

**The Corporation of the City of Sault Ste. Marie
Regular Meeting of City Council
Revised Agenda**

Monday, November 5, 2018

4:30 pm

Council Chambers

Civic Centre

	Pages
1. Adoption of Minutes	8 - 23
Mover Councillor M. Bruni	
Seconder Councillor S. Myers	
Resolved that the Minutes of the Regular Council Meeting of 2018 09 24 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 M. Bruni	
Seconder Councillor S. Hollingsworth	
Resolved that the Agenda for 2018 11 05 City Council Meeting as presented be approved.	
5. Proclamations/Delegations	
5.1 Community Recognition Award Presentation	
Sandra Houston, recipient	
5.2 Financial Literacy Month	
Bill Whyte, Senior Vice President, Member Experience, Northern Credit Union	

5.3

YMCA Peace Week

Joel Rowswell, Chair YMCA Board of Directors, Anne Markkula, CFO and Interim CEO Sault Ste. Marie YMCA and Carly Smith, Youth Outreach Worker YMCA Youth Gambling Awareness Program

5.4

Francophone Immigration Week

Patricia Lofstrom

6.

Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that all the items listed under date 2018 11 05 – Agenda item 6 – Consent Agenda be approved as recommended.

6.1

Third Quarter Financial Report – September 30, 2018

24 - 42

A report of the Manager of Audits and Capital Planning is attached for the consideration of Council.

Mover Councillor F. Fata

Seconder Councillor S. Hollingsworth

That the report of the Manager of Audits and Capital Planning dated 2018 11 05 concerning Third Quarter Financial Report to September 30, 2018 be received as information.

6.2

Designated Heritage Property Grant – Bishop Fauquier Memorial Chapel

43 - 51

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

Mover Councillor M. Bruni

Seconder Councillor S. Hollingsworth

Resolved that the report of the Manager of Recreation and Culture dated 2018 11 05 concerning a designated heritage property grant for Bishop Fauquier Memorial Chapel be received and that the recommendation of the Sault Ste. Marie Municipal Heritage Committee that a grant in the amount of \$3,000 be provided towards the restoration of 9 stained glass windows; further that payment be rendered upon submission of the paid contractor's invoices and final approval of the project by the Sault Ste. Marie Municipal Heritage Committee with funds from the Designated Heritage Property Grant budget be approved.

6.3

Rental Housing Incentive Program

52 - 62

A report of the Director of Planning is attached for the consideration of

Council.

Mover Councillor M. Bruni

Seconder Councillor S. Myers

Resolved that the report of the Director of Planning and Enterprise Services dated 2018 11 05 concerning the Rental Housing Incentive Program be received and that City Council authorize a three year incremental tax rebate program (75%, 50%, 25%) for 25 rental units to be constructed at 100 Estelle Street subject to:

- That the municipal rebate apply only to the increase in assessment resulting from new construction, and
- After the rebate program is completed, the full municipal taxes will apply.

6.4 Zoning – 248 Wallace Terrace & 292 Farewell Terrace – OMB

63 - 70

A report of the Solicitor is attached for the information of Council.

Mover Councillor F. Fata

Seconder Councillor S. Hollingsworth

Resolved that the report of the Solicitor dated 2018 11 05 concerning Zoning – 248 Wallace Terrace and 292 Farwell Terrace be received as information.

6.5 Downtown Traffic Study – Notice of Completion

71 - 73

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

Mover Councillor M. Bruni

Seconder Councillor S. Myers

Resolved that the report of the Director of Engineering dated 2018 11 05 concerning the Downtown Traffic Study Notice of Completion be received as information.

6.6 Street Closing and Conveyance – Part 205 Greenfield Drive

74 - 76

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

The relevant By-laws 2018-206 and 2018-207 are listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.7 AG101 – Bellerose and Alexander – Insurance Provision

77 - 78

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

The relevant By-law 2018-200 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.8 Housekeeping – Procedure for the Sale of City Owned Surplus Property,

79 - 80

Closing/Sale of a Lane/Street or Public Thoroughfare

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

The relevant By-law 2018-148 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

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|------|---|---------|
| 6.9 | Licence Agreement and Noise By-law Exemption Request for 49 Field Regiment Artillery Gun Salute | 81 - 82 |
| | A report of the Acting City Solicitor is attached for the consideration of Council. | |
| | The relevant By-laws 2018-208 and 2018-209 are listed under item 11 of the Agenda and will be read with all by-laws listed under that item. | |
| 6.10 | Chris Tranberg and Son Ltd. – 1025 Second Line East | 83 - 84 |
| | A report of the Acting City Solicitor is attached for the consideration of Council. | |
| | The relevant By-law 2018-210 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item. | |
| 6.11 | Council Travel | |
| | <i>Mover Councillor M. Bruni</i> | |
| | <i>Seconder Councillor S. Myers</i> | |
| | Resolved that Mayor C. Provenzano be authorized to travel to Ottawa for 2 days in November at an estimated cost to the City of \$1260. | |
| 7. | Reports of City Departments, Boards and Committees | |
| 7.1 | Administration | |
| 7.2 | Corporate Services | |
| 7.3 | Community Development and Enterprise Services | |
| 7.4 | Public Works and Engineering Services | |
| 7.5 | Fire Services | |
| 7.6 | Legal | |
| 7.7 | Planning | |
| 7.8 | Boards and Committees | |
| 8. | Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council | |

8.1

Thank You to Outgoing Councillors

Mover Councillor M. Shoemaker

Seconder Councillor P. Christian

Whereas Steve Butland, Susan Myers, Judy Huppenen, Lou Turco, Frank Fata, Joe Krmpotich, and Ozzie Grandinetti have served the City of Sault Ste. Marie with passion and zeal; and

Whereas from the environment issues to tourism, to ward-specific issues, to labour issues, to animal protection, to taxes and the cost of living each has been a champion of causes near and dear to them and their constituents over their terms in office; and

Whereas among the outgoing Councillors, there is a collective 83 years of experience at Council;

Now Therefore Be It Resolved that Council thank the outgoing Councillors for their service to their Wards and to the City as a whole and to wish them all the possible success in their next endeavors.

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 M. Bruni

Seconder Councillor S. Hollingsworth

Resolved that all By-laws under item 11 of the Agenda under date 2018 11 05 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 2018-148 (Procedures) Sale City Owned Surplus Property, Lanes/Streets

85 - 88

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-148 being a by-law to set out procedures governing the sale of City owned surplus property, closing/sale of a lane/street or public thoroughfare be passed in open Council this 5th day of November, 2018.

11.1.2 By-law 2018-200 (Agreement) Amending Licence to Occupy Abutting 1097 Queen Street East

89 - 90

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-200 being a by-law to authorize the execution of an Amending Agreement between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander to incorporate an updated insurance provision into the existing Licence to Occupy City Property Agreement dated June 11, 2012 be passed in open Council this 5th day of November, 2018.

- 11.1.3 **By-law 2018-206 (Street Assumption) Part of 205 Greenfield Drive** 91 - 93

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-206 being a by-law to assume for public use and establish as a public street that portion of 205 Greenfield Drive described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518 be passed in open Council this 5th day of November, 2018.

- 11.1.4 **By-law 2018-208 (Agreement) Artillery Gun Salute November 11, 2018** 94 - 97

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-208 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence for the purpose of an Artillery Gun Salute, in support of the annual Remembrance Day commemoration scheduled for November 11, 2018 be passed in open Council this 5th day of November, 2018.

- 11.1.5 **By-law 2018-209 (Regulations) Artillery Gun Salute Exemption November 11, 2018** 98 - 98

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-209 being a by-law to exempt the 49 Field Regiment, while using the Hub Trail Boardwalk, from by-law 2008-168 being a firearms by-law to prohibit the discharge of firearms in the municipality and from By-law 80-200 being a by-law respecting noises in the City of Sault Ste. Marie be passed in open Council this 5th day of November, 2018.

- 11.1.6 **By-law 2018-210 (Agreement) Tranberg and Son Ltd.1025 Second Line East** 99 - 105

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-210 being a by-law to authorize the execution of the Agreement between the City and Chris Tranberg and Son Ltd., Gary Tranberg and Audrae Mae Tranberg to compensate for impact to 1025 Second Line East as a result of construction work conducted by the City be passed in open Council this 5th day of November, 2018.

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

11.2.1 By-law 2018-207 (Street Closing) Part of 205 Greenfield Drive 106 - 108

A report from the Acting City Solicitor is on the Agenda.

Mover Councillor F. Fata

Seconder Councillor S. Myers

Resolved that By-law 2018-207 being a by-law to stop up, close and authorize the conveyance of a portion of 205 Greenfield Drive described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518 be passed in open Council this 5th day of November, 2018.

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

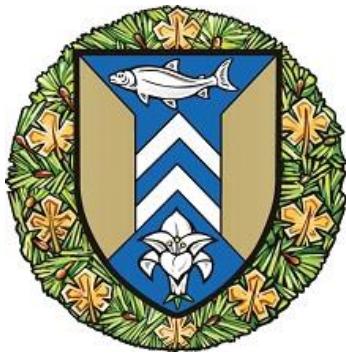
13. Closed Session

14. Adjournment

Mover Councillor M. Bruni

Seconder Councillor S. Myers

Resolved that this Council now adjourn.



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, September 24, 2018

4:30 pm

Council Chambers
Civic Centre

Present: Mayor C. Provenzano, Councillor S. Butland, Councillor P. Christian, Councillor S. Myers, Councillor S. Hollingsworth, Councillor J. Huppenen, Councillor L. Turco, Councillor M. Shoemaker, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich, Councillor O. Grandinetti

Officials: A. Horsman, R. Tyczinski, L. Girardi, S. Schell, T. Vair, M. Borowicz-Sibenik, P. Milosevich, D. Elliott, D. McConnell, B. Lamming, V. McLeod, A. Gravelle, R. Madonna

1. Adoption of Minutes

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the Minutes of the Regular Council Meeting of 2018 09 10 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 L. Turco – Municipal By-Law Enforcement Officers

Spouse employed by Police Service

3.2 Councillor L. Turco – By-law 2018-192 (Parking) Municipal By-law Enforcement Officers

Spouse employed by Police Service

3.3 Councillor J. Krmpotich – Port of Algoma Agreements – Amendments

Employed by company (Algoma)

3.4 Councillor O. Grandinetti – Port of Algoma Agreements – Amendments

Employed by company (Algoma)

3.5 Councillor J. Krmpotich – By-law 2018-195 (Agreement) Amend Conditional Contribution Agreement NOHFC

Employed by company (Algoma)

3.6 Councillor O. Grandinetti – By-law 2018-195 (Agreement) Amend Conditional Contribution Agreement NOHFC

Employed by company (Algoma)

4. Approve Agenda as Presented

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the Agenda for 2018 09 24 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 Mayor for the Day

Perzan Umrigar was in attendance.

5.2 Access to Justice Week

Mary Pascuzzi , lawyer and member of Algoma District Law Association Board of Directors and Co-Chair of the Access to Justice Committee and Gwen MacDonald, Director of Child Protection Mediation and Access to Justice Committee member were in attendance.

5.3 Hispanic Latin Heritage Month

Sandra Mongui was in attendance.

5.4 Franco-Ontarian Day

Jessica Torrance, President of the Centre Francophone de Sault Sainte Marie was in attendance.

5.5 Fire Prevention Week

Aaron Gravelle, Public Educator, Fire Services was in attendance.

5.6 Culture Days

Kathy Fisher, Curator, Ermatinger Clergue National Historic Site and Helena Huopalainen, Manager of Community Engagement, Sault Ste. Marie Public Library were in attendance.

5.7 PLATO Testing

Denis Carignan, President and COO, PLATO Testing was in attendance regarding Agenda item 7.3.1.

5.8 M. S. Norgoma

Julia Piskiewicz, member, St. Mary's River Marine Heritage Committee was in attendance regarding Agenda item 7.3.2.

6. Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that all the items listed under date 2018 09 24 – Agenda item 6 – Consent Agenda save and except Agenda item 6.11 be approved as recommended.

Carried

6.1 Council Travel

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that Mayor C. Provenzano be authorized to travel to Sterling Heights, Michigan for 2 days in October for the Tariff Public Policy Forum at an estimated cost to the City of \$665.

Carried

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that Councillor L. Turco be authorized to travel to Toronto for 2 days in September for an AMO Board Meeting at an estimated cost to the City of \$300.

Carried

6.2 Port of Algoma Agreements – Amendments

Councillor J. Krmpotich declared a conflict on this item. (Employed by company (Algoma))

Councillor O. Grandinetti declared a conflict on this item. (Employed by company (Algoma))

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

The relevant By-law 2018-195 is listed under item 11 of the Minutes.

6.3 Tender for Roofing Replacement – Transit Garage

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

The relevant By-law 2018-191 is listed under item 11 of the Minutes.

6.4 Tender for Supply and Delivery of Petroleum Fuel Products

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated 2018 09 24 be received and that the tender submitted by 4Refuel for the supply and delivery of Petroleum Fuel Products for the three (3) year period commencing January 7, 2019 with the option for two (2) additional one (1) year extensions by mutual agreement be approved.

Carried

6.5 Tender for Two 64,000 GVW Trucks w/Garbage Packer Body and Automated Arm

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Manager of Purchasing dated 2018 09 24 be received and that the tender for the supply and delivery of Two (2) 64,000 GVW Trucks with Garbage Packer Body and Automated Arm, as required by Public Works and Engineering Services be awarded to SHU-PAK Equipment Inc. at their total tendered price for Option 1 of \$619,200.00 plus HST for two (2) vehicles be approved.

Carried

6.6 Tender for Screened Street Sand

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Purchasing dated 2018 09 24 be received and that the tender submitted by Pioneer Construction Inc. for the supply of Screened Street Sand at the tendered pricing of \$6.18 per tonne, HST extra, for the 2018-2019 winter season; and \$6.33 per tonne, HST extra, for the 2019-2020 winter season be approved.

Carried

6.7 2018 City of Sault Ste Marie Credit Rating

The report of the Chief Financial Officer/Treasurer was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Chief Financial Officer/Treasurer dated 2018 09 24 concerning 2018 City of Sault Ste. Marie Credit Rating be received as information.

Carried

6.8 FCM Asset Management Program – Grant Application

The report of the Manager of Audits and Capital Planning was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

That the report of the Manager of Audits and Capital Planning be received and that staff be authorized to apply for a grant opportunity from the Federation of

Canadian Municipalities' Municipal Asset Management Program for the update of the City's Building Condition Assessments.

Be it therefore resolved that the municipality commits to conducting the following activities in its proposed project submitted to the Federation of Canadian Municipalities' Municipal Asset Management Program to advance our asset management program: Perform a 5 year update of the City's Building Condition Assessments as per the City of Sault Ste. Marie's Asset Management Plan dated February 23, 2018.

Be it further resolved that the municipality commits \$65,000 from its 2019 capital allocation for buildings through the City's Asset Management Reserve toward the costs of this initiative.

Carried

6.9 Compliance Audit Committee 2018-2022

The report of the Deputy City Clerk is attached for the consideration of Council.

The relevant By-law 2018-196 is listed under item 11 of the Minutes.

6.10 2019 Council Meeting Schedule

Moved by: Councillor J. Huppenen

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy City Clerk dated 2018 09 24 regarding 2019 Council meeting schedule be received and that the proposed schedule be approved.

Carried

6.12 RFP – Development of a Wayfinding Strategy

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

The relevant By-law 2018-203 is listed under item 11 of the Minutes.

6.13 Community Bike Sharing Program

The report of the Director of Community Services, Community Development and Enterprise Services was received by Council.

Moved by: Councillor J. Huppenen

Seconded by: Councillor L. Turco

Resolved that the report of the Director, Community Services, Community Development and Enterprise Services dated 2018 09 24 concerning Community Bike Sharing Program be received and that staff be authorized to issue a request for proposals as outlined in the report.

Carried

6.14 John Rhodes Community Centre Restaurant

The report of the Director of Community Services, Community Development and Enterprise Services was received by Council.

The relevant By-law 2018-193 is listed under item 11 of the Minutes.

6.15 On-Demand Transit Service

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Turco

Resolved that the report of the Director, Community Services, Community Development and Enterprise Services dated 2018 09 24 concerning On-Demand Transit Service be approved and that staff be authorized to issue an Expression of Interest to explore on-demand transit options.

Carried

6.16 Seniors Active Living Centre Grant Agreement

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

The relevant By-laws 2018-204 and 2018-205 are listed under item 11 of the Minutes.

6.17 Skating Trails and Other Winter Activities

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Manager of Recreation and Culture dated 2018 09 24 concerning Skating Trails and Other Winter Activities be received and referred to the 2019 budget deliberations. Further, that City Council approve the skating trails pilot project in principle so that City Staff and the Parks and Recreation Advisory Committee can explore opportunities for partnerships to assist with development costs.

Carried

6.18 Heritage Property Agreement (Algonquin Hotel) – Amendment

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

The relevant By-law 2018-185 is listed under item 11 of the Minutes.

6.19 Municipal By-Law Enforcement Officers

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

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

The relevant By-law 2018-192 is listed under item 11 of the Minutes.

6.20 Engineering Fees – Downtown Traffic Study

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor L. Turco

Resolved that the report of the Director of Engineering dated 2018 09 24 be received and that the engineering fee limit for the Downtown Traffic Study be increased by \$20,000 to \$121,000 with funds from the unallocated 2017 miscellaneous construction budget.

Carried

6.21 Licence Extension on Provincial Lands

The report of the Solicitor was received by Council.

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that the report of the Solicitor dated 2018 09 24 concerning the extension of a Licence Agreement between the City and the Ministry of Transportation regarding use of property at Black Road be received as information.

Carried

6.22 Repeal By-law 70-342 – Trailer Parks and Mobile Home Parks

The report of the Solicitor was received by Council.

The relevant By-law 2018-201 is listed under item 11 of the Minutes.

6.23 Municipal Capital Facilities Agreement – 137 East Street

A report of the Acting City Solicitor was received by Council.

The relevant By-law 2018-194 is listed under item 11 of the Minutes.

6.11 RFP – Development of Visual Identity and Branding for Sault Ste. Marie

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

The relevant By-law 2018-202 is listed under item 11 of the Minutes.

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.3.1 PLATO Testing Economic Development Fund Request

The report of the Deputy CAO of Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor R. Niro

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2018 09 10 concerning the EDF application from PLATO Testing (Professional Aboriginal Testing Organization Inc.) be approved in the amount of \$125,000 for 2018 and \$125,000 for 2019 for a total of \$250,000.

Carried

7.3.2 M.S. Norgoma – Update

The report of the Deputy CAO of Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Butland

Resolved that the report of the Deputy CAO of Community Development and Enterprise Services dated 2018 09 24 concerning the M.S. Norgoma be received and that notice be served to the St. Mary's River Marine Centre that an extension has been provided to have a new location for the M.S. Norgoma finalized by February 1, 2019; and

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Further, notwithstanding the berthing rights that were terminated as of August 31, 2018, that the M.S. Norgoma be permitted to remain at its current location until April 15, 2019 (or as soon as weather/ice conditions permit) when it shall be removed to a new location; and

Further, that staff work with the St. Mary's River Marine Centre Board to assist in finding a new location for the vessel, whether that be a permanent or temporary location, so as not to interfere with marina operations in Spring 2019.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor S. Butland	X		
Councillor P. Christian	X		
Councillor S. Myers		X	
Councillor S. Hollingsworth		X	
Councillor J. Hupponen	X		
Councillor L. Turco		X	
Councillor M. Shoemaker	X		
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata		X	
Councillor J. Krmpotich		X	
Councillor O. Grandinetti		X	
Results	7	6	0

Carried

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.8 Boards and Committees

- 8. Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council**
- 9. Committee of the Whole for the Purpose of Such Matters as are Referred to it by the Council by Resolution**
- 10. Adoption of Report of the Committee of the Whole**
- 11. Consideration and Passing of By-laws**

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that all By-laws under item 11 of the Agenda under date 2018 09 24 save and except By-law 2018-202 (Agenda item 11.1.12) be approved.

Carried

11.1 By-laws before Council to be passed which do not require more than a simple majority

11.1.1 By-law 2018-185 (Agreement) Algonquin Hotel Heritage 1584866 Ontario Inc.

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-185 being a by-law to authorize the execution of the Agreement between the City and 1584866 Ontario Inc. for the removal of the north vacant parking area known as PIN 31541-0249 be passed in open Council this 24th day of September, 2018.

Carried

11.1.2 By-law 2018-191 (Agreement) Roofing Replacement Transit Garage

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-191 being a by-law to authorize the execution of the Agreement between the City and 1372055 Ontario Limited O/A Pro North Roofing for Roofing Replacement at the Transit Garage be passed in open Council this 24th day of September, 2018.

Carried

11.1.3 By-law 2018-192 (Parking) Municipal By-law Enforcement Officers

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

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-192 being a by-law to appoint by-law enforcement officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie be passed in open Council this 24th day of September, 2018.

Carried

11.1.4 By-law 2018-193 (Agreement) Icebreakers Amending Lease

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-193 being a by-law to authorize the execution of the Agreement between the City and Jody Wilson, Carrying on business as Icebreakers Sports Bar and Grill for rent abatement until the successful proponent obtains a new liquor licence and the restaurant is opened be passed in open Council this 24th day of September, 2018.

Carried

11.1.5 By-law 2018-194 (Agreement) Municipal Capital Facility 137 East Street

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-194 being a by-law to designate 137 East Street as a Municipal Capital Facility for the purpose of providing affordable housing be passed in open Council this 24th day of September, 2018.

Carried

11.1.6 By-law 2018-195 (Agreement) Amend Conditional Contribution Agreement NOHFC

Councillor J. Krmpotich declared a conflict on this item. (Employed by company (Algoma))

Councillor O. Grandinetti declared a conflict on this item. (Employed by company (Algoma))

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

September 24, 2018 Council Minutes

Resolved that By-law 2018-195 being a by-law to authorize the execution of the Amendment to Conditional Contribution Agreement, dated September 6, 2018 between the City and Northern Ontario Heritage Fund Corporation (NOHFC) for the Sault Ste. Marie Harbour Improvement Project be passed in open Council this 24th day of September, 2018.

Carried

11.1.7 By-law 2018-196 (Appointment) Compliance Audit Committee 2018-2022

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-196 being a by-law to appoint members of a Compliance Audit Committee under the *Municipal Elections Act* be passed in open Council this 24th day of September, 2018.

Carried

11.1.8 By-law 2018-197 (Agreement) Leo Avenue Reconstruction

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-197 being a by-law to authorize the execution of the Agreement between the City and WSP Canada Inc. for engineering services for the design and contract administration of the Leo Avenue project which is planned for 2019 is passed in open Council this 24th day of September, 2018.

Carried

11.1.9 By-law 2018-198 (Agreement) Fort Creek Aqueduct Repairs - John Street Laneway

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-198 being a by-law to authorize the execution of the Agreement between the City and Tulloch Engineering Inc. for engineering services for the Fort Creek Aqueduct reconstruction planned for construction in 2019 be passed in open Council this 24th day of September, 2018.

Carried

11.1.10 By-law 2018-199 (Agreement) 2019 Aqueduct Repairs

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

September 24, 2018 Council Minutes

Resolved that By-law 2018-199 being a by-law to authorize the execution of the Agreement between the City and STEM Engineering Group Incorporated for professional engineering services for design and contract administration for aqueduct repairs be passed in open Council this 24th day of September, 2018.

Carried

11.1.11 By-law 2018-201 (Regulations) Repeal By-laws 70-342 and 71-217 Trailer Parks and Mobile Home Parks

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-201 being a by-law to repeal by-laws 70-342 and 71-217 (being by-laws to licence and regulate Trailer Parks and Mobile Home Parks within the City) be passed in open Council this 24th day of September, 2018.

