

AGENDA

REGULAR MEETING OF CITY COUNCIL

2007 08 27

4:30 P.M.

COUNCIL CHAMBERS

1. **ADOPTION OF MINUTES**

Mover - Councillor T. Sheehan

Seconder - Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2007 08 13 be approved.

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

3. **APPROVE AGENDA AS PRESENTED**

Mover - Councillor S. Myers

Seconder - Councillor F. Fata

Resolved that the Agenda for the 2007 08 27 City Council Meeting as presented be approved.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Erin Lemke, Shinerama Coordinator will be in attendance concerning Proclamation - Shinerama 2007 Cystic Fibrosis.
- (b) Rosalind Ennis, Affiliate President, Habitat for Humanity Sault Ste. Marie and Area will be in attendance concerning Proclamation - Habitat for Humanity Week.
- (c) John Doan, President Pointe Aux Pins Syndicate will be in attendance concerning agenda item 6.(5)(a).
- (d) Mark Inglis, Marshall Macklin Monahan will be in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

5.

COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Mover - Councillor T. Sheehan

Second - Councillor F. Fata

Resolved that all the items listed under date 2007 08 27 - Part One - Consent Agenda be approved as recommended.

- (a) A letter from the President, Ontario Winter Carnival Bon Soo requesting financial assistance from the City is attached for the consideration of Council.

Mover - Councillor S. Myers

Second - Councillor F. Fata

Resolved that the request of the President, Ontario Winter Carnival Bon Soo Inc. that Council provide financial assistance in the form of rent-free office space in a city facility that could be the new home for the Bon Soo office; and a one-time cash grant in the amount of \$10,000.00 BE REFERRED to Tourism Sault Ste. Marie, the Finance Committee and appropriate staff for review and recommendation back to Council.

- (b) News Releases from the Office of the Premier and David Oraziotti, M.P.P. Sault Ste. Marie concerning the provincial government announcement of uploading the full costs of the Ontario Disability Support Program (ODSP) and Ontario Drug Benefits (ODB) for social assistance programs is attached for the information of Council.

- (c) Correspondence from Ontario 911 Advisory Board (concerning a request for financial assistance) is attached for the information of Council.

Mover Councillor T. Sheehan

Second Councillor F. Fata

Whereas the Ontario 911 Advisory Board was formed at the request of Ontario municipalities; and

Whereas it is now in great need of financial assistance in order to continue to represent ratepayers in the face of ever increasing technological advancement; and

Whereas technological advancement and deregulation of the local telephone market makes it necessary to represent municipalities and ratepayers at the Canadian Radio Telecommunication Commission (CRTC) and the CRTC Interconnection Steering Committee (CISC) on a regular basis;

5. (c) Now therefore be it resolved that the City of Sault Ste. Marie contributes \$100.00 to the Ontario 911 Advisory Board in order to allow it to continue to advance a safe delivery of 911 system for police, fire and ambulance emergency services in our municipality and throughout the province.
- (d) **Staff Travel Requests**
A report of the Chief Administrative Officer is attached for the consideration of Council.
- Mover - Councillor S. Myers
Second - Councillor F. Fata
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 08 27 be approved as requested.
- (e) **Tender for Screened Street Sand**
A report of the Manager of Purchasing is attached for the consideration of Council.
- Mover - Councillor T. Sheehan
Second - Councillor F. Fata
Resolved that the report of the Manager of Purchasing dated 2007 08 27 be endorsed and that the tender for the supply of Screened Street Sand, required by the Public Works and Transportation Department be awarded as recommended.
- (f) **Draft Terms of Reference for an Independent Third Party Review of the Economic Development Corporation**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.
- Mover - Councillor S. Myers
Second - Councillor F. Fata
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 08 27 concerning Draft Terms of Reference for an Independent Third Party Review of the Economic Development Corporation be accepted and the recommendation that a committee of 3 to 5 members of Council and appropriate resource staff from the City and EDC be appointed to undertake the review and create the terms of reference; and further that a request for Proposal be issued for consulting services to address the terms of reference for an independent third party review of EDC, be approved.
- (g) **City Men's Hockey League Update**
A report of the Commissioner of Community Services is attached for the consideration of Council.

5. (g) Mover - Councillor T. Sheehan
Second - Councillor F. Fata
Resolved that the report of the Commissioner of Community Services dated 2007 08 27 concerning City Men's Hockey League Update be accepted and the recommendation that Finance and Community Services Department staff evaluate the payment plan from the City Men's Hockey League and determine whether it is acceptable; and further report their findings to both Council and the Parks and Recreation Advisory Committee be approved.
- (h) **Agreement With the Soo North Stars Hockey Club for Shared Use of Single-Level Football Dressing Room - John Rhodes Community Centre**
A report of the Commissioner of Community Services is attached for the consideration of Council. The relevant By-law 2007-149 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (i) **Soo Thunderbirds Hockey Club - Agreement**
A report of the Commissioner of Community Services is attached for the consideration of Council. The relevant By-law 2007-152 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (j) **Request to Access Funds From Multi-Modal Transportation Committee**
A report of the Commissioner of Engineering and Planning is attached for the consideration of Council.

Mover - Councillor S. Myers
Second - Councillor F. Fata
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 08 27 concerning Request to Access Funds From Multi-Modal Transportation Committee be accepted and the recommendation that Council approve the redirection of up to \$10,000.00 from the Multi-Modal Transportation Committee fund to cover costs associated with Bill Therriault's continued role in directing and overseeing the Multi-Modal Initiative Market Assessment Study through to the conclusion of Phase III - Business Case be approved.
- (k) **Adopting Policy for the Sale of Land - Section 270 of the Municipal Act**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2007-150 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (l) **Lot 105 (150 Pageant Drive) and Lot 136 (75 Paradise Avenue) - Forest Glen Subdivision - Clearview Heights Development Limited**
A report of the City Solicitor is attached for the consideration of Council.

5. (l) Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata
Resolved that the report of the City Solicitor dated 2007 08 27 be accepted and further that lots 105 and 136 in the Forrest Glen Subdivision be declared surplus to the City's needs, advertise and convey to Clearview Heights Development Limited for the sale price of \$10,000.00 per lot.

PART TWO – REGULAR AGENDA

6. **REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

6. (5) **LEGAL**

(a) **Request From Residents of Red Pine Drive to Have the City Pay the Costs for Upgrading Red Pine Drive**

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

Mover - Councillor S. Myers

Seconder - Councillor F. Fata

Resolved that the report of the City Solicitor dated 2007 08 27 concerning Request From Residents of Red Pine Drive to Have the City Pay the Costs for Upgrading Red Pine Drive be accepted as information.

Also attached is a report from the President, Pointe Aux Pins Syndicate requesting that Council accept the Syndicate deeding Red Pine Drive to the City as a public street or as an alternative that the City continue to pay to have a private contractor provide snow plowing services on Red Pine Drive. This report is provided for the information and for the direction of Council.

6. (6) **PLANNING**

(a) **Application No. A-16-07-Z.OP - Northern Credit Union Ltd. - 280 McNabb Street - Request to Permit the Construction of a 2,508 Square Metres (27,000 Square Feet), 3-Storey Northern Credit Union Head Office Building**

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

6. (6)
(a)

Mover - Councillor T. Sheehan
Seconded - Councillor F. Fata

Resolved that the report of the Planning Division dated 2007 08 27 concerning Application No. A-16-07-Z.OP - Northern Credit Union Ltd. be accepted and the Planning Director's recommendation that City Council approve the following:

1. Official Plan Amendment No. 127
2. The rezoning of the subject property from "C.4" (General Commercial) zone to "C.4.S" (General Commercial) zone with a Special Exception to permit the development of an office building with a maximum floor area of 2,600m sq.
3. That the subject property be designated as subject to Site Plan Control be endorsed.

- (b) **Cycling Master Plan Update**

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

Mover - Councillor S. Myers
Seconded - Councillor F. Fata

Resolved that the report of the Planning Division dated 2007 08 27 concerning Cycling Master Plan Update be accepted and the recommendation that Council approve the Cycling Master Plan Update as the basis for cycling infrastructure, development in the City of Sault Ste. Marie subject to detail design, funding availability, and environmental assessment where necessary be endorsed.

6. (8) **BOARDS AND COMMITTEES**

- (a) **Report of the Boards and Committees Review Committee**

A report of the Boards and Committees Review Committee is attached for the consideration of Council. This report was tabled at the 2007 08 13 Council Meeting.

Mover - Councillor T. Sheehan
Seconded - Councillor F. Fata

Resolved that the report of the Boards and Committees Review Committee dated 2007 08 13 be accepted and the recommendation that the three recommendations as detailed in the report: #1 Concerning Changes to Representation on Boards and Committees; #2 Concerning Length of Terms and Term Limits on Boards and Committees; and #3 Concerning Honoraria Payments on Boards and Committees be approved.

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

- (a) Mover - Councillor P. Mick
Second - Councillor F. Fata
Whereas the Sault Steelers football team captured the Northern Football Conference Championship in Cambridge recently by defeating the Tri - City Outlaws 23-10 to win the Plaunt Memorial Trophy, the symbol of supremacy in the Northern Football Conference; and
Whereas the Sault Steelers team has brought the title back to the Sault for the first time since 1980; and
Whereas the Steelers will now advance to the national championship game against the Alberta Football League champion in September;
Now therefore be it resolved that City Council expresses its sincere congratulations to the team and offers its best wishes for the upcoming national championship game; and
Further that a copy of this resolution be forwarded to Steelers head coach Barry Rushon.

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

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10. **CONSIDERATION AND PASSING OF BY-LAWS**

By-laws before Council for THREE readings which do not require more than a simple majority.

AGREEMENTS

- (a) 2007-149 A by-law to authorize an agreement between the City and The Sault Ste. Marie North Stars AAA Midget Hockey Club for the use of facilities in the John Rhodes Community Centre.
- A report from the Commissioner of Community Services Department is on the agenda.
- (b) 2007-152 A by-law to authorize an agreement with the City and Soo Thunderbirds Hockey Club Inc. for the use of facilities in the John Rhodes Community Centre and the Steelback Centre.
- A report from the Commissioner of Community Services Department is on the agenda.

10. **APPOINTMENTS**

- (c) 2007-151 A by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act.

PARKING

- (d) 2007-153 A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305.

PROPERTY

- (e) 2007-150 A by-law to re-establish procedures including the giving of notice to the public governing the sale of surplus real property owned by the municipality.

A report from the City Solicitor is on the agenda.

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

12. **ADDENDUM TO THE AGENDA**

13. **ADJOURNMENT**

Mover - Councillor T. Sheehan
Seconder - Councillor F. Fata
Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 08 13

4:30 P.M.

COUNCIL CHAMBERS

PRESENT: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, B. Hayes, O. Grandinetti, S. Myers, L. Tridico, F. Fata, T. Sheehan, S. Butland, F. Manzo, P. Mick

ABSENT: Councillor D. Celetti

OFFICIALS: J. Fratesi, M. White, B. Freiburger, J. Elliott, N. Kenny, J. Dolcetti, D. McConnell, N. Apostle

1. **ADOPTION OF MINUTES**

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the Minutes of the Regular Council Meeting of 2007 07 23 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the Agenda for the 2007 08 13 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Donna Hilsinger was in attendance concerning Proclamation - The 11,000-Tonne Challenge.
- (b) Marg Dodds, Principal and Kelly Coulter, Vice-Principal, Etienne Brule School were in attendance concerning agenda item 5.(d).

4. (c) Ian McMillan, Economic Development Corporation was in attendance concerning the status of the Borealis Project.

Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Whereas at the regular Council meeting of June 25th, 2007 City Council by resolution requested that staff send a letter to the Sault Ste. Marie Economic Development Corporation requesting the following:

- (1) independent written confirmation of financing for the Borealis project;
- (2) written confirmation from each of the project partners indicating that the original partnership team is intact;
- (3) a proposed construction schedule; and
- (4) a revised site plan; and

Whereas the four said requests are consistent with material terms of the contract between the Corporation of the City of Sault Ste. Marie and the E.D.C. dated June 12, 2006; and

Whereas to date the E.D.C.'s response to the aforementioned requests is deficient;

Now therefore be it resolved that the Legal Department be directed to review these deficiencies and report back to Council in caucus within one month as to appropriate next steps. CARRIED.

- (d) Brian Curran, President and C.E.O., PUC Inc. was in attendance concerning agenda item 6.(8)(a).
- (e) Brady Irwin was in attendance concerning agenda item 6.(8)(b).

PART ONE – CONSENT AGENDA

5. **COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES**

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that all the items listed under date 2007 08 13 - Part One - Consent Agenda [save and except 5.(q)] be approved as recommended. CARRIED.

- (a) Correspondence from AMO was received by Council.
- (b) Correspondence from the Ministry of Natural Resources (in response to a Council resolution concerning dealing with wolves/coyotes in the community and concerning its annual wildlife rabies control operations for 2007); David Oraziotti, MPP Sault Ste. Marie (concerning Announcement of \$250,000. Investment at Algoma University College); and psos Public Affairs (concerning Municipal Solutions for a Greener Earth) was received by Council.

5. (c) Correspondence provided by Councillor Susan Myers concerning the use of funds that are raised through the city's yellow ribbon purchase program for emergency vehicles was received by Council.
- (d) The letter from the Principal and Vice-Principal Etienne Brule School concerning the upcoming Let Them Be Kids – School Makeover Day scheduled for Saturday, September 15th was accepted by Council.

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Whereas Let Them Be Kids Foundation is a charitable worldwide program that helps communities build safe playgrounds by providing a financial grant and assistance to design and build new playgrounds utilizing the 'community build' method; and

Whereas Etienne Brule School has received a Let Them Be Kids Helping Hand Award to assist in building a new playground at the school; and

Whereas community volunteers are invited to participate and support the Let Them Be Kids - Etienne Brule School Makeover Day scheduled for Saturday, September 15th at the school located at 241 Albert Street West;

Now therefore be it resolved that City Council expresses its support for this very important project and encourages participation from the community on September 15th to help build the new Etienne Brule School playground and beautify the school property. CARRIED.

- (e) Correspondence from the Township of South Stormont (concerning Department of Fisheries and Oceans time frame for approval of drainage maintenance requests); Town of Erin (concerning petitioning the Minister of Environment to place a moratorium on issuing any new permits to take water from Ontario's aquifers for commercial water bottling companies); City of Kawartha Lakes (concerning incentives to family physicians); Town of Kingsville (concerning the definition of firefighter are defined in Bill 221 Workplace Safety and Insurance Amendment Act); Municipality of North Grenville (concerning metering of private wells in Ontario); Tay Valley Township (concerning mining activities on private lands for which the Crown controls mineral rights); City of Ottawa (concerning safer communities and neighbourhoods legislation); and the Municipality of Marmora and Lake (concerning resolution to reform the property tax system) was received by Council.
- (f) Correspondence concerning a request for permission to hold a Special Occasion permit event at an outdoor municipal facility was accepted by Council.

5. (f) Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the following request to hold a Special Occasion permit event at a municipal facility on the stated dates and times be endorsed by City Council:
Strathclair Field "A"
Banker's League Softball and Tarentorous Playoffs
August 25th, 2007 - 11:00 a.m. to 7:00 p.m.
September 7th to 9th, 2007 - 11:00 a.m. to 7:00 p.m. CARRIED.

- (g) Correspondence from Councillor Steve Butland to the Executive Director, WDO was received by Council.

- (h) Correspondence from Rick Bartolucci, Minister of Northern Development and Mines concerning Northern Ontario Heritage Fund Corporation funding of \$1,000,000.00 toward the new Sault Ste. Marie Regional Emergency Response Centre project was accepted by Council.

Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that City Council expresses its sincere thanks to Rick Bartolucci, Minister of Northern Development and Mines; David Oraziotti, M.P.P.; and the Northern Ontario Heritage Fund Board for the funding of \$1,000,000.00 towards the new Sault Ste. Marie Regional Emergency Response Centre project.
CARRIED.

- (i) **Staff Travel Requests**

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

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 08 13 be approved as requested. CARRIED.

- (j) **Tender for Roof Replacement - Seniors Drop-In Centre**

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

Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Manager of Purchasing dated 2007 08 13 be endorsed and that the tender for Roof Replacement at the Seniors Drop-In Centre, required by the Community Services Department, be awarded as recommended. CARRIED.

- (k) **Tender for Roof Replacement - Steelton Seniors Centre**

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

5. (k) Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Manager of Purchasing dated 2007 08 13 be endorsed and that the tender for Roof Replacement at the Steelton Seniors Centre, required by the Community Services Department, be awarded as recommended. CARRIED.

- (l) **Tender for Repairs to the City Transit Facility Roof**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Manager of Purchasing dated 2007 08 13 be endorsed and that the tender for Roof Repairs at the City Transit Facility, required by the Transit Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

- (m) **Tender for the Painting of the Pedestrian Bridge - Fort Creek**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Manager of Purchasing dated 2007 08 13 be endorsed and that the tender for the Painting of the Pedestrian Bridge Crossing Fort Creek, required by the Parks Division of the Public Works and Transportation Department be awarded as recommended. CARRIED.

- (n) **Property Tax Appeals**
The report of the City Tax Collector was accepted by Council.

Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that pursuant to Section 357 of the Municipal Act, 2001, the adjustments for tax accounts outlined on the City Tax Collector's report of 2007 08 13 be approved and the tax records be amended accordingly. CARRIED.

- (o) **2007 Request for Financial Assistance - Brain Injury Association of Sault Ste. Marie**
The report of the Manager of Finance and Audits was accepted by Council.

5. (o) Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Manager of Finance and Audits dated 2007 08 13 concerning 2007 Request for Financial Assistance - Brain Injury Association of Sault Ste. Marie (\$2,500.00 request for Acquired Brain Injury Conference being held Fall 2007) be accepted and the recommendation that since there are no funds available within the grants accounts in 2007, that the Brain Injury Association of Sault Ste. Marie make an application for financial assistance for the 2008 budget year be approved. CARRIED.
- (p) **Tenders for Roof Replacements at the Seniors Drop-In Centre and the Steelton Seniors Centre**
The report of the Commissioner of Community Services was accepted by Council.

Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Community Services dated 2007 08 13 concerning Tenders for Roof Replacements at the Seniors Drop-In Centre and the Steelton Seniors Centre be accepted as information. CARRIED.
- (q) **City Men's Hockey League Request for Debt Forgiveness**
The report of the Commissioner of Community Services on behalf of the Parks and Recreation Advisory Committee and the letter from the City Men's Hockey League were received by Council.

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Community Services on behalf of the Parks and Recreation Advisory Committee dated 2007 08 13 concerning City Men's Hockey League Request for Debt Forgiveness be accepted and the recommendation that the debt of the City Men's Hockey League for ice time NOT be forgiven as requested; and
Further that the ice time be returned to the Community Centres Division for reallocation; and
Further that the Legal and Finance Departments pursue action on collection of the debt be approved. OFFICIALLY READ NOT DEALT WITH. (TABLED FOR TWO WEEKS.)
- (r) **Revoked Connecting Link Program - Resurfacing Trunk Road - Black Road to Wellington Street East**
The report of the Director of Engineering Services was accepted by Council.

5. (r) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Director of Engineering Services dated 2007 08 13 concerning Revoked Connecting Link Program - Resurfacing Trunk Road - Black Road to Wellington Street East be accepted as information. CARRIED.
- (s) **Resolution on Dust Control**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 08 13 concerning Resolution on Dust Control be accepted and the recommendation that Council support no further action be taken on this issue by the City and that for matters of dust control complaints outside of the City's jurisdiction areas (zoning/site plan/city construction projects) enforcement be handled by the Ministry of the Environment be approved. CARRIED.
- (t) **Carmen's Way at Conmee Avenue**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 08 13 concerning Carmen's Way at Conmee Avenue be accepted as information. CARRIED.
- (u) **Carmen's Way Buffering - Berm/Fencing**
The report of the Commissioner of Engineering and Planning was accepted by Council.
- Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 08 13 concerning Carmen's Way Buffering - Berm/Fencing be accepted and the recommendation that staff prepare documentation for tendering of the work that includes the construction of a wood fence having a maximum height of 6.5 feet along the full length of the berm (approximately 400 M) and associated work required to replant the existing shrubs be approved. CARRIED.
- (v) **Pedestrian Crossing on Northern Avenue**
The report of the Commissioner of Engineering and Planning was accepted by Council.

5. (v) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 08 13 concerning Pedestrian Crossing on Northern Avenue be accepted and City Council approve in principle the installation of traffic signals on Northern Avenue to assist with pedestrian crossing. The intent of the approval is to proceed as quickly as possible with the design and construction of the work which Council approves now to be funded as its highest priority in the 2008 Budget under its Capital Construction Program; and
Further that various design options be brought to Council, including 3 lane and 4 lane configurations, for final approval before design completion and further that appropriate meetings be arranged with affected parties and property owners as part of the process to be followed. CARRIED.

Moved by Councillor L. Turco
Seconded by Councillor T. Sheehan
Whereas the Commissioner of Engineering and Planning has provided us with a recommendation to approve the preferred option of installing traffic lights and converting this section of Northern Avenue to three lanes; and
Whereas adequate information from interested parties and property owners has already been received, including petitions, as far back as 1998; and
Whereas this recommendation has been unanimously approved and prioritized by the Accessibility Advisory Committee; and
Whereas the previous Council and current Council, at the last budget deliberations, wholeheartedly supported finding the funds in this year's budget of placing a pedestrian crossing at Northern Avenue;
Now therefore be it resolved that adequate funding be found for this important project from the 2008 Capital Construction Project and further Engineering is requested to start the engineering for a traffic light only as recommended and report back to Council once the project cost is estimated. OFFICIALLY READ
NOT DEALT WITH. (WITHDRAWN BY MOVER AND SECONDER)

- (w) **Lease Renewal - Access Road to Superiorview Golf Course - Lease Between the City and Superiorview Golf Course Resort Limited**
The report of the City Solicitor was accepted by Council. The relevant By-law 2007-144 is listed under Item 10 of the Minutes.
- (x) **Bear Wise Funding Agreement**
The report of the Assistant City Solicitor was accepted by Council. The relevant By-law 2007-145 is listed under Item 10 of the Minutes.
- (y) **Hub Trail Project - Construction Drawings**
The report of the Planning Division was accepted by Council.

5. (y) Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Planning Division dated 2007 08 13 concerning Hub Trail Project - Construction Drawings be accepted and the recommendation that Council approve a contract for the Hub Trail construction drawings with Marshall Macklin Monahan in partnership with Kresin Engineering at a total cost not to exceed \$65,000.00 in accordance with the Marshall Macklin Monahan letter dated July 11, 2007 be endorsed. CARRIED.
- (z) **Waiving of Landfill Gate Fee - Fall and Spring (Free Weeks)**
The report of the Deputy Commissioner of Public Works and Transportation was accepted by Council.
- Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 08 13 concerning Waiving of Landfill Gate Fee - Fall and Spring (Free Weeks) be accepted as information. CARRIED.
- (aa) **Purchase of Global Positioning (GPS)/Automated Vehicle Locator (AVL) Control Boxes and Antenna Kits for Sidewalk Sanders**
The report of the Manager of Buildings and Equipment, Public Works and Transportation was accepted by Council.
- Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the Manager of Buildings and Equipment, Public Works and Transportation dated 2007 08 13 concerning Purchase of Global Positioning (GPS)/Automated Vehicle Locator (AVL) Control Boxes and Antenna Kits for Sidewalk Sanders be accepted and the recommendation that Council authorize the purchase of 11 sidewalk sanding machine GPS/AVL kits from Grey Island Systems International Inc. at a cost of \$11,491.20 including taxes with funds to come from the Public Works and Transportation Equipment Reserve be approved. CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (3) ENGINEERING

(a) Proposed Amendments - Class A and B - Truck Routes

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

6. (3)
(a) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 08 13 concerning Proposed Amendments - Class A and B - Truck Routes be accepted as information and further that staff be instructed to provide a Public Open House for the public, stakeholders and special interest groups in order to present and obtain input into the findings and recommendations and further prepare a report for Council approval to be considered by the end of September 2007 be approved. CARRIED.

6. (6) **PLANNING**

- (a) **Application No. A-8-06-Z.OP and 57T-06-501 - Jane Eva Hedlund, Catherine Shunock, 2062111 Ontario Limited and Frank Frederick Shunock - 1525, 1675, 1707, 1709, 1715 and 1731 Trunk Road and 834 River Road - Request to Rezone to Permit a 39 Lot Single Detached Residential Subdivision**
The report of the Planning Division was accepted by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor F. Fata

Resolved that the report of the Planning Division dated 2007 08 13 concerning Application No. A-8-06-Z.OP and 57T-06-501 - Jane Eva Hedlund, Catherine Shunock, 2062111 Ontario Limited and Frank Frederick Shunock be accepted and the Planning Director's recommendation that City Council DEFER the application to the September 24, 2007 meeting be endorsed. CARRIED.

Mayor J. Rowsell declared a pecuniary interest - relative is an objector.

- (b) **Application No. A-15-07-OP - Jeff Swanson - 1711 Third Line West - Request to Rezone to Permit One Additional Rural Residential Lot**
The report of the Planning Division was accepted by Council.

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that the report of the Planning Division dated 2007 08 13 concerning Application No. A-15-07-OP - Jeff Swanson be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 126 to facilitate the severance of the subject property for one additional rural residential lot be endorsed. CARRIED.

6. (8) **BOARDS AND COMMITTEES**

- (a) **2007 Second Quarter Shareholder Report**
The report of the President and C.E.O., PUC Inc. was accepted by Council.

6. (8)
(a) Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that the report of the President and C.E.O., PUC Inc. dated 2007 07 25 concerning PUC Inc. 2007 Second Quarter Shareholder Report be accepted as information. CARRIED.
- (b) **Report of the Boards and Committees Review Committee**
The report of the Boards and Committees Review Committee was received by Council.
- Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that the report of the Boards and Committees Review Committee dated 2007 08 13 be accepted and the recommendation that the three recommendations as detailed in the report: #1 Concerning Changes to Representation on Boards and Committees; #2 Concerning Length of Terms and Term Limits on Boards and Committees; and #3 Concerning Honoraria Payments on Boards and Committees be approved. OFFICIALLY READ NOT DEALT WITH. (TABLED TO AUGUST 27, 2007 MEETING.)

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

- (a) Moved by Councillor T. Sheehan
Seconded by Councillor S. Butland
Whereas the number of wildlife collisions in Ontario has increased by 86 % over the past decade; and
Whereas there have been a number of accidents involving deer, moose, bear and vehicles in the area causing major damage to property and serious harm to people;
Therefore be it resolved that City Council request that the Sault Ste. Marie Safe Community Partnership Committee consider the implementation of a public safety campaign to deal with this very serious safety issue. CARRIED.
- (b) Moved by Councillor S. Myers
Seconded by Councillor L. Tridico
Whereas the City of Sault Ste. Marie recognizes the value of conferences and special events being held in our community, including bidding for and hosting; and
Whereas City Council is frequently asked to participate by providing financial or human resources or in kind support; and
Whereas there is no policy to guide City staff and City Council in determining the appropriate level of support for bidding or hosting of conferences and special events;

7. (b) Now therefore be it resolved that Council request that a committee of Council be formed to develop policy guidelines that will direct City staff and City Council in how to respond to requests from any organization and report back to Council in Fall 2007.

The committee should include appropriate City staff, Tourism Sault Ste. Marie Director Ian McMillan, along with three members of City Council - Councillor Myers (Chair), Councillors Tridico and Fata. CARRIED.

- (c) Moved by Councillor F. Fata
Seconded by Councillor L. Tridico
Whereas the properties on People's Road, north of Fourth Line, are currently experiencing a loss of water due to the pump not operating and waiting for a part to repair it;
Therefore be it resolved that a report be requested as soon as possible from appropriate City staff and the PUC Inc. OFFICIALLY READ NOT DEALT WITH. (WITHDRAWN BY MOVER AND SECONDER.)

- (d) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas the Federal Government recently announced the cancellation of the One Tonne Challenge which was vigorously promoted by Rick Mercer; and
Whereas City Council had passed a resolution supporting the participation in such a challenge before it was cancelled by the Federal Government;
Now therefore be it resolved that the resolution in regards to the One Tonne Challenge be withdrawn and in its place City Council be requested to endorse local resident J. J. Hilsinger's www.youbetican.com carbon reduction campaign and further be it resolved that staff be requested to review possible ways for the Corporation to be involved in said campaign. CARRIED.

- (e) Moved by Councillor F. Manzo
Seconded by Councillor P. Mick
Resolved that City Council accept the letter from Mr. Nick Chornyj on August 13, 2007 regarding a by-law to allow parents on bicycles with trailers for children to use all City sidewalks and prevent them from using the City streets as Mr. Nick Chornyj states that it is too dangerous on the streets for 1 to 4 year old children; and
Further that this motion and letter be forwarded to our Legal Department to report on possibility of passing a by-law prohibiting bicycles with trailers to use City streets and a copy of this resolution be forwarded to the Chief of Police Bob Davies and report back to City Council. CARRIED.

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

9. **ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE**

10.

CONSIDERATION AND PASSING OF BY-LAWS

Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 08 13 be approved. CARRIED.

(a) Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that By-law 2006-249 being a by-law to stop up, close and authorize the conveyance of a portion of a lane in the Harris and Buckley Subdivision, Plan M-30 shown as Part 1 on IR-11350 be read a third time and passed in Open Council this 13th day of August, 2007 after notice thereof had been published once a week for four consecutive weeks and after Council had met to hear every person who claims that his or her land will be prejudicially affected by the by-law and who had applied to be heard. CARRIED.

(b) Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that By-law 2007-114 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement of Pilgrim Street from Herrick Street to Towers Street under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03 be read a third time and passed in Open Council this 13th day of August, 2007. CARRIED.

(c) Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that By-law 2007-140 being a by-law to stop up, close and authorize the conveyance of a portion of a lane in the Bell and Brown Subdivision, Plan 1779 be read a third time and passed in Open Council this 13th day of August, 2007 after notice thereof had been published once a week for four consecutive weeks and after Council had met to hear every person who claims that his or her land will be prejudicially affected by the by-law and who had applied to be heard. CARRIED.

