



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, April 28, 2014

4:30 p.m.

Council Chambers

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

Absent: Councillor R. Niro, Councillor F. Manzo

Officials: N. Apostle, F. Coccimiglio, J. Dolcetti, D. Elliott, J. Fratesi, B. Freiburger, L. Girardi, N. Kenny, D. McConnell, R. Tyczinski

1. ADOPTION OF MINUTES

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the Minutes of the Regular Council Meeting of 2014 04 07 and Budget Meeting of 2014 04 14 be approved.

Carried

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

3. DECLARATION OF PECUNIARY INTEREST

3.1. Councillor M. Bruni – Ontario Lottery and Gaming

Employed by OLG

3.2. Councillor T. Sheehan – A-5-14-Z.OP – Graham Simmons and Laura Newman – 19 Summit Avenue

Client of one of the applicants.

3.3. Councillor P. Christian – Ontario Lottery and Gaming

Spouse employed by OLG

3.4. Councillor L. Turco – Winter Parking Prohibition

Spouse employed by Police Service

3.5. Councillor L. Turco – Street Closing – Neighbourhood Resource Centre

Spouse employed by Police Service

3.6. Councillor L. Turco – By-law 2014-66 (Agreement) Prince Police Services

Spouse employed by Police Service

3.7. Councillor L. Turco – By-law 2014-81 (Temporary Street Closing) Gore Street

Spouse employed by Police Service

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the Agenda for 2014 04 28 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1. Day of Mourning

Joe Krmpotich – representing the Sault Ste. Marie and District Labour Council was in attendance.

5.2. Emergency Preparedness Week

Lauren Perry – Emergency Management Co-ordinator for Sault Ste. Marie was in attendance.

5.3. Hearing and Speech Month and Hearing Awareness Month

Margaret Nicholson – Member of the Royal Purple of Canada was in attendance.

5.4. Community Living Awareness Month

Jason Pratt, Chair; Lisa Chlebus, Co-chair; and Chris Dunn, Manager – Community Living Algoma were in attendance.

5.5. Salvation Army Red Shield Month

Major John Kirschman and Mildred Brodie, Family Service Worker – Salvation Army were in attendance.

5.6. National Youth Arts Week

Lisa Vezeau-Allen, Executive Director, Arts Council of Sault Ste. Marie and District, was in attendance.

5.7. National Day of Honour

Sherry Frechette was in attendance on behalf of Bryan Hayes, MP

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that all the items listed under date 2014 04 28 – Part One – Consent Agenda be approved as recommended.

Carried

6.1. Correspondence

a. AMO

Transit and Transportation Infrastructure Funding;
Task Force on Police Modernization

b. OGRA

Transit and Transportation Infrastructure Funding

c. CAO and Prince Township

Policing Contract and By-law 2014-66

d. Ontario Lottery and Gaming

Councillor P. Christian declared a conflict on this item. (Employed by OLG)

Councillor P. Christian declared a conflict on this item. (Spouse employed by OLG)
Quarterly payment from January 1, 2014 to March 31, 2014

e. ARCH

Thank you – staff fundraiser – March for ARCH

f. Central Algoma Joint Disaster Relief Committee

Donation request

g. City of Peterborough

Requesting endorsement of Resolution requesting amendments to *Police Services Act*

h. Town of Petrolia

Requesting endorsement of Resolution requesting affordable hydro and natural gas

i. Canada Post

Response to resolution questions of 2014 02 03

j. Minister of Energy

Correspondence to Mayor Amaroso concerning recent energy initiatives

6.2. Street Closing – Neighbourhood Resource Centre

Councillor L. Turco declared a conflict on this item. (Spouse employed by Police Service)

A letter of request for a temporary street closing in conjunction with the formal opening of the "Neighbourhood Resource Centre" was received by Council.

The relevant By-law 2014-81 is listed under item 11 of the Minutes.

6.3. Staff Travel

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Chief Administrative Officer dated 2014 04 28 concerning Staff Travel be approved as requested.

Carried

6.4. Tender for Intersection and Line Painting

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Manager of Purchasing dated 2014 04 28 be received and that the tender for the supply of materials, equipment, and forces for pre-marking, intersection and rural line painting be awarded to R & N Maintenance (2228977 Ontario Inc.) at the total tendered price of \$171,260.20 plus H.S.T. for the 2014 construction season be approved.

