process Control Data” means technology that allows process data to be entered into a format that can be viewed, manipulated and retrieved in the form of customized reports.

“Renewal Term” is defined in Paragraph 6.1(a) of this Agreement.

“Services” is defined in Section 2.1 and further described in Schedule C to this Agreement.

“Technology” is defined in Section 8.1 of this Agreement.

“Termination for Cause” is defined in Paragraph 6.1(b) of this Agreement.

“Uncontrollable Circumstance” is defined in Paragraph 2.2(c) of this Agreement.

“Unexpected Expenses” is defined in Paragraph 4.7(a) of this Agreement.

“WMS” or “Work Management System” means a computer program used to schedule a program of preventive maintenance activities for equipment in a facility.



SCHEDULE C

The Services

Subject to the provisions of this Agreement the Services are those services specifically set out in this Schedule. Specifically, PUC Services will provide services relating to Schedule "A" as follows:

I. Process Operations

PUC Services, acting reasonably, is responsible for ensuring an efficient operation of the process and keeping records on a daily basis by:

- inspecting process control equipment to ensure proper operation of primary and secondary wastewater treatment clarifiers, pumps, blower and aeration systems, alum and other chemical feeders;
- checking pumping stations for proper operation and taking routine readings;
- operating pump controls and valve controls for pumping of all process streams;
- operating detritor systems, sludge pumping and dewatering systems, aeration systems and chlorination systems;
- operating scum collection equipment and pumping out scum collection chambers;
- raking bar screens and check comminutors and mechanical bar screens;
- hosing down weirs, walls and channels in aeration tanks, clarifier, and detritor equipment;
- mixing and monitoring process chemicals such as chlorine, alum and polymer;
- recording and analyzing wastewater flow, chemicals used, chlorine residuals, process water and wastewater flow calculations;
- sounding clarifier for sludge depth to ensure proper return rates;
- checking chemical feed pumps and return sludge rates, comparing to routine calculations and determining operational adjustment requirements;
- calculating, recording, and analyzing the amount of wastewater treated, the daily flows and monthly flows, pumping station running hours, diesel running hours, amount of chlorine and chemicals used, and the sludge hauled;
- performing routine wastewater tests such as suspended solids, BOD, total solids, chlorine residual, dissolved oxygen, total phosphorus, temperature, 30 minute settling and recording results, calculating plant process control parameters and making operational adjustments as required such as increasing chemical feed or wasting return sludge;
- operating the plate press system to efficiently produce a dewatered sludge that can be safely hauled away for further treatment or disposal at the Owner's landfill site;
- on a routine basis, completing the daily operating forms for statistics for computer input and correcting the results of the output forms to ensure a proper monitoring of plant flows and process for wastewater treatment;
- collecting samples for heavy metals and trace organics, conducting routine analysis for coliform bacteria and chemicals and ensuring that they are shipped to the proper labs (samples to ensure a representative analysis);
- ensuring that the daily operations comply with and fulfill the requirements of the Certificate of Approval and other legal documents;



2. Routine Maintenance

PUC Services will provide routine maintenance of the Facility, as would a reasonable operator. Specifically, PUC Services will:

- carry out a routine lubrication program including greasing and oiling as specified in the lubrication schedule;
- perform routine maintenance duties to equipment by following the preventive maintenance procedures as specified by the Work Management System; by checking machinery and electrical equipment when required, overhauling of equipment when necessary; and by replacing filters, belts, hoses, etc. when required;
- maintain an inventory on all equipment and tools;
- ensure buildings and grounds are kept in a clean and orderly state including cutting grass, clearing snow and other routine maintenance; and
- ensure the security of the facility by locking doors and gates.

3. Capital Improvements

PUC Services, acting as a reasonable operator, will record information on the frequency of equipment breakdown and repair costs to determine replacements needs. Where reasonable, parts of the Facility requiring upgrading or improvement will be identified and brought to the attention of the Owner in accordance with Paragraph 4.6(b) of this Agreement.

4. Optimization

PUC Services will routinely analyze, investigate and, where appropriate, implement measures to improve the effectiveness and efficiency of the Facility.

5. Regulatory Matters

PUC Services will handle day-to-day regulatory requirements and contacts with regulatory authorities in respect of operating issues concerning the Facility. PUC Services will review any inspection reports prepared by regulatory authorities that are provided to PUC Services. Subject to any approvals of the Owner required by Paragraph 4.6(b) of this Agreement, PUC Services will either correct deficiencies identified in such inspection reports or negotiate changes to the reports with the regulatory authorities.