(d) Moved by Councillor S. Myers

Seconded by Councillor F. Fata

Resolved that By-law 2007-142 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 regarding lands located at 499 Landslide road be read three times and passed in Open Council this 13th day of August, 2007. CARRIED.

10. (e) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that By-law 2007-143 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-151 regarding lands located at 138 East Street and 395 Pineshore Drive be read three times and passed in Open Council this 13th day of August, 2007. (Repeal of Special Exceptions 145 and 182) CARRIED.
- (f) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that By-law 2007-144 being a by-law to authorize a renewal of a lease agreement between the City and Superiorview Golf Course Limited for the access road leading into the golf course be read three times and passed in Open Council this 13th day of August, 2007. CARRIED.
- (g) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that By-law 2007-145 being a by-law to authorize the execution of a Funding Agreement between the City and Her Majesty the Queen in Right of Ontario (Minister of Natural Resources) for the Bear Wise Program be read three times and passed in Open Council this 13th day of August, 2007. CARRIED.
- (h) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that By-law 2007-146 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 1100 Wellington Street East and further be it resolved that By-law 2007-147 being a by-law to designate the lands located at 1100 Wellington Street East as an area of site plan control be read three times and passed in Open Council this 13th day of August, 2007. (1704611 Ontario Inc.) CARRIED.
- (i) Moved by Councillor S. Myers
Seconded by Councillor F. Fata
Resolved that By-law 2007-148 being a by-law to adopt Amendment No. 126 to the Official Plan be read three times and passed in Open Council this 13th day of August, 2007. (Jeff Swanson) CARRIED.

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

- (a) Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that this Council shall now go into Caucus to discuss one property
and one labour relations matter; and
Further be it resolved that should the said Caucus meeting be adjourned,
Council may reconvene in Caucus prior to the next meeting of Council to
discuss the same matter(s). CARRIED.

12. **ADJOURNMENT**

Moved by Councillor T. Sheehan
Seconded by Councillor F. Fata
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

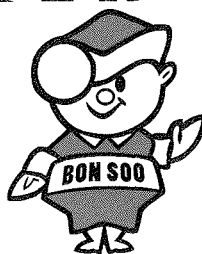
CLERK

ONTARIO WINTER CARNIVAL

5(a)
Bon Soo

P.O. Box 781 · Sault Ste. Marie, Ontario, CANADA P6A 5N3

August 27, 2007



Phone: (705) 759-3000 · Fax: (705) 759-6950 · E-mail: mrbonsoo@bonsoo.on.ca

Mayor John Rowswell
Members of City Council

Re: Ontario Winter Carnival Bon Soo Inc.

Ontario Winter Carnival Bon Soo has provided winter enjoyment to the residents of Sault Ste. Marie and area for 44 years and are looking forward to celebrating Mr. Bon Soo's 45th birthday during Carnival 2008.

During the planning of Carnival 2007, the organizers became aware of the planned construction of the boardwalk extension at the former A.B. McLean site, and the disruption that would be created. As well, they felt a change was in order for Bon Soo. That change was to relocate the former Fantasy Kingdom to a new site at Bellevue Park. The relocation allowed organizers to add to the number of activities previously offered to the community, and were very pleased with how well-received the new venue was by those in attendance.

In order to accommodate this move, additional expenses were incurred, in particular lighting and signage. As the park did not have any lighting other than the Queen St. street lights, the interior of the park had to be lit to allow for safe participation at the Winter Playground. A utility pole was purchased, erected and fitted with all the appropriate hardware. This now remains a permanent fixture that can also be utilized by the City as required. Very little of Bon Soo's existing signage could be used at this new venue, therefore complete new signage had to be created. Expenses for the new Winter Playground at Bellevue Park totalled over \$26,000.

The mild temperatures of recent winters have certainly presented many challenges to the organizers of the Carnival, including the decline of revenues generated by button sales, which were down over \$12,000 from the previous year. Along with decreased revenues, the added expenditures for the Playground relocation have left the organization with insufficient cash flow to meet the off-season expenses and start-up costs in September.

The Board of Directors recognizes and appreciates the partnership it has enjoyed with the City in past years in the way of in-kind services, and hopes it can continue to benefit from that relationship for many years to come. In a preliminary conversation with City Staff, several options were discussed on how the City could assist Bon Soo in light of its' current financial circumstances.

The Board is requesting this Council's consideration of additional assistance in the form of a) the possible availability of a rent-free office space in one of the City's facilities that could become the new home for the Bon Soo offices, and b) a one-time cash injection in the amount of \$10,000 . This would allow for payment of outstanding invoices and would ensure a smooth start-up in September for the planning of Carnival 2008.

Respectfully Submitted by,

A handwritten signature in cursive script, appearing to read "Brenta Prognio".

for Brett Lund, President
Ontario Winter Carnival Bon Soo Inc.

5(b)



David Orazietti, M.P.P. Sault Ste. Marie News Release

For Immediate Release
August 20, 2007

ORAZIETTI ANNOUNCES MORE UPLOADING OF MUNICIPAL SERVICES

McGuinty Government Commits \$935 Million to Further Support Ontario Municipalities

Sault Ste. Marie — The McGuinty Liberals will make an unprecedented contribution to municipalities by uploading the total cost of the Ontario Disability Support Program (ODSP) and Ontario Drug Benefits (ODB) for social assistance recipients David Orazietti, MPP announced today.

"Uploading the full costs of these two social programs is very good news for Sault Ste. Marie as it will allow our city to expand and improve other important municipal services," said Orazietti. "Along with a share of the gas tax, increased funding for public health services and an expanded municipal funding program, today's announcement is another clear sign that the McGuinty Liberals continue to make progress for our community with record levels of investment."

The upload, identified as a top priority by municipalities in the ongoing review of services, will begin in January. By the time it is fully implemented in 2011, the upload will save municipalities \$935 million.

"The downloading of these programs stands as one of the worst misjudgements of the previous government," said Premier Dalton McGuinty. "They've been a burden to every municipality and we're taking them back in full."

The Premier made the announcement at the annual general meeting of the Association of Municipalities of Ontario.

"By any objective standard, our relationship is better, our communities are stronger and our people are being better served than at any time under the previous Ontario government," said Premier McGuinty. "This is another example of the province and municipalities working together to make our communities stronger."

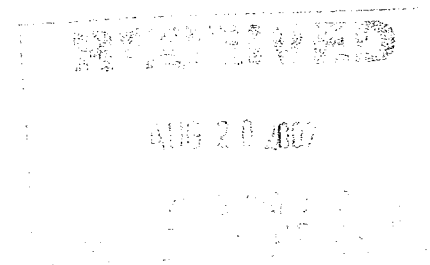
On August 14, 2006, Premier McGuinty announced that the government and the municipal sector would conduct a wide-ranging joint review aimed at improving the delivery and funding of municipal services in Ontario.

"The downloading of provincial services by the past government was clearly not revenue neutral and severely burdened municipalities across Ontario," said Orazietti. "Our government has responded by continuing to increase support for communities like Sault Ste. Marie with the assistance they need to better serve our community."

The review is also discussing infrastructure, economic competitiveness, improving service delivery and enhanced accountability.

Under the McGuinty government, provincial transfer payments to municipalities have already been significantly increased. The previous government's poorly devised CRF formula saw the City of Sault Ste. Marie receive \$21,448,000 in 2003. Under the new Ontario Municipal Partnership Fund the city has received an additional \$4,955,830 for a total of \$26,403,830 for 2006/07, a remarkable 23.1% increase in only three years. In addition, the McGuinty government has supported the City of Sault Ste. Marie with funding for a number of important services and infrastructure projects including:

- \$17.65 million for city road improvements
- \$5.6 million for Carmen's Way/truck traffic route
- \$4.7 million for Steelback Centre
- \$2.6 million for public transportation through new provincial gas tax program
- \$1 million boardwalk expansion



08/20/07

- \$570,000 for downtown revitalization
- \$560,000 for city police officer funding
- \$400,000 for land ambulance service
- \$178,000 for firefighter training
- \$100,000 for Sault multi-modal transportation study

"After four years, we've made great progress in building a strong, mature relationship with municipalities — and that is resulting in stronger communities for Ontarians," said Premier McGuinty. "We'll continue working together and supporting shared goals so we can move forward in building a province and communities that are second to none."

-30-

Contact David Oraziatti at (705)949-6959.

6522 Whitney Block, 99 Wellesley Street West, Toronto, Ontario M7A 1W3 – Tel(416)325-0964 – Fax(416)325-0876
Constituency Office: 726 Queen St. E., Sault Ste. Marie, Ontario P6A 2A9 – Tel(705)949-6959 – Fax(705)946-6269



News Release

Office of the Premier

For Immediate Release

August 20, 2007

MCGUINITY GOVERNMENT UPLOADS \$935 MILLION IN SOCIAL PROGRAMS FROM MUNICIPALITIES

Upload Will Strengthen Every Municipality

OTTAWA — The government is making an unprecedented contribution to municipalities by uploading the total cost of the Ontario Disability Support Program (ODSP) and Ontario Drug Benefits (ODB) for social assistance recipients, said Ontario Premier Dalton McGuinty.

"The downloading of these programs stands as one of the worst misjudgements of the previous government," said Premier McGuinty. "They've been a burden to every municipality and we're taking them back in full."

The upload, identified as a top priority by municipalities in the ongoing review of services, will begin in January. By the time it is fully implemented in 2011, the upload will save municipalities \$935 million.

The Premier made the announcement at the annual general meeting of the Association of Municipalities of Ontario.

"By any objective standard, our relationship is better, our communities are stronger and our people are being better served than at any time under the previous Ontario government," said Premier McGuinty. "This is another example of the province and municipalities working together to make our communities stronger."

On August 14, 2006, Premier McGuinty announced that the government and the municipal sector would conduct a wide-ranging joint review aimed at improving the delivery and funding of municipal

services in Ontario.

"We are pleased to take this important step and look forward to continuing the work of the review," said Premier McGuinty.

The review is also discussing infrastructure, economic competitiveness, improving service delivery and enhanced accountability.

Today's announcement builds on the more than \$1.9 billion in on-going operating support to municipalities already being invested by the McGuinty government, including:

- The Ontario Municipal Partnership Fund, which will transfer \$843 million in 2007, or \$225 million more than 2004 transfers under its predecessor program, the Community Reinvestment Fund
- Making two cents per litre of provincial gasoline tax available for public transit totalling \$1.6 billion by 2010
- Increasing the province's share of public health funding from 50 per cent in 2004 to 75 per cent in 2007 and
- Moving toward a 50:50 sharing of the cost of municipal land ambulance services by 2008.

Other investments in municipalities include:

- A \$540 million cut to high business education tax rates over the next seven years, which will benefit 321 municipalities across the province
- The Ontario Child Benefit program, which will take children off the social assistance system
- Move Ontario 2020, a multi-year \$17.5 billion rapid transit action plan for the GTA and Hamilton that will see the province pay the one-third share of capital costs normally assumed by municipalities.

"After four years, we've made great progress in building a strong, mature relationship with municipalities — and that is resulting in stronger communities for Ontarians," said Premier McGuinty. "We'll continue working together and supporting shared goals so we can move forward in building a province and communities that are second to none."

5(c)

Ontario 9-1-1 Advisory Board

APCO Canada

Association of
Municipalities of
Ontario

City of Toronto

NENA Ontario

Ontario Association of
Chiefs of Police

Ontario Association of
Fire Chiefs

Ontario Ministry of
Health and
Long-Term Care

August 1, 2007

Donna Irving
City Clerk
City of Sault Ste. Marie
Box 580, 99 Foster Dr.
Sault Ste. Marie, ON
P6A 5N1

To all Members of Council

Subject: Ontario 9-1-1 Advisory Board

Ladies and Gentlemen,

Thank you in advance for your consideration of the attached matter.

Sincerely,

Dan Van Londersele
Chair

Ontario 9-1-1 Advisory Board
c/o
Peel Regional Police
Telecommunications
7750 Hurontario Street
Brampton, ON L6V 3W6

Tel: 905 453-2121 Ext. 4680
Fax: 905 456-6140
Email:
tvoisey@peelpolice.on.ca

RECEIVED
CITY CLERK
AUG 2 1 2007
NO.: 50719
DIST:

Ontario 9-1-1 Advisory Board

August 1 2007

TO: ALL MUNICIPAL COUNCILS

FROM: 9-1-1 ONTARIO ADVISORY BOARD

ISSUE: 9-1-1 ADVISORY BOARD SEEKS YOUR ASSISTANCE

a) What is Needed and Why:

The 9-1-1 Ontario Advisory Board (OAB) is seeking financial assistance from each municipal government in order to continue as the technical and information authority respecting the implementation and operation of 9-1-1 Emergency Number systems in Ontario.

In August 2006, an appeal for financial assistance was made to Ontario municipalities resulting in receipts of eleven thousand dollars and we are very grateful for that support. Several municipalities suggested that the request should be made earlier in the year in order to receive consideration during the annual budget process, therefore this appeal is being sent at this time for the 2007 and 2008 fiscal years.

We need operational support and therefore this request for assistance in the form of a small donation from each municipality. ***If each of Ontario's 445 municipalities provided \$100, this would create the funds for the Board to continue its work and represent the interests of municipal governments and their citizens on 9-1-1 issues.***

Technology advancements and the expansion of the telecommunications market have increased the work of the 9-1-1 Advisory Board. We make submissions to hearings of the Canadian Radio-Television and Telecommunications Commission (CRTC) and provide input on implementation issues related to wireless 9-1-1 service and Voice over Internet Protocol (VoIP) 9-1-1 service. The costs to attend these cross Canada meetings alone are significant. We also maintain the OAB 9-1-1 website, <http://oab911.ca>, develop public awareness, liaise with all levels of government (municipal, provincial and federal) and with the Canadian Wireless Telecommunications Association, assessing impacts of new technology (VoIP) as it relates to the provision of 9-1-1 service. Much work remains to be done and we require funds to support these activities.

b) More about the 9-1-1 Ontario Advisory Board and its Activities:

- Mission of OAB 9-1-1:
 - Be a source of technological expertise regarding implementation and operation of 9-1-1 services
 - Advocate to represent Ontario ratepayers at CRTC hearings and provide public education
 - Act as authoritative source of information and expertise regarding 911 systems
- Accomplishments of the OAB 9-1-1:
 - Enhanced Wireless 9-1-1 Trial - tested technology to trace cellular 9-1-1 calls
 - On-going working relationship with the Canadian Wireless Telecommunications Association

- Special needs for challenged Ontarians with respect to 9-1-1 service
 - Leadership role in national 9-1-1 scene, coordinating with BC, Alta, Man, PQ, and NS. These include regulatory decisions for the various forms of local telephone services
 - Active participation in CRTC hearings and decisions affecting 911 service including local exchange carriers; centrex resellers; competitive payphone providers; alternate operator services; foreign exchange service; wireless services and voice over Internet service providers. ¹
 - Provide support to municipalities and respond to issues raised by municipalities
 - Monitor Coroner's Inquest recommendations related to 9-1-1 service
- CRTC formed the Canadian Interconnection Steering Committee (CISC) to provide an industry forum to manage discussions and negotiations impacting 9-1-1 delivery. The OAB was invited to provide a leadership role on CISC for 9-1-1 needs and expectations of municipalities and emergency services. (These cross-country meetings with the corporate industry and their solicitors are also expensive.)
- The 9-1-1 Advisory Board is made up of volunteers from a number of non-profit organizations and agencies whose parent organizations allow the volunteers time and cover some expenses. Board members include representatives from:
 - National Emergency Number Association (NENA)
 - Association of Public Safety Communications Officials, Canada (APCO)
 - Ontario Association of Chiefs of Police (OACP)
 - Ontario Association of Fire Chiefs (OAFIC)
 - Ontario Ministry of Health and Long-Term Care (MOHLTC)
 - Members of various Municipal Caucuses (AMO)
 - City of Toronto
 - Bell Canada (non-voting)
 - OPP (non-voting)
 - Municipal Affairs and Housing (MMAH) (non-voting)
 - Ministry of natural Resources (MNR), (non-voting) and
 - Ministry of Community Safety and Correctional Services (MCSCS) (non-voting).

c) Why are funds being requested now?

The optimal operating budget for the OAB is about \$40,000 per year and we do not have those funds. The one-time funding received from the province in 1998 ended. If we are to continue and to undertake the work to make 9-1-1 an effective emergency communication system, your help is required.

Please make cheques payable to "**Ontario 9-1-1 Advisory Board**" and send to Tom Voisey, c/o the Peel Regional Police Telecommunications, 7750 Hurontario Street, Brampton, ON L6V 3W6.

¹ Reference to the related CRTC decisions is on the last page of this document

d) How is 9-1-1 operated?

- Other provinces operate 9-1-1 systems themselves. In Ontario, local municipal authorities operate the 9-1-1 systems.
- 9-1-1 systems are provided only within municipalities electing to provide the service (now greater than 95%) with subscriber billing for network services and maintenance.
- The cost associated with staffing and equipment is provided by municipalities.
- 9-1-1 systems are designed around a central answering point (Primary Public Safety Answering Point (PPSAPs) which have dedicated lines. Incoming calls for 9-1-1 are conferenced with the associated police, fire and ambulance dispatch center for a given municipality. Networks are designed, installed and maintained by Bell Canada.

e) A Sample Resolution:

Whereas The Ontario 9-1-1 Advisory Board was formed at the request of Ontario Municipalities; and

Whereas it is now in great need of financial assistance in order to continue to represent our ratepayers in the face of ever-increasing technological advancement; and

Whereas technological advancement and deregulation of the local telephone market makes it necessary to represent municipalities and ratepayers at the Canadian Radio Telecommunication Commission (CRTC) and the CRTC Interconnection Steering Committee (CISC) on a regular basis;

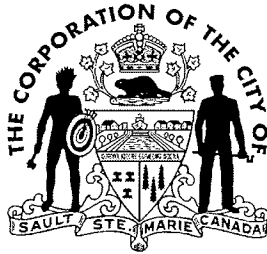
Therefore be it resolved that the municipality of _____ contributes \$ _____ to the Ontario 9-1-1 Advisory Board in order to allow it to continue to advance a safe delivery of 9-1-1 system for police, fire and ambulance emergency services in our municipalities and throughout the Province.

f) Thank you: Thank you for your consideration of this issue and for more information please visit our website at <http://oab911.ca>

www.crtc.gc.ca/archive/ENG/Decisions/1997/DT97-8.HTM - local exchange carriers
www.crtc.gc.ca/archive/ENG/Orders/2000/O2000-500.htm - centrex resellers
www.crtc.gc.ca/ENG/public/2000/8180/Crtc/cptspob.htm - competitive payphone providers
www.crtc.gc.ca/archive/eng/Orders/1999/O99-1155.htm - alternate operator services
www.crtc.gc.ca/archive/ENG/Decisions/2001/DT2001-299.htm - foreign exchange service
www.crtc.gc.ca/archive/ENG/Decisions/2003/dt2003-53-1.htm - wireless services
www.crtc.gc.ca/archive/ENG/Decisions/2005/dt2005-21.htm - VOIP

5(d)

Joseph M. Fratesi, B.A. LL.B.
Chief Administrative Officer



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

2007 08 27

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

Dear Council:

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

1. **Rick Cobean – Social Services Department – Social Housing Division**
2007 Forum on Housing & Homelessness
September, 2007
Toronto, ON
Estimated total cost to the City - \$ 552.00
Estimated net cost to the City - \$ 552.00
2. **Dree Pauze – Social Services Department – Ontario Works Division**
2007 Forum on Housing & Homelessness
September, 2007
Toronto, ON
Estimated total cost to the City - \$ 823.00
Estimated net cost to the City - \$ 823.00
3. **Doug Robertson – Fire Services**
Public Education
September, 2007
Gravenhurst, ON
Estimated total cost to the City - \$ 225.00
Estimated net cost to the City - \$ 225.00
4. **Marcel Provenzano – Fire Services**
Training Officers' Seminar
September, 2007
Gravenhurst, ON
Estimated total cost to the City - \$ 175.00
Estimated net cost to the City - \$ 175.00

5. **Dodie Mills – Fire Services**
O.F.C.S.A. Educational Seminar
September, 2007
Gravenhurst, ON
Estimated total cost to the City - \$ 175.00
Estimated net cost to the City - \$ 175.00
6. **Terry Barrett – Fire Services**
Fire Cause Determination
September, 2007
Gravenhurst, ON
Estimated total cost to the City - \$ 225.00
Estimated net cost to the City - \$ 225.00
7. **Jim St. Jules - Fire Services**
Fire Services Executive Development
September, 2007
Gravenhurst, ON
Estimated total cost to the City - \$ 275.00
Estimated net cost to the City - \$ 275.00
8. **Don Scott, Roger Caron, Sam Piraino – P.W.T. – Transit Division**
Ontario Public Transit Regional Meeting
September, 2007
North Bay, ON
Estimated total cost to the City - \$ 827.81
Estimated net cost to the City - \$ 827.81
9. **Dree Pauze – Social Services – Ontario Works Division**
Community Plan Update Training Session
August, 2007
Toronto, ON
Estimated total cost to the City - \$ 880.90
Estimated net cost to the City - \$ 0.00
10. **Lori Ballstadt – Community Services – Recreation & Culture Division**
NeORA Training and Development Forum
September 2007
Hearst, ON
Estimated total cost to the City - \$ 675.04
Estimated net cost to the City - \$ 675.04
11. **John Luszka – Human Resources**
OMHRA Fall Conference 2007
September 2007
Orillia, ON
Estimated total cost to the City - \$ 1,238.00
Estimated net cost to the City - \$ 1,238.00

12. Joanne Kovich-Robinson – Finance – Information Technology

Immigration Portal Training

September 2007

Sudbury, ON

Estimated total cost to the City - \$ 544.00

Estimated net cost to the City - \$ 544.00

13. Nuala Kenny - Legal

MLDAO Conference

September 2007

Toronto, ON

Estimated total cost to the City - \$ 968.00

Estimated net cost to the City - \$ 968.00

14. Daniel Crozier – Fire Services

EMS Mechanical Symposium

October 2007

North Bay, ON

Estimated total cost to the City - \$ 216.00

Estimated net cost to the City - \$ 216.00

15. Enrico Pino – Finance – Accounting Division

Diamond Conference

October 2007

Niagara Falls, ON

Estimated total cost to the City - \$ 1,241.97

Estimated net cost to the City - \$ 1,241.97

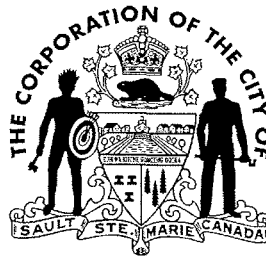
Yours truly,



Joseph M. Fratesi
Chief Administrative Officer

JMF: bb

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 08 27

Mayor John Rowsell and
Members of City Council,
Civic Centre.

Re: Tender for Screened Street Sand

Attached hereto for your information and consideration is a summary of the tenders received for the supply of Screened Street Sand as required by the Public Works and Transportation Department for the 2007-2008 and 2008-2009 winter seasons.

The tender was publicly advertised and tender documents mailed to all firms on our bidders list. A public opening of tenders was held August 15, 2007, with Councillor Pat Mick representing City Council.

The tenders received have been evaluated and reviewed with Mr. Jim Elliott, P. Eng., Deputy Commissioner of Public Works and Transportation and the low tendered prices, meeting specifications, have been indicated on the attached summary. The low tendered price represents an increase of approximately 25.0% from the previous two (2) year contract.

Funding for this material comes from the Winter Sand account.

RECOMMENDATION

It is therefore my recommendation that the low tendered prices, under both Alternatives 1 and 2, firm prices for Two (2) years, submitted by Pioneer Construction Inc., be accepted.

This report is submitted for Council's approval.

Respectfully submitted,

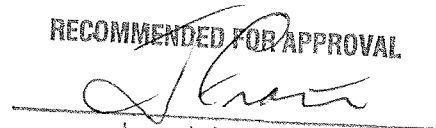

Ralph Robertson
Manager of Purchasing

Recommended for approval,


W. Freiburger
Commissioner of Finance & Treasurer

RR:nt
Attach.

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

FINANCE DEPARTMENT
PURCHASING DIVISION

Budget: \$195,000.00

Received: August 15, 2007

File: 2007WA21

SUMMARY OF TENDERS
SCREENED STREET SAND

<u>Description</u>	<u>Brandes Const. Sault Ste. Marie, ON</u>	<u>Pioneer Const. Sault Ste. Marie, ON</u>
<u>PRICING FOR ONE YEAR</u>		
<u>Alternative 1</u> Firm price for year one (commencing Oct. 1, 2007) to supply, load and weigh material to trucks under the employ of the City.	\$4.20 per tonne plus taxes	<u>\$3.46 per tonne</u>
<u>Alternative 2</u> Firm price for year one (commencing Oct. 1, 2007) to supply, weigh and deliver material to the City Stockpile.	\$6.40 per tonne	<u>\$5.21 per tonne</u>
<u>OPTION FOR SECOND YEAR (At The City's Discretion)</u>		
<u>Alternative 1</u> Firm price for year two (commencing Oct. 1, 2008) to supply, load and weigh material to trucks under the employ of the City.	\$4.50 per tonne	<u>\$3.56 per tonne</u>
<u>Alternative 2</u> Firm price for year two (commencing Oct. 1, 2008) to supply, weigh and deliver material to the City Stockpile.	\$6.70 per tonne	<u>\$5.31 per tonne</u>

NOTE: The low tendered prices, meeting specifications, are underlined above.

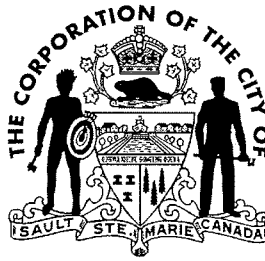
The average of the low tendered prices for two years represents a 25% increase from the previous 2 years.

It my recommendation that the low tendered prices, including the OPTION for year two, submitted by Pioneer Construction Inc., be accepted.

Ralph Robertson
Manager of Purchasing

5(e)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 08 27

Mayor John Rowswell and
Members of City Council

**Re: Draft Terms of Reference for an Independent Third Party Review
of the Economic Development Corporation**

At the Budget Meeting of April 10, 2007, City Council approved an allocation of \$40,000 for an EDC External Consultant Review.

Before a study can be undertaken, terms of reference must be developed to provide direction to the consultant. I have prepared draft terms of reference for discussion purposes.

Draft Terms of Reference

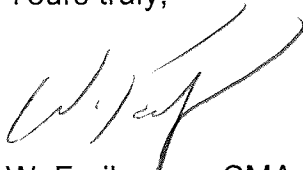
1. Review the governance structure of the EDC to determine if the current independent corporation model is the most effective method of operation for the economic development needs of our community and review alternative governance structures.
2. Prepare an operational review of the EDC to determine if resources are being utilized in an effective and efficient manner.
3. Review service duplication with other local agencies.

This letter had previously been circulated to Council, staff and the Economic Development Corporation for comments. Attached are comments from the Mr. Greg Punch, President, SSMECD Board of Directors.

Recommendations

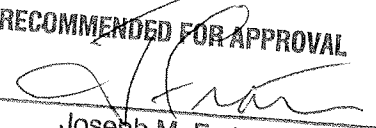
1. A committee of 3 to 5 members of City Council and appropriate resource staff from the City and EDC be appointed to undertake the review and create the terms of reference.
2. A Request for Proposal be issued for consulting services to address the terms of reference for an independent third party review of the EDC.

Yours truly,



W. Freiburger, CMA
Commissioner of Finance and Treasurer
Finance Department

WF/kl
Attach.

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



Sault Ste. Marie
**ECONOMIC
DEVELOPMENT
CORPORATION**



DEVELOPMENT
Sault Ste. Marie
a division of the SSMEDC



**ENTERPRISE
CENTRE**
Sault Ste. Marie
a division of the SSMEDC



5(4)
TOURISM
Sault Ste. Marie
a division of the SSMEDC

July 27 2007

Bill Frieburger
Commissioner of Finance and Treasurer
Finance Department

Re: Draft Terms of Reference for an Independent Third Party Review of the
Economic Development Corporation

On behalf of the Sault Ste. Marie Economic Development Corporation, thank you for the opportunity to provide input to the Draft Terms of Reference for an Independent Third Party Review of the Economic Development Corporation.

In addition to those terms already identified in the document, we ask for consideration of the following to become part of the Terms of Reference and Recommendations.

Draft Terms of Reference

1) Review of Comparative Operations of other Northern Ontario Economic Development Corporations/Agencies including but not limited to:

- Financial Management
- Human Resource Management
- Program/ Service Delivery
- Established Evaluation / Benchmarks

2) Discussions with Funding Agencies other than the Municipality regarding the EDC's ability to complete projects within timelines and budget and; achieve deliverables as outlined within the project application.

- Federal Agencies including but not limited to Industry Canada/FedNor, Service Canada
- Provincial Agencies including but not limited to Ministry of Northern Development and Mines, Ministry of Small Business and Entrepreneurship, Ministry of Tourism, Ministry of Training, Colleges and Universities, Northern Ontario Heritage Fund Corporation
- Private sector contributors including but not limited to RBC, Tourism Sault Ste. Marie Partners

3) Discussions with past and present clients to determine quality of delivery and level of service received.



Draft Recommendations

1) The preferred committee structure (5) appointed to undertake this Review should be comprised of outside, non-biased business representatives along with appropriate resource staff from the City and SSMEDC. This will ensure an unbiased review without any perceived conflict of interest.

Failing mutual agreement of this consideration, the Committee should then be comprised of equal representation from City Council and SSMEDC Board of Directors (maximum of 2 representatives each) along with appropriate resource staff from the City and SSMEDC.

The inclusion of these reviews/discussions to the Terms of Reference will provide feedback from a broad range of peers, funding agencies and clients, thus attaining the broadest possible perspective for the Review.