Carried

11.1.13 By-law 2018-203 (Agreement) Wayfinding Strategy

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-203 being a by-law to authorize the execution of the Agreement between the City and Corbin Design, Inc. to provide wayfinding strategy and signage design services be passed in open Council this 24th day of September, 2018.

Carried

11.1.14 By-law 2018-204 (Agreement) Northern Community Active Living Centre Funding

Moved by: Councillor J. Hupponen

Seconded by: Councillor R. Niro

Resolved that By-law 2018-204 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister for Seniors and Accessibility for funding to support the Northern Community Active Living Centre be passed in open Council this 24th day of September, 2018.

Carried

11.1.15 By-law 2018-205 (Agreement) Senior Services Drop-in Centre Funding

September 24, 2018 Council Minutes

Moved by: Councillor J. Hupponen
Seconded by: Councillor R. Niro

Resolved that By-law 2018-205 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister for Seniors and Accessibility for funding to support the Seniors Drop-In active Living Centre be passed in open Council this 24th day of September, 2018.

Carried

11.1.12 By-law 2018-202 (Agreement) Visual Identity and Branding

Moved by: Councillor J. Hupponen
Seconded by: Councillor R. Niro

Resolved that By-law 2018-202 being a by-law to authorize the execution of the Summary of Engagement Agreement between the City and Scott Thornley + Company Inc. for the Project of Development of Visual Identity and Branding be passed in open Council this 24th day of September, 2018.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor S. Butland		X	
Councillor P. Christian	X		
Councillor S. Myers		X	
Councillor S. Hollingsworth	X		
Councillor J. Hupponen	X		
Councillor L. Turco	X		
Councillor M. Shoemaker			X
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata		X	
Councillor J. Krmpotich	X		
Councillor O. Grandinetti	X		
Results	9	3	1

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 J. Huppenen

Seconded by: Councillor L. Turco

Resolved that this Council proceed into closed session regarding a potential disposition of property and potential litigation;

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution.

(Municipal Act R.S.O. 2002 – section 239 (2) (c), a proposed or pending acquisition or disposition of land by the municipality) and section 239(2)(f), solicitor client privilege

Carried

- 14. Adjournment**

Moved by: Councillor M. Shoemaker

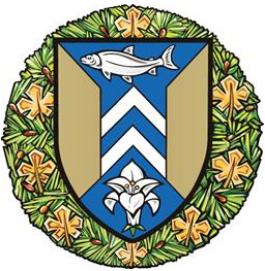
Seconded by: Councillor L. Turco

Resolved that this Council now adjourn.

Carried

Mayor

Deputy City Clerk



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Jacob Bruzas, Manager of Audits and Capital Planning

DEPARTMENT: Corporate Services

RE: Third Quarter Financial Report – September 30, 2018

PURPOSE

The purpose of this report is to provide a Nine Month Financial Report to September 30, 2018.

BACKGROUND

The Finance Committee reviewed the 2018 Third Quarter Financial Report on October 24, 2018.

ANALYSIS

The following material budget variances were identified in the Second Quarter Financial Report; however, the figures have been updated:

- Retiree Healthcare Benefits are trending over budget. These benefits are self-insured and are difficult to budget for. A shortage of \$225,000 is predicted for this area to year end 2018. The 2019 budget for this area will be increased to reflect the trend;
- Benefit Costs for the Fire Department are trending over budget due to some substantial cancer-related WSIB claims. Projected overage in this area to year end is expected to be approximately \$200,000. The 2019 budget for this area will be increased to reflect the trend;
- Transit Services is trending over budget primarily due to increased repair and maintenance costs on the fleet. These costs are expected to be mitigated in the future through the use of PTIF funds to upgrade the fleet. To year end 2018, a budget shortage of \$350,000 is predicted.
- Due to the long playoff run of the Soo Greyhounds hockey club, it is anticipated that the GFL Memorial Gardens will experience a positive budget variance of approximately \$200,000;

- A positive budget surplus of approximately \$75,000 is predicted from the Municipality contribution payments from Gateway Casinos - Sault Ste. Marie;

The following significant budget variances have materialized since the Second Quarter Financial Report:

- In Q3 2018 the City received a transition payment of approximately \$482,500 to offset the tax loss resulting from the Province's decision in 2016 to make non-profit long term care homes tax exempt. The Province noted that 2017 would be the last year we received the transition payment and thus the City did not include it in the 2018 budget. However, this is now the third year that the "one-time" payment has been received;
- During the year, the City entered into a new Insurance Premium contract that resulted in a savings of \$400,000 when compared to budget, as was noted in the Manager of Purchasing's report to council on January 22, 2018 regarding the General Insurance RFP results. The 2019 budget will be adjusted to reflect the new contract terms;
- Public Works & Engineering Services (PWES) is trending towards a positive budget variance of approximately \$350,000 overall. Winter Control is currently trending on budget; however, a harsher than normal early winter season (November and December 2018) will eliminate PWES's positive budget variance. If the City endures a light early winter season, any positive budget variance experienced in Winter Control will be transferred to reserve at year end;
- Small positive budget variances throughout the rest of the Corporation total to approximately \$500,000.

Assessment growth to September 30, 2018 was +0.26% compared to +0.75% to Q3 2017. There is very little additional assessment predicted for the remainder of the year.

The estimates noted are based upon the trends continuing through the remainder of the year. Factors such as the severity of winter conditions in November and December 2018 can greatly affect the estimate. However, if the trends as identified in this report continue, and the City endures a "normal early winter," the City will be in a surplus position of approximately \$1,000,000 to \$1,500,000 to year end (or 0.6% to 0.85% of the total approved 2018 budget).

As per the Surplus Management Policy, any surplus at year end will be distributed as follows:

- Tax Stabilization Reserve 40%
- Capital Reserves 30%
- Long Term Debt 30%

FINANCIAL IMPLICATIONS

Based upon the financial analysis at the end of the third quarter 2018, a surplus of between \$1,000,000 and \$1,500,000 is predicted to the end of the year.

Staff will continue to monitor trends and present to Council at a later meeting the year end December 2018 financial report.

STRATEGIC PLAN / POLICY IMPACT

This is not an activity directly related to the Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Manager of Audits and Capital Planning dated November 5, 2018 concerning the Third Quarter Financial Report to September 30, 2018 be received as information.

Respectfully submitted,

Jacob Bruzas

Manager of Audits and Capital Planning

705.759.5356

j.bruzas@cityssm.on

CITY OF SAULT STE MARIE

**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Taxation	(\$113,584,584.83)	(\$113,241,817.65)	\$342,767.18	(0.30%)	(\$111,586,866.61)	(\$112,328,695.03)
Payment in Lieu of taxes	(\$2,532,219.85)	(\$4,160,860.00)	(\$1,628,640.15)	39.14%	(\$2,887,347.76)	(\$4,541,861.40)
Fees and user charges	(\$27,085,516.90)	(\$35,456,868.12)	(\$8,371,351.22)	23.61%	(\$25,056,302.64)	(\$33,316,463.76)
Government grants	(\$13,271,442.22)	(\$17,909,149.54)	(\$4,637,707.32)	25.90%	(\$14,230,446.26)	(\$18,806,827.14)
Interest and Investment income	(\$4,496,313.63)	(\$4,305,000.00)	\$191,313.63	(4.44%)	(\$3,691,316.16)	(\$4,958,709.82)
Contribution from own funds	(\$65,234.83)	(\$375,500.00)	(\$310,265.17)	82.63%	\$37,916.07	(\$2,148,420.07)
Other income	(\$1,194,814.37)	(\$1,595,350.00)	(\$400,535.63)	25.11%	(\$1,153,227.14)	(\$4,304,769.77)
Change in future employee benefits			\$0.00	0.00%		\$171,251.36
	(\$162,230,126.63)	(\$177,044,545.31)	(\$14,814,418.68)	8.37%	(\$158,567,590.50)	(\$180,234,495.63)
EXPENDITURES						
Salaries	\$36,240,178.69	\$50,708,534.18	\$14,468,355.49	28.53%	\$36,375,109.86	\$49,049,647.59
Benefits	\$10,713,266.14	\$14,109,448.64	\$3,396,182.50	24.07%	\$9,887,765.72	\$13,473,764.38
TOTAL SALARIES/BENEFITS	\$46,953,444.83	\$64,817,982.82	\$17,864,537.99	27.56%	\$46,262,875.58	\$62,523,411.97
Travel and training	\$194,714.05	\$442,575.00	\$247,860.95	56.00%	\$190,890.53	\$303,356.05
Vehicle allowance, maintenance and repairs	\$3,242,907.12	\$3,310,780.00	\$67,872.88	2.05%	\$3,058,291.28	\$4,277,246.70
Utilities and Fuel	\$6,717,997.89	\$10,094,322.00	\$3,376,324.11	33.45%	\$6,512,315.57	\$9,558,705.70
Materials and supplies	\$4,233,151.44	\$5,838,625.72	\$1,605,474.28	27.50%	\$3,742,341.09	\$5,373,956.05
Maintenance and repairs	\$1,522,202.39	\$2,269,596.00	\$747,393.61	32.93%	\$1,736,960.27	\$2,383,583.82
Program expenses	\$174,850.29	\$182,372.00	\$7,521.71	4.12%	\$124,854.23	\$245,571.14
Goods for resale	\$537,973.63	\$623,925.00	\$85,951.37	13.78%	\$396,081.91	\$576,888.23
Rents and leases	\$67,657.11	\$107,645.00	\$39,987.89	37.15%	\$157,001.42	\$173,800.89
Taxes and licenses	\$1,432,303.03	\$2,109,220.00	\$676,916.97	32.09%	\$2,096,036.43	\$2,399,718.21
Financial expenses	\$1,630,816.84	\$2,649,460.46	\$1,018,643.62	38.45%	\$3,933,788.00	\$5,344,466.89
Purchased and contracted services	\$6,334,985.88	\$9,355,846.00	\$3,020,860.12	32.29%	\$5,959,723.93	\$8,531,311.59
Grants to others	\$39,415,414.88	\$51,548,179.31	\$12,132,764.43	23.54%	\$38,194,096.22	\$52,077,396.54
Long term debt	\$1,706,941.33	\$3,252,490.00	\$1,545,548.67	47.52%	\$1,715,563.29	\$3,243,871.52
Transfer to own funds	\$1,461,202.00	\$20,356,448.00	\$18,895,246.00	92.82%	\$850,578.38	\$24,131,099.80
Capital expense	\$169,983.77	\$305,208.00	\$135,224.23	44.31%	\$123,532.29	\$276,102.92
Depreciation		\$0.00	\$0.00%			\$15,984,633.24
Gain/Loss on Disposal of Capital Assets		\$0.00	0.00%			\$127,732.36
Clearing accounts		\$0.00	0.00%			\$66.04
Less: recoverable costs	(\$198,149.96)	(\$220,130.00)	(\$21,980.04)	9.99%	(\$301,173.72)	(\$469,832.03)
TOTAL OTHER EXPENSES	\$68,644,951.69	\$112,226,562.49	\$43,581,610.80	38.83%	\$68,490,947.16	\$134,539,609.62
	\$115,598,396.52	\$177,044,545.31	\$61,446,148.79	34.71%	\$114,753,822.74	\$197,063,021.59
NET (REVENUE)/EXPENDITURE	(\$46,631,730.11)	\$0.00	\$46,631,730.11		(\$43,813,767.76)	\$16,828,525.96
Mayor and Council	\$492,545.18	\$746,116.49	\$253,571.31			
Chief Administrative Officer	\$476,846.73	\$381,389.76	(\$95,456.97)			
Corporate Services	\$6,597,293.48	\$10,157,499.41	\$3,560,205.93			
Legal	\$546,833.37	\$1,552,181.84	\$1,005,348.47			
Fire Services	\$8,786,012.44	\$13,247,553.96	\$4,461,541.52			
Public Works and Engineering	\$28,101,873.40	\$41,521,660.42	\$13,419,787.02			
Community Development and Enterprise Services	\$9,228,656.90	\$13,239,684.46	\$4,011,027.56			
Levy Board	\$15,529,891.25	\$20,824,139.00	\$5,294,247.75			
Outside Agencies	\$21,866,526.57	\$28,577,524.31	\$6,710,997.74			
Outside Agencies - Other	\$1,424,322.73	\$1,482,056.00	\$57,733.27			
Economic Diversification	\$303,460.32	\$500,000.00	\$196,539.68			
Corporate	(\$141,461,426.83)	(\$141,374,875.65)	\$86,551.18			
Capital and Debt	\$1,475,434.35	\$9,145,070.00	\$7,669,635.65			
	(\$46,631,730.11)	\$0.00	\$46,631,730.11			

MAYOR AND COUNCIL

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage Budget-Rem	2017 Actual To: September	2017 Actual Year End
	Actual	2018		25%		
REVENUE						
Contribution from own funds			\$0.00	0.00%		(\$5,702.28)
	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	(\$5,702.28)
EXPENDITURES						
Salaries	\$358,854.67	\$493,280.00	\$134,425.33	27.25%	\$339,196.53	\$444,621.80
Benefits	\$39,152.86	\$71,371.49	\$32,218.63	45.14%	\$40,553.93	\$53,250.25
TOTAL SALARIES/BENEFITS	\$398,007.53	\$564,651.49	\$166,643.96	29.51%	\$379,750.46	\$497,872.05
Travel and training	\$15,059.10	\$53,500.00	\$38,440.90	71.85%	\$18,150.59	\$18,899.57
Vehicle allowance, maintenance and repairs	\$26,839.17	\$36,030.00	\$9,190.83	25.51%	\$25,601.88	\$31,252.13
Materials and supplies	\$52,304.20	\$63,835.00	\$11,530.80	18.06%	\$30,411.87	\$40,714.39
Purchased and contracted services	\$335.18	\$3,100.00	\$2,764.82	89.19%	\$23.23	\$1,199.62
Grants to others		\$25,000.00	\$25,000.00	100.00%	\$20,321.01	\$30,702.28
Depreciation			\$0.00	0.00%		\$2,910.58
TOTAL OTHER EXPENSES	\$94,537.65	\$181,465.00	\$86,927.35	47.90%	\$94,508.58	\$125,678.57
	\$492,545.18	\$746,116.49	\$253,571.31	33.99%	\$474,259.04	\$623,550.62
NET (REVENUE)/EXPENDITURE	\$492,545.18	\$746,116.49	\$253,571.31	33.99%	\$474,259.04	\$617,848.34

CAO'S OFFICE

**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage Budget-Rem	2017 Actual To: September	2017 Actual Year End
	Actual	2018		25%		
REVENUE						
Government grants	(\$113,004.83)	(\$250,009.54)	(\$137,004.71)	54.80%	(\$111,157.54)	(\$231,260.71)
Other income			\$0.00	0.00%	\$44.75	(\$955.25)
	(\$113,004.83)	(\$250,009.54)	(\$137,004.71)	54.80%	(\$111,112.79)	(\$232,215.96)
EXPENDITURES						
Salaries	\$325,015.81	\$455,915.14	\$130,899.33	28.71%	\$309,238.91	\$438,826.90
Benefits	\$89,194.04	\$118,684.16	\$29,490.12	24.85%	\$78,918.02	\$110,143.10
TOTAL SALARIES/BENEFITS	\$414,209.85	\$574,599.30	\$160,389.45	27.91%	\$388,156.93	\$548,970.00
Travel and training	\$5,849.74	\$10,715.00	\$4,865.26	45.41%	\$1,894.50	\$3,161.57
Vehicle allowance, maintenance and repairs	\$3,559.16	\$4,480.00	\$920.84	20.55%	\$3,515.40	\$4,220.97
Materials and supplies	\$50,252.81	\$40,915.00	(\$9,337.81)	(22.82%)	\$10,212.03	\$13,355.95
Maintenance and repairs		\$150.00	\$150.00	100.00%		
Purchased and contracted services	\$115,980.00	\$390.00	(\$115,590.00)	(29,638.46%)	\$17,530.70	\$17,998.42
Capital expense		\$150.00	\$150.00	100.00%		
Depreciation		\$0.00	\$0.00	0.00%		\$1,816.15
TOTAL OTHER EXPENSES	\$175,641.71	\$56,800.00	(\$118,841.71)	(209.23%)	\$33,152.63	\$40,553.06
	\$589,851.56	\$631,399.30	\$41,547.74	6.58%	\$421,309.56	\$589,523.06
NET (REVENUE)/EXPENDITURE	\$476,846.73	\$381,389.76	(\$95,456.97)	(25.03%)	\$310,196.77	\$357,307.10

CORPORATE SERVICES

2018 - THIRD QUARTER ENDED SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Fees and user charges	(\$110,807.74)	(\$159,840.00)	(\$49,032.26)	30.68%	(\$99,466.32)	(\$126,699.48)
Government grants	(\$482,848.69)	(\$1,540.00)	\$481,308.69 (31,253.81%)			(\$485,146.79)
Contribution from own funds		(\$180,000.00)	(\$180,000.00)	100.00%		(\$298,026.59)
Other income	(\$100,434.37)	(\$123,850.00)	(\$23,415.63)	18.91%	(\$74,770.91)	(\$110,099.56)
	(\$694,090.80)	(\$465,230.00)	\$228,860.80 (49.19%)		(\$174,237.23)	(\$1,019,972.42)
EXPENDITURES						
Salaries	\$3,044,520.51	\$4,336,280.18	\$1,291,759.67	29.79%	\$3,070,317.70	\$4,084,932.03
Benefits	\$1,388,072.63	\$1,621,123.23	\$233,050.60	14.38%	\$1,232,543.36	\$1,709,319.28
TOTAL SALARIES/BENEFITS	\$4,432,593.14	\$5,957,403.41	\$1,524,810.27	25.60%	\$4,302,861.06	\$5,794,251.31
Travel and training	\$32,072.49	\$85,945.00	\$53,872.51	62.68%	\$49,258.30	\$104,899.34
Vehicle allowance, maintenance and repairs	\$432.76	\$2,500.00	\$2,067.24	82.69%	\$305.41	\$551.57
Materials and supplies	\$27,192.87	\$169,275.00	\$142,082.13	83.94%	\$168,391.97	\$45,653.30
Maintenance and repairs	\$449,953.58	\$641,413.00	\$191,459.42	29.85%	\$491,554.31	\$545,536.85
Goods for resale	\$9,600.00	\$19,200.00	\$9,600.00	50.00%	\$19,200.00	\$19,200.00
Rents and leases	\$5,694.06	\$15,625.00	\$9,930.94	63.56%	\$6,516.05	\$6,690.06
Financial expenses	\$1,518,735.02	\$2,580,191.00	\$1,061,455.98	41.14%	\$3,879,064.90	\$5,367,292.71
Purchased and contracted services	\$718,657.47	\$1,024,830.00	\$306,172.53	29.88%	\$575,718.87	\$846,315.12
Grants to others	\$11,844.72	\$2,000.00	(\$9,844.72)	(492.24%)		\$2,000.00
Transfer to own funds			\$0.00	0.00%		\$193,271.33
Capital expense	\$84,608.17	\$124,347.00	\$39,738.83	31.96%	\$64,885.86	\$93,651.44
Depreciation			\$0.00	0.00%		\$432,565.16
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		\$1,413.03
TOTAL OTHER EXPENSES	\$2,858,791.14	\$4,665,326.00	\$1,806,534.86	38.72%	\$5,254,895.67	\$7,659,039.91
	\$7,291,384.28	\$10,622,729.41	\$3,331,345.13	31.36%	\$9,557,756.73	\$13,453,291.22
NET (REVENUE)/EXPENDITURE	\$6,597,293.48	\$10,157,499.41	\$3,560,205.93	35.05%	\$9,383,519.50	\$12,433,318.80
HR	1,501,253.94	1,835,508.76	334,254.82	18.21%		
Clerks	749,370.79	1,078,346.79	328,976.00	30.51%		
Finance	4,346,668.75	7,243,643.86	2,896,975.11	39.99%		
	6,597,293.48	10,157,499.41	3,560,205.93			

LEGAL DEPARTMENT

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage Budget-Rem	2017 Actual To: September	2017 Actual Year End
	Actual	2018		25%		
REVENUE						
Fees and user charges	(\$1,817,496.53)	(\$2,149,651.00)	(\$332,154.47)	15.45%	(\$1,867,436.77)	(\$2,314,894.89)
Government grants	(\$47,228.24)		\$47,228.24	0.00%	(\$16,405.20)	(\$28,595.90)
Interest and Investment income	(\$5,210.19)		\$5,210.19	0.00%	(\$3,434.88)	(\$7,580.41)
	<u>(\$1,869,934.96)</u>	<u>(\$2,149,651.00)</u>	<u>(\$279,716.04)</u>	<u>13.01%</u>	<u>(\$1,887,276.85)</u>	<u>(\$2,351,071.20)</u>
EXPENDITURES						
Salaries	\$757,872.37	\$1,043,156.71	\$285,284.34	27.35%	\$758,084.13	\$1,038,580.74
Benefits	\$199,830.36	\$276,896.13	\$77,065.77	27.83%	\$194,452.04	\$264,898.16
TOTAL SALARIES/BENEFITS	\$957,702.73	\$1,320,052.84	\$362,350.11	27.45%	\$952,536.17	\$1,303,478.90
Travel and training	\$14,054.34	\$18,735.00	\$4,680.66	24.98%	\$12,559.99	\$15,763.09
Materials and supplies	\$51,591.26	\$78,815.00	\$27,223.74	34.54%	\$47,950.20	\$64,228.37
Maintenance and repairs		\$4,000.00	\$4,000.00	100.00%		
Rents and leases	\$51,877.41	\$78,075.00	\$26,197.59	33.55%	\$54,152.72	\$69,563.66
Taxes and licenses	\$1,160,264.54	\$1,797,955.00	\$637,690.46	35.47%	\$1,843,918.30	\$2,116,121.26
Purchased and contracted services	\$178,789.51	\$292,000.00	\$113,210.49	38.77%	\$127,730.04	\$249,876.64
Transfer to own funds		\$102,200.00	\$102,200.00	100.00%		
Capital expense	\$2,488.54	\$10,000.00	\$7,511.46	75.11%		
Depreciation			\$0.00	0.00%		
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		
TOTAL OTHER EXPENSES	\$1,459,065.60	\$2,381,780.00	\$922,714.40	38.74%	\$2,086,311.25	\$2,617,129.98
	<u>\$2,416,768.33</u>	<u>\$3,701,832.84</u>	<u>\$1,285,064.51</u>	<u>34.71%</u>	<u>\$3,038,847.42</u>	<u>\$3,920,608.88</u>
NET (REVENUE)/EXPENDITURE	\$546,833.37	\$1,552,181.84	\$1,005,348.47	64.77%	\$1,151,570.57	\$1,569,537.68