6. Staffing

As appropriate, PUC Services will staff the Facility with certified operators and other trained staff as required by regulation under the Ontario Water Resources Act. All PUC Services staff at the Facility will be trained for the normal process operation and maintenance of the Facility and will also receive training on how to deal with emergency situations. PUC Services staff will be available to provide 24-hour coverage at the Facility in the event of illness or emergencies.

7. Emergency Situations

PUC Services will ensure that the Facility has a contingency plan in place to deal with non-routine operational situations and emergency situations such as spills, by-passes, overflows, hydro interruptions and equipment failure.



SCHEDULE D

Excluded Services

Services that will not be provided by PUC Services include but are not limited to, the following ("Excluded Services"):

- installation and/or inspection of new water and sewer services;
- high pressure sewer flushing;
- cost for non-routine sampling and lab analysis;
- monitoring and repairs to West End Plant dumping station for recreational vehicles and septic tank haulers;
- utility costs including hydro electric, natural gas and water;
- landscaping at all sewage lift stations and plants;
- Operations and maintenance services for the new John Street pumping station and the Bellevue Park CSO tank.

These "Excluded Services" can be provided by PUC Services subject to section 2.3 of the Agreement.



SCHEDULE E

Insurance

A summary of the insurance coverage based on industry standards that PUC Services will arrange for in respect of the Facility is described below:

Property Insurance

Perils: "All Risks" including earthquake and flood, subject to policy exclusions.

Limits: Replacement Cost Coverage

Deductibles: For the year 2003, subject to change on annual basis:

All Perils:	\$2,500 except earthquake and flood
Earthquake:	\$50,000 (minimum)
Flood:	\$25,000

Where the Owner's property is repaired or replaced the Owner will pay the deductible. Where PUC Services' property is repaired or replaced, PUC Services will pay the deductible. In cases where both the Owner's and PUC Services' property is repaired or replaced, the deductible will be paid by both the Owner and PUC Services prorated in accordance with the total loss.

Property Insured: All reported properties including buildings, contents and equipment. Includes pumping stations, excludes underground sewer and water system.

Boiler and Machinery Insurance

Coverage: Insures against loss or damage arising from an accident to scheduled object in use or connected ready for use. This insurance also provides for inspection and certification services as required by law.

Objects: Boilers, pressure vessels (excess of 15PSI) and piping.

Accident: Sudden and accidental mechanical breakdown of an object, which causes it physical damage, requiring its repair or replacement. Subject to policy exclusions.

Limit: \$60,000,000 per loss.

Deductibles: \$2,500 for the year 2003; subject to change on annual basis:

Where the Owner's property is repaired or replaced the Owner will pay the deductible. Where PUC Services' property is repaired or replaced, PUC Services will pay the deductible. In cases where both the Owner's and PUC Services' property is repaired or replaced, the deductible will be paid by both the Owner and PUC Services prorated in accordance with the total loss.

Comprehensive Liability Insurance

- Coverage:**
 1. Automobile liability including Collision and Comprehensive
 2. Third party liability including legal fees, for property damage and/or bodily injury as caused by negligence arising out of all operations of the insured.
 3. Environmental Impairment liability covering property damage and personal injury and clean up costs for pollution conditions arising out of Operations Covered, which has caused or will cause Environmental Impairment.



- Limit:**
1. Automobile: \$15,000,000. Accident benefits per Ontario Statutes
 2. Third Party: \$20,000,000 per Accident, Event, Occurrence, or Wrongful Act.
 3. Environmental: \$20,000,000 per Accident, Event, Occurrence, or Wrongful Act.

- Deductible:**
1. Automobile: The deductible will be paid by PUC Services.
 2. Third Party: \$10,000 for the year 2003; subject to change on an annual basis
 3. Environmental: \$50,000 for the year 2003; subject to change on an annual basis.

Where PUC Services is negligent the deductible will be paid by PUC Services. Where the Owner is negligent, the deductible will be paid by the Owner. In cases where both PUC Services and the Owner are negligent the deductible will be divided equally.

Where neither the Owner nor PUC Services is negligent the deductible will be paid as follows:

- Where the Owner's property is repaired or replaced the Owner will pay the deductible.
- Where PUC Services' property is repaired or replaced, PUC Services will pay the deductible.
- In cases where the Owner's and PUC Services' and/or a third party's property is repaired or replaced, the deductible will be paid by both the Owner and PUC Services pro rata in accordance with the total loss.

10(b)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2013-175

BUILDING: (B1.11) A by-law to provide access for the maintenance of a carport located at 311 Maretta Street.