I would ask that a final "draft" of the Terms of Reference be provided to the SSMEDC so that this item can be tabled at the next Board of Directors meeting and help to expedite this process.

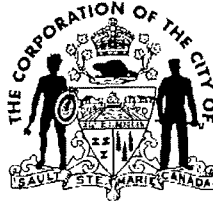
Regards,



Gregory Punch
President
SSMEDC Board of Directors

Cc J. Fratesi
L. Bottos
D. Irving
I. McMillan
SSMEDC Executive Committee

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division

August 27, 2007

Mayor John Rowswell
and Members of City Council

CITY MEN'S HOCKEY LEAGUE UPDATE

At the August 13, 2007 Council meeting the report from the Parks and Recreation Advisory Committee concerning the City Men's Hockey League request for debt forgiveness was tabled as a result of a letter being received from the League stating they had an emergency meeting of the executive and it was decided they would pay their outstanding invoice.

The Parks and Recreation Advisory Committee's Hockey Subcommittee is meeting the week of August 27th to review this matter, and also to deal with a request from the Women's Hockey League for additional ice time.

The next step with the City's Men's Hockey League should be for staff to evaluate the payment plan; determine whether it is acceptable; and report back to both Council and the Parks and Recreation Advisory Committee.

Recommendation

It is recommended that Finance Department and Community Services Department staff evaluate the payment plan from the City Men's Hockey League and determine whether it is acceptable; and further, report their findings to both City Council and the Parks and Recreation Advisory Committee.

Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

jb/council/mens hockey league aug 27

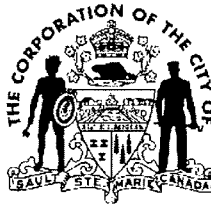
RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

cc: B. Freiburger
J. Bumbacco, Chair, Parks and Recreation Advisory Committee

5(h)

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
Community Centres Division
Municipal Day Nurseries Division
Recreation & Culture Division

August 27, 2007

Mayor John Rowswell
and Members of City Council

**Agreement with the Soo North Stars Hockey Club
for Shared Use of Single-Level Football Dressing Room - John Rhodes Community Centre**

Last year Council approved the one year agreement with the Club for use of this dressing room. The Club has found this agreement to very beneficial to their program and has requested the agreement be extended indefinitely. As background for the new Council members, I have attached a copy of the report that went to the previous Council.

Upon review of the arrangement with the Club no concerns with the shared use of the dressing room were noted and staff is in favour with the continuation of the agreement.

Highlights of the agreement include:

- The term of agreement is from October 1, 2007 to June 1, 2008 however it can be renewed automatically for each successive hockey season for the period October 1 to June 1 unless one party gives 30 days written notice to the other party of cancellation;
- Other user groups may use the dressing room as determined by the City;
- The Club is responsible for the maintenance, upkeep, and any approved (by the City) renovations.

A bylaw authorizing the Mayor and Clerk to sign the agreement appears elsewhere on your agenda.

RECOMMENDATION

It is recommended that City Council authorize the signing of the agreement between the City and the Sault North Stars for the shared use of the single-level football dressing room at the John Rhodes Community Centre.

Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

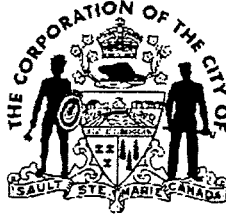
j:\council\soo north stars use of dr rm

cc: L. Bottos
N. Fera

attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



2006 10 30

Mayor John Rowswell
and Members of City Council

SAULT NORTH STARS AGREEMENT

You may recall that, as directed by Council, the Parks and Recreation Advisory Committee and staff have been working with the Sault North Stars Hockey Club (Club) regarding their request for the exclusive use of a dressing room at the John Rhodes Community Centre. Last spring the Club was looking into the feasibility of adding space onto the easterly portion of Arena 2. Since, they have requested that for the 2006 - 2007 season, they share the use of the single level football dressing room in Arena 1. This dressing room is normally only used for football and special events. The Club would like to evaluate this arrangement for one season to determine if it meets their needs before proceeding with analysing the construction of a new dressing room.

The highlights of the agreement are:

- The term ends June 1, 2007;
- Other user groups may use the dressing room, as determined by the City;
- The Club is responsible for the maintenance, upkeep, and any approved (by the City) renovations;

A signed agreement between the City and Sault North Stars has been received (copy attached). The bylaw, authorizing the execution, appears elsewhere on your Agenda.

RECOMMENDATION

It is recommended that City Council authorize the signing of the agreement between the City and the Sault North Stars for the temporary use of the single level football dressing room at the John Rhodes Community Centre.

Respectfully submitted,

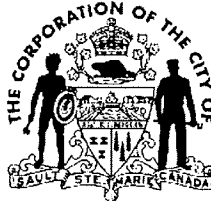
Nicholas J. Apostle
Commissioner Community Services

jr/council/2006/north stars temp use of dressing room

attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



August 27, 2007

Mayor John Rowswell
and Members of City Council

Soo Thunderbirds Hockey Club – Agreement

Background

The Parks and Recreation Advisory Committee was directed by Council to review the Club's request for a reprieve of the 2005/06 and 2006/07 ice rental fees. In their report to Council (June 2007) part of the Committee's recommendation, which was approved by Council, stated that unless an acceptable payment plan was submitted by the Club its' ice time would be revoked.

The Club has submitted a payment plan and it has been reviewed by Community Services Department and Finance Department staff. Both departments find it acceptable.

As a result of the new payment plan, a new agreement had to be drafted. It has been signed by the Club and a bylaw authorizing the Mayor and Clerk to sign the agreement appears elsewhere on your agenda.

Highlights of the Agreement

- The agreement shall be in force for one year from September 1, 2007 to August 31, 2008 with an option to renew the agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal.
- The outstanding debt will be paid as follows:
 1. \$5,000. by August 31, 2007
 2. An additional \$10,000. by September 30, 2007
 3. The remaining outstanding balance to be paid in full by August 31, 2008.
- The Club agrees to remain current with regards to their 2007/08 ice rental fees. This means that they will pay their invoices in full within 30 days of receiving their invoice, as required by the City.
- In the event that the Club does not abide by the agreement with regards to the payment for their outstanding debt or for the payment of their current ice time, staff will report to Council for their consideration and possible termination of the program.

Recommendation

It is recommended that Council approved the agreement with the Soo Thunderbirds and for it to be in force for one year from September 1, 2007 to August 31, 2008 with the option to renew the agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal.

Respectfully submitted,



Nicholas J. Apostle
Commissioner Community Services

jb/council/soo tbirds agreement august 27 2007

cc: J. Bumbacco, Chair, Parks and Recreation Advisory Committee
L. Bottos, City Solicitor
B. Freiburger, Commissioner of Finance

RECOMMENDED FOR APPROVAL

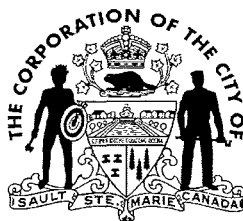


Joseph M. Fratesi
Chief Administrative Officer

5(j)

Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

Tel: (705) 759-5378
Fax: (705) 541-7165

2007 08 27

Mayor John Rowswell
Members of City Council

Re: Request to Access Funds From Multi-Modal Transportation Committee

On February 21, 2005 Council passed the following Resolution:

Resolved that the report of the Director of Industrial Marketing Sault Ste. Marie Economic Development Corporation on behalf of the Multi-Modal Transportation Committee dated 2005 02 15 concerning Multi-Modal Marketing Initiative be accepted and that Council (1) supports and approves the report and the directions set out in the report along with the multi-modal marketing materials, (2) approve IN PRINCIPLE \$100,000 in funding to the Sault Ste. Marie Economic Development Corporation (\$50,000 towards Committee logistical costs to undertake an aggressive lobby and market campaign; and \$50,000 to match 50% of the CISP application for the development of cost/benefit analysis, targeted investment strategy and business cases to support current and potential business opportunities) be approved, subject to full discussion and final approval in the context of consideration of a new Economic Diversification Fund or the 2005 Budget; And Further that an advance of up to \$20,000 for immediate logistical costs, said amount to be funded from the new Economic Diversification Fund once established, be approved.

The request is to access funds from the Multi-Modal Transportation Committee to assist in covering the projected costs for Mr. Therriault's continued role in directing and over-seeing the Multi-Modal Initiative Market Assessment Study through to the end of Stage III – Business Case. It is anticipated that the timeline for completion will be January 2008. The request is to redirect up to \$10,000 from the Multi-Modal Transportation Committee Fund. This fund currently has a balance of \$18,295 in the account. Both the Multi-Modal Transportation Committee and Task Force have recommended approval of using the funds in this manner.

The Multi-Modal Initiative Market Assessment Study has allocated administrative funds for Mr. Therriault for all three stages that includes market assessment, infrastructure and the business case. Added responsibilities and time extensions during the course of the study led to a shortfall in covering the completion of Stage III – Business Case, and follow-up.

Staff is bringing forward this request for Council's approval.

Recommendation

That Council approve the redirection of up to \$10,000 from the Multimodal Transportation Committee fund to cover costs associated with Mr. Therriault's continued role in directing and overseeing the Multi-Modal Initiative Market Assessment Study through to the conclusion of Phase III – Business Case.

Respectfully Submitted by,



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb

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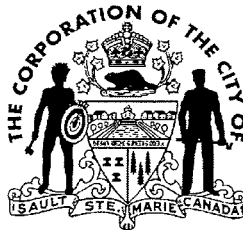
RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



**LEGAL
DEPARTMENT**

File No. E.5.2.

REPORT TO: Mayor John Rowswell
and Members of Council

REPORT FROM: Lorie Bottos
City Solicitor

SUBJECT: Adopting Policy for the Sale of Land – Section 270 of the
Municipal Act

DATE: 2007 08 27

PURPOSE

The purpose of this report is to re-enact a by-law setting out the procedures for the disposal of municipally owned property.

BACKGROUND

Under former Section 268 of the Municipal Act specific procedures were set out as to how a municipality could dispose of its property. Section 268 set out when an appraisal was required, when notice of the proposed sale had to be given and that a by-law had to be passed to declare the property surplus. That Section went on to set out circumstances when an appraisal was not required either based on the type land being disposed of or to whom the property was being sold.

In the most recent amendments to the Municipal Act Section 268 was repealed. In its place a revised Section 270 was enacted. Section 270 requires municipalities to adopt certain policies. One of the policies that municipalities are required to adopt is for the sale and other disposition of land. Previously the City had enacted By-law 95-16 which set out a policy for the disposal of City land and having it declared surplus. That By-law did not have all the detail in it because many of the provisions were set out in Section 268 of the Municipal Act.

COMMENT

As a result of the repeal of Section 268 and the re-enactment of Section 270 it was necessary to take another look at By-law 95-16. By-law 2007-150 on your agenda this evening has the effect of putting into the by-law some of the provisions that were in the old Municipal Act. Some of the exemptions that were in the Municipal Act for the requirement for an appraisal have been brought forward into By-law 2007-150. The By-law also contains a schedule "A" that gives a bit more detail on the process that is gone through in the disposition of City owned property. By-law 2007-150 basically is a re-enactment of by-law 95-16 with the addition of some of the provisions that were in the former Section 268.

RECOMMENDATION

By-law 2007-150 is recommended for Council's approval.

Yours truly,



Lorie Bottos
City Solicitor
LAB/bb

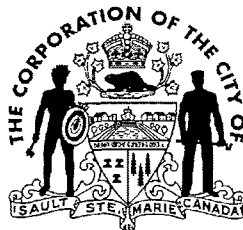
RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL DEPARTMENT

File No. S.3.2.6.

REPORT TO: Mayor John Rowswell and
Member of Council

REPORT FROM: Lorie Bottos
City Solicitor

DATE: 2007 08 27

SUBJECT: Lot 105 (150 Pageant Drive) and Lot 136 (75 Paradise Avenue) –
Forest Glen Subdivision – Clearview Heights Development
Limited

PURPOSE

The purpose of this report is to recommend to Council the sale of lots 105 and 136 in the Forest Glen Subdivision to Clearview Heights Development Limited.

ATTACHMENTS

Attached is a map showing lot 105 (150 Pageant Drive) and 136 (75 Paradise Avenue).

BACKGROUND

In 1965 the City of Sault Ste. Marie purchased lots 105 and 136 from Clearview Heights Development Limited. The vacant property around these lots is now being developed. The streets are being put in and serviced. These lots remain un-serviced. Clearview Heights, along with a partner, is developing the property around lots 105 and 136. Clearview has requested that these lots be conveyed to it and incorporated into its development of the neighbouring properties. The City purchased these 2 lots for \$4,750.00.

COMMENT

Clearview Heights obtained a full appraisal of the two lots while the City obtained just a valuation of the property. Clearview, after reviewing its appraisal and the City's valuation, has offered \$10,000.00 per lot for the two lots. Given that the property is un-

serviced and not fronting on an improved road, I feel the \$10,000.00 per lot is reasonable. It is close to midway between the appraisal and the valuation.

Given that Clearview Heights Development Limited and its partner are developing the abutting property it is reasonable that these two lots be conveyed to that company and serviced in conjunction with the abutting properties.

RECOMMENDATION

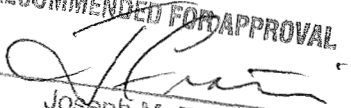
I recommend to Council that lots 105 and 136 in the Forrest Glen Subdivision be declared surplus to the City's need, advertise for sale and convey to Clearview Heights Development Limited at the price of \$10,000.00 per lot.

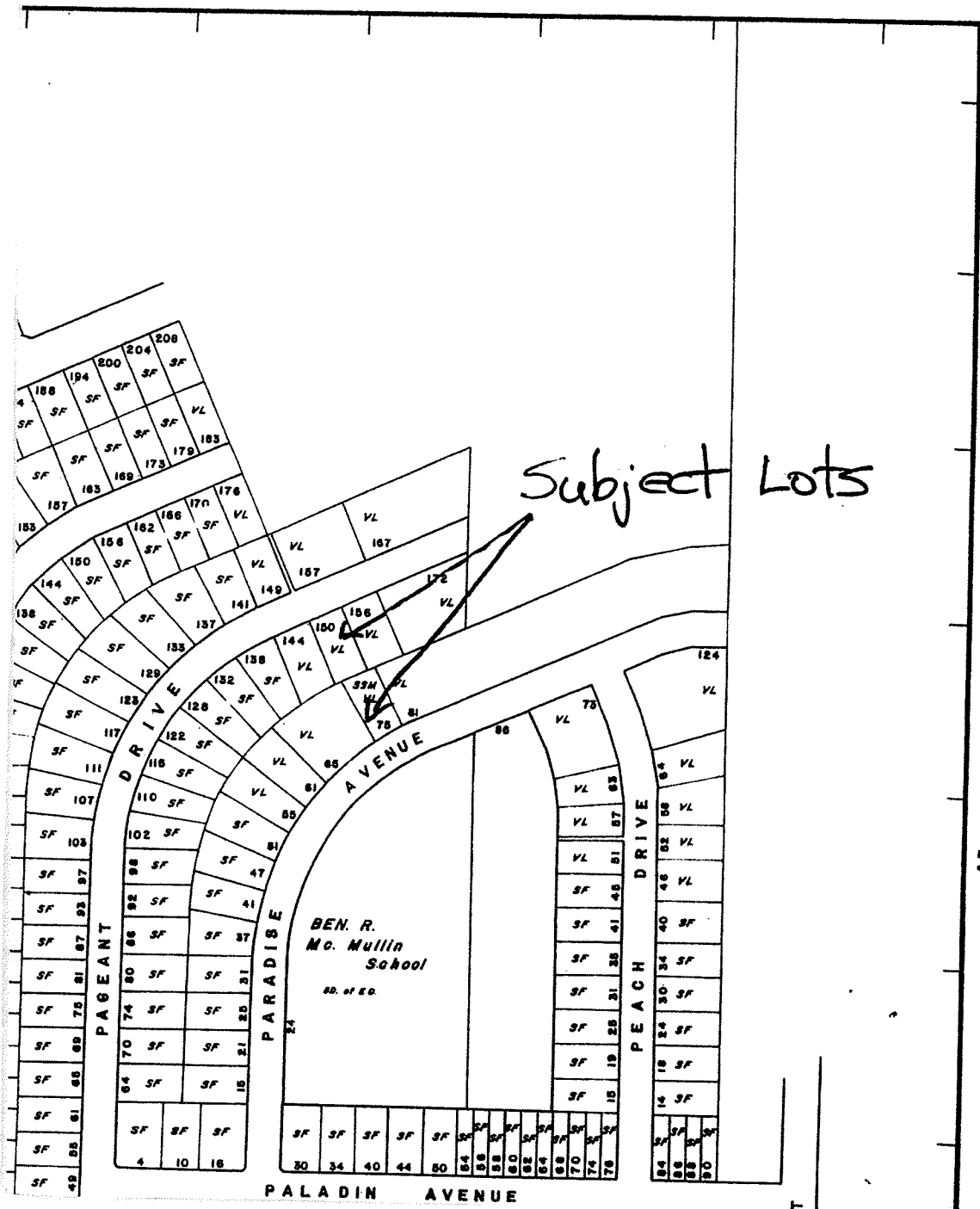
Yours truly,



Lorie Bottos
City Solicitor
LAB/bb
Attachment

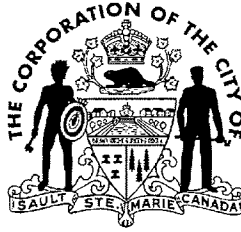
RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer



LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



**LEGAL
DEPARTMENT**

File No. S.2.1.9

2007 08 27

Mayor John Rowswell and
Members of City Council

**RE: Request from Residents of Red Pine Drive to have the City
Pay the Costs for Upgrading Red Pine Drive**

BACKGROUND

On September 25, 2006 some residents of Red Pine Drive appeared at Council with the request that City Council pay the costs of upgrading Red Pine Drive to Class "B" so that thereafter the City would maintain and snowplow the road. For the benefit of the new members of Council, over the last few years the City has paid the cost of the Red Pine Drive Syndicate hiring a snow plow operator to clean the snow. Garbage is brought by reach home owner to one central spot and then collected. The road at present is too narrow for larger vehicles to easily manoeuvre.

I am enclosing:

1. My report to Council dated 2006 09 25 along with the attachments referred to in that report; and
2. The Council resolution of September 25, 2006 in which my report is accepted.
3. Letter to me from John Doan dated August 11, 2007 to which are attached the estimates.
4. A map of the area.

COMMENTS

At the September 25th Council meeting, City Council decided not to provide \$38,000 to the residents of Red Pine Drive for the purpose of upgrading Red Pine Drive to meet City standards. I asked Mr. John Doan of the Syndicate to provide to me an update of the cost estimate for upgrading the road. City staff had not seen anything in writing from the Syndicate as to how the \$38,000 was arrived at and whether the specifications provided to the contractors to allow them to bid would provide for a gravel road built wide enough and straight enough to plow and turn around at the end. I have received that information from Mr. Doan and it is attached.

There are 44 distinct civic addresses along Red Pine Drive. However, there are 53 owners. The assessed values range from \$75,000 to \$244,000. An increasing number of owners live there year round although there are still some seasonal residences.

Over the years, City staff has received a number of requests for upgrading of Class "B" roads to Class "A". A report was prepared for Council for May 26, 2003 which listed 34 streets where successful petitions had been received by City Council for Class "A" services. Six of the streets on that petition go back to the 1970's. Admittedly, these are streets that already do have Class "B" service and are requesting Class "A" service (curbs, sidewalks, storm sewer). However, in those cases the streets are owned by the City, which is not the case with Red Pine Drive. The argument advanced by the Syndicate is that it does not even have Class "B" service. Garbage pick up for the residents of Red Pine Drive involves them bringing their garbage to a central area near their tennis court.

The Red Pine Drive residents assert that they receive minimal City services but still face high assessments and thus high taxes. Red Pine Drive residents do not have garbage pick up at the end of their driveways and the road does not meet City Class "B" standards, but other City services available to rural area residents are available to them. The assessment has increased over the years and, as Council knows, assessment is based on fair market value as determined by the Municipal Property Assessment Corporation.

The Red Pine Drive Syndicate does own a large acreage of property totalling 218.65 acres. This property is located basically to the west of Red Pine Drive. The Syndicate conveyed an easement to the gas company a number of years ago. The Syndicate received compensation for this easement and uses the interest from the principal of about \$40,000 to pay taxes on the large acreage and other common expenses.

RECOMMENDATION

If Council agrees to the request from the Red Pine Drive Syndicate, Council might be met with requests from other residents for upgrading their roads to Class "A" or to improve roads to Class "B" (the road near Nettleton Lake, for example) and take over servicing. Agreeing to this road upgrade may make it difficult for Council to turn down

future requests. If Council decides to pay the cost of upgrading the road, a condition should be that the Syndicate convey to the City that portion of the road being upgraded by the City.

Respectfully submitted,

A handwritten signature in cursive script that reads "Lorie Bottos".

Lorie Bottos
City Solicitor

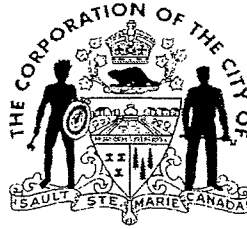
LAB/dh

Attachments

cc: Mr. Patrick McAuley, Commissioner, Public Works and Transportation (w/o attachments)
Mr. Jerry Dolcetti, Commissioner, Engineering & Planning (w/o attachments)
Mr. Don Elliott, Director of Engineering Services, Engineering & Construction (w/o attachments)

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. S.2.1.9

2006 09 25

Mayor John Rowswell and
Members of City Council

**RE: Council Resolution of August 28th Regarding
Funding Proposal for the Upgrade of Red Pine Drive**

PURPOSE

The purpose of this report is to respond to the following Council resolution:

"RESOLVED that the report dated August 24, 2006 from the resident of 604 Red Pine Drive on behalf of the Red Pine Drive Syndicate concerning a funding proposal for the upgrade of Red Pine Drive to municipal standards and then dedication of the road to the municipality BE REFERRED to the Finance, Legal and Public Works and Transportation Departments for review and report back to Council."

ATTACHMENTS

Attached to this report are the following:

1. A letter dated August 24, 2006 from Mr. Ed Dawson submitted on behalf of the Syndicate. The attachments to Mr. Dawson's report are not attached to this report since they do not pertain to the funding proposal set out in Mr. Dawson's August 24th letter.
2. A letter dated August 28th, 2006 from Mr. Vittorio D'Aniello who owns 554 Red Pine Drive.

COMMENTS

Briefly, the proposal from the Syndicate is that the cost of upgrading Red Pine Drive be borne by the City since the City would recoup the costs of upgrading from the increased

assessments levied against the properties fronting on Red Pine Drive. On September 11th I met with Pat McAuley, Bill Freiburger and Don Elliott to discuss this funding proposal.

Staff cannot support the proposal put forward by the Syndicate. The reasons are:

1. Agreeing to the proposal in this case would likely result in Council meeting similar requests from residents along Pointe des Chenes Crescent, Pine Shore Drive, Point Louise Drive and Harriet Street for similar consideration. Also, the same argument could be made by anyone being requested to pay local improvement charges, either in the future or those making local improvements payments now. Their argument could be that the City would recoup the cost of the local improvement through increased assessments and therefore the local improvement charge should not be levied.
2. Tied into the first point is that if Council agrees with the request, the money for upgrading Red Pine Drive would have to come out of the miscellaneous construction budget. There is no extra money in that budget to accommodate Red Pine Drive. In addition, there are many other streets that have a higher priority for upgrading than Red Pine Drive.
3. What is being requested by the residents is somewhat similar to a subdivision development (except in the case of Red Pine Drive some of the homes have been built already). A subdivider could make a similar argument that it should not have to pay for the cost of installing the road and services because there will be increased assessment garnered by the City.

Mr. Dawson's letter makes comparisons to some other streets in the area. One example is Pine Shore Drive. On that particular street there is a Council resolution from the early 1970's directing Public Works staff to provide minimal services, since this road is relatively straight and wide enough to provide these services, and it connects between two municipally owned streets. A similar level of minimal maintenance could not be provide on Red Pine Drive due to the physical restrictions and lack of turn around. In the case of the other streets mentioned in Mr. Dawson's letter I believe in each case those streets are municipally owned. Red Pine Drive is owned by the Syndicate.

Mr. Dawson's letter also states that Red Pine Drive residents receive only the very basic services (Police and Fire) but no other services. That is not correct. Just like other residents of the community Red Pine Drive residents have access to the public libraries, arenas and swimming pools. In addition, they benefit from other items that make up the tax levy such as the hospital levy, the DSSAB levy and the Algoma Health Unit levy, to name just a few.

SNOWPLOWING FOR 2006-2007 WINTER SEASON

On December 12th, 2005 City Council passed a resolution recommending that the City pay the cost of a contractor providing snowplowing on Red Pine Drive for one year only at an estimated cost of \$4,000 plus GST. Those funds came from the winter maintenance budget. Pat McAuley would like direction as to what Council's wishes are for the up-coming winter season.

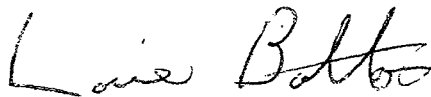
RECOMENDATION

Staff's recommendations are:

1. That the Syndicate obtain a firm quote from a contractor as to what the cost would be to construct the Red Pine Drive to meet the minimum City standards. An engineer should confirm to the Syndicate that the proposal from the contractor does indeed meet the minimum City standards for that level of road. The Syndicate members should then decide amongst themselves how they should bear the cost of upgrading the road amongst the Syndicate members (based on assessment, based on frontage, etc.) if the Syndicate decides to proceed with upgrading the road. If the Syndicate does decide to upgrade the road then the Syndicate should award that contract and turn over the upgraded road to the City, after which City maintenance and snowplowing will become a municipal responsibility.
2. If Council wishes to consider participating in the winter plowing for 2006-2007, it should debate and decide this with a separate resolution.

A copy of this report has been provided to Mr. John Doan, President of the Syndicate.

Respectfully submitted,



Lorie Bottos
City Solicitor

LAB/dh

Attachment(s)

cc: Mr. Patrick McAuley, Commissioner, Public Works and Transportation
Mr. Bill Freiburger, Commissioner of Finance and Treasurer
Mr. Don Elliott, Director of Engineering Services, Engineering & Construction

August 24, 2006

Mayor Rowswell and Members of City Council

RED PINE DRIVE

Background

There have been two reports to Council on this matter over the past year, both are appended. The initial report by the Syndicate gave background information on Red Pine Drive and compared it to similar roads in the vicinity. As well, the report requested that snowplowing be authorized for the 2005-06 winter in order for the Syndicate to gather information and to estimate the cost of dedicating the road to the City. Council referred this report to staff and their response to Council recommended snow plowing for 2005 -06 winter and advised that the long term solution was to upgrade the road to minimum municipal standards at the cost of the abutting residents and to have the road dedicated to the municipality.

Recent Developments

The Syndicate has been working on the issues necessary to have the road dedicated to the City and is prepared to do this. Two qualified contractors reviewed the roads in the area and both agreed that widening Red Pine Drive by 10 feet would bring it in line with the surrounding roads that the City maintains. Both contractors have submitted prices for widening Red Pine Drive by 10 feet with a turn around at the end.

In addition, a survey has been completed for a 66 foot allowance for the entire roadway, as required.

At the Syndicate's annual meeting the executive received approval from its membership to proceed with dedicating the road to the municipality.

Payment Suggestion

The Syndicate has reviewed the quotes and a price of approximately \$38,000 is the low bid meeting the specifications.

The Syndicate is respectfully suggesting that the cost of the roadway be funded through the increase in the assessment of the new homes that were built in the last year. The increases in these assessments have not been established yet

and are not in the tax base. In the past whenever cottages were replaced with full time homes the taxes approximately doubled what the cottage taxes had been. It is therefore anticipated that the two properties built last year will see a similar increase. This increase is projected at approximately \$2,000 to \$3,000 per home; therefore the anticipated payback to the City would be within the 10 year term used for local improvement paybacks.

The cost for deeding the road to the City and the cost for the survey are not part of the construction costs noted above and the Syndicate is not looking to have these as part of the payment suggestion – they will remain the responsibility of the Syndicate.

The payment suggestion is seen in the eyes of the Syndicate as being revenue neutral to the City.

The Syndicate believes it is important to note that at a recent Council meeting it was reported that in the 1980's the Province loaned the City money for a downtown revitalization project and the terms for that loan were for the loan to be repaid through increased assessment. The increased assessment for homes on Red Pine Drive that convert from summer cottages to year round homes is proven and therefore there is no gamble for Council.

Important Considerations

Residents of Red Pine Drive pay a considerable amount of tax to the City and receive only the very basic services (Police and Fire) but no other services other than garbage pick up at a communal pick up area. Red Pine Drive residents pay taxes at the same rate as if they were on a public road in the adjacent area – all we want now is to have some of the services to go with the tax rate – maintained road with garbage pick-up.

For several years the Red Pine Drive residents received garbage pick up at their drive ways which, is perceived by the residents to mean that a level of service on Red Pine Drive had been established.

Red Pine Drive residents want only to be treated fairly when compared to other roads in the area – Sand Road, Pine Shores Drive, Pointe Louis Drive, Harriet Road.

Red Pine Drive is transforming from a summer cottage area to a year-round home area. The lots are zoned Rural Estate and the City will be benefiting greatly through increased assessment as more and more summer cottages are replaced with estate homes.

Closing

It is the understanding of the Syndicate that in a typical situation the individual property owners would be responsible for sharing in the cost of the road dedication and upgrades; however the situation on Red Pine Drive is far from typical. The Syndicate truly believes that their unique situation and history through the years should count for something – special consideration! One of our residents pointed out that in a recent *Sault Star* issue there was reference to our road under the *Fifty Years Ago* column. It seems that Point Aux Pins cottage owners had support from their municipal officials then to assist in road maintenance. We are hopeful that we will receive equally fair treatment now.