FIRE SERVICES

**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Fees and user charges	(\$6,111,980.29)	(\$7,767,189.10)	(\$1,655,208.81)	21.31%	(\$5,083,099.99)	(\$6,897,395.90)
Government grants			\$0.00	0.00%	(\$2.01)	(\$2.01)
Other income	(\$3,173.15)	(\$6,000.00)	(\$2,826.85)	47.11%	(\$755.80)	(\$3,555.80)
	<u>(\$6,115,153.44)</u>	<u>(\$7,773,189.10)</u>	<u>(\$1,658,035.66)</u>	<u>21.33%</u>	<u>(\$5,083,857.80)</u>	<u>(\$6,900,953.71)</u>
EXPENDITURES						
Salaries	\$10,714,477.21	\$15,139,126.87	\$4,424,649.66	29.23%	\$10,768,322.82	\$14,725,565.72
Benefits	\$3,259,273.77	\$4,061,562.19	\$802,288.42	19.75%	\$2,855,912.05	\$3,872,148.38
TOTAL SALARIES/BENEFITS	\$13,973,750.98	\$19,200,689.06	\$5,226,938.08	27.22%	\$13,624,234.87	\$18,597,714.10
Travel and training	\$43,258.13	\$120,820.00	\$77,561.87	64.20%	\$44,459.54	\$66,496.47
Vehicle allowance, maintenance and repairs	\$145,113.68	\$207,580.00	\$62,466.32	30.09%	\$203,327.35	\$278,387.10
Utilities and Fuel	\$231,742.56	\$323,260.00	\$91,517.44	28.31%	\$243,951.41	\$326,642.45
Materials and supplies	\$268,183.93	\$412,812.00	\$144,628.07	35.03%	\$135,950.49	\$270,744.73
Maintenance and repairs	\$145,334.54	\$196,965.00	\$51,630.46	26.21%	\$151,805.96	\$214,048.57
Rents and leases		\$3,695.00	\$3,695.00	100.00%	\$1,214.52	\$2,429.04
Taxes and licenses	\$56,775.00	\$57,800.00	\$1,025.00	1.77%	\$44,130.00	\$44,130.00
Financial expenses	\$1,947.06	\$2,500.00	\$552.94	22.12%	\$2,774.82	\$3,468.45
Purchased and contracted services	\$28,100.18	\$122,446.00	\$94,345.82	77.05%	\$78,025.77	\$169,561.62
Transfer to own funds		\$303,000.00	\$303,000.00	100.00%		\$352,688.53
Capital expense	\$6,959.82	\$69,176.00	\$62,216.18	89.94%	\$6,485.14	\$43,396.54
Depreciation			\$0.00	0.00%		\$425,442.64
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		\$16,594.54
Less: recoverable costs			\$0.00	0.00%	(\$200.00)	(\$200.00)
TOTAL OTHER EXPENSES	\$927,414.90	\$1,820,054.00	\$892,639.10	49.04%	\$911,925.00	\$2,213,830.68
	\$14,901,165.88	\$21,020,743.06	\$6,119,577.18	29.11%	\$14,536,159.87	\$20,811,544.78
NET (REVENUE)/EXPENDITURE	\$8,786,012.44	\$13,247,553.96	\$4,461,541.52	33.68%	\$9,452,302.07	\$13,910,591.07

PUBLIC WORKS AND ENGINEERING

**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE				25%		
Fees and user charges	(\$1,727,129.18)	(\$2,257,848.00)	(\$530,718.82)	23.51%	(\$1,769,172.93)	(\$2,442,142.84)
Government grants	(\$390,919.43)	(\$757,000.00)	(\$366,080.57)	48.36%	(\$395,447.74)	(\$748,199.58)
Contribution from own funds		(\$40,500.00)	(\$40,500.00)	100.00%		(\$5,827.50)
Other income	(\$109,558.92)	(\$18,500.00)	\$91,058.92	(492.21%)	(\$120,884.97)	(\$157,311.37)
	<u>(\$2,227,607.53)</u>	<u>(\$3,073,848.00)</u>	<u>(\$846,240.47)</u>	<u>27.53%</u>	<u>(\$2,285,505.64)</u>	<u>(\$3,353,481.29)</u>
EXPENDITURES						
Salaries	\$11,947,496.69	\$16,728,227.61	\$4,780,730.92	28.58%	\$11,577,840.31	\$15,718,315.77
Benefits	\$3,428,623.01	\$4,929,679.81	\$1,501,056.80	30.45%	\$3,178,323.21	\$4,348,653.87
TOTAL SALARIES/BENEFITS	\$15,376,119.70	\$21,657,907.42	\$6,281,787.72	29.00%	\$14,756,163.52	\$20,066,969.64
Travel and training	\$51,864.65	\$90,040.00	\$38,175.35	42.40%	\$36,030.35	\$55,473.68
Vehicle allowance, maintenance and repairs	\$2,267,684.55	\$2,406,730.00	\$139,045.45	5.78%	\$2,104,043.77	\$2,941,920.73
Utilities and Fuel	\$4,217,030.63	\$6,793,307.00	\$2,576,276.37	37.92%	\$4,200,450.72	\$6,338,007.47
Materials and supplies	\$2,590,416.66	\$3,677,780.00	\$1,087,363.34	29.57%	\$2,417,578.02	\$3,309,935.44
Maintenance and repairs	\$191,948.13	\$264,500.00	\$72,551.87	27.43%	\$214,879.12	\$256,611.16
Taxes and licenses	\$56,461.56	\$82,715.00	\$26,253.44	31.74%	\$49,580.04	\$57,928.66
Financial expenses	\$3,745.30	\$2,000.00	(\$1,745.30)	(87.27%)	\$2,942.78	\$4,418.65
Purchased and contracted services	\$4,891,187.77	\$6,923,914.00	\$2,032,726.23	29.36%	\$4,723,281.95	\$6,616,210.21
Transfer to own funds	\$851,122.00	\$2,866,745.00	\$2,015,623.00	70.31%	\$851,122.50	\$2,184,511.67
Capital expense	\$30,049.94	\$50,000.00	\$19,950.06	39.90%	\$8,187.13	\$25,193.66
Depreciation			\$0.00	0.00%		\$13,386,892.78
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		\$138,356.69
Less: recoverable costs	(\$198,149.96)	(\$220,130.00)	(\$21,980.04)	9.99%	(\$300,973.72)	(\$469,632.03)
TOTAL OTHER EXPENSES	\$14,953,361.23	\$22,937,601.00	\$7,984,239.77	34.81%	\$14,307,122.66	\$34,845,828.77
	<u>\$30,329,480.93</u>	<u>\$44,595,508.42</u>	<u>\$14,266,027.49</u>	<u>31.99%</u>	<u>\$29,063,286.18</u>	<u>\$54,912,798.41</u>
NET (REVENUE)/EXPENDITURE	\$28,101,873.40	\$41,521,660.42	\$13,419,787.02	32.32%	\$26,777,780.54	\$51,559,317.12
Public Works	20,302,326.16	28,296,223.17	7,993,897.01	28.25%		
Engineering	7,799,547.24	13,225,437.25	5,425,890.01	41.03%		
	28,101,873.40	41,521,660.42	13,419,787.02			

PUBLIC WORKS

2018 - THIRD QUARTER ENDED SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE				25%		
Fees and user charges	(\$1,717,947.47)	(\$2,248,048.00)	(\$530,100.53)	23.58%	(\$1,760,587.45)	(\$2,432,441.44)
Government grants	(\$360,942.59)	(\$717,000.00)	(\$356,057.41)	49.66%	(\$366,721.24)	(\$719,473.08)
Contribution from own funds		(\$40,500.00)	(\$40,500.00)	100.00%		(\$5,827.50)
Other income	(\$109,558.92)	(\$18,500.00)	\$91,058.92	(492.21%)	(\$120,884.97)	(\$157,311.37)
	(\$2,188,448.98)	(\$3,024,048.00)	(\$835,599.02)	27.63%	(\$2,248,193.66)	(\$3,315,053.39)
EXPENDITURES						
Salaries	\$10,487,999.14	\$14,650,804.87	\$4,162,805.73	28.41%	\$10,220,375.44	\$13,901,933.72
Benefits	\$3,059,635.84	\$4,401,975.30	\$1,342,339.46	30.49%	\$2,810,373.27	\$3,852,824.98
TOTAL SALARIES/BENEFITS	\$13,547,634.98	\$19,052,780.17	\$5,505,145.19	28.89%	\$13,030,748.71	\$17,754,758.70
Travel and training	\$50,985.89	\$78,040.00	\$27,054.11	34.67%	\$33,929.51	\$51,538.26
Vehicle allowance, maintenance and repairs	\$2,259,707.59	\$2,391,530.00	\$131,822.41	5.51%	\$2,098,938.12	\$2,932,395.28
Utilities and Fuel	\$1,202,127.47	\$1,614,627.00	\$412,499.53	25.55%	\$1,118,140.51	\$1,454,674.41
Materials and supplies	\$2,490,548.01	\$3,504,270.00	\$1,013,721.99	28.93%	\$2,315,330.10	\$3,181,336.03
Taxes and licenses	\$56,461.56	\$82,715.00	\$26,253.44	31.74%	\$49,580.04	\$57,928.66
Financial expenses	\$3,745.30	\$2,000.00	(\$1,745.30)	(87.27%)	\$2,942.78	\$4,418.65
Purchased and contracted services	\$2,221,755.43	\$3,284,694.00	\$1,062,938.57	32.36%	\$2,070,049.12	\$3,017,680.73
Transfer to own funds	\$851,122.00	\$1,526,745.00	\$675,623.00	44.25%	\$851,122.50	\$1,423,348.11
Capital expense	\$4,836.87	\$3,000.00	(\$1,836.87)	(61.23%)	\$1,585.42	\$2,676.29
Depreciation			\$0.00	0.00%		\$2,490,092.51
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		\$138,180.53
Less: recoverable costs	(\$198,149.96)	(\$220,130.00)	(\$21,980.04)	9.99%	(\$300,973.72)	(\$469,632.03)
TOTAL OTHER EXPENSES	\$8,943,140.16	\$12,267,491.00	\$3,324,350.84	27.10%	\$8,240,644.38	\$14,284,637.43
	\$22,490,775.14	\$31,320,271.17	\$8,829,496.03	28.19%		
NET (REVENUE)/EXPENDITURE	\$20,302,326.16	\$28,296,223.17	\$7,993,897.01	28.25%	\$19,023,199.43	\$28,724,342.74
Operations						
Winter Control: Roadways and Sidewalks	5,641,208.70	7,268,007.64	1,626,798.94	22.38%		
Sanitary Sewers	1,333,161.06	1,915,075.49	581,914.43	30.39%		
Storm Sewers	329,659.42	521,893.14	192,233.72	36.83%		
Roadways and Sidewalks	2,119,693.87	3,595,612.29	1,475,918.42	41.05%		
Supervision and Overhead	2,359,800.27	3,067,822.61	708,022.34	23.08%		
Traffic & Communications	1,148,832.14	1,685,623.57	536,791.43	31.85%		
Carpentry	630,404.90	616,488.99	(13,915.91)	(2.26%)		
Administration	1,235,464.87	1,742,314.25	506,849.38	29.09%		
Buildings & Equipment	1,372,534.49	2,024,209.36	651,674.87	32.19%		
Waste Management	1,700,094.78	2,651,480.00	951,385.22	35.88%		
Parks	2,431,471.66	3,207,695.83	776,224.17	24.20%		
	20,302,326.16	28,296,223.17	\$7,993,897.01			

ENGINEERING

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Fees and user charges	(\$9,181.71)	(\$9,800.00)	(\$618.29)	6.31%	(\$8,585.48)	(\$9,701.40)
Government grants	(\$29,976.84)	(\$40,000.00)	(\$10,023.16)	25.06%	(\$28,726.50)	(\$28,726.50)
	(\$39,158.55)	(\$49,800.00)	(\$10,641.45)	21.37%	(\$37,311.98)	(\$38,427.90)
EXPENDITURES						
Salaries	\$1,459,497.55	\$2,077,422.74	\$617,925.19	29.74%	\$1,357,464.87	\$1,816,382.05
Benefits	\$368,987.17	\$527,704.51	\$158,717.34	30.08%	\$367,949.94	\$495,828.89
TOTAL SALARIES/BENEFITS	\$1,828,484.72	\$2,605,127.25	\$776,642.53	29.81%	\$1,725,414.81	\$2,312,210.94
Travel and training	\$878.76	\$12,000.00	\$11,121.24	92.68%	\$2,100.84	\$3,935.42
Vehicle allowance, maintenance and repairs	\$7,976.96	\$15,200.00	\$7,223.04	47.52%	\$5,105.65	\$9,525.45
Utilities and Fuel	\$3,014,903.16	\$5,178,680.00	\$2,163,776.84	41.78%	\$3,082,310.21	\$4,883,333.06
Materials and supplies	\$99,868.65	\$173,510.00	\$73,641.35	42.44%	\$102,247.92	\$128,599.41
Maintenance and repairs	\$191,948.13	\$264,500.00	\$72,551.87	27.43%	\$214,879.12	\$256,611.16
Purchased and contracted services	\$2,669,432.34	\$3,639,220.00	\$969,787.66	26.65%	\$2,653,232.83	\$3,598,529.48
Transfer to own funds		\$1,340,000.00	\$1,340,000.00	100.00%		\$761,163.56
Capital expense	\$25,213.07	\$47,000.00	\$21,786.93	46.36%	\$6,601.71	\$22,517.37
Depreciation			\$0.00	0.00%		\$10,896,800.27
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		\$176.16
TOTAL OTHER EXPENSES	\$6,010,221.07	\$10,670,110.00	\$4,659,888.93	43.67%	\$6,066,478.28	\$20,561,191.34
	\$7,838,705.79	\$13,275,237.25	\$5,436,531.46	40.95%	\$7,791,893.09	\$22,873,402.28
NET (REVENUE)/EXPENDITURE	\$7,799,547.24	\$13,225,437.25	\$5,425,890.01	41.03%	\$7,754,581.11	\$22,834,974.38

**COMMUNITY DEVELOPMENT & ENTERPRISE
SERVICES**

**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE				25%		
Fees and user charges	(\$7,302,717.20)	(\$9,045,360.02)	(\$1,742,642.82)	19.27%	(\$7,013,861.60)	(\$9,154,449.87)
Government grants	(\$568,284.53)	(\$1,445,400.00)	(\$877,115.47)	60.68%	(\$1,674,901.78)	(\$1,817,322.35)
Contribution from own funds	\$58,540.17	(\$75,000.00)	(\$133,540.17)	178.05%	\$37,916.07	(\$748,123.94)
Other income	(\$156,835.66)	(\$47,000.00)	\$109,835.66	(233.69%)	(\$155,678.49)	(\$185,854.67)
	<u>(\$7,969,297.22)</u>	<u>(\$10,612,760.02)</u>	<u>(\$2,643,462.80)</u>	<u>24.91%</u>	<u>(\$8,806,525.80)</u>	<u>(\$11,905,750.83)</u>
EXPENDITURES						
Salaries	\$9,061,811.33	\$12,512,547.67	\$3,450,736.34	27.58%	\$9,552,034.12	\$12,598,646.89
Benefits	\$2,293,119.47	\$3,010,131.63	\$717,012.16	23.82%	\$2,289,864.75	\$3,098,152.98
TOTAL SALARIES/BENEFITS	\$11,354,930.80	\$15,522,679.30	\$4,167,748.50	26.85%	\$11,841,898.87	\$15,696,799.87
Travel and training	\$32,555.60	\$62,820.00	\$30,264.40	48.18%	\$28,537.26	\$38,662.33
Vehicle allowance, maintenance and repairs	\$799,277.80	\$653,460.00	(\$145,817.80)	(22.31%)	\$721,497.47	\$1,020,914.20
Utilities and Fuel	\$2,269,224.70	\$2,977,755.00	\$708,530.30	23.79%	\$2,067,913.44	\$2,894,055.78
Materials and supplies	\$502,231.32	\$893,263.72	\$391,032.40	43.78%	\$499,511.10	\$826,392.04
Maintenance and repairs	\$734,966.14	\$1,162,568.00	\$427,601.86	36.78%	\$878,720.88	\$1,367,387.24
Program expenses	\$174,850.29	\$182,372.00	\$7,521.71	4.12%	\$124,854.23	\$245,571.14
Goods for resale	\$528,373.63	\$604,725.00	\$76,351.37	12.63%	\$376,881.91	\$557,688.23
Rents and leases	\$10,085.64	\$10,250.00	\$164.36	1.60%	\$95,118.13	\$95,118.13
Taxes and licenses	\$158,801.93	\$170,750.00	\$11,948.07	7.00%	\$158,408.09	\$181,538.29
Financial expenses	\$106,389.46	\$64,769.46	(\$41,620.00)	(64.26%)	\$49,005.50	\$77,633.56
Purchased and contracted services	\$385,938.42	\$982,166.00	\$596,227.58	60.71%	\$405,580.97	\$591,817.29
Grants to others	\$94,451.09	\$239,000.00	\$144,548.91	60.48%	\$210,949.76	\$315,860.80
Transfer to own funds		\$274,331.00	\$274,331.00	100.00%		(\$544.12)
Capital expense	\$45,877.30	\$51,535.00	\$5,657.70	10.98%	\$43,974.16	\$416,558.59
Depreciation			\$0.00	0.00%		\$113,712.01
Gain/Loss on Disposal of Capital Assets			\$0.00	0.00%		\$1,731,506.67
TOTAL OTHER EXPENSES	\$5,843,023.32	\$8,329,765.18	\$2,486,741.86	29.85%	\$5,660,408.78	\$10,484,502.67
	<u>\$17,197,954.12</u>	<u>\$23,852,444.48</u>	<u>\$6,654,490.36</u>	<u>27.90%</u>	<u>\$17,502,307.65</u>	<u>\$26,181,302.54</u>
NET (REVENUE)/EXPENDITURE	\$9,228,656.90	\$13,239,684.46	\$4,011,027.56	30.30%	\$8,695,781.85	\$14,275,551.71
Building Permit/Inspection	53,393.52	68,149.35	14,755.83	21.65%		
Planning	551,362.88	674,482.97	123,120.09	18.25%		
Recreation & Culture	1,022,403.49	1,544,405.81	522,002.32	33.80%		
Community Centres						
John Rhodes Community Centre	895,808.11	1,462,804.64	566,996.53	38.76%		
McMeeken Centre	103,676.60	140,646.00	36,969.40	26.29%		
Northern Community Centre	(14,724.16)	(48,139.43)	(33,415.27)	69.41%		
Outdoor Pools/ Misc Concessions	123,166.83	116,771.31	(6,395.52)	(5.48%)		
Accessibility	115,384.44	218,770.90	103,386.46	47.26%		
Administration	666,560.27	951,557.96	284,997.69	29.95%		
GFL Memorial Gardens	(56,673.04)	612,358.41	669,031.45	109.25%		
Locks	26,392.50	44,050.31	17,657.81	40.09%		
Cemetery	69,478.82	114,144.94	44,666.12	39.13%		
Transit	4,963,200.47	5,887,359.66	924,159.19	15.70%		
School Guards	186,886.17	299,290.00	112,403.83	37.56%		
FutureSSM	71,063.63	444,656.00	373,592.37	84.02%		
Parking	(11,807.17)	72,002.24	83,809.41	116.40%		
Administration	463,083.54	636,373.39	173,289.85	27.23%		
	9,228,656.90	13,239,684.46	4,011,027.56			

LEVY BOARDS

**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage Budget-Rem	2017 Actual To: September	2017 Actual Year End
	Actual	2018		25%		
REVENUE						
EXPENDITURES						
Grants to others	\$15,529,891.25	\$20,824,139.00	\$5,294,247.75	25.42%	\$15,339,300.50	\$20,461,965.00
TOTAL OTHER EXPENSES	\$15,529,891.25	\$20,824,139.00	\$5,294,247.75	25.42%	\$15,339,300.50	\$20,461,965.00
NET (REVENUE)/EXPENDITURE	\$15,529,891.25	\$20,824,139.00	\$5,294,247.75	25.42%	\$15,339,300.50	\$20,461,965.00

OUTSIDE AGENCIES - MAIN

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Fees and user charges		(\$2,334.00)		\$2,334.00	0.00%	
Government grants		(\$77,756.50)		\$77,756.50	0.00%	
		(\$80,090.50)	\$0.00	\$80,090.50	0.00%	
EXPENDITURES						
Grants to others		\$2,880,470.59	\$3,400,885.00	\$520,414.41	15.30%	
Transfer to own funds			\$80,000.00	\$80,000.00	100.00%	
TOTAL OTHER EXPENSES	\$2,880,470.59	\$3,480,885.00	\$600,414.41	17.25%	\$2,794,274.50	\$3,479,751.80
		\$2,880,470.59	\$3,480,885.00	\$600,414.41	17.25%	
NET (REVENUE)/EXPENDITURE	\$2,800,380.09	\$3,480,885.00	\$680,504.91	19.55%	\$2,262,992.51	\$3,622,254.40

OUTSIDE AGENCIES - OTHER

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Fees and user charges	(\$65,272.32)	(\$120,000.00)	(\$54,727.68)	45.61%	(\$122,937.26)	(\$132,664.94)
Contribution from own funds	(\$123,775.00)	(\$80,000.00)	\$43,775.00	(54.72%)	(\$88,443.30)	
	<u>(\$189,047.32)</u>	<u>(\$200,000.00)</u>	<u>(\$10,952.68)</u>	<u>5.48%</u>	<u>(\$122,937.26)</u>	<u>(\$221,108.24)</u>
EXPENDITURES						
Materials and supplies	\$128,521.67	\$200,000.00	\$71,478.33	35.74%	\$140,958.32	\$221,108.25
Grants to others	\$1,454,789.50	\$1,482,056.00	\$27,266.50	1.84%	\$1,672,006.53	\$2,091,838.89
TOTAL OTHER EXPENSES	\$1,583,311.17	\$1,682,056.00	\$98,744.83	5.87%	\$1,812,964.85	\$2,312,947.14
	<u>\$1,583,311.17</u>	<u>\$1,682,056.00</u>	<u>\$98,744.83</u>	<u>5.87%</u>	<u>\$1,812,964.85</u>	<u>\$2,312,947.14</u>
NET (REVENUE)/EXPENDITURE	\$1,394,263.85	\$1,482,056.00	\$87,792.15	5.92%	\$1,690,027.59	\$2,091,838.90

EDF

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD Actual	Budget 2018	Variance	Percentage Budget-Rem	2017 Actual To: September	2017 Actual Year End
				25%		
REVENUE						
Contribution from own funds			\$0.00	0.00%		(\$318,624.20)
	\$0.00	\$0.00	\$0.00	0.00%	\$0.00	(\$318,624.20)
EXPENDITURES						
Materials and supplies	\$303,460.32		(\$303,460.32)	0.00%	\$213,275.70	\$318,624.20
Transfer to own funds		\$500,000.00	\$500,000.00	100.00%		\$500,000.00
TOTAL OTHER EXPENSES	\$303,460.32	\$500,000.00	\$196,539.68	39.31%	\$213,275.70	\$818,624.20
	\$303,460.32	\$500,000.00	\$196,539.68	39.31%	\$213,275.70	\$818,624.20
NET (REVENUE)/EXPENDITURE	\$303,460.32	\$500,000.00	\$196,539.68	39.31%	\$213,275.70	\$500,000.00

CORPORATE FINANCIALS

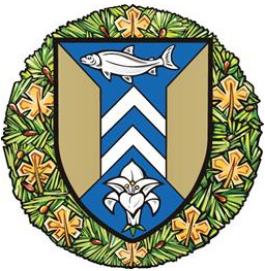
**2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018**

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE				25%		
Taxation	(\$113,584,584.83)	(\$113,241,817.65)	\$342,767.18	(0.30%)	(\$111,586,866.61)	(\$112,328,695.03)
Payment in Lieu of taxes	(\$2,532,219.85)	(\$4,160,860.00)	(\$1,628,640.15)	39.14%	(\$2,887,347.76)	(\$4,541,861.40)
Fees and user charges	(\$9,716,272.66)	(\$13,606,980.00)	(\$3,890,707.34)	28.59%	(\$8,917,553.95)	(\$11,896,833.41)
Government grants	(\$11,591,400.00)	(\$15,455,200.00)	(\$3,863,800.00)	25.00%	(\$11,501,250.00)	(\$15,335,000.00)
Interest and Investment income	(\$4,491,103.44)	(\$4,305,000.00)	\$186,103.44	(4.32%)	(\$3,687,881.28)	(\$4,951,129.41)
Contribution from own funds			\$0.00	0.00%		(\$683,672.26)
Other income	(\$824,812.27)	(\$1,400,000.00)	(\$575,187.73)	41.08%	(\$801,181.72)	(\$3,846,993.12)
Change in future employee benefits			\$0.00	0.00%		\$171,251.36
	(\$142,740,393.05)	(\$152,169,857.65)	(\$9,429,464.60)	6.20%	(\$139,382,081.32)	(\$153,412,933.27)
EXPENDITURES						
Salaries			\$0.00	0.00%	\$75.34	\$157.74
Benefits	\$16,000.00	\$20,000.00	\$4,000.00	20.00%	\$14,000.00	\$14,000.00
TOTAL SALARIES/BENEFITS	\$16,000.00	\$20,000.00	\$4,000.00	20.00%	\$14,075.34	\$14,157.74
Materials and supplies	\$259,067.62	\$301,930.00	\$42,862.38	14.20%	\$78,101.39	\$263,199.38
Financial expenses			\$0.00	0.00%		(\$108,346.48)
Purchased and contracted services	\$15,997.35	\$7,000.00	(\$8,997.35)	(128.53%)	\$31,832.40	\$38,332.67
Grants to others	\$377,821.25	\$478,460.00	\$100,638.75	21.03%	\$160,350.40	\$479,323.76
Transfer to own funds	\$610,080.00	\$9,987,592.00	\$9,377,512.00	93.89%		\$13,779,537.32
TOTAL OTHER EXPENSES	\$1,262,966.22	\$10,774,982.00	\$9,512,015.78	88.28%	\$270,284.19	\$14,452,046.65
	\$1,278,966.22	\$10,794,982.00	\$9,516,015.78	88.15%	\$284,359.53	\$14,466,204.39
NET (REVENUE)/EXPENDITURE	(\$141,461,426.83)	(\$141,374,875.65)	\$86,551.18	(0.06%)	(\$139,097,721.79)	(\$138,946,728.88)

CAPITAL LEVY & DEBT

2018 - THIRD QUARTER ENDED
SEPTEMBER 30, 2018

FISCAL YEAR REMAINING% :	YTD	Budget	Variance	Percentage	2017	2017
	Actual	2018		Budget-Rem	Actual To: September	Actual Year End
REVENUE						
Fees and user charges	(\$231,506.98)	(\$350,000.00)	(\$118,493.02)	33.86%	(\$182,773.82)	(\$351,382.43)
	<u>(\$231,506.98)</u>	<u>(\$350,000.00)</u>	<u>(\$118,493.02)</u>	<u>33.86%</u>	<u>(\$182,773.82)</u>	<u>(\$351,382.43)</u>
EXPENDITURES						
Long term debt	\$1,706,941.33	\$3,252,490.00	\$1,545,548.67	47.52%	\$1,715,563.29	\$3,243,871.52
Transfer to own funds		\$6,242,580.00	\$6,242,580.00	100.00%		\$6,264,083.26
TOTAL OTHER EXPENSES	\$1,706,941.33	\$9,495,070.00	\$7,788,128.67	82.02%	\$1,715,563.29	\$9,507,954.78
	<u>\$1,706,941.33</u>	<u>\$9,495,070.00</u>	<u>\$7,788,128.67</u>	<u>82.02%</u>	<u>\$1,715,563.29</u>	<u>\$9,507,954.78</u>
NET (REVENUE)/EXPENDITURE	\$1,475,434.35	\$9,145,070.00	\$7,669,635.65	83.87%	\$1,532,789.47	\$9,156,572.35



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Virginia McLeod, Manager of Recreation and Culture

DEPARTMENT: Community Development and Enterprise Services

RE: Designated Heritage Property Grant – Bishop Fauquier Memorial Chapel

PURPOSE

The purpose of this report is to seek Council's approval for a grant in the amount of \$3,000.00 toward the cost of work to be completed on the Bishop Fauquier Memorial Chapel located at 1540 Queen Street East which is a designated heritage property.