WHEREAS Guy Renault and Sharon Renault are the registered owners of civic number 311 Maretta Street, Sault Ste. Marie, hereinafter referred to as the "Renault Property";

AND WHEREAS the owners of the Renault Property have retained Ozzie Grandinetti, ("the Contractor") to perform maintenance work on a carport at the Renault Property;

AND WHEREAS Raymond Zielke and Melinda St. Pierre are the registered owners of the adjoining property, namely civic number 315 Maretta Street, Sault Ste. Marie, hereinafter referred to as the "Zielke Property" and has refused entry onto the Zielke Property for the purpose of the maintenance of the carport on the Renault property;

NOW THEREFORE The Council of The Corporation of the City of Sault Ste. Marie, pursuant to section 132 of the *Municipal Act, 2001*, S.O. 2001, c.2. 25, **ENACTS** as follows:

1. The Contractor shall be allowed to enter onto the Zielke Property for a period not to exceed two (2) weeks from the date of the passing of this by-law to complete the maintenance on the retaining wall for the carport on the Renault Property. This time limit shall expire upon the work being completed.
2. Notice shall be given to Raymond Zielke and Melinda St. Pierre of the date that construction it to commence. Such notice shall be given by Guy Renault, Sharon Renault, or the Contractor.
3. The Contractor shall be allowed entry onto the Zielke Property, not to exceed a distance of ten (10) feet from the property line between the Renault Property and Zielke Property. This access to the Zielke property does not extend to Guy Renault or Sharon Renault, and only permits the Contractor or their employees to enter onto the Zielke Property.
4. The Zielke Property shall be restored to its original condition following completion of the maintenance on the retaining wall for the carport on the Renault Property. Guy Renault and Sharon Renault shall provide compensation for any damage caused to the Zielke Property as a result of this maintenance.
5. Guy Renault and Sharon Renault shall further provide to Raymond Zielke and Melinda St. Pierre, a letter exonerating Raymond Zielke and Melinda St. Pierre from any liability with respect to the maintenance performed on this retaining wall, prior to any maintenance commencing.
6. **EFFECTIVE DATE**

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

PASSED in open Council this 7th day of October, 2013.

MAYOR - DEBBIE AMAROSO

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2013-176

LANE ASSUMPTION: (PR2.2) A by-law to assume for public use and establish as a public lane, a lane in the Tagona Subdivision, Plan 7882.

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

1. LANE ESTABLISHED AND ASSUMED

The lane or parts of lane more particularly described in Schedule "A" to this by-law is hereby established as a public lane and is assumed for public use.

2. SCHEDULE "A"

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

3. EFFECTIVE DATE

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

PASSED in open Council this 7th day of October, 2013.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

c:\LEGAL\STAFF\BYLAWS\2013\2013-176_Lane ASSUMP Tagona Sub

NOTICE
THIS IS A DRAFT DOCUMENT. This document has not been enacted by City Council. It may not be enacted at all AND if enacted, it may not be in the form of the DRAFT copy.
CITY SOLICITOR

10(c)

SCHEDULE "A" TO BY-LAW 2013-176 AND BY-LAW 2013-177

PIN 31607-0118 (LT)

LANE PL 7882 KORAH ABUTTING LTS 38 – 41 PL 7882 EXCEPT
T134800; SAULT STE. MARIE

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO 2013-177

LANE CLOSING: (PR2.2) A by-law to stop up, close and authorize the conveyance of a lane in the Tagona Subdivision, Plan 7882.

WHEREAS the lane more particularly hereinafter described was established as a public lane and assumed for public use by By-law 2013-176;

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

1. **LANE CLOSED**

The lane more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. **LANE DECLARED SURPLUS**

The lane more particularly described in Schedule "A" to this by-law is surplus to the requirements of the municipality.

3. **EXECUTION OF DOCUMENTS**

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

4. **EASEMENTS TO BE RETAINED**

The lane is subject to the retention of easements if required. The Corporation shall stop up, close and authorize the conveyance of the lane more particularly described in Schedule "A" to this by-law.

5. **SCHEDULE "A"**

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

6. **EFFECTIVE DATE**

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

READ the FIRST and SECOND time this 7th day of October, 2013.

MAYOR – DEBBIE AMAROSO

CITY CLERK – MALCOLM WHITE

10(d)

SCHEDULE "A" TO BY-LAW 2013-176 AND BY-LAW 2013-177

PIN 31607-0118 (LT)

LANE PL 7882 KORAH ABUTTING LTS 38 – 41 PL 7882 EXCEPT
T134800; SAULT STE. MARIE