The Syndicate hopes that Council will support the citizens of Red Pine Drive in this long established area that has a unique relationship with Council, and that Council will approve the payment plan.

Submitted on behalf of the Syndicate



Mr. Ed Dawson
604 Red Pine Drive
779-3555

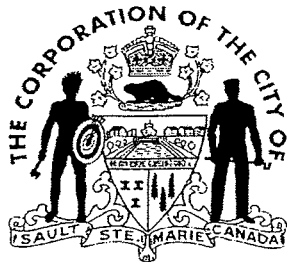
August 28 2006

City Clerk

RE: Red Pine Drive 5(a)
August 28 2006 Council Mtg.

I, the undersigned owner of 554
Red Pine Drive am opposed to the
upgrade of Red Pine Drive and dedication
of the road to the City

~~Vittorio~~ D'Aniello
Vittorio D'Aniello
121 Henrietta St.
253-9244



CITY COUNCIL RESOLUTION N

6(5)(a)

Agenda Item

Date: September 25, 2006

MOVED BY
SECONDED BY

Councillor
Councillor

P. Mick
L. Turco

Resolved that the report of the City Solicitor dated 2006 09 25 concerning Council Resolution of August 28th Regarding Funding Proposal for the Upgrade of Red Pine Drive be accepted and the recommendation that the Red Pine Drive Syndicate should decide how they wish to bear the cost of upgrading the road amongst the Syndicate members and if the Syndicate does decide to upgrade the road to minimum city standards then the upgraded road can be turned over to the City after which City maintenance and snowplowing would become a municipal responsibility be approved.

☒ CARRIED
☐ REFERRED

☐ DEFEATED
☐ OFFICIALLY READ NOT DEALT WITH

☐ AMENDED

☐ DEFERRED

SIGNATURE

☒ C.A.O.
☒ City Solicitor
☒ Comm. Finance/Treasurer
☒ Comm. Eng. & Planning
☐ Comm. Human Resources

☐ Comm. Community Services
☐ Comm. P.W. & Transportation
☐ City Clerk
☐ Fire Chief
☐ Police Chief

☐ Mayor
☐ Dir. Libraries
☐ E.D.C.
☐ Cons. Authority
☐

6(5)(a)

John Doan
President East Point Aux Pins Syndicate (1187946 Ontario Limited)

2007 08 11

THE CORPORATION OF THE
CITY OF SAULT STE MARIE

Lorie Bottos
City Solicitor
The Corporation of the City of Sault Ste Marie

AUG 13 2007

LEGAL DEPARTMENT

Dear Sir:

Re: Upgrading Red Pine Drive

Thank you for your letter of 2007 07 26 inviting our approach to City Council again. Our Syndicate's annual meeting is always the second Tuesday of July and at this year's meeting we notified our members that we would be trying again to convince the City to pay the costs of the necessary road upgrade.

When we invited estimates from **Mid Canada Construction** and from **Nick Parniak Construction** (attached), the job description was as specified by City Engineer Maurice Kukoraitis at a meeting at CityHall, November 24, 2005. Mr . Pat McAuley, Mr. Nick Apostle and Assistant City Solicitor Nuala Kenny were also in attendance.

Mr. Kukoraitis provided detailed information as to the necessary width of roadway, material for roadway and the depiction of the turnaround necessary. A detailed map of the area was consulted and the message was very clear.

I hope that these estimates are in order and will await your further correspondence if this is not the case.

In response to your reassertion that staff is opposed to our petition, please allow this summary of the salient points of our argument.

Red Pine Drive is an old and storied roadway predating even the current version of Airport Road.

Records exist (Sault Star August 2, 1958) that report successful upgrading requests for this exact roadway, nearly fifty years ago.

Staff's insistence that we be treated like a new subdivision is unfair since the City has already collected at least a million dollars (since amalgamation of Korah Township) from our property taxes and have provided few services (irregular snow removal, no garbage pick-up and zero maintenance costs while collecting full taxes).

It may be that staff regards our request as another example of a group wanting something for nothing but possibly you might look again and see that it may be that we have been getting nothing for something for a very long time and that what we ask is fair.

Yours truly,

6(5)(a)

QUOTATION

To: ATT [REDACTED]	Date July 06
	Terms
Re. Red Pine Dr.	Estimated Delivery Date

We thank you for the opportunity of submitting the following prices and specifications.

Quantity	Description	Unit Price	Amount
	FROM Tennis Court To END OF Road. Widen 10' Cut Trees AS NEEDED. MAKE TURN AROUND AT Road END. 40'x60' EXCAVATE STUMPS & Replace WITH 1' FOOT Pit Run Gravel (Compacted) 7/8" Crushed Gravel on Road way 4" Thick 20' Wide AS TOP of Road Compacted.		
			\$ 38602 ⁰⁰
		GST	\$ 2316 ¹²
		PST	
		Total	\$ 40918 ¹²

This quotation is only valid for:

By

Mark P. [Signature]
 1187877 ON, INC
 826 WALLIS RD
 S.S. MARIE ON.
 779-2265.

DC 161

This is not an invoice

081433

6(5)(a)



815 Great Northern Road, Sault Ste. Marie, ON, P6A 5K7

July 6, 2006

[REDACTED]
Red Pine Drive
Sault Ste. Marie, ON
BY FAX

Dear Nick:

We are pleased to provide you the following quotation for all labour, equipment and materials for the following works: **Roadway Widening on Red Pine Drive**

Work Included:

Remove trees in an area approximately 3.5m by 700m on south-side of existing roadway
Remove all stumps and level grubbed area to approximately 75mm below existing road grade
All trees, stumps and branches to be removed from site
Supply, place and compact 75mm Granular A in proposed widening area

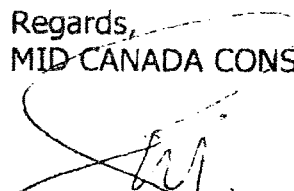
Lump Sum Price = \$37,750.00

Note:

1. GST extra to above price.

If you have any other concerns or require other documentation, please feel free to call me at 253-4787.

Regards,
MID-CANADA CONSTRUCTION CORP


Scott Middleton,
Estimator



SAULT STE. MARIE AIRPORT

POINTE AUX PINS BAY

SUBJECT ROADWAY

RED PINE DR

POINTE AUX PINS

SAND

PIKE SHORE

DALGESH

ALAGASH

POINTE LOUISE

CHANNELVIEW

POINTE DES CHENES

DES CHENES

POINTE DES CHENES

DEPT. OF PUBLIC
WORKS & TRANSPORTATION
SAULT STE MARIE

SUBJECT ROADWAY
(RED PINE DR.)

6(5)(a)

August 27, 2007

Mayor John Rowswell
And Members of City Council

RED PINE DRIVE

In our pursuit of fair and equitable treatment , when compared to other residents in the immediate vicinity, the Pointe Aux Pins Syndicate submits this report for Council's consideration and hopeful approval.

Thank- you: It is a privilege to be allowed to address council again and I would like to thank Mr. Bottos for his invitation to restate and to clarify some issues related to our request.

There have been three previous reports to Council on this matter. All are attached. The history of Red Pine Drive is extensive and it goes back prior to the time when Korah Township was incorporated into the City in 1965. In fact, I have with me a photocopy of a Sault Star article, which my wife and I found in the microfilm records at our Sault Ste. Marie Public Library, that bears witness to a council meeting dated August 2, 1956. This is a very interesting item as it shows the long history of the road itself as well as the encouraging power of the exercise of public petition. The council in question recognized the validity of the residents concerns and allowed for the road improvement. I quote now from the article, "This followed a request made by the delegation of cottage owners from the Point, headed by Oswald Davies." It is encouraging to consider that the same fair process was available to our predecessors as is being used this evening. Councillor Manzo may be the only member extant who recalls these matters or individuals but I would like to point out that this also provides a pretty strong rebuttal to the assertion that we are asking for a first-time road improvement when this record exists from more than fifty years ago.

The original request from the Syndicate was for snow plowing of the road. Council advised us that they required that the road be deeded over to the City, including a proper survey for a 66' wide road allowance, and that the Syndicate would need to pay for any upgrades. The Syndicate has completed and registered the survey. As well we are prepared to deed the road allowance over to the City. The Syndicate believes that the City should be responsible for any upgrades they would like to see because the City has

not upgraded any of their roads in the immediate vicinity and in fact some of their roads are a lower standard than Red Pine Drive.

In August 2006, the Syndicate approached City Council requesting that the City take over Red Pine Drive as a formal public street. The vote was very close and the request was defeated 7 – 6. At their following meeting, Council authorized the snow plowing of Red Pine Drive for the third time.

The reason we are before you again is due to the vote being so close and in addition, at the August 2006 meeting Mayor Rowswell mentioned that the Syndicate could bring the issue back to the new Council in the new year.

The Issues:

1. We do not believe that the City treats Red Pine Drive as a private road. Red Pine Drive is listed on the City's Official Road List. The City's Building Division recognizes Red Pine Drive as a special exemption for building permits and allows building permits to be issued. Therefore Red Pine Drive is treated like a public road.
2. There has been mention of setting a precedent with Red Pine Drive. The residents believe that no other private road in the City is treated the same way as Red Pine Drive. Red Pine Dr. is on the official road list, and treated like a public road with regards to building permits. In addition, garbage pick-up was performed for many years on the Red Pine Drive, the same as a public road, until the contractor complained.
3. The City treats Red Pine Drive as an official road when it is to their benefit, i.e. for taxes and building permits, but not when it comes to road services for the residents.
4. The City Building Division recognizes Red Pine Drive as a special exemption for building permit purposes, not as a private road. How can one department of the City recognize Red Pine Drive as a public road, yet another department recognize it as a private road?
5. It has been stated that Red Pine Drive is too windy and has large trees close to the road's edge. The City's snow removal staff are obviously very competent as they do not have any trouble maintaining the existing narrow streets such as Harriet Street and Pointe Louis Drive – this begs the question then why would providing maintenance on Red Pine Drive present a problem?
6. Why is Red Pine Drive being held to a different standard than the other roads in the immediate vicinity? The roads in the immediate vicinity are: Sand Road, Pine Shores Road, Pointe Louise Drive, Harriet St. City Staff want Red Pine Drive to be constructed to a standard that is greater than the roads mentioned

above. The Syndicate has obtained an estimate, from two local contractors to bring Red Pine Drive up to a higher standard, make it 10' wider, and that estimated cost is \$38,000. We believe that the road does not need to be 10' wider, and that much less can be spent, perhaps only \$10,000, to bring the road up to standards of the other roads in the immediate vicinity – Sand Road, Pine Shores Road, Harriet St, and Pointe Louis Drive. Why must Red Pine Drive residents have a road that is of a much higher standard than these roads? Once the road is deeded to the City then if they wish to bring Red Pine Drive to a higher standard then that should be their prerogative however we believe that the residents should not be held to a higher standard of a road and that a standard comparable to other roads in the immediate vicinity is more practical. The City has chosen not to upgrade the existing public roads in the area – so why Red Pine Drive?

7. It has been mentioned that Red Pine Drive should be treated the same as any subdivision road. This is a very faulty argument. With a new subdivision the City starts to collect taxes only after roads are built and homes are newly constructed. Residents on Red Pine Drive have been paying high City taxes for approximately 40 years – currently in excess of \$70,000 annually. It is certain that the Corporation of the City of Sault Ste. Marie has collected over a million dollars in taxes thus far without providing a full complement of services to these citizens. Subdivision Roads are built first and then homes are erected on them and then the City collects taxes – quite the opposite for Red Pine Drive Residents.
8. The Syndicate is willing to deed the road over to the City – 66-foot width as required at no cost to the City.
9. The Syndicate has completed and registered a survey for the road allowance.

Preamble: As was mentioned in the previous reports to council, our residents have serious concerns regarding the accessibility of their properties in case of emergency. Some of our constituents have serious health issues and some are elderly. The following item hints at the necessity of having well-maintained roads year-round.

Important – Recent Forest Fire at Marks Bay and Major Savings to the City

Recently there was a forest fire in the southerly part of the Conservation Authority's property at Marks Bay. A resident of Red Pine Drive was able to contact the City Fire Department and direct them to the fire. Two fire trucks were able to access the fire by using Red Pine Drive and managed to contain the fire to approximately one acre. If it were not for the help of the resident of Red Pine Drive and the access that Red Pine Drive was able to provide to the City Fire Department trucks, the fire surely would have been much larger – the City was saved hundreds of thousand of dollars by being able to access Red Pine Drive. Surely this counts for something.

Request

It is respectfully requested that Council treat the residents of Red Pine Drive fairly and equitably when compared to those on streets in the immediate vicinity, and approve that the Red Pine Drive road allowance be dedicated to the City with the Syndicate being financially responsible for the survey of the 66' road allowance (survey is already completed) and the deeding of the road allowance over to the City.

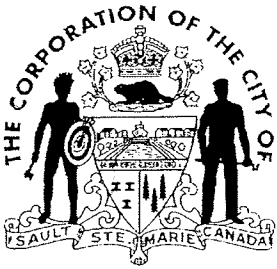
Alternative Request

Should the City not wish to have the road dedicated then as an alternative we request that the City continue to pay to have a private contractor provide snow plowing services.

Respectfully submitted,

A handwritten signature in cursive script that reads "John Doan". The signature is written in dark ink and is positioned above the printed name and title.

Mr. John Doan, President
Pointe Aux Pins Syndicate



CITY COUNCIL RESOLUTION

6(5)(a)

Agenda Item

Date: October 16, 2006

MOVED BY
SECONDED BY

Councillor
Councillor

F. Manzo
J. Collins

Resolved that the request from the East Pointe Aux Pins Syndicate that Council fund the snow plowing of Red Pine Drive for the 2006-07 winter season at an estimated cost of \$4,000.00 - \$5,000.00 with funds to come from the Winter Maintenance Budget be approved and further that the matter of upgrading Red Pine Drive and deeding it over to the City and continued winter plowing be further reviewed by City Council after the Syndicate meets in July of 2007.

☒ CARRIED
☐ REFERRED

☐ DEFEATED
☐ OFFICIALLY READ NOT DEALT WITH

☐ AMENDED

☐ DEFERRED

SIGNATURE

☒ C.A.O.
☒ City Solicitor
☒ Comm. Finance/Treasurer
☒ Comm. Eng. & Planning
☐ Comm. Human Resources

☐ Comm. Community Services
☒ Comm. P.W. & Transportation
☒ City Clerk
☐ Fire Chief
☐ Police Chief

☐ Mayor
☐ Dir. Libraries
☐ E.D.C.
☐ Cons. Authority
☐

August 24, 2006

Mayor Rowsell and Members of City Council

RED PINE DRIVE

Background

There have been two reports to Council on this matter over the past year, both are appended. The initial report by the Syndicate gave background information on Red Pine Drive and compared it to similar roads in the vicinity. As well, the report requested that snowplowing be authorized for the 2005-06 winter in order for the Syndicate to gather information and to estimate the cost of dedicating the road to the City. Council referred this report to staff and their response to Council recommended snow plowing for 2005 -06 winter and advised that the long term solution was to upgrade the road to minimum municipal standards at the cost of the abutting residents and to have the road dedicated to the municipality.

Recent Developments

The Syndicate has been working on the issues necessary to have the road dedicated to the City and is prepared to do this. Two qualified contractors reviewed the roads in the area and both agreed that widening Red Pine Drive by 10 feet would bring it in line with the surrounding roads that the City maintains. Both contractors have submitted prices for widening Red Pine Drive by 10 feet with a turn around at the end.

In addition, a survey has been completed for a 66 foot allowance for the entire roadway, as required.

At the Syndicate's annual meeting the executive received approval from its membership to proceed with dedicating the road to the municipality.

Payment Suggestion

The Syndicate has reviewed the quotes and a price of approximately \$38,000 is the low bid meeting the specifications.

The Syndicate is respectfully suggesting that the cost of the roadway be funded through the increase in the assessment of the new homes that were built in the last year. The increases in these assessments have not been established yet

and are not in the tax base. In the past whenever cottages were replaced with full time homes the taxes approximately doubled what the cottage taxes had been. It is therefore anticipated that the two properties built last year will see a similar increase. This increase is projected at approximately \$2,000 to \$3,000 per home; therefore the anticipated payback to the City would be within the 10 year term used for local improvement paybacks.

The cost for deeding the road to the City and the cost for the survey are not part of the construction costs noted above and the Syndicate is not looking to have these as part of the payment suggestion – they will remain the responsibility of the Syndicate.

The payment suggestion is seen in the eyes of the Syndicate as being revenue neutral to the City.

The Syndicate believes it is important to note that at a recent Council meeting it was reported that in the 1980's the Province loaned the City money for a downtown revitalization project and the terms for that loan were for the loan to be repaid through increased assessment. The increased assessment for homes on Red Pine Drive that convert from summer cottages to year round homes is proven and therefore there is no gamble for Council.

Important Considerations

Residents of Red Pine Drive pay a considerable amount of tax to the City and receive only the very basic services (Police and Fire) but no other services other than garbage pick up at a communal pick up area. Red Pine Drive residents pay taxes at the same rate as if they were on a public road in the adjacent area – all we want now is to have some of the services to go with the tax rate – maintained road with garbage pick-up.

For several years the Red Pine Drive residents received garbage pick up at their drive ways which, is perceived by the residents to mean that a level of service on Red Pine Drive had been established.

Red Pine Drive residents want only to be treated fairly when compared to other roads in the area – Sand Road, Pine Shores Drive, Pointe Louis Drive, Harriet Road.

Red Pine Drive is transforming from a summer cottage area to a year-round home area. The lots are zoned Rural Estate and the City will be benefiting greatly through increased assessment as more and more summer cottages are replaced with estate homes.

Closing

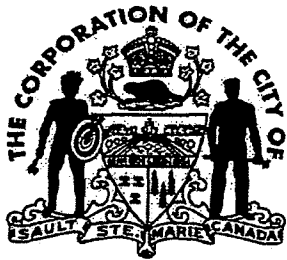
It is the understanding of the Syndicate that in a typical situation the individual property owners would be responsible for sharing in the cost of the road dedication and upgrades; however the situation on Red Pine Drive is far from typical. The Syndicate truly believes that their unique situation and history through the years should count for something – special consideration! One of our residents pointed out that in a recent *Sault Star* issue there was reference to our road under the *Fifty Years Ago* column. It seems that Point Aux Pins cottage owners had support from their municipal officials then to assist in road maintenance. We are hopeful that we will receive equally fair treatment now.

The Syndicate hopes that Council will support the citizens of Red Pine Drive in this long established area that has a unique relationship with Council, and that Council will approve the payment plan.

Submitted on behalf of the Syndicate

A handwritten signature in cursive script that reads "Ed Dawson".

Mr. Ed Dawson
604 Red Pine Drive
779-3555



CITY COUNCIL RESOLUTION

6(5)(a)

Agenda Item

Date: December 12, 2005

MOVED BY
SECONDED BY

Councillor
Councillor

Resolved that the report of the Commissioner Public Works and Transportation dated 2005 12 12 concerning Red Pine Drive - Snowplowing be accepted and the recommendation that the city pay the cost of a contractor providing snow plowing on Red Pine Drive for one year only at an estimated cost of \$4,000 plus GST with funds to come from the Winter Maintenance Budget, be approved.

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☐ OFFICIALLY READ NOT DEALT WITH

☐ AMENDED

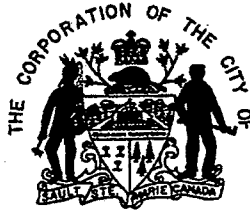
☐ DEFERRED

SIGNATURE

☐ C.A.O.
☐ City Solicitor
☐ Comm. Finance/Treasurer
☐ Comm. Eng. & Planning
☐ Comm. Human Resources

☐ Comm. Community Services
☐ Comm. P.W. & Transportation
☐ City Clerk
☐ Fire Chief
☐ Police Chief

☐ Mayor
☐ Dir. Libraries
☐ E.D.C.
☐ Cons. Authority
☐



City Works Centre
128 Sackville Road

2005 12 12

Mayor J. Rowswell
and Members of City Council
Civic Centre

Subject: Red Pine Drive - Snowplowing

On November 14, 2005 Council passed the following resolution:

Resolved that the request from the residents of Red Pine Drive in a letter dated October 28, 2005 concerning a request that Council (1) approve payment of the costs of a private contractor to snow plow Red Pine Drive and (2) authorize staff to meet with the residents to determine the costs to construct Red Pine Drive to local standards with the intent of deeding the road to the municipality BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council, be approved.

As requested, staff met with members of the Pointe Aux Pins Syndicate recently to discuss issues surrounding road maintenance on Red Pine Drive. The road allowance is owned by the Syndicate, a Not-for-Profit Corporation owned by the Red Pine Drive property owners and is thus a private road.

The request brought to Council on November 14, 2005 is similar to the request three years ago, where Council agreed to pay the costs of snow plowing for one year but requested that the Syndicate dedicate the road allowance to the municipality and petition through the Local Improvement Act to have the road built to municipal standards.

The Syndicate has an annual meeting in July each year to conduct business. At the July 2003 meeting, agreement could not be obtained from members to dedicate the road allowance, nor petition to have road improvements done. Thus, nothing has happened since then. There is some thought that agreement may be obtained at the July 2006 annual meeting, as the number of full time residents has increased, as have liability concerns with a private road.

Snowplowing for Winter 2005-2006

The Syndicate has received quotes to plow Red Pine Drive for this winter season. The low quote from Nick Parniak, 1187877 Ontario Inc. for \$4,000 plus GST appears reasonable. It is therefore recommended that the City pay the cost of providing snow plowing on Red Pine Drive for one (1) year only. The contractor, Nick Parniak, would work for the Syndicate who would administer and monitor the work. Payment would be by the City, from our Winter Maintenance budget.

Long Term Solution

It is again recommended that the road be upgraded to minimum municipal standards at the cost of the abutting residents, and that the road be dedicated to the municipality to ensure long-term maintenance. To this end, the Engineering Department will provide a cost estimate and preliminary design to give the Syndicate adequate information to discuss at their July 2006 annual meeting.

All of which is respectfully submitted.



Patrick M. McAuley, P. Eng.
Commissioner
Public Works and Transportation

PMM:sk

Mayor John Rowswell and
Members of City Council

Red Pine Drive

In October 2002 we approached City Council and requested that snow plowing be provided and that garbage pick-up be re-instated. A copy of that report is attached.

Council passed a resolution on December 02, 2002 (attached) which approved a private contractor to snow plow Red Pine Drive for the winter of 2002-03 with the cost being covered by the City's PWT Department budget. The resolution also made a request to the residents to meet with City staff concerning the development of Red Pine Drive as municipal roadway.

The residents met with City staff in July 2003. The residents were told that the process was for them to deed the road to the City and then the City would construct a proper gravel road with proper drainage ditches. The residents were told that the cost could be in excess of \$50,000 and that it would be up to the residents to pay for this.

With this information, as you can well imagine, the residents were very discouraged. First of all, for the cost of the road to be added to the residents' tax bill would put the taxes at a rate that was unacceptable to all of the residents; as well it would seem unfair given the high taxes that are already paid by the residents. Second, the residents could not comprehend why their road would be held to a higher standard than the other residential roads in the area – Pointe Louise, Harriet, Pine Shores Drive, and Sand Road. The municipality owns two of these roads and two are private roads. Pointe Louise does not have drainage ditches, Pine Shores Drive and Sand Road also do not have drainage ditches and are only sand based; they are not gravel. Harriet St is only a glorified driveway.

Given the information from City staff, the residents could not agree on spending the money that staff said would be required to have their road taken over by the municipality and therefore went back to the taking care of removing the snow themselves for the 2003-04 winter season.

The Red Pine Drive area is seeing a transformation from summer cottages to year-round homes. This past year there has been four (4) new year-round homes built and again the residents discussed why they are not provided with road maintenance particularly snow plowing. The syndicate formed a sub-committee at their annual meeting and asked them to look into the issue again. Members have been reviewing information on this matter including the reports from staff from the November 2002 Council meeting. With regards to the staff report, a few areas either did not have accurate information or left out information regarding roads in the immediate vicinity to Red Pine Drive.

First of all, regarding Pine Shore Drive, a private road, Council did not pass a resolution directing staff to provide snow plowing and minor summer maintenance. Second, it was not included in the report that it was a staff decision to provide snow plowing and minor summer maintenance to Sand Road, also a private road, because it provided an easy turn around from Pine Shore Drive. By the way, there are no residents on Sand Road therefore no taxes are collected. In addition, and most important, is the residents have learned that a full gravel road with ditches would not be necessary and in fact a road similar to that of Sand Road and Pine Shore Drive would be adequate. This would mean that the cost to construct a wide enough road with a turn around would be substantially less than originally thought.

Furthermore, new information has come to the residents concerning the status of a survey detailing a proper road for Red Pine Drive.

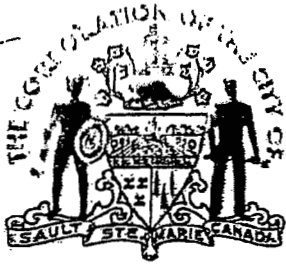
It is the intent of the residents to work with City staff to determine the requirements to deed Red Pine Drive to the City and have it brought up to standards similar to other residential roads in the immediate vicinity, specifically Sand Road, Pine Shore Drive, and Pointe Louise Road. However, the winter season is fast approaching and there is not enough time to have all of the work done including deeding the road so that snow plowing can be performed this winter.

Given this information, the residents of Red Pine Drive are requesting that Council approve the snow plowing of Red Pine Drive as they did for the 2002-03 winter. If Council approves this, then the residents will get three (3) quotes for snow plowing and submit them to the Commissioner of Public Works and Traffic for approval and further, the residents will meet with City staff to determine the costs to construct Red Pine Drive to the standards of Sand Road, Pine Shore Drive and Pointe Louise Road with the intent of deeding it to the municipality.

Respectfully submitted on behalf of the residents of Red Pine Drive,



Ed Dawson
604 Red Pine Drive
779-3555



CITY COUNCIL RESOLUTION

Date: December 2, 2002

Agenda Item

MOVED BY
SECONDED BY

Councillor
Councillor

F. Manzo
P. Vaudry

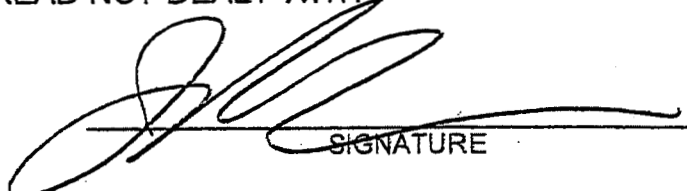
Resolved that the report of the Commissioner of Public Works and Transportation dated 2002 11 29 concerning the Snowplowing of Red Pine Drive be accepted as information.

☒ CARRIED
☐ REFERRED

☐ DEFEATED
☐ OFFICIALLY READ NOT DEALT WITH

☐ AMENDED

☐ DEFERRED


SIGNATURE

☒ C.A.O.
☒ City Solicitor
☒ Comm. Finance/Treasurer
☒ Comm. Eng. & Planning
☐ Comm. Human Resources

☐ Comm. Community Services
☒ Comm. P.W. & Transportation
☐ City Clerk
☐ Fire Chief
☐ Police Chief

☐ Mayor
☐ Dir. Libraries
☐ E.D.C.
☐ Cons. Authority
☒ **F. Manzo**



CITY COUNCIL RESOLUTION

Date: December 2, 2002

Agenda ..

MOVED BY
SECONDED BY

Councillor
Councillor

F. Manzo
P. Vaudry

Whereas the residents of Red Pine Drive have obtained three quotations from reputable contractors regarding snow plowing of Red Pine Drive under contract for winter of 2002 - 2003; and

Further that the lowest quote as advised by the Commissioner of Public Works and Transportation is Donald Vanderwater with a quote of \$3,500.00 for the season; Therefore be it resolved that City Council requests and recommends that the Commissioner of Public Works and Transportation include this contract in the 2002-2003 Winter Snow Removal Budget; and

Further be it resolved that the Red Pine residents monitor the workmanship of the snow plowing contract.

a request be made of
and further that the residents meet with city staff prior to the 2004 snow plowing season concerning the development of Red Pine Drive as a municipal roadway.

☒ CARRIED
☐ REFERRED

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☐ OFFICIALLY READ NOT DEALT WITH

☐ AMENDED
☐ DEFERRED

SIGNATURE

☒ C.A.O.
☒ City Solicitor
☒ Comm. Finance/Treasurer
☒ Comm. Eng. & Planning
☐ Comm. Human Resources

☐ Comm. Community Services
☒ Comm. P.W. & Transportation
☐ City Clerk
☐ Fire Chief
☐ Police Chief

☐ Mayor
☐ Dir. Libraries
☐ E.D.C.
☐ Cons. Authority
☒ F. Manzo



City Works Centre
128 Sackville Road

2002 11 07

Mayor J. Rowsell
and Members of City Council
Civic Centre

Subject: Red Pine Drive

On October 21, 2002 Council passed the following resolution:

Resolved that City Council accept the petition and submission from the residents of Red Pine Drive regarding snow plowing and garbage collection and forward the submission and petition to the Works Centre for study and report back to Council before the November 18, 2002 Council Meeting.

Background

Red Pine Drive is a narrow, one lane, private road serving 27 homes/cottages in the Pointe Aux Pins area, as shown on the attached sketch. It is on property owned by the Pointe Aux Pins Syndicate, a Not-for-Profit corporation owned by the area property owners, and whose mandate is to manage area land holdings and issues of common interest.

To date, the municipality has not maintained the road, but as some of the cottages have been developed into permanent homes, the desire for consistent snow plowing on the road has increased.

Refuse Collection

Prior to amalgamation, it appears summer refuse collection was provided by Korah Township. The City continued with this service until 1997 when our contractor, Canadian Waste Services, withdrew individual collection at each driveway and asked residents to bring their refuse out to a common location at the start of the road. This was done as a result of the private ownership status of the road and it not being constructed to municipal standards. Trucks were being damaged negotiating around the large trees and a proper turnaround was not available.

