



REGULAR MEETING OF CITY COUNCIL REVISED AGENDA

Monday, October 26, 2015

4:30 p.m.

Council Chambers
Civic Centre

Pages

1.	ADOPTION OF MINUTES	10 - 18
	Mover Councillor L. Turco Seconder Councillor J. Huppenen	
	Resolved that the Minutes of the Regular Council Meeting of 2015 10 13 be approved.	
2.	QUESTIONS AND INFORMATION ARISING OUT OF THE MINUTES AND NOT OTHERWISE ON THE AGENDA	
3.	DECLARATION OF PECUNIARY INTEREST	
4.	APPROVE AGENDA AS PRESENTED	
	Mover Councillor R. Niro Seconder Councillor M. Shoemaker	
	Resolved that the Agenda for 2015 10 26 City Council Meeting as presented be approved.	
5.	PROCLAMATIONS/DELEGATIONS	
5.1	International Bridge Toll Plaza Project	
	Phil Becker, General Manager – International Bridge Administration	
5.2	Provincial Varsity Cross-Country Event	
	Sherri Smith, Head Coach, Varsity Cross Country – Sault College	
5.3	Journey Stories Video – Social Services Department	

Mike Nadeau, Commissioner of Social Services

5.4

Fire Services Realignment - Agenda item 7.4.1

Marty Kenopic, President, Sault Ste. Marie Professional Fire Fighters Association.

5.4.1

Additional delegation

Steve Olsen, Unit Chair, Unifor Local 1359

6.

COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

Mover Councillor L. Turco

Seconder Councillor M. Shoemaker

Resolved that all the items listed under date 2015 10 15 – Part One – Consent Agenda be approved as recommended.

6.1

Street Closing – 2015 Rotary Santa Claus Parade

19 - 25

A letter of request for a temporary street closing in conjunction with 2015 Rotary Santa Claus Parade – November 21, 2015 is attached for the consideration of Council.

- Bay Street from Brock Street to Pim Street – from 5:00 p.m. to 6:30 p.m.
- Pim Street from Bay Street to Queen Street East - from 5:00 p.m. to 6:30 p.m.
- Queen Street East from Pim Street to Gore Street – from 5:30 p.m. to 7:30 p.m.

The relevant By-law 2015-190 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.2

Council Travel

Mover Councillor L. Turco

Seconder Councillor M. Shoemaker

Resolved that Mayor Provenzano be authorized to travel to Thunder Bay for two days in November to attend the Northern Leaders' Dialogue at an estimated cost to the City of \$800.

6.3

RFP for Mobile Video Surveillance – Transit Division (2015CK10P)

26 - 27

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

Mover Councillor L. Turco

Seconder Councillor J. Hupponen

Resolved that the report of the Manager of Purchasing dated 2015 10 26 be received and that the proposal submitted by Seon Systems Sales Inc. to supply, install and commission a Mobile Video Surveillance System as required by the Transit Division of the Public Works and Transportation Department be approved.

6.4	Celebrate Canada Program – Funding Application	28 - 29
	A report of the Manager of Recreation and Culture is attached for the consideration of Council.	
	Mover Councillor R. Niro Seconder Councillor M. Shoemaker	
	Resolved that the report of the Manager of Recreation and Culture dated 2015 10 26 concerning Celebrate Canada Program Funding be received and that staff be authorized to apply to the Department of Canadian Heritage for the 2016 Celebrate Canada Program to assist in funding the City of Sault Ste. Marie Canada Day Celebration.	
6.5	Source Protection Funding Agreement Extension	30 - 65
	A report of the Planner is attached for the consideration of Council.	
	The relevant By-law 2015-194 is listed under item 11 of the Agenda and will be read with all by-laws under that item.	
6.6	Huron Street Traffic Control	66 - 67
	A report of the Manager of Traffic and Communications is attached for the consideration of Council.	
	The relevant By-law 2015-193 is listed under item 11 of the Agenda and will be read with all by-laws under that item.	
6.7	<i>Correspondence from Terry Sheehan</i>	68 - 69
7.	REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES	
7.1	ADMINISTRATION	
7.1.1	Finance Spending Review – Mayor's Office, CAO's Office, Clerk's Department	70 - 88
7.2	COMMUNITY SERVICES DEPARTMENT	
7.3	ENGINEERING	
7.4	FIRE	
7.4.1	Fire Services Organizational Realignment	89 - 110
	A report of the Fire Chief is attached for the consideration of Council.	

Email correspondence received from the President, Sault Ste. Marie Firefighters Association is also attached. (Documents attached to the email are too extensive to include in the Agenda package, but are available for public viewing in the office of the City Clerk.)

Mover Councillor R. Niro
Seconder Councillor J. Hupponen

Resolved that the report of the Fire Chief dated 2015 10 26 concerning the Fire Services Organizational Realignment Strategy to transition full time equivalent resources by reallocating up to 20 firefighter positions through attrition as follows:

- 4 – Paramedic Supervisors, 8 Paramedics
- 2 – Public Education Officers
- 1 – Training Officer
- 1 – Mechanic
- Emergency Planning Officer
- Additional allocation as required or eliminated

be approved;

further that the Chief, Fire Services in conjunction with the Commissioner of Human Resources and City Solicitor and with consultative input from key stakeholders (including the affected collective bargaining units) implement the realignment over a three year transition period;

and that the Legal Department be directed to prepare the necessary by-law to effect the same.

7.4.1.1	<i>Additional correspondence</i>	111 - 112
7.5	LEGAL	
7.6	PLANNING	
7.6.1	A-17-15-Z.OP – 592 Old Goulais Bay Road	113 - 186
	A report of the Planner is attached for the consideration of Council.	
	Mover Councillor R. Niro Seconder Councillor M. Shoemaker	
	Resolved that the report of the Planner dated 2015 10 26 be received as information and that the applicants' request to amend the Official Plan and to rezone the front (west 300m) of the subject property from "RA" (Rural Area Zone) to "RA.S" (Rural Area Zone with a Special Exception) to permit a contractor's yard on the subject property in addition to the uses currently permitted be denied.	
7.6.2	A-19-15-Z – 503 Trunk Road	187 - 196

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

Mover Councillor R. Niro
Seconder Councillor M. Shoemaker

Resolved that the report of the Planning Division dated 2015 10 26 be received and that Council approve rezoning the subject property from "C4.S-219" (General Commercial with a Special Exception), to "C4.S-219" (General Commercial with a Special Exception) adding a bus depot, taxi and limousine service and a public transportation yard as an additional permitted use, subject to the following:

1. That no part of the bus depot, taxi and limousine service, and public transportation yard use occur within 55 metres of the nearest residentially zoned property;

and that the Legal Department be directed to prepare the necessary by-law to effect the same.

PUBLIC WORKS AND TRANSPORTATION

BOARDS AND COMMITTEES

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

8.1 Retirement of Phillip Becker, International Bridge Administration

Mover Councillor S. Myers
Seconder Councillor S. Butland

Whereas Phillip Becker, the general manager of the International Bridge Administration, plans to retire in January 2016; and

Whereas Mr. Becker, a licensed professional engineer, has held this position since February 2001; and

Whereas Phillip Becker has worked tirelessly in providing steady and strong leadership of the International Bridge Administration; and

Whereas Mr. Becker has developed significant outreach activities with the twin sister cities of Sault Ste. Marie on both sides of the border and has sought to help both communities to achieve our true potential in terms of economic development and quality of life; and

Whereas Phillip Becker's knowledge and professional expertise have been key in ensuring and maintaining the integrity and safety of the international bridge; and

Whereas his management and oversight has enabled the Sault Ste. Marie International Bridge to become "*a crossing of excellence*"; and

Whereas Mr. Becker has actively encouraged and supported both Sault Ste. Marie, Ontario and Sault Sainte Marie, Michigan in their economic and social

development, often sacrificing personal time for meetings and involvement in many events,

Now Therefore Be It Resolved that Mayor Christian Provenzano and the members of Sault Ste. Marie, Ontario City Council express our deep appreciation to Phillip Becker for 15 years of contribution as General Manager of the International Bridge Administration; and

Further that this Council extends to Phillip Becker sincere best wishes and much joy for him and his family in his retirement.

8.2

Congratulations to Terry Sheehan

Mover Councillor S. Myers

Seconder Councillor S. Butland

Whereas in the recent federal election, Ward 2 City Councillor Terry Sheehan was elected as the member of parliament for Sault Ste. Marie; and

Whereas Councillor Sheehan has served the citizens of Ward 2 for twelve years;

Now Therefore Be It Resolved that this Council extend our congratulations to Terry and wish him well in his new endeavor.

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

Mover Councillor R. Niro

Seconder Councillor J. Hupponen

Resolved that all By-laws under item 11 of the Agenda under date 2015 10 26 be approved.

11.1

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

11.1.1

By-law 2015-190 (Temporary Street Closing) Santa Claus Parade

197 - 197

Mover Councillor R. Niro

Seconder Councillor J. Hupponen

Resolved that By-law 2015-190 being a by-law to permit the temporary street closing of various streets to facilitate the annual Rotary Santa Claus Parade on November 21, 2015 be passed in open Council this 26th day of October, 2015.

11.1.2

By-law 2015-191 (Cemeteries)

198 - 198

Council Report was passed by Council Resolution on October 13, 2015.

Mover Councillor R. Niro
Seconder Councillor J. Hupponen

Resolved that By-law 2015-191 being a by-law to amend By-law 2015-129 being a by-law to provide regulations for the operation of all municipal crematoriums, mausoleums, and cemeteries owned by the City of Sault Ste. Marie be passed in open Council this 26th day of October, 2015.

11.1.3	By-law 2015-192 (Street Assumption) Various	199 - 201
	Mover Councillor R. Niro Seconder Councillor J. Hupponen	
	Resolved that By-law 2015-192 being a by-law to assume for public use and establish as public streets various parcels of land within the City of Sault Ste. Marie be passed in open Council this 26th day of October, 2015.	
11.1.4	By-law 2015-193 (Traffic) Amend Schedules "F" and "G"	202 - 202
	Council Report was passed by Council Resolution on October 13, 2015.	
	Mover Councillor R. Niro Seconder Councillor J. Hupponen	
	Resolved that By-law 2015-193 being a by-law to amend Schedules "F" and "G" of Traffic By-law 77-200 be passed in open Council this 26th day of October, 2015.	
11.1.5	By-law 2015-194 (Agreement) Source Protection	203 - 206
	A report from a Planner is on the Agenda.	
	Mover Councillor R. Niro Seconder Councillor J. Hupponen	
	Resolved that By-law 2015-194 being a by-law to authorize the execution of an Amendment to a Grant Funding Agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment and Climate Change be passed in open Council this 26th day of October.	
11.1.6	By-law 2015-195 (Official Plan Amendment) 181 Old Garden River Road and 760 Second Line East	207 - 209
	Council Report was passed by Council Resolution on October 13, 2015.	
	Mover Councillor R. Niro Seconder Councillor J. Hupponen	
	Resolved that By-law 2015-195 being a by-law to adopt Amendment No. 215 to the Official Plan for the City of Sault Ste. Marie (Ark Developments Inc. 181 Old Garden River Road and 760 Second Line East) be passed in open Council this 26th day of October, 2015.	

11.1.7	By-law 2015-196 (Zoning) 181 Old Garden River Road and 760 Second Line East (Ark Developments Inc.)	210 - 212
Council Report was passed by Council Resolution on October 13, 2015.		
Mover Councillor R. Niro Seconder Councillor J. Hupponen		
Resolved that By-law 2015-196 being a by-law to amend Sault Ste Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 181 Old Garden River Road and 760 Second Line East (Ark Developments Inc.) be passed in open Council this 26th day of October, 2015.		
11.1.8	By-law 2015-197 (Development Control) 181 Old Garden River Road and 760 Second Line East (Ark Developments Inc.)	213 - 215
Council Report was passed by Council Resolution on October 13, 2015.		
Mover Councillor R. Niro Seconder Councillor J. Hupponen		
Resolved that By-law 2015-197 being a by-law to designate the lands located at 181 Old Garden River Road and 760 Second Line East (Ark Developments Inc.) be passed in open Council this 26th day of October, 2015.		
11.2	By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority	
11.3	By-laws before Council for THIRD reading which do not require more than a simple majority	
12.	QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON THE AGENDA	
13.	CLOSED SESSION	
Mover Councillor R. Niro Seconder Councillor M. Shoemaker		
Resolved that this Council proceed into closed session to discuss:		
<ul style="list-style-type: none"> • potential acquisition/disposition of property; • litigation or potential litigation 		
further be it resolved that should the said closed session be adjourned, Council may reconvene in closed session to continue to discuss the same matter(s) without the need for a further authorizing resolution.		
<i>(proposed or pending acquisition or disposition of land – section 239(2)(c); litigation or potential litigation – section 239(2)(e) Municipal Act)</i>		

14.

ADJOURNMENT

Mover Councillor R. Niro
Seconder Councillor J. Hupponen

Resolved that this Council now adjourn.



REGULAR MEETING OF CITY COUNCIL MINUTES

Tuesday, October 13, 2015
4:30 p.m.
Council Chambers
Civic Centre

Present: Mayor C. Provenzano, Councillor S. Butland, Councillor P. Christian, Councillor S. Myers, Councillor J. Hupponen, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich, Councillor R. Romano

Absent: Councillor T. Sheehan, Councillor M. Shoemaker

Officials: A. Horsman, M. White, N. Kenny, L. Girardi, N. Apostle, S. Schell, J. Dolcetti, M. Nadeau, P. Niro, D. McConnell, M. Figliola F. Coccimiglio, T. Dodds

1. ADOPTION OF MINUTES

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that the Minutes of the Regular Council Meeting of 2015 09 28 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 R. Niro – Sault Ste. Marie Innovation Centre – Economic Diversification Fund Application

Son is employed by OLG.

3.2 Councillor R. Niro – 2015-188 (Agreement) Municipal Waste & Recycling

A proponent for this tender is owned by a relative.

3.3 Councillor P. Christian – Sault Ste. Marie Innovation Centre – Economic Diversification Fund Application

Spouse is employed by OLG.

3.4 Councillor M. Bruni – 2015-188 (Agreement) Municipal Waste & Recycling

Employed by OLG.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that the Agenda for 2015 10 13 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 2015 United Way Campaign

James Caicco, 2015 Campaign Chair was in attendance.

5.2 Waste Reduction Week

Madison Zuppa, Environmental Initiatives Co-ordinator was in attendance.

5.3 End-Polio-Now Week

Carol Colombo, President, Sault North Rotary; Rod Stone, President, Rotary Club of Sault Ste. Marie and Melinda Mills, President Elect, Rotary Club of Sault Ste. Marie were in attendance.

5.4 National Teen Safe Driving Week

Tim Murphy, Safe Communities Partnership was in attendance.

5.5 Arts Council Graffiti

Russell Raven, Arts Council and Dr. Gayle Broad, NORDIK Institute were in attendance.

5.6 Sault Ste. Marie Innovation Centre – Economic Diversification Fund Application

Tom Vair, Executive Director was in attendance.

5.7 A-18-15-Z.OP – 181 Old Garden River Road

Bob Dumanski (for the applicant) was in attendance.

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

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that all the items listed under date 2015 10 13 – Part One – Consent Agenda be approved as recommended, save and except item 6.4.

Carried

6.1 Community Development Planning

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that the report of Mayor C. Provenzano dated 2015 10 13 concerning Community Development Planning be received as information.

Carried

6.2 City of Sault Ste. Marie Credit Rating

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

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that the report of the Commissioner of Finance and Treasurer dated 2015 10 13 concerning City of Sault Ste. Marie Credit Rating be received as information.

Carried

6.3 Bell Mobility In-Building Distributed Antenna System for the Essar Centre.

The report of the Manager of Information Technology was received by Council.

The relevant By-law 2015-182 is listed under item 11 of the Minutes.

6.5 Healthy Kids Community Challenge

The report of the Commissioner of Social Services was received by Council.
The relevant By-law 2015-189 is listed under item 11 of the Minutes.

6.6 Municipal Council Support Resolution

The report of the Environmental Initiatives Co-ordinator was received by Council.
The relevant By-law 2015-186 is listed under item 11 of the Minutes.

6.7 Gore Street Reconstruction – Engineering Agreement

The report of the Design and Construction Engineer was received by Council.
The relevant By-law 2015-185 is listed under item 11 of the Minutes.

6.8 T911 Network Equipment Installation and Support Services

The report of the Deputy Fire Chief – Support Services was received by Council.
The relevant By-law 2015-187 is listed under item 11 of the Minutes.

6.9 Amendment to Cemetery By-law (No. 2012-129)

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

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that the report of the Manager of Cemeteries dated 2015 10 13 concerning amendment to cemetery By-law 2012-129 Section 12.6 (a) be approved and that the Legal Department bring the amended by-law to a future meeting of Council.

Carried

6.4 Effects of William Merrifield School Closure on Adjacent Outdoor Rink and Tennis Courts

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

Moved by: Councillor R. Romano

Seconded by: Councillor J. Hupponen

Resolved that the report of the Commissioner of Community Services dated 2015 10 13 concerning the Effects of William Merrifield School Closure on Adjacent Outdoor Rink and Tennis Courts be received and the recommendation not to accept the offer from the Algoma District School Board to acquire the portion of property at the William Merrifield School site where the outdoor rink, rink shack and tennis courts are situated be approved;

further that staff be directed to work with the developer of the site through the subdivision approval process for the provision of a park to be named William Merrifield Park; further that the rink at the William Merrifield School location operate this season; and further that in 2016-17 the Mike Zuke Park rink operate in the place of the rink at the William Merrifield School site.

Defeated

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Finance Spending Review – Legal Department, Human Resources Department

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-18-15-Z.OP – 181 Old Garden River Road

The report of the Planning Division was received by Council.

Moved by: Councillor L. Turco

Seconded by: Councillor J. Huppenen

Resolved that the report of the Planning Division dated 2015 10 13 concerning A-18-15-Z.OP – 181 Old Garden River Road be received and that Council rezone the portion of the subject property, outlined on the attached map from “R2” (Single Detached Residential Zone) to “C4S.340” (General Commercial Zone with a Special Exception) subject to the following:

1. That Council approve Official Plan Amendment 215, re-designating the portion of the subject property outlined on the attached map, from “Residential” to “Commercial”
2. That the portion of the subject property, outlined on the attached map be designated as an area of Site Plan Control.

and that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.8.1 Sault Ste. Marie Innovation Centre – Economic Diversification Fund Application

Councillor R. Niro declared a conflict on this item. (Son is employed by OLG.)

Councillor P. Christian declared a conflict on this item. (Spouse is employed by OLG.)

The memo from the CEO, Sault Ste. Marie Economic Development Corporation and supporting documents were received by Council.

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

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that the application of the Sault Ste. Marie Innovation Centre for Economic Diversification Fund funding in the amount of \$250,000 per year for three years to support the implementation of a lottery and gaming sector development strategy be approved.

Carried

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 J. Hupponen

Resolved that all By-laws under item 11 of the Agenda under date 2015 10 13 be approved, save and except 2015-188.

Carried

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

11.1.1 By-law 2015-170 (Zoning) 849 Second Line East (Mac's)

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-170 being a by-law to remove the Holding (H) Provision from Zoning By-laws 2005-150 and 2005-151 for the lands known municipally as 849 Second Line East (Mac's Convenience Stores Inc.) be passed in open Council this 13th day of October, 2015.

Carried

11.1.2 By-law 2015-182 (Agreement) Bell Mobility Inc.

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-182 being a by-law to authorize the execution of an agreement between the City and Bell Mobility Inc. allowing for the installation of an In-House Distributed Antenna System in the Essar Centre to enhance the cellular signals within the building be passed in open Council the 13th day of October, 2015.

Carried

11.1.3 By-law 2015-183 (Agreement) Tracks & Wheels Equipment Brokers Inc.

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-183 being a by-law to authorize the execution of an Equipment Operating Lease Agreement between the City and Tracks & Wheels Equipment Brokers Inc. for the supply and delivery of various equipment be passed in open Council on the 13th day of October, 2015.

Carried

11.1.4 By-law 2015-184 (Agreement) Nortrax Canada Inc.

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-184 being a by-law to authorize the execution of a Commercial Lease Agreement between the City and Nortrax Canada Inc. for the supply and delivery of various equipment be passed in open Council on the 13th day of October, 2015.

Carried

11.1.5 By-law 2015-185 (Agreement) AECOM Canada Ltd.

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-185 being a by-law to authorize the execution of an engineering agreement between the City and AECOM Canada Ltd. for engineering services on the Reconstruction of Gore Street from Queen Street to Wellington Street, be passed in open Council on the 13th day of October 2015.

Carried

11.1.6 By-law 2015-186 (Resolution) FIT Municipal Council Resolution Confirmation

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-186 being a by-law to authorize the execution of one (1) Municipal Council Support Resolution and one (1) Municipal Council Resolution Confirmation to support the solar photovoltaic application being submitted to the Independent Electricity System Operator Feed-In-Tariff Program for the property at 2196 Queen Street East be passed in open Council this 13th day of October, 2015.

Carried

11.1.7 By-law 2015-187 (Agreement) Bell Canada Network and Firewall Equipment

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-187 being a by-law to authorize the execution of an agreement between the City and Bell Canada allowing for the installation and ongoing maintenance and support for network and firewall equipment be passed in open Council this 13th day of October, 2015.

Carried

11.1.9 By-law 2015-189 (Agreement) Ontario Healthy Kids Community Project

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-189 being a by-law to authorize the execution of an agreement between the City and The Board of Health for the District of Algoma Health Unit Operating as Algoma Public Health to obtain funds to assist the City in carrying out the Ontario Healthy Kids Community Project be passed in open Council this 13th day of October, 2015.

Carried

11.1.8 2015-188 (Agreement) Municipal Waste & Recycling

Councillor R. Niro declared a conflict on this item. (A proponent for this tender is owner by a relative.)

Councillor M. Bruni declared a conflict on this item. (Employed by OLG.)

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that By-law 2015-188 being a by-law to authorize the execution of an agreement between the City and Municipal Waste & Recycling to provide Multi-Residential Refuse

Collection for a five (5) year period commencing January 1, 2016, allowing for extension by mutual agreement be passed in open Council this 13th day of October, 2015.

Carried

- 11.2 By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority**
- 11.3 By-laws before Council for THIRD reading which do not require more than a simple majority**
- 12. QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON THE AGENDA**
- 13. CLOSED SESSION**

Moved by: Councillor L. Turco

Seconded by: Councillor J. Hupponen

Resolved that this Council proceed into closed session to discuss human resource issues; further be it resolved that should the said closed session be adjourned, Council may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution (*labour relations or employee negotiations – section 239 (d)*).

Carried

14. ADJOURNMENT

Moved by: Councillor R. Niro

Seconded by: Councillor J. Hupponen

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk

ROTARY CLUB OF SAULT STE. MARIE

"SERVICE
ABOVE SELF"



"THE PROFITS MOST
WHO SERVES BEST"

CLUB 2776, DISTRICT 6280 ROTARY INTERNATIONAL

P.O. BOX 272

SAULT STE. MARIE, ONTARIO

CANADA P6A 5L8

TELEPHONE (705) 945-1279 - FAX (705) 945-5228

EMAIL: cboconnor@rotarysault.com - WEBSITE: www.rotarysault.com

23 September 2015

The Corporation of the City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A5N1

Attention: Malcolm White, City Clerk

RE: 2015 ROTARY SANTA CLAUS PARADE

Dear Mr. White:

On behalf of the Rotary Club of Sault Ste. Marie, I am applying for temporary street closures as follows:

Date: Saturday, November 21, 2015

Start time: 1800 hours

We will keep the route as last year, with the start at the intersection of Bay Street and Pim Street.

Closure of Bay Street from Brock Street to Pim Street

Hours: 1700 hours to approximately 1830 hours on November 21, 2015

Closure of Pim Street from Bay Street to Queen Street East

Hours: 1700 hours to approximately 1830 hours on November 21, 2015

Closure of Queen Street East to Gore Street

Hours: 1730 hours to approximately 1930 hours on November 21, 2015

We thank you for your cooperation in this matter. If you have any questions, please do not hesitate to contact me.

Sincerely,

Nilah Moss

Events Coordinator

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Nilah Moss TELEPHONE: 705-945-1279
 ADDRESS: 364 Queen St E POSTAL CODE: P6A 1Z1

The above person hereby makes application for the closing of
See, Attached

(Name of street to be closed)

from _____ to _____
 (reference points - street numbers, cross streets, etc.)

on the 21 day of NOV, 20 15 from 17:00 am/pm to 19:30 am/pm

for the purpose of Rotary Santa Claus Parade.

APPROVALS SECTION:

1. Police Services, Traffic Dept.
 Telephone 949-6300 ext 348
 Fax 759-7820
580 Queen Street East


 Signature of Official

2. Fire Services/Emergency Medical Services (EMS)
 Telephone 949-3335/949-3387
 Fax 949-2341
 72 Tancred Street

Signature of Official

3. Public Works & Transportation Dept.
 Telephone 541-7000
 Fax 541-7010
 128 Sackville Road

Signature of Official

4. Transit/Parking
 Telephone 759-6320
 Fax 759-5834
 111 Huron Street

Signature of Official

5. Central Ambulance Communication Centre (C.A.C.C.)
 Telephone 946-1227
 Fax 945-6883
 65 Old Garden River Road

6. Downtown Association
 Telephone 942-2919
 Fax 942-6368
 496 Queen Street East
(QUEEN STREET CLOSINGS ONLY)

Signature of Official

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____
 (date) _____ (By-law No.)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Nilah Moss TELEPHONE: 705-946-1242

ADDRESS: 364 Queen St E POSTAL CODE: P6A 1Z1

The above person hereby makes application for the closing of

See, attached

(Name of street to be closed)

from _____ to _____

(reference points - street numbers, cross streets, etc.)

on the 21 day of Nov, 2015 from 17:00 am/pm to 19:30 am/pm

for the purpose of Rotary Santa Claus Parade

APPROVALS SECTION:

- | | | | |
|------------------------------------|--|------------------------------------|--|
| 1. | Police Services, Traffic Dept.
Telephone 949-6300 ext 348
Fax 759-7820
580 Second Line East | 2. | Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Targate Street |
| <hr/> <p>Signature of Official</p> | | <hr/> <p>Signature of Official</p> | |
| 3. | Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road | 4. | Transit/Parking
Telephone 759-5320
Fax 759-5834
111 Huron Street |
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CITY CLERK SECTION:

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(date) (By-law No.)

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496 Queen Street East
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Signature of Official

Signature of Official

CITY CLERK SECTION:

City Council approval was received on _____ (date) (By-law No.)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Nilah Moss TELEPHONE: 705-945-1274ADDRESS: 364 Queen St E POSTAL CODE: P6A 1Z1The above person hereby makes application for the closing of
See, attached

(Name of street to be closed)

from _____ to _____
(reference points - street numbers, cross streets, etc.)on the 21 day of Nov, 2015 from 17:00 am/pm to 19:30 am/pmfor the purpose of Rotary Santa Claus Parade.

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72 Tancred Street

Signature of OfficialSignature of Official

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496 Queen Street East
(QUEEN STREET CLOSINGS ONLY)

Signature of OfficialSignature of Official

CITY CLERK SECTION:

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(date) _____ (By-law No.)

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(Name of street to be closed)

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- | | |
|---|---|
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Fax 759-7820
580 Second Line East | 2. Fire Services/Emergency Medical Services (EMS)
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Fax 949-2341
72 Tancred Street |
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Signature of OfficialSignature of Official

- | | |
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Telephone 541-7000
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Signature of OfficialSignature of Official

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|--|--|

Signature of OfficialSignature of Official

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(QUEEN STREET CLOSINGS ONLY)

Signature of Official

Signature of Official

CITY CLERK SECTION:City Council approval was received on _____
(date) _____ (By-law No.) _____



COUNCIL REPORT

October 26, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Tim Gowans, Manager of Purchasing
DEPARTMENT: Finance Department
RE: RFP for Mobile Video Surveillance – Transit Division
(2015CK10P)

PURPOSE

Attached is a report prepared on behalf of the Evaluation Committee concerning proposals received for the supply, installation and commissioning of a Mobile Video Surveillance System on the City's transit buses, as required by the Transit Division of the Public Works & Transportation Department. Staff is seeking approval for the proposal provided by Seon Systems Sales Inc.

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 11, 2015.

ANALYSIS

Compliant Proposals from three (3) proponents were received prior to closing date:

Chubb Edwards, Sudbury, ON

Seon Systems Sales Inc., Coquitlam, BC

S & T Electrical Contractors Ltd., Sault Ste. Marie, ON

The proposals received have been evaluated by a committee comprised of staff from the Transit Division – Public Works & Transportation Department and the Purchasing Division – Finance Department.

It is the consensus of the Evaluation Committee that the proponent scoring the highest in the evaluation process was Seon Systems Sales Inc. This proponent is presently providing Mobile Video Surveillance Systems to various Municipal Transit Systems in Ontario.

IMPACT

The proposed cost for the supply, installation and commissioning of the Mobile Video Surveillance System is approximately \$88,800 including the non-refundable portion of the HST.

On July 13, 2015 City Council approved a report of the Manager of Transit & Parking for the purchase of a Mobile Video Surveillance System for Transit buses at a cost not to exceed \$100,000; funding to be drawn from the Transit Equipment Reserve.

STRATEGIC PLAN

Purchase of a Mobile Video Surveillance System is not an activity listed in the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated 2015 10 26 be received and the recommendation that the proposal submitted by Seon Systems Sales Inc. to supply, install and commission a Mobile Video Surveillance System as required by the Transit Division of the Public Works & Transportation Department, be approved.

Respectfully submitted,



Tim Gowans
Manager of Purchasing

TG:nt



COUNCIL REPORT

October 26, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Virginia McLeod, Manager Recreation and Culture
DEPARTMENT: Community Services Department
RE: Celebrate Canada Program – Funding Application

PURPOSE

The purpose of this report is to request approval to apply to the Department of Canadian Heritage – Celebrate Canada Program for financial assistance for the City of Sault Ste. Marie's Canada Day Celebration on July 1, 2016.

BACKGROUND

Each year, the Community Services Department's Recreation and Culture Division coordinates a July 1st Canada Day Celebration held at Roberta Bondar Park. This celebration includes family entertainment throughout the day, followed by a fireworks presentation at dusk. Application is made annually to the Department of Canadian Heritage for financial assistance. In 2015, the City received \$5,200.

ANALYSIS

The Department of Canadian Heritage – Celebrate Canada Program provides financial support through an application process to municipalities for Canada Day programming and activities.

IMPACT

The net budget allocation for Canada Day programming and activities is \$10,000; the required additional funds are raised through donations, and the grant from the Department of Canadian Heritage.

STRATEGIC PLAN

The Strategic Plan does not specifically address this matter.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Manager of Recreation and Culture concerning Celebrate Canada Program Funding be received and the recommendation that staff be authorized to apply to the Department of Canadian Heritage for the 2016 Celebrate Canada Program to assist in funding the City of Sault Ste. Marie Canada Day Celebration be approved.

Respectfully submitted,



Virginia McLeod
Manager of Recreation and Culture

Recommended for approval



Nicholas J. Apostle
Commissioner Community Services



COUNCIL REPORT

October 26, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Peter Tonazzo, MCIP, RPP, Planner
DEPARTMENT: Engineering and Planning Department
RE: Source Protection Funding Agreement Extension

PURPOSE

The purpose of this report is to extend the City's Source Protection Funding Agreement with the Ministry of the Environment and Climate Change (MOECC) by one year to end of December 5, 2016.

BACKGROUND

On December 2, 2013 Council was provided with a comprehensive summary of the Clean Water Act, Source (water) Protection, and resulting municipal responsibilities. This report package is attached for Council's Information.

On December 2, 2013, City Council also accepted the Source Protection Municipal Implementation Fund, Grant Funding Agreement. Totalling \$80,000, the grant was provided by the MOECC to help Municipalities in implementing Source Protection Plans. Eligible costs include salaries and benefits, fees incurred for professional services, and printing/distribution costs, to name a few.

A report, outlining the Sault Ste. Marie Source Protection Plan (approved by MOECC March 2015) and the resulting implementation program is planned for a Council meeting in November.

The deadline to utilize the funds is December 7, 2015, however the MOECC has allowed Municipalities across the Province to extend this deadline by one (1) year. The execution of this Source Protection Funding Agreement Extension would lengthen the funding deadline to December 5, 2016.

Source Protection Funding Agreement Extension

2015 10 26

Page 2.

IMPACT

The table below provides a general breakdown of the grant received to date, as well as eligible expenses that have been incurred. It is noted the remainder of the total funding is anticipated to be received in early 2016.

	2014	2015	2016 Budget	Total
Grant Received	\$30,138	\$34,905	\$14,957	\$80,000
Eligible Expenses	0	\$57,600	\$22,400	\$80,000
Grant Carryforward	\$30,138	\$7,443	\$0	

The PUC has indicated a willingness to cover the costs associated with the Risk Management Inspector, once the grant funding expires. Staff will be formalizing an agreement with the PUC in the coming months

STRATEGIC PLAN

Source protection planning and the Municipality's responsibilities under the Clean Water Act are not directly addressed within the current Corporate Strategic Plan.

RECOMMENDATION

A By-law appears elsewhere on the Agenda and is recommended for approval.

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

Source Protection Funding Agreement Extension

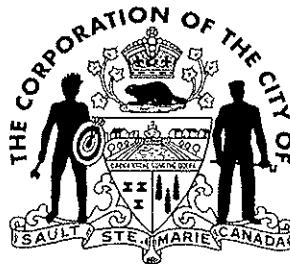
2015 10 26

Page 3.

Attachment(s)

Jerry Dolcetti, RPP
Commissioner

Donald B. McConnell, RPP
Planning Director



ENGINEERING & PLANNING
DEPARTMENT

Planning Division

2013 12 02

Mayor Debbie Amaroso and
Members of City Council

RE: THE CLEAN WATER ACT AND SOURCEWATER PROTECTION

PURPOSE

This Report is intended to provide Council with a background on Sourcewater Protection, provincial funding resources and the subsequent responsibilities of the Municipality.

BACKGROUND

The *Clean Water Act 2006* and Drinking Water Source Protection is an outcome of the Walkerton tragedy, which occurred in 2000. The resulting Walkerton Commission, led by Chief Justice O'Conner recommended a 'multi-barrier approach' to protect Ontario's drinking water resource. The intent of the Clean Water Act is to protect existing and future drinking water sources.

Part of the 'multi-barrier approach' is the establishment of a Source Protection Plan, which applies to the 'Sault Ste. Marie Region Source Protection Area'. Although Sault Ste. Marie is the main focus, the plan also applies to Prince Township and a very small portion of the Sault North Planning area. The plan does not apply to nearby First Nations lands.

The Clean Water Act established Conservation Authorities as the main agencies responsible for coordinating a science-based assessment of the local drinking water situation, and establishing a Source Protection Committee to develop a Source Protection Plan. Locally, Rhonda Bateman was the Drinking Water Source Coordinator, with support from Sault Ste. Marie Region Conservation Authority staff. The Ontario Ministry of the Environment funded the program.