BACKGROUND

The Sault Ste. Marie Municipal Heritage Committee is a committee of City Council committed to the identification and preservation of buildings, structures and lands that are of cultural and/or historical value or interest, and to initiate and promote a conservation ethic and a climate of responsible stewardship of the community's cultural heritage assets.

The Designated Property Grant Program, administered by the Sault Ste. Marie Municipal Heritage Committee was established to assist owners of properties designated under Part IV of the Ontario Heritage Act. Owners of designated heritage properties within the City of Sault Ste. Marie are eligible to receive grants toward the conservation and restoration of their heritage properties.

Through the Designated Property Grant Program, owners may apply to receive one grant per calendar year for work done on the heritage features of their designated heritage property or on specific structures which ensure the ongoing integrity of their heritage property. The grants do not exceed 67% of the approved project cost and are generally limited to a maximum of \$3,000.00 for a single applicant.

The Sault Ste. Marie Municipal Heritage Committee (S.S.M.M.H.C.) received a Designated Heritage Property Grant application (attached) from the Shingwauk

Designated Heritage Property Grant – Bishop Fauquier Memorial Chapel

2018 11 05

Page 2.

Education Trust for the Bishop Fauquier Memorial Chapel located at 1540 Queen Street East to assist with the restoration of 9 stained glass windows. The Bishop Fauquier Memorial Chapel is a heritage building designated under Part IV of the Ontario Heritage Act in 1981.

ANALYSIS

At their meeting on October 3, 2018 the S.S.M.M.H.C. reviewed the application from Shingwauk Education Trust for the restoration of 9 stained glass windows. The estimated cost of the project is \$18,290.00.

The following resolution was passed at the October 3, 2018 meeting of the S.S.M.M.H.C:

Moved by: J. van Haaften
Seconded by: J. Dumanski

"Resolved that the Sault Ste. Marie Municipal Heritage Committee recommend a designated heritage property grant of \$3,000.00 to the Shingwauk Education Trust for the restoration of 9 stained glass windows as presented in their application dated September 7, 2018; and further that final payment be based upon the submission of paid contractor's invoices and upon final approval of the work by the S.S.M.M.H.C; and further that the funds come from the Designated Heritage Grant account and further that a report be sent to City Council for their approval."

CARRIED

FINANCIAL IMPLICATIONS

The 2018 budget for designated heritage property grants is \$12,000 and there are no commitments to date.

STRATEGIC PLAN / POLICY IMPACT

Focus Area – Quality of Life: Promotion of our City's arts, culture, historic and heritage sites is an essential component in achieving economic health.

RECOMMENDATION

It is therefore recommended that Council take the following action:

"Resolved that the report of the Manager of Recreation and Culture dated 2018 11 05 concerning a designated heritage property grant for Bishop Fauquier Memorial Chapel and that the recommendation of the Sault Ste. Marie Municipal Heritage Committee that a grant in the amount of \$3,000.00 be provided towards the restoration of 9 stained glass windows and further that payment be rendered upon submission of the paid contractor's invoices and final approval of the

Designated Heritage Property Grant – Bishop Fauquier Memorial Chapel

2018 11 05

Page 3.

project by the Sault Ste. Marie Municipal Heritage Committee and further that the funds come from the Designated Heritage Property Grant budget, be approved."

Respectfully submitted,



Virginia McLeod
Manager of Recreation and Culture
705.759-5311
v.mcLeod@cityssm.on.ca



Sault Ste. Marie Municipal Heritage Committee

APPLICATION FOR A DESIGNATED PROPERTY GRANT

To be completed by the applicant and returned to the Sault Ste. Marie Municipal Heritage Committee, c/o the Manager Recreation & Culture.

Note: In order to be eligible for this grant, properties must be within the City of Sault Ste. Marie and designated under The Ontario Heritage Act, 1975. For specific criteria refer to the document "Guidelines for the Application of a Designated Property Grant."

1. Applicant

Name Shingwauk Education Trust - "Bishop Faugler Memorial Chapel" Telephone (include area code) [REDACTED]
Address 1550 Queen St. E., Sault Ste. Marie, ON Postal Code P6A 2E3

2. Property for which application is being made:

1540 Queen St. E. Sault Ste. Marie, ON P6A 2E3

3. Have you previously received a Designated Property Grant for this property?

Yes No

(If "Yes, give date and amount)

Date	Amount

4. Provide a description of the project and cost breakdown. Include details such as materials to be used, sizes, mortar mixes, etc. Enclose all drawings, project photos and/or other material necessary for a complete understanding of the proposed work (use additional sheets as required). Please include any available historic photographs.

Description	Cost
<u>9-windows restoration (stained glass)</u>	<u>\$18,290.00</u>

5. List all sources and amounts of funding requested for project

Heritage Grant Amount	Amount
	<u>\$ 3,000.00</u>
Other Level of Government Funding	<u>\$</u>
Private Funds	<u>\$ 15,290.00</u>

I certify that to the best of my knowledge the information provided in this application for a Designated Property Grant is accurate and complete.

Applicant A

Date September 07/18

Nothing contained in this application relieves the applicant from obtaining required Municipal Permits. All work must be carried out in accordance with the requirements of the Ontario Building Code, Municipal By-laws and the City of Sault Ste. Marie Purchasing Policy.

To be completed by the applicant and returned to the Sault Ste. Marie Municipal Heritage Committee c/o the Manager of Recreation and Culture

Personal information on the Application for a Designated Property Grant is collected under the authority of the Municipal Freedom of Information and Protection of Privacy Act R.S.O. 1990 M.C.M. 56 and will be used solely to determine applicable information necessary for application. Questions about this collection should be directed to the Sault Ste. Marie Municipal Heritage Committee, c/o the Manager of Recreation & Culture Division.

COMMUNITY SERVICES DEPT.

SEP 15 2018

RECEIVED

June 22, 2018

Estimate to re-condition stained glass windows in the Bishop Farquier Chapel.

1. Small window left side of alter.

Remove damaged window from sash and inspect frame. All broken painted pieces and lead came will be replaced. Re-furbished window will then be installed into sash.

Cost - \$850.00 plus HST

2. 6 windows in main part of the church 3 on the north and 3 on the south.

Remove damaged windows from the sash and inspect frames. All broken pieces and lead came will be replaced. The refurbished windows will be installed into sash.

Cost - \$2600.00 plus HST each

3. One window in south hall and one window in North hall. Remove damaged windows from sash and inspect frames. All broken pieces and lead came will be replaced. The refurbished windows will be installed into sash.

Cost- \$920.00 plus HST each

Total cost of window restorations for windows covered by this quote: \$18,290.00 plus HST

If there are problems with the frames that are not apparent until windows are removed I suggest that a \$1500.00 contingency fund be set up to cover any unforeseen issues. This fund will not be used without your permission.

A 30% deposit is required before work can proceed.

References supplied if requested.

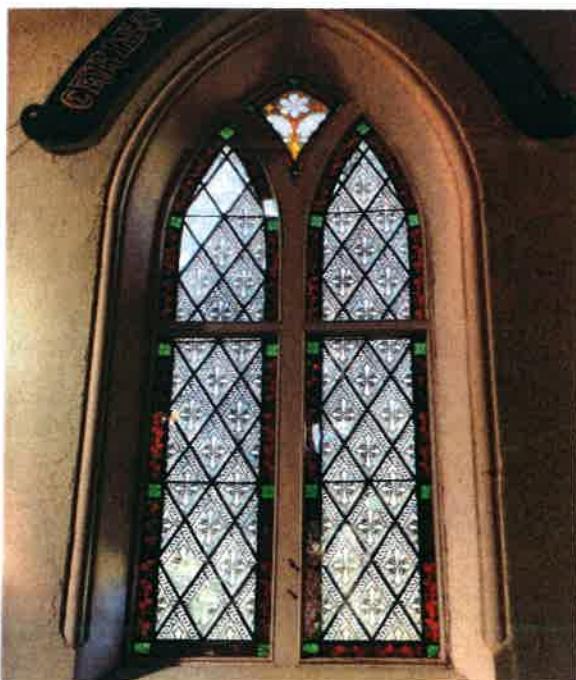
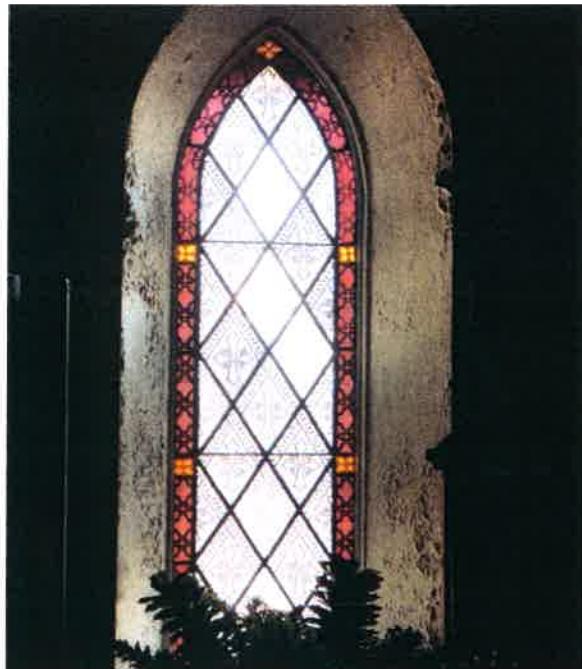
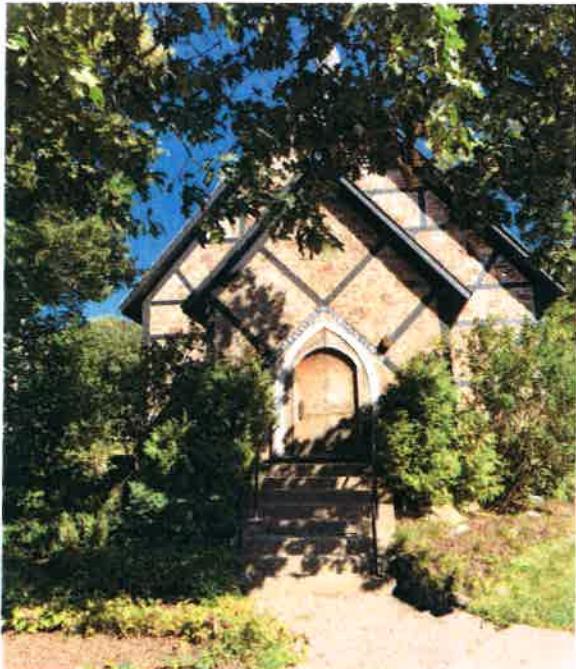
Regards

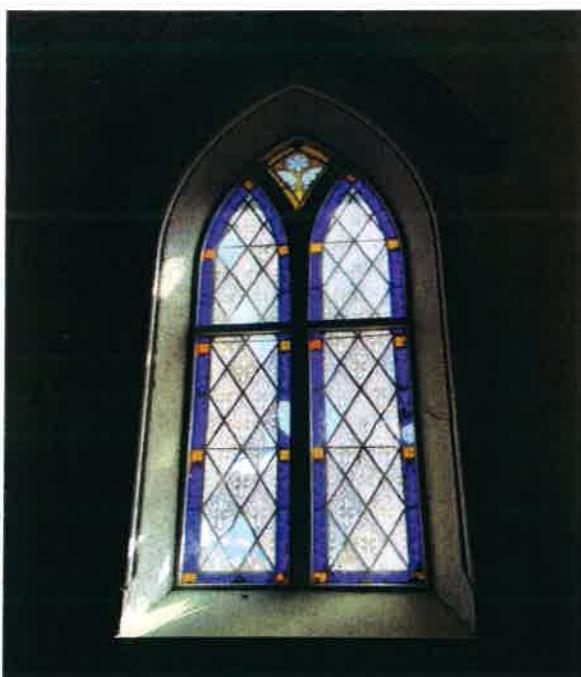
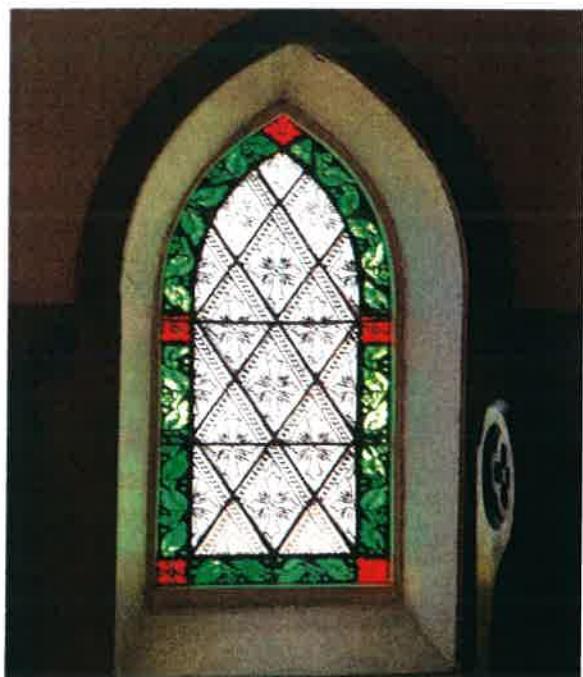
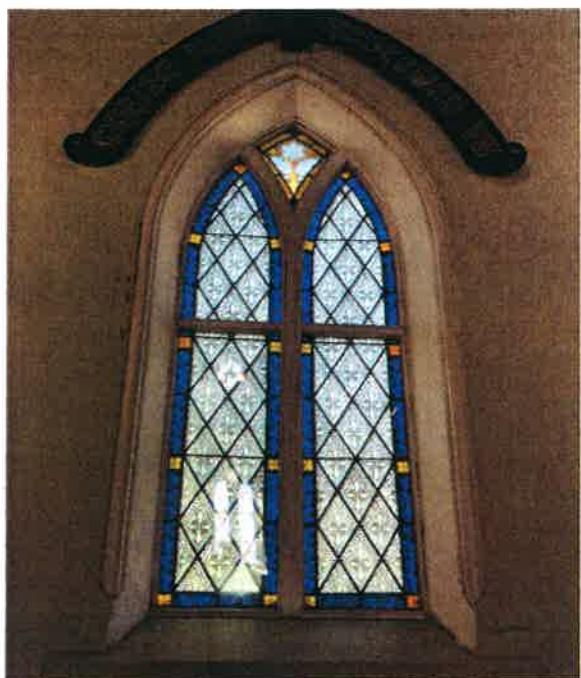
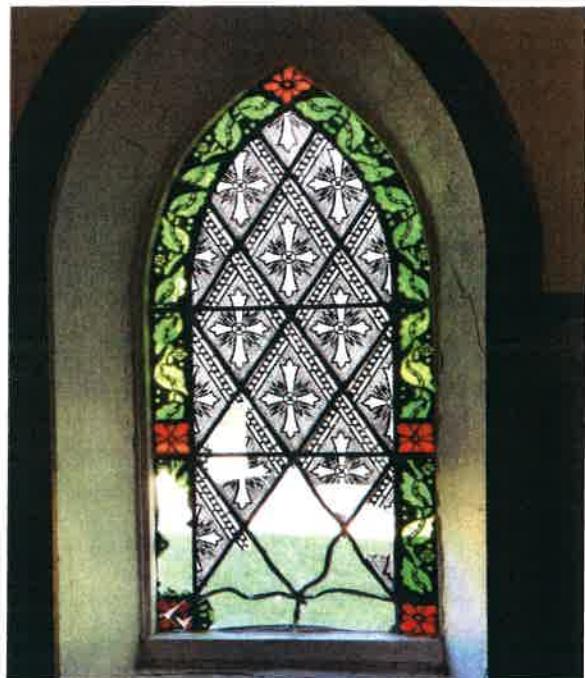
Charlie Thomlinson

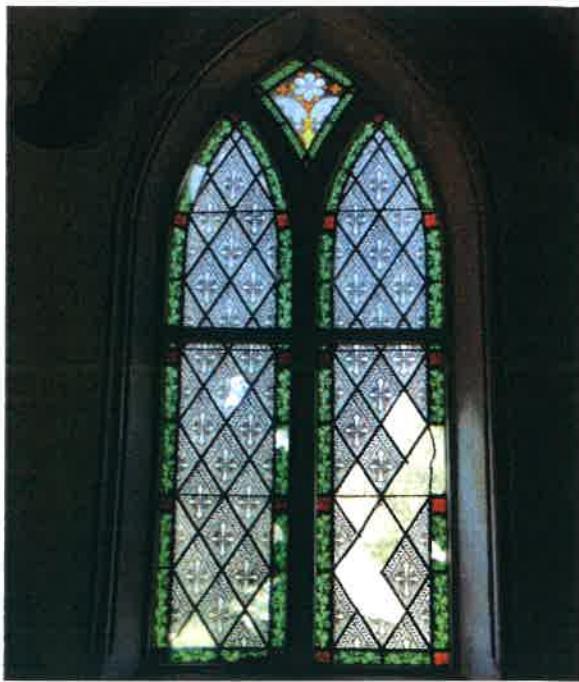
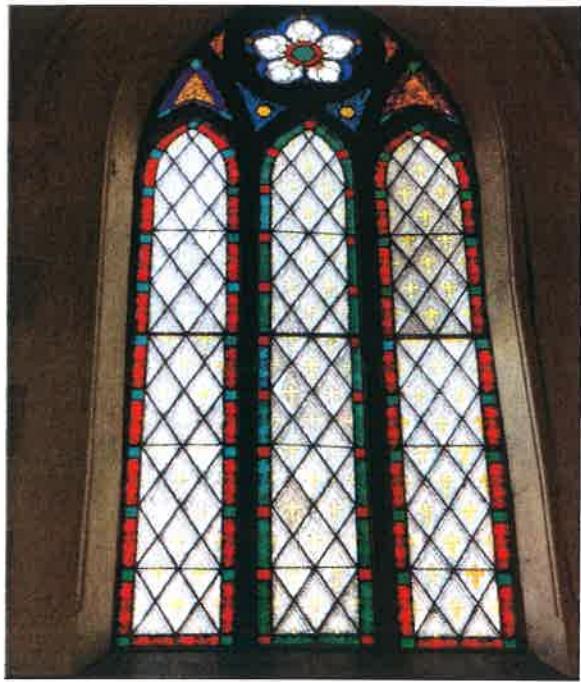
Glassworks

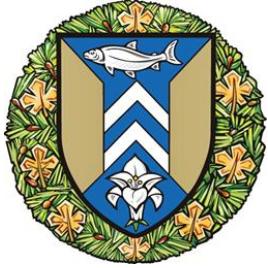
Sault Ste. Marie

Shingwauk/Bishop Farquhar Chapel









The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Donald B. McConnell, MCIP RPP, Director of Planning

DEPARTMENT: Community Development and Enterprise Services

RE: Rental Housing Incentive Program - 11

PURPOSE

The purpose of this report is to recommend a project for a municipal tax increment rebate under the City's Rental Housing Community Improvement Plan. The subject property is the former St. Teresa's elementary school at 100 Estelle Street.

BACKGROUND

In 2013, City Council approved a Rental Housing Community Improvement Plan under Section 28 of the Planning Act and Section 365.1 of the Municipal Act. This legislation allows municipalities to provide property tax assistance for qualified projects. Recently, City Council extended this program which will now expire on September 9, 2020.

The development of additional rental units is important to provide for a range of housing types to match residents' needs; to ensure the overall supply of affordable housing is maintained and to provide good short-term housing options for persons wishing to move to Sault Ste. Marie.

The Rental Housing Community Improvement Plan provides for tax rebates on a declining basis over a three-year period (75%, 50%, 25%) with an additional incentive for facilities which support assisted-living programs or where additional barrier free units are constructed.

City Council has previously approved ten projects to create a total of 238 new rental units under this program. The total construction value of these projects exceeds \$26,300,000

ANALYSIS

An application has been received from 1972659 Ontario Inc. (Carlo Gervasi) for the former St. Teresa School on Estelle Street. The existing building will be renovated to create a total of 25 new rental units.

City Council recently approved a rezoning to allow this project to proceed. This project will greatly improve the appearance of the existing building and significant landscaping is being provided. All Ontario Building Code requirements including the provision of several barrier free units will be met.

A copy of the site plan and building elevations is attached to this report.

FINANCIAL IMPLICATIONS

The tax rebate will result in a levy increase which will negate the assessment growth during the 3 years. The tax rebate results in the deferral of the incremental tax increase resulting from the project until after the rebate period.