Discussion

Generally, the municipality does not perform summer or winter maintenance on private roads. The City's position has always been that before public funds are expended, the road right-of-way should be dedicated to the municipality (see attached letter from L. Bottos). In addition, since the road is not to municipal standards, it should be upgraded to permit a normal and cost effective level of maintenance activities.

Just to the south-west, a similar situation occurred when Channelview Lane was constructed to municipal standards in 1989 under the Local Improvement Act. The abutting cottage/home owners on Channelview Lane paid Local Improvement costs to construct a cottage access road along an unopened right-of-way.

Reference is made in the petition to the fact that Pine Shore Drive, another private road in the area, receives snow plowing and garbage collection from the City. Pine Shore Drive is indeed private, but is a straight road unimpeded by trees, and is two lanes wide. A review of our files indicates Council directed Public Works and Transportation to provide snow plowing and minimal summer maintenance by resolution in 1979. Residents did not wish to dedicate the right-of-way to the City but wanted basic road maintenance.

Pine Shore Drive is a different situation than Red Pine Drive since it is not a one-lane road winding between large trees. It is much closer to municipal standards, and it interconnects Sand Road and Dagleish Road, two municipal roads.

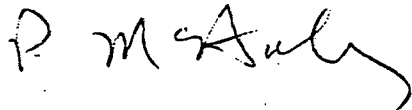
It is important to note that the regular plow truck that is used to plow all other roads in the area is unable to negotiate between the trees on Red Pine Drive, particularly with the wing plow attachment. Nor does a suitable turnaround exist.

Recommendations

It is therefore recommended that the City request the Pointe Aux Pins Syndicate to dedicate the Red Pine Drive road allowance to the municipality, and petition, through the Local Improvement Act to have the road built to municipal standards. This is the best solution for the long term in order to provide secure public access and road maintenance into the future.

If Council wishes to provide a short-term solution, for winter maintenance only, the City could pay the cost of providing a private contracted snow plowing service until the road is rebuilt. This should be contracted through the Pointe Aux Pins Syndicate, following a tender process, since the Syndicate is in the best position to administer and monitor a private contractor working on their road.

All of which is respectfully submitted.



Patrick M. McAuley, P. Eng.
Commissioner
Public Works and Transportation

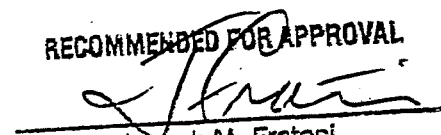
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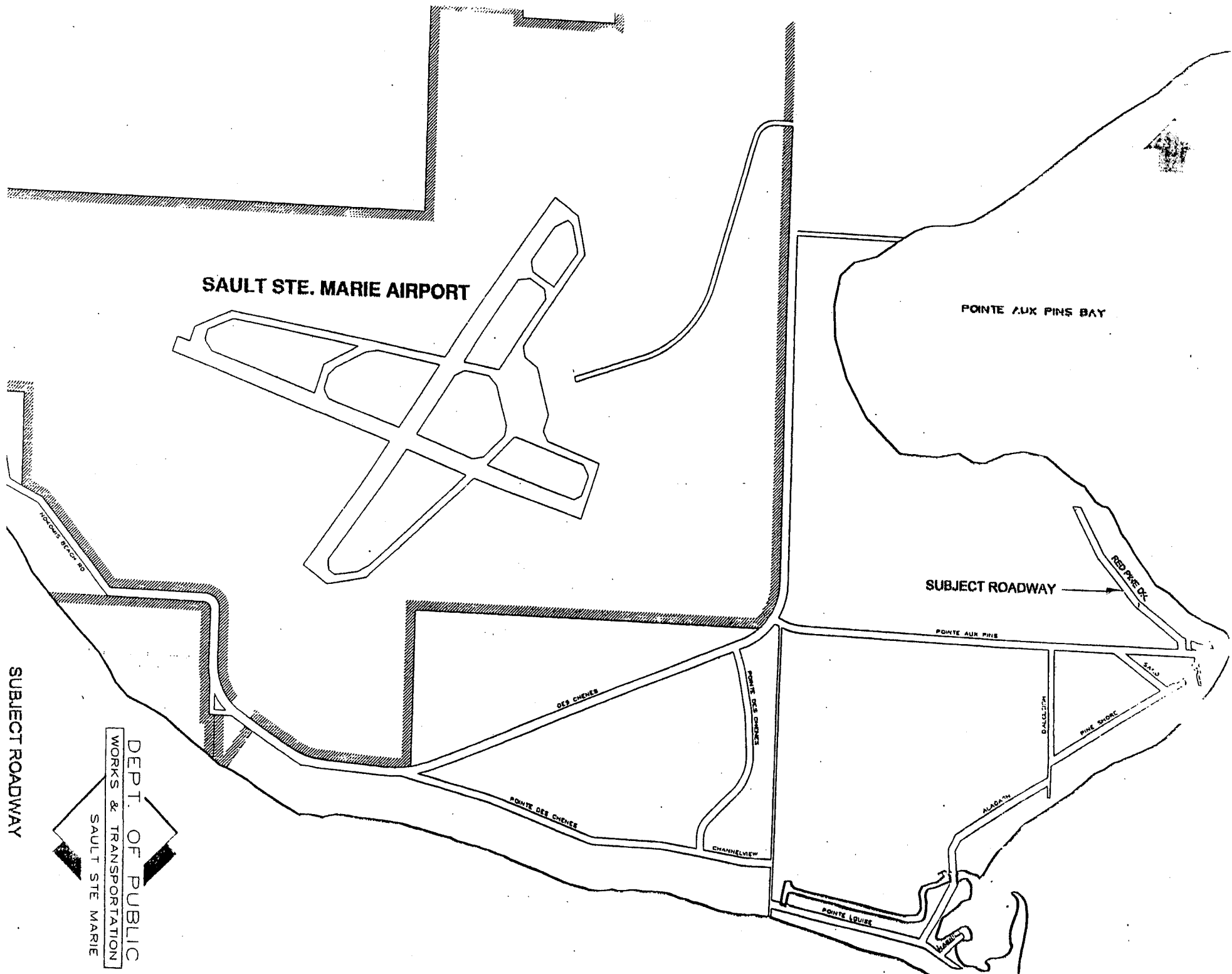
Mr. E. Dawson
604 Red Pine Drive
Sault Ste. Marie, Ontario
P6A 5K6

Attachment

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



6(5)(a)

LEGAL DEPARTMENT



City Centre
P.O. Box 580
88 Foster Drive
Sault Ste. Marie, Ontario
P6A 5N1

TEL: (705) 759-5400
FAX: (705) 759-5405

File No. S.2.1.9.

2002 11 07

VIA FAX

Mr. Pat McAuley, Commissioner
Public Works and Transportation

Dear Pat:

**Re: Council Resolution of October 21st
Concerning Red Pine Drive**

I understand you will be preparing a report for Council for the November 18th meeting concerning the October 21st resolution on Red Pine Drive. I thought I would set out for you the legal issue with respect to the ownership of roads. This issue has come up from time to time on other roads in the rural area.

The basic principal accepted by the courts is that before a municipality can be considered to own a road there must be:

Dedication + Acceptance (Assumption) = Ownership

There must be both dedication by the owners of the fee in the road plus acceptance by the municipality before ownership arises.

Dealing first with dedication, it (dedication) can be formal or inferred. Formal dedication arises when the owners give a deed to the municipality for the land in question. Red Pine Drive is not owned by the City. In the case of Red Pine Drive, that would require a reference plan to be prepared and a deed given from the various owners to the City for the Road. Dedication can also be inferred by having the owners agree to dedicate this road by their past actions. I am not aware of anything that leads to an inference that the owners intended to dedicate the road.

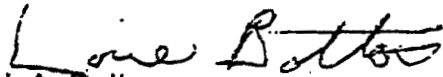
The next part of the equation is whether the City is considered to have assumed the road. Before the City could be considered to have done so the work or expenditure on the road must be clear and unequivocal so as to indicate the intention of the municipality to assume the road. If the repairs are trivial or

6(5)(a)

infrequent, I don't think a court would see that as the City agreeing to assume the road.

Whether there has been dedication and acceptance in a particular case, it depends on the facts of the situation. The courts have made it clear in a couple of cases that I have read over the years that you must have both dedication plus acceptance before you have ownership by the municipality. If you have any questions on this, please give me a call.

Yours truly,

A handwritten signature in cursive script, appearing to read "L.A. Bottos".

L.A. Bottos
City Solicitor

LAB/lz

Mayor John Rowswell
And Members of city Council

October 21-2002

Dear Mayor and City Councillors;

My name is Ed. Dawson and I am here to-nite representing twenty seven (27) Property Owners of Red Pine Drive Commencing from the Tennis Court off Point Aux Pins Road thence Northerly to the Conservation Property, which is 7/10 Kilometers, and all these Properties are Zoned R.1.E. R.1. Estate.

The Assessed Value of all these Properties in this 7/10 K.M. Section is Three Million, Three Hundred and Twenty Four Thousand and Nine Hundred and Ninety Nine Dollars and Forty Cents \$3,324,999.40. And the Total Taxes Paid to the City Of Sault Ste. Marie is Fifty Six Thousand Eight Hundred and Thirty Dollars and Eighty Nine Cents \$56,830.89. Enclosed is a list of Property Owners on the amount of taxes Paid to the City Of Sault Ste. Marie.

With the amount of taxes the City of Sault Ste. Marie is receiving from the Residents of this 7/10 K.M. Section of Red Pine Drive, these residents are not receiving Garbage Collection or Snow Plowing and other services such as Police, Fire, Ambulance, in the winter Months, because the Red Pine Drive is not Plowed by the City.

What these Residents are asking is for year round Garbage Collection at their Driveways and Snow plowing in the winter for the other Emergency Services.

THE RESIDENTS OF THIS SECTION OF THE 7/10 K.M OF RED PINE DRIVE NORTHERLY ARE NOT ASKING FOR ROAD MAINTANENCE IN THE SUMMER TIME AS THIS RED PINE DRIVE IS SATISFACTORY IN THE SUMMER MONTHS.

Based on the amount of assessment and taxes and home owners living on this section of Red Pine Drive year round have a Lack of services in the Winter such as Fire, Police, Ambulance Etc. which results a Saftey Hazzard for these home Owners.

2

All the Property Owners have signed a Petition which is (enclosed) for Snow plowing of the Red Pine Drive, although the Petition stated for only Snow Plowing but Inadvertently was to include Garbage Collection as it was left off but the residents that signed the petition signed with the INTENT to include Garbage Collection.

There are some people that live on Red Pine Drive that are not on this section of the northerly 7/10 K.M. as they are on the Southerly end of Red Pine Drive and at the East end of Point Aux Pins Road. In which they are being served with Garbage Collection and Snow Plowing.

PINE SHORE DRIVE is a private road which runs from the Sand Road to the Dagliesh Rd. and the City Plows this Road and has Garbage Collection all year round. As they also have mail service at their driveways.

POINT LOUISE DRIVE AND HARRIET ST. are less than Fifteen (15) Feet Wide and the City Snow plows these Streets and they have Garbage Collection and mail service at their driveways. ALSO ALAGASH DRIVE from the Alagash causeway to Point Louise Drive is also very narrow and the snow plow and the garbage truck goes through these narrow streets.

These streets mentioned above are in the Vicinity and Range of Red Pine Drive, and Red Pine Drive Northerly 7/10 K.M. does not receive these services as other Streets Mentioned.

Before Amalgamation in 1965 the Township Of Korah supplied Garbage Collection on this 7/10 K.M. of Red Pine Drive, and the City of Sault Ste. Marie supplied Garbage Collection from 1965 to 1995 and was suddenly cut off, and why?.

In the Winter of 2001 and 2002 the Conservation Authority did some Logging operation just north of the northern limit of the 7/10 K.M. of Red Pine Drive, and last winter the Conservation Authority kept the 7/10 K.M. of Red Pine Drive open all winter with no DIFFICULTY in using a One (1) Ton Truck with a Snow Plow.

3

Also Enclosed we have Eleven (11) Pictures Indicating the condition of this section of Red Pine Drive When the Conservation Authority Plowed this section of Road.

It was most Gratifying last winter when the Conservation Authority Plowed this Section of road. BUT now the logging operation is now completed as there will be NO MORE SNOW PLOWING DONE BY THE CONSERVATION AUTHORITY.

Knowingly that This section of Red Pine Drive was plowed with a One(1) Ton Truck by the Conservation Authority last winter, It is felt by the residents of Red Pine Drive that the WORKS CENTRE could plow this with the Small Snow plow truck that The Community Services Department Has, and it would not be to difficult to plow this section of Red Pine Drive. The Regular snow Plow truck or Grader would NOT have any problem at all.

There is enough space at the end of 7/10 K.M. of Red Pine Drive for the Snow Plow And Garbage Truck to Turn Around, Just Before the Conservation Authority Property.

These residents of this section of Red Pine Drive have been Paying taxes for a number of years to the City Of Sault Ste Marie towards the services of Garbage Collection, Snow Plowing, Fire, Police, Ambulance. Etc. But Yet these Residents are not getting these services in which they are entitled to.

Enclosed is a list of all the Property Owners based on their assessments and taxes they pay to the City Of Sault Ste. Marie, and they are Highlighted in Yellow, and a copy is provided to all the members of city council, Mayor and Staff, Indicating the assessments and taxes Paid.

In conclusion, I on behalf of the Residents of the 7/10 K.M. of Red Pine Drive HEREBY REQUEST that City Council and City Staff at the WORKS CENTRE, Logically Honour our Request for Snow Plowing this Winter and also REINSTATE the Garbage Collection on Red Pine Drive THAT THESE RESIDENTS OF RED PINE DRIVE ONCE HAD IN THE PAST.

We are paying for these services through our taxes but we are not getting the services as others are getting in this area.

6(5)(a)

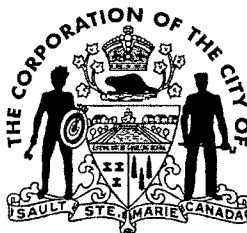
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Your Attention and Co-operation will be Greatly Appreciated.

All of Which is Respectfully Submitted.

Yours Truly

The Residents of the Northerly 7/10 K.M. Of Red Pine Drive.



2007 08 27

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-16-07-Z.OP – filed by
Northern Credit Union Ltd.

SUBJECT PROPERTY: Location – Located on the north side of
McNabb Street, approximately 91m (298.6')
east of its intersection with Willow Avenue.
Civic No. 280 McNabb Street. Zone Map 1-50
Size – Approximately 80.5m (264') frontage x
106m (348') depth; .85 ha (2.1 acres).
Present Use – Vacant land.
Owner – Northern Credit Union Ltd.

REQUEST: The applicant, Northern Credit Union Ltd. Is
requesting an amendment to the Commercial
Policies of the Official Plan and a Special
Exception to the "C.4" (General Commercial)
zone to permit the construction of an office
building. The applicant is requesting the
amendments to permit the construction of a
2,508 square metres (27,000 square feet), 3
storey Northern Credit Union head office
building.

CONSULTATION: Engineering – See attached letter.
Building Division – See attached letter.
Legal Department – No comment.
Fire Services – No objection.

Public Works & Transportation – No objections or comments.

C.S.D. – No concern.

PUC Services Inc. – No objection, the Owner will be requested to pay applicable water service lateral and restoration charges.

Conservation Authority – No comments.

Accessibility Advisory Committee – See attached letter.

PREVIOUS APPLICATIONS: There are no previous applications.

Conformity with the Official Plan – The subject property is designated 'Commercial' on Land Use Schedule "C" of the Official Plan. Policy C.4 within the 'Downtown' section of the Plan states that "construction of major office buildings outside the Downtown area shall be discouraged and new office buildings shall be encouraged to locate in the Downtown core." Given the size of the proposed office building, an amendment to the Official Plan is required.

Comments

The applicant, Northern Credit Union Limited is requesting a rezoning and Official Plan Amendment in order to construct a 2,508m² (27,000 sq. ft.) 3-storey office building. The existing Northern Credit Union next to the subject property will be vacated, with new headquarters and main branch consolidated in the office building proposed in this application.

The property is zoned "C.4" (General Commercial) zone, which permits office uses up to a maximum gross floor area of 300m² (3,229 sq. ft.) when located outside the downtown. The proposal will substantially exceed the maximum floor space allowed for an office use located outside of the downtown.

Adopted in 1996, the Official Plan includes several policies aimed at maintaining the downtown area as the primary administrative, business, and cultural centre of the community. As noted above, the Official Plan states that major office buildings should be discouraged from locating outside the downtown. Adopted in 2005, Zoning By-law 2005-150 implements this OP Policy by capping the maximum floor area for offices located outside the downtown.

In light of the recent Downtown Development Initiative, the OP policies and Zoning regulations aimed at directing major office development to the downtown are appropriate. Planning staff would not normally support an application of this nature; however in this case there are special circumstances.

Northern Credit Union purchased the subject property (280 McNabb St.) in 1994 for the sole purpose of developing a new office building. This was prior to the adoption of Official Plan Policies and Zoning regulations limiting the size of office uses outside the downtown. Correspondence dated August 29, 1994 confirms that at that time, a major office building was permitted on the subject property.

In 1997 Northern Credit Union developed a branch office within the downtown, at 480 Bay Street. The prospect of developing headquarters in the downtown was also reviewed; however a suitable site could not be located. Prior to filing this application, the applicants again reviewed the concept of relocating the company headquarters downtown, however it was felt that it would not be feasible to either vacate the branch at 480 Bay Street, or have two offices within such a close proximity to each other.

The new office space represents an expansion and consolidation, and will not result in a direct relocation of employees from the downtown. It is however important to note that Northern Credit Union will be vacating approximately 826m² (8,896 sq.ft.) of office space from 264 McNabb Street. At this time the re-use of 264 McNabb Street is unknown, however it could be used for General Commercial Uses, including office space.

A major office building is appropriate, and within the existing character of the area. The north and northeast portions of the property abut residential uses, occupied by apartment buildings. It is recommended that site plan control be applied to the property. During this phase, staff will ensure that impacts to the surrounding residential land uses are minimized, through appropriate site layout, and buffering.

Previously, the subject property was home to an industrial use (Model Dairies). Correspondence from the Building Division attached to this report confirms that under the Brownfields Act, a Record of Site Condition is not required, as a commercial use is being proposed.

Correspondence from Engineering (attached to this report) requests a conveyance to the City of a 3m strip along McNabb Street, required for future road widening purposes. This will form a condition of the site plan control agreement. A qualified engineer is also required to design the proper on-site storm sewer system. Again, this can be addressed prior to the finalization of a site plan control agreement.

The Accessibility Committee's correspondence is also attached to this report. The Committee comments upon all site plan applications. The comments can be better addressed during the site plan control phase.

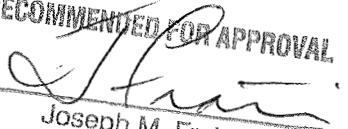
Planning Director's Recommendation - That City Council approve the following:

1. Official Plan Amendment No. 127.
2. The rezoning of the subject property from "C.4" (General Commercial) zone to "C.4.S" (General Commercial) zone with a Special Exception to permit the development of an office building with a maximum floor area of 2,600m².
3. That the subject property be designated as subject to Site Plan Control.

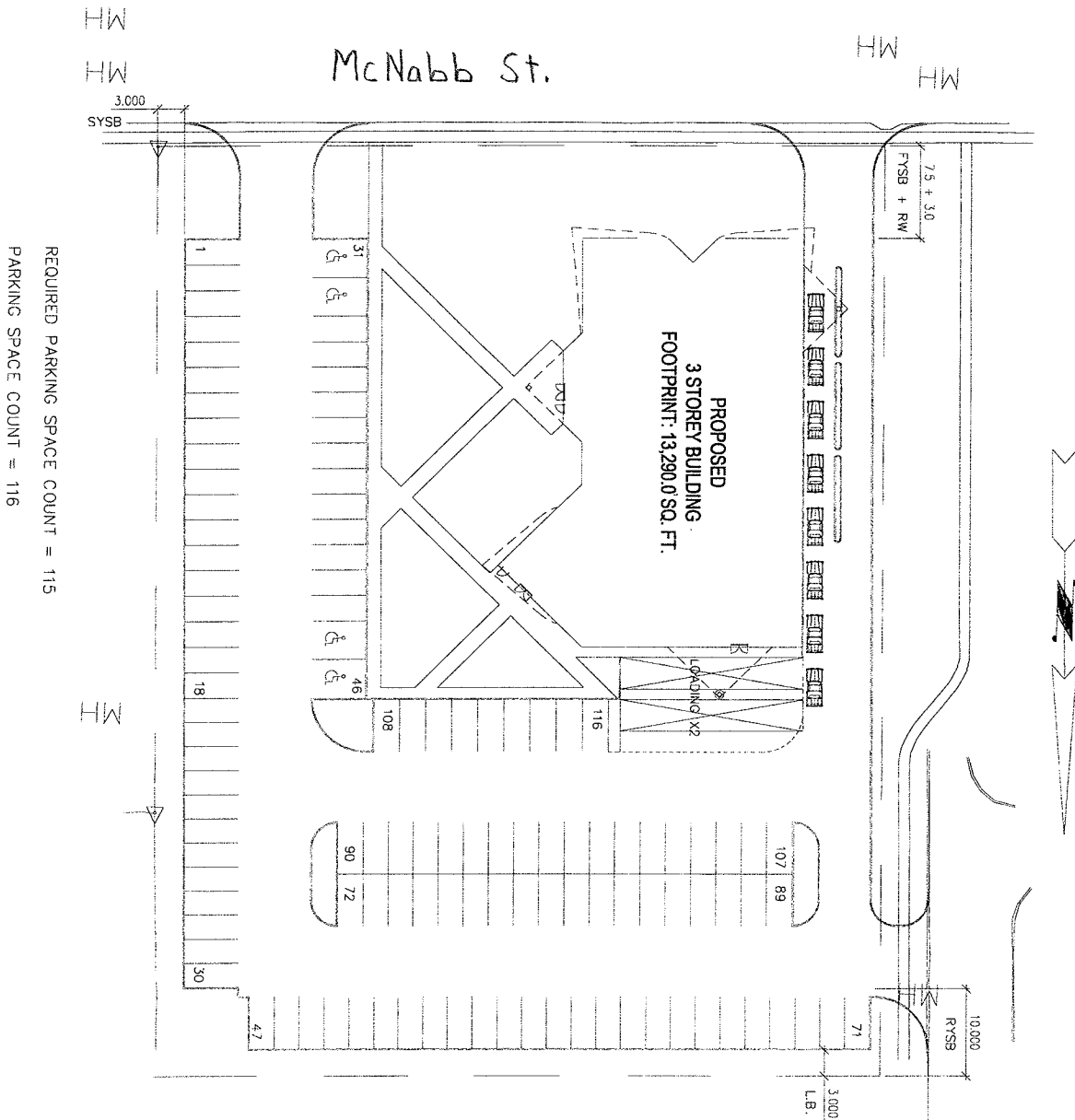
PT/pms

PUBLIC HEARING – 2007 08 27, Council Chambers, Civic Centre

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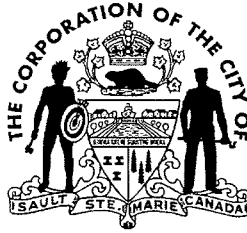
RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

6(6)(a)



Status	PROPOSED NEW FACILITY	Rev.	Date
Folder	NORTHERN CREDIT UNIT		
File	SAULT STE. MARIE		
Drawn by	SAULT STE. MARIE		
Check by	SAULT STE. MARIE		
Scale	1:500		
Date	5 JUL 07		
Job No.	SFC		
A1.0		SITE PLAN	

This document contains confidential information. It is the property of Gregory M. Ward Architect. It is not to be reproduced, used on other projects or used for the execution of this project without the written approval of the Architect.		Gregory M. Ward Architect 264 Toll Gate Boulevard Waterloo, Ontario, Canada N2L 4M2 Telephone: 519-894-3880 Facsimile: 519-864-7784 Email: gward@golden.net	
1st FINANCIAL BUILDING CORPORATION of CANADA, Inc.		Consultant 25 Young Street East Waterloo, Ontario, Canada N2J 2L4 Telephone: 519-747-1504 Facsimile: 519-747-2904	



6(6)(a)

2007 07 26

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Carl Rumiell, P. Eng.
Design And Construction Engineer

SUBJECT: **Application No. A-16-07-Z.OP**
Request for Amendment to the Official Plan & Zoning By-Law
Subject Property 280 McNabb Street

The Engineering Department has reviewed the above-noted application, and has no objections to the proposed amendment, so long as the applicant retains a qualified engineer to review the storm water requirements. This should be reflected in the design of the on-site storm sewer system and submitted to the City with the development control agreement.

Yours very truly,

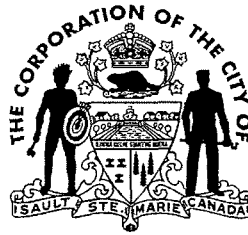
Carl Rumiell, P. Eng.
Design and Construction Engineer

c: Jerry D. Dolcetti, RPP
Jim Elliott, P. Eng.

F:\DATA\REZONING\A-10-07-OP - 225 Maki Road.doc



6(6)(a)



2007 07 26

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Carl Rumiel, P. Eng.
Design And Construction Engineer

SUBJECT: **Application No. A-16-07-Z.OP**
Request for Amendment to the Official Plan & Zoning By-Law
Subject Property 280 McNabb Street

Further to the previous memo on this application, the Engineering Department would like it to be a condition of the amendment that the applicant conveys the additional 3m required for the future widening of McNabb Street.

Yours very truly,

Carl Rumiel, P. Eng.
Design and Construction Engineer

c: Jerry D. Dolcetti, RPP
Jim Elliott, P. Eng.
Peter Tonazzo



Pat Schinners

From: Don Maki
Sent: July 26, 2007 9:46 AM
To: Don McConnell; Pat Schinners
Subject: Rezoning application A-16-07-Z.OP

Hi Don
This property was the former dairy site and an industrial use. Under the Brownfield Act it would not required of the owners to prepare a Record of Site Conditions for this property because its being proposed to be changed to a commercial use. I have no further comments on this application.

Don Maki CBCO
Chief Building Official
Building Division
Engineering and Planning
705-759-5399



6(6)(a)

August 13, 2007

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW – A-16-07-Z.OP

Northern Credit Union Limited

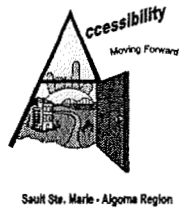
Dear Mr. McConnell

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

Exterior

1. Parking: Follow Comprehensive Zoning Bylaws for Accessible Parking (the number of spots is not correct)
2. Walkways & Sidewalks: Make sure path of travel is adequate and safe.
3. Curb Cuts: Utilize as necessary to prevent establishment of barriers
4. Ramping: As necessary for easy access to doors – prevention of barriers.
5. Green space access: As applicable to commercial space
6. Transit Access: Where applicable
7. Lighting: At all entrances and where needed to provide safe path of travel.
8. Signage: Parking appropriate signage. Any other as required.
9. Other: We request a site plan with the above changes and clarity. Also, the size of doors and where the actuator will be located.

Thank you for your attention to these recommendations.



6(6)(a)

Sincerely,

Catherine Meincke
Chair, Site Plan Sub Committee

**AMENDMENT NO. 127
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This amendment is an amendment to the Text of the Official Plan as it relates to the Downtown Policies.

LOCATION:

Plan 20146, Lots 124-137, 158, 159 RP 1R-2096 Parts 3-9, located on the north side of McNabb Street, approximately 91m east of its intersection with Willow Ave. Civic No. 280 McNabb Street. Zoning Map 1-50.

BASIS:

This Amendment is necessary in view of a request to develop a major office building (approx. 27,000 sq. ft.) outside of the downtown. The current Official Plan Policies, as they relate major office development outside the downtown states that "construction of major office buildings outside the Downtown area shall be discouraged and new office buildings shall be encouraged to locate in the Downtown core."