The Source Protection Committee was established in 2007, including the following 9 members:

Chair Currently Vacant

Municipal Representatives Catherine Taddo, Environmental Engineer, City of SSM
Hal Mc Gonigal, Prince Township
Peter Tonazzo, Planner, City of SSM

Sector Representatives

Andrew Hallet, PUC Services Inc.
Roy Bertolo, Aggregates
Peter McLarty, Environmental

Public Representatives

Laurence Woolley, SSM Resident
Ralph Yanni, Sault North Resident.

Based on the approved Assessment Report, coordinated by the Sault Ste. Marie Regional Conservation Authority, utilizing technical rules established by the Ministry of Environment, the Source Protection Committee drafted a Source Protection Plan, with policies aimed at protecting our drinking water sources. The plan is currently under review by the Province, which is the approval authority. An important part of the plan will include policies pertaining to 'Significant Threat Activities', both existing and potential future. As per Section 22 of the Clean Water Act, the policies contained in the Source Protection Plan must ensure that activities either never become a significant threat or existing activities cease to become significant threats.

The Act outlines the following 21 prescribed drinking water threat activities:

1. The establishment, operation or maintenance of a waste disposal site within the meaning of Part V of the *Environmental Protection Act*.
2. The establishment, operation or maintenance of a system that collects, stores, transmits, treats or disposes of sewage.
3. The application of agricultural source material to land.
4. The storage of agricultural source material.
5. The management of agricultural source material.
6. The application of non-agricultural source material to land.
7. The handling and storage of non-agricultural source material.
8. The application of commercial fertilizer to land.
9. The handling and storage of commercial fertilizer.
10. The application of pesticide to land.
11. The handling and storage of pesticide.
12. The application of road salt.
13. The handling and storage of road salt.
14. The storage of snow.
15. The handling and storage of fuel.
16. The handling and storage of a dense non-aqueous phase liquid.
17. The handling and storage of an organic solvent.
18. The management of runoff that contains chemicals used in the de-icing of aircraft.

19. An activity that takes water from an aquifer or a surface water body without returning the water taken to the same aquifer or surface water body.
20. An activity that reduces the recharge of an aquifer.
21. The use of land as livestock grazing or pasturing land, an outdoor confinement area or a farm-animal yard. O. Reg. 385/08, s. 3.

The aforementioned prescribed threat activities are those which have the potential to be considered a 'significant threat', based on a number of factors, such as the size and location of the activity.

ANALYSIS

The Local Situation

The Source Protection Plan and the policies therein, is centred on the science-based 'Assessment Report', which outlines 'Wellhead Protection Areas' around the four (4) City Well locations, an 'Intake Protection Zone' around the Gros Cap intake, and the 'Significant Groundwater Recharge Area' located in the northern part of the city. The wellhead protection areas, intake protection zone, and significant groundwater recharge area are shown on the map attached.

The critical area for source water protection is Wellhead Protection Area A (WHPA-A), which is a 100m radius around each wellhead. Wellhead Protection Areas B and C (WHPA-B&C) are important in relation to threat #16, the storage and handling of Dense Non-Aqueous Phase Liquids (DNAPLs) which are solvents that do not mix with, and are heavier than water. Examples include chlorinated solvents, coal tar, paints and laquers. DNAPLs are often associated with uses that strip wood, dry cleaning establishments and auto maintenance.

Based on the MOE's technical rules and hazard scoring, activities in the City's Significant Groundwater Recharge area cannot become significant. This does not change the local conditions indicating that the groundwater recharge area is the most susceptible to contamination, as noted in Burnside's 'Sault Ste. Marie and Area Groundwater Management and Protection Study' which was completed in 2003.

Existing Significant Threats

The Draft Sault Ste. Marie Source Protection Plan identifies 4 existing significant threats. Upon Provincial approval of the plan, the threats are proposed to be mitigated in the following manner:

1. Snow Storage Site – Queen Street East, across from the Lorna Well, abutting the East End Sewage Treatment Plant.
 - a. Municipality to implement a plan to ensure best management practises for the storage of snow, including:
 - i. Establish delineated boundaries for snow storage,
 - ii. Ensure melt water drainage flows away from the Lorna Well,
 - iii. Education and training for those who utilize the snow storage site,

- iv. The plan encourages the municipality to continue to apply for available funding opportunities related to on-site soil sampling and testing.
2. Sewage Infrastructure – Force main beneath Queen St. East, adjacent to Lorna Well.
 - a. Municipality to develop a prioritized inspection and maintenance schedule for the portion of the force main that is within 100m of the Lorna Well.
 - b. Municipality to develop a training plan for PWT staff to delineate vulnerable areas and outline emergency response procedures in the event of a leak in the force main.
 3. Fuel Storage and Handling – Gas station, southwest corner of Second Line and Goulais Avenue, adjacent to the Goulais Well.
 - a. A risk management plan as per the Part IV powers of the Clean Water Act (described later). At a minimum, the Risk Management Plan shall include:
 - i. Adherence to TSSA standards,
 - ii. Best management practises,
 - iii. Measures to ensure site drainage is away from the Goulais Well intake,
 - iv. Installation of a leakage alarm system,
 - v. Maintenance and monitoring protocol,
 - vi. Spills response action plan,
 - vii. Enhanced tank safety requirements,
 - viii. Abandonment plan.

Note: The owners have already completed much of the above.

4. Transportation of Hazardous Materials – Shipping lane near Gros Cap Intake, Prince Township.
 - a. The shipping lane is federally/bi-nationally regulated, and therefore the source protection plan, which has no federal jurisdiction, cannot directly regulate shipping. Policy has been developed for joint emergency response planning, including immediate PUC notification in the event of a spill, so that the intake can be shut down.

Future Significant Threats

In terms of significant threats to the groundwater aquifer, the threat level is highest within 100m (WHPA-A) of the City wells. The potential for future significant threats is minimal, given the majority of the existing zoning within 100m of the four (4) city well locations is residential, with some commercial. WHPA's B & C in the west-end include some Rural Area properties and WHPA-C in the east-end includes vacant industrial properties (Black Road and McNabb Street).

Generally speaking, activities associated with residential land uses are not considered as significant threats. There are a small number of existing commercial uses and vacant commercial properties that could be occupied by significant threat activities. The commercial zoning permits uses like gas stations (fuel storage and handling), dry cleaners (DNAPLs and organic solvents), automobile repair (fuel/oil, DNAPLs, organic solvents), and retail establishments that could store and handle large quantities of oils, DNAPLs, organic solvents, fertilizers, pesticides, etc.).

There are a number of Rural Area zoned parcels within WHPA's B & C of the west end wells. The Rural Area Zone permits agricultural uses, which can include significant threat activities such as the storage, handling and application of fertilizers, pesticides, agricultural and non-agricultural source material (manure). Current zoning provisions require a minimum area of 10ha (25acres) in order to support an agricultural use. Most Rural Area zoned properties located within the wellhead protection zone are too small to support more than hobby farms. Small agricultural operations are generally not considered a significant threat.

There are a number of industrial uses, and industrially zoned vacant parcels within WHPA's B & C of the east end well, including the 'Black Road industrial area', and a number of vacant industrial parcels along McNabb Street. Most industrial uses have the potential to include significant threat activities.

Managing/Prohibiting/Regulating Significant Threats – Existing and Future

The proposed Source Protection Plan contains policies to ensure that prescribed drinking water threat activities either never become a significant threat or existing activities cease to become a significant threat. There are a variety of options for managing existing and future threats, including:

1. Education, outreach and incentives.
2. Existing Provincial Instruments/Approvals – MOE Certificates of Approval.
3. Land Use Planning Approaches – Work best to manage future threats, Official Plan, Zoning, Site Plan Control.
4. Municipal Act Authorities – Licensing.
5. Other tools such as stewardship programs and best management practises.
6. Clean Water Act (Part IV) Powers, used as a last resort. Part IV powers can only be applied to significant threats:
 - a. Prohibition – Existing and future activities can be prohibited.
 - b. Risk Management – Significant threat activities can be managed through a risk management plan, which is negotiated between the land owner and Risk Management Official.
 - c. Restricted Land Uses – A screening tool which connects prescribed threat activities to defined land uses, which prevents the unintentional approval of Building Permit/Rezoning/Official Plan Amendment application that could lead to the creation of a significant drinking water threat. This screening tool requires the Risk Management Official to review proposals prior to acceptance as a complete application.

For a more detailed review of how the Draft Sault Ste. Marie Area Source Protection Plan policies propose to manage significant threats, please refer to Appendix 1 to this Report – Significant Threat Table.

Risk Management Official and Risk Management Inspector Staff Positions

Under the *Clean Water Act, 2006* the Municipality is responsible for implementing the policies contained in the Source Protection Plan. The Municipality is also responsible for establishing Risk Management Official (RMO) and Risk Management Inspector (RMI) positions. The RMI

reports to the RMO or the two positions can be combined. The City can delegate the overall responsibility to either the Conservation Authority or Algoma Public Health; however the Municipality is ultimately responsible for implementation and funding.

It is recommended that the RMO position be retained within the Municipality, to be held by Peter Tonazzo in the Planning Department, and that the RMI position be housed at the Conservation Authority by Anjum Amin, a Professional Engineer. Both have been involved with the Source Protection process since 2007.

JOB ROLES

Risk Management Official (RMO)

The main role of the RMO is one of oversight and approval. The RMO is ultimately responsible for the RMI and the implementation of the Source Protection Plan.

It is estimated that the RMO position would require approximately 155 hours for the first year, and approximately 115 hours in subsequent years. The costs associated with funding the RMO position are unknown at this time however; it is estimated to be approximately \$8000 for the first year. It is possible that this amount could be adjusted in subsequent years.

Risk Management Inspector (RMI)

The role of the RMI is one of technical support, site inspections, monitoring and reporting to the RMO and Source Protection Committee.

It is estimated that the RMI position would require approximately 390 hours for the first year, and approximately 295 hours in subsequent years. The total cost for the first year is estimated to be approximately \$25,000.

RMO/RMI Training Requirements

The Municipality is also responsible for the training required for the RMI and RMO positions, which consists of about five (5) days, out of town. The total costs to the municipality associated with the training are expected to be roughly \$3500.

Other Resource Costs

Legal Division

In some cases assistance from the Legal Department may be required, however it is anticipated that such circumstances will be rare, and utilized as a last resort.

In the event of an appeal, Legal Department will play an important role in any Land Tribunal Hearings. In other cases, where a landowner refuses entry by the RMO or RMI, warrants may be necessary, which will also require Legal Department assistance. Finally, Legal Department will be relied upon in assisting the drafting of an agreement between the City and SSMRCA (and possibly PUC) as it relates to roles and responsibilities.

SOURCE PROTECTION MUNICIPAL IMPLEMENTATION FUND

The Province has recently released the details of the Source Protection Municipal Implementation Fund, which is intended to help build municipal capacity to implement source protection plans. The City of Sault Ste. Marie is eligible to receive \$75,000, with the possibility of a future \$5000 in 'collaboration' funding, which could be utilized to implement source protection measures in Prince Township. Funds received must be utilized by December 7, 2015.

Eligible Costs:

- Salaries and benefits
 - Hiring or re-assigning staff to serve as RMO/RMI,
 - Administrative support required to establish/maintain the Risk Management Office,
 - Resource costs associated with updating land use policies (OP, Zoning) as identified in the Source Protection Plan,
 - Resource costs associated with legal support
 - Environmental Land Tribunal hearing
 - Ontario Municipal Board hearing
 - Notices of Entry etc.
 - Resource costs associated with training Building staff to appropriately handle applications that are or could become significant threats.
- Fees incurred for contracted professional service
 - Hiring consultants to assist in developing risk management plans.
- Printing and distribution costs associated with education and outreach programs/activities.

Ineligible Costs:

- Travel, meals, accommodation and hospitality.
- Overhead such as rent, utilities and office supplies.
- Capital such as vehicles, office furniture, computers.
- Incentives or compensation for property owners.
- RMO/RMI training costs.

The Source Protection Municipal Implementation Fund Grant Funding Agreement is attached for Council's consideration. The submission deadline in order to be eligible for funding is December 13, 2013. The funds will not be utilized until 2014.

IMPACT

The total first year cost associated with this program is estimated to be \$37,000. It is anticipated that costs would be adjusted down in subsequent years.

In addition to provincial funding (\$75,000) staff is currently exploring RMI funding options with the PUC. Consequently, for at least the next three years (during the provincial funding window) the direct costs to the municipality will be minimal.

The total costs are further broken down as follows:

- \$3,500 for training - The City will be responsible for covering the costs associated with the RMO and RMI attending a week long training session, to be held in Southern Ontario. Council recently approved a travel request for a training session to be held in early December, however the Province cancelled this session and it is anticipated that a session will be held in February. Costs associated with this training are not eligible under the provincial funding program.
- \$25,000 for the RMI position – Based on an estimated first year workload of 390 hours. Subsequent years are estimated to be approximately 290 hours per year. The first 3 years of such costs are eligible under the provincial funding; however staff is also exploring additional long term funding options with the PUC.
- \$8,000 for the RMO position – Based on an estimated first year workload of 155 hours. Subsequent years are estimated to be approximately 115 hours per year. The first 3 years of these costs are eligible under the provincial grant.
- \$500 for Education and Outreach – The proposed Source Protection Plan includes an education and outreach component attached to most significant threat policies. These costs can be funded via the Provincial grant.

Additional workload associated with Legal Division responsibilities are anticipated to be minimal, however in the event that a landowner appeals an application to the Ontario Land Tribunal or a warrant is required to allow property entry, Legal Department will play a substantial role. Having said this, appeals and warrants are anticipated to be not more than one (1) each per five (5) years, although there is the potential for more or less. Provincial funding can be utilized to cover these costs during the first three (3) years of the program.

There will also be additional resource costs associated with potential Official Plan Amendments and Rezonings, required to implement the policies contained within the Source Protection Plan. These costs are eligible for provincial funding.

Finally, there will be additional resource costs associated with municipal training on processes to ensure that Building Permit or Planning Act applications are appropriately screened to ensure that they are not or do not have the potential to become significant drinking water threats. The RMO and RMI will coordinate this training, which will likely focus on Building Division staff. These costs are eligible for provincial funding.

Under the *Clean Water Act, 2006* the Municipality is responsible for implementing the policies contained in the Source Protection Plan. The Municipality is also responsible for establishing Risk Management Official (RMO) and Risk Management Inspector (RMI) positions. The RMI reports to the RMO or the two positions can be combined. The City can delegate the overall responsibility to either the Conservation Authority or Algoma Public Health; however the Municipality is ultimately responsible for implementation and funding.

It is recommended that the RMO position be retained within the Municipality, to be held by Peter Tonazzo in the Planning Division. The Planning Division would act as the 'Risk Management Office'. It is further recommended that the RMI position be housed at the Conservation Authority, by Anjum Amin. Both have been involved with the Source Protection process since 2007.

STRATEGIC PLAN

While not directly linked to a specific policy contained within the Corporate Strategic Plan, ensuring the continued protection of our drinking water aquifers is linked to the stated Corporate Value of Environmental Stewardship, as well as the three Strategic Focus Areas of Developing Solid Infrastructure, Delivering Excellent Services, and Enhancing Quality of Life.

RECOMMENDATION

It is recommended that Council accept this report as information, and assign the Planning Division to be the local Source Protection Risk Management Office. Furthermore, that Council appoints Peter Tonazzo as the Risk Management Official, and Anjum Amin as the Risk Management Inspector.

And, it is recommended that Council accept the Source Protection Municipal Implementation Fund Grant Funding Agreement attached.

And that staff negotiate with the PUC to enter into a partnership with the City on covering the costs associated with the RMI position.

Respectfully submitted,



Donald B. McConnell, MCIP, RPP
Planning Director

DM/ps

Attachment(s)

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

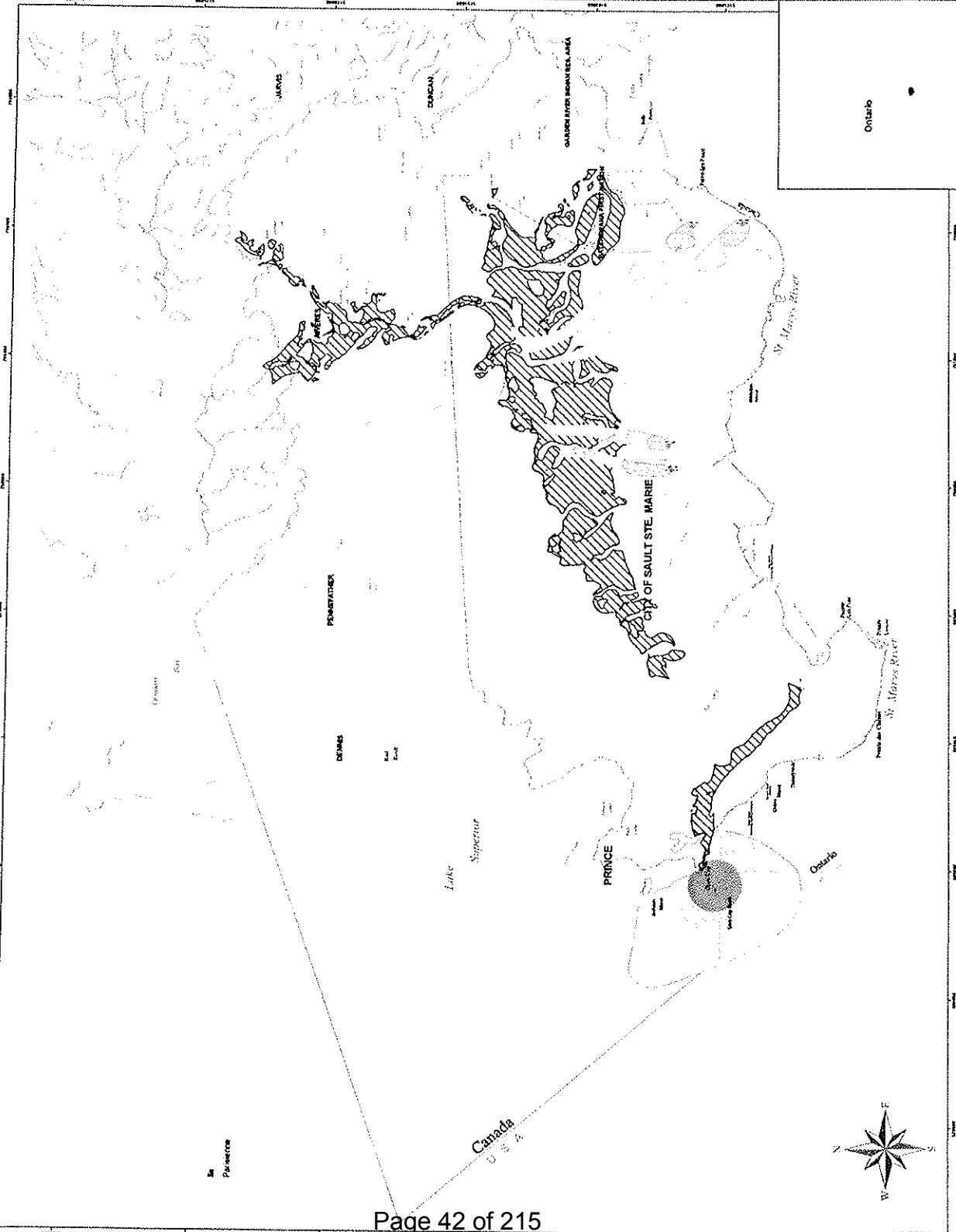
Drinking Water Source Protection Area

DRINKING WATER
SOURCE PROTECTION

Source Protection Authority
1100 Fifth Line East
Suite 500, Marie On Park & 5th
(705) 946-8530
Fax (705) 946-8533

- The map displays the Waukegan River Watershed boundary (dashed line) and the SSNRCA Boundary (solid line). It includes several shaded areas representing different protection zones:

 - Municipal Wells**: Shaded area covering parts of Lake Michigan and the river.
 - Water Intake**: Shaded area near the mouth of the river.
 - Source Protection Area**: A large shaded rectangular area extending upstream from the water intake.
 - WPA-A**: A 100-meter buffer zone along the riverbank.
 - WPA-B**: A 2-year travel buffer.
 - WPA-C**: A 5-year travel buffer.
 - WPA-D**: A 25-year travel buffer.
 - Significant Groundwater Recharge Area**: Shaded area located upstream of the WPA-A buffer.
 - Road Segment**: Labeled on the right side of the map.
 - Intake Road**: Labeled on the left side of the map.
 - IP2-Intake Protection Zone 1**: Shaded area near the water intake.
 - IP2-Intake Protection Zone 2**: Shaded area further upstream.
 - SSNRCA Boundary**: Shaded area following the watershed boundary.
 - Municipal Boundary**: Shaded area following the municipal boundary line.
 - Wetland Area, Permanent**: Shaded area in the upper reaches of the watershed.



**DRINKING WATER
SOURCE PROTECTION**

Source Protection Authority
100 15th Line East
Suite 100, 15th Line, ON N0A 1A0
(705) 664-4200
Fax (705) 664-5533
www.oawspa.ca

Central Basin WHPA

Legend

- Municipal Wells
- Well Head Protection Area Zone
- WHPA-A - 100 meter buffer
- WHPA-B - 2 year of travel
- WHPA-C - 5 year of travel
- WHPA-D - 25 year of travel
- Road
- Airstrip Paved
- Railway
- Hydro Line
- Waterbody
- River
- SSNRCA Boundary
- Source Protection Area
- Municipal

NOTE: Base for map is DEM hillshaded at
elevation of 315 degrees and
azimuth of 45 degrees.

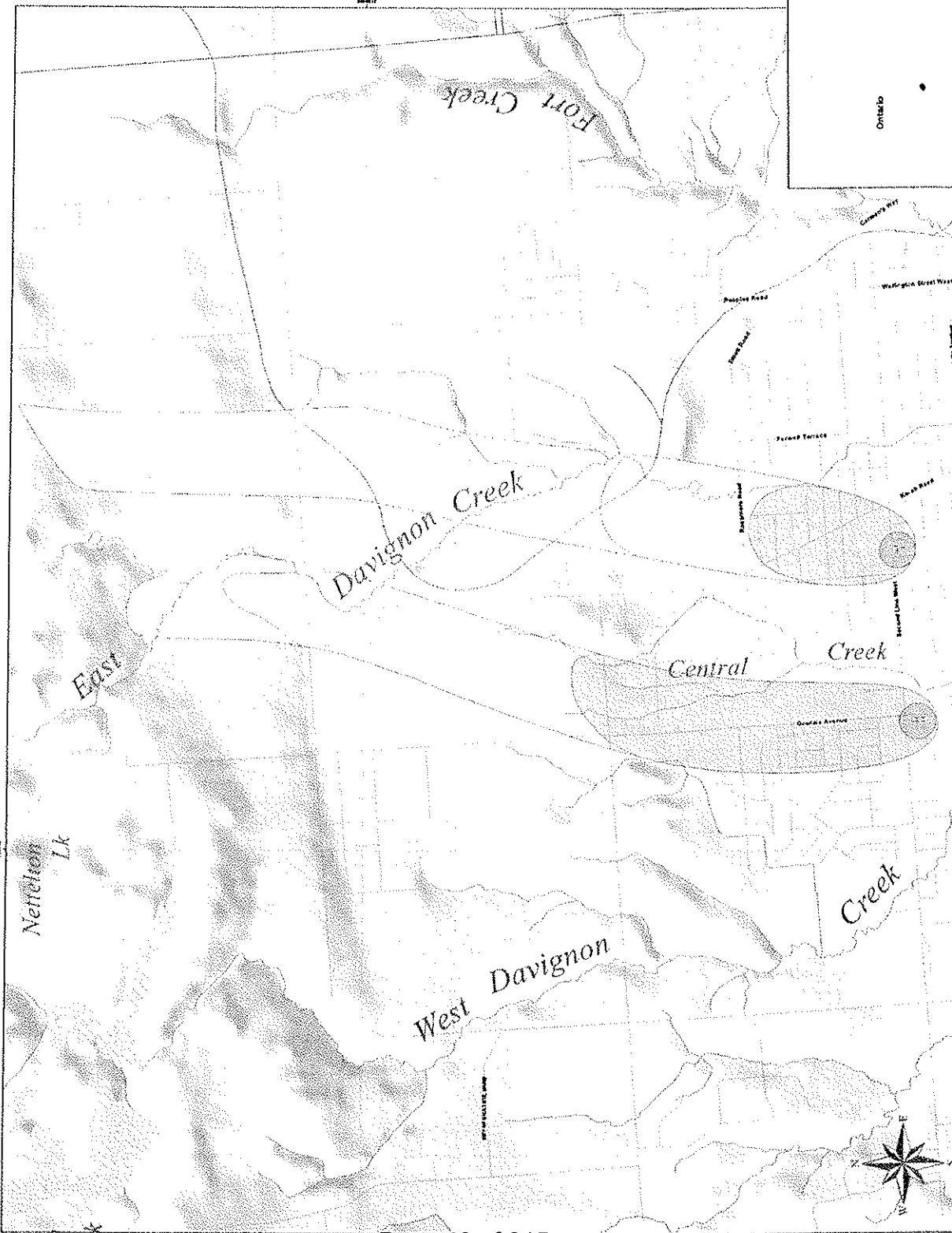
Data Credits:
Ontario Ministry of Natural Resources and Forestry
Ontario Ministry of Environment
Ontario Ministry of Natural Resources
Ontario's Printer for Ontario, 2009
City of Peterborough
City of Peterborough

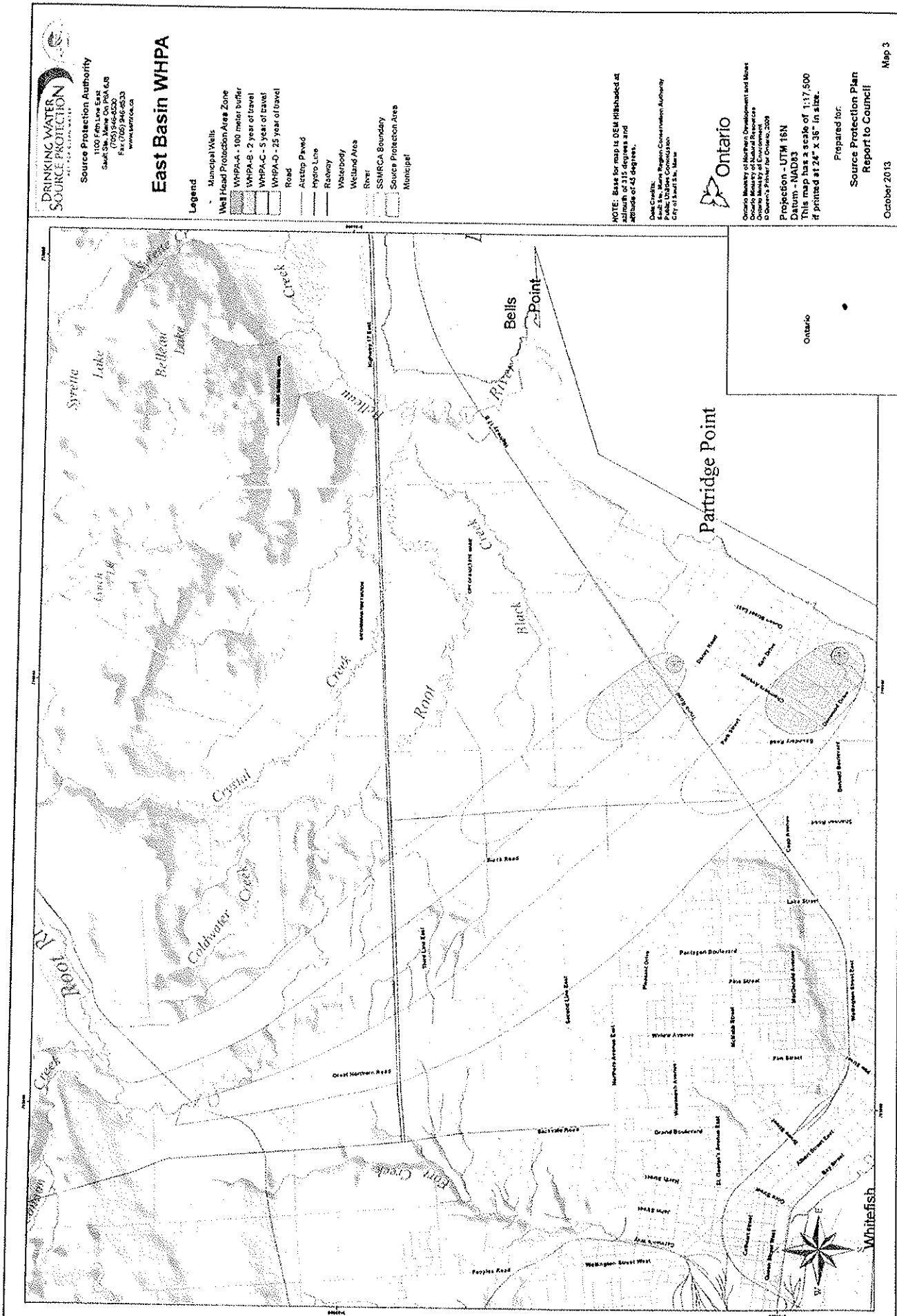
Projection - UTM 16N

Datum - NAD83
This map has a scale of 1:9,500
If printed at 24" x 36" in size.

Prepared for:
Source Protection Plan
Report to Council

October 2013
Map 2





PROPOSED SOURCE PROTECTION PLAN
FUTURE SIGNIFICANT THREAT OVERVIEW

Specified Threat	Parameters & Threat Rating	Policy Approach for Future Significant Threats
1. Waste Disposal Site	1. All WHPA-A. Significant All WHPA-B. Significant $>10\text{ha}$	<p>Planning Act - Waste disposal sites will not be permitted in all WHPA-A & B <u>Impact</u> – Negligible. A waste disposal site within WHPA-A, or a waste disposal operation $>10\text{ha}$ in WHPA-B would not be appropriate given existing land uses and parcel fabric.</p>
2. Storage, Transmission & Treatment of Sewage and Stormwater	2. Sewage All WHPA-A & Steelton/Goulais WHPA-B Significant $>10,000\text{m}^3/\text{day}$ 2a. Stormwater Significant All WHPA-A where stormwater is discharged to land or surface water, and drains an area $>10\text{ha}$ but $<100\text{ha}$.	<p>Existing Provincial Instrument - All WHPA-A's & Steelton/Goulais WHPA-B – The Province (MOE) shall ensure that all new Certificate of Approval applications for the establishment and maintenance of sewage works be evaluated to ensure that new applications or modifications to existing CofA's do not result in the creation of a significant threat.</p> <p>In WHPA-A, the Municipality shall also ensure that new development does not utilize septic systems. WHPA-A is within the Urban Service Line.</p> <p>The Municipality shall develop a maintenance and inspection and maintenance plan for sewage works in all WHPA-A's.</p> <p>Impact – The impact is to high volume sewer mains, such as the force main under Queen St. E, or the creation of a new sewage treatment plant.</p> <p>The stormwater impact is minimal; there are no sites within any WHPA-A that are larger than 10ha in size, however that is not to say that a stormwater management pond might be designed to drain several properties.</p> <p>All WHPA-A's and the Steelton/Goulais WHPA-B are located within the Urban Settlement Area. OP policies will require all development to be connected to City water and sewer services. Therefore, <u>new development will not utilize private on-site services (wells and septic)</u></p>
Agricultural Source Material (Manure) and Non-Agricultural Source Material	3. All WHPA-A Significant $>1\text{NU/acre}$ 4. All WHPA-A. Significant – no parameter	3 & 4 Education and Outreach <p>Impact – It is not anticipated that ASM and NASM application, for aesthetic purposes (Non-agricultural) will exceed an application rate of 1NU/acre. Given existing land uses, zoning and parcel fabric, agricultural uses are not anticipated within any WHPA-A.</p>

**PROPOSED SOURCE PROTECTION PLAN
FUTURE SIGNIFICANT THREAT OVERVIEW**

Specified Threat	Parameters & Threat Rating	Policy Approach for Future Significant Threats
Commercial Fertilizer	8. All WHPA-A. Significant - >1NU/acre	8. Education and Outreach
8. Application		<u>Impact</u> – It is not anticipated that fertilizer application for aesthetic purposes (Non-agricultural) will exceed an application rate of 1NU/acre. Given existing land uses, zoning and parcel fabric, agricultural uses are not anticipated within any WHPA-A.
9. Handling & Storage	9. All WHPA-A. Significant >2500kg	9. Risk Management Plan – Where a land use will or could result in the handling and storage of >2500kg of commercial fertilizer. <u>Impact</u> – Retail establishments that could sell fertilizer (hardware stores, garden/greenhouses) would be required to develop a risk management plan. Landscaping Contractors might also be required to enter into a Risk Management Plan, however such uses are permitted in Industrial zones. There are no industrially zoned properties within a WHPA-A.
Pesticides		10. Prohibit in WHPA-A, excluding residential uses. <u>Impact</u> – Minimal, it is not estimated that any residential/commercial properties would be applying pesticides to an area >1ha.
10. Application	10. All WHPA-A. Significant >1ha	11. Risk Management Plan in WHPA-A
11. Handling & Storage	11. All WHPA-A. Significant Retail >250kg	<u>Impact</u> – Retail uses storing more than 250kg would be required to enter into a risk management plan prior to receiving building permit/rezoning approval. Landscaping Contractors might also be required to enter into a Risk Management Plan, however such uses are permitted in Industrial zones. There are no industrially zoned properties within a WHPA-A.
Road Salt	12 All WHPA-A. Significant >80% pavement/concrete coverage	12. Best management Practices – City to annually review its comprehensive road salt management plan and identify recharge or ‘manufactured infiltration areas to optimize road salt application and minimize potential infiltration.
12. Application		
13. Handling & Storage	13. All WHPA-A. Significant >5000tonnes uncovered.	13. Risk Management Plan in WHPA-A <u>Impact</u> – Minimal, uses that would store this quantity of salt (contractor’s yards) are not permitted within the primarily residential 100m radius around the wellheads. Mitigation measure, such as covering the salt, would reduce the threat so that it is no longer considered significant.
14. Storage of Snow	All WHPA-A. Significant Below Grade or >1ha above grade depending upon chemicals in snow	14. Risk Management Plan in WHPA-A <u>Impact</u> – This policy will impact larger commercial uses located within 100m of the City wells. Commercial uses upon lots >1ha would require a risk management plan. There currently are no commercial properties within WHPA-A that are >1ha.
15 Handling & Storage of Fuel	All WHPA-A. Significant >2500L	15. Prohibit in WHPA-A <u>Impact</u> – Under current zoning, there are a number of properties within 100m of wells where gas stations are permitted.