Carried

6.5. 2011-2014 Strategic Plan – Progress Report

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Deputy City Clerk and Manager of Quality Improvement dated 2014 04 28 concerning 2011-2014 Corporate Strategic Plan – Progress Report be received as information.

Carried

6.6. Ermatinger-Clergue National Historic Site – Firearms By-law Exemption

The report of the Curator, Ermatinger-Clergue National Historic Site was received by Council. The relevant By-law 2014-75 is listed under item 11 of the Minutes.

6.7. Seniors Centres Agreements

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

The relevant By-laws 2014-77 and 2014-82 are listed under item 11 of the Minutes.

6.8. West End Wastewater Treatment Plant Upgrading Study Update

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Land Development and Environmental Engineer dated 2014 04 28 concerning the West End Wastewater Treatment Plant Upgrade Study be received as information.

Carried

6.9. Korah Road Truck Route Class Review

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Director of Engineering dated 2014 04 28 concerning Korah Road Truck Route Class Review be received and that Korah Road be downgraded from a Class A truck route to a Class B truck route between Wallace Terrace and Second Line, and staff proceed with the public notice required under the environmental assessment process.

Carried

6.10. Biennial Bridge Structural Inspections – Consulting Engineering Agreement

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Director of Engineering Services dated 2014 04 28 concerning 2014 Biennial Bridge Inspections be received as information and that the City retain Tulloch Engineering to complete the 2014 biennial bridge inspections for the estimated fee of \$48,300 excluding tax.

Carried

6.11. Contract 2014-7E Town Line and Base Line Bridge Replacements

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

The relevant By-laws 2014-90 and 2014-91 are listed under item 11 of the Minutes.

6.12. Queen Street Improvements

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

The relevant By-laws 2014-92 and 2014-93 are listed under item 11 of the Minutes.

6.13. Elementa Lease Extension

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

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of Land Development and Environmental Engineer concerning the Elementa Lease Extension be received, and the request for a Lease extension for the period of May 1, 2014 to May 30, 2014 be approved, subject to the conditions stated in the report.

Carried

6.14. Resurfacing of City Streets – 2014

The report of the Engineering Director was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Director of Engineering Services dated 2014 04 28 concerning the 2014 resurfacing of city streets be accepted as information and that Council approve the 2014 \$3.87M program with funds to come from the miscellaneous construction allowances for resurfacing and surface treatment, the 2014 capital resurfacing allowance, and surpluses from the previous capital and urban-only levies.

Carried

6.15. Building By-laws (Housekeeping)

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

The relevant By-law 2014-74 is listed under item 11 of the Minutes.

6.16. Delegated Authority to the Planning Director (Housekeeping)

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

The relevant By-law 2014-72 is listed under item 11 of the Minutes.

6.17. RFP for Professional Collection Services – Provincial Offences

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

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Court Liaison Supervisor dated April 28, 2014 regarding RFP for Professional Collection Services – POA (2012LP01P) be accepted and that Council authorize the renewal of the Collection Services Agreement for *Provincial Offences Act* Fines between The Corporation of the City of Sault Ste. Marie and IQOR Canada Ltd. for a further period of one (1) year commencing May 1, 2014 and ending April 30, 2015.

Carried

6.18. Deeming By-law Request For Lots 245-250 Plan 58 Awenge; Hamilton Subdivision

The report of the City Solicitor was received by Council.

The relevant By-law 2014-79 is listed under item 11 of the Minutes.

6.19. Winter Parking Prohibition

Councillor L. Turco declared a conflict on this item. (Spouse employed by Police Service)

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

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2014 04 28 concerning extending Winter Parking Prohibition be accepted and that Council direct the Legal Department to bring forward the appropriate by-law amendments at a later date.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1. ADMINISTRATION

7.2. COMMUNITY SERVICES DEPARTMENT

7.3. ENGINEERING

7.4. FIRE

7.5. LEGAL

7.6. PLANNING

a. Condo-1-14 – TVM Sault Inc. – 969 Queen Street East (former Plummer Hospital Site)

The report of the Planning Department was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Planning Director dated 2014 04 28 be received and that the Legal Department be requested to bring the appropriate by-law forward for passage at a subsequent Council meeting.

Carried

b. A-5-14-Z.OP – Graham Simmons and Laura Newman – 19 Summit Avenue

Councillor T. Sheehan declared a conflict on this item. (Client of one of the applicants.)