STRATEGIC PLAN / POLICY IMPACT

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

RECOMMENDATION

It is therefore recommended that Council take the following action:

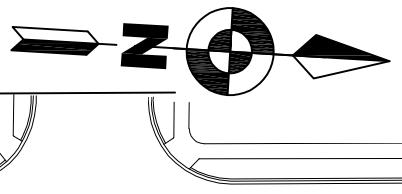
Resolved that the report of the Director of Planning and Enterprise Services dated 2018 11 05 concerning the Rental Housing Incentive Program be received and that City Council authorize a three year incremental tax rebate program (75%, 50%, 25%) for 25 rental units to be constructed at 100 Estelle Street subject to:

1. That the municipal rebate apply only to the increase in assessment resulting from new construction, and
2. After the rebate program is completed, the full municipal taxes will apply.

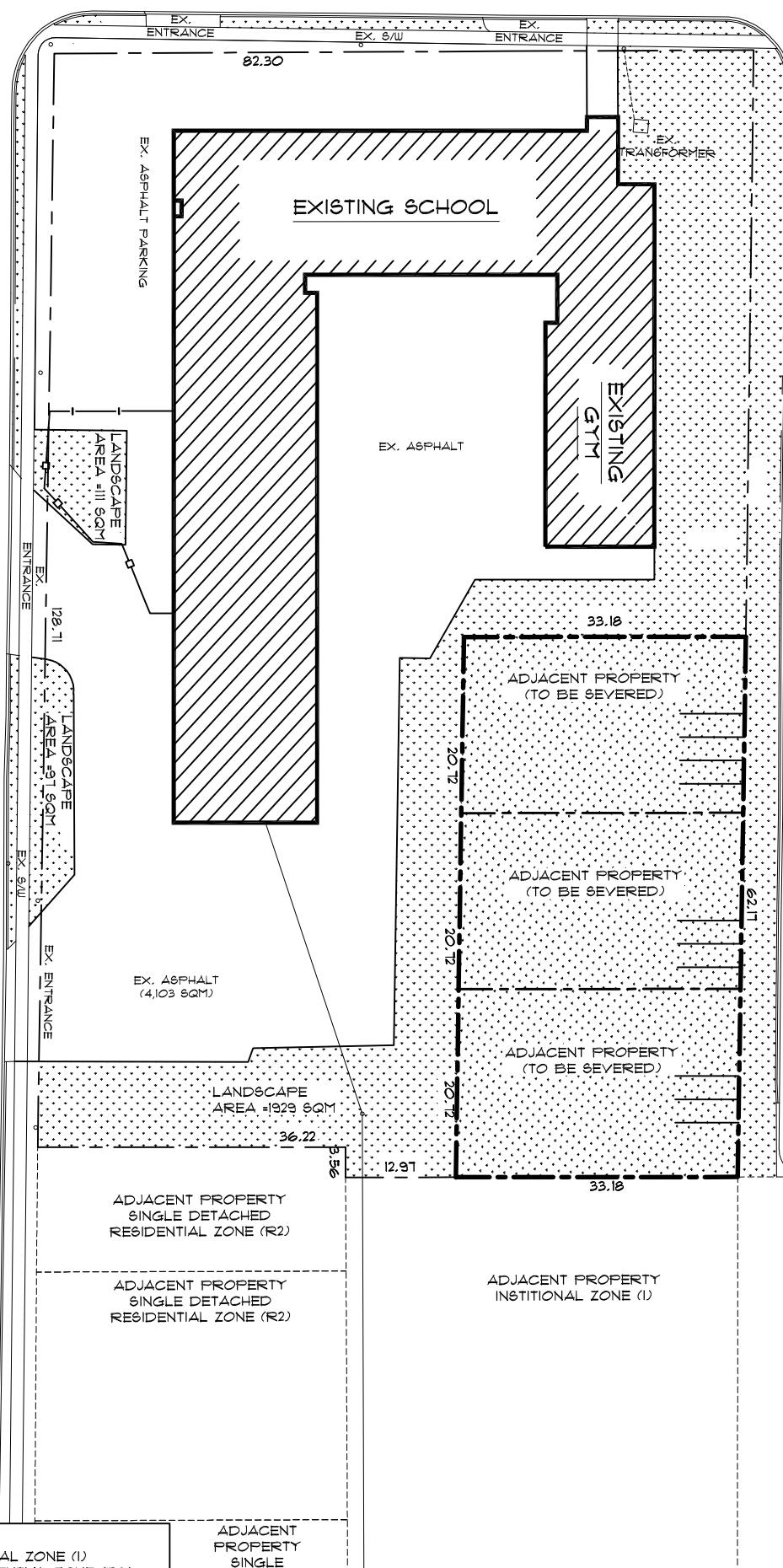
Respectfully submitted,



Donald B. McConnell, MCIP RPP
Director of Planning
705.759-5375
d.mcconnell@cityssm.on.ca



MOODY STREET



SITE PLAN - EXISTING

SCALE: 1-750

NOT FOR CONSTRUCTION
FOR SPCA ONLY

JOB: ST. THERESA SCHOOL/APARTMENT CONVERSION
100 ESTELLE STREET

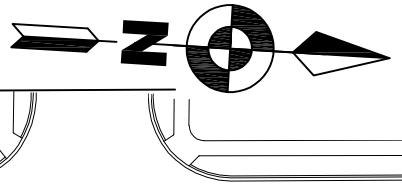
DRAWING TITLE:

SITE PLAN - EXISTING

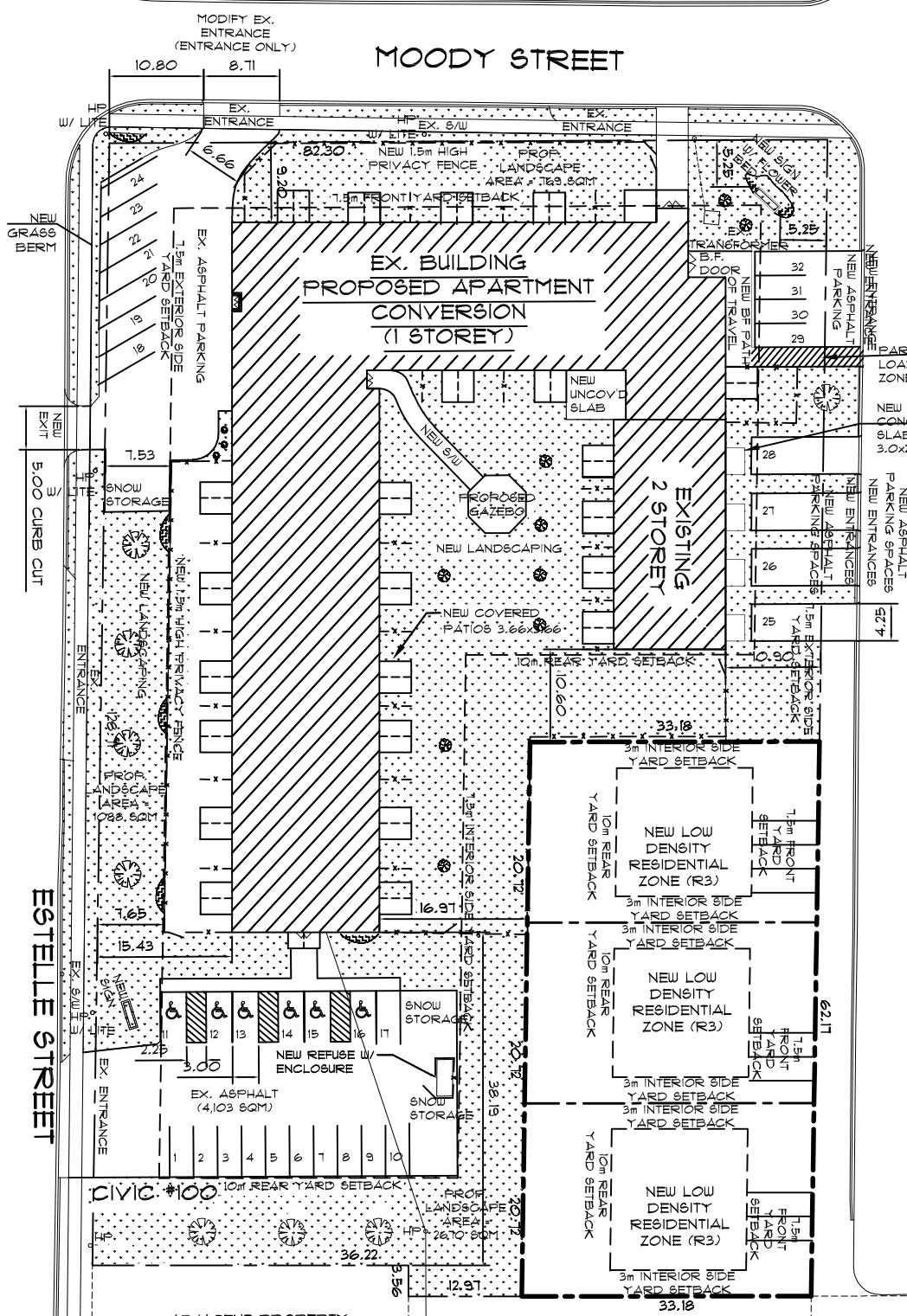
ADDRESS:	100 ESTELLE STREET, SAULT STE MARIE, ONTARIO		
DRN BY:	J.T. WILLIAMS	SCALE:	1:750 JOB NO. NQ-18030
CKD BY:	P.G. DECLERCK	DATE:	SEPTEMBER 21, 2018
NO.	DESCRIPTION	DATE	INITIAL
1	FOR PERMIT - RESCINDED	2018-09-21	JTU
2	SPC APPLICATION	2018-09-22	JFU



NORQUAY
ENGINEERING



MOODY STREET



RUTH STREET

ADJACENT PROPERTY PARKS AND RECREATION ZONE (PR)

ADJACENT PROPERTY INSTITUTIONAL ZONE (I)



LOT DATA: (AREA IN SQUARE METRES)

NEW LOW DENSITY RESIDENTIAL ZONE (R3)
APARTMENT CONVERSION:
BUILDING AREA = 2,429 SQM
MAX TOTAL UNITS = 25

1.25 PARKING SPACES / UNIT
TOTAL REQUIRED SPACES 31.25 STALLS
TOTAL PROVIDED SPACES 32 STALLS
LOT AREA = 8,674 SQM
LOT COVERAGE % = 28%
EXISTING PAVED AREA = 4,103 SQM
PROPOSED PAVED AREA = 1,734 SQM
EXISTING LANDSCAPE AREA = 2,131 SQM
PROPOSED LANDSCAPE AREA = 4,002 SQM

THIS IS NOT A LEGAL SURVEY. THIS SITE PLAN WAS DEVELOPED IN PART WITH THE GIS FABRIC MAP OF SAULT STE. MARIE.

SITE PLAN - PROPOSED

SCALE: 1:750

JOB: ST. THERESA SCHOOL/APARTMENT CONVERSION
100 ESTELLE STREET

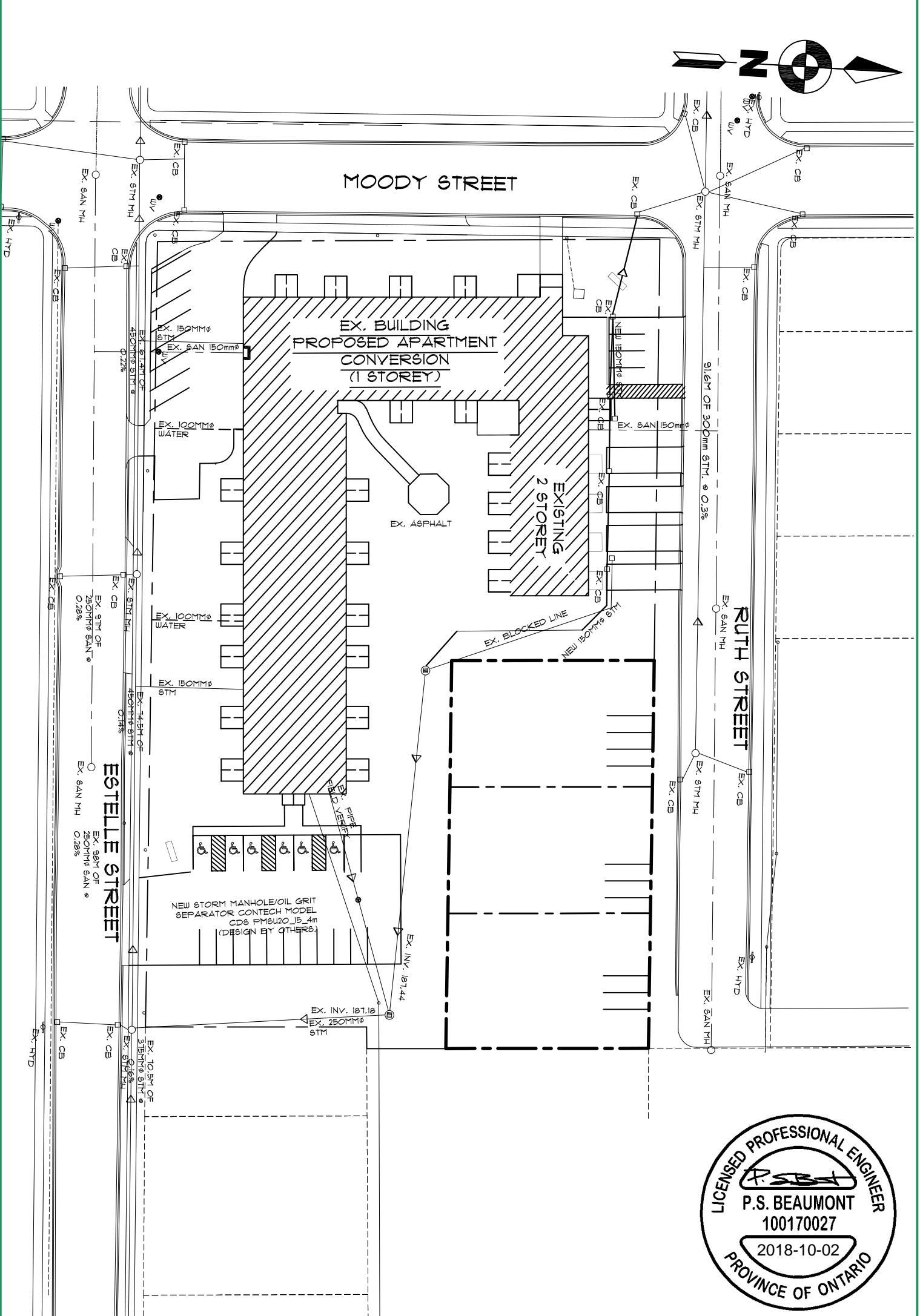
DRAWING TITLE:

SITE PLAN - PROPOSED

ADDRESS:	100 ESTELLE STREET, SAULT STE MARIE, ONTARIO		
DRN BY:	J.T. WILLIAMS	SCALE:	1:750 JOB NO. NQ-18030
CKD BY:	P.G. DECLERCK	DATE:	SEPTEMBER 21, 2018
NO.	DESCRIPTION	DATE	INITIAL
1	FOR PERMIT - RESCINDED	2018-09-27	JTU
2	SPC APPLICATION	2018-09-27	JTU



NORQUAY
ENGINEERING



DURING CONSTRUCTION THE CONTRACTOR
MUST NOTIFY ENGINEER WHICH SERVICE
LATERALS ARE TO BE DECOMMISSIONED

SERVICING PLAN

SCALE: 1 - 750

JOB: ST. THERESA SCHOOL/APARTMENT CONVERSION
100 ESTELLE STREET

DRAWING TITLE:

SERVICING PLAN

SP.3

ADDRESS:	100 ESTELLE STREET, SAULT STE MARIE, ONTARIO		
DRN BY:	J.T. WILLIAMS	SCALE:	1:750 JOB No. NQ-18030
CKD BY:	P.G. DECLERCK	DATE:	SEPTEMBER 21, 2018
NO.	DESCRIPTION	DATE	INITIAL
1	FOR PERMIT - RESCINDED	2018-09-27	JTW
2	SPC APPLICATION	2018-09-27	JTW

NOT FOR CONSTRUCTION
FOR SPCA ONLY

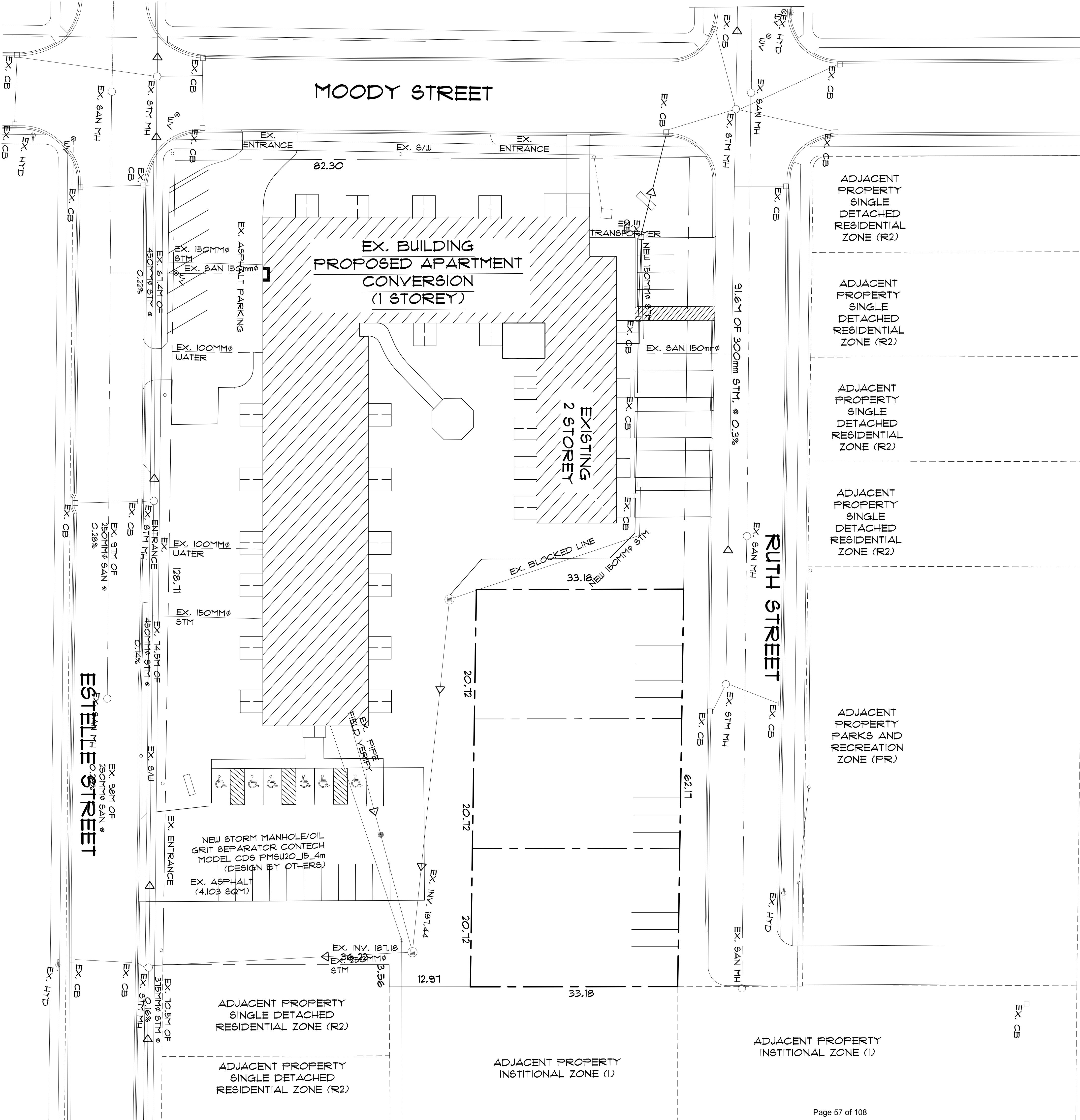


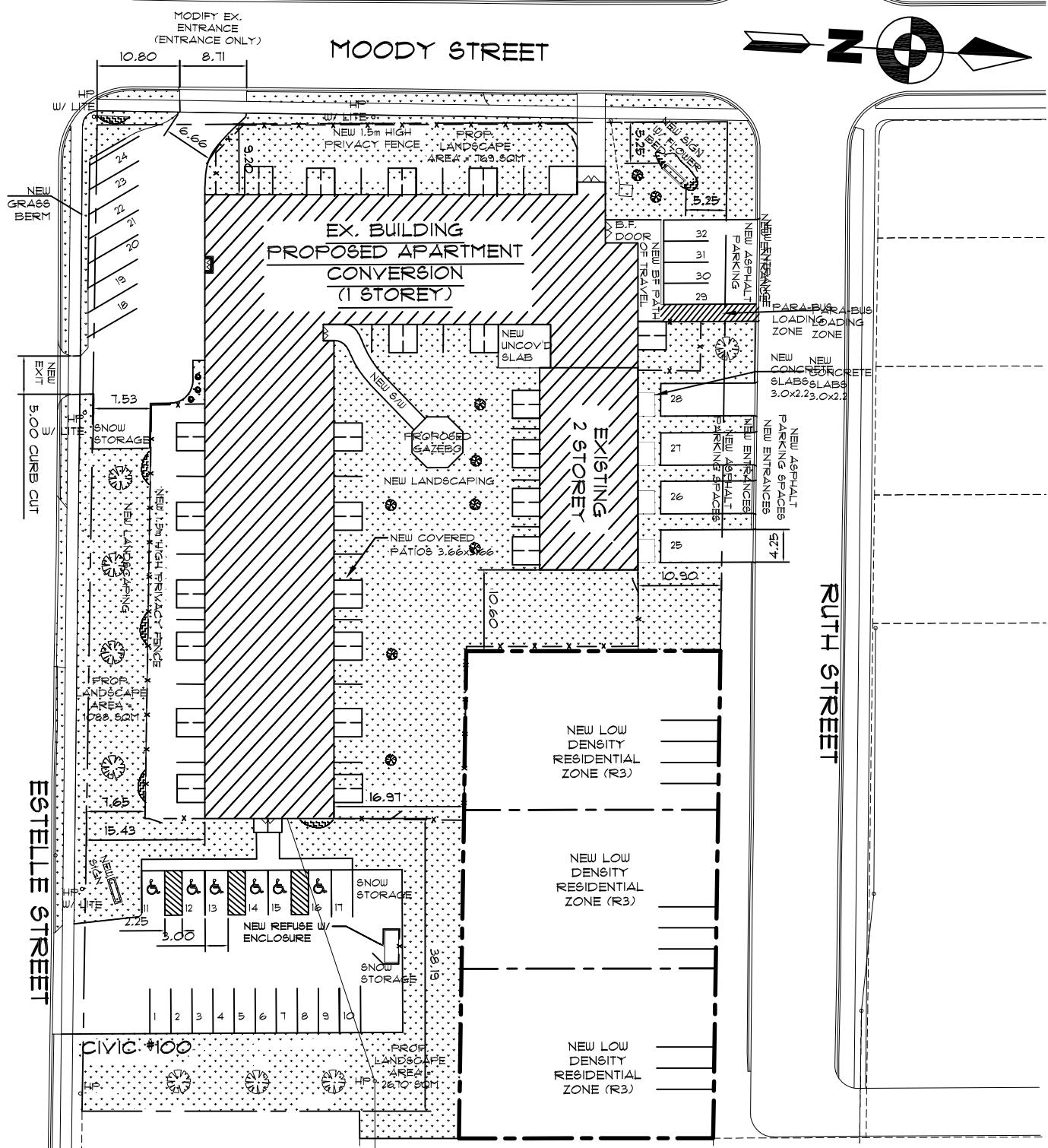
**NORQUAY
ENGINEERING**

FOR SPCA ONLY

SERVICING PLAN

SCALE: 1 = 300



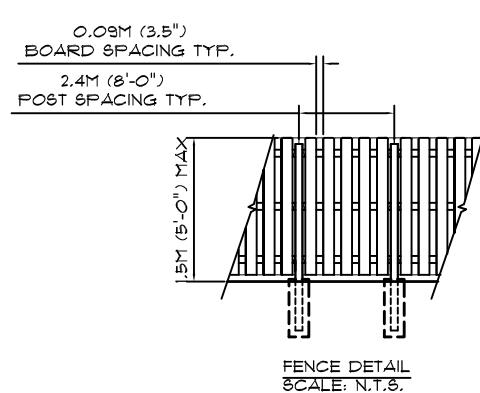


LANDSCAPED AREAS (R3 RESIDENTIAL)