**PROPOSED SOURCE PROTECTION PLAN
FUTURE SIGNIFICANT THREAT OVERVIEW**

Specified Threat	Parameters & Threat Rating	Policy Approach for Future Significant Threats
16. Handling & Storage of DNAPL's*	All WHPA-A. Significant – no parameter All WHPA-B. significant – no parameter All WHPA-C. significant – no parameter IPZ1. Significant – no parameter (Prince Twp) IPZ2. Significant- no parameter (Prince Twp)	<p>16. Prohibit in WHPA-A & B, excluding residential uses and the retail sale of products containing DNAPLs.</p> <p>16. Risk Management Plan - the Retail Sale of DNAPL's in WHPA-A, B, C.</p> <p>16. Risk Management Plan - storage and handling of DNAPL's in WHPA – C.</p> <p><u>Impact</u> – Activities that use DNAPL's are generally industrial in nature. A woodworking facility could have the potential to use them. The most common non-industrial use associated with DNAPLs are dry cleaners, however alternative methods that do not utilize DNAPL's are available. Retail products that can contain DNAPLs include paint thinners and coal tar.</p>
17. Handling and Storage of Organic Solvents**	All WHPA-A. Significant >25L below ground storage or >250L above ground storage	<p>17. Prohibit in WHPA-A excluding residential uses and the retail sale of organic solvents</p> <p>17. Risk Management Plan - the retail sale of organic solvents in WHPA-A.</p> <p><u>Impact</u> - Activities that use large quantities of organic solvents (paint thinners, industrial cleaners and degreasers) are generally industrial in nature, however such chemicals could be associated with motor vehicle repair and maintenance establishments. Retail products containing organic solvents include degreasers and paint thinner.</p>
18. Run-off from aircraft de-icing chemicals.	All WHPA-A. Significant – in assoc. with a ‘National Airport’.	<p>18. Prohibition – Prohibit the de-icing of aircraft in WHPA-a</p> <p><u>Impact</u> – Negligible. National airports would never be permitted within WHPA-A. SSM Airport is not large enough to fit the ‘National Airport’ definition. Therefore, helipads or landing strips (which would also be difficult to permit within WHPA-A's) would be considered a significant threat.</p>
19. Taking from one aquifer & returning to a different aquifer.	N/A – Can't be a significant Threat – Water Quantity	N/A – City of SSM does not take from one aquifer and discharge into another.
20. Activities that reduce the recharge of an aquifer.	TBD – As/ Tier 3 Water Budget – Water Quantity – applies to Signif. Groundwater Recharge Area	Undetermined however it is anticipated that locally this will not become a significant threat.
21. Management of Agricultural Source Materials - Livestock grazing or confinement Areas	All WHPA-A. Significant >1 NU/acre unconfined, >300NU/ha confined	<p>21. Planning Act – Livestock grazing or confinement areas will not be permitted in all WHPA-A</p> <p><u>Impact</u> – Negligible, residential character and existing parcel fabric within 100m of all city wells is not conducive to livestock grazing or confinement areas.</p>
22. Transportation of Hazardous Materials Through International Shipping Channel	Proximity to Gros Cap well intake	<p>22. Specified Action – Develop a coordinated response plan to ensure the Gros Cap intake is immediately shut down before the spill reaches the intake.</p> <p><u>Impact</u> – Negligible, the shipping channel is located within International waters.</p>

PROPOSED SOURCE PROTECTION PLAN
FUTURE SIGNIFICANT THREAT OVERVIEW

NOTES

1. **Impact** – Is a description of a policy's impact as it pertains to future development potential from a land use planning perspective.
2. The terms 'Prohibit' and 'Risk Management Plan' refer to Part IV Sections 57 & 58 of the Clean Water Act.
3. Wherever Sections 57 & 58 are utilized, 'Restricted Land Uses' as per Section 59 of the Clean Water Act will be utilized as an implementation tool.
4. Sections 57, 58 & 59 of the CWA may only be applied to **Significant Threats**.
5. ***DNAPL's – Dense Non-aqueous Phase Liquids** – Such liquids are denser than water, and do not mix with water. A spill of a very small amount can have major impacts to the groundwater regime. Common DNAPLs include creosote, coal tar PCB oils and chlorinated solvents. Activities that use DNAPL's include paint stripping, dry cleaning, metal/plastic cleaning.
6. ****Organic Solvents** – Their use and chemical make-up is much like a DNAPL, however they are less dense than water and therefore float on water.
7. Most policies include an education and outreach component, which will be aimed at informing those that own, reside or operate a business within WHPA-A.

SOURCE PROTECTION MUNICIPAL IMPLEMENTATION FUND
GRANT FUNDING AGREEMENT

THE AGREEMENT effective as of December 13, 2013 (the “Effective Date”).

BETWEEN:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
as represented by the Minister of the Environment

(the “**Province**”)

- and -

The Corporation of the City of Sault Ste. Marie

(the “**Municipality**”)

BACKGROUND:

The Province funds projects similar to the Project, defined in Article 1.

As described in Schedule A, the Source Protection Municipal Implementation Fund provides one-time funding to offset a portion of the costs for small, rural municipalities in preparing to implement and implementing source protection plans.

The Municipality requires funding from the Province to assist the Municipality in carrying out the Project and the Province wishes to provide such funds.

CONSIDERATION:

In consideration of the mutual covenants and agreements contained herein and for other good and valuable consideration, the receipt and sufficiency of which are expressly acknowledged, the parties agree as follows:

ARTICLE 1
DEFINITIONS

1.1 In the Agreement, the following terms shall have the following meanings:

“**Agreement**” means this agreement entered into between the Province and the Municipality and includes all of the schedules listed in section 19.1 and any amendments.

“**Conflict of Interest**” includes any circumstances where in relation to its performance

Grant Funding Agreement

under the Agreement, the Municipality's or its officers, employees or agents other commitments, relationships or financial interests could, or could be seen to, interfere with the Municipality's objective, unbiased and impartial judgment relating to the Project and the use of the Funds or could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations.

"Funds" means the money the Province provides to the Municipality pursuant to the Agreement.

"Indemnified Parties" means her Majesty the Queen in right of Ontario, her ministers, agents, appointees and employees.

"Maximum Funds" means a total amount of up to \$90,000 which consists of \$75,000 together with up to \$15,000 collaboration incentive funding (if applicable) as determined by the Province pursuant to section 3.1(a).

"Project" means any of the eligible activities described in section B.1 of Schedule "B" undertaken by the Municipality.

ARTICLE 2 TERM OF THE AGREEMENT

- 2.1 The term of the Agreement shall commence on the Effective Date and shall expire on March 31, 2016 unless terminated earlier pursuant to Article 9. The Municipality shall, upon expiry or termination of the Agreement, return to the Province any Funds remaining in its possession or under its control.

ARTICLE 3 FUNDS AND CARRYING OUT THE PROJECT

- 3.1 The Province shall:
- (a) based upon the Province's assessment of the information provided by the Municipality in the collaboration statement set out in Schedule "D", determine the exact amount of the \$15,000 collaboration incentive funding which will form part of the Maximum Funds and provide notification of that exact amount to the Municipality;
 - (b) provide the Municipality up to the Maximum Funds for the purpose of carrying out the Project; and
 - (c) provide the Funds to the Municipality in accordance with the payment schedule attached to the Agreement as Schedule "C" or at any other time for any reason in the sole discretion of the Province.

3.2 Despite section 3.1 the Province:

- (a) is not obligated to provide instalments of Funds until it has approved the reports as set out in Schedule "C";
- (b) may adjust the amount of Funds it provides to the Municipality based upon the Province's assessment of the information provided by the Municipality pursuant to section 6.1.

3.3 The Municipality shall:

- (a) carry out the Project in accordance with the terms and conditions of the Agreement and in compliance with all federal and provincial laws and regulations, all municipal by-laws, and any other orders, rules and by-laws related to any aspect of the Project;
- (b) use the Funds only for the purpose of carrying out the Project;
- (c) subject to section 3.3 (d), spend the Funds only on eligible costs and eligible activities as set out in Schedule "B"; and
- (d) notwithstanding anything else in this Agreement, not spend the Funds on any ineligible activities or ineligible costs as set out in Schedule "B".

3.4 The Municipality shall not make any changes to the Project without the prior written consent of the Province.

3.5 The Municipality acknowledges that the Funds available to it from the Province pursuant to the Agreement shall not exceed the Maximum Funds. The Municipality undertakes to incur all costs associated with the Project should it exceed the Maximum Funds.

3.6 The Province is not the owner of any intellectual property generated as a result of the Agreement.

**ARTICLE 4
ACQUISITION**

4.1 The Municipality agrees that if it buys any supplies, equipment or services with the Funds, it will ensure the best value for money.

**ARTICLE 5
CONFLICT OF INTEREST**

5.1 The Municipality shall avoid any Conflict of Interest in the performance of this Agreement and shall disclose to the Province, without delay, any actual or potential Conflict of Interest.

**ARTICLE 6
REPORTING, ACCOUNTING AND REVIEW**

- 6.1 The Municipality shall submit to the Province all reports set out in Schedule "D" or any other reports as required by the Province. All reports will be approved by the Province.
- 6.2 The Province, its authorized representatives or an independent auditor identified by the Province may, at its own expense, upon twenty-four hours' notice to the Municipality and during normal business hours, enter upon the Municipality's premises to review the progress of the Project and the Municipality's expenditure of the Funds and, for these purposes, the Province, its authorized representatives or an independent auditor identified by the Province may:
 - (a) inspect and copy any financial records (including invoices) and non-financial documents and records relating to the Funds or otherwise to the Project; and
 - (b) conduct an audit or investigation of the Municipality in respect of the expenditure of the Funds and/or the Project.
- 6.3 To assist in respect of the rights set out in section 6.2, the Municipality shall disclose any information requested by the Province, its authorized representatives or an independent auditor identified by the Province, and shall do so in a form requested by the Province, its authorized representatives or an independent auditor identified by the Province, as the case may be.

**ARTICLE 7
LIMITATION OF LIABILITY AND INDEMNITY**

- 7.1 The Province's officers, employees and agents shall not be liable to the Municipality or any of the Municipality's personnel for costs, losses, claims, liabilities and damages howsoever caused (including any incidental, indirect, special or consequential damages, injury or any loss of use or profit of the Municipality) arising out of or in any way related to the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Province's officers, employees and agents.
- 7.2 The Municipality shall indemnify and hold harmless the Indemnified Parties from and against any and all liability, loss, costs, damages and expenses (including legal, expert and consultant fees), causes of action, actions, claims, demands, lawsuits or other proceedings, by whomever made, sustained, incurred, brought or prosecuted, in any way arising out of or in connection with the Project or otherwise in connection with the Agreement, unless solely caused by the negligence or wilful misconduct of the Province and its agents, appointees and employees.

ARTICLE 8 INSURANCE

- 8.1 **Municipality's Insurance.** The Municipality represents and warrants that it has, and shall maintain for the term of the Agreement, at its own cost and expense, with insurers having a secure A.M. Best rating of B+ or greater, or the equivalent, all the necessary and appropriate insurance that a prudent person carrying out a project similar to the Project would maintain, including commercial general liability insurance on an occurrence basis for third party bodily injury, personal injury and property damage, to an inclusive limit of not less than two million dollars (\$2,000,000) per occurrence. The policy shall include the following:
- (a) the Indemnified Parties as additional insureds with respect to liability arising in the course of performance of the Municipality's obligations under, or otherwise in connection with, the Agreement;
 - (b) a cross-liability clause;
 - (c) contractual liability coverage; and
 - (d) a 30 day written notice of cancellation, termination or material change.

- 8.2 The Municipality shall provide the Province with certificates of insurance, or other proof as may be requested by the Province, that confirms the insurance coverage as provided for in section 8.1. Upon the request of the Province, the Municipality shall make available to the Province a copy of each insurance policy.

ARTICLE 9 TERMINATION

- 9.1 The Province in its sole discretion, without liability, cost or penalty, and without prejudice to any other rights or remedies of the Province under this Agreement or at law or in equity, may terminate the Agreement at any time, for any reason, upon giving at least 15 days notice to the Municipality.
- 9.2 If the Province terminates the Agreement, the Province may (i) demand the repayment of any Funds remaining in the possession or under the control of the Municipality and/or (ii) determine the reasonable costs for the Municipality to wind down the Project, and permit the Municipality to offset those wind down costs against any amount owing pursuant to (i); and/or (iii) subject to section 3.5, provide Funds to the Municipality to cover those wind down costs.

ARTICLE 10 REPAYMENT

- 10.1 If, pursuant to the provisions of the *Financial Administration Act* (Ontario), the Province does not receive the necessary appropriation from the Ontario Legislature for payment under the Agreement, the Province is not obligated to make any such payment, and, as a consequence, the Province may (i) reduce the amount of the Funds and, in consultation with the Municipality, change the Project or (ii) immediately terminate the Agreement. If the Province terminates the Agreement, the Province may (i) cancel all further instalments of Funds, and/or (ii) demand repayment as set out in Section 9.2(i) and/or (iii) determine reasonable costs as set out in Section 9.2(ii) and/or section 9.2(iii).
- 10.2 If in the sole opinion of the Province, the Municipality breaches any representation, warranty, covenant or other material term of the Agreement, fails to carry out the Project, fails to provide reports or improperly uses or spends Funds, the Province may (i) demand the repayment of any Funds remaining in the possession or under the control of the Municipality, (ii) demand the repayment of an amount equal to any Funds the Municipality used, but did not use in accordance with the Agreement, and/or (iii) demand the repayment of an amount equal to any Funds the Province provided to the Municipality.
- 10.3 If the Municipality fails to pay any amount demanded by the Province, the Municipality acknowledges and agrees that the Province may deduct any unpaid amount from any money payable to the Municipality by the Province, or may exercise any other remedies available to the Province to collect the unpaid amounts.
- 10.4 The Municipality shall pay any money owing to the Province by cheque payable to the "Ontario Minister of Finance" and mailed to the Province at the address provided in section 11.1

ARTICLE 11 NOTICE

- 11.1 Notice shall be in writing and shall be delivered by email, postage-prepaid mail, personal delivery or fax, and shall be addressed to the Province and the Municipality respectively as set out below, or as either party later designates to the other by notice:

To the Province:

Ministry of the Environment
40 St. Clair Ave. West,
14th Floor
Toronto, ON M4V 1M2

Attention: Manager,
Source Protection Implementation, Source Protection Programs Branch

Fax: 416-212-2757
Email: SourceProtectionFunding@ontario.ca

To the Municipality:

insert name of Municipality
address

Attention: person's name and position

Fax: fill in
Email: fill in

- 11.2 Notices shall be deemed to have been received (a) in the case of postage-prepaid mail, 7 days after a party mails the notice; or (b) in the case of email, personal delivery or fax, at the time the other party receives the notice. In the event of a postal disruption, notice by postage-prepaid mail shall not be deemed to be received and the party giving notice shall provide notice by email, personal delivery or by fax.

ARTICLE 12
MUNICIPALITY'S POWER TO ENTER INTO AGREEMENT

- 12.1 The Municipality represents and warrants that it has the full power and authority to enter into the Agreement.

ARTICLE 13
SEVERABILITY OF PROVISIONS

- 13.1 The invalidity or unenforceability of any provision of the Agreement shall not affect the validity or enforceability of any other provision of the Agreement. Any invalid or unenforceable provision shall be deemed to be severed.

ARTICLE 14
WAIVER

- 14.1 If a party fails to comply with any term of the Agreement, that party may only rely on a waiver of the other party if the other party has provided a written waiver in accordance with the notice provisions in Article 11. Any waiver must refer to a specific failure to comply and shall not have the effect of waiving any subsequent failures to comply.

ARTICLE 15
INDEPENDENT PARTIES

- 15.1 The Municipality acknowledges that it is not an agent, joint venturer, partner or employee of the Province, and the Municipality shall not take any actions that could establish or imply such a relationship.

**ARTICLE 16
GOVERNING LAW**

- 16.1 The Agreement and the rights, obligations and relations of the parties shall be governed by and construed in accordance with the laws of the Province of Ontario and the applicable federal laws of Canada. Any actions or proceedings arising in connection with the Agreement shall be conducted in Ontario.

**ARTICLE 17
FORCE MAJEURE**

- 17.1 Neither party shall be liable for damages caused by delay or failure to perform its obligations under the Agreement where such delay or failure is caused by an event beyond its reasonable control.

**ARTICLE 18
SURVIVAL**

- 18.1 The provisions in Article 1, any other applicable definitions, sections 3.1(b), 3.1 (c), 6.1 (to the extent that the Municipality has not provided the reports to the satisfaction of the Province), 6.2, 6.3, Article 7, Section 9.2, Articles 10, 11, 13, 16, 18, 19, and 20, and all applicable cross-referenced provisions and schedules shall continue in full force and effect for a period of 7 years from the date of expiry or termination of the Agreement.

**ARTICLE 19
SCHEDULES**

- 19.1 The Agreement includes the following schedules: (a) Schedule "A" – Background and Objectives; (b) Schedule "B" – Eligible Costs and Activities; (c) Schedule "C" - Payment; and (d) Schedule "D" - Reports.

**ARTICLE 20
ENTIRE AGREEMENT**

- 20.1 The Agreement constitutes the entire agreement between the parties with respect to the subject matter contained in the Agreement and supersedes all prior oral or written representations and agreements.
- 20.2 The Agreement may only be amended by a written agreement duly executed by the parties.

The parties have executed the Agreement as of the Effective Date.

**HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO
as represented by the Minister of the Environment**

Name: Ling Mark
Title: Director,
Source Protection Programs Branch
Pursuant to delegated authority

Date: _____

The Corporation of the City of Sault Ste. Marie

Name:
Title:
Date: _____

Name:
Title:
Date: _____

I/We have authority to bind the Municipality.

SCHEDULE "A"

BACKGROUND AND OBJECTIVES

A.1 BACKGROUND

Ontario is committed to protecting drinking water from source to tap. The *Clean Water Act, 2006* enables communities to protect their drinking water sources through the preparation of collaborative, locally developed, science-based assessment reports and source protection plans.

Municipalities have a key role to play in implementing these plans. On May 2, 2013 the Province announced, as part of the 2013 Ontario Budget, an investment to help support small municipalities protect existing and future sources of drinking water. The Source Protection Municipal Implementation Fund provides one-time funding to offset a portion of the costs for small, rural municipalities.

A.2 FUND OBJECTIVES

A.2.1 Source Protection Municipal Implementation Fund Objective and Goals

The objective of the Source Protection Municipal Implementation Fund is to provide funding to assist small, rural municipalities in fulfilling policy obligations for significant drinking water threats as specified in an approved or proposed source protection plan that has been submitted for approval.

Those with policy obligations under source protection plans, including municipalities, are required to undertake preparatory activities such as acquiring the necessary resources (human, financial and technical) to position themselves to deliver on their obligations under the *Clean Water Act, 2006* and source protection plans.

The goals of the Source Protection Municipal Implementation Fund are to help build municipal capacity to implement source protection plans; and support sustainable, local actions to protect drinking water.

A.2.2 Project Objectives

The objectives of the Project are for the Municipality to use the Funds toward fulfilling their responsibility to implement one or more of the following significant drinking water threat policies in an approved or proposed source protection plan that has been submitted for approval:

- Policies for the purpose of Part IV of the *Clean Water Act, 2006*;
- Policies that govern *Planning Act* decisions;
- Policies that establish education and outreach programs; or
- Policies that specify other types of actions the municipality is required to take.

A.3 COLLABORATION INCENTIVE

To support the development of sustainable, local actions to protect drinking water and to help increase collaboration efforts among municipalities, up to \$15,000 in funding from the Source Protection Municipal Implementation Fund is available to each eligible municipality that collaborates with other municipalities. The Maximum Funds amount referenced in Article 1 includes the amount of up to \$15,000. As set out in section 3.1(a), the Province will determine the exact amount of the collaboration incentive funding based on the information set out in the collaboration statement referred to in Schedule "D." In order to receive any of the \$15,000, the Municipality must complete the collaboration statement and provide it to the Province by the due date shown in Schedule "D". The Province will subsequently notify the Municipality of the amount of collaboration incentive funding the Municipality is entitled to, based on the collaboration statement.

The Municipality's eligibility for this collaboration incentive funding is dependent upon the number of other municipalities that the Municipality has joined with to perform the Project. The Municipality may receive one of following amounts: \$5,000 for collaborating with one to two other municipalities; or \$10,000 for collaborating with three other municipalities, or \$15,000 for collaborating with four or more other municipalities.

To be eligible for this collaboration incentive funding, the Municipality must meet the following criteria:

- a) Municipal collaborator(s) are located in a source protection area and have vulnerable areas where activities could be a significant drinking water threat;
- b) Collaboration activities are related to the eligible activities listed in Schedule "B," section B.1; and
- c) Collaboration activities must take place within a reasonable time frame.

SCHEDULE "B"

ELIGIBLE COSTS AND ACTIVITIES

B.1 Eligible Activities

The Municipality may only spend the Funds on the following eligible activities undertaken by the Municipality, or are undertaken on the Municipality's behalf, between December 13, 2013 and December 7, 2015 that are directly related to the following:

Risk management

- a) Establishing and enforcing risk management plans under Part IV of the *Clean Water Act, 2006*;
- b) Communication with landowners affected by policies pertaining to Part IV of the *Clean Water Act, 2006*;
- c) Refining the number of threats within the Municipality pertaining to Part IV of the *Clean Water Act, 2006*;

Land use policies

- d) Implementing the Municipality's municipal land-use planning policies related to activities that are identified as significant drinking water threats;

Education and outreach

- e) Implementing education and outreach policies to address significant drinking water threats;

Other activities

- f) Working with the local source protection authority and local source protection committee to understand the Municipality's requirements under the source protection plan;
- g) Developing and/or modifying the Municipality's business processes in order to implement significant drinking water threat policies;
- h) Establishing processes for information sharing among municipalities and source protection authorities;
- i) Developing a reporting framework for the Municipality that aligns with the collection of data under section 65 of Ontario Regulation 287/07, made under the *Clean Water Act, 2006*; and
- j) Other activities the Municipality undertakes to fulfill its requirements to implement

significant drinking water threat policies.

B.2 Ineligible Activities

The following activities are not eligible for funding under the Agreement and the Municipality may not spend the Funds on the following:

- a) Refining the number of threats within the Municipality not pertaining to Part IV of the *Clean Water Act, 2006*;
- b) Threat refinement work already funded by the Province through source protection authorities;
- c) Activities that are already funded through another program, funding body, partners, or other means;
- d) Activities that are funded by the Source Protection Municipal Implementation Fund through another municipality;
- e) Fulfilment of the Municipality's responsibilities as a property owner undertaking activities identified as significant drinking water threats;
- f) Fulfilment of the Municipality's responsibilities under other legislation (e.g., Building Code); and
- g) Activities not related to fulfilling the Municipality's requirements to implement significant drinking water threat policies specified in an approved or proposed source protection plan that has been submitted for approval.

B.3 Eligible Costs

The eligible costs listed below must be directly related to the source protection implementation activities outlined in B.1:

- a) Municipal staff salaries and benefits for time spent working on the Project (such as hiring or re-assigning Municipal staff to serve as Risk Management Officials and Risk Management Inspectors as specified under the *Clean Water Act, 2006*; or administrative support required to establish and/or maintain the Risk Management Office);
- b) Fees incurred for contracted professional services from professionals, technical personnel, consultants, and contractors for work on the Project (such as hiring a consultant to support the Risk Management Official in determining appropriate measures the Municipality should include in a risk management plan); and
- c) Printing and distribution costs related to education and outreach programs and activities necessary to implement a source protection plan.

B.4 Ineligible Costs

The following costs are not eligible for funding under the Agreement and the Municipality may not spend the Funds on the following:

- a) Travel, meals, accommodation and hospitality;
- b) Overhead (such as rent, utilities, human resources services, office supplies);
- c) Capital (such as vehicles, office furniture, computers, software licenses, etc.);
- d) Training (including staff and contracted professional services associated with training);
- e) Land expropriation or purchase;
- f) Incentives or compensation for property owners; and
- g) Costs for establishing risk management plans if costs have been or will be recovered from property owners.

SCHEDULE "C"

PAYMENT

MILESTONE	AMOUNT
Following Province execution of Agreement	\$30,138
Following Province approval of progress report as indicated in Schedule D (if applicable)	\$29,905
Following Province approval of collaboration statement as indicated in Schedule D (if applicable)	Up to \$15,000 as determined by the Province (see Schedule "A," section A.3)
Following Province approval of final report as indicated in Schedule D	\$14,957

SCHEDULE "D"

REPORTS

Name of Report	Due Date
1. Collaboration Statement (if applicable)	December 12, 2014
2. Progress Report	December 12, 2014
3. Final Report	December 11, 2015
4. Other Reports as specified from time to time	On a date or dates specified by the Province.

Report Details

1. The Municipality will use the collaboration statement template to set out the following:

- (i) A brief description of the collaboration activities, the municipalities that are collaborating, and the lead organization for each activity;
- (ii) the policies that the activities are supporting;
- (iii) the timelines for each activity; and
- (iv) the contact information and signatures of the collaborating municipalities.

2. The Municipality will use the progress report template which will set out the following:

- (i) actions undertaken to the date of the report in relation to the eligible activities and related expenditures outlined in Schedule "B", sections B.1 and B.3;
- (ii) information on general progress under the Project, including how it is meeting the Project objectives outlined in Schedule "A", section A.2.2;
- (iii) an assessment of the Municipality's readiness to fulfill its responsibilities under the source protection plan(s); and
- (iv) an attestation confirming that all Project expenditures were spent in accordance with Schedule "B" and confirming the Project is in compliance with the terms and conditions of the Agreement signed by the Chief Administrative Officer, or equivalent unless otherwise agreed to by the Province.

3. The Municipality will use the final report template which will include the following:

- (i) a final description of the actions undertaken in relation to the eligible activities and related expenditures outlined in Schedule "B", sections B.1 and B.3;
- (ii) information on all progress under the Project, including a confirmation that the Project objectives outlined in Schedule "A", section A.2.2 were met;
- (iii) a final assessment of the Municipality's readiness to fulfill its responsibilities under the source protection plan(s);
- (iv) an attestation confirming that all Project expenditures were spent in accordance with Schedule "B" and confirming the Project is in compliance with the terms and conditions of the Agreement signed by the Chief Administrative Officer, or equivalent unless otherwise agreed to by the Province;
- (v) a description of the status of the progress made as a result of the collaboration activities, including any variance from the information provided in the collaboration statement; and
- (vi) an accounting of any unspent Funds and an explanation as to why there are remaining Funds.

4. Other Reports:

- (i) the Province will specify the timing and content of any other Reports as may be necessary.



COUNCIL REPORT

October 13, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Andy Starzomski
DEPARTMENT: Public Works and Transportation Department
RE: Huron Street Traffic Control

PURPOSE

To make appropriate revisions to Traffic Bylaw 77-200 to reflect the traffic control changes on Huron Street at its intersection with Albert Street West and Cathcart Street.

BACKGROUND

The reconstruction of Huron Street has included the traffic signal warrant study of the intersections of Huron Street and Albert Street West and Huron Street at Cathcart Street.

ANALYSIS

The following is the conclusion section of the study conducted at the two subject intersections:

"The review of the traffic signal warrant and all-way stop warrant analyses conducted by City staff confirms the previous conclusion that neither traffic signals nor all-way stops are warranted at the intersections of Huron Street / Albert Street and Huron Street / Cathcart Street after reconstruction of Huron Street. The Hub Trail crossing at the south leg of the Huron Street / Albert Street intersection does not warrant implementation of an all-way stop as a measure of pedestrian control. The design and implementation of an uncontrolled crossing at this location should be further studied and pursued. Permanent sightline obstructions caused by the buildings on the northwest corner of the Huron Street/ Albert Street intersection and the southeast corner of the Huron Street / Cathcart Street intersection are not deemed to warrant implementation of all-way stop control. Warning signage, as recommended in the previous section of this technical memorandum, should be installed. Both intersections should be monitored and warrants reviewed again should traffic volumes increase. Also, if there is re-development that results in the removal of the sight line obstructions, any new development should be limited to areas outside of the sight triangle."

For complete details, the full evaluation is attached for Council's reference.

IMPACT

Signalization should only be implemented, if warranted. Traffic signal warrants were conducted as per Ontario Traffic Manual Book 12 procedures. The removal of the two sets of traffic signals will result in an approximate savings of \$1200.00 annually in electrical costs as well as ongoing maintenance and operational costs.

Bylaw 77-200 amendments are required to reflect the following:

ADD: Schedule “F” Stop Signs & Intersections (Section 21)

Intersection	Direction of Traffic	Stop Street
Albert Street West & Huron Street	East/West	Albert Street West
Cathcart Street & Huron Street	East/West	Cathcart Street

Delete: Schedule “G” Locations of Signal-Light Traffic Signals (Section 22)

Intersection or Other Location
Albert Street West and Huron Street
Cathcart Street and Huron Street

STRATEGIC PLAN

The recommendations of this request are linked to several activities listed in the Corporate Strategic Plan including the road reconstruction of Huron Street and the addition/construction of the hub trail in the area.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Manager of Traffic and Communications concerning the traffic control changes on Huron Street to Traffic Bylaw 77-200 be accepted and furthermore that Council approve the by-law amendment found elsewhere on Council's agenda.

Respectfully submitted,



Andy Starzomski
Manager of Traffic and
Communications

Recommended for approval



Larry Girardi
Commissioner

Malcolm White

From: Terry Sheehan <terry_sheehan@hotmail.com>
Sent: Monday, October 26, 2015 1:44 PM
To: Malcolm White; Mayor Provenzano
Cc: City Clerk
Subject: Fw:
Attachments: Terry.pdf

From: Terry Sheehan <terry_sheehan@hotmail.com>
Sent: October 26, 2015 5:35:07 PM
To: Terry Sheehan
Subject:

Greetings Mayor and City Council,

Please accept this letter as my official notice of resignation from City Council.

It has been an absolute privilege working with you, City staff and members of this great community these past years.

I look forward to working in partnership with you as your Member of Parliament.

Sincerely,



Terry Sheehan

Member of Parliament Elect Sault Ste. Marie

* SPENDING REVIEW

CITY OF SAULT STE MARIE OFFICE OF THE MAYOR
October 26, 2015

OFFICE OF THE MAYOR

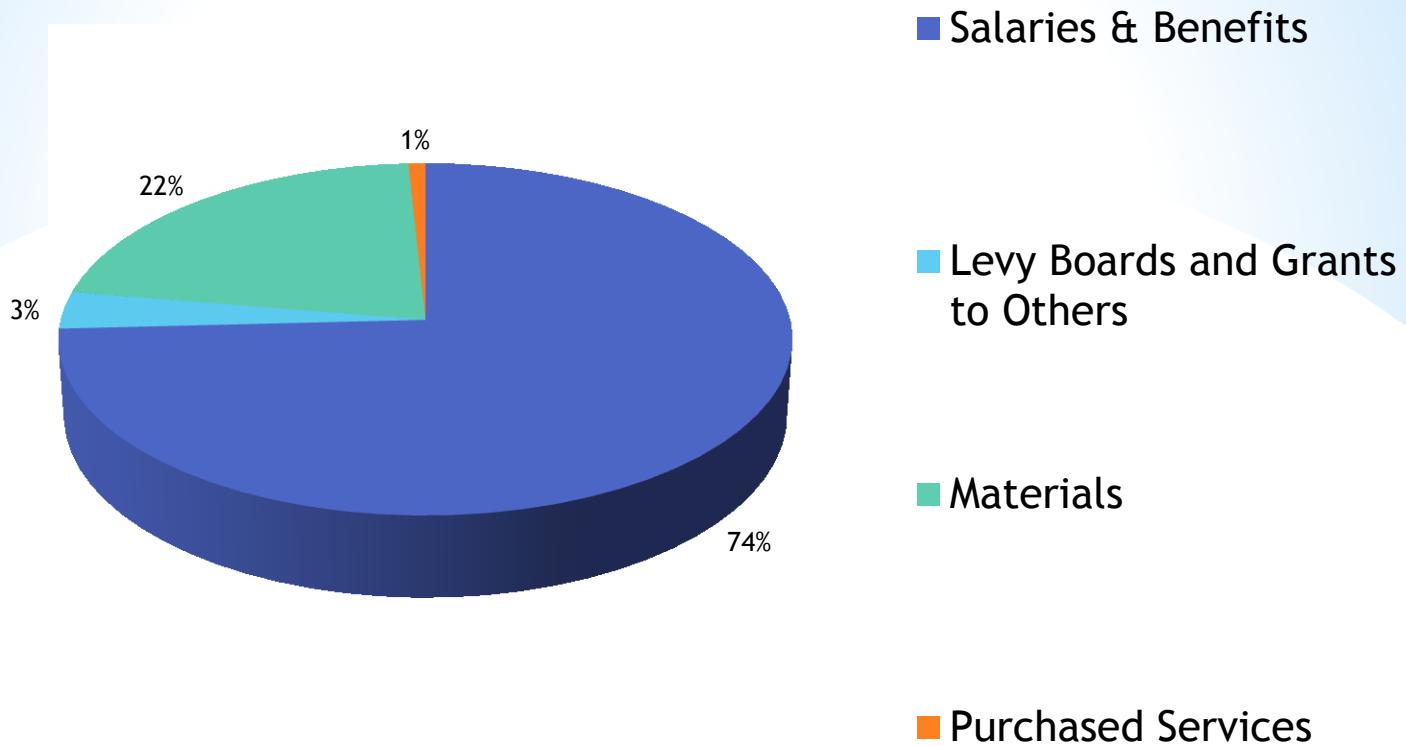
Salaries & Benefits

Grants to Others

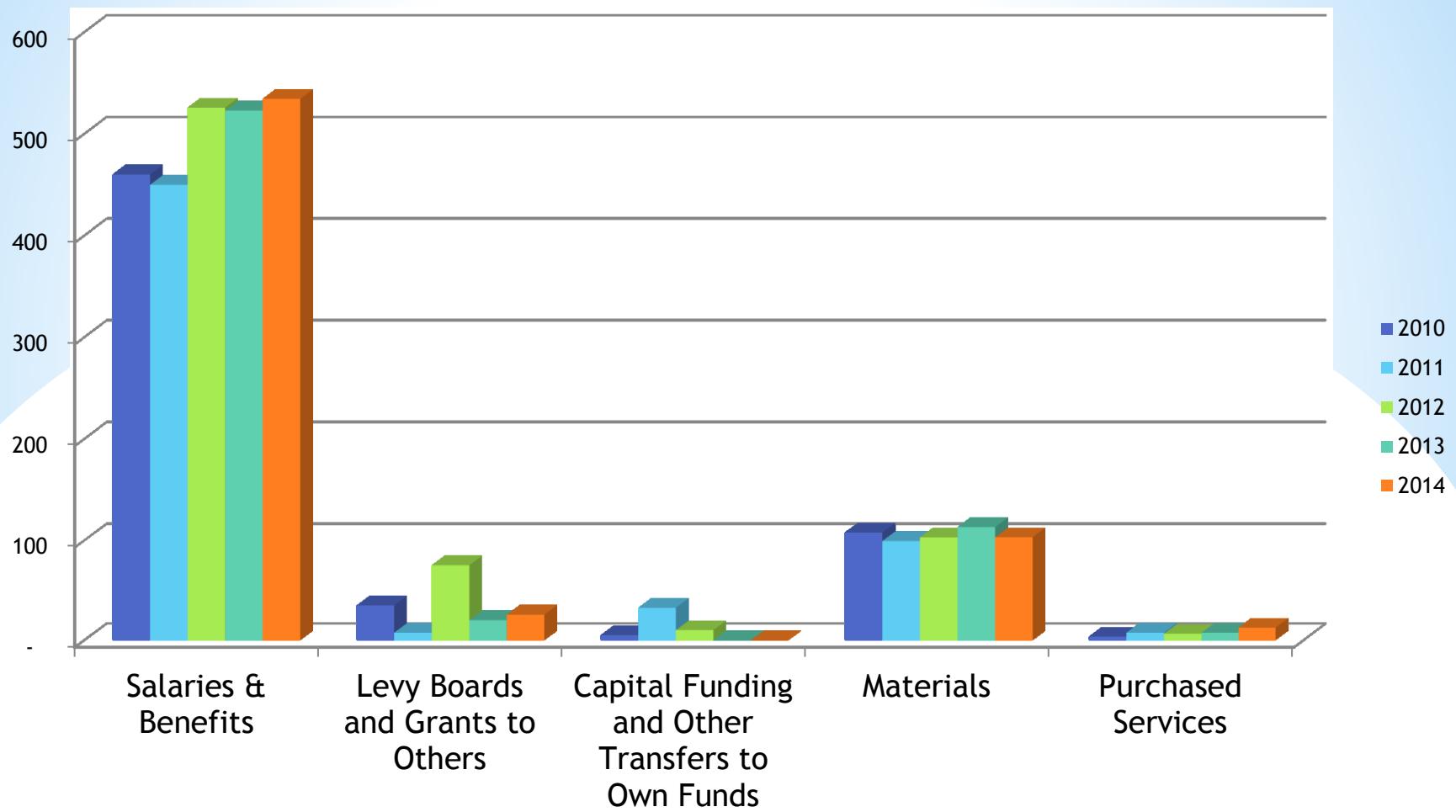
Materials

Purchased Services

Budget Mayor & Council - \$734,155



*2015 BUDGET



***FIVE YEAR TREND
ACTUALS 2010 TO 2014**

The Office of the Mayor consists of two full-time employees, the Assistant to the Mayor and the Communications and Policy Advisor. A summer student may be hired for summer vacation coverage.