The report of the Planning Department was received by Council.

Resolved that Council accepts the report of the Planner dated 2014 04 28 concerning A-5-14-Z.OP – Graham Simmons and Laura Newman – 19 Summit Avenue as information and approves Official Plan Amendment 201 by way of a notwithstanding clause to Policy F.1, to permit development upon the subject property even though the average slope exceeds 25%; further that Council rezone the southern +/-35m subject property from Estate Residential Zone (R1) to Single Detached Residential Zone (R2); finally, that Council designates the southern +/-35m as subject to site plan control.

Defeated

a. Additional correspondence

c. A-6-14-Z.OP – Lukenda Holdings Inc. – 770 Great Northern Road

The report of the Planning Department was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that Council accept the report of the Planner dated 2014 04 28 and approve Official Plan Amendment 202 which re-designates the subject property from Institutional to Commercial on Land Use Schedule C of the Official Plan; further, that Council approve an Official Plan Amendment by way of a notwithstanding clause to Commercial Policy 4 to permit major office space (medical clinic) to be developed upon the subject property; finally, that Council approve a rezoning from Institutional Zone (I) to General Commercial Zone with a Special Exception (C4.S) to permit a Medical Clinic on the subject property, in addition to the uses permitted in the General Commercial Zone, subject to the following special condition:

- That any office space that is not part of the medical clinic be limited to the size permitted within the General Commercial Zone (C4), as amended.

Carried

d. A-7-14-Z.OP – Grammi Developments and 1644291 Ont. Ltd. – 551 Korah Rd. 0 Prentice Ave. and 400 Second Line W.

The report of the Planning Department was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that the report of the Planner dated 2014 04 28 be accepted and that Council postpone Application No. A-7-14-Z.OP to a date to be determined.

a. Additional correspondence

e. A-21-11-Z.OP – JBG Holdings and Investments Inc. – 11 Millwood Dr.

The report of the Planning Department was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that the report of the Planner dated 2014 04 28 concerning A-21-11-Z.OP – JBG Holdings and Investments Inc. – 11 Millwood Dr. be accepted as information.

Carried

f. Application A-2-14-Z – Schell & Boniferro – 69 Elmwood Ave.

The report of the Planning Department was received by Council.

Moved by: Councillor F. Fata

Seconded by: Councillor B. Watkins

Resolved that the report of the Planner dated 2014 04 28 be accepted and that Council rezone the subject properties Blocks A and B from Single Detached Residential Zone (R.2) to Low Density Residential Zone with a Special Exception (R3.S) outlining the following provisions:

1. That the required lot frontage of Block A be reduced from 18m to 13m.
2. That the required lot frontage of Block B be reduced from 20m to 6.5m.
3. That the south interior side yard setback on Block B be reduced from 3m to 2m.
4. That a maximum of six (6) dwelling units be permitted on the subject properties (Blocks A & B).

Carried

7.7. PUBLIC WORKS AND TRANSPORTATION

7.8. BOARDS AND COMMITTEES

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

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

10. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

11. CONSIDERATION AND PASSING OF BY- LAWS

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that all by-laws under item 11 of the Agenda under date 2014 04 28 be approved.

Carried.

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

a. By-law 2014-66 (Agreement) Prince Police Services

Councillor L. Turco declared a conflict on this item. (Spouse employed by Police Service)

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-66 being a by-law to authorize the execution of an agreement between the City and The Corporation of the Township of Prince for the provision of police protection services be passed in open Council this 28th day of April, 2014.

Carried

b. By-law 2014-72 (Delegation) Planning Director

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-72 being a by-law to repeal By-law 2004-195 be passed in open Council this 28th day of April, 2014.

Carried

c. By-law 2014-74 (Building By-law)

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-74 being a by-law to repeal various by-laws that amended Building By-law 76-185 of the City of Sault Ste. Marie be passed in open Council this 28th day of April, 2014.

Carried

d. By-law 2014-75 (Regulation) Firearms Exemption

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-75 being a by-law to exempt Ermatinger-Clergue National Historic Site (ECNHS) from By-law 2008-168 being a firearms by-law to prohibit the discharge of firearms in the municipality be passed in open Council this 28th day of April, 2014.

Carried

e. By-law 2014-76 (Parking) Municipal Law Enforcement Officers

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-76 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be passed in open Council this 28th day of April, 2014.