TOTAL LOT AREA =	8,674 SQM
TOTAL LANDSCAPING =	4,002 SQM
PROPOSED LANDSCAPE % =	46.1%

LANDSCAPED AREAS (EXISTING)

TOTAL LOT AREA =	8,674 SQM
TOTAL LANDSCAPING =	2,142 SQM
EXISTING LANDSCAPE % =	24.7%



LANDSCAPE PLAN

SCALE: 1 = 750

**NOT FOR CONSTRUCTION
FOR SPCA ONLY**

JOB: ST. THERESA SCHOOL/APARTMENT CONVERSION
100 ESTELLE STREET

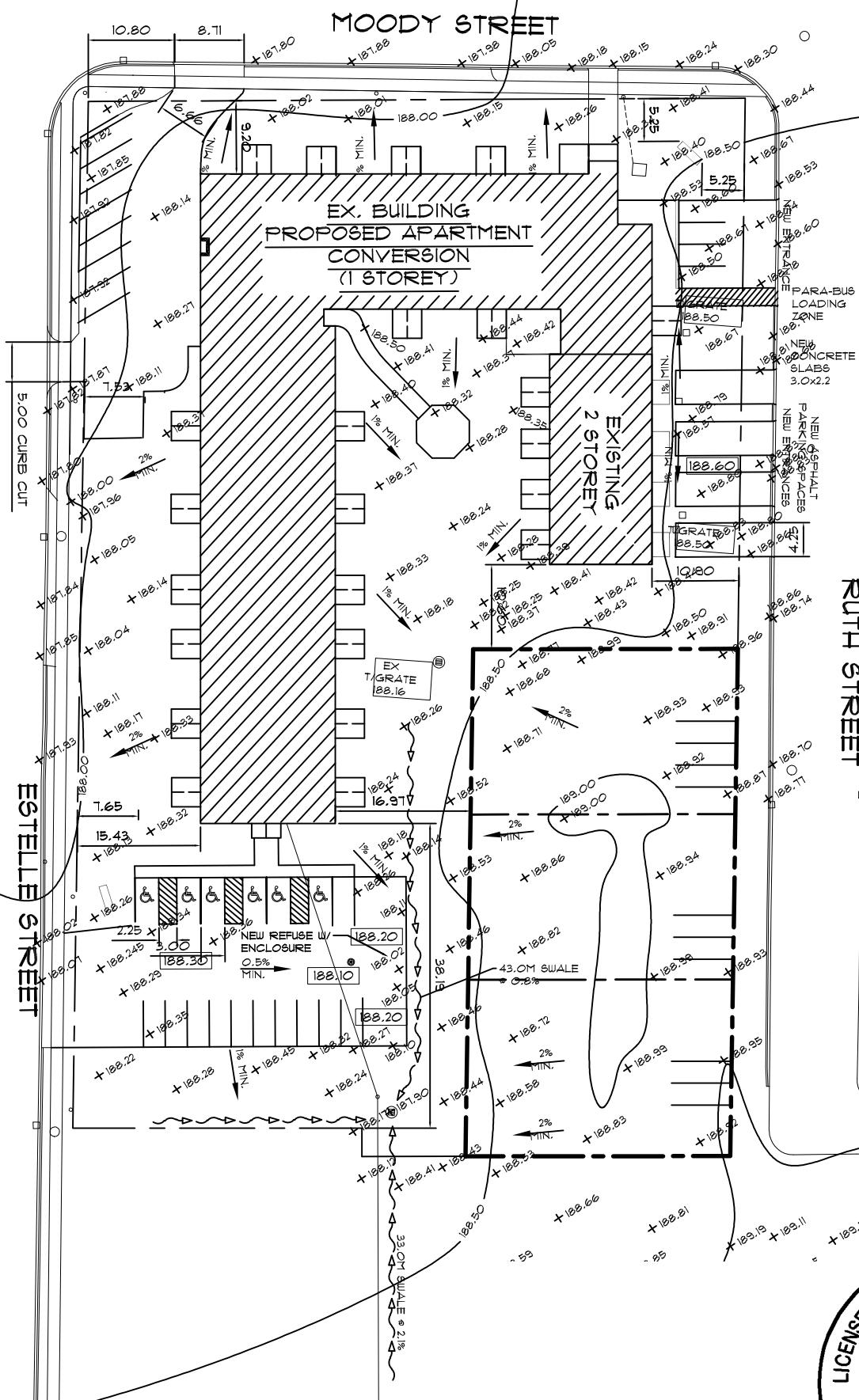
DRAWING TITLE:

LANDSCAPE PLAN

ADDRESS:	100 ESTELLE STREET, SAULT STE MARIE, ONTARIO		
DRN BY:	J.T. WILLIAMS	SCALE:	1:750 JOB No. NQ-18030
CKD BY:	P.G. DECLERCK	DATE:	SEPTEMBER 21, 2018
NO.	DESCRIPTION	DATE	INITIAL
1	FOR PERMIT - RESCINDED	2018-09-27	JTW
2	SPC APPLICATION	2018-09-27	JTW



NORQUAY ENGINEERING



EASEMENTS:
WE PROPOSE A DRAINAGE AGREEMENT BE
IMPLEMENTED AT THE TIME OF SEPARATING THE PROPERTIES ON THE
NORTH-EAST OF THE LOT. THIS PROPERTY MUST MAINTAIN THE DRAINAGE
FROM THE SEPARATED LOTS.

DRAINAGE PLAN

SCALE: 1=750

JOB: ST. THERESA SCHOOL/APARTMENT CONVERSION
100 ESTELLE STREET

DRAWING TITLE:

DRAINAGE PLAN

DP.1

ADDRESS:	100 ESTELLE STREET, SAULT STE MARIE, ONTARIO		
DRN BY:	J.T. WILLIAMS	SCALE:	1:750 JOB No. NQ-18030
CKD BY:	P.G. DECLERCK	DATE:	SEPTEMBER 21, 2018
NO.	DESCRIPTION	DATE	INITIAL
1	FOR PERMIT - RESCINDED	2018-09-27	JTU
2	SPC APPLICATION	2018-09-27	JTU

NOT FOR CONSTRUCTION
FOR SPCA ONLY



PSB-18167



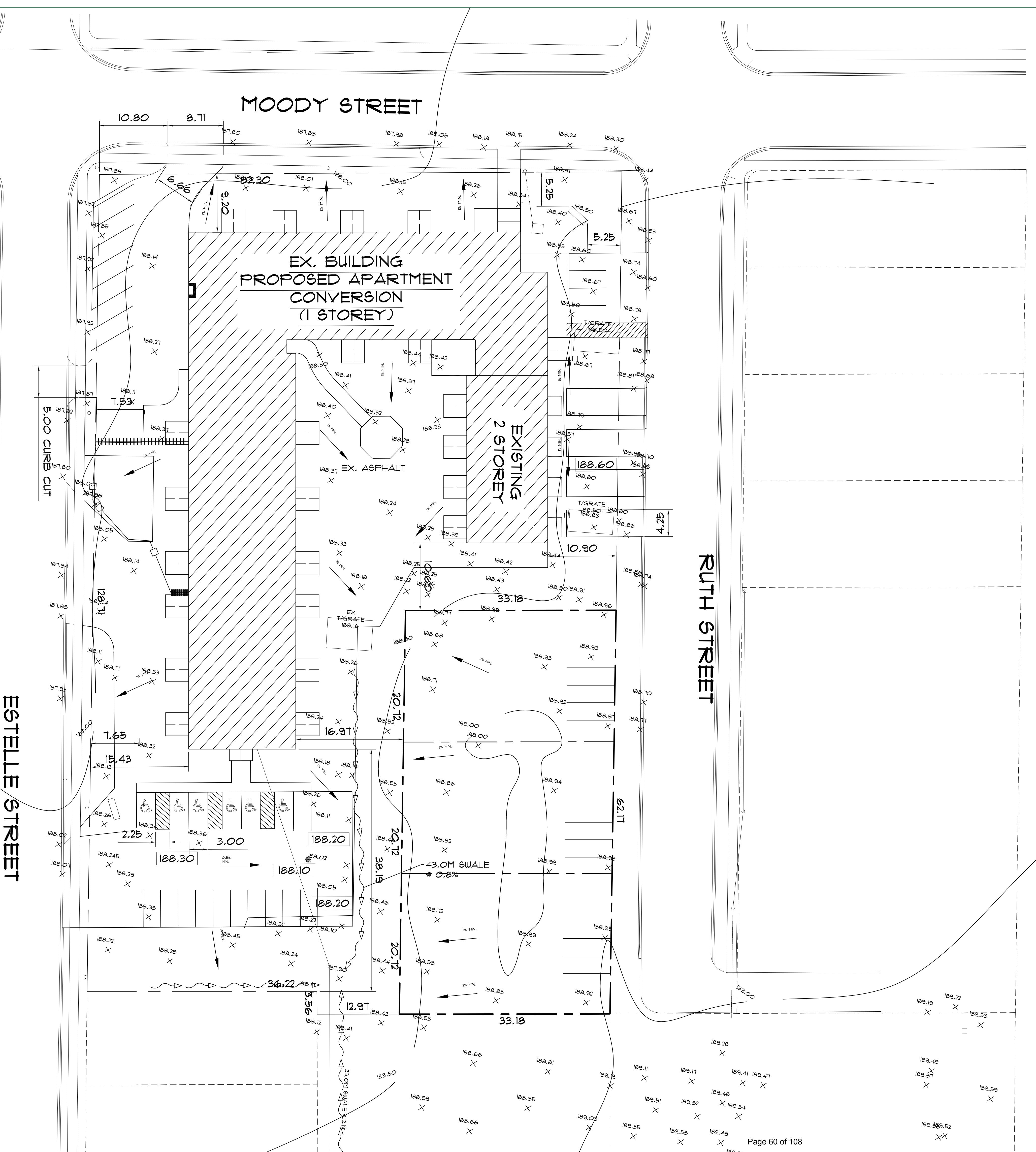
NORQUAY
ENGINEERING

500 WELLINGTON STREET WEST, SAULT STE. MARIE, ONTARIO
PHONE - (705) 759-1555 EMAIL - INFO@NORQUAYENG.CA

NO CONSTRUCTION
FOR SPCA ONLY

DRAINAGE PLAN

SCALE: 1 = 300





SOUTH ELEVATION (LOOKING FROM ESTELLE ST)

SCALE: NTS

NOTE-

POT LIGHTS AT ALL COVERED PORCHES



NORTH ELEVATION (LOOKING FROM RUTH ST)

SCALE: NTS

NOTE-

400W PHOTOCELL LIGHTING AT ALL
MAIN BUILDING ENTRANCES & EXITS

**NORQUAY
ENGINEERING**



500 WELLINGTON STREET WEST, SAULT STE. MARIE, ONTARIO

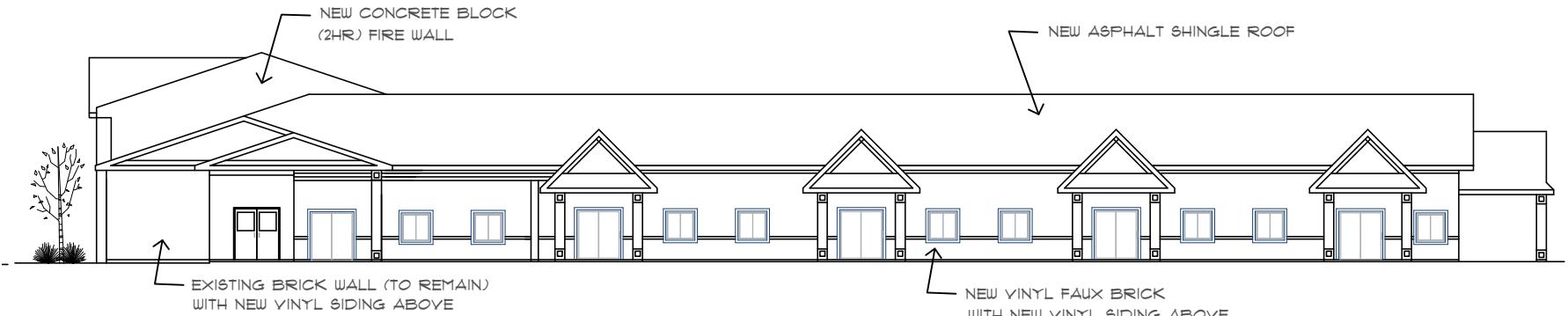
PHONE - (705) 759-1555 EMAIL - INFO@NORQUAYENG.CA

JOB TITLE: ST. THERESA APARTMENT CONVERSION

DRAWING TITLE: PROPOSED ELEVATIONS

EL1
1 OF 1

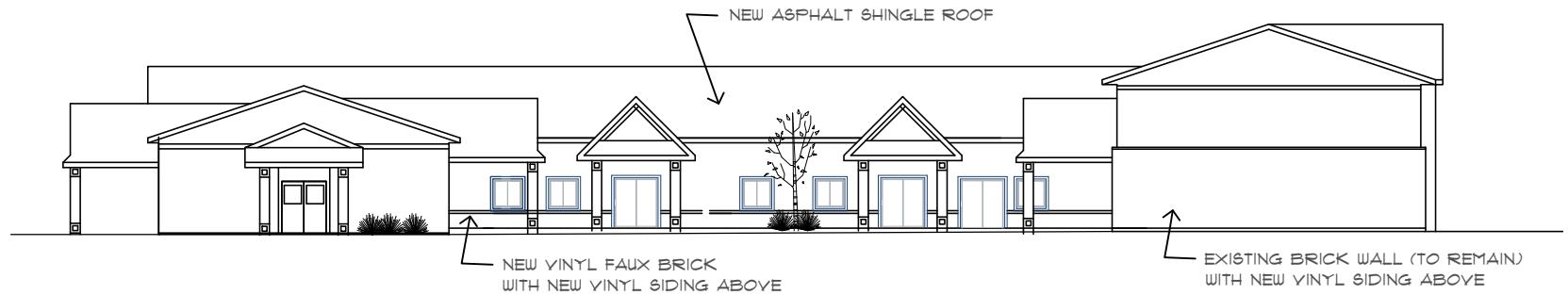
ADDRESS:	100 ESTELLE STREET, SAULT STE. MARIE, ONTARIO		
DRN BY:	P. DECLERCK	SCALE:	1/32' = 1'-0"
CKD BY:	--	JOB NO.:	NG-18030
NO. DESCRIPTION		DATE:	SEPT 28, 2018
		DATE:	INITIAL



WEST ELEVATION (LOOKING FROM MOODY ST)

SCALE: NTS

NOTE-
POT LIGHTS AT ALL COVERED PORCHES



EAST ELEVATION

SCALE: NTS

NOTE-
400W PHOTOCELL LIGHTING AT ALL
MAIN BUILDING ENTRANCES & EXITS

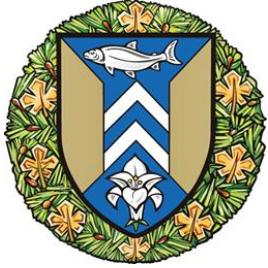
JOB TITLE: ST. THERESA APARTMENT CONVERSION
DRAWING TITLE: PROPOSED ELEVATIONS

EL2

1 OF 1

NORQUAY
ENGINEERING

500 WELLINGTON STREET WEST, SAULT STE. MARIE, ONTARIO
PHONE - (705) 759-1555 EMAIL - INFO@NORQUAYENG.CA



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Jeffrey King, Solicitor

DEPARTMENT: Legal Department

RE: Zoning – 248 Wallace Terrace & 292 Farewell Terrace - OMB

PURPOSE

The purpose of this report is to inform City Council of the decision rendered by Board Member Jacobs of the Local Planning Appeal Tribunal (hereinafter: "Tribunal") regarding the above noted matters.

ATTACHMENTS

Attached as Schedule "A" and "B" to this report is the decision of the Tribunal regarding Victor Alfano's appeal of City Council's decision to deny his application.

BACKGROUND

On April 23rd, 2018, City Council heard an application (A-7-18-Z.OP) made by Victor Alfano regarding 248 Wallace Terrace & 292 Farewell Terrace. The purpose of the application was to: 1) Permit the parking of vehicles in association with the body shop located at 252 Wallace Terrace pursuant to a notwithstanding clause in the Residential policies. 2) Change the zone designation of 292 Farewell Terrace from R3 (Low Density Residential) zone to R3.S (Low Density Residential) zone with a "Special Exception" to permit, the parking of vehicles upon the northern portion of the subject property.

As required by the *Planning Act* notice was sent to all residents within 120m from the subject lands.

Mr. Victor Alfano appealed this decision, which was dismissed on October 1, 2018.

ANALYSIS

Board Member Jacobs of the Tribunal dismissed on October 1, 2018 this appeal due to an administrative error on the Applicant's (Victor Alfano's) behalf, upholding City Council's decision to deny the application.

FINANCIAL IMPLICATIONS

In-house staff prepared the appeal material; therefore, the financial impact was nominal.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

It is recommended that Council accept this report as information.

Respectfully submitted,



Jeffrey King
Solicitor

JK/tj
Enclosures

\citydata\LegalDept\Legal\Staff\COUNCIL\REPORTS\2018\Zoning - 248 Wallace Tc & 292 Farewell Tc- LPAT.docx

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: October 1, 2018

CASE NO.: PL180541

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 34(11) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Victor Alfano
Subject:	Application to amend Zoning By-law No. 2009-50 - Refusal of Application by the City of Sault Ste. Marie
Existing Zoning:	Low Density Residential Zone (R3)
Proposed Zoning:	Low Density Residential Zone (R3.S)
Purpose:	To permit parking of vehicles upon the northern portion of the subject property
Property Address/Description:	292 Farwell Terrace and 248 Wallace Terrace
Municipality:	City of Sault Ste. Marie
Municipality File No.:	A-7-18-2.OP
LPAT Case No.:	PL180541
LPAT File No.:	PL180542
LPAT Case Name:	Alfano v. Sault Ste. Marie (City)

BEFORE:

S. JACOBS)	Friday, the 28 th
MEMBER)	
)	day of September, 2018

THE TRIBUNAL having received a notice of appeal filed by Victor Alfano dated June 13, 2018;

AND THE TRIBUNAL having undertaken the preliminary screening of the notice of appeal, as per Rule 26.05 of the Tribunal's Rules of Practice and Procedure and having determined that the notice is not valid because the reasons in the notice fail to provide an explanation for the appeal in accordance with the legislative requirements set out in subsection 34(11.0.0.0.4) (a) of the *Planning Act*;

AND THE TRIBUNAL having issued a letter dated June 26, 2018 to notify the Appellant of the result of the preliminary screening;

AND THE TRIBUNAL having provided the Appellant the opportunity to challenge the preliminary determination and having received no response;

THE TRIBUNAL HEREBY ORDERS that the appeal by Victor Alfano is dismissed pursuant to subsection 34(25)4 of the *Planning Act*.

A handwritten signature in black ink that reads "Oya Hunwick". The signature is fluid and cursive, with "Oya" on the first line and "Hunwick" on the second line.

REGISTRAR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248

Local Planning Appeal Tribunal
Tribunal d'appel de l'aménagement
local



ISSUE DATE: October 1, 2018

CASE NO.: PL180541

The Ontario Municipal Board (the "OMB") is continued under the name Local Planning Appeal Tribunal (the "Tribunal"), and any reference to the Ontario Municipal Board or Board in any publication of the Tribunal is deemed to be a reference to the Tribunal.

PROCEEDING COMMENCED UNDER subsection 22(7) of the *Planning Act*, R.S.O. 1990, c. P.13, as amended

Applicant and Appellant:	Victor Alfano
Subject:	Request to amend the Official Plan - Refusal of request by the City of Sault Ste. Marie
Existing Designation:	Residential
Proposed Designated:	Residential
Purpose:	To permit parking for an auto body repair shop
Property Address/Description:	292 Farwell Terrace and 248 Wallace Terrace
Municipality:	City of Sault Ste. Marie
Approval Authority File No.:	A-7-18-2.OP
LPAT Case No.:	PL180541
LPAT File No.:	PL180541
LPAT Case Name:	Alfano v. Sault Ste. Marie (City)

BEFORE:

S. JACOBS)	Friday, the 28 th
MEMBER)	
)	day of September, 2018

THE TRIBUNAL having received a notice of appeal filed by Victor Alfano dated June 13, 2018;

AND THE TRIBUNAL having undertaken the preliminary screening of the notice of appeal, as per Rule 26.05 of the Tribunal's Rules of Practice and Procedure and having determined that the notice is not valid because the reasons in the notice fail to provide an explanation for the appeal in accordance with the legislative requirements set out in subsection 22(8) (a.1) of the *Planning Act*;

AND THE TRIBUNAL having issued a letter dated June 26, 2018 to notify the Appellant of the result of the preliminary screening;

AND THE TRIBUNAL having provided the Appellant the opportunity to challenge the preliminary determination and having received no response;

THE TRIBUNAL HEREBY ORDERS that the appeal by Victor Alfano is dismissed pursuant to subsection 22(11.0.4)3 of the *Planning Act*.

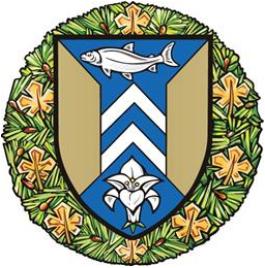
A handwritten signature in black ink that reads "Oya Hunwick".

REGISTRAR

If there is an attachment referred to in this document,
please visit www.elto.gov.on.ca to view the attachment in PDF format.

Local Planning Appeal Tribunal

A constituent tribunal of Environment and Land Tribunals Ontario
Website: www.elto.gov.on.ca Telephone: 416-212-6349 Toll Free: 1-866-448-2248



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Don Elliott, Director of Engineering

DEPARTMENT: Public Works and Engineering Services

RE: Downtown Traffic Study – Notice of Completion

PURPOSE

The purpose of this report is to advise Council that the environmental assessment (EA) for the Downtown Traffic Study is complete.

BACKGROUND

At the 2017 08 21 meeting, Council approved that the IBI Group be retained to complete the Downtown Traffic Study. The main purpose of the study was to determine what, if any, changes should be made to the one-way traffic systems in the City's downtown. The Downtown Strategy approved by Council in 2016 recommended that the study be completed.

The study was completed in accordance with the Municipal Class Environmental Assessment process as a class B undertaking. A previous environmental assessment had recommended that Bay Street be converted from four lanes one-way to three lanes one-way with a multi-use path in the south boulevard.

ANALYSIS

The environmental assessment, including public and agency consultation and two public information centres has been completed. Additional consultation included two workshops specifically designed to acquire input from the Downtown Association. The workshops, although only modestly attended, seemed to indicate that the attendees were content with the recommendation.

The recommendation of the study is to leave the one-way system in place, and further that Bay Street be converted from four lanes one-way down to two-lanes one-way between Andrew and Pim Streets, with turning lanes at busy intersections.

Downtown Traffic Study – Notice of Completion

2018 11 05

Page 2

The Project File Report (PFR) and appendices are available for viewing on the City website online at: (www.saultstemarie.ca/DowntownTrafficEA) The consultant's evaluation can be summarized as follows:

Vehicular Transportation: Both one-way and two-way options can provide adequate level of service, and have potential to reduce speeds. Two-way was favoured for better traffic circulation and ease-of-routing.

Active Transportation: Both one-way and two-way can accommodate cycling well. One-way was favoured for accommodating pedestrians and persons with disabilities.

Socioeconomic: One-way was favoured for access to parking and construction impacts. Two-way was favoured for access to transit and business visibility.

Natural Environment: One-way was favoured as it provides more space for landscaping and vegetation.

Cost: One-way was favoured as it is one-third the cost of two-way.

The EA process has concluded that the streets should remain one-way.

In accordance with the environmental assessment process, a Notice of Completion will be published identifying the preferred alternative. There is a 30 day period after publication during which an individual or agency may submit a request to the Minister of the Environment for a Part II Order for a full environmental assessment. If no such request is received, the City may proceed with the project. If a request for a Part II Order is received, staff and the consultant will work through the review process with the Ministry and the requestor(s).

The upgrades to Bay Street are tentatively planned for 2019. There is merit in posting the Notice of Completion as soon as practical to ensure there is sufficient time for design and tendering by early spring. However, should there be a request for a Part II Order, it will likely be necessary to defer the project to 2020.

FINANCIAL IMPLICATIONS

The approved budget for the study is \$121,000, and if there are no significant efforts associated with a Part II Order request, the project should be completed within budget. A request will be brought to Council with the 2019 capital budget for the conversion of Bay Street to two-lanes with intersection improvements and a multi-use trail on the south boulevard.

STRATEGIC PLAN / POLICY IMPACT

This project is linked to the infrastructure component of the strategic plan.

Downtown Traffic Study – Notice of Completion

2018 11 05

Page 3

RECOMMENDATION

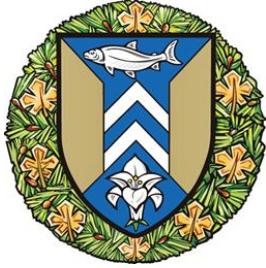
It is therefore recommended that Council take the following action:

Resolved that the report of the Director of Engineering dated 2018 11 05 concerning the Downtown Traffic Study Notice of Completion be received as information.

Respectfully submitted,



Don Elliott, P. Eng.,
Director of Engineering
705.759.5329
d.elliott@cityssm.on.ca



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Acting City Solicitor

DEPARTMENT: Legal Department

RE: Street Closing and Conveyance – Part 205 Greenfield Drive

PURPOSE

The purpose of this report is to seek Council's approval to assume, stop up, close and convey part of 205 Greenfield Drive.

BACKGROUND

On March 19, 2018 City Council passed By-law 2018-59 which declared the property surplus and authorized the sale of the property in PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE. Subsequently, the City was notified that the property in this PIN was declared a public road by the Order dated January 7, 1964. It is therefore necessary to assume, stop up, and close this property in order to convey it.

ATTACHMENT

Attached as Schedule "A" is a map of the subject property.

ANALYSIS

Not applicable.

FINANCIAL IMPLICATIONS

There is no significant impact associated with this matter.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

Street Closing and Conveyance (Part 205 Greenfield Drive)

2018 11 05

Page 2.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2018-206 being a by-law to assume part of 205 Greenfield Drive and By-law 2018-207 being a by-law to stop up, close and convey part of 205 Greenfield Drive appear elsewhere on the Agenda and are recommended for approval.

Respectfully submitted,

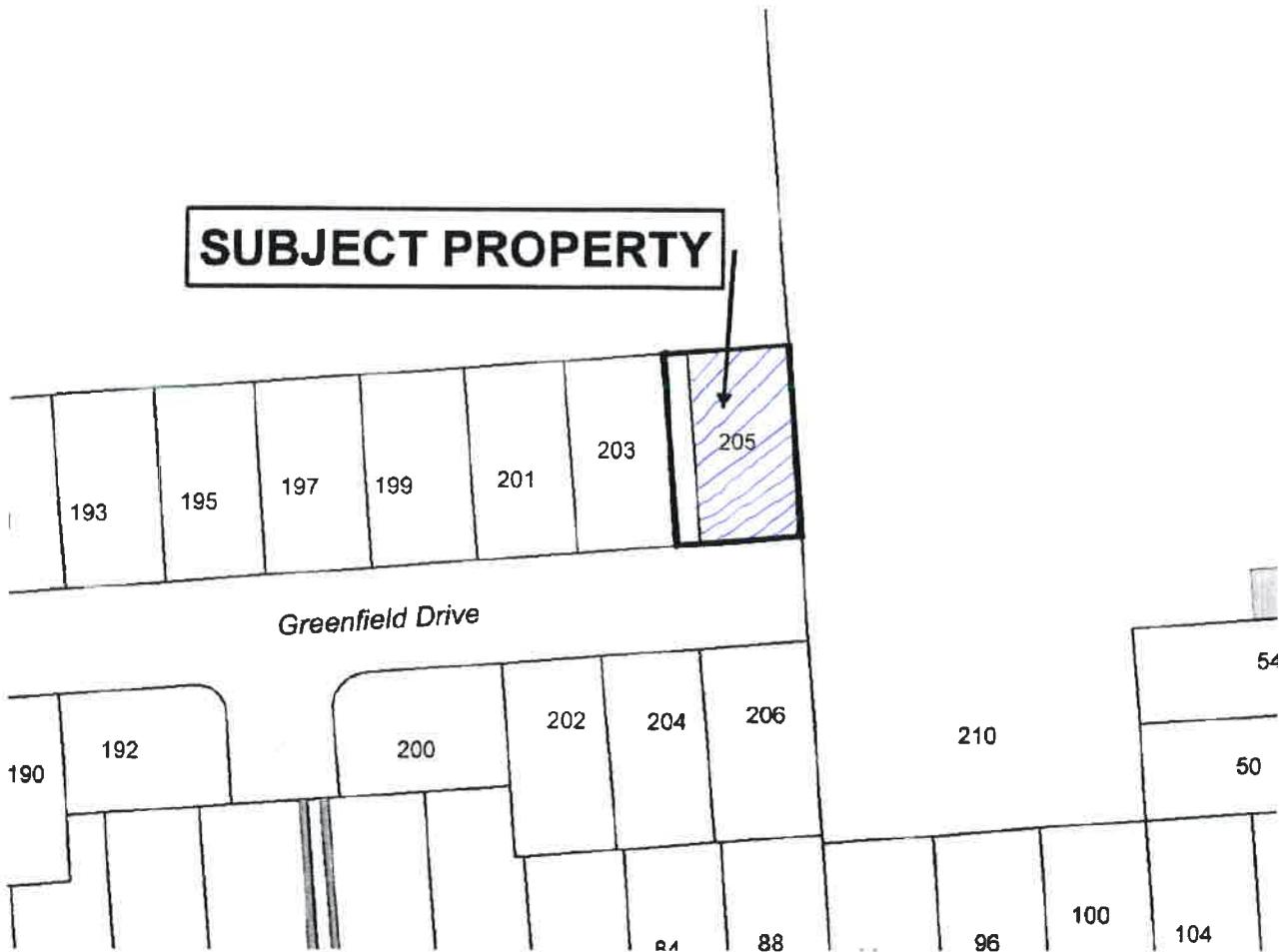


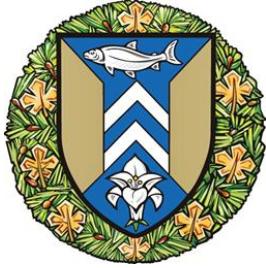
Melanie Borowicz-Sibenik
Acting City Solicitor

MBS/da
Attachment

LEGAL\STAFF\COUNCIL\REPORTS\2018\STREET CLOSING - PT 205 GREENFIELD DRIVE PR1.100.DOCX

Schedule "A"





The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Acting City Solicitor

DEPARTMENT: Legal Department

RE: AG101 – Bellerose and Alexander – Insurance Provision

PURPOSE

The purpose of this report is to request Council's authorization for an Amending Agreement between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander to incorporate an updated insurance provision into the existing Licence to Occupy City Property Agreement dated June 11, 2012.

BACKGROUND

The City of Sault Ste. Marie has a Licence of Occupation Agreement (the "Agreement") with Jennifer Meagan Bellerose and Stephen Russell Alexander (the "Licencee") to permit the Licencee to install and maintain a 1.22 meter (4') high chain link fence on City owned property identified as a portion of land abutting 1097 Queen Street East. The Agreement was entered into on June 11, 2012, and remains in force.

ANALYSIS

Since this Agreement was entered into, the City has made changes to its requirements for a Licence of Occupation. For example, the City has added an insurance requirement. The Licencee is still occupying the above mentioned City property and wishes to maintain the Agreement. The Legal Department has prepared an Amending Agreement in order to incorporate an updated insurance provision into the existing Licence to Occupy Agreement.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

AG101 – Bellerose and Alexander – Insurance Provision

2018 11 05

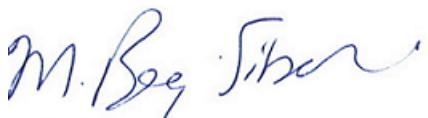
Page 2.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2018-200 authorizing the execution of an Amending Agreement between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander appears elsewhere on the Agenda and is recommended for approval.

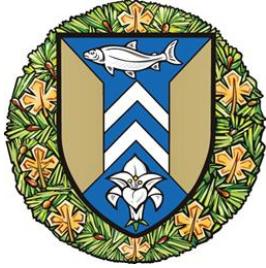
Respectfully submitted,



Melanie Borowicz-Sibenik
Acting City Solicitor

MBS/tj

\citydata\LegalDept\Legal\Staff\COUNCIL\REPORTS\2017-1995\2017\Bellerose, Alexander 1097 Queen St. E.docx



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Acting City Solicitor

DEPARTMENT: Legal Department

RE: Housekeeping – Procedure for the Sale of City Owned Surplus Property, Closing/Sale of a Lane/Street or Public Thoroughfare

PURPOSE

The purpose of this report is to recommend that City Council approve By-law 2018-148, being a by-law to repeal and replace By-law 2016-204, a by-law to set out procedures governing the sale of City owned surplus property, closing/sale of a lane/street or public thoroughfare.

BACKGROUND

On December 12, 2016 City Council passed By-law 2016-204 which re-established procedures, including the giving of notice to the public governing the sale of surplus real property owned by the City. It also established procedures governing the closing and sale of lanes and streets in the City.

ANALYSIS

Minor amendments to this by-law are proposed to improve clarity.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Housekeeping – Procedure for the Sale of City Owned Surplus Property,

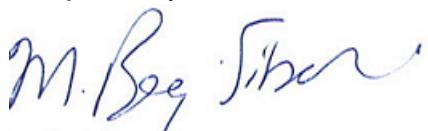
Closing/Sale of a Lane/Street or Public Thoroughfare

2018 11 05

Page 2.

By-law 2018-148, being a by-law to repeal and replace By-law 2016-204, a by-law to set out procedures governing the sale of City owned surplus property, closing/sale of a lane/street or public thoroughfare appears elsewhere on the Agenda and is recommended for approval.

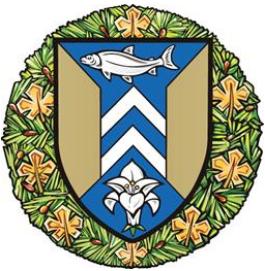
Respectfully submitted,



Melanie Borowicz-Sibenik
Acting City Solicitor

MBS/da

LEGAL\STAFF\COUNCIL\REPORTS\2018\HOUSEKEEPING - PROCEDURE FOR THE SALE OF CITY OWNED SURPLUS PROPERTY, CLOSING SALE OF A STREET, LANE OR PUBLIC THOROUGHFARE.DOCX (PR1)



The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Acting City Solicitor

DEPARTMENT: Legal Department

RE: License Agreement and Noise By-law Exemption Request for 49 Field Regiment Artillery Gun Salute

PURPOSE

The purpose of this report is to request Council's approval of a License Agreement (the "License Agreement") between the City (the "Licensor") and Her Majesty the Queen in Right of Canada as represented by the Minister of National Defence (the "Licensee"), to permit the Licensee to use the property located in vicinity of Latitude (46°30'31.4"N) and Longitude (84°20'15.5"W) (Hub Trail Boardwalk) (the "Premises") for the purpose of an Artillery Gun Salute, in support of the annual Remembrance Day commemoration (the "Event"), scheduled for November 11, 2018.

BACKGROUND

The Licensee contacts the City annually to request permission to hold the Event at the Hub Trail Boardwalk. The Event will be held on November 11, 2018.

ANALYSIS

The Event requires a License Agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence. The License Agreement confirms that permission has been given for the said event.

The Licensor acknowledges that the Licensee is self insured.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

License Agreement and Noise By-law Exemption Request for 49 Field Regiment Artillery Gun Salute

2018 11 05

Page 2.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2018-208 which authorizes a License Agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence, appears elsewhere on the agenda and is recommended for approval; and

By-law 2018-209, being a by-law to amend Noise Control By-law 80-200 to exempt from the By-law the 49 Field Regiment Artillery Gun Salute on November 11, 2018 also appears elsewhere on the agenda and is recommended for approval.

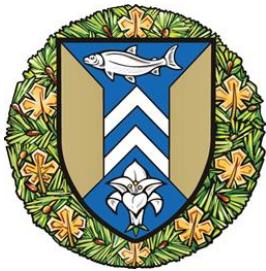
Respectfully submitted,



Melanie Borowicz-Sibenik
Acting City Solicitor

MBS/tj

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The Corporation of the City of Sault Ste. Marie

C O U N C I L R E P O R T

November 5, 2018

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Acting City Solicitor

DEPARTMENT: Legal Department

RE: Chris Tranberg and Son Ltd. – 1025 Second Line East

PURPOSE

The purpose of this report is to request Council's authorization of an Agreement between the City, Chris Tranberg and Son Ltd. ("Tranberg"), and Gary Tranberg and Audrae Mae Tranberg to compensate for impact to 1025 Second Line East (the "Property") as a result of construction work conducted by the City.

BACKGROUND

Tranberg is a landscaping/construction company that operates its business at the Property, which Property is owned by Gary Tranberg and Audrae Mae Tranberg. This is a unique parcel in that it is located on a hill on the Trans-Canada Highway and at an elevation below the road. In 2014, the City commenced work to widen Second Line, which is a challenging endeavor as it often requires extensive restoration work on private property to match the new road with the pre-existing features on the private side.

The restoration of the existing driveway at the Property has been most challenging. At Closed Sessions held on July 16, 2018 and July 23, 2018, City Legal and Engineering Staff advised Council that the restoration work at the Property was extensive and would necessarily require Tranberg to acquire a portion of neighbouring land and reconstruct the driveway. Documentation provided to the City estimates the cost to purchase the abutting property at \$45,000.00 and the cost to remedy and reconstruct the driveway at approximately \$92,000.00, plus miscellaneous costs, legal fees, severance fees, etc. It was further noted by Engineering Staff that the City would be responsible for much of these costs regardless, given the requirement to restore properties post construction.

Chris Tranberg and Son Ltd. – 1025 Second Line East
2018 11 05
Page 2.

At the Closed Session, Council directed the Legal Department to continue discussions with Tranberg and complete the documentation necessary to finalize this matter.

ANALYSIS

The Agreement before Council confirms the direction provided by Council in Closed Session. Specifically, the City shall pay up to the estimated costs of \$150,000.00 inclusive to Tranberg, representing the costs to purchase the abutting property and reconstruct/repair the driveway. Tranberg shall provide the City with invoices to substantiate the payment required to be made. This is in keeping with the City's restoration of properties post construction based on actual costs to facilitate same.

FINANCIAL IMPLICATIONS

The Agreement provides an upset limit to the cost of purchasing the abutting property and remedying the existing driveway, to the total of \$150,000.00. Invoices must be provided to substantiate payment to be made. From this, \$45,000.00 was previously allocated from the 2015 Second Line Capital Project and the remaining \$105,000 shall come from the Uncommitted Capital Road construction budget.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2018-210 authorizing the execution of an Agreement between the City, Chris Tranberg and Son Ltd. and Gary Tranberg and Audrae Mae Tranberg appears elsewhere on the Agenda and is recommended for approval.

Respectfully Submitted,



Melanie Borowicz-Sibenik
Acting City Solicitor

MBS/tj

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2018-148

PROPERTY: (PR1) A by-law to set out procedures governing the sale of City owned surplus property, closing/sale of a lane/street or public thoroughfare.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to Section 270 of the *Municipal Act, 2001*, S.O. 2001, **ENACTS** as follows:

1. SALE OF SURPLUS PROPERTY

The following outlines the procedure for the sale of City owned surplus property:

- (1) a written request to purchase property owned by the City shall be made to the Legal Department;
- (2) the Legal Department shall circulate the request received for the property to the appropriate City Departments and any outside agencies that may have an interest in the matter for comments;
- (3) upon receiving comments from all aforementioned parties, the City Solicitor or her/his designate shall determine if the proposed sale is in the best interests of the City. If the City Solicitor's recommendation is to proceed, a report and/or by-law will go to Council with her/his recommendation;
- (4) if City Council agrees to dispose of the property, by Council Report and/or by-law the Legal Department shall take all necessary steps to declare the property surplus and authorize the sale;
- (5) notice of the proposed sale or disposition of property shall be given;
- (6) the City may retain or grant any and all easements for present or future use which are deemed necessary;
- (7) if multiple offers to purchase the same piece of surplus property are received, the highest offer may not necessarily be accepted. Where appropriate, the City may accept lower offers if it is in the best interests of the City or for charitable or altruistic reasons, including but not limited to donations to charitable organizations such as Habitat for Humanity;

- (8) The City may use the assessed value of the property and/or may obtain the services of a Realtor. A report will go to Council with a recommendation by the City Solicitor or her/his designate.

NOTE: In the case of a proposed sale of parkland where the property being sold does not require rezoning for its proposed use, all owners of property within 120 metres of the subject parkland shall be notified by mail of the City's intent to do so.

If a property does not meet the minimum size or area requirements of the City's Zoning By-law, the Legal Department may offer to sell the property to abutting owners. Each abutting owner may acquire fifty (50%) percent of the property directly abutting their own property. If an abutting owner does not wish to purchase a portion of the land, it shall be offered to the other abutting owner.

2. CLOSING/SALE OF A LANE/STREET OR PUBLIC THOROUGHFARE

The following outlines the procedure for the closing/sale of a lane/street or public thoroughfare within the City:

- (1) a property owner who wishes to have the City close a lane/street or public thoroughfare (the "Applicant") shall complete a Purchase Request and provide it to the Legal Department. A request shall be for an entire lane/street or public thoroughfare. This condition may be waived by the City Solicitor or her/his designate if they determine it is in the best interests of the City;
- (2) the Applicant shall complete an Application and obtain the signatures of all property owners whose land abuts the portion of the lane/street or public thoroughfare requested to be closed. The property owners shall also indicate whether they wish to have a portion of the lane/street or public thoroughfare conveyed to them in the event that it is closed;
- (3) once the Application is completed, the Legal Department shall circulate the request received to the appropriate City Departments and outside agencies that may have an interest in the matter for comments;

- (4) upon receiving comments from all aforementioned parties, the City Solicitor or her/his designate shall determine if closing the lane/street or public thoroughfare is in the best interests of the City. If the City Solicitor's recommendation is to proceed, a report and/or by-law will go to Council with her/his recommendation;
- (5) if City Council agrees to close and convey the lane/street or public thoroughfare, a by-law to stop up, close and authorize the conveyance of the lane/street or public thoroughfare shall receive First and Second Reading;
- (6) notice of the City's intention to close and sell the lane/street or public thoroughfare shall be given;
- (7) if there are no objections to the closing of the lane/street or public thoroughfare, the Applicant may obtain a reference plan for the land, prepared by an Ontario Land Surveyor. The Legal Department requires a draft of the plan for review prior to its registration;
- (8) all costs of the reference plan, along with registrations costs, searches, etc. shall be paid by the benefitting owners. If an owner does not pay his or her share of the above-noted costs, the City may offer the full width of the lane/street or public thoroughfare to the owner on the opposite side of the lane/street or public thoroughfare;
- (9) once the reference plan has been reviewed by the Legal Department, the by-law to stop up, close and authorize the conveyance of the lane/street or public thoroughfare will receive a Third and Final Reading;
- (10) the Applicant shall provide copies (as needed) of the registered reference plan to the Legal Department;
- (11) the City may retain or grant any and all easements for present or future use which are deemed necessary. This may restrict any improvements undertaken by property owners on the portion of the property restricted by the easement;
- (12) the City Solicitor or her/his designate shall notify the Chief Building Official of all parcels of land conveyed to property owners, as well as the easements retained by the City or on behalf of any utility companies.

Note:

If a commercial establishment proposes to expand its operation and it requires the entire portion of an abutting lane/street or public thoroughfare, City Council may agree to convey the entire lane/street or public thoroughfare to the commercial establishment without offering any portion of the property to an abutting property owner or owners.

3. **BY-LAW 2016-204 REPEALED**

By-law 2016-204 is hereby repealed.

4. **EFFECTIVE DATE**

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

PASSED in open Council this 5th day of November, 2018.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2018-200

AGREEMENT: (AG101) A by-law to authorize the execution of an Amending Agreement between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander to incorporate an updated insurance provision into the existing Licence to Occupy City Property Agreement dated June 11, 2012.

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 the Amending Agreement dated November 5, 2018, between the City and Jennifer Meagan Bellerose and Stephen Russell Alexander, a copy of which is attached as Schedule "A" hereto. This Agreement is to incorporate an updated insurance provision into the existing Licence to Occupy City Property Agreement.

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 5th day of November, 2018.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

Schedule "A"

This Amending Agreement is made effective the 5th day of November, 2018 (the "Amending Agreement").

B E T W E E N:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(herein referred to as the "City")

-and-

**JENNIFER MEAGAN BELLEROSE and
STEPHEN RUSSELL ALEXANDER**

(herein referred to as the "Licencee")

WHEREAS the City granted the Licencee the right to occupy the property of the City identified as a portion of land abutting 1097 Queen Street East, Sault Ste. Marie, Ontario on June 11, 2012 by a Licence to Occupy City Property (the "Agreement");

AND WHEREAS the Agreement no longer meets the City's insurance standards but the parties wish to maintain the Agreement;

NOW THEREFORE the parties agree as follows:

1. That the following Section 12 of Schedule "B" of the Agreement be deleted and replaced with the following:
12. The Licencee(s) agrees to maintain at all times during the currency of this licence hereinbefore described, a minimum of Five Million (\$5,000,000.00) Dollars comprehensive general liability insurance in respect of personal injury, death, loss or damage of or to any person or property of third parties, with insurers licenced to conduct business in Ontario. The City shall be added as an Additional Insured to the required liability insurance policy or policies and no such policy shall be cancelled or allowed to lapse without at least thirty (30) days written notice having been given to the City. An Insurance Certificate, on the C.S.I.O. form and satisfactory to the City's Risk Manager, shall be provided to the City prior to the commencement of the Licence Date.

IN WITNESS WHEREOF, the Parties have executed this Amending Agreement effective as of the date written above.

**THE CORPORATION OF THE CITY OF
SAULT STE. MARIE**

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE
We have the authority to bind the corporation.

JENNIFER MEAGAN BELLEROSE

STEPHEN RUSSELL ALEXANDER

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO. 2018-206

STREET ASSUMPTION: (PR1.100) A by-law to assume for public use and establish as a public street that portion of 205 Greenfield Drive described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001*, S.O. 2001, **ENACTS** as follows:

1. STREET ESTABLISHED AND ASSUMED

The Corporation of the City of Sault Ste. Marie hereby assumes for public use and establishes as a public street, the street more particularly described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518.

2. EFFECTIVE DATE

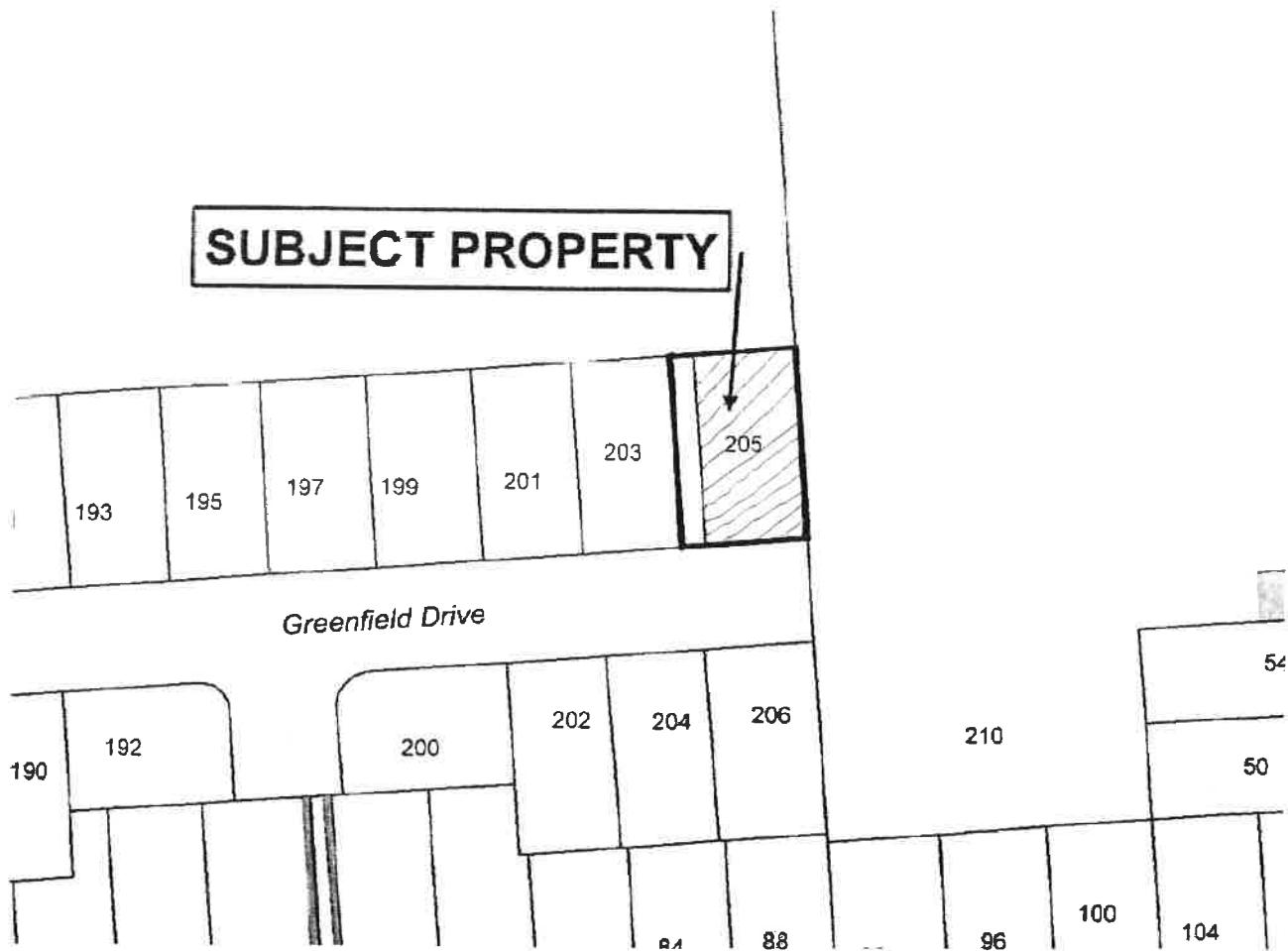
The by-law takes effect on the day of its final passing.

PASSED in open Council this 5th day of November, 2018.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

THIS DRAWING DOES NOT FORM PART OF THIS BY-LAW.
IT IS FOR INFORMATION PURPOSES ONLY.



THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2018-208

AGREEMENT: (R1.41) A by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence for the purpose of an Artillery Gun Salute, in support of the annual Remembrance Day commemoration scheduled for November 11, 2018.

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 the Agreement between the City and Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence, a copy of which is attached as Schedule "A" hereto. This Agreement is for the purpose of an Artillery Gun Salute, in support of the annual Remembrance Day commemoration scheduled for November 11, 2018.

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 5th day of November, 2018.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

Schedule "A"

LICENSE AGREEMENT

BETWEEN:

CITY OF SAULT STE. MARIE (the "LICENSOR")
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

AND

HER MAJESTY THE QUEEN IN RIGHT OF CANADA, as represented by
the Minister of National Defence (the "LICENSEE")

WHEREAS the LICENSOR is the owner of the property located in vicinity of **Latitude (46°30'31.4"N) and Longitude (84°20'15.5W) (Hub Trail Boardwalk)** in the province of **Ontario** (the "Premises");

AND WHEREAS the LICENSEE has requested permission from the LICENSOR to use the Premises for the purpose of an Artillery Gun Salute, in support of the annual Remembrance Day commemoration.

THIS AGREEMENT WITNESSES that in consideration of the terms and conditions set out herein, the LICENSOR hereby grants permission to the LICENSEE to use the Premises for the purpose stated herein, and for no other purpose, under the following terms and conditions:

1. DESCRIPTION OF PROPERTY AND ACTIVITIES

The LICENSOR agrees that the LICENSEE may enter and use of the Premises for the purposes as follows:

1. 49 Field Regiment (49 Fd Regt) to deploy and tow 1 x C3 Howitzer with crew to the Premises;
2. 49 Fd Regt will fire 2 x 105mm blank C3 Howitzer ammunition as part of the Gun Salute; and
3. The location of the Howitzer and the 1000m safety firing radius of the blank ammunition can be found in Annex C – Site Map;

2. TERM

The term of this agreement shall be November 11th, 2018.

3. INSURANCE

The LICENSOR acknowledges that the LICENSEE is self-insured.

4. LICENSE FEE

Total consideration for the use of the Premises is \$1.00, and the LICENSOR hereby acknowledges the receipt and sufficiency of this consideration.

5. INDEMNIFICATION

Subject to the *Crown Liability and Proceedings Act*, the LICENSEE indemnifies and saves harmless the LICENSOR, its servants, agents, and employees and their heirs, executors, administrators, successors and assigns, from and against all injury, damage, actions, causes of actions, suits, claims and demands of whatsoever nature which may result or may be brought or made by reason of any act or default of the LICENSEE, her servants, agents, or employees, or on account of any damage to the property of the LICENSOR or in connection with any loss, damage or injury in any manner based upon, arising out of or incidental to the exercise or purported exercise by the LICENSEE of the license granted herein. This provision shall survive the expiry or earlier termination of this agreement

6. LICENSOR'S PROPERTY

The LICENSEE agrees to assume full responsibility for the care of the Premises during her occupation, and to assume all risk of loss, damage, or injury to herself, her servants, agents, employees or licensees.

7. DAMAGES

The LICENSEE shall not be responsible for any damage or loss to the Premises arising from circumstances, acts or conditions beyond her control, or due to "force majeure", which is defined as an act of God, war, invasion, revolution, insurrection or other act of a similar nature.

8. ENVIRONMENTAL DAMAGE

The LICENSEE is liable for any environmental damage to the Premises caused during her occupation, except for:

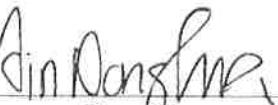
- a) any environmental damage to the Premises caused by the previous occupation of the premises by other persons, organizations, or the LICENSOR;
- b) any environmental damage to the Premises arising during the period covered by this agreement, where such environmental damage is a consequence of pre-existing environmental damage from previous occupation, or was caused by the activities of the Licensor during the period of this agreement; and
- c) any environmental damage to the Premises caused by any other persons, organizations, or by the LICENSOR.

9. GOVERNING LAW

This agreement shall be construed in accordance with, and governed by, the laws in effect in the Province of Ontario, including the laws of Canada.

IN WITNESS WHEREOF this agreement has been executed by **City of Sault Ste. Marie** or delegated authority and Her Majesty the Queen in Right of Canada, as represented by the Minister of National Defence, this _____ day of _____ 2018.

SIGNED, SEALED AND DELIVERED
in the presence of


Captain Jin Dong Ma
Requirement Officer
Real Property Operations Section (Toronto)

**HER MAJESTY THE QUEEN IN
RIGHT OF CANADA, AS REPRESENTED
BY THE MINISTER OF NATIONAL
DEFENCE**

Per: 
Major Denis Slusar
Officer Commanding
Real Property Operations Section (Toronto)

SIGNED, SEALED AND DELIVERED
in the presence of

Witness

Per: _____
City of Sault Ste. Marie
Mayor - Christian Provenzano

City Clerk - Malcolm White

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2018-209

REGULATIONS: (R1.41) A by-law to exempt the 49 Field Regiment, while using the Hub Trail Boardwalk, from By-law 2008-168 being a firearms by-law to prohibit the discharge of firearms in the municipality and from By-law 80-200 being a by-law respecting noises in the City of Sault Ste. Marie.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001*, S.O. 2001, **ENACTS** as follows:

1. BY-LAW 2008-168 AMENDED

Despite the provisions of By-law 2008-168, the 49 Field Regiment may be allowed to discharge a firearm on the Hub Trail Boardwalk for an Artillery Gun Salute in support of the annual Remembrance Day commemoration on November 11, 2018.

2. BY-LAW 80-200 AMENDED

Despite the provisions of By-law 80-200, the 49 Field Regiment may be allowed to discharge a firearm on the Hub Trail Boardwalk for an Artillery Gun Salute in support of the annual Remembrance Day commemoration on November 11, 2018.

3. EFFECTIVE DATE

This by-law is effective on the date of its passing.

PASSED in Open Council this 5th day of November, 2018.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW 2018-210

AGREEMENT: (AG175) A by-law to authorize the execution of the Agreement between the City and Chris Tranberg and Son Ltd., Gary Tranberg and Audrae Mae Tranberg to compensate for impact to 1025 Second Line East as a result of construction work conducted by the City.

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 the Agreement dated September 24, 2018 between the City and Chris Tranberg and Son Ltd., Gary Tranberg and Audrae Mae Tranberg to compensate for impact to 1025 Second Line East as a result of construction work conducted by the City, a copy of which is attached as Schedule "A" hereto.

2. SCHEDULE "A"

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

3. EFFECTIVE DATE

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

PASSED in open Council this 5th day of November, 2018.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

SETTLEMENT, INDEMNITY AND RELEASE AGREEMENT

THIS AGREEMENT made this 24th day of September, 2018

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE (the "City")

- and -

CHRIS TRANBERG & SON LTD. ("Tranberg")

- and -

GARY TRANBERG AND AUDRAE MAE TRANBERG ("Property Owners")

WHEREAS the Property Owners are the registered owners in fee simple in possession of lands known municipally as 1025 Second Line East, Sault Ste. Marie, Ontario and legally described as PT SEC 32 TARENTORUS AS IN T67593 & T105120 EXCEPT PT 8 T83522; SAULT STE. MARIE, PIN 31514-0087 (LT) (the "Affected Property");

AND WHEREAS Tranberg is a landscaping/construction company that operates a business at the Affected Property;

AND WHEREAS following the City's widening of Second Line (the "Project"), Tranberg was unable to accommodate their trucks entering the Affected Property satisfactorily;

AND WHEREAS Tranberg has advised that he will purchase a portion of the neighbouring property known municipally as 977 Second Line East, Sault Ste. Marie, Ontario and legally described as PT SEC 32 TARENTORUS AS IN T291058; SAULT STE. MARIE, PIN 31514-0086 (LT) owned by Beverly Prouse and Andrew Ramsay, specifically a 1.072 acre parcel of this property (the "Subject Property") in order to rectify the aforesaid issue caused by the Project (the "Purchase");

AND WHEREAS Tranberg has further advised that the costs to reconstruct and restore the driveway on the Affected Property and the Subject Property is estimated to be approximately \$92,000.00 ("Driveway Reconstruction Costs");

AND WHEREAS the City has agreed to compensate Tranberg up to the maximum of \$150,000.00, net of HST rebates or credits in total for the impact to the Affected Property, including the Purchase, Driveway Reconstruction Costs, and any other matters related directly or indirectly to the Project, subject to the terms and conditions set forth herein;

NOW THEREFORE in consideration of the rents, covenants and agreements herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

Payment to the Tranberg

1. Tranberg represents and warrants that the estimated costs to repair the Affected Property as a result of the Project are as follows:
 - (a) The estimated sum of \$45,100.00 CAD plus reasonable legal fees, net of HST rebates or credits, related to the transfer of the Subject Property to Tranberg;
 - (b) The estimated sum of \$92,000.00 CAD, net of HST rebates or credits to restore and reconstruct the driveway on the Subject Property and Affected Property; and
 - (c) Miscellaneous expenses including severance fees and legal fees.

Tranberg acknowledges and agrees that the maximum amount payable by the City to Tranberg is the sum of One-Hundred Fifty Thousand (\$150,000.00 CDN) Dollars net of HST rebates or credits, as full and final settlement of any matters related to the Project, the Affected Property, the Purchase, the Subject Property and the Driveway Reconstruction Costs, and any other matters related directly or indirectly to the same.

2. To facilitate payment of the amount set out in paragraph 1 herein, all parties herein acknowledge and agree as follows:
 - (a) Tranberg shall submit an invoice(s) to the City, to the attention of the City Solicitor, to request payment of the amounts set out in paragraph 1 as proof of the actual costs of same;
 - (b) The City Solicitor and City Treasurer shall review same to ensure that the invoice is payable in accordance with the terms and conditions set out in this Agreement and if determined to be so payable, the City Solicitor shall requisition and forward payment to Tranberg via his solicitor, Wayne Chorney. In the event that the invoice is determined by the City Solicitor and City Treasurer as not to be payable in accordance with the terms and conditions of this Agreement, the City Solicitor shall advise Tranberg via his solicitor, Wayne Chorney and provide the relevant rationale for same;
 - (c) Given the substantial value of the items set out in paragraph 1 herein, for example the purchase of the Subject Lands, the City Solicitor may in her discretion accept appropriate documentation to evidence the actual cost of the item(s) in paragraph 1 and thereafter requisition for payment of same. Tranberg thereafter shall provide a receipt to confirm the amount actually paid in such instances to the City Solicitor immediately upon payment. The parties acknowledge and agree that the intent is for the City to pay the actual costs incurred for the items set out in paragraph 1 herein. Any amounts overpaid by the City to Tranberg shall immediately be returned by Tranberg to the City; and
 - (d) In addition to the invoices as set out herein Tranberg shall also forward to the City Solicitor proof of payment.

The total amount payable pursuant to the process set out in paragraph 2 herein is defined in this Agreement hereinafter as the "Actual Costs Incurred".

3. All parties hereto acknowledge and agree that the maximum amount payable by the City for all matters set out in paragraph 1 is One-Hundred Fifty Thousand (\$150,000.00 CDN) Dollars, net of HST rebates or credits. In the event that the Actual Costs Incurred as determined by the process set out in paragraph 2 herein is less than One-Hundred Fifty Thousand (\$150,000.00 CDN) Dollars, net of HST rebates or credits, then the City shall only pay to Tranberg the Actual Costs Incurred. In the event that the Actual Costs Incurred as determined by paragraph 2 herein is One-Hundred Fifty Thousand (\$150,000.00 CDN) Dollars or greater, net of HST rebates or credits, the City shall only pay Tranberg the maximum sum of One-Hundred Fifty Thousand (\$150,000.00 CDN) Dollars, net of HST rebates or credits. The actual amount paid to Tranberg is referred to herein as the Settlement Payment.
4. Tranberg and the Property Owners hereby release and forever discharge the City from any claims, actions, claims, complaints, contracts, debts and liabilities of any kind at law which it has or may have had against the City relating directly or indirectly to the Project, the Affected Property, the Purchase, the Subject Property and the Driveway Reconstruction Costs, and any matters related directly or indirectly thereto, and hereby acknowledge and agree that any payment pursuant to this Agreement shall be made to Tranberg.
5. The parties hereto acknowledge and agree that the Settlement Payment shall constitute the full and final amount payable by the City to Tranberg and the parties further accept same as full and final settlement of any matters related to the Project, the Affected Property, the Purchase, the Subject Property and the Driveway Reconstruction Costs, and any matters related directly or indirectly thereto.
6. The City shall complete any outstanding restoration work that is outstanding from the Project, the determination of which shall be made by the City's Manager, Design & Transportation Engineer in his sole discretion. Thereafter, Tranberg further acknowledges and agrees that City shall not be responsible or liable to complete any additional work on the Affected Property or the Subject Property, including but not limited to constructing the driveway/entrance, or to otherwise compensate Tranberg. Tranberg shall be responsible for all matters related to the purchase of the Subject Property and the reconstruction of the driveway.

Tranberg's Responsibilities

7. Tranberg shall be responsible for the negotiation of the Purchase of the Subject Property and for all taxes, permits, licences, assessments and approvals of every nature and kind whatsoever, in any way arising from the Purchase and any subsequent works on the Affected Property and the Subject Property, and this Agreement. At no time shall the City be responsible for any matters related to the negotiation of the Purchase of the Subject

Property, the purchase price or any taxes, permits, licences, assessments and approvals related to the Subject Property or the Affected Property.

8. Tranberg shall comply with all laws, by-laws, rules and regulations of any governing body respecting the Purchase and any subsequent works on the Affected Property and the Subject Property, and any matters set out in this Agreement. Tranberg shall save harmless and fully indemnify the City from and against all losses, costs, damages and expenses, of every kind or nature which the City may suffer, be at or be put to by reason of or in consequence of the noncompliance by Tranberg with such laws, by-laws, rules and regulations.

Release and Indemnities

9. The parties hereto acknowledge and agree that the purpose of this Agreement is to set out the conditions and terms for the Settlement Payment and the release of the City by the parties. The parties hereto acknowledge and agree that the maximum financial exposure of the City in respect of any matters related to this Agreement shall be the City's Settlement Payment. For further clarity, the parties hereto acknowledge and agree that the City shall not be responsible in any way for any matters related to the Purchase and any subsequent works on the Affected Property and the Subject Property, or any other activity arising out of or in any way connected with this Agreement.
10. The parties and their respective administrators, executors, successors and assigns fully and forever release, acquit and discharge the City, its present and former councillors, directors, officers, agents, insurers, employees, successors and assigns from any and all actions, causes of actions, claims, complaints, contracts, debts and liabilities of any kind at law, which it has or may have had against the City relating directly or indirectly to the Project, the Affected Property, the Subject Property, the Driveway Reconstruction Costs and this Agreement, including all losses, demands and damages not now known or anticipated but which may arise in the future and all effects and consequences thereof.
11. The parties hereto enter into this Agreement in full and final satisfaction of any and all actions, causes of actions, claims, complaints, contracts, debts and liabilities of any kind at law which any of them has or may have had against the City relating directly or indirectly to the Project, the Affected Property, the Subject Property, the Driveway Reconstruction Costs and this Agreement. The parties acknowledge and agree that the Settlement Payment does not constitute an admission of liability on the part of the City.
12. The parties acknowledge and agree that it shall not make any claim or take any proceedings against the City in the event any other person, persons or corporations claim contribution or indemnity from them for anything in any way related to this Agreement; and further agree that it shall not make any claim or take any proceedings against any person, persons or corporations, where those persons or corporations would be able to seek contribution and indemnity from the City for anything in any way related to this Agreement.

13. The parties acknowledge and agree that this Agreement is intended to cover and does cover not only all now known losses, demands and damages it may have or may have had as a result of matters relating directly or indirectly to the Project, the Affected Property, the Subject Property, the Driveway Reconstruction Costs and this Agreement, but any future losses, demands and damages not now known or anticipated but which may later develop or be discovered arising directly or indirectly from the Project, the Affected Property, the Subject Property, the Driveway Reconstruction Costs and this Agreement, including all the effects and consequences thereof.
14. The parties acknowledge and undertake to hold harmless, indemnify, defend in the name of and pay all costs assessed in any civil action or other proceeding brought against the City, and for any and all claims or actions that have or may be made from the circumstances relating directly or indirectly to the Project, the Affected Property, the Subject Property, the Driveway Reconstruction Costs or this Agreement by any person permitted to make claims under the **Family Law Act**, R.S.O. 1990, c.F.3, by the application of Section 139 of the **Courts of Justice Act**, R.S.O. 1990, c.C.43, and on behalf of such party arising from any assignment of rights, contract, plan of insurance or other benefit, including the permission of subrogated recoveries.

Binding Settlement

15. The parties hereto acknowledge and agree that it fully understands the terms of this Agreement and settlement, and that the amounts stated herein, along with the agreed to terms set out herein are the sole consideration of this Agreement. The parties further acknowledge and agree that it is freely and voluntarily entering into this Agreement for the purpose of making a full and final compromise, adjustment and settlement of any and all actions, causes of actions, claims, complaints, contracts, debts and liabilities of any kind at law which it may have or may have had against the City relating directly or indirectly to the Project, the Affected Property, the Purchase, the Subject Property, the Driveway Reconstruction Costs and this Agreement.

General

16. No party shall assign, transfer or make any other disposition of this Agreement or of the rights conferred thereby, without the prior written consent of all other parties to the Agreement.
17. This Agreement constitutes the entire agreement of the parties and supercedes all prior representations, proposals, discussions, and communications, whether oral or in writing. This Agreement may be modified only by written instrument signed by all parties.
18. The provisions of this Agreement shall be binding upon, and enure to the benefit of the parties and their respective successors and (where applicable) permitted assigns.
19. This Agreement shall be exclusively governed by, and construed in accordance with, the laws of the Province of Ontario, and the federal laws of Canada applicable therein.

20. The parties consents to the registration of this Agreement on title to the Affected Property and on title to the Subject Property once the Purchase is complete. The parties undertake to execute any necessary paperwork to effect same. **IN WITNESS WHEREOF** the parties hereto have affixed their hands and seals.

Witness:

**THE CORPORATION OF THE CITY OF
SAULT STE. MARIE**

Print Name:

PER: _____

Name: Christian Provenzano
Position: Mayor

Print Name:

PER: _____

Name: Malcolm White
Position: City Clerk

We have authority to bind the Corporation

Witness:

CHRIS TRANBERG & SON LTD.

Print Name:

PER: _____

Name: Chris Tranberg
Position:

I have authority to bind the Corporation

Witness:

Print Name:

AUDRAE MAE TRANBERG

Witness:

Print Name:

GARY TRANBERG

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
BY-LAW NO 2018-207

STREET CLOSING & CONVEYANCE: (PR7.1) A by-law to stop up, close and authorize the conveyance of a portion of 205 Greenfield Drive described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518.

WHEREAS the street more particularly described as that portion of 205 Greenfield Drive described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518 was established as a public street and assumed for public use by By-law 2018-206;

NOW THEREFORE THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to *the Municipal Act, 2001*, S.O. 2001, **ENACTS** as follows:

1. STREET CLOSED, DECLARED SURPLUS AND CONVEYANCE AUTHORIZED

The street more particularly described as that portion of 205 Greenfield Drive described as PIN 31566-0038 (LT) PT LT 1 PL H518 KORAH AS IN T61945; SAULT STE. MARIE in the Greenfield Park Subdivision, Plan H518, having been assumed by the Corporation for public use, is hereby stopped up, closed, declared surplus to the requirements of the Municipality and the conveyance of same is authorized.

2. EXECUTION OF DOCUMENTS

The City Solicitor is hereby authorized by By-law 2018-55 for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

3. EASEMENTS TO BE RETAINED

The street is subject to the retention of easements if required.

4. EFFECTIVE DATE

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

By-law 2018-207
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READ the **FIRST** and **SECOND** time in open Council this 5th day of November, 2018.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

da LEGAL\STAFF\COUNCIL\BY-LAWS\2018\2018-207 STREET CLOSING PART 205 GREENFIELD DRIVE.DOCX

THIS DRAWING DOES NOT FORM PART OF THIS BY-LAW.
IT IS FOR INFORMATION PURPOSES ONLY.