Key factors in the operation of the Mayor's Office are:

- * fostering excellent public relations
- * assisting the public, businesses and agencies in accessing city staff and services
- * providing efficient and timely customer service.
- * continue to serve the Mayor, City Council, staff and the community with courteous and professional service.

The Mayor and Council will continue to uphold and promote the purposes of the City.

- * promote public involvement in the City's activities
- * act as the representative of the City both within and outside the City, and promote the City locally, nationally and internationally; and
- * participate in and foster activities that enhance the economic, social and environmental well being of the City and its residents

*OVERVIEW

City of Sault Ste Marie
MAYOR & COUNCIL
For the Nine Months Ending September 30, 2015

FISCAL YEAR REMAINING% :	SEPTEMBER	YTD	YTD	Variance	Percentage	2014	2014
		Actual	Budget		Budget-Rem	Actual	Actual
REVENUE					25%	<i>YTD TO: September</i>	<i>Year</i>
Government grants		(\$10,000.00)	\$0.00	\$10,000.00		(\$18,175.00)	(\$4,475.00)
Contribution from own funds			\$0.00	\$0.00		\$0.00	(\$5,564.00)
		(10,000.00)	\$0.00	\$10,000.00		(\$18,175.00)	(\$10,039.00)
EXPENDITURES							
Salaries	35,256.49	345,703.57	\$481,345.00	\$135,641.43	28.18%	\$374,346.70	\$479,326.29
Benefits	3,750.92	35,034.15	\$63,380.00	\$28,345.85	44.72%	\$44,369.97	\$54,993.08
TOTAL SALARIES/BENEFITS	39,007.41	380,737.72	\$544,725.00	\$163,987.28	30.10%	\$418,716.67	\$534,319.37
Travel and training	3,201.83	17,036.49	\$68,710.00	\$51,673.51	75.21%	\$15,383.80	\$18,004.00
Vehicle allowance, maintenance and repairs	2,749.20	24,119.40	\$36,030.00	\$11,910.60	33.06%	\$26,030.09	\$33,450.75
Materials and supplies	1,759.75	38,743.85	\$53,340.00	\$14,596.15	27.36%	\$44,550.32	\$51,732.59
Maintenance and repairs			\$250.00	\$250.00	100.00%	\$0.00	\$0.00
Purchased and contracted services		1,992.67	\$6,100.00	\$4,107.33	67.33%	\$7,163.07	\$12,553.49
Grants to others	10,000.00	12,926.51	\$25,000.00	\$12,073.49	48.29%	\$20,564.00	\$25,564.00
Depreciation			\$0.00	\$0.00		\$0.00	\$2,910.58
TOTAL OTHER EXPENSES	17,710.78	94,818.92	\$189,430.00	\$94,611.08	49.95%	\$113,691.28	\$144,215.41
	56,718.19	475,556.64	\$734,155.00	\$258,598.36	35.22%	\$532,407.95	\$678,534.78
NET (REVENUE)/EXPENDITURE	56,718.19	465,556.64	\$734,155.00	\$268,598.36	36.59%	\$514,232.95	\$668,495.78

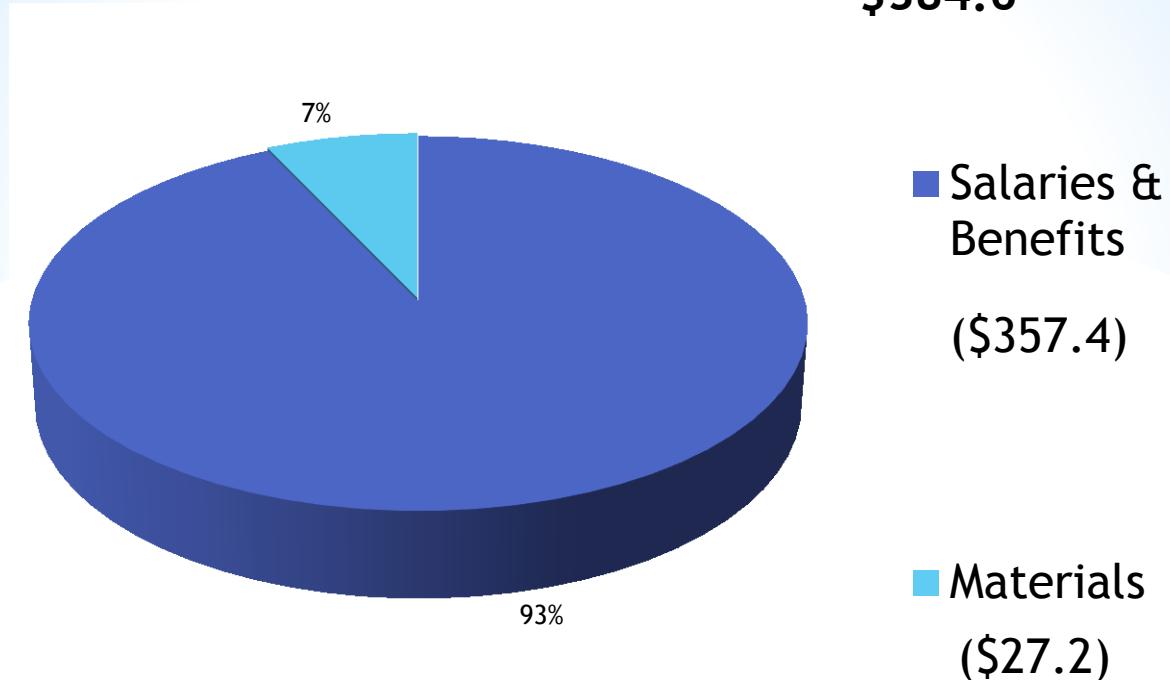
* SPENDING REVIEW

CITY OF SAULT STE MARIE
OFFICE OF THE CAO

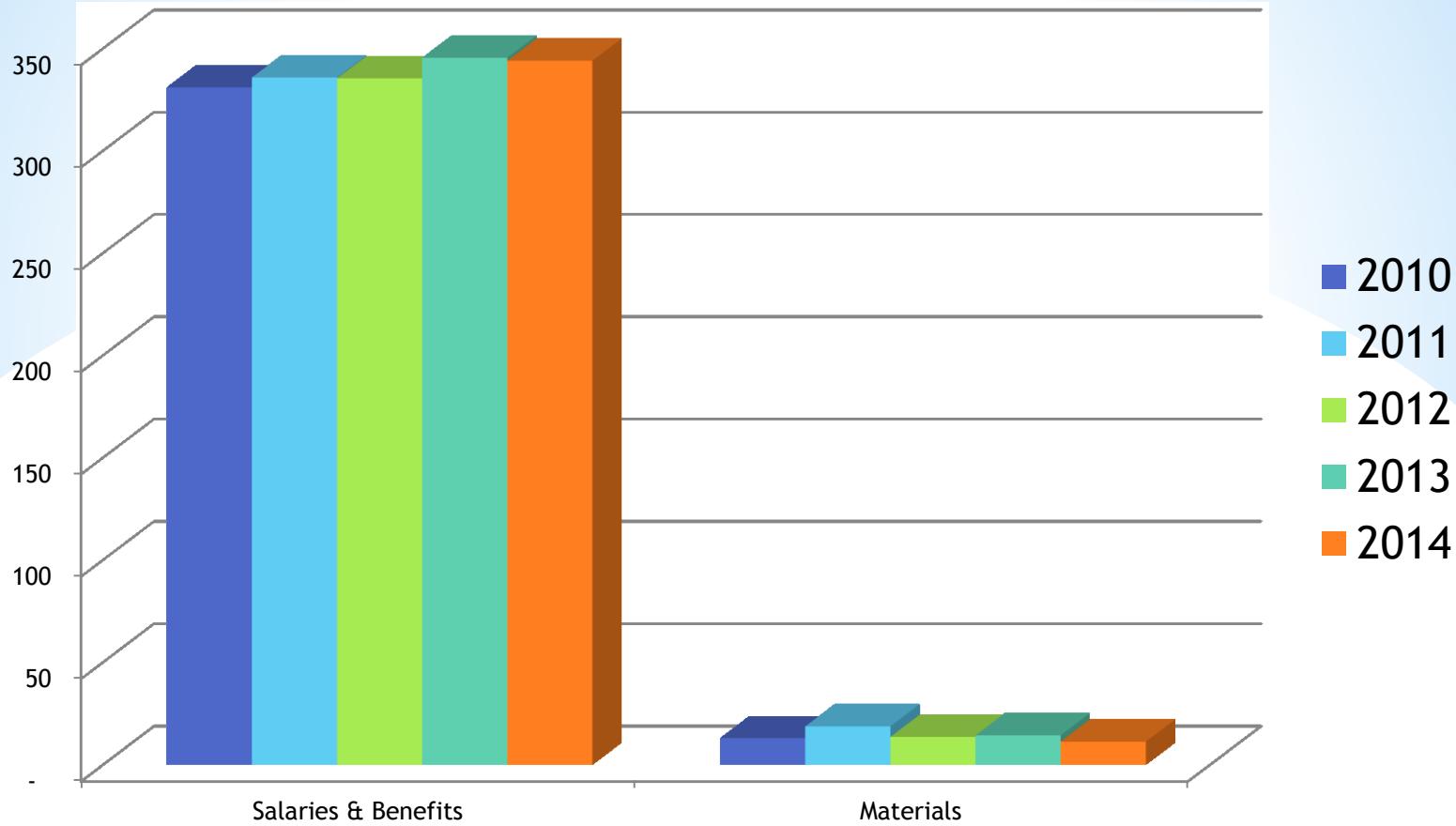
October 26, 2015

OFFICE OF THE CAO

Total \$ in Thousands
\$384.6



*2015 BUDGET



***FIVE YEAR TREND
ACTUALS 2010 TO 2014**

Departmental Overview

The CAO's Office most important areas of activities and those requiring the greatest attention will be:

- To continuously review and reorganize as necessary, all City operations, services, budget processes and programs and the delivery thereof, and to emphasize the need for restraint, cost saving methods and improved productivity throughout the City operations. To identify efficiencies and savings through “Best Practices” review.
- To continue to move forward, subject to Council approval, on objectives/activities set out in City’s Strategic Plan and Quality Initiatives, including working towards a long-term Asset Management Plan. Continue to improve access to our facilities in accordance with the Accessibility for Ontarians with Disabilities legislation as well as promote and foster good Health & Safety practices in the workplace.
- To continue to work closely with the Economic Development Corporation and other key investment and development stakeholders to promote and pursue economic and enterprise development initiatives/diversification strategies, such as the downtown revitalization, industrial land development, OLG modernization, Gateway site and Port of Algoma.
- To work closely with the senior levels of Government in revitalizing and stabilizing the City’s economy. As well as maximizing grant and other program opportunities to promote and secure sustainable development.
- To assist all levels of Government in helping Sault Ste. Marie to be recognized as the “Alternative Energy Capital of North America” and to assist in projects that will bolster such reputation.
- To continue to work with local health care providers to advocate on behalf of the community to address needs through new strategies and collaboration towards health care solutions. To assist with the Physician Recruitment and Retention, as required.
- To assist and collaborate with the Economic Development Corporation Development, SSM Tourism, Destiny SSM, Public Utilities Inc., SSM Region Conservation Authority and other outside Boards and Committees related to the City, to maximize value provided to the residents of Sault Ste. Marie.

City of Sault Ste Marie
CHIEF ADMIN OFFICER
For the Nine Months Ending September 30, 2015

FISCAL YEAR REMAINING% :	SEPTEMBER	YTD	YTD	Variance	Percentage Budget-Rem	2014	2014
		Actual	Budget			Actual	Actual
REVENUE					25%	'TD TO: Septembe	Year
Other income		\$23.00	\$192.45	\$0.00	(\$192.45)	(\$328.00)	(\$1,071.00)
		23.00	192.45	\$0.00	(\$192.45)	(\$328.00)	(\$1,071.00)
EXPENDITURES							
Salaries	12,248.73	232,584.80	\$290,435.00	\$57,850.20	19.92%	\$208,928.59	\$281,602.73
Benefits	1,425.83	25,514.60	\$66,925.00	\$41,410.40	61.88%	\$51,207.05	\$62,423.39
TOTAL SALARIES/BENEFITS	13,674.56	258,099.40	\$357,360.00	\$99,260.60	27.78%	\$260,135.64	\$344,026.12
Travel and training			\$9,215.00	\$9,215.00	100.00%	\$125.00	\$125.00
Vehicle allowance, maintenance and repairs	411.86	4,058.95	\$4,480.00	\$421.05	9.40%	\$3,399.03	\$4,089.40
Materials and supplies	1,059.17	6,581.34	\$13,065.00	\$6,483.66	49.63%	\$6,124.57	\$7,100.91
Maintenance and repairs			\$150.00	\$150.00	100.00%	\$0.00	\$0.00
Purchased and contracted services			\$150.00	\$150.00	100.00%	\$0.00	\$172.99
Capital expense			\$200.00	\$200.00	100.00%	\$0.00	\$0.00
Depreciation			\$0.00	\$0.00		\$0.00	\$1,816.15
TOTAL OTHER EXPENSES	1,471.03	10,640.29	\$27,260.00	\$16,619.71	60.97%	\$9,648.60	\$13,304.45
	15,145.59	268,739.69	\$384,620.00	\$115,880.31	30.13%	\$269,784.24	\$357,330.57
NET (REVENUE)/EXPENDITURE	15,168.59	268,932.14	\$384,620.00	\$115,687.86	30.08%	\$269,456.24	\$356,259.57

* SPENDING REVIEW

CITY OF SAULT STE MARIE CLERK'S
DEPARTMENT

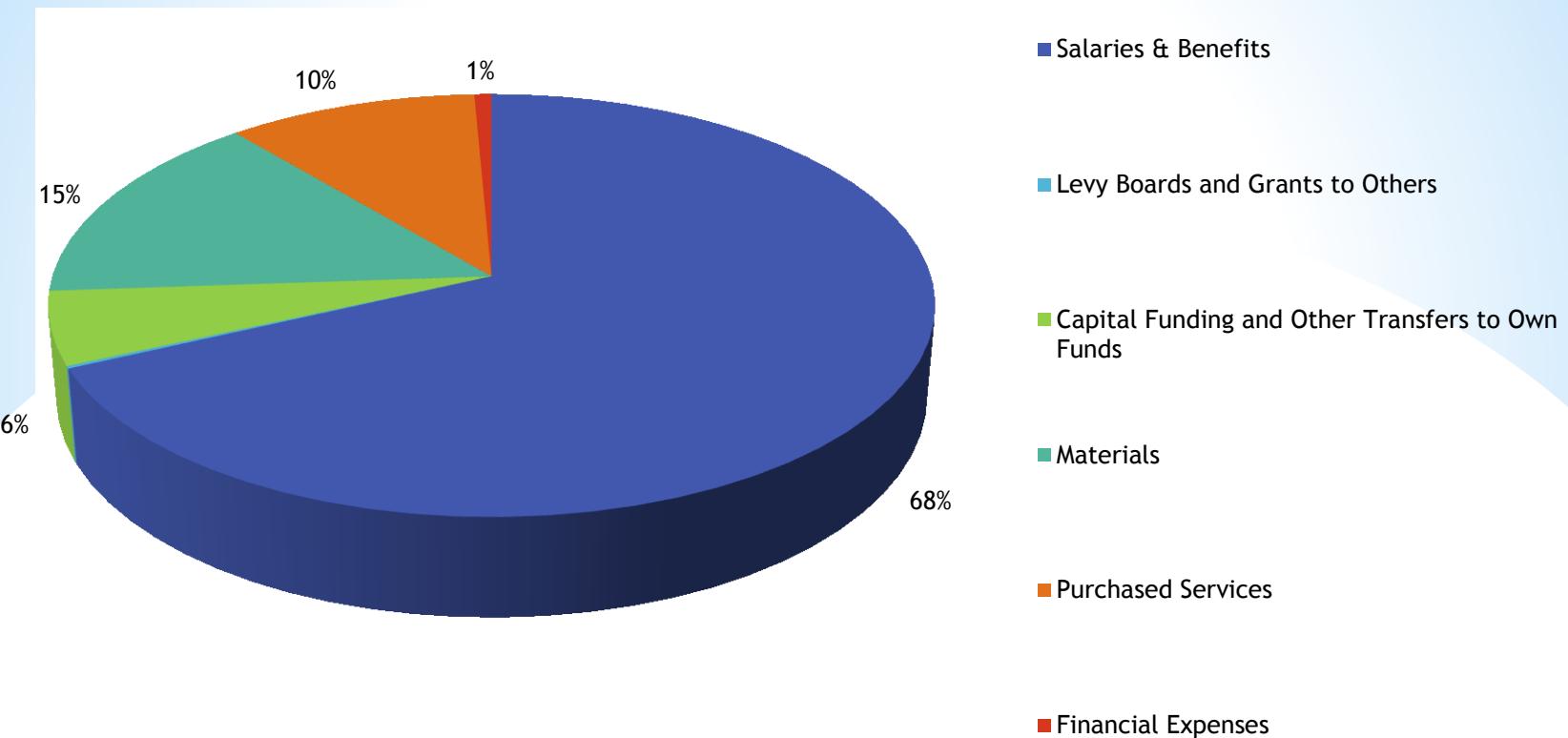
October 26, 2015

Clerk's Department

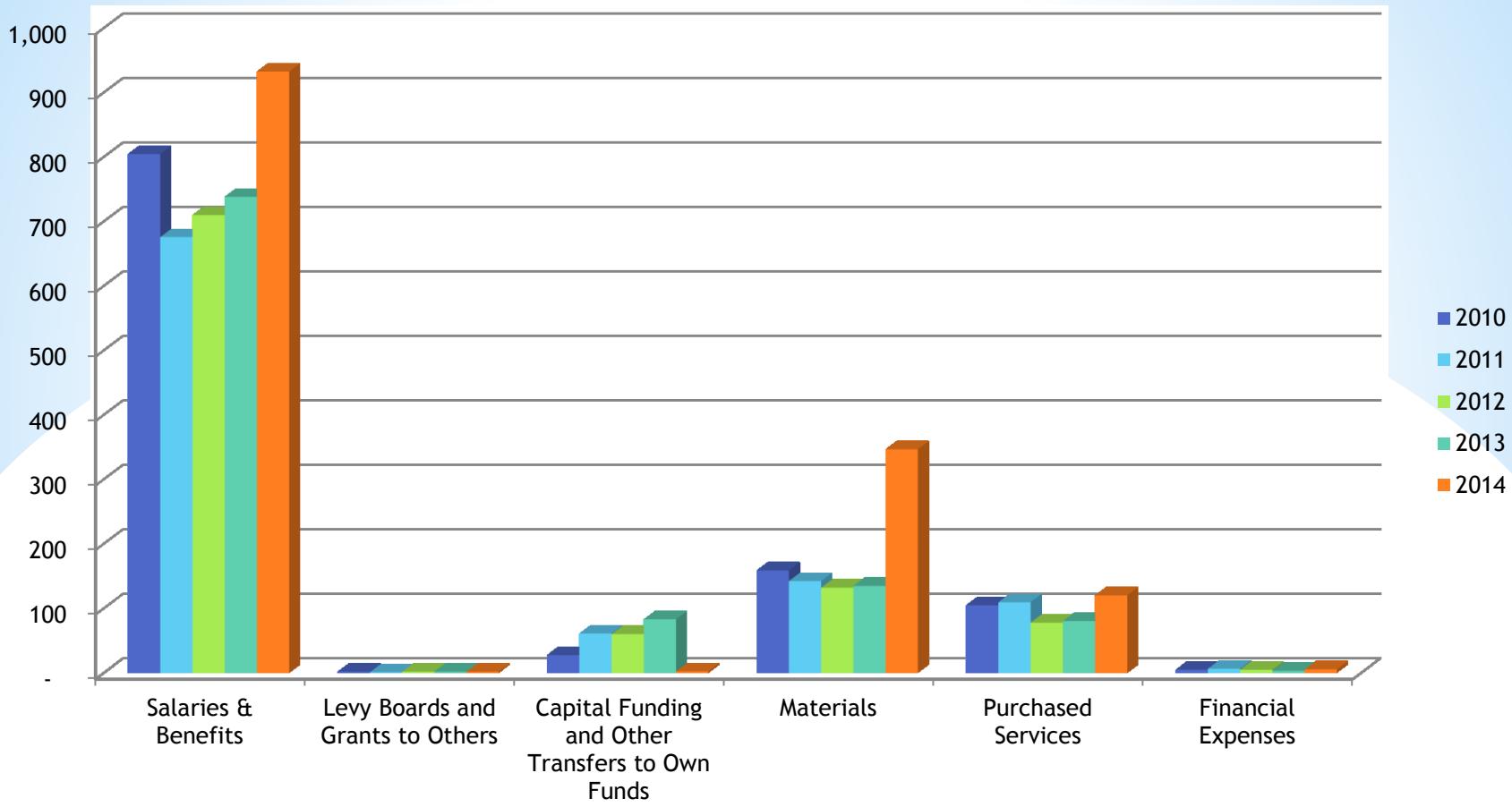
Administration

Corporate Affairs

Office Services



*2015 BUDGET



***FIVE YEAR TREND
ACTUALS 2010 TO 2014**

Administration (5 FTE):

- Council and committee administration
- Corporate records management
- Vital statistics (cemetery business transactions, marriage licence issuing, death registrations)
- Corporate strategic plan, quality improvement (Excellence Canada)
- Municipal elections

Corporate Affairs (2 FTE):

- Public and media relations/communications
- Website content management/social media
- Civic receptions
- Corporate intranet content management

Office Services (2 FTE):

- Corporate mail services
- High volume copying and print services

Current Corporate Initiatives:

- New records retention by-law
- eScribe implementation
- Strategic plan development
- Visual identity policy

Future Issues:

- Accountability and transparency initiatives (Bill 8)
- Software content management (intranet, eScribe, document management)

City of Sault Ste Marie
CLERK'S DEPARTMENT
For the Nine Months Ending September 30, 2015

FISCAL YEAR REMAINING% :	SEPTEMBER	YTD	YTD	Variance	Percentage	2014	2014
		Actual	Budget		Budget-Rem	Actual	Actual
REVENUE					25%	'TD TO: Septembe	Year
Fees and user charges		(\$3,625.00)	(\$39,250.00)	(\$50,000.00)	(\$10,750.00)	21.50%	(\$164,125.77) (\$184,803.31)
Contribution from own funds				\$0.00	\$0.00		(\$189,400.00) (\$189,400.00)
Other income	(2.00)	(16,086.52)	(\$1,800.00)	\$14,286.52	(793.70%)	(\$21,462.25) (\$21,500.25)	
		(3,627.00)	(55,336.52)	(\$51,800.00)	\$3,536.52	(6.83%)	(\$374,988.02) (\$395,703.56)
EXPENDITURES							
Salaries	47,180.06	471,941.57	\$581,795.00	\$109,853.43	18.88%	\$486,301.99	\$782,875.24
Benefits	11,671.47	116,667.38	\$147,555.00	\$30,887.62	20.93%	\$114,634.59	\$149,567.97
TOTAL SALARIES/BENEFITS	58,851.53	588,608.95	\$729,350.00	\$140,741.05	19.30%	\$600,936.58	\$932,443.21
Travel and training		2,989.57	\$6,595.00	\$3,605.43	54.67%	\$3,357.16	\$3,535.24
Election			\$0.00	\$0.00		\$75.00	\$13,110.94
Vehicle allowance, maintenance and repairs	58.23	313.87	\$600.00	\$286.13	47.69%	\$452.98	\$890.79
Materials and supplies	3,479.74	91,244.31	\$125,580.00	\$34,335.69	27.34%	\$224,097.51	\$306,714.40
Maintenance and repairs	171.00	3,280.35	\$3,550.00	\$269.65	7.60%	\$348.02	\$348.02
Goods for resale		9,600.00	\$19,200.00	\$9,600.00	50.00%	\$19,200.00	\$19,200.00
Rents and leases		1,538.72	\$7,625.00	\$6,086.28	79.82%	\$4,955.60	\$5,129.61
Financial expenses	70.28	319.31	\$0.00	(\$319.31)		\$192.21	\$293.78
Purchased and contracted services	7,290.59	69,834.75	\$111,870.00	\$42,035.25	37.58%	\$87,732.84	\$120,056.45
Grants to others		1,764.56	\$2,000.00	\$235.44	11.77%	\$338.59	\$1,963.59
Transfer to own funds			\$60,000.00	\$60,000.00	100.00%	\$0.00	\$2,531.80
Capital expense			\$4,500.00	\$4,500.00	100.00%	\$1,144.80	\$2,644.53
Depreciation			\$0.00	\$0.00		\$0.00	\$2,928.46
TOTAL OTHER EXPENSES	11,069.84	180,885.44	\$341,520.00	\$160,634.56	47.04%	\$341,894.71	\$479,347.61
	69,921.37	769,494.39	\$1,070,870.00	\$301,375.61	28.14%	\$942,831.29	\$1,411,790.82
NET (REVENUE)/EXPENDITURE	66,294.37	714,157.87	\$1,019,070.00	\$304,912.13	29.92%	\$567,843.27	\$1,016,087.26



COUNCIL REPORT

October 26, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Mike Figliola, Fire Chief
DEPARTMENT: Fire Services
RE: Fire Services Organizational Realignment

PURPOSE

Fire Services is requesting approval from City Council to develop and implement a realignment of Fire and EMS services through a 3 year attrition strategy to better manage the risk and liability under Bill C-45, improve EMS response time, and provide better customer service.

BACKGROUND

Over the past 11 years, EMS medical calls received in Sault Ste. Marie have doubled from approximately 6,000 in 2004 to over 12,000 in 2014. This trend has continued in 2015. During this same period, EMS resources including the number of Primary Care Paramedics (PCP), related supervisory personnel and emergency vehicles/equipment have not kept pace. This situation has significantly impacted response times and quality of services thus placing the City at significant risk and liability.

EMS delivery issues have become even more acute in 2015 where there are presently no dedicated 24/7 supervisors on each EMS platoon and ambulances are regularly unavailable. If not addressed as soon as possible, the City exposes itself to significant penalties including potential large fines and possible criminal negligence proceedings under the Federal Bill C-45 (see www.ccohs.ca/oshanswers/legisl/billc45.html).

By contrast, Fire Services calls involving actual property fires are down 80% over the period of 1984-2014 and currently represent just 3-4% of the roughly 2,500 emergency calls dispatched annually, or approximately 1-2 per week in 2014. The balance of non-property fire calls relate to medical, rescue assistance or public hazard events (55% in 2014), false alarms (30%) or other miscellaneous incidents (10-12%). Despite this continued decreasing trend, fire services

resources have only been reduced marginally with the staff complement currently at 88 Firefighters and vehicles numbering 8. Response times are relatively unchanged and it is expected will be unaffected by the reallocation recommended in this report.

In light of the nearing critical pressures currently impacting the delivery of EMS services, the City of Sault Ste. Marie has a few options to address the issue including:

- maintaining status quo (not recommended due to the significant fiscal and legal liabilities);
- adding EMS resources through budget increases (not recommended, given fiscal constraints);
- or reallocating from within the City budget (recommended from within the Emergency Services Division).

The latter is the proposed option that has the least impact and is therefore provided here for Council consideration and approval.

ANALYSIS

EMS Work Group Leaders are actively involved in patient care as part of a two person Paramedic Team assigned to an ambulance and cannot provide adequate supervision and oversight to their Platoons. This does not fulfill the requirement of a “Competent Supervisor” as mandated by the Occupational Health and Safety Act. A dedicated supervisory level, removed from patient care and with the ability to properly supervise and carry out delegated duties from the Fire Chief is required for each Platoon (4).

Presently on a daily basis, ambulances are unavailable to respond to calls due to a short fall in staffed ambulances. This increases response times and increases the risk that an ambulance will be unavailable when required. Additional funding to operate Garden River on a 24/7 basis has increased the available ambulance complement to 4 on a 24/7 basis. Call volume requires that an additional 2 day ambulances be available from 8:00 a.m. to 10:00 p.m. as 65% of calls for service are during these times. This would require 8 additional Paramedics to bring the complement to 6 ambulances during the day and 4 ambulances at night.

Respecting Fire Services, Public Education and Fire Prevention Programs are being proactively and aggressively delivered as the cornerstone of Fire Safety in the Community. The tenets of Smoke Alarms, Escape Plans and Residential Sprinklers are the key to preventing residential fire casualties. Changing behaviours through proactive education and enforcement as the first and second line of defense provides a more sustainable outcome than an emphasis on the third line of defense, a reactive response posture. Fire Education and Prevention continues to reduce the number of fire calls which are already reduced by 80%

since 1984. Active and proactive involvement of Fire Fighters in Public Education and Fire Prevention needs to become a primary focus and duty. The firefighters' role should be viewed as educators and inspectors who respond to non-fire emergencies and fight the occasional fire, a major paradigm shift.

The present response requirement known as the third line of defense, is focused on residential fires and according to guidelines of the Office of the Fire Marshal requires 10 Fire Fighters as follows;

- 1-Incident Commander
- 1-Water Supply
- 4-2 Fire Fighter Attack Teams

In order to carry out the following fire ground tactics;

- Size Up
- Rescue
- Exposures
- Confinement
- Extinguishment
- Ventilation
- Salvage
- Overhaul

The current model provides for 17 on duty from a total complement of 22 per platoon suggesting a redundancy of 70% (7) with 10 committed to a fire. It is estimated that a complement of 17 per platoon with 13 on duty provides 30% redundancy with 10 committed to a fire. Additional resources through call backs and mutual aid partners can be affected as required during the rarer, larger more resource intense events or as required for scheduled events which represent a fraction of the calls experienced annually. Flexible scheduling, often referred to as System Status Management, Fluid Staffing or Dynamic Deployment, long time in use by Police and EMS, has proved effective in providing the required service, managing costs while matching available resources to customer needs and managing the risk.

The timelines for response make it imperative that residents must be responsible for their safety as the absence of smoke alarms and an escape plan make it highly unlikely that occupants will survive the rapid growth of fire, heat, and toxic gases. Casualties will ensue prior to the arrival of a fire response and rescue will be almost nonexistent. Best practice, standard response times are based on a 6 minute response, 90% of the time, from Call Taking to Intervention. The present average response time is based on the following:

- | | |
|----------------------------|---|
| • Detect and Report | Variable |
| • Call taking and Dispatch | 1:00-1:30 minutes |
| • Travel Time | 2:00-3:00 minutes |
| • Set Up | 1:00 minute |
| • Intervention | 4:00-5:30 minutes (only after it has been detected) |

A 6 minute response time, 90% of the time is the benchmark that should be maintained.

It is not anticipated that implementing the changes described in this report would impact fire response times or increase risk. However, Council has the authority under section 2(1) of the Fire Protection and Prevention Act to determine the level of service provided to the community. In face of continuing rising costs, services and the priority to protect life, property fire events should be based on real call experience, actual risk and the likelihood of an event occurring. Balancing this risk with graver fiscal and liability concerns provides the rationale for the recommended changes.

IMPACT

This initiative is recommended as a service level improvement opportunity to address nearing critical EMS liability and response time issues with no impact on existing service levels. EMS coverage will ensure ambulance availability meets demand and address risk and increasing liability concerns including criminal negligence possibilities under the Federal Bill C-45, 2003 Act. Response times and Fire Fighters on scene for a standard residential fire are expected to remain unchanged. Although not an impetus for this proposal, it is expected there will be some financial savings related to improved EMS response times and service quality. This realignment can be accomplished through attrition over a three year period, 2016-2018.

STRATEGIC PLAN

N/A

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Fire Chief dated 2015 10 26 concerning the Fire Services Organizational Realignment Strategy to transition FTE (full time equivalent) resources by reallocating up to 20 Firefighter positions, through attrition as follows:

Report to Council – Fire Services Organizational Realignment

2015 10 26

Page 5.

- 4 - Paramedic Supervisors
- 8 - Paramedics
- 2 - Public Education Officers
- 1 - Training Officer
- 1 - Mechanic
- Emergency Planning Officer
- Additional allocation as required or eliminated

Be approved.

It is further resolved that the Chief, Fire Services in conjunction with the Commissioner of Human Resources and City Solicitor and with consultative input from key stakeholders including the affected collective bargaining units implement the realignment over a 3 year transition period.

Respectfully submitted,



Mike Figliola
Fire Chief

Fire Services Organizational Realignment

Council Presentation

Fire Chief Mike Figliola

October 26, 2015

ORGANIZATIONAL REALIGNMENT

- Manage the Risk and Liability issues facing EMS calls
- Effective and efficient use of existing resources by adapting to current and future customer service demands.
- Significant realignment and reallocation of resources aligned to needs, effort and focus to achieve high performance and provide better service.

Impact

- This initiative is recommended as a service level improvement opportunity with no impact on existing service levels. EMS coverage will ensure ambulance availability meets demand. Response times and Fire Fighters on scene for a standard residential fire remain unchanged.
- Although not an impetus for this proposal, it is expected there will be some financial savings related to improved EMS response times and service quality. This realignment can be accomplished through attrition over a three year period, 2016-2018 and is intended to be implemented with input from all key stakeholders.

Organizational Realignment

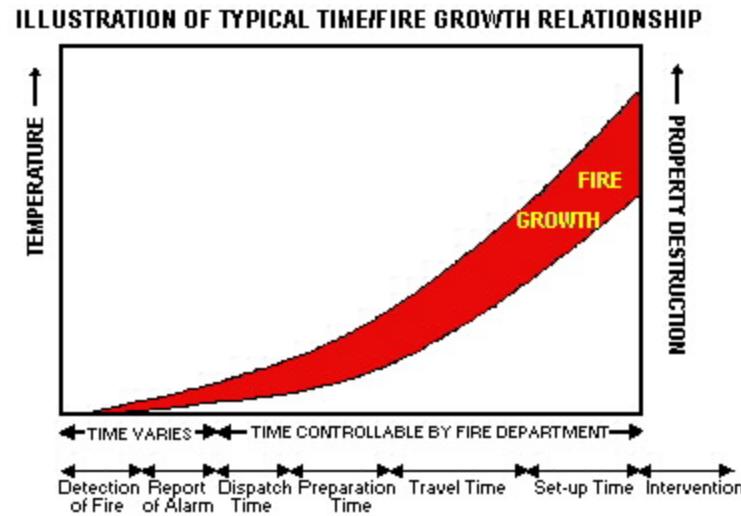
Background

- **Fire Calls**
 - Actual property fires, 1-2 per week, 3-4%
 - Medical, Rescue, Assistance, 55%
 - False Alarms, 30%
 - Total Calls, 2,600
- **EMS Calls**
 - 12,000, up 100% since 2004
 - Regularly without ambulance availability
- The 20 year trend continues to be up for EMS and down for Fire.

EMS

- Requirement for supervisor 24/7, competent supervisor under OH&S.
- Additional 8 Paramedics to ensure availability of 6 ambulances during day and 4 at night.

Fire Timelines



NOTES: The fire progression curve is subject to variation due to a number of factors such as the type of material and volume of material involved.

The various factors, from the time the fire begins until intervention takes place, are all subject to variation.

Preparation time for full-time fire fighters means the time to dress and depart the station.

Preparation time for volunteer fire fighters includes the time to respond to the station as well as to dress and depart the station.

Manage the Risk

Public Education

- Smoke Alarms and Escape Plans are key to preventing casualty from fire.
- Residential Sprinklers
- Change Behaviour
- Aggressive Education and Enforcement requires 2 Public Education Officers.
- Active and proactive involvement of Fire Fighters in Public Education and Fire Prevention needs to become a primary focus and duty.

Fire Timelines

- Detect and Report Variable
- Dispatch and Turn Out 1:00-1:30 min
- Travel Time 2:00-3:00
- Set Up 1:00
- Intervention 4:00-5:30 min
- The timelines for response make it imperative that residents must be responsible for their safety as the absence of smoke alarms and an escape plan make it highly unlikely that occupants will survive the rapid growth of fire, heat, and toxic gases.

Manage the Risk Response

- Fires are down 80%, 1984-2014, 3% of calls, 1-2 per week.
- A complement of 10 properly trained and equipped FFs is required for a basic residential fire responding in 6 minutes. This remains unchanged.
- 13 on duty provides 30% redundancy, from present 17 which provides a 70% redundancy that is not required.
- Flexible scheduling, often referred to as System Status Management, Fluid Staffing or Dynamic Deployment, long time in use by Police and EMS, has proved effective in providing the required service, managing costs while matching available resources to customer needs and managing the risk.

Fire Ground Tactics

Staff

- 1- Water Supply
- 1-Command
- 2- Rescue
- 2- Back Up
- 2-Exposure
- 2 Ladder
- 10 Required
- 4 teams of 2

Tactics

- A. Size-Up
- B. Rescue
- C. Exposure
- D. Confinement
- E. Extinguish
- F. Ventilate, Salvage, Overhaul

Rule of 8

Managing the Risk

- Council has the authority under section 2(1) of the Fire Protection and Prevention Act to determine the level of service provided to the community.
- In face of continuing rising costs, services and the priority to protect life and property is based on real call experience, actual risk and the likelihood of an event occurring.
- Balancing the risk with fiscal concerns, managing the risk based on calls for service, likelihood and realistic expectations rather than maintaining resources for rare, extreme or historical circumstances provides the rationale for the level of service.

Realignment Recommendations

- Continue to have 10 respond to fires, no change. Adjust daily staff level to be more flexible at 10-13 from present 17, 3-4 per truck as is present practice with a 6 minute response time. Platoon complement at 17 from present 22. Presently 5 vacancies and remainder through attrition during 2016-2018 for a total of 16 positions. **(-16)**
- Close Communication Room and contract to Central Ambulance Communication Centre. Achieve through attrition.**(-4)**
- Reallocate positions as follows: **(+20)**
 - 8 Paramedics, 4 Paramedic Supervisors
 - 2 Public Education Officers
 - 1 Training Officer
 - 1 Mechanic
 - 1 Emergency Planning Officer
 - 3 Additional allocation or eliminated

Malcolm White

Subject: FW: Request to appear before council

From: Sault Firefighters [mailto:mkenopic@saultfirefighters.ca]
Sent: Wednesday, October 21, 2015 4:33 PM
To: Malcolm White
Subject: Re: Request to appear before council

Thanks Malcolm,

If you could forward the following on to Council, it would be greatly appreciated.

August 1, Tower Street fire, Amateur video
<http://www.local2.ca/news/towers-street-fire-11855>

1. Are there sufficient firefighters on duty to adequately respond to the building occupancy types and their associated risks within our community's boundaries? (i.e. sufficient firefighters to perform all of the critical tasks required for an offensive interior fire attack including rescue) Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

To be more specific,

2. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a single family dwelling? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

3. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a duplex multi-family dwelling? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

4. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a 3 or more unit low-rise multi-family dwelling? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

5. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a high-rise residential apartment building or condominium? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

6. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a multiple story low-rise hospital with non-ambulatory patients? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

7. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a single story nursing home ? Are we sending sufficient firefighters on initial response to

handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

8. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a single story nursing home with non-ambulatory residents? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

9. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a multiple story low-rise nursing home? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

10. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a multiple story low-rise nursing home with non-ambulatory residents? Are we sending sufficient firefighters on initial response to handle the critical tasks required in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

11. Do we have sufficient firefighters on duty to perform the critical tasks required for an offensive interior fire attack including rescue and exposure protection at a school, theatre, arena or other large assembly occupancy? Are we sending sufficient firefighters on initial response to handle the critical tasks in a safe and timely manner? In your opinion, how many firefighters are required (number or range)?

12. Do we have sufficient firefighters trained to an appropriate level to respond to and intervene in emergency events involving risks that are particular to our community due to geography, economic activity, etc? (water rescue, ice rescue, swift water rescue, hazardous materials, confined space rescue, high angle rescue, etc.) If not, why not?

In each question where you have answered “YES”, are there sufficient firefighters on duty, on call or under an automatic aid agreement, available in a timely response to sustain operations in a prolonged event? Wherever the answer to the foregoing question is “NO”, please indicate what plans and contingencies you have made to deal with operational sustainability.

For each of the 12 questions, please indicate whether, in your opinion, the community has a “need” for fire suppression services for the occupancy type described.

If there is a need, but fire suppression services fall short of the number of firefighters and/or equipment necessary for the response to risk described in each question, please outline the “circumstances” in the community that will not allow the appropriate response capability to meet the “needs” associated with the occupancy type.

If your answer to any of the 12 response capability questions is “NO”, would you please provide the details of the following measures that you have taken in respect of each potential event:

1. All recommendations and/or reports to council about the response deficiencies and/or lack of fire service capacity and its potential impact on each occupancy type in the event of a fire;

2. All directives, orders, procedures, rules or guidelines that you have prepared and provided to the firefighters and officers of the department related to operations without sufficient staff;

3. All public notifications, including suggestions or recommendations for alternative measures of protection, that have been made to those who are owners and/or permanent occupants or occupants from time to time in each of the buildings where fire service response and/or capacity is less than required;

4. Any specific requirements for mandatory Fire Safety Plans that take into account the inability of the department to meet the response and/or capacity requirements of the occupancy;

5. All input concerning the lack of capacity and/or response capability that has been made by the fire department at the municipality’s planning and development stage for each occupancy type;

6. All measures that have been taken in preparation for a response and intervention into any event related to, but not limited to, the types of emergencies outlined in question 12.

Marty Kenopic

President

Sault Ste. Marie

Professional Fire Fighters Association

Local 529

Like us on Facebook at Sault Ste Marie Ontario Professional Firefighters Association

Follow us on Twitter @SSMPFFA

Malcolm White

Subject: FW: Request to appear before council, Council Information
Attachments: OFM - Matching deployment and risk.pdf; NFPA 1710 2016.pdf

From: Sault Firefighters [mailto:mkenopic@saultfirefighters.ca]
Sent: Thursday, October 22, 2015 1:28 PM
To: Malcolm White
Subject: RE: Request to appear before council, Council Information

Malcolm,

Can you please forward the following information on to council for review.

Attached is an official guide to matching resource deployment and risk. This guide was adopted by the previous Fire Marshal, but has since been enhanced to a Integrated Risk Management Tool, according to Bob Thorpe (Fire Protection Adviser at Office of the Fire Marshal Emergency Management). This evaluation system is part of an overall package of risk management tools designed to provide a systematic process for determining community fire risks.

The present response requirement in Chief Figliola's report according to guidelines of the Office of the Fire Marshal that requires 10 firefighters, is no longer a valid guideline adopted by the Fire Marshal's office. Rather, the Ontario Fire Marshall's Office has adopted National Fire Protection Agency (NFPA) 1710, which is currently used by our department for training, Fire College Curriculum and Fire Prevention and Inspection.

Also attached is NFPA 1710.

Below is a overview of the Fire Underwriters Survey. FYI, Sault Ste. Marie's most current survey is from 1989.

Fire Underwriters Survey™ (FUS) is a national organization administered by OPTA Information Intelligence, formerly CGI Insurance Business Services, formerly the Insurers' Advisory Organization and Canadian Underwriters Association. FUS provides data on public fire protection for fire insurance statistical work and underwriting purposes of subscribing insurance companies. Subscribers of Fire Underwriters Survey represent approximately 85 percent of the private sector property and casualty insurers in Canada.

Fire Underwriters Survey™ Certified Fire Protection Specialists conduct detailed field surveys of the fire risks and fire defenses maintained in built up communities (including incorporated and unincorporated communities of all types) across Canada and the results of these surveys are used to establish a Public Fire Protection Classification™ (PFPC) for each community. While Fire Underwriters Survey is not involved in rate making matters, the information provided through the Fire Insurance Grading Index is a key factor used in the development of Commercial Lines property insurance rates. The PFPC is also used by underwriters to determine the capacity of risk they are willing to assume in a given community or section of a community.

The overall intent of the PFPC system is to provide a standardized measure of the ability of the protective facilities of a community to prevent and control the major fires that may be expected to occur by evaluating in detail the adequacy, reliability, strength and efficiency of the protective facilities and comparing the level of protection against the level of fire risk in the built environment.

The Fire Underwriters Survey also uses PFPC information to develop the Dwelling Protection Grade (DPG), which is utilized by Personal Lines insurers in determining property insurance rates for detached dwellings (with not more than two dwelling units). The Dwelling Protection Grade is a measure of the ability of the protective facilities of a community to prevent and control the structure fires in detached dwellings by evaluating the adequacy, reliability, strength and efficiency of the protective facilities and comparing the level of protection against the level of fire risk associated with a typical dwelling.

The fire insurance grading system used does not consider past fire loss records but, rather, fire potential based on the physical structure and makeup of the built environment.

To help establish appropriate fire insurance rates for residential and commercial properties, insurance companies need reliable, up-to-date information about a community's fire-protection services. Fire Underwriters Survey provides that information through the Public Fire Protection Classification (PFPC) and Dwelling Protection Grades (DPG) insurance grading systems.

Communities across Canada are assessed and PFPC and DPG grades are calculated by Certified Fire Protection Specialists, Engineering Technologists and Professional Engineers. This information is then published in the online Fire Insurance Grading Index. The information published in the online Fire Insurance Grading Index is used by insurers to determine their underwriting capacities and to help set property insurance rates.

When a community improves its PFPC or DPG, insurance rates may be reduced, and underwriting capacities may increase. Every insurance company has its own formula for calculating their underwriting capacities and insurance rates, however the PFPC and DPG classifications are extremely useful to insurers in determining the level of insurable risk present within a community.

Marty Kenopic

President

Sault Ste. Marie

Professional Fire Fighters Association

Local 529

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Follow us on Twitter @SSMPFFA



Oct. 25, 2015

To: Sault Ste. Marie Mayor and Council,

The Ontario Paramedic Association, while not a labour organization, is the professional voice of Ontario's Paramedics. As experts in Paramedic care we advocate on behalf of all Ontarians to ensure that they receive the highest standard of care.

The OPA is writing in support of the plan by the City of Sault Ste. Marie to increase staffing and resources available to the city's Paramedic Service. An improved investment in quality pre hospital medical services is an excellent investment by any community.

Every community in Ontario is facing a significant increase in the need for Paramedic and ambulance resources with our aging population. It is imperative that future planning and budgets account for this.

This decision by the Mayor and Council of Sault Ste. Marie shows great foresight and will help to ensure that your constituents are able to enjoy a safer and healthier community moving forward.

Sincerely,

A handwritten signature in black ink that reads "S. MacBride".

Geoff MacBride
President
Ontario Paramedic Association
president@ontarioparamedic.ca
Twitter: @OntParamedic

Malcolm White

From: Kim Vaudry on behalf of City Clerk
Sent: Monday, October 26, 2015 8:26 AM
To: Malcolm White
Subject: FW: Firefighters are essential!!

-----Original Message-----

From: Dan & Ruth [<mailto:dan.ruth.mccarty@gmail.com>]
Sent: Saturday, October 24, 2015 6:23 PM
To: City Clerk
Subject: Firefighters are essential!!

Firefighters in our community are essential. They are first and foremost to keeping our families safe from something that could be a major catastrophe. By keeping our departments fully staffed we feel content in knowing our safety is being looked after by a well trained dedicated men. If we need more paramedics by all means hire what we need to give us the best force we can possibly have, but not to take away from our safety net and the men's safety we depend upon. I implore the council of our city to not hastily jump into this decision. The cost to one and all could be devastating.

Sent from my iPad



COUNCIL REPORT

October 26, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Peter Tonazzo, MCIP, RPP, Planner
DEPARTMENT: Engineering and Planning Department
RE: A-17-15-Z.OP – 592 Old Goulais Bay Road

PURPOSE

The applicants are seeking an Official Plan Amendment and Rezoning of the subject property to legalize the existing contractor's yard. Staff's recommendation to deny this application remains unchanged for the reasons described in the original report dated 2015 09 28.

PROPOSED CHANGE

The applicants, Cynthia & Terry Wright are seeking to amend the Official Plan by way of a notwithstanding clause to the Rural Area policies, as well as a Rezoning of the front (west 300m) of the subject property from "RA" (Rural Area Zone) to "RA.S" (Rural Area Zone with a Special Exception) to permit a contractor's yard on the subject property, in addition to the uses currently permitted.

Subject Property:

- Location – The subject property is located on the east side of Old Goulais Bay Road, approximately 635m north of its intersection with Fourth Line East, civic no. 592 Old Goulais Bay Road.
- Size – Approximately 41m (134') frontage by 778m (2552') depth, totalling 3.16ha (7.8 acres)
- Present Use – Rural Residential & illegal contractor's yard
- Owner – Cynthia & Terry Wright

BACKGROUND

This application was originally heard by Council on September 28, 2015. At that meeting Council postponed the application to October 26, 2015 in order to allow the applicant to consult with neighbours who opposed the application.

ANALYSIS

Planning staff has had a number of discussions with the applicant regarding appropriate relocation options, in the event that this application is denied by Council. The applicant has also indicated that he will be reaching out to several neighbours to discuss alternative options, however up to the drafting of this report these discussions have yet to commence.

Planning staff's recommendation to deny this application remains unchanged from the original report package (attached) dated 2015 09 28.

Also attached to this report are two additional objections which were received after Council's September 28, 2015 hearing. A portion of the September 28 Addendum relating to this application is also attached for information.

IMPACT

Approval of this application will not have any significant impact on Municipal finances.

STRATEGIC PLAN

This application is not linked to any specific policies contained within the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Planner dated 2015 10 26 be accepted as information and that Council deny the applicants' request to amend the Official Plan and rezone the front (west 300m) of the subject property from "RA" (Rural Area Zone) to "RA.S" (Rural Area Zone with a Special Exception) to permit a contractor's yard on the subject property, in addition to the uses currently permitted.

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

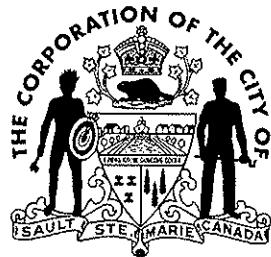
PT:ps

A-17-15-Z.OP-592 Old Goulais Bay Road

2015 10 26

Page 3.

Attachment(s)



COUNCIL REPORT

September 28, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Peter Tonazzo, MCIP, RPP, Planner
DEPARTMENT: Engineering and Planning Department
RE: A-17-15-Z.OP-592 Old Goulais Bay Rd.

PURPOSE

The applicants are seeking an Official Plan Amendment and Rezoning of the subject property to legalize the existing contractor's yard.

PROPOSED CHANGE

The applicants, Cynthia & Terry Wright are seeking to amend the Official Plan by way of a notwithstanding clause to the Rural Area policies, as well as a Rezoning of the front (west 300m) of the subject property from "RA" (Rural Area Zone) to "RA.S" (Rural Area Zone with a Special Exception) to permit a contractor's yard on the subject property, in addition to the uses currently permitted.

Subject Property:

- Location – The subject property is located on the east side of Old Goulais Bay Road, approximately 635m north of its intersection with Fourth Line East.
- Size – Approximately 41m (134') frontage by 778m (2552') depth, totalling 3.16ha (7.8acres)
- Present Use – Rural Residential & illegal contractor's yard
- Owner – Cynthia & Terry Wright

BACKGROUND

There have been no rezoning applications upon the subject property. In 2001, a minor variance was granted to reduce the setback requirements for an existing porch attached to the house.

This application is the result of a complaint to the Building Division.

ANALYSIS

Conformity with the Official Plan

There are a number of Official Plan Policies which directly apply to this application.

The subject property is designated 'Rural Area' on Land Use Schedule 'C' of the Official Plan. The 'Rural Area' of the Municipality includes all of the area outside of the Urban Settlement Area. Given this large land mass, the Rural Area is diverse in terms of the land uses and landforms that can be found throughout. The Official Plan notes that '*Rural land uses include agriculture, forestry, extractive uses such as mining, quarrying and aggregate removal, golf courses, riding academies, kennels, cemeteries, approved landfill sites and limited residential development...*' Contractor's Yards are not permitted within the Rural Area Land Use Designation, and therefore an Official Plan Amendment is required.

The subject property is also located within the 'Significant Groundwater Recharge Area' as shown on Natural Constraints Schedule B of the Official Plan. The Significant Groundwater Recharge Area is an area of sand and gravel deposits, located below the 'Shield Line', which is the first outcroppings of exposed bedrock, running in a northeast/southwest direction, roughly from Second Line/Airport Road to Fourth Line/Great Northern Road. The porosity of the sand and gravel in this area allows surface water to quickly percolate down to the city's drinking water aquifer, which provides 50% of the city's drinking water, and nearby private wells. A fuel or chemical spill in this area could potentially contaminate this aquifer. Consequently, there is a number of Official Plan policies aimed at mitigating the risk of contamination. While not prohibitive in nature, these policies aim to mitigate the risk of contamination. More specifically, all heavy equipment parking must be located upon an impervious (paved) surface, and all chemicals and petroleum product storage must be within double walled tanks, located above an impervious surface with 110% catchment. Finally, buildings which are to be utilized for vehicular maintenance and repair must be designed with a sump system that can capture and contain spills. The aforementioned policies are also recognized within the recently approved Sault Ste. Marie Region Source Protection Plan, under the Clean Water Act. Consequently, if Council approves this application, at a minimum, conditions should include a requirement to adhere to the Significant Groundwater Recharge Area policies contained within the Official Plan.

There is a significant ravine and watercourse crossing the rear third of the subject property. The watercourse represents the headwaters of the Fort Creek, and is identified as Fish Habitat on Natural Resources Schedule 'A' of the Official Plan. In this particular case, the applicant is requesting to rezone the front (west) 300m (984') of the subject property. The zone boundary would be at least 100m (328') west of the watercourse, whereas current Official Plan policies indicate

that development proposals within 50m (164') of fish habitat must be accompanied by an environmental assessment.

Portions of the subject property have been identified as having archaeological potential, however based upon a review of historic air photography; the subject property was actively tilled for agricultural purposes. Archaeological Policy 2 notes that '*Archaeological assessments may not be required in areas that have been subject to previous intensive and extensive soil disturbance.*' According to the City's Archaeological Master Plan, local archaeological resources are relatively shallow. Any tilling in association with an agricultural use would negate those resources that may have been present. Consequently, an Archaeological Assessment is not required to support this application.

Comments

The applicants' are seeking Council's approval to legalize the existing contractor's yard, which has been operating from the subject property for the past 6 years. Wright Time Contracting specializes in demolition and snow removal. Referring to the applicants' site plan attached, the majority of the use occurs towards the rear of the property, with equipment stored in 3 existing 'pole barns'. This 'compound area' is located approximately 194m (637') back from Old Goulais Bay Road. The applicants' site plan shows numerous pieces of heavy equipment, including a grader, 2 excavators, 3 loaders and 2 sanders, representing a significantly sized operation within the local context.

From a land use perspective, contractor's yards are treated as industrial uses, and as such the Ministry of the Environment and Climate Change's (MOECC) Minimum Distance Separation (MDS) Guidelines apply. The MDS guidelines are intended to ensure that offsite impacts such as noise, dust, odour and vibrations do not impact nearby sensitive uses, such as residential uses. It is Planning Staff's opinion that this particular contractor's yard can be described as a 'Class II' industrial use, characterized as creating occasional noxious outputs such as noise, dust, odours and vibration. Class II uses tend to include the frequent movement of heavy vehicles, with the majority of movements during the daytime. A minimum distance separation of 70m (230') from lot line to lot line is recommended.

In this particular case, the abutting lot lines on either side of the subject property are occupied by sensitive uses (residential). In terms of noise, dust odour and vibration, the biggest impact to neighbours is the movement of trucks and equipment up and down the driveway. The subject property is only 41m (134') wide. The nearest point of the driveway is 28m (92') from the abutting neighbours dwelling to the south. The abutting neighbours home to the north is approximately 36m (118') away from this driveway. Given the relatively narrow width of the property, and therefore close proximity of neighbours, it would be

very difficult to implement buffering measures that would adequately mitigate off-site impacts such as noise, dust, odour and vibrations.

Based upon the applicant's site plan this is a significantly sized contractor's yard, specializing in demolition and snow removal. Experience has shown that contractor's yards tend to accumulate materials and debris over time. It is noted that during site visits, the property appeared relatively clean. The applicant did indicate that metal sorting does occur on-site, and neighbours have indicated through the attached correspondence that prior to inspection, a great deal of material was taken from the site. The nature of contractor's yards is such that they have outdoor storage compounds that can be unsightly, and not within the character of a rural residential area. One can certainly argue that the potential for storage of debris may be heightened where a contractor specializes in demolition.

This contractor also specializes in snow removal, which tends to occur during the night. This effectively increases the overall impact when trucks and heavy equipment are coming and going from the site at these times.

The character of this area is primarily rural residential. There are two legal contractor's yards located approximately 100m south of the subject property. Both uses were approved by Council, with conditions, in 1993 and 1995. In both cases, Planning Staff recommended against approval.

It is recognized that there exist a number of both legal and illegal contractor's yards throughout the rural area.

The Rural Area of the community is diverse in terms of the land uses and landforms that can be found throughout. One cannot point to a particular area and broadly state that it has the same character of another area. In recognizing this diversity, the Zoning By-law defines three distinct rural zones. Each zone has distinct characteristics and permitted uses. For example, the Rural Extraction Zone (REX) is applied to the sand and gravel deposits below the Shield Line. According to PPS 2014 Policy 2.5.1, *mineral aggregate resources shall be protected for long-term use...*. The area near the subject property, north of Fifth Line is zoned Rural Aggregate Extraction Zone (REX) where there exist a number of active gravel pits and quarries, and a number of businesses which cater to supporting these operations. While these businesses may be similar to the applicants', the character of the area north of 5th Line is much different.

From time to time Council is asked to make a decision upon an illegal use that has operated for some time, until either a neighbour or in some cases, a competitor complains. Impacted neighbours often note how at first the use was not an issue, but over time it grew to become unbearable. This appears to be the situation with this application.

Consultation

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

- See attached letters – Building Division, Conservation Authority
- No objections/comments – Engineering Dept., EDC, Municipal Heritage Committee, PWT, Accessibility Advisory Committee, Fire Services, PUC Services

Correspondence from the Building Division indicates several buildings have been erected upon the subject property without the benefit of a permit. Furthermore, the 3 'pole barns' that were built without a permit, and are currently utilized to store equipment equipment, do not adhere to required setbacks.

The Conservation Authority notes that the subject property is within their jurisdiction, and therefore permits are required prior to development or site alteration.

Up to the drafting of this report, a number of letters of objection have been received from neighbours, and are attached to this report. The objections raised generally focus upon nuisance impacts such as noise, dust, odour, and vibration resulting from heavy equipment coming to and from the site. As previously discussed, the applicants' are operating a significantly sized contractor's yard, which from a land use standpoint should be located in an industrial zone. The relatively narrow frontage places the driveway in close proximity to the both abutting neighbours.

Neighbours also expressed a number of environmental concerns. As previously discussed, contamination of the groundwater aquifer is a significant issue. While the applicant notes that all equipment maintenance is completed off-site, neighbours note that vehicles are periodically washed on-site, which could result in run-off consisting of oil and grease residue. One could also argue that with a number of pieces of heavy equipment operating from the site, it is likely that minor maintenance such as topping up oil levels or hydraulic fluid levels occurs on-site.

Neighbours have also indicated that the applicant buries debris throughout the site. Based upon a site visit Planning staff could not confirm widespread landfilling, however a fairly small amount of concrete and bricks are visibly buried within a portion of the ravine. This matter is currently under review by the Sault Ste. Marie Region Conservation Authority.

IMPACT

IMPACT

Approval of this application will not have any significant impacts upon municipal finances.

STRATEGIC PLAN

This application is not linked to any specific policies contained within the Corporate Strategic Plan.

SUMMARY

The applicants' are operating a significantly sized contractor's yard from this relatively narrow, rural residential property. Contractor's yards, especially those utilizing heavy equipment, are industrial uses. The off-site impacts of noise, dust, odour and vibration are not those normally associated with a rural residential area. In addition, the subject property is located upon a groundwater recharge area and as such, there is a potential drinking water contamination risk associated with the use. Having said this, there exist, engineered solutions to mitigate this risk.

Although the site appears to be neat, given the size and scope of the contracting business, experience has shown that over time, debris tends to accumulate, and become unsightly. This too can have a negative impact upon the area.

Given the relatively narrow frontage 41m (134'), and close proximity of abutting neighbours, it would be very difficult to implement measures to reduce off-site impacts.

For these reasons, Planning Staff is unable to support the approval of this application.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the Report of the Planner dated 2015 09 28 be accepted as information and that Council deny the applicants' request to amend the Official Plan and rezone the front (west 300m) of the subject property from "RA" (Rural Area Zone) to "RA.S" (Rural Area Zone with a Special Exception) to permit a contractor's yard on the subject property, in addition to the uses currently permitted.

A-17-15-Z.OP-592 Old Goulais Bay Rd.
2015 09 28
Page 7.

Respectfully submitted,



Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

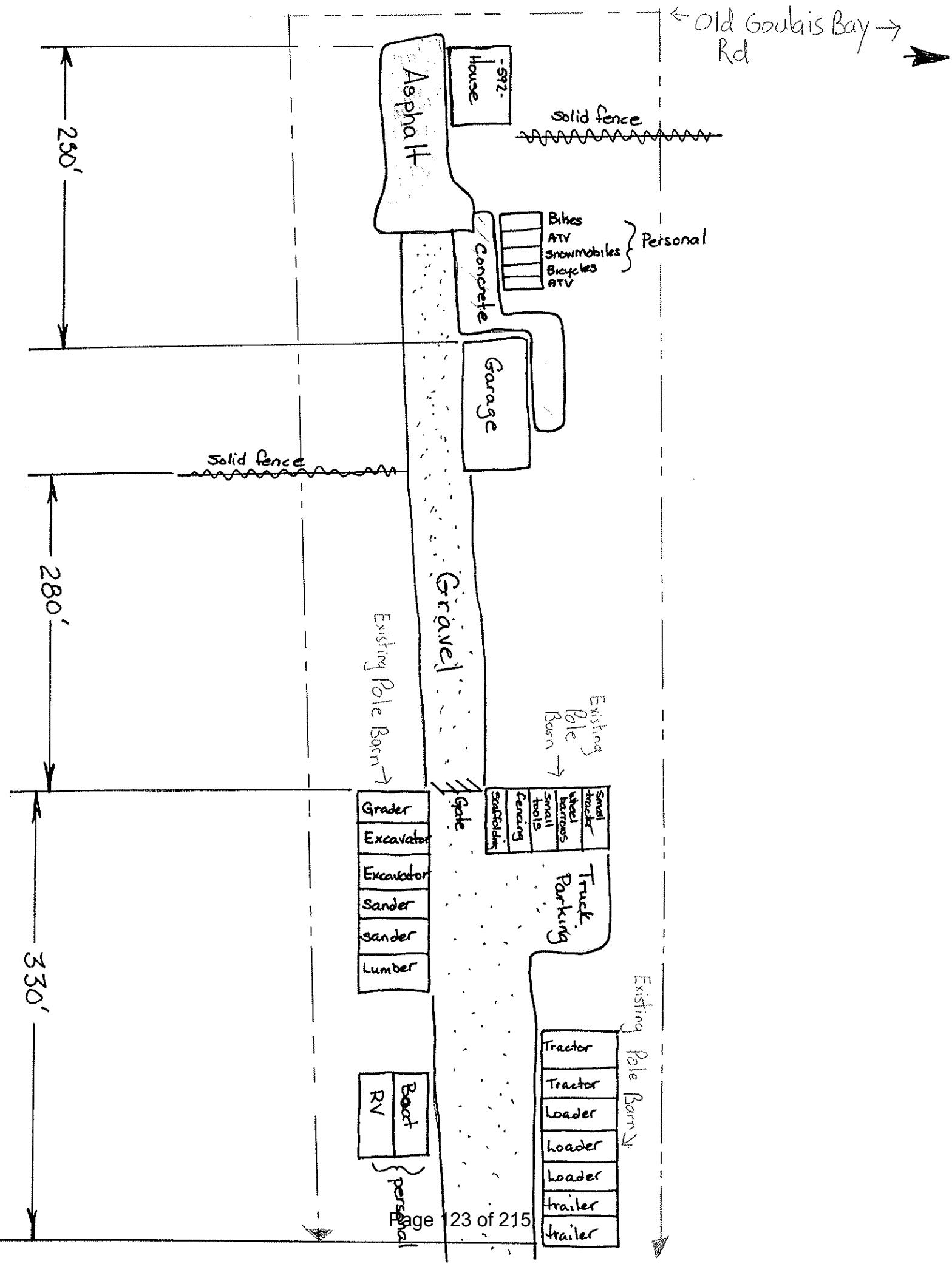
Recommended for approval,



for: Jerry Dolcetti, RPP
Commissioner, Engineering & Planning

PT:ps

Attach.



Peter Tonazzo

From: Freddie Pozzebon
Sent: Friday, September 18, 2015 3:55 PM
To: Peter Tonazzo
Subject: 592 Old Goulais Bay road

2015 09 18

Re: A-17-15-Z.OP / Request to amendment to the Official Plan & Zoning By-Law

592 Old Goulais Bay Road

There is currently a request for legal action regarding the illegal use of the property as a contractors yards and the parking of commercial vehicles with-in a Rural zone.

Recently an inspection of the property by the area inspector has indicated several buildings have been erected without the benefit of a build permit. A notice will be sent out to the owner to submit the appropriate permit application.

Freddie Pozzebon
Chief Building Official
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6A 5X6
705 541 7151
f.pozzebon@cityssm.on.ca

Pat Schinners

From: Marlene McKinnon <MMcKinnon@ssmrca.ca>
Sent: Tuesday, September 08, 2015 1:34 PM
To: Pat Schinners
Cc: Anjum Amin; Peter Tonazzo; Rhonda Bateman
Subject: SSMRCA Reponse - A-17-15-Z.OP - 592 Old Goulais Bay Road

September 8, 2015

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

Conservation Authority Comments:

Application # A-17-15-Z.OP
Cynthia and Terry Wright
592 Old Goulais Bay Road
Sault Ste. Marie

The subject property is located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

Any development on the subject property will require a site plan review and may require a permit from our office for the proposed development.

The subject property is under consideration of the Sault Ste. Marie Region Source Protection Plan and will require a review by the Risk Management Official as it is within the Significant Groundwater Recharge Area.

Sincerely,

M. A. McKinnon, CGS
GIS Specialist
Sault Ste. Marie Region Conservation Authority
1100 Fifth Line East
Sault Ste. Marie ON P6A 6J8
mmckinnon@ssmrca.ca
www.ssmrca.ca
Phone 705-946-8530
Fax 705-946-8533

Member of Canadian Institute of Geomatics

- 592 Old Cougars Bay Rd
- Wright Time Contracting
- Sept 10/2005 - Re-Zoning - Industrial

- We ARE A Direct Neighbor
- Hard to Enjoy our Property - Constant Traffic
- Some Days - 24 hrs A Day
- Many Different People/Business's
 - Wright Time Contracting
 - Hollies Motel
 - ThyssenKrupp Elevator
 - Transport to pick up vehicles - Repo Business
 - Random People - Storage Business.
- Extremely Large Equipment - Huge Ladders
"Craders"
- Diesel Trucks, Fork lifts, Trailers, Timbers, Excavators
- Some Equipment So Large - Smokes and House
- Can't Sleep without Hearing Back up Beepers
Trucks Coming & Going
- Dust clouds coming into our kids Play Area
- - Worried About our "well" (Drinking water)
 - I see them doing mechanical work / changing
Hydraulic Fluids - Using Big 5 gallon buckets
of "Fluid/oil" carried about contaminating to
the Ground/Drinking water.
- Worried About the De-valuation of my
property - Put Approx \$275,000.00 Mortgage on my
House - Will de-value my property and I would
be paying on a property not worth my
Mortgage Amount.

3. Also other People/Companies Dumping on His Property

- Does Demolition for the City at \$7.5/m²
- Then Burns Huge Piles of Debris in a Half Buried Commercial Garbage Bin
- Huge Fires - Thick Black Smoke.
- Many other Debris is Buried throughout his property. - Contaminated Soil?
- Worried About it He Sells - what other type of Business could Move in the area Residential Neighbourhood.
- Worried about Security to our Property
- So many people, vehicles, companies, workers coming and going up & down our property
- Terry's yard is very Narrow for what he is trying to do - Has Built many LARGE Storage Buildings on his property
- We, along with other neighbours have been planting trees to try and shade out his property - But the noise/dust/ fumes is too large/noisy. - Kids don't Enjoy their Back YARD.
- Worried about how large + noisy it is now - And he is not legal - To how much more louder + noisier he will be when he is legal.

Question - Allowing this Zoning From Residential ^{?!} to Industrial Has Never Been Allowed Before Right?

- To Allow this now would Send a Precedent and A Demolition/Construction Site could End up through out the ^{Page 127 of 215} Areas ???

He SAYS He IS going to Mention the
Following People/Businesses to Help His
Case

- myself - Algoma Dairy Distributor - 586 Old Century Bay Rd.
 - I Have A Small Home office where Myself And A Secretary Works From 3 days per week = 15 hrs.
 - I Pay For A Depot + 2nd office = 285-
 - I pay T-m's Trade Centre to park Car/bed 54.
 - All my Employees Besides Secretary Trucks Another Address - 285 Old Century 54! works from
- My Parents = 562 Old Century Bay Rd.
 - Because They Have Dogs + Breed Dogs ?? - its only dogs - call "Bark" Here + There?
- Chin Trucking - 559 - Old Century Bay Rd.
 - WAS Grandfathered in - may Have Special Rules or restrictions
- 744 Auto - 744 Old Century Bay Rd.
 - Now Closed up + Gone "Fire"
- Red STAR Electric - on 5th Line = 405 Always A Commercial Building + property
- H.E.T - Henry Equip Tech - 978 - Old Century Bay Rd.
 - Grandfathered In - ?

Peter Tonazzo

From: Brian Abernot [REDACTED]
Sent: Tuesday, September 08, 2015 4:26 PM
To: Peter Tonazzo
Cc: Steven Shoemaker
Subject: Planning App A-17-15-Z-OP 592 old Goulais Bay Road
Attachments: IMG_0001.jpg; IMG_0002.jpg; IMG_0003.jpg

I would also like to add , my concern about all of the washing of thier heavy Equipment,
Loader,diesel trucks,fork lifts,gradders etc etc
containmanteing the soil/ my drinking water.

Any questions, please contact me at any time

Thank you,

Brian + Kathryn Abernot
580 Old Goulais Bay Road

[REDACTED]
cell [REDACTED]
Home [REDACTED]

Peter Tonazzo

From: Winning Ways <[REDACTED]
Sent: Monday, September 14, 2015 2:20 PM
To: Peter Tonazzo
Cc: .0 LINDA ABERNOT; .0 KATHRYN jones; .0 Brian Abernot
Subject: Fw: My letter to Peter

REGARDING PLANNING APPLICATION A-17-15-Z-OP
Applicants, Cynthia & Terry Wright
392 OLD GOULAIIS BAY ROAD

TO: Peter Tonazzo, Planner:

My husband, Ernest L. Abernot and I, Linda Abernot, are totally against this rezoning request for the following reasons:

Contamination of the wells, ponds and water resevoirs in the area.

Debris is burned and buried, demolition materials from homes and building sites are trucked onto the subject property and are burned and buried. Often debris/building materials are bulldozed over and down the ravine. At the bottom of the raven is a creek; tributary of the Root River, I believe. Beyond the creek are two ponds; one on the subject property and one on my son's property, 580 Old Goulais Bay Road. My grandchildren spent hours viewing tadpoles, birds etc.

Many large industrial machines are serviced, washed, and transported to and from the property at all hours of the day and night on huge flat bed trailers pulled by huge transports. I have seen the washing of huge equipment many of them gathered together for that purpose, with hoses and water draining into the ground within 100' of my neighbours well.

We have lost sleep because of the noise of from trucks, trailers, heavy equipment, including 2 decker car hauler trailers. Repossessed vehicles are stored on the property and hauled to and from the property at all hours of the day and night. We can hear the back up beeping of various trucks and equipment from inside our home and in our yard; again at all hours of the day and night. Sunday, Sept. 13 there was a constant stream of trucks, trailers, haulers back and forth from the subject property beginning in early in the am and continuing all day and into the evening. Sunday is not a day of quiet rest for us. We have lost our right to quiet enjoyment of our property.

There are numerous large rusted metal storage sheds on the property that provide storage for a multitude of boats, etc. to the general public; again more traffic.

I believe it is not fair or right that people do not get proper zoning and permits for their commercial endeavours i.e. building demolition, car repo business, public storage business. My husband and I and the rest of Sault Ste. Marie will have to pay more than their fair share of taxes to make up for those people that do not get proper zoning and permits and are, therefore, taxed as rural when they are in fact commercial/industrial. This is unfair to commerical businesses that pay their taxes and

run their business in areas that permit such commercial activities. This is unfair competition for those businesses that have not gotten zoning and permits as required.

Our home and property will decrease in value dramatically if this zoning application is approved.

I would like to respectfully ask the Mayor and council who will be voting on this application the following:

'How would you like to have an industrial yard with activities as listed above move in beside your home and family'. Would you like to purchase a home beside a contractors yard who operates at all hours of the day and night, holidays and week ends and is contaminating the air, soil, city's water tables'

Ernest and Linda Abernot
568 Old Goulais Bay Road
Sault Ste. Marie, ON P6A 0B5



Peter Tonazzo

From: Winning Ways [REDACTED]
Sent: Monday, September 14, 2015 2:33 PM
To: Peter Tonazzo
Cc: .0 LINDA ABERNOT; .0 Brian Abernot
Subject: Further to

Forgot to mention - re application A-17-15-Z.OP

The subject property at approx 135' of frontage is too narrow to give any of the neighbours some distance from the noise, smoke, air pollution, vehicles. It would be impossible to provide any berms or buffer zones as a courtesy to the neighbouring properties.

Ernest L. Abernot and Linda Abernot

568 Old Goulais Bay Road
Sault Ste. Marie, ON P6A 0B5

Peter Tonazzo

From: BRIAN ABERNOT <babernot@shaw.ca>
Sent: Sunday, September 13, 2015 7:35 PM
To: Peter Tonazzo
Subject: RE: Planning App A-17-15-Z-OP 592 old Goulais Bay Road

Hello Peter

If it was ok , I wanted to send you some pictures we have regarding the equipment , noise , smells ,our view from next door I have to send it in a couple different emails if that's ok

There must be an inspection soon next door . There has been equipment /people cleaning up their yard all day (Sunday) We have seen a large trailer of culverts leave the property then they loaded up the trailer again by huge loader , old vehicles etc etc Also lots of yard clean up , grass cutting , So please note it does NOT always look like the way it does after today.









Thank you
Brian ,Kathryn Abernot

Cell (705)254-8837

[REDACTED]
[REDACTED]

Peter Tonazzo

From: BRIAN ABERNOT babernot@shaw.ca
Sent: Sunday, September 13, 2015 7:43 PM
To: Peter Tonazzo
Subject: RE: Planning App A-17-15-Z-OP 592 old Goulais Bay Road

Both pictures taken at the same time.
Usual morning of trucks with trailers and heavy equipment coming and going





Thank you
Brian and Kathryn Abernot
Cell (705) 254-8837
kabernot@shaw.ca

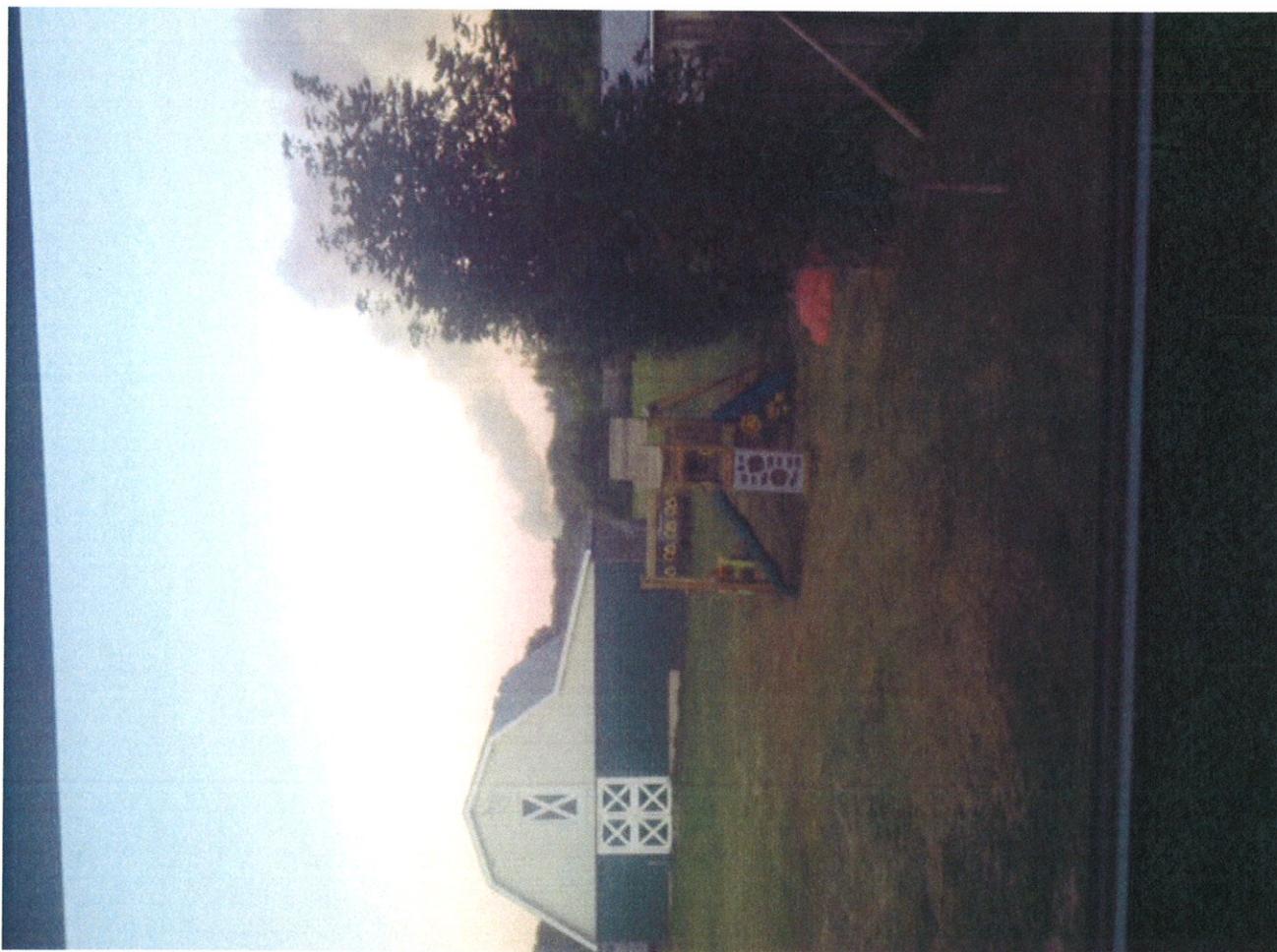
Peter Tonazzo

From: BRIAN ABERNOT <abernot@shaw.ca>
Sent: Sunday, September 13, 2015 8:00 PM
To: Peter Tonazzo
Subject: RE: Planning App A-17-15-Z-OP 592 old Goulais Bay Road

Please note the amount of smoke coming from This fire.
The first picture was taken from our bedroom window
It was much thicker smoke before this picture was taken
We thought there was a vehicle on fire at first,
But believe it was an enormous debris pile in a garbage bin that was sent a blaze.

Second picture is of the commercial garbage bin half buried in the ground in where all of the burning happens in
Second Picture was taken hours later after the huge fire

Also note this ,plus putting debris in large holes is extremely close to a natural creek, that runs through all of our back properties here and that flows into the root river I believe





Thank you
Brian and Kathryn Abernot
Cell (705)254-8837
aabernot@shaw.ca

Peter Tonazzo

From: Karen Donnelly [REDACTED]
Sent: Monday, September 21, 2015 11:32 AM
To: Peter Tonazzo
Subject: Wright application

Peter,

Thank you for speaking to me today with regards to my concerns about the application being put forth by Cynthia and Terry Wright. Though I understand their wish to legally operate a contractors yard where they currently reside - this is not the zoning on Old Goulais Bay Road. The need for zoning is made abundantly clear when someone wants to change what is currently a quiet residential area, into a "significant Contractor Yard" as described by you during our conversation. The inconvenience of this operation has had little impact on us - other than noise, oversized equipment moving slowly on the road, and my driveway being blocked one time while they were unloading equipment. But I fear the impact is more about what we cannot see, as the eco system in our area is very sensitive. Damage done to the earth - even minor damage - can take years to regenerate. Because we are on sand - any contaminant - be it intentional (i.e. the washing of vehicles) or unintentional (i.e.- an oil or gasoline spill) could result in permanent damage to the soil in the area. The other concern would be the leaching of these contaminants into the water system.

In closing - I would like to say thank you for the opportunity to express my concerns. I look forward to hearing the results of this application and hope that the City, in all good conscience, does not grant this application.

Regards,

Karen Donnelly

Peter Tonazzo

From: Brenda and Paul Kelly <[REDACTED]
Sent: Saturday, September 19, 2015 4:28 PM
To: Peter Tonazzo
Subject: 592 Old Goulais Bay Road

Reference: Application No.: A-17-15-Z.OP

Mr. Tonazzo:

Hi: My wife Brenda and myself live at 560 Old Goulais Bay Road, which is three homes from 592 Old Goulais Bay Road and on the same side of the road. We have never met Cynthia & Terry Wright or did we know about the activities that are happening on their property, since our lot does not go back as far. Linda Abernot gave us a picture what was going on and I am sure Mr Wright is doing things illegally and not taking his neighbours into consideration.

Brenda and I are both totally apposed to this application and suggest that frequent inspections should take place and if Mr. Wright is doing things illegally he should be charged. Food for thought; if Mr. Wright is successful in this application and is carrying on illegal activity presently, can you imagine what he would be up to if the application was approved. This area is a rural residential area and should stay that way. " If you give some people an inch they what a mile" We have lived on the Old Goulais Bay Road for 42 years and have seen a local trucker park 6 to 7 pieces of equipment on his property when there was a maximum of 4 machines allowed at the time of his successful application.

Could you please inform us if the application was turned down as we are very concerned.

Thank You: Paul & Brenda Kelly

APPLICATION NO.: A-17-15-Z-OP

592 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT - CONTRACTORS YARD

I, HELEN REGINA PARR am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use - approx 134' frontage

It will set a precedent for industrial uses in other rural areas of the city

Signed this day September 16/15 in Sault Ste. Marie, Ontario

Helen Regina Parr

SIGNATURE

552 Old Goulais Bay Road

ADDRESS

APPLICATION NO.: A-17-15-Z-OP

592 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT - CONTRACTORS YARD

I, Brenda Kelly am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage

It will set a precedent for industrial uses in other rural areas of the city

Signed this day 16/09/15 in Sault Ste. Marie, Ontario

Brenda Kelly 560 Old Goulais Bay

SIGNATURE

ADDRESS

APPLICATION NO.: A-17-15-Z-OP

392 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT - CONTRACTORS YARD

, Paul Kelly am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use - approx 134' frontage

Will set a precedent for industrial uses in other rural areas of the city

Signed this day 16/08/15 in Sault Ste. Marie, Ontario

Paul Kelly
SIGNATURE

360 Old Goulais Bay Rd.
ADDRESS

APPLICATION NO.: A-17-15-Z-OP

592 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT - CONTRACTORS YARD

I, Diane Lach am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage

It will set a precedent for industrial uses in other rural areas of the city

Signed this day 07/16/20 in Sault Ste. Marie, Ontario

Diane Lach

SIGNATURE

592 Old Goulais Bay Rd

ADDRESS

APPLICATION NO.: A-17-15-Z-DP

592 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT – CONTRACTORS YARD

I, Heather Perry, am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage

It will set a precedent for industrial uses in other rural areas of the city

Signed this day 16 Sept 2015 in Sault Ste. Marie, Ontario

HP

SIGNATURE

592 Old Goulais Bay Rd.
SSM, ON

ADDRESS

APPLICATION NO.: A-17-15-Z-OP

592 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT – CONTRACTORS YARD

I, Susan M. Allister am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage

It will set a precedent for industrial uses in other rural areas of the city

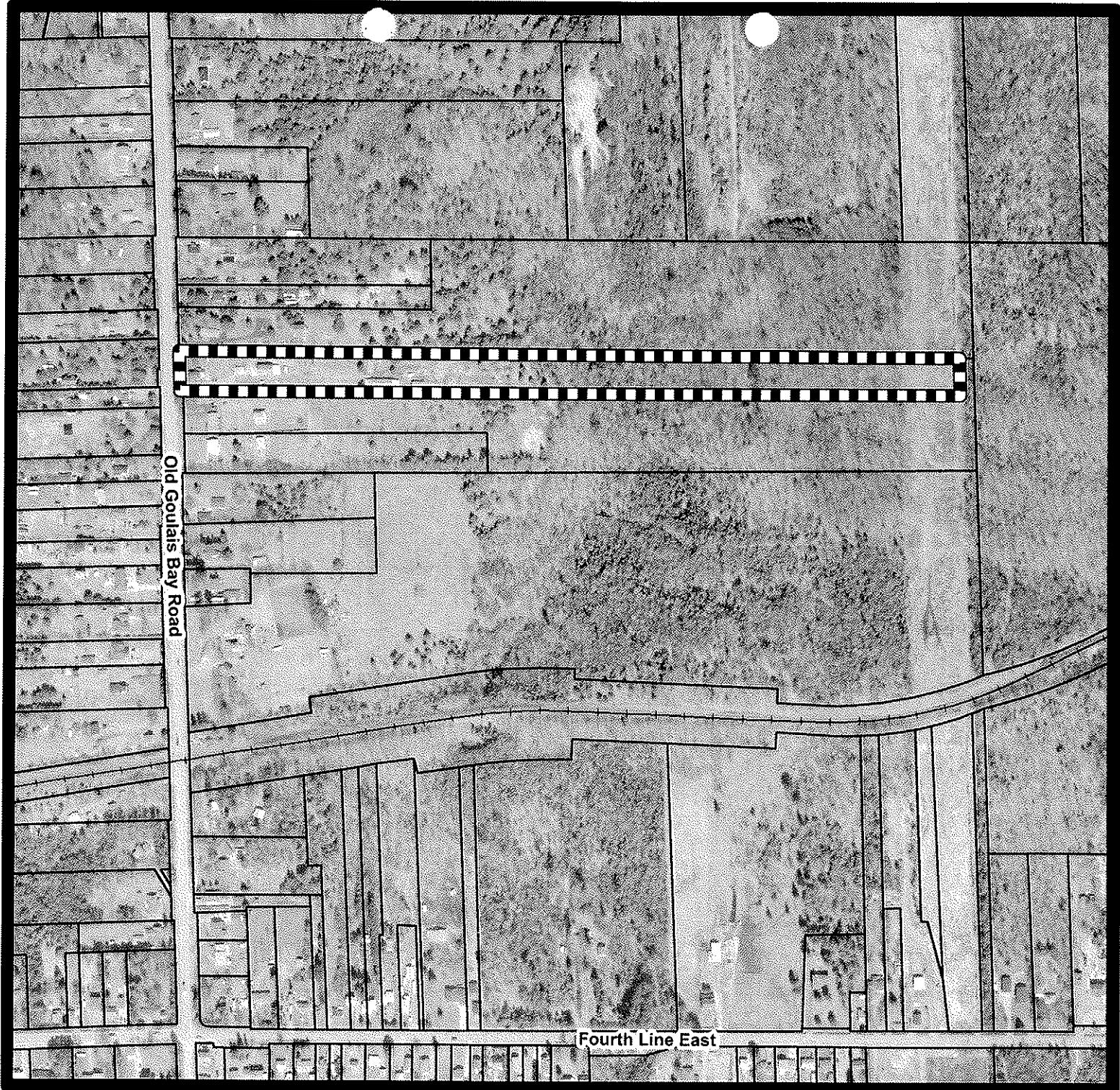
Signed this day Sept 7/15 in Sault Ste. Marie, Ontario

Susan M. Allister

SIGNATURE

1192 Old Goulais Rd

ADDRESS



2012 ORTHO PHOTO

592 OLD GOULAIS BAY ROAD

Planning Application: A-17-15-Z-OP



METRIC SCALE
1 : 5500

ROLL NUMBER
030-088-107-00

MIAL LABEL ID
A-17-15-Z

MAP NUMBERS
139 & 2-42

Legend



Subject Property = 592 Old Goulais Bay Road



SUBJECT PROPERTY MAP

592 OLD GOULAI'S BAY ROAD

Planning Application: A-17-15-Z-OP



METRIC SCALE
1 : 5500

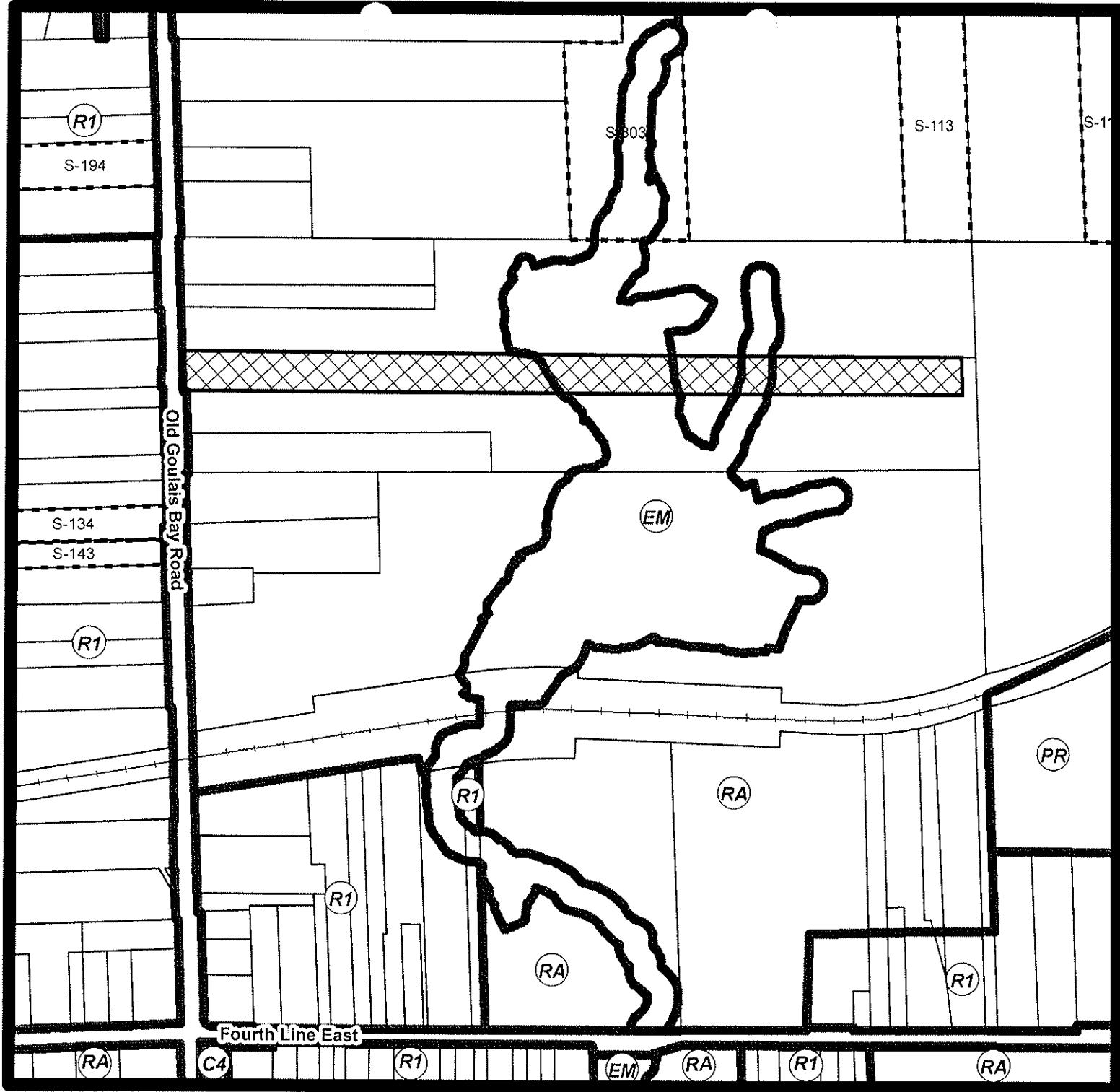
ROLL NUMBER
030-088-107-00

Legend



Subject Property = 592 Old Gorals Bay Road

**MAP NUMBERS
139 & 2-42**



EXISTING ZONING MAP

592 OLD GOULAIS BAY ROAD

Planning Application: A-17-15-Z-OP



METRIC SCALE
1 : 5500



Subject Property = 592 Old Goulais Bay Road



R1 - Estate Residential Zone



RA - Rural Area Zone



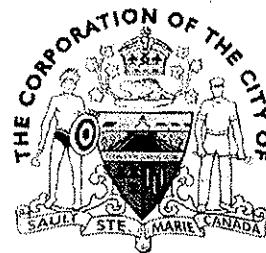
C4 - General Commercial Zone



PR



EM - Environmental Management Zone



REGULAR MEETING OF CITY COUNCIL ADDENDUM

Monday, September 28, 2015

4:30 p.m.

Council Chambers
Civic Centre

Pages

7.	REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES	
7.6	PLANNING	
7.6.1	A-17-15-Z.OP – 592 Old Goulais Bay Rd.	
7.6.1.1	<i>Additional correspondence</i>	2 - 32
11.	CONSIDERATION AND PASSING OF BY- LAWS	
11.1	By-laws before Council TO BE PASSED which do not require more than a simple majority	
11.1.16	<i>By-law 2015-167 (Resolution) Solar Photovoltaic</i>	33 - 34
	Mover Councillor J. Hupponen Seconder Councillor R. Niro	

Resolved that By-law 2015-167 being a by-law to authorize the execution of one (1) Municipal Council Confirmation Resolution to support the solar photovoltaic application being submitted to the Independent Electricity System Operator Feed-In-Tariff Program be passed in open Council this 28th day of September, 2015.



Sept 13, 2015

To Peter and Mary Kuuskman:

These are just some of our thoughts to what could be changed to make life simpler:

- Fence at Pole Barn Corner, to make it more appealing
- Door on both bays facing you
- Finish pole barn gables and roof
- Large Bay on Garage with Oil Pit OR No Heavy Equipment washing on site
- Excess trailers and trucks parked at back
- Back up beepers off in yard
- Fire Pit removed
- Remove bank of bricks and dirt
- Asphalt where needed
- Dust control on road

Terry and Cindy Wright



September 1, 2015

To Whom This May Concern:

Please be advised that Cynthia and Terry Wright of Wright Time Contracting have applied to re-zone our property from Rural Area Zone to Rural Area Zone with a Special Exception to continue to store and operate our business.

We are theoretically a storage facility. We have recognized garages do our service and repairs to any equipment. We do not bury buildings, scrape metals or vehicles in our yard. We do not dump any type of contaminants that might affect the soil or water supply.

Our Intention is to continue to operate this business and leave it to our sons, so why would we want to spoil the area.

We operate during the hours of 8 am – 5 pm and during the winter we are out of the yard by 11 pm and not back until after 7 am.

Do you have a problem with our commercial vehicles coming and going? Do you feel that we are devaluing your property?

If you have any concerns and issues, please contact me directly so that we might come to some kind of acceptable agreement.

705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

Signed:

Print:

Dated:

633 Old Goulais Bay Rd.

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.



September 1, 2015

To Whom This May Concern:

Please be advised that Cynthia and Terry Wright of Wright Time Contracting have applied to re-zone our property from Rural Area Zone to Rural Area Zone with a Special Exception to continue to store and operate our business.

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705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

Kevin Walls

Signed:

Kevin Walls

Print:

Sept 22 2015

Dated:

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.

663 Old Goulais Bay Rd.



September 1, 2015

To Whom This May Concern:

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705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

Signed:

TERESA NEVEU

Print:

Sept. 22/15

Dated:

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.

655 Old Goulais Bay Rd
Page 5 of 34
Page 156 of 215



September 1, 2015

To Whom This May Concern:

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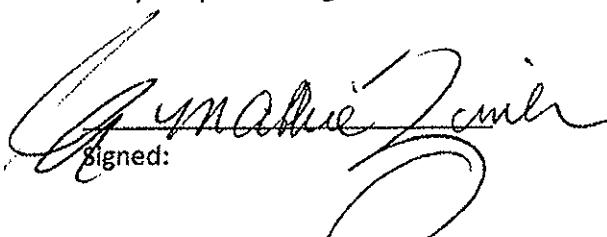
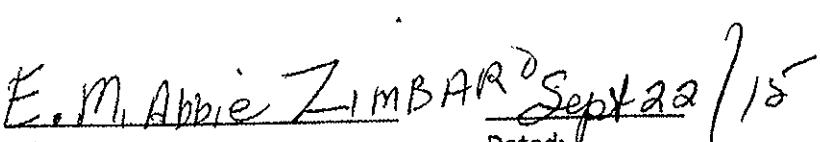
Do you have a problem with our commercial vehicles coming and going? Do you feel that we are devaluing your property?

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705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

 
Signed: Print: Dated:
E.M. Abbie LIMBAR Sept 22/15

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.

639 Old Goulais Bay Rd
Page 6 of 34
Page 157 of 215



September 1, 2015

To Whom This May Concern:

Please be advised that Cynthia and Terry Wright of Wright Time Contracting is being forced to re-zone our property to Industrial to continue to store our Commercial Vehicles.

We are theoretically a storage facility. We have recognized garages do our service and repairs to any equipment. We do not bury buildings, scrape metals or vehicles in our yard. We do not dump any type of contaminants that might affect the soil or water supply.

Our intention is to continue to operate this business and leave it to our sons, so why would we want to spoil the area.

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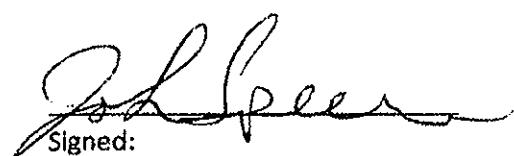
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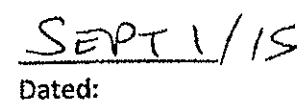
705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright


Signed:


Print:


Dated:

591 Old Goulais Bay Rd

Feel free to please come and
see what the ~~yard~~^{area} looks like



September 1, 2015

To Whom This May Concern:

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705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

Signed:

Print:

Rick Zimbalo

Sept. 1/15

644 Old Goulais Bay Rd

Feel free to please come and
see what the yard looks like



September 1, 2015

To Whom This May Concern:

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705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

Chris Furkey
Signed:

CHRIS FURKEY
Print:

Sept. 1/15
Dated:

618 Old Goulais Bay Rd

Feel free to please come and
see what the ^{Page 9 of 34} yard looks like

Pat Schinners

From: TERRY WRIGHT <terrywright@shaw.ca>
Sent: Monday, September 28, 2015 9:57 AM
To: Pat Schinners
Subject: Fwd: Terry Wright

Please forward to Peter.

Sent from my iPhone

Begin forwarded message:

From: ~~Front Store Manager GDI 1929~~ <terrywright@shaw.ca>
Date: September 28, 2015 at 8:02:24 AM EDT
To: terrywright@shaw.ca
Subject: Terry Wright

Hello Peter,

I am writing this letter to show my support for Terry Wright in his efforts to get a zoning change on his property to enable himself to properly run his business and earn a living. What has impressed me is how Terry has maintained excellent curb appeal of his property as a pleasant looking family dwelling. Terry is also a strong example of a good neighbor always volunteering a hand to a neighbor in need. As far as being a distraction with the coming and going of his equipment, I find that distraction to be non existent.

I also find it quite disappointing that a neighbor has taken it upon herself to discredit Terry in his endeavors, not to say she does not have that right but in the fact that her opinions expressed to myself are in my opinion at best inconsistent with the actual facts.

For these reasons it is my hope that the city finds it in the best interest to give Terry what he needs.

Regards,
Dave Ross
581 Old Goulais Bay Rd.



September 20/2015

Chris & Trish Furkey
618 Old Goulais Bay Road
Sault Ste Marie, Ontario
P6A 0B5
705-946-0845

Members of the City Council,

We are writing to you in regards to Terry & Cindy Wright's request for an amendment and rezoning of the property at:

592 Old Goulais Bay Road.

We have lived here for almost four years. We moved here to enjoy country living within the city and thoroughly enjoy our neighbours. We regularly walk through Terry & Cindy's backyard. We can visually see their yard from ours and can see what passes through. We have never seen burying of houses or vehicles or witnessed any other type of contaminants in their yard.

They seem to operate on an 8am-5pm schedule during the summer months. To us, they're very quiet and maintain a well kept yard.

The majority of the noise in our area comes from trains, heavy trucks travelling up and down the road, barking dogs and coyotes.

We would like to tell you why we did not sign Ernie & Linda Abernot's petition. (They don't even reside next door to 592)

We 100% agree that no one should be able to contaminate our environment. That said, Mrs. Abernot came onto our property aggressively wanting us to sign her petition and did not want to take "no" for an answer! The points on her petition are hearsay and unfounded contamination of area wells and city water. There was no proof. How could the city water supply be contaminated? She states that the creeks and ponds are contaminated on and close to subject property. Once again she provides no proof of anything and like we mentioned at the beginning we walk all behind our house and as far over as their property and see no evidence of anything even being disturbed. She said there's been changes made to the ravine. I have seen the fill she is talking about and it's not in the creek. Shouldn't a person

allowed to fill their land the way they want?

She claims devaluation of property values in the area. She did not introduce herself as a real estate agent or professional in the field. There again no proof.

She claims detrimental affect on the air quality in the area. Most vehicles run on gas, diesel & oil as do the many trains, dump trucks, transports, garbage trucks, recycle trucks, loaders, plow trucks etc. that frequent Old Goulais Bay Road on a daily basis. As for burning of debris we have never witnessed them burning anything that would be toxic to the environment.

She claims that the subject property is too narrow for this use. There must be some sort of bylaw that determines what is too narrow. Also if the property is too narrow for a contractor's yard, how could they bury "whole" houses? Furthermore the Wright's bill at the City Landfill must be quite a size and we're sure that's where he brings his "whole" houses.

It will set precedence for commercial uses in other rural areas in the city. Precedence has already been set on Old Goulais Bay Road with the many existing commercial businesses.

We feel that the Wright's proposal should be dealt with fairly and if successful with their proposal should adhere strictly to the guidelines of a contractor's yard.

Thank you,

Chris & Trish Furkey

[Redacted]



September 1, 2015

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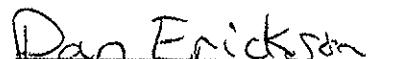
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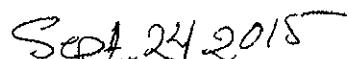
705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright


Signed:


Print:


Dated:

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.


671 Old Goulais Bay Rd



September 1, 2015

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705-254-8426 or terrywright@shaw.ca

Thank you for time and co-operation on this matter.

Terry & Cynthia Wright

Signed:

Print:

ED CAIN

24/09/15

Dated:

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.

559 Old Cougars Bay Rd



September 1, 2015

To Whom This May Concern:

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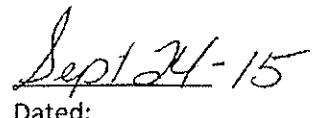
Terry & Cynthia Wright



Signed:



Print:


Sept 21-15

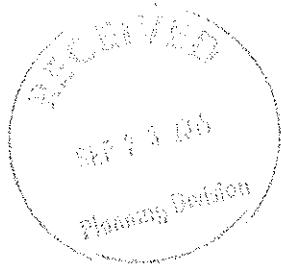
Dated:

PLEASE FEEL FREE TO COME AND SEE WHAT OUR YARD LOOKS LIKE.

679 Old Coulonge Bay Rd.

To the City of Sault Ste. Marie Council

September 22, 2015



Re: Rezoning Application A-17-15-Z.OP

We are the neighbours directly adjacent and north of Cynthia and Terry Wright. We have owned our home for over thirty years. Their contracting business has grown over the years from a small business with a couple of construction vehicles to a large business with multiple sub-businesses and innumerable pieces of large construction equipment.

We do not support the Wright's application to rezone their property from rural to industrial for the following reasons:

- Runoff from their equipment compromises the safety of the ground water due to oil changes and washing of commercial vehicles on the property. Many of us are on a well which could be contaminated by this. This contamination could effect the aquifer for city water.
- Refuse from demolition sites has been dumped at the crest of the hill at the back of the Wright's property. Runoff from this area flows directly into a small stream that flows into the Fort Creek Conservation area and then into the St. Mary's River.
- A significant amount of dust is disturbed by vehicles driving to the back of the Wright's property and then around their garage which is located directly across from our front door.
- We hear commercial vehicles driving in their yard at all hours and snow removal vehicles idling during the middle of the night.
- We have observed large fires at dusk and into the night with large plumes of black smoke. We can hear the crackle of the fire from inside our home and have observed flames that are higher than the tree line. We believe this is refuse from demolition projects that WTC (Wright Time Contracting) has been contracted to remove.
- From our front door, we can often see parked employee vehicles, many WTC trailers, piles of sand or gravel, construction vehicles, and unused commercial buckets and blades. These items are an eye sore which we believe effect the value of our property.
- The four large pole barns in the back yard are used as storage rentals. None of these buildings have been finished and are an eye sore. They are also very close to the property line on the north and south, and do not seem to comply with the building code. Further, two are located within two feet of our property line.

We did not have a problem when the Wright's started their small business at their home. However, the business has grown to such an extent that it is now a problem. We have listed

our concerns for the environment. We believe that if the Wright's rezoning application is approved, these problems will continue and possibly increase. Our property value will decrease living next to an industrial site. For these reasons, we do not support their rezoning application.

We hope that one of us will be able to attend the rezoning meeting, but we have a long standing family commitment for that evening. If one of us can attend, we are willing to speak to our concerns or answer any questions that may arise.

Mary and Peter Kuuskman

600 Old Goulais Bay Road

~~705-750-0050 or 705-741-0002~~

Pat Schinners, Administrative Assistant, p.schinners@cityssm.on.ca, to ensure that it gets put on Council's Agenda.

NOTE: Away until Monday Sept. 21st - Peter Tonazzo, MCIP, RPP Planner, SSM,

99 Foster Dr. Sault Ste. Marie, ON P6A 5X6, Tel: 705.759.2780 Fax: 705.541.7165 p.tonazzo@cityssm.on.ca

ALDERMAN: Marchy Bruni, 705-949-9187 (Home), 705-971-0029 (Mobile) m.bruni@cityssm.on.ca

ALDERMAN: Frank Fata, 705-942-6630 (Home and Fax) 705-989-4238 Mobile

I, Dolores Burns, am against approval of this application for the following reasons:

Contamination of area wells, city's water supply, and the creeks and ponds that are on and close to subject property due to (due to washing and maintaining of heavy industrial equipment on the subject property).

The carrying on landfill activities (burning and burying building/construction debris) without City of SSM's knowledge or permits

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's and Ministry knowledge, approval, and permit

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use of oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage; not wide enough to provide dust/noise protection for neighbours

It will set a precedent for industrial uses in other rural areas of the city

Signed this day Sept. 22, 2015 in Sault Ste. Marie, Ontario

Dolores Burns 628 Old Goulais Bay Rd

SIGNATURE

ADDRESS



Pat Schinners

From: Brian Abernot <[REDACTED]>
Sent: Wednesday, September 23, 2015 8:45 AM
To: Peter Tonazzo; Pat Schinners
Cc: Linda Abernot; Steven Shoemaker
Subject: Re: Question???

Hi Peter,

If you needed , I am 100% positive that there is debris piles buried on that property , just on top of the hill, just above where the creek is ,
I can give you exact measurements if you needed, I have seen the holes, un buried filled with debris.
If you need this info, just let me know,

Thank you,
Brian and Kathryn Abernot

----- Original Message -----

From: Peter Tonazzo
To: [yvonne@windsor.ca](#)
Cc: [.0 Brian Abernot](#) ; [.0 KATHRYN jones](#)
Sent: Tuesday, September 22, 2015 8:58 AM
Subject: RE: Question???

Hi Linda,

The building demolition business and snow ploughing business are all part and parcel of a contractor's yard. So to is storing, maintaining washing, etc... of heavy equipment. The burning/burying of debris is a whole other story. Please note that apart from some filling in the ravine, I am unable to confirm whether or not other things have been buried on-site. The Conservation Authority is looking further into this matter.

The report does not address the car repo or public storage businesses. Mr. Wright's application is for a contractors' yard.

If Mr. Wright's application is denied by Council, Building Division (by-law enforcement officer, Tyler Bertrand) will send Mr. Wright a letter with a date by which the contractor's yard must be completely removed from the site. This would include the removal of all heavy equipment. If he fails to comply, then the matter is brought to Provincial Offenses Court.

As well, we have confirmed that Mr. Wright did not get building permits for the 3 pole barns towards the back of the property, where much of this storage is occurring. Furthermore, they do not meet the required setbacks. He will also be asked to remove those buildings. Alternatively, he might apply to Council or the Committee of Adjustment for setback relief, we'll wait and see.

Regards,

Peter Tonazzo, MCIP, RPP
Planner
City of Sault Ste. Marie
99 Foster Dr.



Sault Ste. Marie, ON
P6A 5X6
Tel: 705.759.2780
Fax: 705.541.7165
p.tonazzo@cityssm.on.ca

From: Winning Ways [mailto:p.tonazzo@cityssm.on.ca]
Sent: Monday, September 21, 2015 5:02 PM
To: Peter Tonazzo
Cc: .0 LINDA ABERNOT; .0 Brian Abernot; .0 KATHRYN jones
Subject: Question???

Terry Wright's zoning application for his property does not mention or ask for permission to continue to operate the following businesses we have listed below; none of which are permitted under the 'Contractors Yard' definition and they are actively being conducted on subject property, some day and night.

Car repo business

2 tier vehicle haulers coming and going at all hours

Building demolition business and resulting landfill activities i.e. burning and burying of debris from this business; pushing debris that will not burn down the ravine at the rear of the property

Snow ploughing business which often is operating during night and early am hours

Storing, maintaining and washing of many heavy duty industrial machinery. I have seen washing of multiple heavy machines with hoses and the resulting water draining into the ground within 200' of their neighbours well

Public storage business on the property and inside several large metal storage buildings which increases traffic back and forth on the 134 foot strip of land

Is the planning department or another city department going to deal with the above issues after this zoning application has been voted on?

Please advise. Thank you.

Ernie and Linda Abernot

No virus found in this message.

Checked by AVG - www.avg.com

Version: 2015.0.6140 / Virus Database: 4431/10687 - Release Date: 09/23/15



September 27, 2015

REGARDING: REZONING APPLICATION NO.: A-17-15-Z.OP

APPLICANTS: CYNTHIA & TERRY WRIGHT

LOCATION OF PROPERTY: 592 OLD GOULAIIS BAY ROAD

COMMENTS RE WRIGHT CONTRACTING 'TO WHOM IT MAY CONCERN' LETTERS

We, the undersigned have read Mr. Wright's 'To Whom This May Concern' letter and have a few comments.

We have seen burning and burying of building materials, debris etc. There are building materials visible that have been bulldozed into the ravine at the rear of the property and we know there is much more buried, covered and no longer visible. There are letters and reports from neighbours.

I, Linda Abernot, was visiting in the yard directly south of Mr. Wright's property recently and I saw 4 or 5 huge industrial machines being washed with hoses and buckets. The run off water was draining into the sand/gravel within 100' of Brian and Kathryn Abernorts well. It was only just prior to city inspection that the industrial equipment/vehicles and stored culverts, building materials etc. etc. have been removed from the property.

I, Linda Abernot was woken up in the middle of the night not long ago by loud banging/crashing metal noises. I thought there had been an accident in front of our house. I got out of bed to see what was happening and there was a 2 tier car hauling trailer loading re-posse vehicles that were stored on Mr. Wright's property prior to his application. Many neighbours have noticed this huge trailer parked on the road and at least one neighbour mentioned the trailer has blocked their driveway. Car repo business is just one of many business ventures that Mr. Wright is engaged in.

In response to Mr. Wright's comment 'Do you feel that we are devaluing your property.' YES! None of the undersigned have ever heard of anyone wanting a construction yard beside them or close to them so that their property values will increase.

There has been no interruption in Mr. Wright's businesses with his equipment and materials move to Red Star on Fifth Line; this makes them zoning compliant and legal. This is a great solution for all concerned.

CA La

REGARDING: REZONING APPLICATION NO.: A-17-15-Z.OP - PAGE 2

Mr. Wright's statement that his snow ploughing business does not work from the hours of 11 pm to 7 am is incorrect. Ploughing is at the mercy of road and weather conditions. Trucks/ploughs etc. are driving in and out all night long; a snow ploughing business does not follow a clock; snow/road/weather conditions govern when the equipment comes and goes. i.e. closed roads, zero visibility, heavy near record snow falls which happen every winter

Below from Brian and Kathryn Abernot; their experience re snow removal:

The times Mr. Wright listed that he is open are not right at all. His snow plowing equipment runs all night. Wakes us up all winter long
Every hour throughout the night heavy equipment coming and going
No way they are out by 11 pm and back by 7 am. It's all night !!

Brian Abernot

Kathryn Abernot

Hildegard

Also, the 'Wright Contracting' 'To Whom This May Concern' letters do not specify if the people who have signed the bottom of the letter are for or against the re-zoning application. Perhaps, they have signed because they do have concerns and issues. It is very unclear.

The neighbours signing below agree with my comments and have experienced the same issues as Ernie and I have.

We the undersigned agree with the comments that are mentioned in the 2 page document re Application for Re-zoning - # A-17-15-Z.OP

Kathryn Abernot Hildegard 580 Old Goulais Bay Rd
Brian Abernot

Linda Abernot Ernest Abernot 580 Old Goulais Bay Rd

Ernie Abernot Linda Abernot 568 Old Goulais Bay Rd

Ernie Abernot Ernest Abernot 568 Old Goulais Bay Rd

Linda Lewis
310 Fifth Line East
Sault Ste. Marie, ON
P6A 5K8

Sept 25, 2015

Peter Tonazzo, Planner
Pat Schinners
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6

REFERENCE: Rezoning Application No A-17-15-Z OP
592 Old Goulais Bay Road - Cynthia & Terry Wright
Request to Amend Official Plan and Zoning Bylaw

I have received notification that a request to amend the official plan and zoning bylaw has been submitted and is scheduled to be addressed at Council on September 28, 2015. The subject property location is 592 Old Goulais Bay Road and your notice indicates the applicant is requesting an Official Plan Amendment and a Rezoning from "RA" (Rural Area) to "RA S" (Rural Area with Special Exception) to permit a contractor's yard in addition to the uses currently permitted.

Certain properties in the area between Fourth and Fifth Line have had considerable history with the City Council, Engineering & Planning Department and the neighbouring residents. Activity on this property and now this notice to amend the official plan raises questions and concerns. I find myself cautious and somewhat anxious regarding this request for yet another land usage and special zoning application in an area designated by the City to be Rural Residential. Past experience has demonstrated enforcement and policing of these "special" land usages is difficult at best and past owners of other "like" properties have been known to exceed/abuse their rights with regard to special zoning privileges and most have had little regard or respect for the agreement made between them, the City of Sault Ste. Marie and other property owners.

One concern is to understand what exactly is being requested under the term "contractor's yard" and what specifically this land usage will entail. Another concern is clearly stated in the "Notice of Application" which states "the applicants are seeking an Official Plan Amendment and Rezoning of the subject property to **legalize the existing contractor's yard**". This is definitely a "red flag" to me and if my information is correct, unauthorized changes have been made to the natural ravine. I also understand unsuitable materials may have been disposed of on the property. This indicates a lack of respect for the law and the environment. What measures are in place with regard to storage and disposal of oils/fuels/tires and other construction by-products necessary for the current usage?

The character of the area is predominantly Rural Residential. While there are nonresident uses in the area, the majority are primarily related to the aggregate deposits (sand and gravel). A distinction can be made between the nature of the extractive industrial uses and the industrial uses being proposed in this application. Over time the natural resources will be depleted and the

lands may be rehabilitated for use permitted in the Rural Area designation that is compatible with other permitted uses. The industrial use properties will inevitably have had an adverse impact on abutting residential land uses which are not consistent with the intent of the Official Plan. Examples of the impact the previous proposed land usages includes increased traffic, noise, lowered residential property values, etc.

A further concern of mine is based on the fact that the subject property is within an environmentally sensitive area identified as Ground Water Recharge on Schedule "B" of the Official Plan. The policies of the plan are quite restrictive with respect to land-use controls and should be considered in regard to this application. As experienced in the past, land usages often go unmonitored as evidence on one property where the owners installed underground fuel storage tanks.

As a result of past issues regarding land usages in the rural residential area between Fourth and Fifth Lines, I would caution reluctance in agreeing to this re-zoning application without some further explanation and understanding with regard to the exact operation being undertaken by the owners both currently and in the future.

Thank you for your consideration of this letter.

Linda Lewis
310 Fifth Line East
Sault Ste. Marie

REZONING APPLICATION NO.: A-17-15-Z-OP CYNTHIA & TERRY WRIGHT – CONTRACTORS YARD

Persons to contact re comments and concerns:

Pet Schinners, Administrative Assistant, p.schinners@cityssm.on.ca, to ensure that it gets put on Council's Agenda

NOTE: Away until Monday Sept. 21st. Peter Tonazzo, MCIP, RPP Planner, SSM,

90 Foster Dr. Sault Ste. Marie, ON P6A 5X6, Tel: 705 759 2780 Fax: 705 541 7165 p.tonazzo@cityssm.on.ca

ALDERMAN: Marchy Bruni, 705-949-9187 (Home), 705-921-0029 (Mobile) m.bruni@cityssm.on.ca

ALDERMAN: Frank Fata, 705-942-6630 (Home and Fax) 705-989-4238 Mobile

I, Mrs. WILHELMED Noel, am against approval of this application for the following reasons:

Contamination of area wells, city's water supply, and the creeks and ponds that are on and close to subject property due to (due to washing and maintaining of heavy industrial equipment on the subject property).

The carrying on landfill activities (burning and burying building/construction debris) without City of SSM's knowledge or permits

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's and Ministry knowledge, approval, and permit

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use of oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage; not wide enough to provide dust/noise protection for neighbours

It will set a precedent for industrial uses in other rural areas of the city

Signed this day Sept 26th in Sault Ste. Marie, Ontario

Theresa W. MacL 563 Old Huron Rd

SIGNATURE

ADDRESS

APPLICATION NO.: A-17-15-Z-OP

592 OLD GOULAIIS BAY ROAD

CYNTHIA & TERRY WRIGHT - CONTRACTORS YARD

I, Andy Hoopalainey am against approval of this application for the following reasons:

Contamination of area wells and city water supply

Contamination of creek and ponds on and close to subject property

The carrying on illegal landfill activities (burning and burying building/construction debris)

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's knowledge and approval

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use off oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use - approx 134' frontage

It will set a precedent for industrial uses in other rural areas of the city

Signed this day Sept 26 - 15 in Sault Ste. Marie, Ontario

C. Hoopalainey

SIGNATURE

527 Old Goulaie Bay Rd.

ADDRESS

Pat Schinners, Administrative Assistant, p.schinners@cityssm.on.ca, to ensure that it gets put on Council's Agenda.

NOTE: Away until Monday Sept. 21st - Peter Tonazzo, MCIP, RPP Planner, SSM,

99 Foster Dr. Sault Ste. Marie, ON P6A 5X6, Tel: 705 759.2780 Fax: 705.541.7166 p.tonazzo@cityssm.on.ca

ALDERMAN: Marchy Bruni, 705-949-9187 (Home), 705-971-0029 (Mobile) m.bruni@cityssm.on.ca

ALDERMAN: Frank Fata, 705-942-6630 (Home and Fax) 705-989-4238 Mobile

APA-17-157.06

JERRY FREIMAN

I, Nancy Freeman, am against approval of this application for the following reasons:

Contamination of area wells, city's water supply, and the creeks and ponds that are on and close to subject property due to (due to washing and maintaining of heavy industrial equipment on the subject property).

The carrying on landfill activities (burning and burying building/construction debris) without City of SSM's knowledge or permits

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's and Ministry knowledge, approval, and permit

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Detrimental affect on air quality in the area due to exhaust fumes, use of oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage; not wide enough to provide dust/noise protection for neighbours

It will set a precedent for industrial uses in other rural areas of the city

Signed this day Sept 26/15 in Sault Ste. Marie, Ontario

J. Freeman 555 old Gaultis Bay Rd.

Nancy Freeman

555 old Gaultis Bay Rd

SIGNATURE

ADDRESS

REZONING APPLICATION NO.: A-17-15-Z-OP CYNTHIA & TERRY WRIGHT - CONTRACTORS YARD

Persons to contact re comments and concerns:

Pat Schinners, Administrative Assistant, p.schinners@cityssm.on.ca, to ensure that it gets put on Council's Agenda

NOTE: Away until Monday Sept 21st - Peter Tonazzo, MCIP, RPP Planner, SSM,

99 Foster Dr. Sault Ste. Marie, ON P6A 5X6, Tel 705 759 2780 Fax 705 541 7165 p.tonazzo@cityssm.on.ca

ALDERMAN: Marchy Bruni, 705-949-9187 (Home), 705-971-0029 (Mobile) m.bruni@cityssm.on.ca

ALDERMAN: Frank Fata, 705-942-6630 (Home and Fax) 705-989-4238 Mobile

I, Jessica Mitchell, am against approval of this application for the following reasons:

Contamination of area wells, city's water supply, and the creeks and ponds that are on and close to subject property due to (due to washing and maintaining of heavy industrial equipment on the subject property).

The carrying on landfill activities (burning and burying building/construction debris) without City of SSM's knowledge or permits

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's and Ministry knowledge, approval, and permit

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use of oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use – approx 134' frontage; not wide enough to provide dust/noise protection for neighbours

It will set a precedent for industrial uses in other rural areas of the city

Signed this day September 4, 2015 in Sault Ste. Marie, Ontario

Jessica Mitchell Mitchell

SIGNATURE

ADDRESS

REZONING APPLICATION NO.: A-17-15-Z-OP CYNTHIA & TERRY WRIGHT – CONTRACTORS YARD

Persons to contact re comments and concerns:

Pat Schinners, Administrative Assistant, p.schinners@cityssm.on.ca, to ensure that it gets put on Council's Agenda.

NOTE: Away until Monday Sept 21st - Peter Tonazzo, MCIP, RPP Planner, SSM,

99 Foster Dr. Sault Ste. Marie, ON P6A 5X6 Tel: 705 759 2780 Fax: 705 541 7166 p.tonazzo@cityssm.on.ca

ALDERMAN: Marchy Bruni, 705-949-9187 (Home), 705-971-0029 (Mobile) m.bruni@cityssm.on.ca

ALDERMAN: Frank Fata, 705-942-6630 (Home and Fax) 705-989-4238 Mobile

I, Jim Galloway, am against approval of this application for the following reasons:

Contamination of area wells, city's water supply, and the creeks and ponds that are on and close to subject property due to (due to washing and maintaining of heavy industrial equipment on the subject property).

The carrying on landfill activities (burning and burying building/construction debris) without City of SSM's knowledge or permits

Changes being made to natural ravine (filling in with cement, bricks and other building material close to the creek (Root River tributary) without city's and Ministry knowledge, approval, and permit

Devaluation of property values in the area

Detrimental affect on air quality in the area due to exhaust fumes, use of oil and gasoline for heavy equipment, burning of debris

Subject property is too narrow for this use - approx 134' frontage; not wide enough to provide dust/noise protection for neighbours

It will set a precedent for industrial uses in other rural areas of the city

Signed this day Sept 23, 2015 in Sault Ste. Marie, Ontario

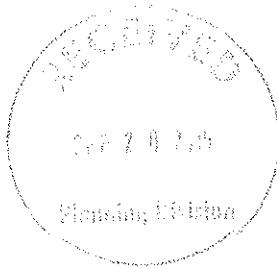
Jim Galloway 456 Old Sault Ste. Marie Rd.
Mrs. Galloway 456 Old Sault Ste. Marie Rd.

SIGNATURE

ADDRESS

Pat Schinners

From: BRIAN ABERNOT <brian.abernot@cityssm.on.ca>
Sent: Friday, September 25, 2015 5:12 PM
To: Peter Tonazzo; Malcolm White
Cc: Pat Schinners
Subject: Fwd: RE APPLICATION # A-17-15-Z.OP



----- Original Message -----

From: Brian Abernot
To: m.bruni@cityssm.on.ca ; f.fata@cityssm.on.ca
Cc: [Pat Schinners](#)
Sent: Thursday, September 24, 2015 10:10 PM
Subject: RE APPLICATION # A-17-15-Z.OP

Hello,

My wife and I (Brian and Kathryn Abernot) are writing you in response to a rezoning of a rural property to Industrial of # 592 Old Goulais bay Road. (Cindy and Terry Wright) We are a direct neighbour of Cindy and Terry Wright. We Live at # 580 Old Goulais Bay Road.

We would like to share our views on this situation.

We feel like we are living next to a 24hr construction site that never ends. There is heavy equipment coming and going , most times 24 hrs a day.

Along with the Wright time contracting/demolition/snow plowing business which is very large, there are many other business's that come and go constantly from this property. There is a repo car business where transports come and block off the street to load up repossessed cars, public storage business where people come and go freely, other business's that have rented space on the property such as "Hallow Metal" "Thyssenkrupp Elevator" in which they come and go on a regular basis

Worried about our security with so many unknown people walking /dumping garbage so close to our property lines/creek.

Lots of burning in a commercial dumpster , huge piles of debris (demolition houses) very close to creek that runs into the root river.

My kids can not play outside with the constant dust clouds coming over from all of the heavy machines coming and going, let alone all of the noise from the huge diesel engines, constant back up beepers (day and night),the large number of trailers getting pulled in and out of the property, all of the snow plowing vehicles , fork lifts, excavators,track hoes , grader machine , diesel trucks, etc etc etc

and when the snow comes , the property gets flooded with even more equipment rented for the snow plowing business, re:huge diesel loaders etc..

Our house/land actually shakes/vibration when ever they driver their huge equipment up and down their driveway.

Also, worried how much worse it will get once they are actually legal , or what other industrial business may move in if they move out.

We feel that this type of a business should be kept and ran out of certain areas of the city where it is zoned industrial or zoned for a contractors yard/business as large as the one in question.

I also own a commercial business being (Algoma Dairy Distributor Inc) in where it would be very convenient and cheaper for me to park all of my transports and straight trucks with all of its refrigeration equipment here on my property, but I understand this is a rural area , that I would have an unfair advantage against my competitor along with upsetting the neighbours.

So I pay for parking at TMS truck centre for my trucks, and I pay for a depot at 285 Wilson Street where my trucks can load during the night, in a industrial area and I feel anyone else with an industrial business should do the same.

This would also send a message to all industrial companies that they can rezone rural properties to industrial.?

We are concerned about our well water as we watch them next door filling their machines up with oil from 5 gallon buckets , and constantly washing all the grease,oil and fuels off their equipment , feet away from my well. We are all on sand here so and oils or fuels will go straight down into my families drinking water.

We bought this house approximately 11 years ago and there was no such activity at this property next door, or we would of not bought this house.
We feel if this rezoning goes through, that our property value will decrease significantly, below my mortgage amount and this is a major concern of ours.

Also please note that this property was just very recently completely cleaned up. So many vehicles , trailers , garbage, debris piles have left the property. Holes that where dug to burry debris where covered over , all for this inspection. Please note , or look at satellite images that this property usually does not look the way it does right now , as it was cleaned up significantly for this inspection

My wife and I , as well as many other neighbours do NOT want to see this property in our neighbourhood rezoned for industrial use or for a "contractors Yard" , as it is much more then a contractors yard.

Please vote NO for the rezoning of this property.(APPLICATION # A-17-15-Z.QP)

Please put for put your self in my shoes , you and your family would NOT want this type of business to just move in beside your house and then be approved by the city and made legal.

If you have any questions, or would like to talk , or see pictures or some videos , please contact me at anytime.

[REDACTED]
[REDACTED]
[REDACTED]

Thank you for your time, !
Brian and Kathryn Abernot
580 Old Goulais Bay Road

Peter Tonazzo

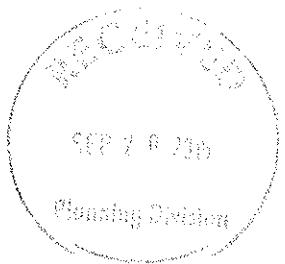
From: TERRY WRIGHT <terrywright@shaw.ca>
Sent: Monday, September 28, 2015 1:51 PM
To: Peter Tonazzo
Subject: Re: zoning meeting

Hi Peter,

Please defer our meeting until Oct 26, 2015.

Terry Wright

Sent from my iPhone



Peter Tonazzo

Subject: FW: Wright Time Contracting

From: John Corboy [REDACTED]
Sent: September 29, 2015 11:58 AM
To: Terry Sheehan; Susan Myers
Subject: Wright Time Contracting

I reside at 2-1632 Wellington Street East, Sault Ste. Marie, ON.

I read this on Soo Today in regards to Wright Time Contracting: "Any chemical or fuel spill there could quickly contaminate an aquifer that provides 50 percent of the city's drinking water, Tonazzo says." and immediately became concerned.

Do we seriously, as a community, have to wait for this to be discussed further? I understand the importance of debate/negotiation, however, when the safety of our drinking water and our community is at risk, are there no other options?

I am requesting this matter be resolved prior to the next council meeting, in a timely fashion, to ensure the safety and well-being of all members of the community.

To me, even a 1% chance, that a spill could contaminate 50% of our city's water supply, is enough to warrant an immediate response.

Thank you for serving our community,

Sincerely,

John Corboy

Linda Lewis
310 Fifth Line East
Sault Ste. Marie, ON
P6A 5K8

Sept 25, 2015

Peter Tonazzo, Planner
Pat Schinners
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6



REFERENCE: Rezoning Application No A-17-15-Z.OP
592 Old Goulais Bay Road – Cynthia & Terry Wright
Request to Amend Official Plan and Zoning Bylaw

I have received notification that a request to amend the official plan and zoning bylaw has been submitted and is scheduled to be addressed at Council on September 28, 2015. The subject property location is 592 Old Goulais Bay Road and your notice indicates the applicant is requesting an Official Plan Amendment and a Rezoning from “RA” (Rural Area) to “RA.S” (Rural Area with Special Exception) to permit a contractor’s yard in addition to the uses currently permitted.

Certain properties in the area between Fourth and Fifth Line have had considerable history with the City Council, Engineering & Planning Department and the neighbouring residents. Activity on this property and now this notice to amend the official plan raises questions and concerns. I find myself cautious and somewhat anxious regarding this request for yet another land usage and special zoning application in an area designated by the City to be Rural Residential. Past experience has demonstrated enforcement and policing of these “special” land usages is difficult at best and past owners of other “like” properties have been known to exceed/abuse their rights with regard to special zoning privileges and most have had little regard or respect for the agreement made between them, the City of Sault Ste. Marie and other property owners.

One concern is to understand what exactly is being requested under the term “contractor’s yard” and what specifically this land usage will entail. Another concern is clearly stated in the “Notice of Application” which states “the applicants are seeing an Official Plan Amendment and Rezoning of the subject property to **legalize the existing contractor’s yard**”. This is definitely a “red flag” to me and if my information is correct, unauthorized changes have been made to the natural ravine. I also understand unsuitable materials may have been disposed of on the property. This indicates a lack of respect for the law and the environment. What measures are in place with regard to storage and disposal of oils/fuels/tires and other construction bi-products necessary for the current usage?

The character of the area is predominantly Rural Residential. While there are nonresident uses in the area, the majority are primarily related to the aggregate deposits (sand and gravel). A distinction can be made between the nature of the extractive industrial uses and the industrial uses being proposed in this application. Over time the natural resources will be depleted and the

lands may be rehabilitated for use permitted in the Rural Area designation that is compatible with other permitted uses. The industrial use properties will inevitably have had an adverse impact on abutting residential land uses which are not consistent with the intent of the Official Plan. Examples of the impact the previous proposed land usages includes increased traffic, noise, lowered residential property values, etc.

A further concern of mine is based on the fact that the subject property is within an environmentally sensitive area identified as Ground Water Recharge on Schedule "B" of the Official Plan. The policies of the plan are quite restrictive with respect to land-use controls and should be considered in regard to this application. As experienced in the past, land usages often go unmonitored as evidence on one property where the owners installed underground fuel storage tanks.

As a result of past issues regarding land usages in the rural residential area between Fourth and Fifth Lines, I would caution reluctance in agreeing to this re-zoning application without some further explanation and understanding with regard to the exact operation being undertaken by the owners both currently and in the future.

Thank you for your consideration of this letter.



Linda Lewis
310 Fifth Line East
Sault Ste. Marie



COUNCIL REPORT

October 26, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Steve Turco, MCIP, RPP, Planner
DEPARTMENT: Engineering and Planning Department
RE: A-19-15-Z – 503 Trunk Road

PURPOSE

In January 2013, City Council approved a temporary three (3) year zoning to allow the property, located at 503 Trunk Road to be used as a Greyhound bus depot. The applicant is now seeking a permanent zoning to allow the bus depot to remain at this location indefinitely. Staff supports this application and recommends approval.

PROPOSED CHANGE

The applicant Sam Kassam is seeking to rezone the subject property from "C4.S-219" (General Commercial with a Special Exception), to "C4.S-219" (General Commercial with a Special Exception) adding a bus depot, taxi and limousine service and a public transportation yard as an additional permitted use, with no part of the use occurring within 55 metres of the nearest residentially zoned property.

Subject Property:

- Location – Plan H724 Lot 11, Lot 12 RCP, Plan H517, Lot 12 to 15. Civic No. 503 Trunk Road
- Size – 148 metres (485.6') frontage; 150 metres (492.1') depth; 1.56 hectares (3.87 acres) irregular shape parcel
- Present Use – Hotel & Greyhound Canada bus depot
- Owner – Sugarland Logging Inc.

BACKGROUND

For several years, the Greyhound Bus terminal was located downtown on Brock Street. However, the site was too small for the efficient operation of the terminal, and there was a lack of parking for pick up and drop off of passengers. In 2012, the applicant, on behalf of Greyhound Canada, applied to rezone the subject

property to facilitate the relocation of the Greyhound Bus terminal. Council approved the application, but on a temporary basis. The applicant is now seeking a permanent rezoning to allow the Greyhound operation.

ANALYSIS

Conformity with the Official Plan

The frontage of the subject property is designated Commercial on Schedule “C” of the Official Plan. The rear portion of the property, which backs onto Silver Birch Drive, is designated Residential. All of the Greyhound Canada operations are proposed for the front of the property. To ensure consistency with the Official Plan designation, it is recommended that proposed zoning by-law prohibit any of the bus operation to occur in the rear of the property.

Trunk Road is considered a connecting link highway. The Official Plan highlights that new land uses adjacent to these highways should be limited to those uses which serve the travelling public or cannot be readily accommodated in the Downtown area. Given Greyhound Canada’s role as a transportation provider, the proposed use is consistent with the Commercial policies of the Official Plan.

Greyhound Canada has located in the formerly vacant restaurant area of the hotel. The establishment of a Greyhound Canada depot at this location repurposed this vacant portion of the building, a course of action supported by the Commercial policies of the Official Plan.

Comments

For Greyhound Canada to continue to use the subject property, a rezoning is required, replacing the temporary zoning, with a permanent, special exception zoning to permit transportation type uses (bus depot, taxi and limousine service and a public transportation yard).

Planning staff are supportive of this request, as the subject property is located on Trunk Road, a connecting link highway within the community and re-uses formerly vacant commercial space. In addition, the operation will occur completely within the frontage of the site, which has ample room for parking, bus queuing, and provides appropriate access and egress for bus movements.

Silver Birch Drive is a residential street with a number of dwelling units. To ensure that there is no potential conflict between the proposed use and the existing residences on Silver Birch Drive it is recommended that no part of the bus depot operation (i.e. bus parking, queuing, customer parking, pick-up, etc.) occur at the rear of the property.

When Council approved the temporary zoning, it was recommended that the transportation type uses requested not occur within 55 metres (180') from any residentially zoned property. Staff is recommending that this requirement be

carried forward in the new special exception zoning. This will limit any transportation type uses to the Trunk Road side of the building.

Consultation

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

- See attached letters – Building Division, Accessibility Advisory Committee, Conservation Authority
- No objections/comments – Municipal Heritage Committee, PUC Services Inc., PWT, EDC, Engineering & Construction Division

Building Division has commented that should the freight area or other areas inside the building expand to accommodate the Greyhound Bus depot, building permits will be required. The Sault Ste. Marie Region Conservation Authority has indicated that because the site is within Wellhead Protection Areas C and D (5 and 25 Year Capture Zone), the operation will require a review of the Risk Management Official.

Staff did receive a phone call from one neighbour concerned about the operation of the Greyhound bus depot. The neighbour indicated that some travellers loiter in behind the hotel and sometimes along Silver Birch Drive.

IMPACT

There are no fiscal impacts anticipated from this proposal.

STRATEGIC PLAN

Approval of this application is not associated with the vision, mission or directions of the City's Strategic Plan.

SUMMARY

City Council approved a temporary three (3) year zoning to allow the property to be used as a Greyhound bus depot. The applicant is now seeking a permanent zoning to allow the bus depot to remain indefinitely.

To facilitate this request, the applicant seeking to rezone the subject property from "C4.S-219" (General Commercial with a Special Exception), to "C4.S-219" (General Commercial with a Special Exception) adding a bus depot, taxi and limousine service and a public transportation yard as an additional permitted use, with no part of the use occurring within 55 metres of the nearest residentially zoned property.

Staff is supportive of this request as the subject property is located on Trunk Road, a connecting link highway within the community and re-uses formerly vacant commercial space. In addition, the operation will occur completely within

the frontage of the site, which has ample room for parking, bus queuing, and provides appropriate access and egress for bus movements.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Planning Division, dated October 26, 2015, be accepted and that Council approve rezoning the subject property from "C4.S-219" (General Commercial with a Special Exception), to "C4.S-219" (General Commercial with a Special Exception) adding a bus depot, taxi and limousine service and a public transportation yard as an additional permitted use, subject to the following:

1. That no part of the bus depot, taxi and limousine service, and public transportation yard use occur within 55 metres of the nearest residentially zoned property.

Respectfully submitted,



Steve Turco, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

ST:ps

Attachment(s)

Pat Schinners

From: Freddie Pozzebon
Sent: Monday, October 05, 2015 10:40 AM
To: Don McConnell
Cc: Pat Schinners
Subject: Re-Zoning 503 Trunk Road A-19015-Z

Re: 503 Trunk Road / application A-19-15-Z

No objections to the re-zoning application mention above.

A building permit application will be required if the freight area or other areas with-in the building are being expanded to accommodate additional services for the Greyhound Bus Depot.

Freddie Pozzebon
Chief Building Official
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6A 5X6
705 541 7151
f.pozzebon@cityssm.on.ca



Date:

Don McConnell, Planning Director
Ron MacDonald, Senior Planning Technician
City Planning & Engineering Division

SUBJECT: Zoning REVIEW NO: A-19-15-Z Amend Zoning By-Law

**Address: 503 Trunk Road Hotel and Bus Depot expansion
toAdditional uses for Road Transportation uses (Bus depots, Taxi
and limousin yard, and public transportation yards within the front
yard only.)**

Dear Mr. McConnell, Mr. MacDonald

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

Remarks/Questions: This appears to already be in operation and we presume that all the appropriate checks and licenses were in place when this enterprise began.

1. According to Zoning Bylaw:

- ◆ **Parking available for accessibility needs and entry.**

2. Questions if any? No

3. Site Plan required

- ◆ No.

Sincerely,

Ann Marie McPhee
Chair, Site Plan Sub Committee,
Accessibility Advisory Committee

Pat Schinners

From: Marlene McKinnon <MMcKinnon@ssmrca.ca>
Sent: Friday, September 25, 2015 10:53 AM
To: Pat Schinners
Cc: Anjum Amin
Subject: SSMRCA Reponse - A-19-15-Z - 503 Trunk Road

September 25, 2015

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

Conservation Authority Comments:

Application # A-19-15-Z
Sam Kassam
503 Trunk Road
Sault Ste. Marie

The subject property is not located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

The subject property is under consideration of the Sault Ste. Marie Region Source Protection Plan and will require a review by a Risk Management Official as it is within the WHPA C and D (5 and 25 Year Capture Zone).

Sincerely,

M. A. McKinnon, CGS
GIS Specialist
Sault Ste. Marie Region Conservation Authority
1100 Fifth Line East
Sault Ste. Marie ON P6A 6J8
mmckinnon@ssmrca.ca
www.ssmrca.ca
Phone 705-946-8530
Fax 705-946-8533

Member of Canadian Institute of Geomatics

c.c. Anjum Amin, RMI



Subject Property - 503 Trunk Road

503 Trunk Road

Planning Application: A-19-15-Z



Subject Parcel - 503 Trunk Road

Page 194 of 215

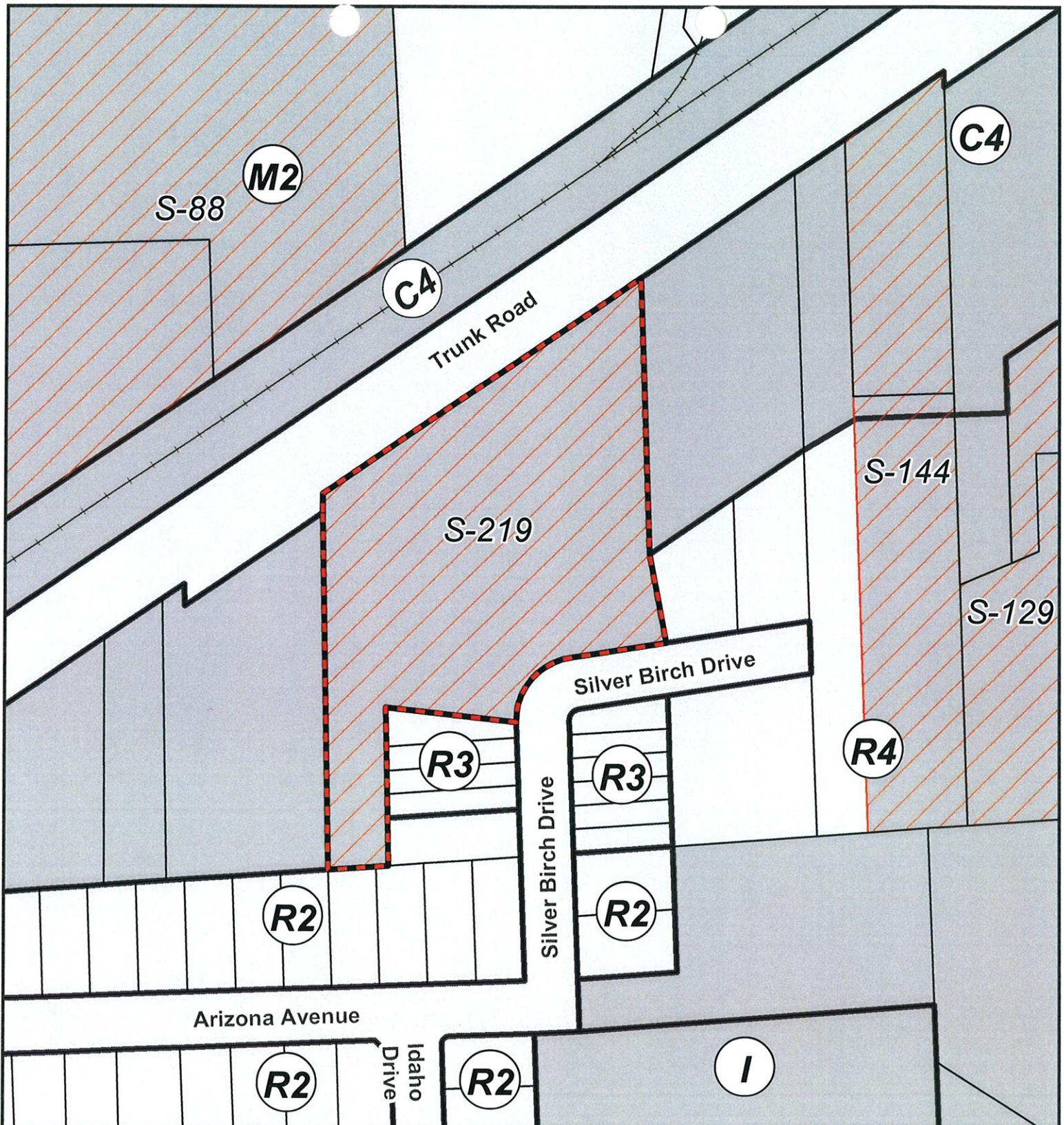
ROLL NUMBER
010-018-032-00-0000

MAIL LABEL ID
A-19-15-Z

MAP NUMBERS
31 & 1-34



METRIC SCALE
1:2,000



Existing Zoning

503 Trunk Road

Planning Application: A-19-15-Z



Subject Parcel - 503 Trunk Road



C4 - General Commercial Zone



M2 - Medium Industrial Zone



R2 - Single Detached Residential Zone



R3 - Low Density Residential Zone



R4 - Medium Density Residential Zone



I - Institutional Zone



Bylaw 2005-151 (Special Exception)

ROLL NUMBER
010-018-032-00-0000

MAIL LABEL ID
A-19-15-Z

MAP NUMBERS
31 & 1-34



METRIC SCALE
1:2,000



2012 Orthophoto

503 Trunk Road

Planning Application: A-19-15-Z



Subject Parcel - 503 Trunk Road

Page 196 of 215

ROLL NUMBER
010-018-032-00-0000

MAIL LABEL ID
A-19-15-Z

MAP NUMBERS
31 & 1-34



METRIC SCALE
1:2,000

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2015-190

TEMPORARY STREET CLOSING: (S4.1) A by-law to permit the temporary closing of various streets to facilitate the annual Rotary Santa Claus parade on November 21, 2015.

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

1. TEMPORARY STREET CLOSING OF VARIOUS STREETS

The Council of the Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of the following streets to facilitate the annual Rotary Santa Claus parade:

- (a) Closure of Bay Street from Brock Street to Pim Street from 5:00 p.m. to 6:30 p.m.
- (b) Closure of Pim Street from Bay Street to Queen Street East from 5:00 p.m. to 6:30 p.m.
- (c) Closure of Queen Street East to Gore Street from 5:30 p.m. to 7:30 p.m.

2. EFFECTIVE DATE

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

PASSED in Open Council this 26th day of October, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO. 2015-191

CEMETERIES: A by-law to amend By-law 2012-129 being a by-law to provide regulations for the operation of all municipal crematoriums, mausoleums, and cemeteries owned by the City of Sault Ste. Marie.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to the *Funeral, Burial and Cremation Services Act, 2002*, as amended, and the regulations made pursuant to the said Act, ENACTS as follows:

1. 12. FLOWERS

Delete:

- 12.6 (a) Flower beds are permitted only on graves having a marker and shall be restricted to the area immediately in front of the marker; no wider than 40 cm (16"); and no longer than the marker base.

and replace with the following:

- 12.6 (a) Flower beds (containing either fresh or artificial flowers) are permitted only on graves having a marker and shall be restricted to the area immediately in front of the marker; no wider than 40 cm (16"); and no longer than the marker base.

2. EFFECTIVE DATE

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

PASSED in open Council this 26th day of October 2015.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO. 2015-192

STREET ASSUMPTION: (PR4) A by-law to assume for public use and establish as public streets various parcels of land within the City of Sault Ste. Marie.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 31 of the *Municipal Act, 2001*, S.O. 2001, c.25 thereto **ENACTS** as follows:

1. **STREETS ESTABLISHED AND ASSUMED**

The Corporation of the City of Sault Ste. Marie hereby assumes for public use and establishes as public streets, the streets more particularly described on Schedule "A" to this by-law.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 26th day of October, 2015.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

SCHEDULE "A" TO BY-LAW 2015-192

1) BASE LINE

PIN 31616-0223 (LT) PART OF SECTION 1 PARKE DESIGNATED AS PART 1, 1R-13087; SAULT STE. MARIE

2) FISH HATCHERY ROAD

PIN 31507-0012 (LT) FISH HATCHERY RD RCP H742 TARENTORUS E OF B2634; SAULT STE. MARIE

3) GOULAIIS AVENUE

PIN 31602-0264 (LT) PT SEC 22 KORAH DES AS PT 1 1R13101; SAULT STE. MARIE

4) GRAND BOULEVARD

PART PIN 31554-0097 (LT) PT LT 3 PL 51145 ST. MARY'S PT 1 1R2028; SAULT STE. MARIE

5) HURON STREET

PIN 31575-0239 (LT) PT LT 92 PL 727 KORAH AMENDED BY PL 3784 BEING PT 2 1R13092; PT LT 93 PL 727 KORAH AMENDED BY PL 3784 BEING PT 1 1R13092; SAULT STE. MARIE

6) INDUSTRIAL PARK CRESCENT

PART PIN 31561-0027 (LT) PT INDUSTRIAL PARK DR PT 14 1R1040

7) PEACH DRIVE

(a) PIN 31527-0453 (LT) PT LT 398 PL H505 ST. MARY'S PT 36 1R11522; PT LT 397 PL H505 ST. MARY'S PT 37 1R11522; PT LT 396 PL H505 ST. MARY'S PT 38 1R11522; SAULT STE. MARIE

(b) PIN 31527-0460 (LT) PT LT 405 PL H505 ST. MARY'S PT 3 1R11522; PT LT 404 PL H505 ST. MARY'S PT 4 1R11522; SAULT STE. MARIE

8) QUEENSGATE BOULEVARD

PIN 31485-0058 (LT) PCL STREETS-1 SEC 1M525; QUEENSGATE BLVD
PL 1M525 RANKIN LOCATION; S/T LT202412; SAULT STE. MARIE

da LEGAL\STAFF\BYLAWS\1. 2015\2015-192 STREET ASSUMPTIONS VARIOUS.DOC

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2015-193

TRAFFIC: (P3.3) A by-law to amend Schedules “F” and “G” of Traffic By-law 77-200.

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

1. SCHEDULES “F” AND “G” OF BY-LAW 77-200 AMENDED

Schedule “F” of By-law 77-200 is amended by adding the following:

<u>INTERSECTION</u>	<u>DIRECTION OF TRAFFIC</u>	<u>STOP STREET</u>
“Albert Street West & Huron Street	East/West	Albert Street West
Cathcart Street & Huron Street	East/West	Cathcart Street”.

Schedule “G” of By-law 77-200 is amended by deleting the following:

INTERSECTION OR OTHER LOCATION

“Albert Street West and Huron Street
Cathcart Street and Huron Street”.

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

PASSED in open Council this 26th day of October, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2015-194

AGREEMENT: (P1) A by-law to authorize the execution of an Amendment to a Grant Funding Agreement between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment and Climate Change.

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

1. EXECUTION OF DOCUMENT

The Mayor and City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an Amendment to a Grant Funding Agreement dated October 13, 2015 between the City and Her Majesty the Queen in Right of Ontario as represented by the Minister of the Environment and Climate Change, a copy of which is attached as Schedule "A" hereto. This agreement extends the terms of the original Agreement dated December 13, 2013 for Source Protection Municipal Implementation Fund Grant Funding to March 31, 2017.

2. SCHEDULE "A"

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

3. EFFECTIVE DATE

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

PASSED in open Council this 26th day of October, 2015.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

AMENDMENT NO. 1
to a Grant Funding Agreement under the
2013-14 Source Protection Municipal Implementation Fund (SPMIF_1314_111)

THIS AMENDMENT NO. 1 made in duplicate, as of the 13th day of October 2015,

B E T W E E N:

HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO,
as represented by the Minister of the Environment and Climate Change

(the “**Province**”)

- and -

The Corporation of the City of Sault Ste. Marie

(the “**Municipality**”)

WHEREAS the parties entered into a grant funding agreement under the Source Protection Municipal Implementation Fund dated as of December 13, 2013 for the Municipality to build municipal capacity to implement source protection plans and support sustainable, local actions to protect drinking water (the “**Agreement**”);

AND WHEREAS on June 24, 2014, the name of the Ministry of the Environment was changed to the Ministry of the Environment and Climate Change;

AND WHEREAS pursuant to Section 20.2 of the Agreement, the parties may amend the agreement in writing;

NOW THEREFORE in consideration of the contractual relationship between the Municipality and the Province referred to above and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by both parties, the Municipality and the Province hereby acknowledge, agree and undertake as follows:

1. Unless otherwise specified in this Amendment No.1, capitalized words and phrases have their prescribed meaning as set out in the Agreement.
2. The Agreement is amended as follows:
 - (a) Section 2.1 is deleted in its entirety and replaced with the following:
 - 2.1 The term of the Agreement shall commence on the Effective Date and shall expire on March 31, 2017 unless terminated earlier pursuant to Article 9. The Municipality shall, upon expiry or termination of the Agreement, return to the Province any Funds remaining in its possession or under its control.

- (b) The reference to “December 7, 2015” in Section B.1 (Eligible Activities) of Schedule “B” to the Agreement, is deleted and replaced by “December 5, 2016”.
- (c) The chart in Schedule “D” (Reports) is deleted in its entirety and replaced with the following:

Name of Report	Due Date
Collaboration Statement (if applicable)	December 12, 2014
Progress Report 1	December 12, 2014
Progress Report 2	December 11, 2015
Final Report	December 9, 2016
Other Reports as specified from time to time	On a date or dates specified by the Province.

- 3. This Amendment No. 1 shall be in force from October 13, 2015 and shall have the same expiry or termination date as the Agreement.
- 4. All other terms and conditions of the Agreement shall remain in full force and effect unchanged and unmodified.
- 5. This Amendment No. 1 shall enure to the benefit of and be binding upon the Municipality and the Province and each of their administrators, permitted successors and permitted assigns, respectively.

6. This Amendment No. 1 may be executed in any number of counterparts, each of which shall be deemed an original, but all of which together shall constitute one and the same instrument.

IN WITNESS WHEREOF the parties have executed this Amendment No. 1 as of the date first written above.

HER MAJESTY THE QUEEN in Right of Ontario
as represented by the Minister of the Environment and Climate Change

Name: Heather Malcolmson
Title: Director (A)
Source Protection Programs Branch

Pursuant to delegated authority.

The Corporation of the City of Sault Ste. Marie

Name: Christian Provenzano
Title: Mayor

Name: Al Horsman
Title: CAO

We have authority to bind the Municipality.

THE CORPORATION OF THE CITY OF SAULT STE.MARIE
BY-LAW 2015-195

OFFICIAL PLAN AMENDMENT: A by-law to adopt Amendment No. 215 to the Official Plan for the City of Sault Ste. Marie (Ark Developments Inc. 181 Old Garden River Road and 760 Second Line East).

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

1. The Council hereby adopts Amendment No. 215 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

PASSED in open Council this 26th day of October, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

**AMENDMENT NO. 215
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

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

LOCATION:

Southerly portion of SEC 29SPT PCL 4465 AWS, having Civic No. 181 Old Garden River Road, located on the east side of Old Garden River Road, approximately 60m (197') north of Second Line.

BASIS:

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

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

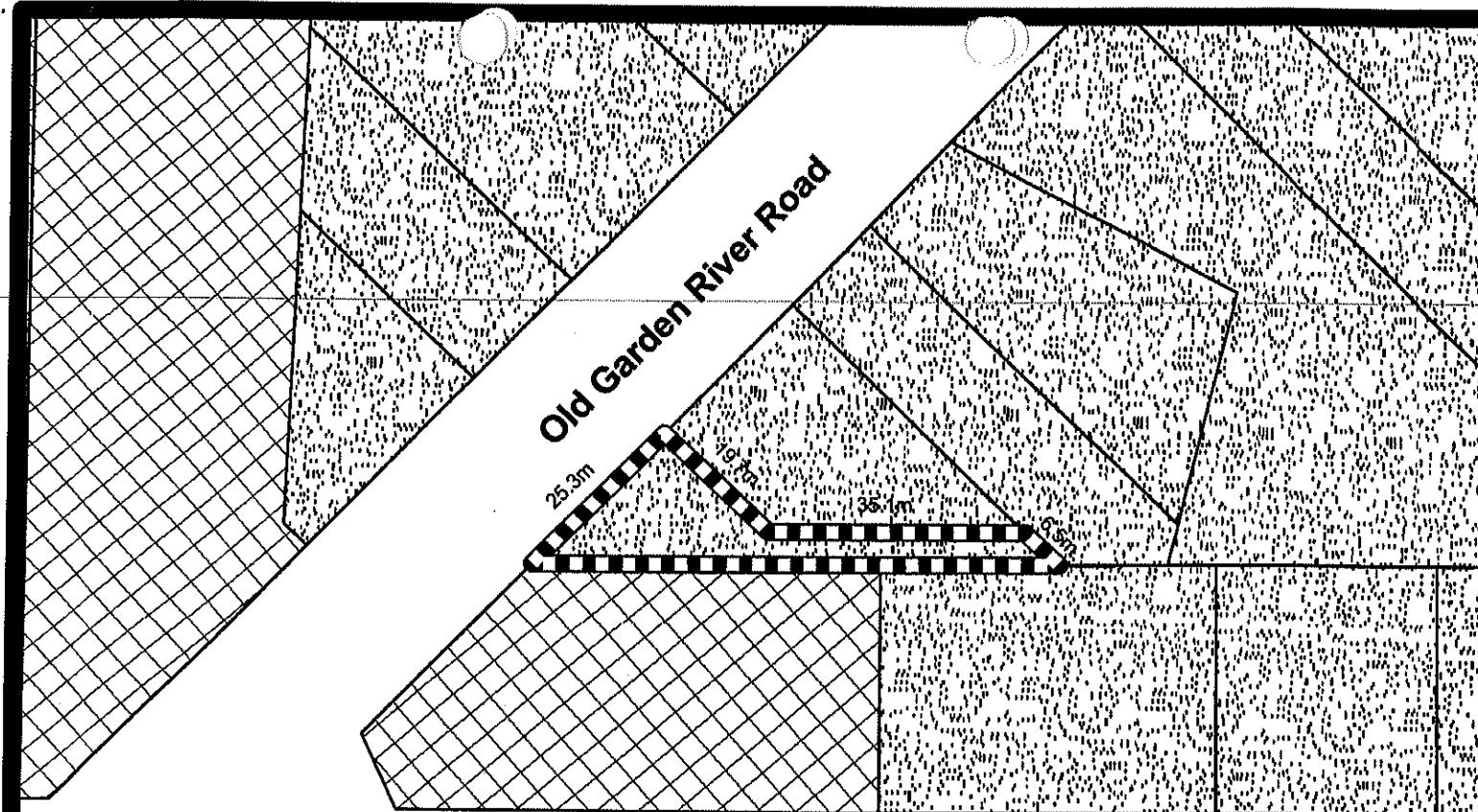
Council now considers it desirable to amend the Official Plan re-designating the subject property from "Residential" to "Commercial".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

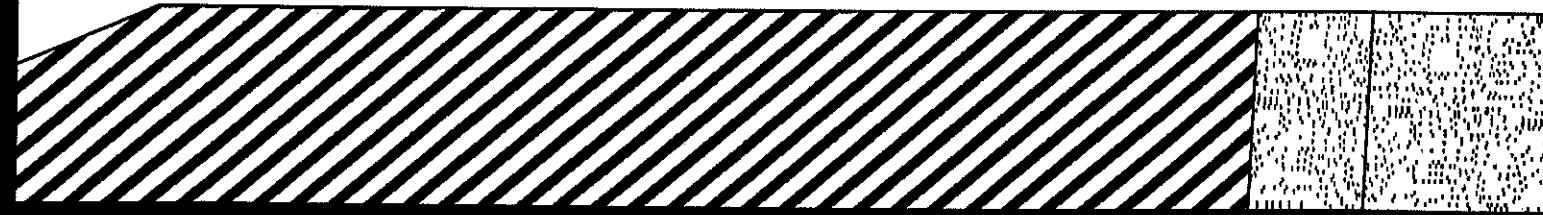
Schedule 'C' to the Sault Ste. Marie Official Plan is hereby amended re-designating the property described as the southerly portion of SEC 29SPT PCL 4465 AWS, having Civic No. 181 Old Garden River Road, located on the east side of Old Garden River Road, approximately 60m (197') north of Second Line, from "Residential" to "Commercial".

INTERPRETATION

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



Second Line East



OFFICIAL PLAN MAP

Schedule "C" Land Use

181 OLD GARDEN RIVER ROAD

Associated Civic: 760 Second Line East



METRIC SCALE
1 : 1000

Planning Application: A-18-15-Z-OP

ROLL NUMBER
030-075-040-00



Subject Property = 181 Old Garden River Road

Land Use Designation



Residential



Commercial



Industrial

MAIL LABEL ID
A-18-15-Z

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2015-196

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 181 Old Garden River Road and 760 Second Line East (Ark Developments Inc.).

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

1. **181 OLD GARDEN RIVER ROAD; LOCATED ON THE EAST SIDE OF OLD GARDEN RIVER ROAD, APPROXIMATELY 60M NORTH OF SECOND LINE, SPECIFICALLY THE SOUTHERLY PORTION OF CIVIC NUMBER 181 OLD GARDEN RIVER ROAD; CHANGE FROM R2 TO C4.S WITH A “SPECIAL EXCEPTION”**

The zone designation on the portion of lands described in section 3 of this by-law, specifically the southerly portion of Civic No. 181 Old Garden River Road, which lands are shown on Map 1-95 of Schedule “A” to By-law 2005-150, is changed from R2 (Single Detached Residential) zone to C4.S (General Commercial) zone with a “Special Exception”.

2. **760 SECOND LINE EAST (PREVIOUSLY KNOWN AS 163 OLD GARDEN RIVER ROAD); LOCATED ON THE NORTHEAST CORNER OF SECOND LINE EAST AND OLD GARDEN RIVER ROAD**

The zone designation on the portion of lands described in section 3 of this by-law, specifically Civic No. 760 Second Line East (previously known as 163 Old Garden River Road), which lands are shown on Map 1-95 of Schedule “A” to By-law 2005-150, is changed from C4.S (General Commercial) zone with a “Special Exception” to C4.S (General Commercial) zone with an amended “Special Exception”.

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

Section 2 of By-law 2005-151 is amended by repealing section 2(340) and adding the following subsection 2(340) and heading as follows:

“2(340) 181 Old Garden River Road and 760 Second Line East

Despite the provisions of By-law 2005-150, the zone designation on the lands firstly located on the east side of Old Garden River Road, approximately 60m north of Second Line, specifically the southerly portion of Civic Number 181 Old Garden River Road and secondly, the zone

designation on the lands located on the northeast corner of Second Line East and Old Garden River Road and having Civic No. 760 Second Line East, collectively which lands are outlined and marked "Subject Property" on the map attached as Schedule 340 hereto is changed as follows:

- a. as regards to 181 Old Garden River Road, the zone designation is changed from R2 (Single Detached Residential) zone to C4.S (General Commercial) zone with a "Special Exception"; and
- b. as regards to 760 Second Line East, the zone designation is changed from C4.S (General Commercial) zone with a "Special Exception" to C4.S with an amended "Special Exception", reducing the required easterly side yard from 10m to 6.5m."

4. **SCHEDULE "A"**

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

5. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law as amended by Official Plan Amendment No. 215.

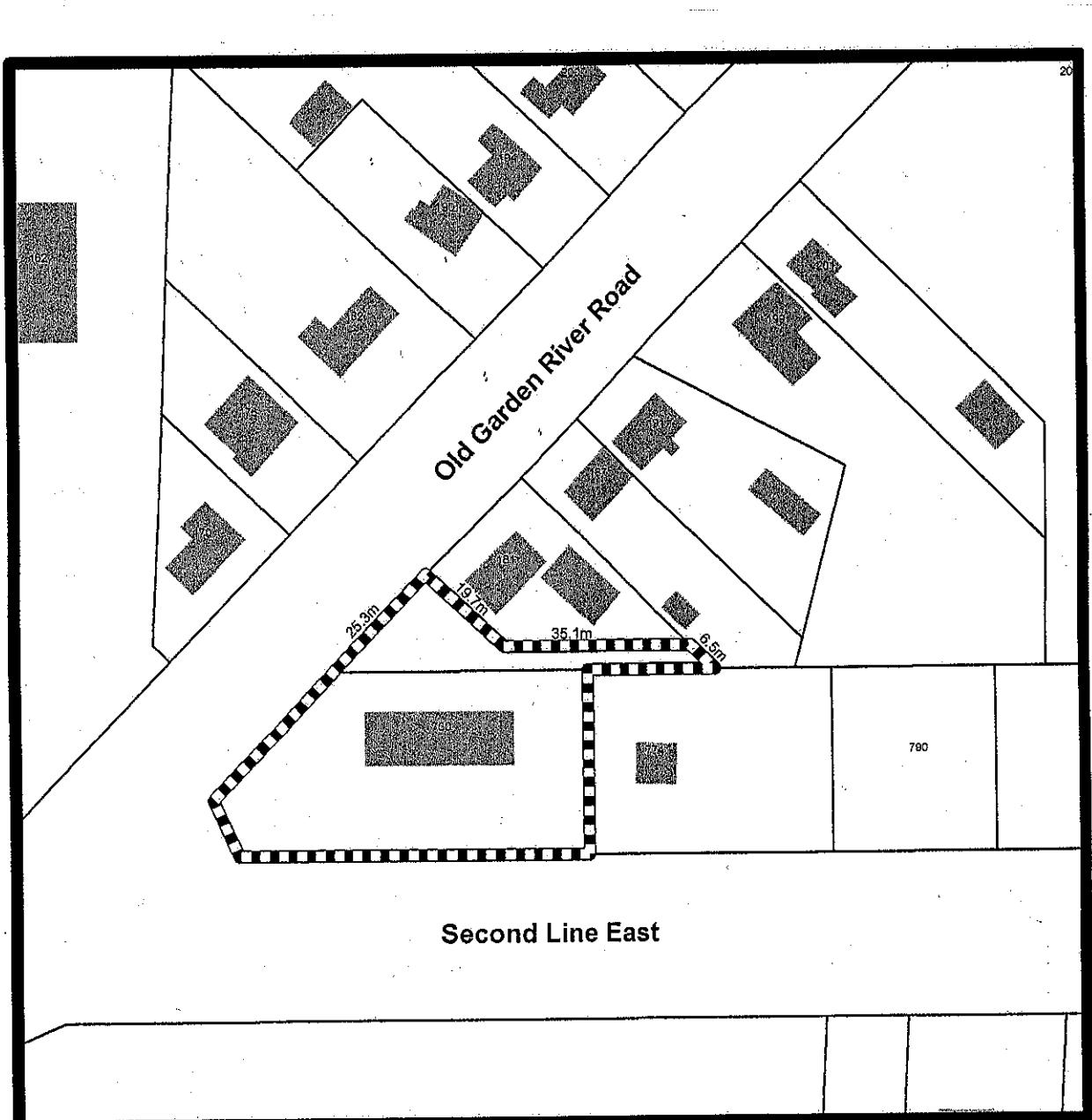
PASSED in Open Council this 26th day of October, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

da LEGAL\STAFF\LEGAL\ZONING\2015\2015-195 196 AND 197 181 OLD GARDEN RIVER RD AND 760 SECOND LINE E\2015-196 181 OLD GARDEN.DOC

SCHEDULE "A" TO BY-LAW 2015-196 AND
SCHEDULE 340 TO BY-LAW 2005-151



SUBJECT PROPERTY MAP

181 OLD GARDEN RIVER ROAD

Associated Civic: Portion of 760 Second Line East

Planning Application: A-18-15-Z-OP



METRIC SCALE
1 : 1000

ROLL NUMBER
030-075-040-00

MAIL LABEL ID
A-18-15-Z

MAP NUMBERS
85 & 1-95

Legend

Subject Property

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO. 2015-197

DEVELOPMENT CONTROL: A by-law to designate the lands located at 181 Old Garden River Road and 760 Second Line East (Ark Developments Inc.).

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

1. **DEVELOPMENT CONTROL AREA**

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

2. **SITE PLAN POWERS DELEGATED**

The Council hereby delegates to the Planning Director or his/her designate for the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the *Planning Act* as amended, for the lands shown as Subject Property on the map attached as Schedule "A" to this by-law.

3. **SCHEDULE "A"**

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

4. **PENALTY**

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is liable upon conviction therefore to penalty provisions as contained in the *Planning Act* and the *Municipal Act, 2001*.

5. **EFFECTIVE DATE**

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

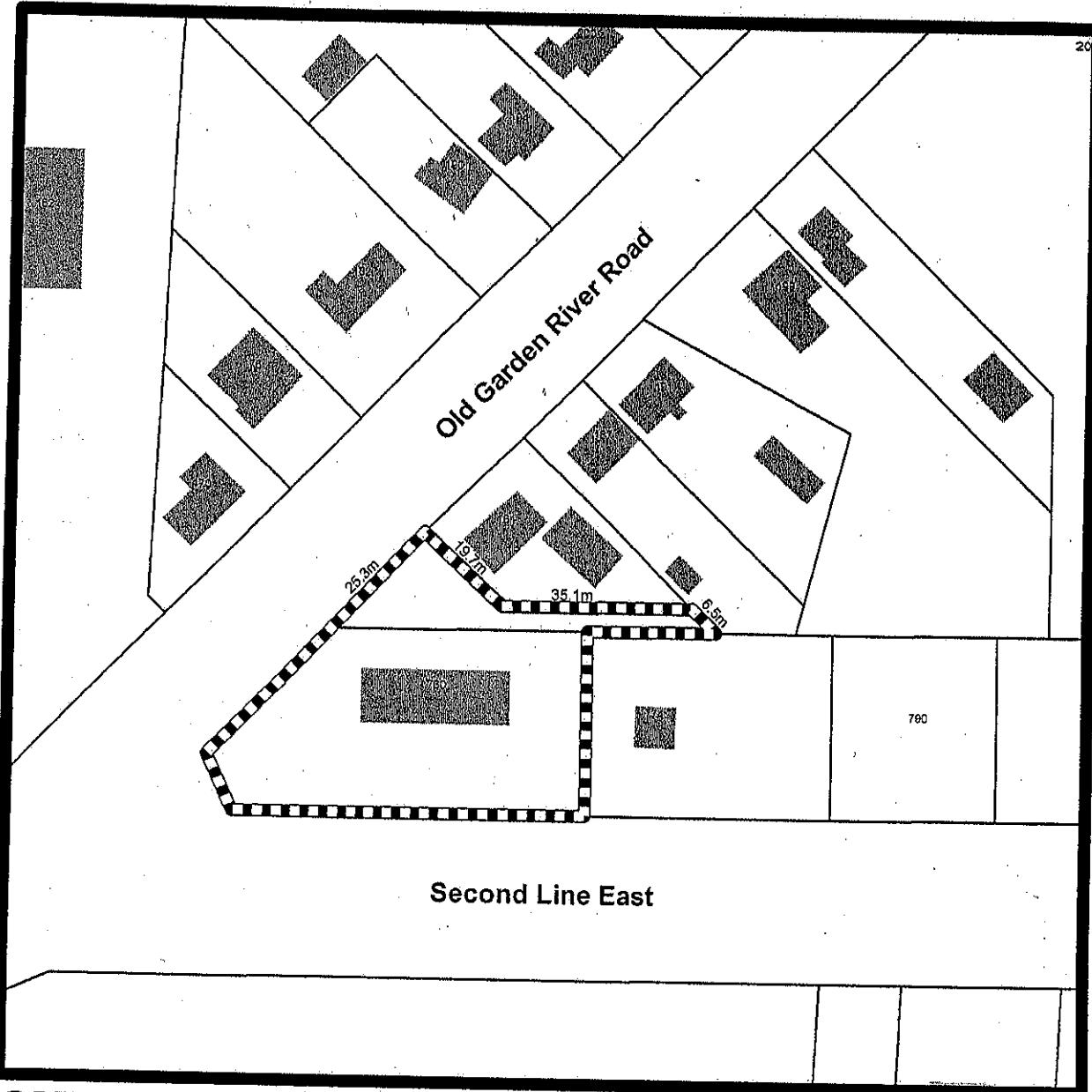
PASSED in open Council this 26th day of October, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

da \LEGAL\STAFF\LEGAL\ZONING\2015\2015-195 196 AND 197 181 OLD GARDEN RIVER RD AND 760 SECOND LINE E\2015-197 DC 181 OLD GARDEN RIVER RD AND 760 SECOND LINE E.DOC

SCHEDULE "A" TO BY-LAW 2015-197



SUBJECT PROPERTY MAP

181 OLD GARDEN RIVER ROAD

Associated Civic: Portion of 760 Second Line East

Planning Application: A-18-15-Z-OP



METRIC SCALE
1 : 1000

ROLL NUMBER
030-075-040-00

MAIL LABEL ID
A-18-15-Z

MAP NUMBERS
85 & 1-95

Legend

■ Subject Property