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

The Official Plan for the City of Sault Ste. Marie is hereby amended by adding the following paragraph to the Special Exceptions Section:

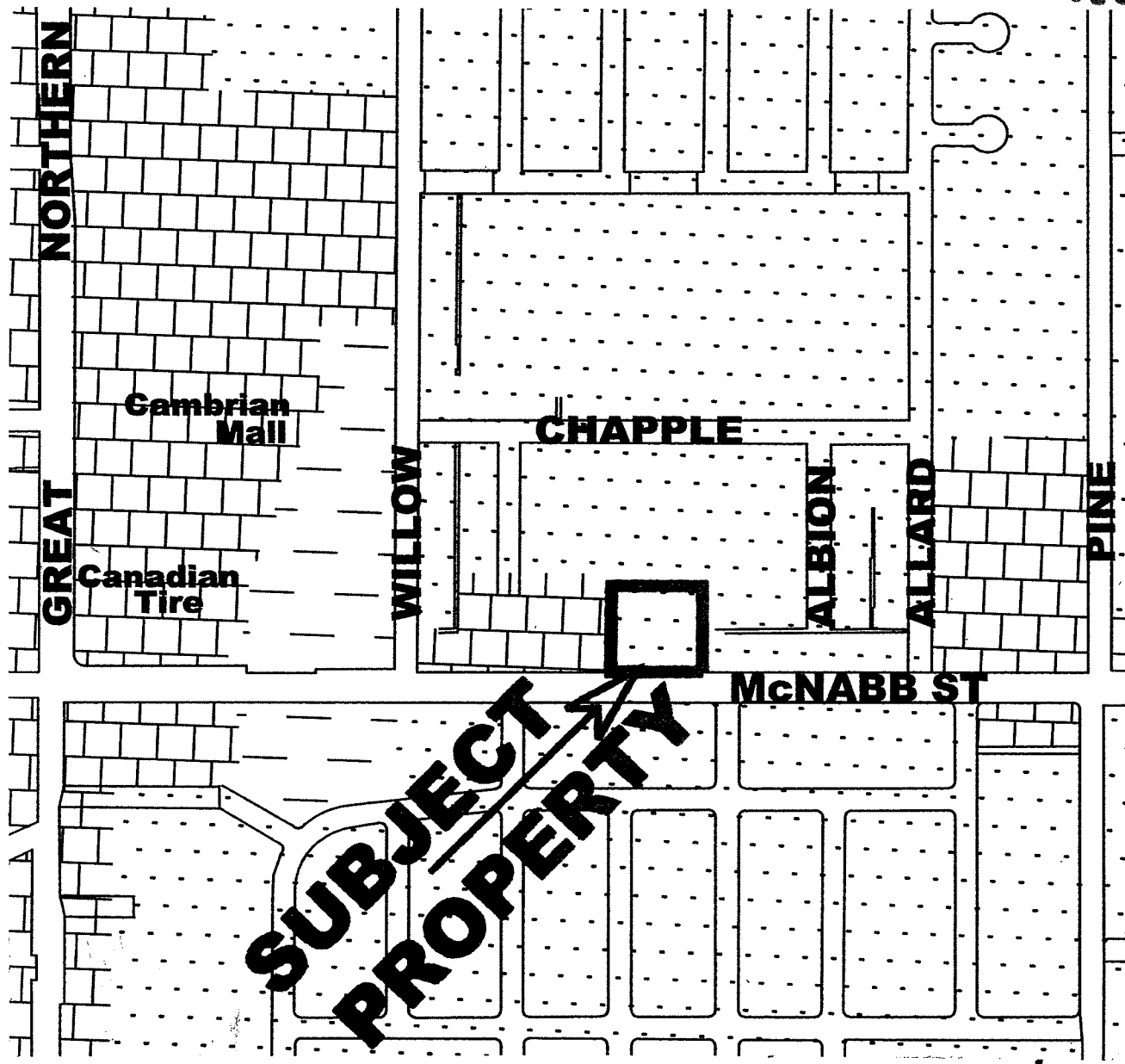
"Special Exceptions"

84. Notwithstanding the Downtown Policies of the Official Plan, lands described as Plan 20146, Lots 124-137, 158, 159 RP 1R-2096 Parts 3-9, located on the north side of McNabb Street, approximately 91m east of its intersection with Willow Avenue. Civic No. 280 McNabb Street may be used for the development of a major office building with approximately 2508m² (27,000 sq. ft.) gross floor area.

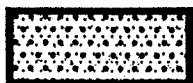
INTERPRETATION

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

6(6)(a)



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL



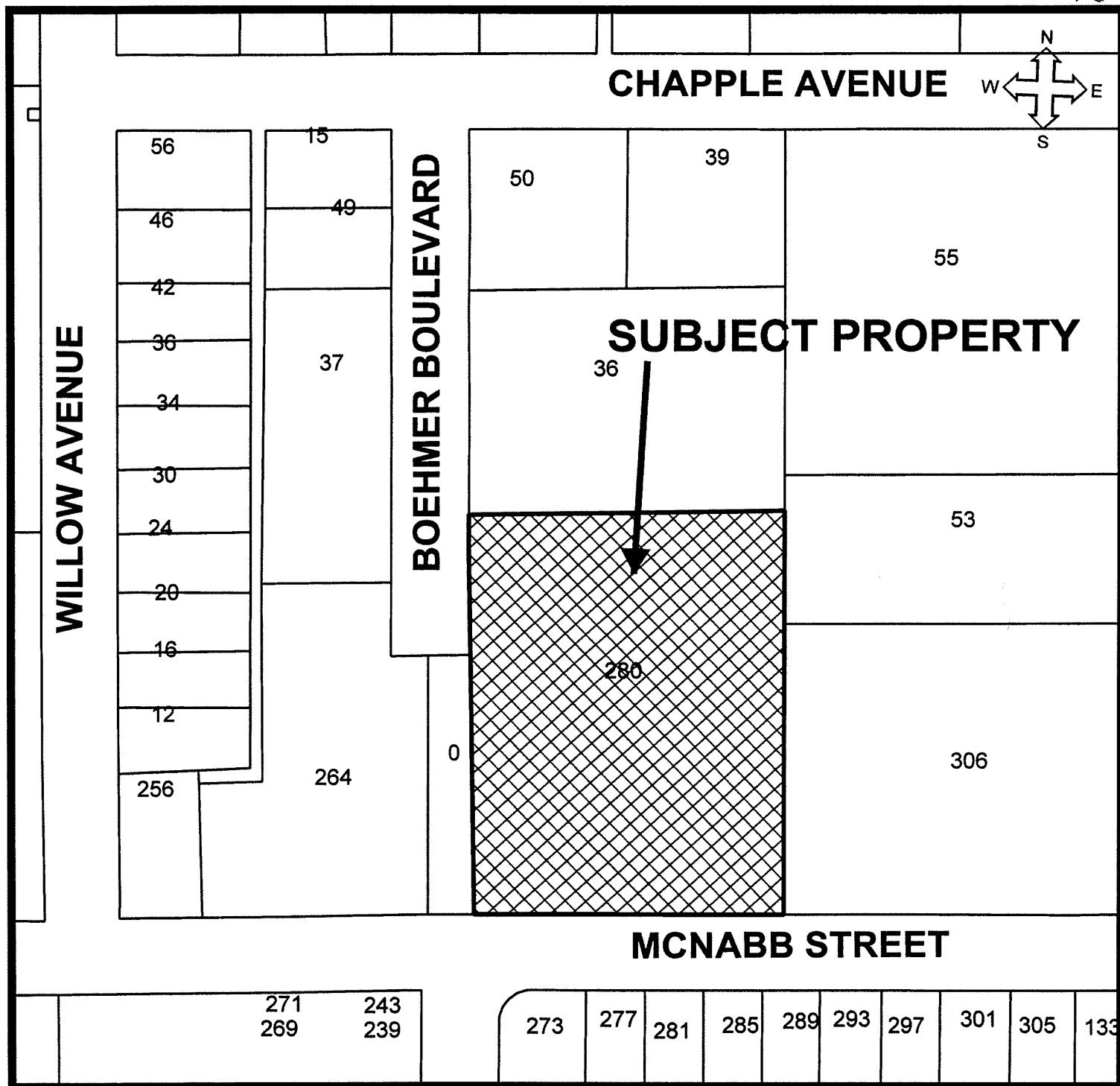
INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 127

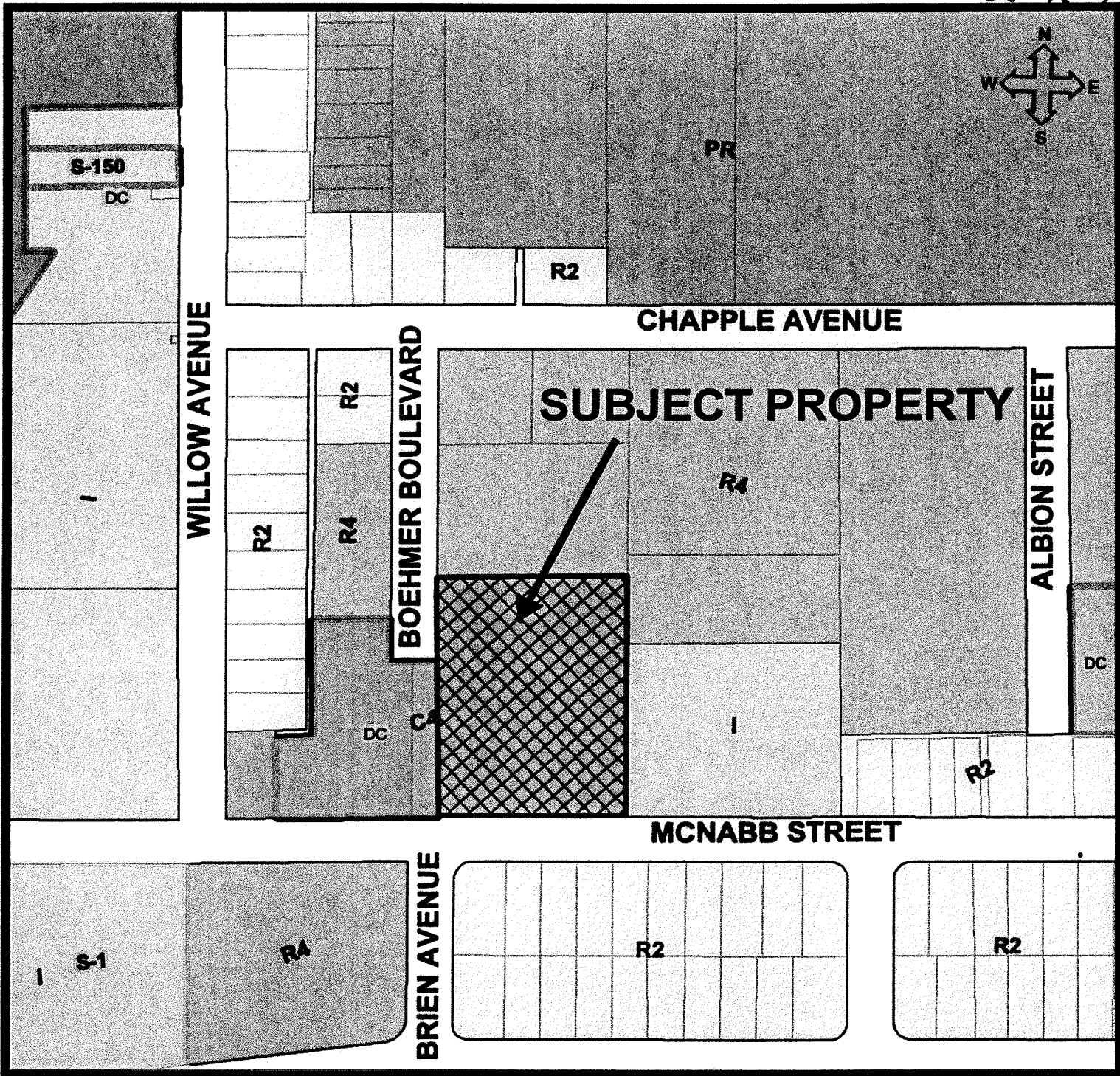




SUBJECT PROPERTY MAP

APPLICATION

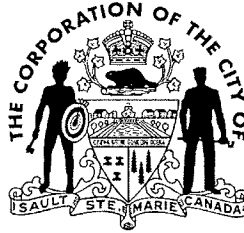
A-16-07-Z.OP



EXISTING ZONING MAP

APPLICATION

A-16-07-Z.OP



2007 08 20

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Mayor John Rowswell
and Members of City Council

SUBJECT:

Cycling Master Plan Update

The City's original Cycling Master Plan was completed in 1995. Since that time, demand for cycling, for both recreational and commuting purposes, has greatly increased.

The original plan was based on the concept that all roadways should be developed to accommodate cycling. The updated Cycling Master Plan still maintains this principle, however, for major arterial roadways, alternate pathways are recommended for less experienced cyclists. As such, the updated Cycling Master Plan will resolve many of the conflicts that have recently surrounded the reconstruction of major arterial roads.

The purpose of the Cycling Master Plan update is two-fold. First, the updated plan provides general design considerations that should be utilized to make all roads and destinations within the community cycling friendly. Second, for preferred cycling routes, specific designs standards are recommended.

On April 16, 2007, City Council authorized an agreement with Marshall Macklin Monaghan Limited to undertake the Cycling Master Plan Update. The Executive Summary of the plan is attached. A complete copy of the report is available from the Planning Division. Mr. Mark Inglis of Marshall Macklin Monahan will be presenting the report's conclusions and recommendations this evening.

A Steering Committee was established to assist with the preparation of the report. The Steering Committee members included (the late) Jim Miller (chair of Sault Trails Advisory Committee), Andre Riopel (Sault Cycling Club), Jim Steele

(Sault Finnish Nordic Ski Club), Donna Hilsinger (Sault Trails Advisory Committee), Don McConnell (Planning Director) and Steve Turco (Planner).

The Steering Committee held an open house to present a preliminary update to community residents. The open house was very well attended, with many positive comments received.

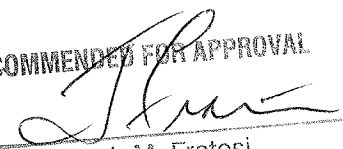
The report contains a number of recommendations and endeavours to provide education, enforcement, encouragement and engineering principles by which the City can use to develop safe cycling within the community. City staff is recommending that the Sault Trails Advocacy Committee continue as the overall champion for the implementation of these recommendations. City staff will assume responsibility for construction and maintenance of cycling facilities and will continue to provide ongoing support for STAC.

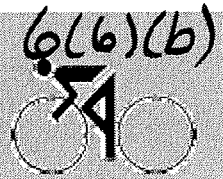
An implementation strategy is proposed as part of the updated plan. Some of the key recommendations include: reducing Queen Street, east of Pim Street to three lanes (an east lane, a west lane and a continuous left turn lane) with bicycle lanes on both sides; improving and constructing paved shoulder lanes on Landslide Road between Third Line and Fifth Line; establish a cycling route from Second Line and Carmen's Way to Korah Collegiate High School; establish a cycling route from Sackville Road to Industrial Park Road; and, establish a connecting link between North Street and the (future) Hub Trail through the Fort Creek Conservation Area.

Approval for recommended works will be done on an annual basis. The goal is to integrate much of the cycling infrastructure work with planned road construction/reconstruction work.

Planning Director's Recommendation -- That City Council approve the Cycling Master Plan Update as the basis for cycling infrastructure development in the City of Sault Ste. Marie, subject to detail design, funding availability and environmental assessment where necessary.

ST/pms

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



1.0 INTRODUCTION

Sault Ste. Marie has designed and is developing the Hub Trail for a 'World Class Trail System'. This Cycling Master Plan builds on the successes of the Hub Trail to broaden the scope of trails in Sault Ste. Marie. Bicycles are defined as vehicles in the Highway Traffic Act. As such, all streets are cycle routes. This Cycling Master Plan endeavours to provide Education, Enforcement, Encouragement and Engineering principles by which the City will lead others in the provision of a safe and engaging model that, in turn, others can follow.

During the work program, the consultant worked with the Cycling Committee and the City staff to develop a stakeholder directed Cycling Master Plan that addresses all user groups in the City who cycle for recreational or utilitarian purposes.

Destinations

Hub Trail

The intent behind the planning of the Hub Trail was to highlight and connect trail users to key destination points within Sault Ste. Marie, thereby providing access and linkages between neighbourhoods, major recreational and institutional areas; and, tying in the existing boardwalk along St. Mary's River with other pedestrian and cycling trails.

Other Destinations

The development and expansion of the trail system in Sault Ste. Marie to incorporate a Cycling Master Plan Route together with the Hub Trail calls attention to other significant destination points that should be recognized in addition to those identified in the Hub Trail. By linking these destination points through a comprehensive trail network, further access and connections within the community are created serving both recreational and utilitarian needs.

Barriers

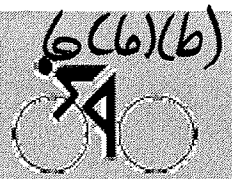
- Railway Crossings
- Railway Underpasses, in particular Wellington Street at Carmen's Way
- Truck Routes
- Steep grades which can affect the nature of the cycling routes
- Landforms such as streams and creeks
- Private Land Ownership which may inhibit development of routes
- Existing Property Use such as the municipally owned land northwest of Second Line and Carmen's Way that currently is used for snow deposition.

Challenges

- Engineering of On and Off-Road Trails will present various challenges in terms of their design, development and implementation. Successful implementation will require balancing the preferred trail route design with real physical and environmental constraints.
- Establishment of an *East-West Corridor Route* would help integrate cycling into the City by bridging communities and providing a recognized route across Sault Ste. Marie.
- Establishment of Off-Road Trail Access / Egress and Routes through Commercial, Industrial and Employment Facilities would further help integrate cycling into the City by providing a sustainable alternative for employees commuting to and from work.
- Maintenance of On and Off-Road Trails.
- Establishment of Indirect Trail Routes may present challenges in terms of acceptance and appreciation.

The City of Sault Ste. Marie

Cycling Master Plan – Executive Summary



Opportunities

- Provision of new and / or improved cycling infrastructure that builds upon the Hub, and existing on and off-road trails.
- Creation of a safe and enjoyable cycling environment and multi-modal network that accommodates a range of users, ages, skill levels and abilities, whether for recreational or utilitarian use.
- Creation of a comprehensive cycling network that is integrated into the transportation system.
- Application of sound engineering principles and practices to create a practical and intuitive cycling route network that facilitates responsible riding practices and overall traffic safety amongst all road and trail users.
- Development of partnerships with City staff, organizations, businesses, community groups, and so forth to increase support of cycling, and engage collaborative efforts towards the development and implementation of the Cycling Master Plan.
- Connection and greater access to primary, secondary, and retail / commercial destination points, as well as employment areas throughout Sault Ste. Marie.
- Increase of awareness and appreciation of the City through exploration and exposure to the culture and community of Sault Ste. Marie.
- Promotion and showcasing of Sault Ste. Marie as a cycling friendly city that houses many great attractions thereby helping support tourism and the local economy.
- Encouragement of alternative and sustainable forms of transportation that support healthy outdoor activity, the quality of life, the environment, and community-building.
- Creation of innovative programs and outreach activities to promote and encourage bicycle use in Sault Ste. Marie.

Trends

Cycling is increasingly recognized as a practical, cost effective, sustainable and healthy means of transportation for both recreational and utilitarian purposes across North America. The number of recreational trail users has grown significantly in recent years leading to an increased demand for cycling facilities. Cycling activity provides physiological as well as psychological health benefits. Cycling activity provides exposure to a variety of neighbourhoods and can help facilitate social interaction, and community-building activity.

It is therefore recommended that cycling routes and facilities be well planned, well developed and well maintained in order to accommodate an even greater number and variety of bicycle users, bring about further gains, and provide for further enjoyment and opportunities.

2.0 VISION, GOALS, OBJECTIVES AND PRINCIPLES

Expanding upon the 1995 Cycling Master Plan, the following outlines the vision, goals and objectives of the Master Plan Update and four components of the strategic framework, namely the “Four E’s” of Cycling: education, enforcement, encouragement and engineering.

Education Vision:

An informed community that appreciates safe and responsible cycling activities.
A community that evidences increasing co-operation amongst all road and bicycle users.

Enforcement Vision

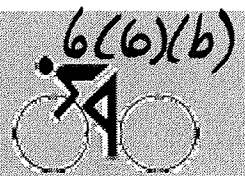
An informed community that respects the rules and rights of cyclists.

Encouragement Vision

A community that encourages alternative transportation and cycling as a means of commuting and / or recreation.

The City of Sault Ste. Marie

Cycling Master Plan – Executive Summary



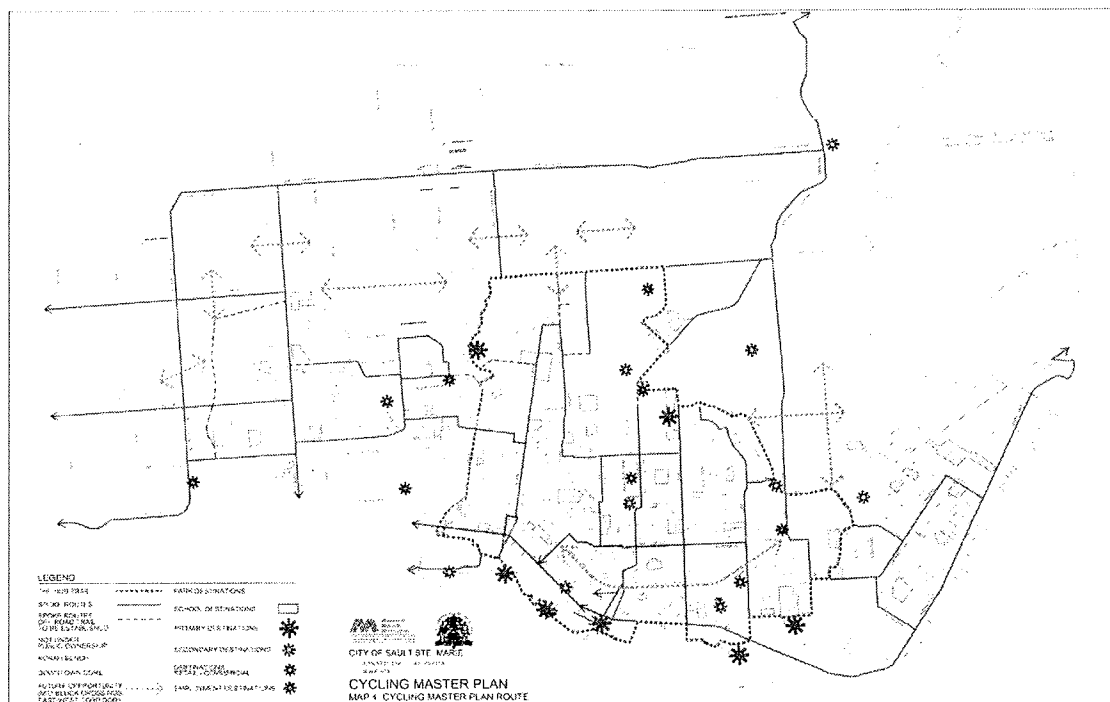
Engineering Vision

A set of standards and construction from those standards that establishes cycling as an integral part of the transportation system of Sault Ste. Marie.

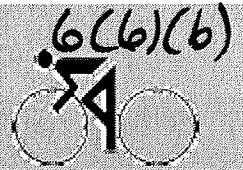
Principles

- All traveled roadways are cycle routes and cycling should be accommodated for any reconstruction.
- The Cycling Master Plan facilitates safe and responsible cycling practices amongst all ages, skill levels and abilities
- The Cycling Master Plan facilitates Creation of Partnerships
- The Cycling Master Plan is Destination Oriented
- The Cycling Master Plan Supports the Quality of Life: recreation, health and fitness benefits. It provides a sustainable transportation alternative that is practical, energy efficient, cost-effective and non-polluting
- The Cycling Master Plan Supports the Tourism and Economy of Sault Ste. Marie
- The Cycling Master Plan Inspires Innovations: in programs, events, marketing, and so forth

3.0 THE ROUTE – Overview of the Hub Trail, Spokes and Cycling Master Plan



The Sault Ste. Marie Cycling Master Plan Route will combine the 2006 Hub Trail with a series of cycling routes occurring outside and within the perimeter loop to create a comprehensive network of on and off-road trails connecting destination points throughout the City. The concept behind the Cycling Route is to integrate and link exterior routes or “spokes” stemming from the Hub, together with interior routes or “spokes”, which represent the inner workings of the Hub. Through analysis and identification of destination points and appropriate trail connections, the Cycling Master Plan will recommend a construction methodology and hierarchy of trails to be developed, implemented and / or maintained.



The Cycling Master Plan Route will highlight destination areas and create linkages between neighbourhoods and facilities reflecting the culture and community of Sault Ste. Marie. The Route will serve both recreational and utilitarian cyclists, encouraging healthy, sustainable outdoor pursuits and community building activity. When complete, the Route will provide an enjoyable and safe opportunity for local residents and visitors to travel, explore and commute to the many attractions, features, commercial and recreational facilities offered in the City of Sault Ste. Marie.

4.0 DESIGN GUIDELINES - Development

Route Considerations

Cycling facilities have been divided into three main facility types:

- Bike Lanes
- Paved Shoulders; and
- Shared Roadway Facilities

Spoke routes will consist of cycling facilities designed to provide direct connections and access to primary, secondary, retail / commercial and employment destinations, as well as park and school destinations.

Connecting link routes will provide ties between local destinations in a specific neighbourhood and “feed” into the spoke system.

Design Parameters

The Ontario Ministry of Transportation (MTO) *Geometric Design Standards for Ontario Highways* (GDSOH, 1994) and the Transportation Association of Canada (TAC) *Geometric Design Guide for Canadian Roads* (GDGCR, 1999) are the primary provincial references for roadway design. The following is a summary of the design guidelines proposed for Sault Ste. Marie:

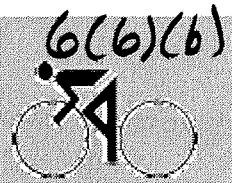
Guidelines:

- 4.1: Provide an operating envelope design width of 1.8 m wide x 3.0 m height for a cyclist on one-way routes and 2.5 m x 3.0 m on two-way routes.
- 4.2: Widen roads or trails with steep grades to provide extra space for cyclists to either make corrections to their trajectory at higher speeds going downhill, or to maintain their balance at lower speeds heading uphill. Widen cycling facilities on grades shorter than 75 m or shallower than 6%.
- 4.3: When conditions permit, add 0.5 m where possible in the width of the paved shoulder or bike lane for on-road facilities where the grade of the road approaches or exceeds 8%.
- 4.4: Add motor vehicle passing prohibition (descent), Share the Road (ascent) signs and a combination of edge lines when grades exceed 8% and sufficient facility width is not available. On roads where sight lines are also an issue because of the horizontal or vertical curvature of the road, additional cautionary signs may be warranted to restrict passing manoeuvres.
- 4.5: Reduce the posted speed limits on steep road segments where motor vehicle volumes or the percent of commercial traffic exceed a desirable threshold for a cycling facility.
- 4.6: Design multi-use pathways that are part of the Sault Ste. Marie Cycling Route Network with grades less than 10%.
- 4.7: Although new or improved City roads will typically be designed to the roadway standard and thus exceed the minimum design parameters related to speed for cycling facilities, some existing roads may not. In these cases, additional signing and / or pavement markings to caution motorists and cyclists should be considered when implementing or updating cycling facilities.
- 4.8: Design off-road cycling facilities to minimum design speed of 40 km/h to ensure that the network is safe for all users.
- 4.9: Design both on and off-road cycling facilities with a minimum stopping sight distance for both motor vehicles and bicycles using *Geometric Design Guide for Canadian Roads*, TAC, 1999. In constrained conditions, add signing to caution both motorists and cyclists.

The City of Sault Ste. Marie Cycling Master Plan – Executive Summary



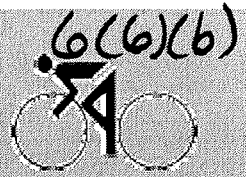
- 4.10: *Horizontal curves of roads proposed for on-road cycling facilities must conform to roadway design standards set out in the MTO Geometric Design Standards for Ontario Highways or the TAC Geometric Design Guide for Canadian Roads. When this condition cannot be met, additional cautionary signing should be introduced to advise the cyclist to slow down and caution that they are approaching a sharp curve(s) ahead.*
- 4.11: *Provide additional width on off-road cycling segments at curves that have less than a 32 m radius.*
- 4.12: *On roads where sight lines are an issue because of the horizontal or vertical curvature of the road, additional cautionary signs may be warranted to restrict passing maneuvers.*
- 4.13: *On steep grades, provide cyclists the extra space needed to either make corrections to their trajectory at higher speeds going downhill, or to maintain balance at lower speeds heading uphill.*
- 4.14: *Bicycle routes should have a minimum 1.5% crown or continuous cross slopes. Balanced cross slopes for two-way paths should be used for drainage purposes and to direct cyclists to the right side of the cycling facility.*
- 4.15: *Continue the City of Sault Ste. Marie's "cycling-friendly" roadway policy ensuring that all new roads constructed have sufficient rights-of-way for designated on-road cycling facilities, whether they are part of the cycling network or not.*
- 4.16: *Cyclists have the right to be present on all classes of roadways, including arterials, collectors and local streets, with the exception of controlled access highways or roads designated by the City that prohibit bicycles.*
- 4.17: *Design width for a bike lane in an urban area without on-street parking will be 1.2 m from the face of curb. Bike lanes that are 1.5 m wide are recommended as a standard, while a preferred width of 1.8 m should be considered on roadways with high AADT's, speed limits, and truck volumes such as those on busy arterial roadways.*
- 4.18: *Bike lanes should be clearly identified on roadways through bicycle route signing, edge lines, bicycle symbol pavement markings and bike lane signs.*
- 4.19: *Bike lanes are typically recommended where feasible for collector and arterial roads designated to have cycling facilities. In locations where a bike lane is not deemed feasible following a review, consideration should be given to providing a wide curb lane. If this is not possible, as a minimum, a signed-only route cycling facility should be provided if thresholds permit.*
- 4.20: *Bike Lanes are recommended on several spoke routes including North Street, Willow Street, Poplar Street, Pine Street, Lake Street, Third Line East and Queen Street east of Pim Street, as well as several connecting cycling links.*
- 4.21: *On existing or proposed cycling routes in Sault Ste. Marie where bike lanes are proposed and where on-street curb parking exists, undertake an assessment to determine whether the parking can be removed or relocated. In the event that on-street parking is seen as a priority, parking bays should first be considered as a preferred design.*
- 4.22: *Where the road right-of-way or other factors limit the opportunity to provide parking stalls / bays, standard on-street curb parking widths should be assumed. For both applications, the desired width of the parking lane should be a minimum of 2.2 m, with the adjacent bike lane 1.8 m.*
- 4.23: *Bikeway boulevards must be separated from regular motor vehicle travel lanes through either a change in roadway elevation and / or by concrete barriers, medians or bollards. They are generally not recommended except in locations where there is no other alternative.*
- 4.24: *The installation of Raised Bike Lanes is not recommended for the City of Sault Ste. Marie due to the confusion caused over the proper right-of-way for cyclists and pedestrians at intersections.*
- 4.25: *Paved shoulders are the preferred facility for creating connections amongst rural areas, and between rural and urban areas.*
- 4.26: *Paved shoulder bicycle routes in the City of Sault Ste. Marie have a preferred design width of 2.5 m (including a gravel shoulder). In locations where this lane width for paved shoulders cannot be achieved, especially in constrained rights-of-way, provide a minimum paved shoulder width of 1.2 m with an adjacent granular shoulder of at least 0.5 m.*



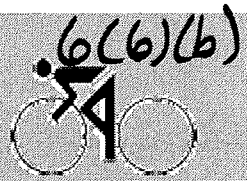
- 4.27: *Paved shoulder facilities should always be separated from the motor vehicle travel portion of the road by an edge line (pavement marking), and should be clearly identified through bicycle route signing. Edge lines should only be used on rural roads where there are no curbs, and should be a single line placed on the right side of the travel lane closest to the paved shoulder.*
- 4.28: *Edge lines are only recommended for paved shoulders in rural areas as these roads typically have a gravel shoulder beyond the paved shoulder for a cyclist to recover should they be forced off of the paved section of the roadway.*
- 4.29: *Paved shoulders on rural roads should not be denoted as reserved bicycle lanes since they should still be used as a refuge for disabled vehicles. Paved shoulder cycling routes should only be signed as bicycle routes.*
- 4.30: *Signed-only cycling routes are appropriate for the community system that consists of cycling routes that are "local" in nature and feed into the spine network.*
- 4.31: *Streets with signed-only cycling routes should only be signed as on-road bike routes if there is adequate pavement width to safely accommodate both motor vehicles and cyclists, and when adequate sight lines and acceptable AADT volumes exist.*
- 4.32: *On low volume rural roads with limited truck traffic, good sight lines and sometimes physically constrained ROW's, the existing travel lane may be designated as a cycling route, with cyclists and motorists expected to share the same lane. In these cases, "Share the Road" signs should be erected at strategic locations to communicate this message to all road users.*
- 4.33: *The preferred width for a wide curb lane is 4.25 m with a minimum of 3.75 m.*
- 4.34: *In urban areas, proposed signed-only cycling routes should be implemented along roads with wide curb lanes (< 4.0 m) and bicycle route signs where possible.*
- 4.35: *Where the width of a wide curb lane exceeds 4.0 m along a designated cycling route, the application of pavement markings such as a bicycle stencil should be considered to indicate the presence of cyclists on the roadway to motorists.*
- 4.36: *Cycling routes along streets with edge lines applied to wide curb lanes should be signed as signed-only cycling routes and never as bike lanes.*
- 4.37: *Off-road multi-use trails should be considered as part of the Sault Ste. Marie Cycling Network.*
- 4.38: *Construct off-road multi-use trails in Sault Ste. Marie to a minimum width of 3.0 m to accommodate two-way travel. On trails that may experience high demand or a significant percentage of pedestrian and / or in-line skating traffic, a width of 3.5 to 4.0 m is recommended.*
- 4.39: *Trail surface types are dependent on the requirements of the planned trail users (e.g. accommodating in-line skaters) and can vary from asphalt to granular surfaces (stone-dust).*
- 4.40: *In locations where a trail may intersect with more than four vehicle driveways or intersections per kilometer, consideration should be given to implementing an on-road bicycle facility. For road segments where 10 or more crossings of an off-road bicycle route could occur per kilometre, the preferred cycling facility for the network should be a Shared Road or Paved Shoulder / Bike Lane on-road cycling facility.*
- 4.41: *Adopt the retrofitting guidelines recommended in Tables 4.12 and 4.13 of the Planning and Design Guidelines in Chapter 4 of the Sault Ste. Marie Cycling Plan.*
- 4.42: *If thresholds recommended in this Plan determine that the preferred standard for a cycling facility cannot be accommodated, then the minimum or interim solution should be considered. If a bike lane, for example, cannot be installed, then consideration should be given to installing a wide curb lane or at a minimum a signed-only cycling route if thresholds permit and no other alternate routes are available.*
- 4.43: *Adopt the modified TAC pavement marking standard, including the diamond symbol and excluding the "ONLY" text, for new bike lanes in the City with the exception of those where parking is permitted.*
- 4.44: *Lane lines for bikeway facilities in Sault Ste. Marie should conform to the requirements of the Ontario Traffic Manual or the TAC Bikeway Traffic Control Guidelines for Canada.*
- 4.45: *Design cycling facilities at intersections to encourage safe and predictable movement of pedestrians, motorists and cyclists.*

The City of Sault Ste. Marie

Cycling Master Plan – Executive Summary



- 4.46: *Pavement markings and signing should be installed at intersections to encourage intersection crossings between right-turning motorists and cyclists proceeding straight through in advance of the intersection, rather than within it.*
- 4.47: *The “hatched” area along rural paved shoulders at intersections with right-turn lane curbs should not be designated as an on-road cycling facility unless it is greater than 1.2 m in width and it forms part of a designated cycling route.*
- 4.48: *Coloured pavement treatments should be considered at intersections with complex geometry or in areas with high conflict zones between cyclists and motorists.*
- 4.49: *Appropriate signing should be used in conjunction with the coloured pavement to identify to both motorists and cyclists the priority at an intersection.*
- 4.50: *Micro-surfacing should be considered by the City of Sault Ste. Marie as a possible option for the demarcation of bicycle lanes.*
- 4.51: *Consider bicycles in the timing of traffic signals at intersections and in the selection, sensitivity and placement of vehicle detection devices wherever there is bicycle traffic.*
- 4.52: *The addition of pavement markings is recommended to increase the efficiency of bicycle detection at intersections to actuate either a mixed traffic or bicycle signal phase. These pavement markings could also help to direct cyclists to the actuation zone and to position themselves properly in the lane.*
- 4.53: *The general countermeasures indicated in Table 4.1 should be considered for minimizing common motor vehicle and cyclist collisions.*
- 4.54: *Advanced stop bars and bike boxes should be considered at locations in the City of Sault Ste. Marie where cyclist volumes are high and measures are being considered to give cyclists more priority at intersections (e.g. adjusting signal timings or phasing sequences).*
- 4.55: *The use of bike pockets in the City of Sault Ste. Marie is recommended.*
- 4.56: *The minimum 60 m transition zone between the curbside cycling facility, and the bike pocket, left of the right turn lane / channel, should be maintained, whether the curbside facility is a bike lane, paved shoulder or signed-only route.*
- 4.57: *When a bicycle lane situated between two motor vehicle travel lanes extends for a distance greater than 240 m, consideration may be given to relocating it to the curbside of the roadway with the applications recommended by TAC for a Bicycle Lane Adjacent to a Curb Lane Transition applied at each end of the roadway.*
- 4.58: *The design of on-road cycling facilities on bridge structures should conform to the Canadian Highway Bridge Design Code, the Geometric Design Standards for Ontario Highways (revised as of 2002), and the Ontario Bikeways Planning and Design Guidelines.*
- 4.59: *The values indicated in Table 4.15 should be referenced for determining the minimum side clearances on bridges when the installation of cycling facilities on bridges is being considered.*
- 4.60: *The creation of a bike lane on a bridge may be considered if the bridge has shoulders, or if the traffic lanes are wide enough to permit the creation of a wide curb lane to accommodate bicycles on the traveled way*
- 4.61: *The City should provide measures to reduce risks to cyclists passing through construction zones, and to ensure access for cyclists during all road construction activities when practical. This should include, but not be limited to:*
 - *Construction notices posted on the City’s website;*
 - *Advanced signing for construction activities;*
 - *Temporary conditions that are compatible with bicycles such as non-slip surfaces, ramped utility cuts and timber decking placed at right angles to the direction of travel; and*
 - *Bicycle specific detours where appropriate.*
- 4.62: *Bicycle route crossings of rail corridors and associated traffic control devices should be designed and installed in accordance with the Bikeway Traffic Control Guidelines (TAC 1998)*
- 4.63: *The application of shared bicycle / parking lanes is not recommended for installation in the City of Sault Ste. Marie.*
- 4.64: *Consideration should be given to prohibiting on-street parking and designating the shared lane as standard 1.5 m bicycle lane if the demand for on-street parking is low.*



- 4.65: *Should there be a strong objection to the prohibition of on-street parking, then the road should be signed as a bicycle route with accompanying "Share the Road" signing, with the lane designated as a parking lane.*
- 4.66: *Transitions between different cycling facility types should be applied between on and off-road facilities, to assist cyclists and motorists.*
- 4.67: *Appropriate signing and / or pavement markings should be installed to direct cyclists to the new cycling facility type.*
- 4.68: *Provide curb cuts at locations where pathways terminate at sidewalks on two-lane residential streets with AADT's below 3000. Signing should be installed warning cyclists to yield to pedestrians, and pedestrians to watch for cyclists.*
- 4.69: *Where possible, pathways should be extended to the nearest intersection or crossing location where cyclists can make a safe and legal transition to another cycling facility or roadway.*
- 4.70: *At locations where pathways terminate at sidewalks and no modifications can be made, signing should be installed indicating that cyclists should dismount from their bicycles when on a sidewalk.*
- 4.71: *Wherever possible, pathways should be directed to intersections or other locations where safe and legal transitions to other on or off-road cycling facilities can be made.*
- 4.72: *Bicycle routes should be designed and signed to encourage cyclists to reduce speed and stop prior to crossing a road via a mid-block crossing. Mid-block crossing design should consider grade changes and alignment of trails in advance of the crossing as well as sight distances, signing, textural surface contrast and bollards.*
- 4.73: *When recommended mid-block thresholds are met for 2 and 4-lane roadways, consideration should be given to implementing a formal traffic signal or a pedestrian crossover.*
- 4.74: *The cross alert system may be considered for installation at locations where a pathway crossing of a road occurs and when sight lines for motorists are poor.*
- 4.75: *The yellow bicycle stencil illustrated in the cross alert system should be replaced with the bicycle and pedestrian symbol to indicate the presence of cyclists and pedestrians on a pathway. This could also be used in conjunction with the W16-7p sign to better identify the crossing location to motorists.*
- 4.76: *Upon approach to the crossing, the pathway should be "doglegged" so that pathway users are forced to angle themselves towards oncoming motor vehicle traffic in both directions.*
- 4.77: *STOP signs, smaller than the MUTCD standard, should be placed on the pathway approach to the intersection.*
- 4.78: *A solid yellow centreline should also be placed on the final approach of the pathway to the street crossing. A yellow-advanced yield line should also be placed on the vehicle lanes.*
- 4.79: *Railroads with wide enough rights-of-way can typically accommodate a multi-use trail.*
- 4.80: *Trails adjacent to active and / or under-utilized rail corridors should be separated from the rail line through the provision of a planted berm or fence.*
- 4.81: *Provide Barriers at off-road bicycle route / trail entrances to prevent access by unauthorized users such as motor vehicles, and to caution trail users that they are entering or exiting a trail environment.*
- 4.82: *Multi-use trail bridges should be designed with non-slip surfaces, have vertical railings attached to the outside of the structure and include cover plates over expansion joints.*
- 4.83: *Safety "rub-rails" may be considered along bicycle trails with railings to prevent a cyclist's handlebars from catching the vertical supports of the railing.*
- 4.84: *The four main underlying principles of CPTED should always be considered when developing the Sault Ste. Marie Cycling Network:*
 - *Natural Access Control;*
 - *Natural Surveillance;*
 - *Territorial Reinforcement; and*
 - *Maintenance.*
- 4.85: *Properly located entrances, exits, fencing, landscaping and lighting should direct both foot and automobile traffic in ways that discourage crime.*

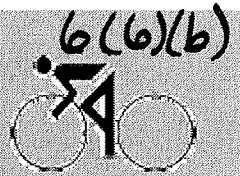


- 4.86: *For each reconstruction project, the road will be analysed for the opportunity to reduce speed. Traffic calming measures will be installed on major arterial roads, where the opportunity exists and where cyclists are expected to travel.*
- 4.87: *Bicycle parking should be provided along major arterial roads, employment centres and other destinations where cyclists are expected to frequently visit.*
- 4.88: *Bicycle racks should be designed to provide lateral support to the parked bicycle and should be made from materials that can resist being cut by common hand tools such as bolt and pipe cutters, wrenches and pry bars. As such, the Welle Series Bike Rack has been identified as the preferred choice.*
- 4.89: *Racks, whether as single units or grouped together, should be securely fastened to a mounting surface to prevent the theft of a bicycle attached to a rack.*
- 4.90: *Bicycle racks should be placed adjacent to the entrance that it serves without inhibiting pedestrian flow in and out of the building. Rack areas should be no more than 15 m from an entrance and should be clearly visible along a major building approach line.*
- 4.91: *The City of Sault Ste. Marie should encourage their partners and the private sector to provide secure bicycle parking at key destinations, including public buildings. Modify Site Planning guidelines to require the provision of one bicycle parking space for every 50 parking spaces*
- 4.92: *The City of Sault Ste. Marie should use bicycle friendly catchbasin covers only.*
- 4.93: *Rest and staging areas proposed in the Hub Trail should be provided to serve the bicycle route system. The City of Sault Ste. Marie and its partners including the private sector should work together through the Sault Trails Advocacy Committee (STAC) to identify and implement other rest and staging areas.*
- 4.94: *Establish a hierarchy of City and Local Gateways that represents city-wide and local level contexts through a request for proposals.*
- 4.95: *Gateways should become a recognizable feature in Sault Ste. Marie's landscape to both tourists and residents alike. Locations are suggested at Trunk Road near Fournier Street and near Hiawatha Park at Fifth Line.*
- 4.96: *Gateways should become an integral part of the marketing initiative and should be identified on the city map.*
- 4.97: *The City of Sault Ste. Marie should promote a Rack-and-Roll program to cover all transit routes. Quality bicycle parking facilities should also be provided at transit centres throughout the City.*
- 4.98: *In the future when bus garages are renovated, the City should take advantage of this opportunity and expand the bus garages so that they can accommodate three bike-rack-equipped fleet and make a winter "Rack & Roll" program feasible.*
- 4.99: *Provide trip-end facilities for employees and visitors to City of Sault Ste. Marie public buildings; the private sector should be encouraged to do the same.*
- 4.100: *Require that site plan approval be subject to providing cycling parking and distinct or signed access.*

5.0 SIGNAGE GUIDELINES

Signs along the Sault Ste. Marie Cycling Route should communicate various kinds of information to the bicycle route user. Recommended signage has been organized according to the following six functions:

- Bicycle Route Designation signs
- Way-Finding signs
- Regulatory signs
- Warning signs
- Information signs
- Interpretative signs



Guidelines:

- 5.1: *Develop a formal logo for the City of Sault Ste. Marie Cycling Route Network.*
- 5.2: *Develop and implement a formal on and off-road Cycling Network Signing Plan to support the existing and proposed Sault Ste. Marie Cycling Route Network.*
- 5.3: *Develop a way-finding signing strategy for the City of Sault Ste. Marie bicycle route network. This strategy will include signs with directional arrows, route numbers and distance in kilometres to major destination areas. A pilot project will be implemented during 2007 / 2008. Review and evaluation of the pilot project will inform whether the way-finding signing should be integrated with the Sault Ste. Marie Cycling Map to assist cyclists in navigating the City.*

6.0 MAINTENANCE GUIDELINES

The maintenance of cycling facilities was identified as a major priority in the Sault Ste. Marie Visioning exercise.

Guidelines:

- 6.1: *Establish a program of litter, debris and leaf removal for paved shoulder cycling routes and bike lanes for the Spring, Summer and Fall months.*
- 6.2: *“Spoke” routes that serve as part of the primary Sault Ste. Marie cycling network will receive priority for snow clearing and removal during the Winter months, followed by key cycling route connections or cycling links to “spoke” route segments.*

7.0 IMPLEMENTATION

Partners

- City of Sault Ste. Marie
- Cycling Committee
- YMCA
- Algoma District Health Unit
- Service Clubs
- Police
- School Boards
- Sault and Algoma Colleges
- Sault Ste. Marie Region Conservation Authority
- Batchewana First Nation
- Provincial Government – Ontario Ministry of Northern Development and Mines
- Federal Government - FedNor; Connections with Canada-wide trails programs
- Sault Ste. Marie Economic Development Corporation
- Media
- Land Development Companies

Education

- Can-Bike is a nationally certified program under the Canadian Cycling Association that offers in-class theory and practical training sessions to improve cycling skills, and increase awareness and appreciation of traffic safety.
- School Programs
- Driver's Education Schools
- Recreation Programs
- Police can take part in bicycle safety education both as participants and facilitators
- The city can operate an educational seminar annually to educate the community that works with the development industry



Enforcement

- Review Official Plan
- Revise the site plan review requirements to indicate that bicycle parking is an important component of a site.
- Enforce the Highway Traffic Act
- Proper signing should be installed on the Cycling Master Plan Route

Encouragement

- Marketing Campaign
- Media and Outreach
- Conferences

Engineering

- Establish Engineering Standards pertaining to cycling
- Educate Staff and Partners about the standards
- Construction of Priority Projects

Prioritization – Education

- Partner with Driver's Education schools
- Partner with media and develop / deliver media campaigns to promote cycling
- Tie a campaign to global warming
- Create a public awareness program for cycling
- Encourage a cycling safety program on radio or television

Prioritization – Enforcement

- Ticket cyclists for riding on sidewalk through police enforcement
- Charge fees for parking cars through municipal or private bodies
- Enforce wearing cycle helmets through by-laws

Prioritization – Encouragement

- Improve signage for cycling and information for motorists about cycling
- Create bicycle lanes
- Promote the installation of bike racks
- Create more paved shoulders
- Install pavement markings, lines and signs
- Establish cycle route maps around the city
- Create a heritage cycle tour
- Organize annual community events such as a Family Day Ride
- Consult regularly with cyclists

Prioritization – Engineering

Cycling Routes (refer to Chapter 3: The Route)

- Route 14E: Establish cycling route on Queen Street East in the downtown core and employ traffic calming measures such as raised intersections and loop / cyclist activated traffic signals
- Route 11A: Improve / construct shoulder paving on Landslide Road between Third and Fifth Line East
- Route 14A, 14C & 14D: Establish cycling route on Queen Street East, east of Pim Street via three lane vehicular and two bicycle lanes
- Route 15: Establish cycling route on Bay Street between East Street to Pim Street
- Route 6: Establish cycling route from Hub Trail at Second Line and Carmen's Way to Korah Collegiate High School property and Goulais Avenue

- Route 34: Establish cycling route between Sackville Road and south end of Industrial Park Road
- Route 36: Establish cycling route through Fort Creek Conservation Area / Kiwedon School south property between Hub Trail along Carmen's Way north of Second Line East and North Street
- Route 4: Establish safe cycling route under the CN Railway between the Hub trail at Wellington Street West and Carmen's Way, and Lyons Road along Wellington Street West
- Route 20A (north section): Establish cycling route between Old Garden River Road and Willow Avenue at Northern Road
- Route 20B: Establish cycling route towards downtown via Pim / Church Streets
- Route 20A (central section): Establish cycling route between McNabb Street and Smale Avenue; and, between Smale and MacDonald Avenue via Poplar Avenue

Cycling Initiatives

- Carry out road maintenance to improve cycling conditions and opportunities
- Create connecting links
- Create shortcuts for cyclists
- Install bicycle lanes on Pine and Pim Street
- Create multi-use trails along Second Line East and West
- Construct boardwalk extension along Waterfront
- Improve Fourth Line East west of Great Northern Road
- Improve Third Line West extension
- Create 2-way bicycle lane on south side of Bay Street from the Bush Plane Museum to the Library
- Bury hydro on Queen Street
- Improve existing path from McNabb Street north to Hiawatha (currently snowmobile route east of Black Road / power line and Farquhar Street) via addition of ¾" granular to current crushed fines / stone dust

Future Opportunities

- **Mid-block crossings:** The urban boundary of development promises to expand beyond the existing limits. Cycling must be recognized as an integral component of transportation planning. Arterial roads have been defined as barriers to cycling. As land-use development is planned, mid-block crossings of existing and future arterial roads must be considered. Such crossings should be
 - Spaced no greater than 500 m apart
 - Provide separate cycling access from motorized vehicles and pedestrian crossings
- **East-West Corridor:** The urbanization of Sault Ste. Marie between the CP Rail and the waterfront, below the Korah Bench, did not consider cycling in its development. Many streets have typically narrow (3.2 m) lanes. This compares to the wide (4.5 m) curb lanes that are now part of the engineering vocabulary of Sault Ste. Marie. The Huron Central Railway has declined the City's request to construct a trail within the railway right-of-way (ROW) adjacent to Trunk Road. Nonetheless, opportunities should be sought to realize a continuous east-west cycling corridor below the Korah Bench. A possible route option that should be explored is along Trunk Road and Wellington Street.

- LEGEND**
- | | | | |
|--|---|-------------------------------------|---|
| THE HUB TRAIL | ----- | PARK DESTINATIONS |  |
| SPOKE ROUTES | --- | SCHOOL DESTINATIONS |  |
| SPOKE ROUTES
OFF-ROAD TRAIL
TO BE ESTABLISHED | - - - - - | PRIMARY DESTINATIONS |  |
| NOT UNDER
PUBLIC OWNERSHIP |  | SECONDARY DESTINATIONS |  |
| KORAH BENCH |  | DESTINATIONS
RETAIL / COMMERCIAL |  |
| DOWNTOWN CORE |  | EMPLOYMENT DESTINATIONS |  |
| FUTURE OPPORTUNITY
(MID-BLOCK CROSSINGS,
EAST-WEST CORRIDOR) |  | | |

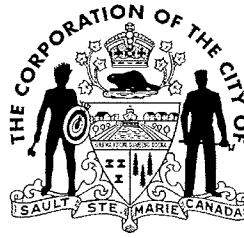


CITY OF SAULT STE. MARIE
AUGUST 27, 2007 14.07410.01-LA1
SCALE: NTS

CYCLING MASTER PLAN
MAP 4: CYCLING MASTER PLAN ROUTE

BATCHEWANA 1ST NATION
RANKIN RESERVE NO. 150

616169



2007 08 13

Mayor John Rowswell
and Members of City Council
Civic Centre

RE: REPORT OF THE BOARDS AND COMMITTEES REVIEW COMMITTEE

Council passed the following resolution at its December 11th, 2006 meeting:

Moved by Councillor S. Myers

Seconded by Councillor T. Sheehan

Whereas City Council currently makes a number of citizen appointments on many Boards and Committees; and

Whereas most terms of appointment do not have guidelines for a maximum length of service; and

Whereas some Boards and Committees provide an honorarium for citizens serving and others do not; and

Whereas City Councillors sit on over 50 Boards and Committees, some with more than one Councillor representative;

Now therefore be it resolved that all appointments for 2007, save and except the Committee of Adjustment and Library Board, be limited to one year only and further be it resolved that a committee of Council be struck to review and report back within one year regarding length of terms for Citizens appointments, honorariums for Citizens and Council representation on all Boards and Committees. Committee: Councillors Susan Myers, Terry Sheehan, Lou Turco, Mayor John Rowswell ex-officio, Legal and Clerk Department representatives and citizen representative Brady Irwin. CARRIED.

The Review Committee met seven times during the winter, spring and summer of 2007. The 50 boards and committees under review were grouped into five main categories/columns. A Chart of the boards and committees summarizing the recommendations of this committee is attached for ease of reference. The column on the Chart entitled External Boards (A) lists boards for which the committee is recommending no Council representation. The column on the Chart entitled External Boards (B) lists boards for which the committee is recommending retaining Council representation.

The recommendations of the Committee are summarized as follows:

Recommendation #1

Concerning Changes to Representation on Boards and Committees

Category 1 - Legislated Boards/Committees:

- No changes to representation are recommended.

Category 2 - Committees/Boards established by City Council:

- Cultural Advisory Board – 1 member of Council/Mayor ex officio (from 2 members of Council/Mayor ex officio). Rationale: More effective use of Council resources on Council-established boards and committees.
- Parks and Recreation Advisory Committee – 1 member of Council/Mayor ex officio (from 2 members of Council/Mayor ex officio). Rationale: More effective use of Council resources on Council-established boards and committees.
- International Relations Committee - be dissolved. Rationale: The mandate of this committee is now being performed by Development SSM.

Note: The Head of Council is ex-officio on all committees/boards established by City Council pursuant to Procedure By-law 99-100.

Category 3 - External Boards (A)

- Algoma Council on Domestic Violence – no Council rep (from nominate 2 members of Council).
- Algoma University College Board of Governors – no Council rep (from nominate 1 member of Council).
- Chamber of Commerce Board of Directors – no Council rep (from nominate 1 member of Council).
- Children's Aid Society Board - no Council rep (from nominate 1 member of Council).
- Downtown Association Board – no Council rep (from nominate 1 member of Council).
- SSM Safe Communities Partnership Board – no Council rep (from nominate 1 member of Council).
- Sault Trails Advocacy Committee – no Council rep (from nominate 1 member of Council).
- Searchmont Ski Association Inc. – no Council rep (from nominate 1 member of Council).

Rationale: To provide more independence to external boards. No longer appropriate that members of Council serve on these external boards. The board should address the whole of Council if and when necessary. Individual members of Council may choose to serve on an external board however there would be no nomination to the board from City Council.

Category 4 - External Boards (B)

- Sault Area Hospital Board – nominate 1 member of Council or 1 staff (from nominate 1 member of Council).
- SSM Economic Development Corporation – nominate 1 member of Council/Mayor ex officio (from nominate 2 members of Council/Mayor ex officio).
- SSM Innovation Centre Board – nominate 1 member of Council/Mayor ex officio (from nominate 2 members of Council).

Rationale: To provide more independence to external boards.

Category 5 - Municipal Associations

No changes to representation are recommended.

Recommendation #2**Concerning Length of Terms and Term Limits on Boards and Committees**

The current term for members of Council and citizens on boards and committees is one-year (2007) except the Committee of Adjustment and Library Board which are 4 year appointments that run concurrent to the term of City Council.

The Committee recommends that the next term length for members of Council and citizens on all boards and committees be one-year (2008) and then for 2009 and beyond, that term lengths for members of Council and citizens on all boards and committees be for two years.

The Committee recommends that there not be any term limits for members of Council or citizens on any boards or committees. A survey of other Northern Ontario municipalities was undertaken by the Clerk's office and this is consistent with most other communities.

Recommendation #3**Concerning Honoraria Payments on Boards and Committees**

Members of Council receive honoraria payment for their service as members of City Council and therefore do not receive any additional honoraria payment for serving on any boards and committees.

The Committee recommends that all honoraria payments for Council-appointed citizen members on all boards and committees should be eliminated effective for the next term of Council (2011 - 2014). This is a recommendation that will need to be considered by the next City Council.

Summary of Recommendations

The recommendation of the Review Committee is that the three recommendations as detailed in the report; #1 Concerning Changes to Representation on Boards and Committees; #2 Concerning Length of Terms and Term Limits on Boards and Committees; and #3 Concerning Honoraria Payments on Boards and Committees, be approved.

Respectfully submitted,

Boards and Committees Review Committee Members

Councillor Susan Myers, Chair

Councillor Lou Turco

Councillor Terry Sheehan

Mayor John Rowsell ex officio

Brady Irwin, citizen rep

Staff Support

Donna Irving, City Clerk

Lorie Bottos, City Solicitor

CHART OF COUNCIL REPRESENTATION ON BOARDS AND COMMITTEES AND RECOMMENDATIONS FOR 2008

Dated: 2007 08 13

N/C = No Change

LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Algoma Public Health 3 Citizens or members of Council (Currently 1 member of Council 2 Citizens) 2007 Recommendation: N/C 2003 Recommendation: N/C	Celebrating International Friendship Committee (Bridgewalk) 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Algoma Council on Domestic Violence Nominate 2 members of Council 2007 Recommendation: No Council Rep	PUC Inc. Board of Directors Nominate 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Algoma District Municipal Association Nominate 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C
Committee of Adjustment Options: Committee or Whole of Council (historically- committee) 2007 Recommendation: N/C 2003 Recommendation: N/C	Christmas Lighting Award Program - Judging Committee 4 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Algoma University College Board of Governors Nominate 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: No Council Rep	Sault Area Hospital Board of Directors Nominate 1 member of Council 2007 Recommendation: Nominate 1 member of Council or 1 Staff 2003 Recommendation: For Discussion	Association of Municipalities of Ontario (AMO) Nominate 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C
Court of Revision - Local Improvement 3 or 5 Citizens or members of Council (currently 3 citizens) 2007 Recommendation: N/C 2003 Recommendation: N/C	Cultural Advisory Board (bylaw 2003-112) 2 members of Council / Mayor ex Officio 2007 Recommendation: 1 Council / Mayor ex officio 2003 Recommendation: N/C	Chamber of Commerce - Board of Directors Nominate 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: N/C	Sault Ste. Marie Economic Development Corporation Nominate 2 members of Council/Mayor ex officio 2007 Recommendation: Nominate 1 member of Council/ Mayor ex officio 2003 Recommendation: N/C	Federation of Canadian Municipalities (FCM) Nominate 1 member of Council (currently no SSM rep) 2007: Recommendation: N/C
Dangerous Dog Committee By-law 98-211 3 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Finance Committee 3 members of Council / Mayor ex officio 2007 Recommendation: N/C	Children's Aid Society Nominate 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: No Council Rep	Sault Ste. Marie Innovation Centre Board of Directors Nominate 2 members of Council 2007 Recommendation: Nominate 1 member of Council/Mayor ex officio 2003 Recommendation: N/C	Federation of Northern Ontario Municipalities (FONOM) Nominate 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C

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Page 2				
LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Environmental Monitoring Committee (Landfill Site) 1 member of Council 2007 Recommendation: N/C	Gateway Development Team 2 members of Council 2007 Recommendation: N/C	Community Theatre Centre Management Board 0 members of Council; 3 Citizens 2007 Recommendation: N/C		
Fence Viewers Committee 0 members of Council; 3 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	Historic Sites Board 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Downtown Association 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: N/C		
Humane Society 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	International Relations Committee 5 members of Council / Mayor ex officio Currently Inactive 2007 Recommendation: Dissolve Committee 2003 Recommendation: N/C	Museum Management Board 0 members of Council; 1 Staff 2007 Recommendation: N/C		
Municipal Freedom of Information & Protection of Privacy Act (Head) Minimum of 5 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Medical Manpower Recruitment and Retention Committee 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Ste. Marie Safe Communities Partnership Nominate 1 member of Council 2007 Recommendation: No Council Rep 2003 Recommendation: N/C		
Municipal Heritage Committee 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Municipal Handbook Committee 3 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Trails Advocacy Committee Nominate 1 member of Council 2007 Recommendation: No Council Rep		

6(8)(a)

Page 3				
LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Ontarians with Disabilities Accessibility Advisory Committee 2 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Parks & Recreation Advisory Committee 2 members of Council / Mayor ex officio 2007 Recommendation 1 member of Council/ Mayor ex officio 2003 Recommendation: N/C	Searchmont Ski Association Inc. Nominate 1 member of Council 2007 Recommendation: No Council Rep		
Residential Standards Committee (Bylaw 4324 as amended) 0 members of Council; 3 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	Planning Advisory Committee 0 members of Council; 7 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	St. Mary's River Binational Public Advisory Committee 0 members of Council; 1 Staff 2007 Recommendation: N/C		
Sault Ste. Marie District Social Services Administration Board 6 members of Council 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Ste. Marie Best for Kids Committee 3 members of Council ~ 2007 Recommendation: N/C	St. Mary's River Marine Heritage Centre (Norgoma) Board of Directors 0 members of Council; 1 Staff 2007 Recommendation: N/C		
Sault Ste. Marie Library Board 0 members of Council; 9 Citizens 2007 Recommendation: N/C	Sault Ste. Marie Emergency Measures (Planning Committee) 2 members of Council / Mayor 2007 Recommendation: N/C 2003 Recommendation: N/C			

6(8)(a)

Page4				
LEGISLATED	COMMITTEES/BOARDS ESTABLISHED BY CITY COUNCIL	EXTERNAL BOARDS (A)	EXTERNAL BOARDS (B)	MUNICIPAL ASSOCIATIONS (Membership Fees)
Sault Ste. Marie Police Services Board 2 members of Council; 1 Citizen 2007 Recommendation: N/C 2003 Recommendation: N/C	Sault Ste. Marie Walk of Fame Committee 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C			
Sault Ste. Marie Region Conservation Authority 4 members of Council or 4 Citizens 2007 Recommendation: N/C 2003 Recommendation: N/C	Snowmobile Task Committee 1 member of Council 2007 Recommendation: N/C 2003 Recommendation: N/C			

648)(a)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE**BY-LAW 2007-149**

AGREEMENTS: (L-321) A by-law to authorize an agreement with the City and The Sault Ste. Marie North Stars AAA Midget Hockey Club for the use of the single level football dressing room at the John Rhodes Community Centre.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 27th day of August, 2007 and made between the City and The Sault Ste. Marie North Stars AAA Midget Hockey Club for the use of the single level football dressing room at the John Rhodes Community Centre.

2. **SCHEDULE "A"**

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

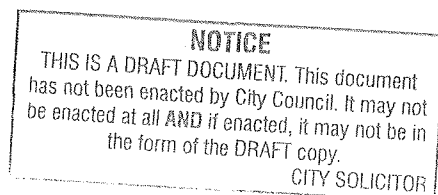
3. **EFFECTIVE DATE**

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

READ THREE TIMES and **PASSED** in open Council this 27th day of August, 2007

MAYOR – JOHN ROWSWELL

CLERK – DONNA P. IRVING



SCHEDULE "A"
to By-law 2007-149

THIS AGREEMENT made in triplicate this 27th day of August, 2007.

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Hereinafter called the "City"

OF THE FIRST PART

-and-

THE SAULT STE. MARIE NORTH STARS AAA MIDGET HOCKEY CLUB
Hereinafter called the "Club"

OF THE SECOND PART

WHEREAS the City is the owner of the John Rhodes Community Centre, having a civic address as 260 Elizabeth Street, Sault Ste. Marie, Ontario;

AND WHEREAS the Club has expressed an interest in exclusive use of a dressing room;

AND WHEREAS the Single Level Football Dressing Room #5 (hereinafter referred to as "the dressing room") has been identified as a suitable dressing room for the Club.

NOW THEREFORE the Parties hereto agree as follows:

1. TERM

- (a) This agreement shall be in effect for the term commencing October 1, 2007 and terminating on June 1, 2008 but shall be renewed automatically for each successive hockey season for the period October 1st to June 1st unless one party gives 30 days written notice to the other party of cancellation.

2. USE OF DRESSING ROOM

- (a) The City may permit community members other than the Club to use the dressing room. In the event that the City permits other community members to use the dressing room, the City shall provide two weeks written notice of the same to the Club.

3. MAINTENANCE

- (a) The Club shall be responsible for the maintenance, upkeep, wear and tear and renovations of the dressing room.
- (b) In the event that the Club fails to meet its maintenance requirements as set out in this agreement, the City may at its option effect the necessary maintenance, renovations or repairs and charge the cost of the same back to the Club or terminate this agreement.
- (c) The Club shall perform the day-to-day cleaning services for the dressing room. The City shall provide soap and paper products for the washroom.

4. INSURANCE

- (a) The Club shall at its own expense provide and maintain general liability insurance with an approved insurance agent in the amount of not less than \$2,000,000 against claims arising out of any one accident resulting in injury or death to any person or persons or damage to property.
- (b) The said insurance policy shall name the City as a co-insured and proof of the said insurance policy shall be filed with the Community Services Department on or before October 1st of each calendar year. Additional proof of insurance may be required for tournament play.

5. DEFAULT

- (a) In the event of default the City may, at its option, terminate the contract. The following events constitute default:
 - (i) if the Club makes a material misrepresentation to the City in connection with this contract;
 - (ii) if the Club becomes bankrupt (voluntarily or involuntarily) or becomes subject to any proceeding seeking liquidation, rearrangement relief or relief from creditors;
 - (iii) if a receiver is appointed over any of the Club's property or undertakings; or
 - (iv) a material breach of this contract.

6. NOTICE

- (a) Any notice required or permitted to be given under this agreement must be in writing and may be given by delivering or mailing the notice to The Corporation of the City of Sault Ste. Marie, Community Services Department, Community Centres & Marine Facilities Division, Sault Ste.

Marie, Ontario, P6A 1Y9, and to Sault Ste. Marie North Stars AAA Midget Hockey Club, Box 23083, Station Mall Postal Outlet, Sault Ste. Marie, Ontario P6A 6W6.

7. ASSIGNMENT

- (a) This agreement shall not be assigned by the Club without the prior written consent of the City.

8. BINDING EFFECT

- (a) The terms and provisions of this contract shall extend to and be binding upon and enure to the benefit of the parties hereto and their successors and, where permitted, assigns.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their hands as of the 27th day of August, 2007.

SIGNED, SEALED and DELIVERED

In the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Per:

MAYOR JOHN ROWSWELL

DONNA IRVING, CITY CLERK

SAULT STE. MARIE NORTH STARS MIDGET HOCKEY CLUB

Per:

PRESIDENT

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-152

AGREEMENTS: (L.5.2.) A by-law to authorize an agreement with the City and Soo Thunderbirds Hockey Club Inc. for the use of facilities in the John Rhodes Community Centre and the Steelback Centre.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENTS**

The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 1st day of September, 2007 and made between the City and Soo Thunderbirds Hockey Club Inc. for the use of the John Rhodes Community Centre and the Steelback Centre for a period of one year from September 1st, 2007 to August 31st, 2008.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

READ THREE TIMES and **PASSED** in open Council this 27th day of August, 2007.

NOTICE

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

CITY SOLICITOR

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

SCHEDULE "A"
to By-law 2007-152

THIS AGREEMENT made in duplicate this 1st day of September, 2007.

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

- and -

SOO THUNDERBIRDS HOCKEY CLUB INC.
(hereinafter called the "Club")

WHEREAS the City is the owner and operator of the Steelback Centre and the John Rhodes Community Centre;

AND WHEREAS the Club has been sponsored as a Junior "A" hockey team in the NORTHERN ONTARIO JUNIOR HOCKEY ASSOCIATION;

AND WHEREAS the City and the Club have come to an agreement in respect to the use of the Steelback Centre and the John Rhodes Community Centre.

NOW THEREFORE the parties agree as follows:

1. **TERM OF AGREEMENT**

This agreement shall be in force for one year from September 1, 2007 to August 31, 2008 provided that the Club has an option to renew this agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal.

2. **PREMISES**

The City agrees to provide for the use of the Club the ice surface at either the Sault Ste. Marie Memorial Gardens or the John Rhodes Community Centre for games. The Club and the City will mutually determine the venue for the games. The City will confirm game dates and venue by way of issuing a permit.

The practices will be at the John Rhodes Community Centre Arena 2. However, the parties acknowledge that practices may be required to be held elsewhere if there is a special event being carried on at the ice surface at the John Rhodes Community Centre. The City will confirm practice time through the issuing of a permit.

3. **ICE CONDITION**

The City agrees at its expense to keep the ice surface in the Sault Ste. Marie Memorial Gardens and the John Rhodes Community Centre in a reasonable playing condition and to provide attendants to resurface the ice at normal times for games.

4. **GAME TIMES**

The parties acknowledge that the Club's home games shall normally be held on Saturday evenings and Sunday afternoons with a possible mid-week game from time to time. The City agrees to block out 3.0 hours for games.

5. **PRACTICE TIMES**

The Club shall be allowed to practice at the John Rhodes Community Centre between 3:30 p.m. and 5:00 p.m. three (3) times per week between Monday and Friday.

6. **STAFFING**

It shall be the responsibility of the Club to provide staff for its ticket sellers, ticket takers, security and ushers at the expense of the Club.

If it is determined by the City that additional security is necessary it shall be provided by the Club at the expense of the Club and shall be arranged between the City and the Club through the Community Centres and Marine Facilities Division of the City's Community Services Department.

If the league by-laws require that City Police Officers be available for security that shall be provided by the Club at the expense of the Club.

7. **RENT TO CITY**

Ice Rental Rate

The Club agrees to pay to the City rent for games at the normal hourly ice rental rate charged by the City for "organized hockey".

Payment Terms for Practice Time

With respect to the costs for practice time the Club agrees that the Club will pay for the cost for practice time as follows:

- First \$35,000.00 of gate receipts – no charge.
- Next \$5,000.00 of gate receipts – 10% to the City and 90% to the Club.

- Next \$5,000.00 of gate receipts – 15% to the City and 85% to the Club.
- Remaining gate receipts – 20% to the City and 80% to the Club.

Payment Terms for Outstanding Debt, Ice Time, and Services

The Club agrees to pay the City for the outstanding debt, game ice time used, and services (such as security and cashier services) as follows:

- The outstanding debt will be paid as follows:
 1. \$5,000 by August 31, 2007
 2. An additional \$10,000 by September 30, 2007
 3. The remaining outstanding balance to be paid in full by August 31, 2008.
- The Club agrees to remain current with regards to their 2007/08 ice rental fees. This means that they will pay their invoice, in full, within 30 days of receiving their invoice, as required by the City.
- In the event that the Club does not abide by the agreement with regards to the payment for their outstanding debt or for the payment of their current ice time, staff will report to Council for their consideration and possible termination of the program.

In the event that the Club does not abide by the agreement with regards to the payment for their outstanding debt or for the payment of their current ice time, staff will report to Council for their consideration and possible termination of the program.

As the Club is a non-profit organization, their financial records shall be open for review by the City for the purpose of determining when the costs of the practice time is paid for by the revenues.

8. ADVERTISING REVENUE

The Club agrees to remit to the City 13.5% of any revenue derived from rink board advertising.

The Club shall retain all revenue derived from ticket sales and program sales as well as any revenue derived from the sale of souvenirs and novelty items.

9. **CONCESSION SALES**

The City shall retain all revenues derived from concession sales for Club events.

10. **EQUIPMENT AND DRESSING ROOMS**

The City shall provide to the Club a dressing room at the Sault Ste. Marie Memorial Gardens during games and dressing room #1 (the most westerly room). The John Rhodes Community Centre dressing room #5 shall be the responsibility of the Club to furnish and equip the dressing room at the expense of the Club. The Club shall also be granted a portion of the storage room at the John Rhodes Community Centre for the use of the Club.

It is understood and agreed that any and all equipment which the Club may store at the Sault Ste. Marie Memorial Gardens/John Rhodes Community Centre shall be stored at the risk of the Club and the City shall not be responsible for any loss or damage to the equipment.

It is further agreed that the Club shall maintain any area provided the Club under this agreement in a neat and tidy condition and will be responsible for any maintenance or renovations not ordinarily provided by the City for other groups in the Sault Ste. Marie Memorial Gardens/John Rhodes Community Centre.

11. **BROADCAST AND TELEVISION RIGHTS**

All radio and television broadcasting rights are the property of the Club.

12. **CHARITABLE ORGANIZATIONS OPERATING DRAWS**

The right of any organization to operate charitable fund raising draws during a Club game shall be at the sole discretion of the Club and shall be negotiated between the Club and the charitable organization in question.

13. **UNFORESEEN CAUSES**

The Club agrees that the City shall incur no liability to the Club for failure to perform any of the covenants or conditions herein contained if such failure is due to acts of God, strikes, equipment failure, required repairs and renovations or other causes beyond the control of the City.

14. **INSURANCE AND LIABILITY**

a) Both parties hereto covenant and agree to provide for the

protection of each other and the general public, public liability and property damage insurance policies in the amount of at least \$5,000,000.00 each at its own expense.

b) The Club will from time to time and at all times hereafter well and truly save, defend and keep harmless and fully indemnify the City, its respective officers, employees and agents of, from and against all actions, suits, claims, costs, damages, executions and demands of any nature whatsoever which may be brought against or made upon the City, its respective officers, servants and agents, or any of them and of, from and against all loss, costs, charges, damages, liens and expenses which may be sustained, incurred, or paid by the City, its respective officers, servants or agents, or any of them, by reason of or on account of loss or damage to property or injury (including death) to any person who enters, occupies or uses a part of the Sault Ste. Marie Memorial Gardens and the John Rhodes Community Centre for the purpose of attending or participating in any event in respect of which the Club occupy the Sault Ste. Marie Memorial Gardens or the John Rhodes Community Centre.

c) The City will from time to time and at all times hereafter truly save, defend and keep harmless and fully indemnify the Club from and against all actions, suits, claims, executions and demands of any nature whatsoever which may be brought against or made upon the Club from and against all losses, costs, charges, damages, liens and expenses which may be sustained, incurred, or paid by the Club by reason, or on account, or in consequence of, or arising out of any act or omission by the City under this agreement.

15. **TAXES**

The City shall pay over to the Club any money collected pursuant to the Goods & Services Tax and it shall be the responsibility of the Club to remit that money to the Federal Government.

Any realty taxes that may be assessed against the City as a result of the Club use of the Sault Ste. Marie Memorial Gardens and John Rhodes Community Centre shall be paid by the Club.

16. **SMOKE FREE FACILITY**

The Club acknowledges that the Sault Ste. Marie Memorial Gardens and the John Rhodes Community Centre are smoke-free. City By-law 2003-7 prohibits smoking in these facilities. It shall be the responsibility of the Club to assist the City in enforcing this by-law with respect to any employees or personnel associated with the Club.

17. **CANCELLATION**

The City reserves the right to cancel or reschedule any date and time allotted to the Club upon giving the Club reasonable notice. In the event that the Club has to cancel a game or practice, the Club is required to provide at least one week's notice to the City to allow the City to lease the facility to other interested groups. In the event that the Club fails to give notice as required and the City is unable to lease the facility, regular rental charges set out in this agreement will apply.

18. **APPLICATION OF LEGISLATION**

The City shall incur no liability in the event that legislation is enacted by a provincial or federal government which has the effect of frustrating the intent of the parties as evidenced by this agreement.

19. **BINDING EFFECT**

It is agreed between the parties hereto that every covenant, proviso and agreement herein shall enure to the benefit of and be binding upon the parties hereto, and their executors, administrators and assigns that all covenants herein shall be construed as being joint and several, and that, when the context so requires or permits the singular number shall be read as if the plural were expressed, and the masculine gender as if the feminine or neuter, as the case may be, were expressed.

20. **ASSIGNMENT OF AGREEMENT**

The City and the Club covenant and agree that this agreement shall not be assigned without the consent of the City, such consent not to be unreasonably withheld. The transfer of a controlling interest in the shares of the Club shall be considered an assignment of this agreement.

Continued on page 7

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals as of the day and year first above written.

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

MAYOR-JOHN ROWSWELL

CITY CLERK-DONNA P. IRVING

SOO THUNDERBIRDS

Per: _____

PAT EGAN, President

Per: _____

AL JONES, Vice President

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-151

APPOINTMENTS: (B.1.1.2) A by-law to appoint inspectors under the Building Code Act, 1992 and municipal law enforcement officers under the Police Services Act.

WHEREAS Section 3 of the Building Code Act requires the Municipality to appoint inspectors under the Building Code Act, 1992;

AND WHEREAS Section 15 of the Police Services Act allows municipal Council to appoint persons to enforce the by-laws of the municipality.

NOW THEREFORE pursuant to the Building Code Act, 1992 and the Police Services Act, Council enacts as follows:

1. BUILDING CODE INSPECTORS

The persons listed on Schedule "A" to this by-law are appointed as Building Code Inspectors.

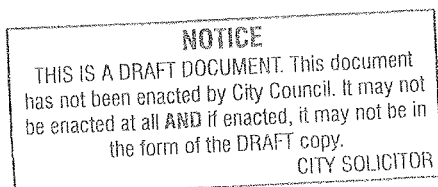
2. MUNICIPAL LAW ENFORCEMENT OFFICERS

The persons listed on Schedule "A" to this by-law are appointed as Municipal Law Enforcement Officers

3. EFFECTIVE DATE

This by-law is effective August 14, 2006

READ THREE TIMES and PASSED in Open Council this 27th day of August, 2007.



MAYOR - JOHN ROWSWELL

CITY CLERK - DONNA P. IRVING

SCHEDULE "A" to By-law 2007-151

Freddie Pozzebon

Bryan Bunting

Larry Kennedy

Glenn Irwin

Frank Bentreovato

Tyler Bertrand

Ron Mancuso

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-153

PARKING: (P.1.2.4.) A by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various properties and to amend Schedule "A" to By-law 90-305.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 15 of the *Police Services Act*, R.S.O. 1990, chapter P.15 and amendments thereto, **ENACTS AS FOLLOWS:**

1. **SCHEDULE "A" TO BY-LAW 90-305 AMENDED**

Schedule "A" to By-law 90-305 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

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

READ THREE times and **PASSED** in open Council this 27th day of August, 2007.

MAYOR – JOHN ROWSWELL

NOTICE
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CITY SOLICITOR

CLERK – DONNA IRVING

BADGE NO.	SPECIAL CONSTABLE	EMPLOYER	PROPERTY LOCATION
12	ROUSE, BRIAN	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
26	MCLEOD, ROD	FLEMING & SMITH	378 QUEEN ST. E & APARTMENTS
30	RENDELL, VERN	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
35	ORR, DEREK	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE
37	MILLER, STEVE	NORPRO SECURITY	ST MARY'S PAPER
59	BARONE, MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
109	SEBECIC, JOHN LUDVIC	DENTAL BUILDING	946 QUEEN ST E/216 QUEEN ST E
111	DESCHENE, BERNARD, FREDERIC	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
113	TAYLOR, GARY	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
115	LEE, RICHARD, JOHN	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
138	CAIN, JOSEPH	CITY OF SAULT STE. MARIE	BELLEVUE MARINA/ BONDAR MARINA & PARK
151	PARR, DEREK, RAYMOND	NORPRO SECURITY	ST MARY'S PAPER
153	TASSONE, VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163	BUMBACO, PHILIP CAREM	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
178	D'AGOSTINI, ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST
179	DARLOW, LEONARD	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
183	SAXBY, MICHELLE	G4 SECURITY	MARKET MALL / BONDAR PLACE/ALGOMA UNIVERSITY
186	HARMAN, JASON	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
190	LALONDE, BRIAN	CITY OF SAULT STE. MARIE	BELLEVUE MARINA/BONDAR MARINA & PARK
191	BROWN, STEVEN, GEORGE	SEPARATE SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
196	SEABROOK, LAURA, LEE	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
238	BECK, DESMOND	G4 SECURITY	SAULT AIRPORT
240	MASON, STEPHEN	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
241	COGHILL, ROBIN	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
248	CHAN, GILBERT	DR. RAYMOND CHO	71 & 131 EAST ST/129 SECOND LINE W
249	CHO, LINDA	DR. RAYMOND CHO	71 & 131 EAST ST/129 SECOND LINE W
253	TRAYSON, TERRANCE (TERRY)	NORTH EAST SECURITY	BELLEVUE MARINA/BONDAR MARINA & PARK
258	LEGACY, STEVEN	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
259	CONNOR, JAMES	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
261	HEINTZMAN, DAVID	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
262	ADAM, CINDY	SAULT COLLEGE	SAULT COLLEGE
263	RECOLLECT, HOLLY	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
267	CORBIERE, JOHN, ALLAN	G4 SECURITY	CROSS COUNTRY/ DAVEY HOME
270	NOTTE, KYLE	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
274	DAVIS, JAMES	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
275	EBARE, JAMES	G4 SECURITY	DAVEY HOME/SAULT HOSPITAL/308 FARWELL TERR
276	SMITH, DENNIS, ROBERT	G4 SECURITY	DAVEY HOME
280	LEE, MARSHA	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
281	LYPPS, ELEANOR	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
286	O'DELL, SEAN, MICHAEL	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
291	TRANDEMONTAGNE, JORI	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE/REGENT PROP.
296	MURDOCK, JESHA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ REGENT PROP.
297	SWIRE, WILLIAM, JAMES	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ REGENT PROP.
298	MANN, DUSTIN	G4 SECURITY	SAULT HOSPITAL/DAVEY HOME
299	DIMMA, WILLIAM, GEORGE	G4 SECURITY	SAULT HOSPITAL/DAVEY HOME/ALGOMA UNIVERSITY
300	PAPINEAU, EVAN, LORNE	G4 SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
301	COTTINGHAM, EDWARD ALLEN	G4 SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
305	CATLING, DAVID	NORTH EAST SECURITY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA/BELLVUE PARK & MARINA/STEE
307	GUREVITCH, JASON	NORTH EAST SECURITY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA/BELLVUE PARK & MARINA/STEE
308	BELL, TYLER	G4 SECURITY	SAULT HOSPITAL
309	PIGEAU, EDWARD	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
310	MOORE, LORNE	NORPRO SECURITY	SAULT COLLEGE
314	AASEN, PAULINE	KOPRASH BUILDING SERVICE	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
315	FITTON, MICHELLE	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
316	MCCULLOCH, BRANDON	G4 SECURITY	SAULT HOSPITAL
320	PETTENUZZO, LUCAS	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/ELGIN TOWERS
321	LORENZO, COREY	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
325	HEALEY, KATRINA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
327	POZZEBON, IAN	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
329	NOLAN, JESSE, JOHN	NORTH EAST SECURITY	CAMBRIAN MALL /PINE PLAZA/BELLVIEW MARINA/CHURCHILL PLAZA /STEELBACK
330	O'NEILL, ROY	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA
331	HAMILTON, SILVI	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA
333	LUCIER, ROBERT	CITY OF SAULT STE. MARIE	TRANSIT SERVICES AREAS
334	MILLER, BRADLEY	CITY OF SAULT STE. MARIE	TRANSIT SERVICES AREAS
335	GROSSO, DONALD	NORTH EAST SECURITY	CHURCHILL & PINE PLAZA/CAMBRIAN MALL
337	RENNISON, JEFF	NOR PRO SECURITY	GROUP HEALTH/SAULT COLLEGE
340	DAMIGNANI, MATTHEW	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
342	PICK, DENNY	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
343	CHILLMAN, JODI	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
344	HARPE, KENNETH	DAYS INN	DAYS INN HOTEL
345	SETCHELL, RODDY	NORTH EAST SECURITY	CAMBRIAN MALL/PINE&CHURCHILL PLAZA/STEELBACK/BELLEVUE MARINA
346	HAZELTON, MARGARET	CITY OF SAULT STE. MARIE	BELLEVUE MARINA
347	BEDELL, LUCAS	CITY OF SAULT STE. MARIE	BELLEVUE MARINA
348	LEWIS, PETER	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH CENTRE/ELGIN TOWERS
349	CONWAY, GARY	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
350	HUSBAND, CHRISTOPHER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
351	MCLEOD, JENNIFER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
352	O'CONNOR, DANIEL	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
353	RIPPLINGER, JAYSON	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
354	STEEVES, ROBERT	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
355	TYCZINSKI, TAMARAH	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
356	ZACK, MOLLI	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
357	BONENFANT, TERRANCE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
358	COUNS, JESSE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-150

PROPERTY DIVISION: (E.5.2) being a by-law to re-establish procedures, including the giving of notice to the public governing the sale of surplus real property owned by the Municipality.

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. DECLARATION PROPERTY SURPLUS, APPRAISAL & NOTICE

Before selling any real property, the Council shall:

- (1) declare, either by by-law or resolution, that the said real property is surplus to the needs of the municipality;
- (2) subject to section 3 of this bylaw, obtain one appraisal of the fair market value of the real property;
- (3) give notice of the proposed sale of the surplus property as set out below.

2. NOTICE OF PROPOSED SALE

- (1) The notice as required in Section 1(3) of this by-law shall not be required if under section 3 of this bylaw an appraisal is not required for the sale or disposition of the real property.
- (2) Notice of the proposed sale or disposition of the real property shall be sufficiently given if notice of the proposed sale or disposition is published once in the local newspaper;
- (3) Notice under Section 2(2) is not required where other notice provisions in the Municipal Act, 2001 or any other Act set out other notice requirements.

3. EXEMPTIONS TO APPRAISAL REQUIREMENT

- (1) An appraisal is not required to the following classes of land:
 - (1) land 0.3 metres or less in width acquired in connection with an approval or decision under the Planning Act.
 - (2) closed highways if sold to an owner of land abutting the closed highways.
 - (3) land that does not have direct access to a highway if sold to the owner of land abutting that land.
 - (4) easements granted to public utilities or telephone companies.
- (2) An appraisal is not required for the sale of land to the following:
 - (1) a local board, including a school board and a conservation authority.
 - (2) The Crown in right of Ontario or Canada and their agencies.

NOTICE

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

CITY SOLICITOR

4. **SCHEDULE "A"**

Attached as Schedule "A" to this by-law are additional procedures respecting the sale of City property.

5. **BYLAW REPEALED**

Bylaw 95-16, as amended, is repealed.

6. **EFFECTIVE DATE**

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

Read THREE times and PASSED in open Council this 27th day of August, 2007.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING

SCHEDULE "A"
to By-law 2007-150

IN ADDITION to the requirements under Sections 1 and 2 of this by-law the following procedures apply:

1. **SALE OF CITY PROPERTY GENERALLY**

- (i) A person or firm who wishes to purchase property owned by the City must make its request in writing to the Legal Department.
- (ii) The Legal Department investigates all requests to ensure that the sale will be in the best interests of the City.
- (iii) The Legal Department forwards information on the property to the appropriate City departments and outside agencies that may have an interest in the matter for their comments.
- (iv) If the Legal Department feels that the property should be sold a report is prepared for City Council. In any event the applicant may request the matter be sent to Council.
- (v) If City Council agrees to dispose of the property, the Legal Department arranges for the sale of the property.
- (vi) In the case of the sale of parkland, all owners within 120 metres of the property proposed to be sold must be advised by mail of the City's intent to do so if the property being sold does not require a rezoning for its proposed use.

2. **SALE OF UNDERSIZED CITY PROPERTY**

- (i) If a property does not meet the minimum size and area requirements of the zoning by-law, the Legal Department may offer to sell the property to abutting owners.
- (ii) Each abutting owner may purchase a minimum of 50 percent of the property. If an owner does not wish to purchase the land, it will then be offered to the other abutting owner.

3. **CLOSING A STREET, LANE OR PUBLIC THOROUGHFARE AND ITS SALE**

The following outlines the closing and subsequent sale of streets, lanes and public thoroughfares in the City:

- (i) A property owner who wishes to have the City close a street, lane or public thoroughfare must make a request to the Legal Department. A request must be for an entire street, lane or public thoroughfare section, from the intersection of one street, lane or public thoroughfare to another. This condition may be waived if the Legal Department feels it is in the best interest of the Municipality.
- (ii) The Legal Department prepares an application and provides petitions to the applicant.
- (iii) The applicant must obtain the signatures on the form provided of all property owners whose land abuts the portion of the street, lane or public thoroughfare to be closed. These owners also must indicate whether they

wish to have a portion of the street, lane or public thoroughfare conveyed to them.

- (iv) If the applicant meets all the requirements of the application, the Legal Department circulates the information to all City departments and outside agencies that may have an interest in the matter for their comments.
- (v) If the Legal Department feels that closing the street, lane or public thoroughfare will be in the best interest of the City, a report with a recommendation as well as a by-law will be prepared for Council's consideration.
- (vi) If City Council approves the proposed closing, the by-law receives first and second reading. The legal Department then puts a notice in the newspaper once a week for two (2) consecutive weeks stating the City's intention to close the lane or street.
- (vii) If no objections to the lane closing are received, the applicant is requested to obtain a plan of survey of the land prepared by an Ontario Land Surveyor. The applicant must submit a draft of the survey to the Legal Department for approval prior to its registration.
- (viii) Once the plan has been approved and registered the by-law is placed on Council's agenda for third and final reading.
- (ix) The applicant gives two copies of the registered plan to the Legal Department. The Legal Department then prepares the appropriate deeds and has them signed by each owner, where necessary.
- (x) All costs of the survey must be paid by the benefiting owners. If an owner does not pay his or her share of the survey cost within thirty (30) days, the City may offer the full width of the street or lane to the owner on the opposite side of the street or lane.
- (xi) The City may retain or grant easements for present or future use by utility companies. This may restrict the improvements undertaken by property owners on the easement portion of the property.
- (xii) The Legal Department notifies 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.
- (xiii) Despite the provisions of this Section 3 of Schedule "A", if a commercial use proposes to expand its operation and to do so it requires the entire portion of an abutting street, lane or public thoroughfare, City Council may agree to convey the entire street, lane or public thoroughfare to the commercial establishment, without offering any portion of the property to an abutting property owner or property owners.