Carried

f. By-law 2014-77 (Agreement) Senior Citizens Drop-In Centre

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-77 being a by-law to authorize the execution of an agreement between the City and the Ontario Seniors Secretariat for ongoing funding for the Senior Citizens Drop-In Centre (619 Bay Street) effective April 1, 2014 until terminated be passed in open Council this 28th day of April, 2014.

Carried

g. By-law 2014-79 (Subdivision Control) Hamilton Subdivision

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-79 being a by-law to deem not registered for purposes of subdivision control certain lots in the Hamilton Subdivision, pursuant to section 50(4) of the *Planning Act*.

Carried

h. By-law 2014-81 (Temporary Street Closing) Gore Street

Councillor L. Turco declared a conflict on this item. (Spouse employed by Police Service)

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-81 being a by-law to permit the temporary closing of Gore Street from Queen Street to Albert Street to facilitate proclamation of Police Week coinciding with the formal opening of the Neighbourhood Resource Centre be passed in open Council this 28th day of April, 2014.

Carried

i. By-law 2014-82 (Agreement) Steelton Senior Citizens' Centre

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-82 being a by-law to authorize the execution of an agreement between the City and the Ontario Seniors Secretariat for ongoing funding for the Steelton Senior Citizens Centre (235 Wellington Street West) effective April 1, 2014 until terminated be passed in open Council this 28th day of April, 2014.

Carried

j. By-law 2014-84 (Tax) Optional Tools

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-84 being a by-law to adopt optional tools for the purposes of administering limits for the commercial, industrial and multi-residential Property classes be passed in open Council this 28th day of April, 2014.

Carried

k. By-law 2014-85 (Tax) Recovery Percentage

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-85 being a by-law to provide for the adoption of recovery percentage for the 2014 taxation year be passed in open Council this 28th day of April, 2014.

Carried

l. By-law 2014-86 (Tax) Final Billing

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-86 being a by-law to provide for 2014 final tax billing be passed in open Council this 28th day of April, 2014.

Carried

m. By-law 2014-87 (Tax) Rates

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-87 being a by-law to provide for the adoption of property tax rates for 2014 be passed in open Council this 28th day of April, 2014.

Carried

n. By-law 2014-88 (Tax) Transition Ratios

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-88 being a by-law to provide for the adoption of property tax rates for 2014 be passed in open Council this 28th day of April, 2014.

Carried

o. By-law 2014-90 (Agreement) Municipal Bridges

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-90 being a by-law to authorize execution of a contract between the City and Avery Construction Ltd. for the replacement of Base Line and Town Line bridges (Municipal Bridge Nos. 12, 13, 14 and 15 – Contract 2014-7E) be passed in open Council this 28th day of April, 2014.

Carried

p. By-law 2014-91 (Temporary Street Closing) Municipal Bridges

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-91 being a by-law to permit the temporary closing of municipal bridges Nos. 12 and 13 on Town Line and municipal bridges Nos. 14 and 15 on Base Line as required over the next two years be passed in open Council this 28th day of April, 2014.

Carried

q. By-law 2014-92 (Agreement) Pioneer Construction Inc.

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-92 being a by-law to authorize execution of a contract between the City and Pioneer Construction Inc. for Queen Street improvements from Pim Street to 250 metres east of Gravelle Street (Contract 2014-5E) be passed in open Council this 28th day of April, 2014.

Carried

r. By-law 2014-93 (Temporary Street Closing) Queen Street East

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-93 being a by-law to permit the temporary closing of Queen Street East (Riverview Avenue to Pine Street) from May 1, 2014 until August 1, 2014 be passed in open Council this 28th day of April, 2014.

Carried

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

a. By-law 2014-83 (Local Improvement) MacDonald Avenue

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-83 being a by-law to authorize the construction of a concrete sidewalk on MacDonald Avenue from civic 313 MacDonald Avenue to Pine Street under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 be passed in open Council this 28th day of April, 2014.

Carried

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

a. By-law 2014-36 (Local Improvement) Simpson Street

Moved by: Councillor L. Turco

Seconded by: Councillor P. Mick

Resolved that By-law 2014-36 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" Pavement on Simpson Street from Forest Avenue to Wellington Street East under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 be read the third time and finally passed in open Council this 28th day of April, 2014.

Carried

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

13. CLOSED SESSION

14. ADJOURNMENT

Moved by: Councillor L. Turco

Seconded by: Councillor B. Watkins

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk