

AGENDA

REGULAR MEETING OF CITY COUNCIL

2007 10 29

4:30 P.M.

COUNCIL CHAMBERS

1. **ADOPTION OF MINUTES**

Mover - Councillor L. Tridico

Seconded - Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2007 10 15 be approved.

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

3. **APPROVE AGENDA AS PRESENTED**

Mover - Councillor L. Tridico

Seconded - Councillor P. Mick

Resolved that the Agenda for the 2007 10 29 City Council Meeting as presented be approved.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Ken Coulter and Jeff Holmes on behalf of Community Quality Improvement (CQI) will be in attendance to present the National Quality Institute Community Building Award to City Council.
- (b) Brian Curran, President and C.E.O., PUC Inc. will be in attendance concerning agenda item 6.(8)(a) for any questions from Council.

PART ONE – CONSENT AGENDA

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

Mover - Councillor L. Turco

Seconder - Councillor B. Hayes

Resolved that all the items listed under date 2007 10 29 - Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from AMO is attached for the information of Council.
- (b) Correspondence from the Region of Peel (concerning social housing financing) is attached for the information of Council.
- (c) Correspondence from Ontario Lottery and Gaming advising that the quarterly payment of the 5% allocation from July 1, 2007 to September 30, 2007 is \$418,484.00 is attached for the information of Council.
- (d) Correspondence from the Ministry of the Environment concerning a Certificate of Approval - Waste Management of Canada Corporation is attached for the consideration of Council.

Mover - Councillor L. Turco

Seconder - Councillor P. Mick

Resolved that the correspondence from the Ministry of the Environment concerning a Certificate of Approval - Waste Management of Canada Corporation BE REFERRED to the appropriate staff for a response.

(e) **Staff Travel Requests**

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

Mover - Councillor L. Tridico

Seconder - Councillor B. Hayes

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 10 29 be approved as requested.

(f) **Tender for Parking Lot Snow Removal - Civic Centre**

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

5. (f) Mover - Councillor L. Tridico
Second - Councillor P. Mick
Resolved that the report of the Manager of Purchasing dated 2007 10 29 be endorsed and that the tender for Civic Centre Snow Plowing and Removal, required by the Building Services Division, Engineering and Planning Department, be awarded as recommended.

(g) **Property Tax Appeals**

A report of the City Tax Collector is attached for the consideration of Council.

Mover - Councillor L. Turco
Second - Councillor B. Hayes

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 10 29 be approved and the tax records be amended accordingly.

(h) **2008 Council Meeting Schedule**

A report of the City Clerk is attached for the consideration of Council. The item was tabled at the 2007 10 15 Council Meeting.

Mover - Councillor L. Turco
Second - Councillor P. Mick

Resolved that the report of the City Clerk dated 2007 10 15 concerning 2008 Council Meeting Schedule be accepted and the recommended 2008 Council Meeting Schedule be approved.

(i) **Immigration Portal - Contracts With Sudbury for Content Management System Hosting**

A report of the Manager of Information Technology Division is attached for the consideration of Council. The relevant By-law 2007-183 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

(j) **Sault Speed Skating Club Request for Financial Assistance 2007**

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. Also attached is a report of the Commissioner of Community Services.

Mover - Councillor L. Tridico
Second - Councillor B. Hayes

Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 10 29 concerning Sault Speed Skating Club Request for Financial Assistance 2007 be accepted and the recommendation TO DENY the request be approved.

5. (k) **Update - Sault Ste. Marie Skatepark Initiative**

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

Mover - Councillor L. Tridico

Seconder - Councillor P. Mick

Resolved that the report of the Supervisor of Community Services dated 2007 10 29 concerning Update - Sault Ste. Marie Skatepark Initiative be accepted and the recommendation that Council authorize City staff to resubmit an application to the Ontario Trillium Foundation Community Program Grant to construct Phase 1 of a concrete skatepark at a cost of \$187,000.00 with funds to be allocated as follows:

1) City of Sault Ste. Marie - \$100,000.00

2) Superior Community Skatepark Association - \$12,000.00

3) Ontario Trillium Foundation - \$75,000.00

be approved.

(l) **Ermatinger-Clergue National Historic Site - Visitor Centre, Summer Kitchen Re-Design and Site Accessibility Project**

A report of the Curator, Ermatinger-Clergue National Historic Site is attached for the consideration of Council.

Mover - Councillor L. Turco

Seconder - Councillor B. Hayes

Resolved that the report of the Curator, Ermatinger-Clergue National Historic Site concerning Ermatinger-Clergue National Historic Site - Visitor Centre, Summer Kitchen Re-Design and Site Accessibility Project be accepted and the recommendation to hire C. Tossell, Architect for completion of Phase II - Design Development at a cost of \$16,000.00 with funding from Heritage Sault Ste. Marie and a War of 1812 Provincial Planning Grant be approved.

(m) **Proposed Sale of 324 Second Line West**

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

Mover - Councillor L. Turco

Seconder - Councillor P. Mick

Resolved that the report of the City Solicitor dated 2007 10 29 concerning Proposed Sale of 324 Second Line West be accepted and the recommendation to sell a vacant parcel of land located at the northwest corner of Second Line West and Korah Road be approved.

(n) **Connecting Links - Request for 2008 MTO Allocation**

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

5. (n) Mover - Councillor L. Tridico
Seconded - Councillor B. Hayes
Resolved that the report of the Director of Engineering Services dated 2007 10 29 concerning Connecting Links - Request for 2008 MTO Allocation be accepted as information.
- (o) **Sault Ste. Marie Municipal Landfill Site - Collection of Landfill Gas Feasibility Study**
A report of the Land Development and Environmental Engineer is attached for the consideration of Council.
- Mover - Councillor L. Tridico
Seconded - Councillor P. Mick
Resolved that the report of the Land Development and Environmental Engineer dated 2007 10 29 concerning Sault Ste. Marie Municipal Landfill Site - Collection of Landfill Gas Feasibility Study be accepted and the recommendation that Council approve the endorsement of the Memorandum of Understanding with the PUC and further that Engineering Department report back with the results of the Feasibility Study for recommended future action and partnerships based on the study's outcome be approved.
- (p) **Tipping Fee for Non-Hazardous Solid Industrial Waste (Contaminated Waste)**
A report of the Deputy Commissioner of Public Works and Transportation is attached for the consideration of Council.
- Mover - Councillor L. Turco
Seconded - Councillor B. Hayes
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 10 29 concerning Tipping Fee for Non-Hazardous Industrial Waste (Contaminated Waste) be accepted and the recommendation that the tipping fee be set at 50% of the normal tipping fee or \$32.50 per tonne be approved.
- (q) **Where We've Been, Where We're Going - Homelessness in Sault Ste. Marie**
A report of the Community Coordinator of Social Services Department is attached for the consideration of Council. A report entitled Community Plan 2007 - 2009 - Homelessness Partnering Strategy Framework and a report entitled Below the Waterline - A Review of the Efforts to Ameliorate Homelessness in Sault Ste. Marie From 2002 - 2006 is appended under separate cover.

5. (q) Mover - Councillor L. Turco
Seconded - Councillor P. Mick
Resolved that the report of the Community Coordinator of Social Services Department dated 2007 10 29 concerning Where We've Been, Where We're Going - Homelessness in Sault Ste. Marie be accepted and the recommendation that Social Services Department continue in their role as the Community Entity for the balance of the term of the Homelessness Partnering Strategy - January 2008 to March 2009 and further that the issues identified in the Updated Community Plan on Homelessness created through comprehensive stakeholder consultation be approved as the homelessness priorities for the city of Sault Ste. Marie.

PART TWO – REGULAR AGENDA

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

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**

A report of the Planning Division is attached for the consideration of Council. This item was deferred at the 2007 10 15 Council Meeting.

Mover - Councillor L. Tridico

Seconded - Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 29 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 approve the application for a 39 lot Rural Estate Subdivision and Highway Zone uses subject to the 7 conditions contained in the report be endorsed.

- (b) **Application No. A-19-07-Z.OP - Frank Fata - 92 and 100 Second Line West - Request to Rezone to Permit a Contractor's Yard on the Subject Property**

A report of the Planning Division is attached for the consideration of Council. This item was deferred at the 2007 09 24 Council Meeting.

6. (6)
(b)

Mover - Councillor L. Tridico
Second - Councillor P. Mick

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-19-07-Z.OP - Frank Fata be accepted and the Planning Director's recommendation that City Council:

- 1) Deny the applicant's request to amend the Official Plan (Amendment No. 130) and rezone the subject property in order to locate a contractor's yard on the subject property;
- 2) Approve Official Plan Amendment and re-designate the front 85m of the subject property from "Residential" to "Commercial" on Land Use Schedule C of the Official Plan, to be consistent with the existing commercial zoning, be endorsed.

(c) **Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. - 1513 and 1517 Korah Road - Request to Rezone to Create 3 Single Detached Residential Building Lots**

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

Mover - Councillor L. Turco
Second - Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. be accepted and the Planning Director's recommendation that City Council DEFER Application No. A-23-07-Z until November 26, 2007 be endorsed.

(d) **Application No. A-24-07-Z.OP - 510127 Ontario Limited - 432 Great Northern Road - Request to Rezone to Permit the Construction of a 1,950 Sq. Meter Office Building Outside of the Downtown**

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

Mover - Councillor L. Turco
Second - Councillor P. Mick

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-24-07-Z.OP - 510127 Ontario Limited be accepted and that the proposed resolution to approve the application and to permit a 1,950 sq. metre (21,000 square foot) office building as an additional permitted use to the "C-4" (General Commercial) zoning subject to approval of Official Plan Amendment No. 134 and that the property be designated as subject to site plan control be endorsed.

(e) **Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. - 817 Third Line East - Request to Develop a Serviced 193 Lot Residential Subdivision**

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

6. (6)
(e)

Mover - Councillor L. Tridico
Seconded - Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 29 concerning Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. be accepted and the Planning Director's recommendation that City Council approve the Draft Plan of Subdivision subject to the 21 conditions contained in the Planning Division report dated 2007 10 15 subject to the following modifications:

Condition #7 - That as part of the finalization of the Subdivision Agreement, the developer be required to pay cash-in-lieu of parkland for the deficiency in dedicated park space, which will be used to purchase playground equipment for the subdivision. The cost of constructing walking trails throughout the developer shall be applied to any required cash-in-lieu amount.

Condition #13 - The proposed walking trails shall be constructed to the 3.0 metres asphalt Hub Trail standard where significant pedestrian traffic is expected be endorsed.

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

(a) **2007 Third Quarter Shareholder Report**

A report of the President and C.E.O., PUC Inc. is attached for the consideration of Council. Note: Brian Curran will be in attendance for any questions from Council.

Mover - Councillor L. Tridico
Seconded - Councillor P. Mick

Resolved that the report of the President and C.E.O., PUC Inc. dated 2007 10 29 concerning PUC Inc. 2007 Third Quarter Shareholder Report be accepted as information.

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

- (a) Mover - Councillor F. Fata
Seconded - Councillor D. Celetti

Resolved that City Council accept the petition from the parents of children attending Kiwedin Public School who wish to have a 40 km (hr) flashing school crossing light installed nearby the school and further that the request be forwarded to the Public Works and Transportation Department for review and report back to Council.

7. (b) Mover - Councillor S. Butland
Seconded - Councillor P. Mick
Whereas Council voted to continue with present snow/ice removal from the end of driveways; and
Whereas there is an acceptance by all that this does present a hardship for a segment of our community; and
Whereas the Sault Ste. Marie Branch of the Canadian Red Cross does administer and provide a long-standing, subsidized program to eligible residents; and
Whereas community involvement may leverage increased funding from the provincial government;
Be it resolved that Council consider a \$50,000.00 allocation to the Red Cross for the purpose of expanding the program; and
Be it further resolved that this resolution be forwarded to Budget 2008.

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.

AGREEMENT

- (a) 2007-183 A by-law to authorize an agreement between the City of Sault Ste. Marie and the City of Sudbury with respect to administering an immigration portal.

A report from the Manager of Information Technology Division in on the agenda.

OFFICIAL PLAN AMENDMENTS

- (b) 2007-176 A by-law to adopt Amendment No. 129 to the Official Plan.
(T. Gareau)
- (c) 2007-182 A by-law to adopt Amendment No. 132 to the Official Plan.
[Sar-Gin Developments (Sault) Limited]

10. **STREET ASSUMPTION**

- (d) 2007-184 A by-law to assume for public use and establish as a public street a portion of Nelson Street shown as Part 3 on Plan 1R-11431.

TRAFFIC

- (e) 2007-181 A by-law to amend Schedule "A" of Traffic By-law 77-200 regarding parking on Spadina Avenue.

ZONING

- (f) 2007-177 A by-law to amend By-laws 2007-150 and 2007-151 concerning lands located at 333 Wellington Street West. (T. Gareau)
- (g) 2007-178 A by-law to designate the lands located at 333 Wellington Street West as an area of site plan control. (T. Gareau)

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

STREET CLOSING

- (h) 2007-185 A by-law to stop up, close and authorize the conveyance of an unopened portion of Nelson Street to the abutting owners of 553 Nelson Street.

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 L. Turco
Seconder - Councillor P. Mick
Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 10 15

4:30 P.M.

COUNCIL CHAMBERS

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

ABSENT: Councillor F. Fata (out of town for work)

OFFICIALS: J. Fratesi, D. Irving, B. Freiburger, N. Apostle, J. Dolcetti, D. McConnell, L. Bottos, P. McAuley, B. Strapp, D. Elliott

1. **ADOPTION OF MINUTES**

Moved by Councillor L. Tridico

Seconded by Councillor B. Hayes

Resolved that the Minutes of the Regular Council Meeting of 2007 09 24 and the Special Meeting of 2007 10 04 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the Agenda for the 2007 10 15 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Kelly Rowlinson, President, Association of Early Educators was in attendance concerning Proclamation - Child Care Worker and Early Childhood Educator Appreciation Day.

(b) Christine Mair, Recruitment Coordinator, Children's Aid Society was in attendance concerning Proclamation - Canadian Foster Family Week.

4. (c) Robin Simpson, representative of 2nd Year Early Childhood Education Class of Sault College was in attendance concerning Proclamation - Week of the Child.
- (d) Gary Vipond, Chair, Local Block Parent Program was in attendance concerning Proclamation - National Block Parent Week.
- (e) Mary Alice Policicchio, Member, Algoma Regional Committee, Ontario Multifaith Council was in attendance concerning Proclamation - Spiritual and Religious Care Awareness Week.
- (f) Kim Seabrook, Executive Director, Safe Communities Partnership was in attendance concerning Proclamation - Safe Crossing Week.
- (g) Mac Headrick representing the 18 Forever Committee was in attendance concerning agenda item 6.(1)(a).
- (h) Bud Campbell, Secretary-Treasurer, Norgoma Board of Directors was in attendance concerning agenda item 6.(2)(a).
- (i) Bob Dumanski and Greg Rykman were in attendance concerning agenda item 6.(6)(b).
- (j) Peter Bortolussi was in attendance concerning agenda items 6.(6)(c) and 6.(6)(d).
- (k) Bob Paciocco, Joe Gass and Robert Rattle were in attendance concerning agenda item 6.(6)(d).
- (l) Steve McKeown, Sales and Marketing Director; Jessica Bolduc, Research Analyst; and John Barbeau, VP Research and Development; SITTM Technologies Inc. were in attendance concerning agenda item 7.(a).

PART ONE – CONSENT AGENDA

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that all the items listed under date 2007 10 15 - Part One - Consent Agenda, [save and except 5.(h) - defeated; 5.(j) - tabled to October 29th; and 5.(y) - referred to Police Services Board] be approved as recommended.
CARRIED.

- (a) Correspondence from AMO and OGRA was received by Council.

5. (b) The letter from the Chair, Workplace Safety and Insurance Board (WSIB) concerning the Board's Community Workplace Health and Safety Charter was received by Council.
- (c) The letter from Stewardship Ontario (concerning the municipal blue box recycling program) was received by Council.
- (d) Correspondence from Township of Stirling-Rawdon (concerning a provincial and federal program of aid to victims of catastrophic natural events); Township of Wellington North (concerning reducing the lead sampling requirements for small municipal water systems); the Township of Burpee and Mills (concerning loss of municipal funding to provincial tax rebate programs); the Township of North Dumfries (concerning fees charged to aggregate operators); the Township of Brock (concerning paper fibre biosolids) ; and the Municipality of Brockton (concerning funding for Conservation Authorities) was received by Council.
- (e) The letter and other correspondence from Councillor Steve Butland concerning the status of the Sault Ste. Marie Interim Charity Casino was received by Council.
- (f) The report entitled 'Local Community Impacts of the Charity Casinos' dated December 2005 prepared for the Addiction Programs, Ontario Ministry of Health and Long-Term Care was received by Council.
- (g) The letter from the President, Sault Speed Skating Club requesting that the City cancel or reduce the amount owed to the City by the Club for maintenance of the Art Jennings Oval for the past season was accepted by Council.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the request from the Sault Speed Skating Club in a letter dated September 30, 2007 that the City cancel or reduce the amount owed to the City by the Club for maintenance of the Art Jennings Oval for the past season BE REFERRED to the Finance Committee and the Commissioner of Community Services for review and report back to Council. CARRIED.

10. (h) **Council Travel**

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Whereas the City of Sault Ste. Marie has hosted the Winter Cities Conference twice in the past; and

Whereas the City of Sault Ste. Marie has participated in many Winter Cities Conferences; and

Whereas the City has derived many benefits through its relationship with the Winter Cities movement;

Now therefore be it resolved that Mayor John Rowswell be authorized to attend the Winter Cities Mayors Conference in January 2008 in Nuuk, Greenland at an estimated net cost of \$3,800.00 to the City. DEFEATED.

Recorded Vote

For: Mayor J. Rowswell, Councillors L. Turco, S. Myers, P. Mick

Against: Councillors J. Caicco, D. Celetti, O. Grandinetti, L. Tridico, T. Sheehan, S. Butland, F. Manzo

Absent: Councillors B. Hayes, F. Fata

(i) **Staff Travel Requests**

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

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 10 15 be approved as requested. CARRIED.

(j) **2008 Council Meeting Schedule**

The report of the City Clerk was received by Council.

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the City Clerk dated 2007 10 15 concerning 2008 Council Meeting Schedule be accepted and the recommended 2008 Council Meeting Schedule be approved. (Tabled to October 29th Council Meeting) OFFICIALLY READ NOT DEALT WITH.

(k) **Tender for Fuel Tank Removal and Replacement - Bellevue Marina**

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

5. (k) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Purchasing dated 2007 10 15 be endorsed and that the tender for the removal of the existing in-ground tank and the installation of a new above ground Fuel Storage Tank and dispenser Pump at Bellevue Marina, required by the Community Services Department, be awarded as recommended. CARRIED.

- (l) **Tender for Parking Lot Snow Removal From Municipal Parking Lots**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor L. Tridico
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Purchasing dated 2007 10 15 be endorsed and that the tender for Snow Plowing and Removal from Municipal Parking Lots during the 2007-2008 winter season, required by the Parking Division, Public Works and Transportation Department, be awarded as recommended. CARRIED.

- (m) **Quotation for Paper Towels and Tissues**
The report of the Manager of Purchasing was accepted by Council.

Moved by Councillor L. Tridico
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Purchasing dated 2007 10 15 be endorsed and that the quotation to supply paper products at the Civic Centre and other various City locations, required by Building Services, be awarded as recommended. CARRIED.

- (n) **Mayor and Council Travel Expenses - January 1 to June 30, 2007**
The report of the Commissioner of Finance and Treasurer was accepted by Council.

Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 10 15 concerning Mayor and Council travel expenses for the period January 1 to June 30, 2007 be accepted as information. CARRIED.

- (o) **Sledge Equipment - Accessibility Advisory Committee**
The report of the Unit Manager, Social Services was accepted by Council.

5. (o) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Unit Manager, Social Services dated 2007 10 15 concerning Sledge Equipment be accepted and the recommendation that Council authorize the purchase of sledge equipment for public use at an estimated cost not to exceed \$20,000.00 with funds to come from the Corporate Barrier Removal budget, be approved. CARRIED.
- (p) **Feasibility Study for a Leash-Free Park for Dogs**
The report of the Supervisor of Community Services was accepted by Council.
- Moved by Councillor L. Tridico
Seconded by Councillor P. Mick
Resolved that the report of the Supervisor of Community Services dated 2007 10 15 concerning Feasibility Study for a Leash-Free Park for Dogs be accepted as information. CARRIED.
- (q) **Ermatinger-Clergue National Historic Site - Community Museums Operating Grant (CMOG) 2007 - Ministry of Culture**
The report of the Curator, Ermatinger-Clergue National Historic Site was accepted by Council.
- Moved by Councillor L. Tridico
Seconded by Councillor P. Mick
Resolved that the report of the Curator, Ermatinger-Clergue National Historic Site dated 2007 10 15 concerning Ermatinger-Clergue National Historic Site - Community Museums Operating Grant (CMOG) 2007 - Ministry of Culture be accepted as information. CARRIED.
- (r) **Request for Financial Assistance for National/International Sports Competitions**
The report of the Manager of Recreation and Culture was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Recreation and Culture dated 2007 10 15 concerning Request for Financial Assistance for National/International Sports Competitions be accepted and the recommendation to provide a \$200.00 grant to the Sault Steelers Football Club (Canadian Football Championship) be approved. CARRIED.
- (s) **2008 Capital Road Reconstruction - Engineering Consultant Assignments**
The report of the Director of Engineering Services was accepted by Council.

5. (s) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Director of Engineering Services dated 2007 10 15 concerning 2008 Capital Road Reconstruction - Engineering Consultants Assignments be accepted and the recommendation that the design, contract document preparation, tendering, contract administration and inspection for Franklin Street be awarded to STEM Engineering be approved. CARRIED.

(t) **Class Environmental Assessments - Transportation Initiatives - Requests for Part II Orders**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Director of Engineering Services dated 2007 10 15 concerning Class Environmental Assessments - Transportation Initiatives Request for Part II Orders be accepted and the recommendation that the Minister of Environment consider the following action to complete timely reviews under the EA process:

1. accelerate the decisions on the outstanding requests for Part II orders on our projects;
 2. the Minister designate authority to the Director's level to grant or deny requests for Part II orders;
 3. the Minister designate authority to the Director's level to dismiss the frivolous request and any request from an individual who has not attended an open house, or a separate meeting with the consultant or the City, or they have not reviewed the ESR;
 4. consider an application fee for a Part II order request similar to OMB appeals to discourage the frivolous request and award costs if the request is denied,
- be approved. CARRIED.

(u) **Bridge Repairs and Rehabilitation**

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

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the report of the Director of Engineering Services dated 2007 10 15 concerning Bridge Repairs and Rehabilitation be accepted and the recommendation that the remaining portion of the \$300,000.00 miscellaneous construction for bridges be used to complete detailed design for rehabilitation of the remaining single lane bridges and for completion of required maintenance on other bridges and further that M. R. Wright Consultant prepare a contract for the bridge repair be approved. CARRIED.

5. (v) **East End Wastewater Treatment Plant - Secondary By-Passes and Odour Control**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Director of Engineering Services dated 2007 10 15 concerning East End Wastewater Treatment Plant - Secondary By-Passes and Odour Control be accepted as information. CARRIED.

(w) **Reconstruction of Small Pumping Stations Operated by Public Works Engineering Agreement**

The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2007-173 is listed under Item 10 of the Minutes.

(x) **Clark Creek and Pim Street Pumping Station Forcemains Condition Assessment**

The report of the Director of Engineering Services was accepted by Council. The relevant By-law 2007-180 is listed under Item 10 of the Minutes.

(y) **Use of Bicycles With Child Trailers on City Sidewalks**

The report of the Assistant City Solicitor was received by Council.

Moved by Councillor T. Sheehan

Seconded by Councillor S. Myers

Resolved that Council recommend that the report of the Assistant City Solicitor dated 2007 10 15 concerning Use of Bicycles With Child Trailers on City Sidewalks BE REFERRED to Police Services Board. CARRIED.

Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.

Moved by Councillor S. Butland

Seconded by Councillor P. Mick

Resolved that the report of the Assistant City Solicitor dated 2007 10 15 concerning Use of Bicycles With Child Trailers on City Sidewalks be accepted and the recommendation that given the concern for pedestrian safety expressed by Police Services, that Council take NO action to allow bicycles with trailers on city sidewalks, be approved. OFFICIALLY READ NOT DEALT WITH.

Councillor L. Turco declared a pecuniary interest - spouse employed by Police Services.

5. (z) **City Purchase of Strip of Land From Linda Lewis in the Area of the Fifth Line Landfill**

The report of the City Solicitor was accepted by Council. The relevant By-law 2007-174 is listed under Item 10 of the Minutes.

(aa) **Request to Purchase a Portion of 75 Hudson Street - St. Mary's River Bridge Company and International Bridge Authority**

The report of the City Solicitor was accepted by Council. The relevant By-law 2007-175 is listed under Item 10 of the Minutes.

Councillor L. Tridico declared a pecuniary interest - family owns property adjacent to subject property.

(bb) **City Sale to Nick Parniak (or a Company as Directed by Mr. Parniak) of Property at 110 Yates Avenue**

The report of the City Solicitor was accepted by Council. The relevant By-law 2007-165 is listed under Item 10 of the Minutes.

(cc) **Spadina Avenue Parking**

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

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the report of the Commissioner of Public Works and Transportation dated 2007 10 15 concerning Spadina Avenue Parking be accepted and the recommendation that the parking restriction on the east side of Spadina Avenue between Wallace Terrace and East Balfour be removed from By-law 77-200 be approved. CARRIED.

(dd) **Sidewalk Plowing Petition - West Side of Wilson Street From Grandy Road to Nino Drive**

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

Moved by Councillor L. Tridico

Seconded by Councillor P. Mick

Resolved that the report of the Commissioner of Public Works and Transportation dated 2007 10 15 concerning Sidewalk Plowing Petition - West Side of Wilson Street From Grandy Road to Nino Drive be accepted and the recommendation that this section of Wilson Street be plowed starting this upcoming winter be approved. CARRIED.

(ee) **School Crossing Guards - 2007/2008 School Year**

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

5. (ee) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 10 15 concerning School Crossing Guards - 2007/2008 School Year be accepted and the recommendation that the school crossing guards be removed at the Wellington/Pim Street intersection and at the Pine/Northern Avenue intersection and that an additional guard be added at the McNabb/Pine Street intersection be approved. CARRIED.
- (ff) **Purchase of 1 (One) Used Half-ton Truck and 1 (One) Used Car**
The report of the Manager of Equipment and Buildings was accepted by Council.
- Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that the report of the Manager of Equipment and Buildings dated 2007 10 15 concerning Purchase of One Used Half-Ton Truck and One Used Car be accepted and the recommendation to purchase a 2005 Ford F150 4 x 2 from Maitland Motors at a cost of \$18,192.57 as well as a 2006 Chrysler Sebring from Superior Chrysler at a cost of \$16,785.36 with funds to come from the New Equipment Reserve be approved. CARRIED.
- (gg) The letter and other correspondence from Councillor Frank Manzo concerning a symposium on Hyperbaric Medicine being held in Toronto October 19th was received by Council.

PART TWO – REGULAR AGENDA

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

6. (1) **ADMINISTRATIVE**

(a) **18 Forever Event - Steelback Centre**

The report of the Manager of Finance and Audits and the Commissioner of Community Services were accepted by Council.

The letter from the 18 Forever Committee requesting that Council forgive fees (\$7,100.00 plus the \$1.80 surcharge on each ticket sold in the stands) at the Steelback Centre for this event was received by Council.

6. (1)
(a)

Moved by - Councillor L. Turco
Seconded by - Councillor S. Myers

Resolved that the reports of the Manager of Finance and Audits and the Commissioner of Community Services dated 2007 10 15 concerning 18 Forever Event - December 8, 2007 at the Steelback Centre - Request for Financial Assistance be accepted and the recommendation that Council DENY the request for forgiveness of expenses associated with the use of the Steelback Centre for this event be approved. CARRIED.

Councillor B. Hayes declared a pecuniary interest - employed by Ontario Lottery and Gaming Corporation which is a sponsor of this event.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, O. Grandinetti, S. Myers, S. Butland, P. Mick

Against: Councillors D. Celetti, L. Tridico, T. Sheehan, F. Manzo

Absent: Councillors B. Hayes, F. Fata

- (b) **Additional Box Suites for the Steelback Centre**

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

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

Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 10 15 concerning Additional Box Suites for the Steelback Centre be accepted and the recommendation that the total cost of Phase 2 and 3 Box Suites including debt charges be funded from the annual licence fee revenue generated from the new suites; and
that an annual licence fee based on current estimates of up to \$1,475.00 per seat be applied to the proposed Phase 2 and 3 suites; and
that the annual licence fee along with food and beverage revenues as required be allocated to finance the related debt charges; and
that this project is conditional upon the City receiving commitments to fully occupy the new box suites, the City issue up to \$4 million of debt to finance the project, be approved. CARRIED.

6. (1)
(b)

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, O. Grandinetti, S. Myers, T. Sheehan, S. Butland, P. Mick

Against: Councillors D. Celetti, L. Tridico, F. Manzo

Absent: Councillors B. Hayes, F. Fata

- (c) **Steelback Centre - Private Suites - Phase 2 and 3**

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

Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that the report of the Commissioner of Community Services dated 2007 10 15 concerning Steelback Centre Private Suites - Phase 2 and 3 be accepted and the recommendation to approve the project in principle subject to the required number of suites being leased that would allow for the capital cost of the project to be paid back from the suite leases, and further, subject to such successful leasing, that staff engage EPOH Inc. to update the existing drawings of Phase 2 and 3 of the luxury suites in order to prepare for tendering at the end of January 2008 to meet a construction schedule of the summer 2008 be approved. CARRIED.

Recorded Vote

For: Mayor J. Rowswell, Councillors J. Caicco, L. Turco, O. Grandinetti, S. Myers, T. Sheehan, S. Butland, P. Mick

Against: Councillors D. Celetti, L. Tridico, F. Manzo

Absent: Councillors B. Hayes, F. Fata

6. (2) **COMMUNITY SERVICES**

- (a) **Museum Ship Norgoma**

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

6. (2)
(a) Moved by - Councillor L. Turco
Seconded by - Councillor P. Mick
Resolved that the report of the Commissioner of Community Services dated 2007 10 15 concerning Museum Ship Norgoma be accepted and the recommendation that the previous group (comprised of a representative of Destiny Sault Ste. Marie, a staff member of Tourism Sault Ste. Marie, the President of Chamber of Commerce, a board member of St. Mary's River Marine Heritage Centre and a staff member of Community Services Department) and one or two members of Council be requested to revisit the Destiny report (dated November 2006) and consider opening formal communications with the parties that have expressed an interest in the Norgoma ship be approved. (Seconder removed name from the resolution - No Seconder) OFFICIALLY READ NOT DEALT WITH.

Councillor T. Sheehan declared a pecuniary interest - Norgoma Board has an application with his employer.

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 L. Tridico

Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 15 concerning Application No. A-8-06-Z.OP and 57T-06-501 - Jane Eva Hedlung, Catherine Shunock, 2062111 Ontario Limited and Frank Frederick Shunock be accepted and the Planning Director's recommendation that City Council DEFER this application to October 29, 2007 be endorsed. CARRIED.

Mayor J. Rowsell declared a pecuniary interest - relative is an objector to this rezoning application.

- (b) **Application No. A-22-07-OP - Sar-Gin Developments (Sault) Limited - 799 Goulais Avenue (875 Third Line West) - Request to Rezone in Order to Facilitate the Creation of 4 Rural Residential Lots**

The report of the Planning Division was accepted by Council.

6. (6)

(b) Moved by Councillor L. Tridico
Seconded by Councillor P. Mick

Resolved that the report of the Planning Division dated 2007 10 15 concerning Application No. A-22-07-OP - Sar-Gin Developments (Sault) Limited be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 132, which facilitates the severance of the subject property for four additional rural residential lots be endorsed. CARRIED.

(c) **Application No. A-24-07-Z.OP - 510127 Ontario Limited - 432 Great Northern Road - Request to Permit the Construction of a 1,950 Sq. Metre (21,000 sq. ft) Office Building Outside of the Downtown**

The report of the Planning Division was received by Council.

Moved by Councillor L. Turco
Seconded by Councillor B. Hayes

Resolved that the report of the Planning Division dated 2007 10 15 concerning Application No. A-24-07-Z.OP - 510127 Ontario Limited be accepted and the Planning Director's recommendation that City Council DENY the application be endorsed. DEFEATED.

Recorded Vote

For: Mayor J. Rowswell, Councillors S. Myers, L. Tridico, T. Sheehan

Against: Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Butland, F. Manzo, P. Mick

Absent: Councillor F. Fata

Moved by Councillor F. Manzo
Seconded by Councillor S. Butland

Resolved that Application No. A-24-07-Z.OP - 510127 Ontario Limited - 432 Great Northern Road be approved in principle and that more negotiation and discussion may take place between the parties. CARRIED.

6. (6)
(d)

Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. - 817 Third Line East - Request to Develop a Serviced 193 Lot Residential Subdivision

The report of the Planning Division was accepted by Council.

Moved by Councillor S. Butland

Seconded by Councillor L. Tridico

Resolved that Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. BE DEFERRED to the October 29th Council Meeting. CARRIED.

Councillor J. Caicco declared a pecuniary interest - Windsor Farms (a Ruscio Construction affiliate) is a client of his employer.

Moved by Councillor L. Truco

Seconded by Councillor P. Mick

Resolved that the report of the Planning Division dated 2007 10 15 concerning Application No. A-25-07-Z.OP and 57T-07-505 - Fox Run Development (Sault) Inc. be accepted and the Planning Director's recommendation that City Council approve the Draft Plan of Subdivision for the proposed Fox Run Subdivision, subject to the 21 conditions contained in the report, be endorsed. OFFICIALLY READ NOT DEALT WITH.

Councillor J. Caicco declared a pecuniary interest - Windsor Farms (a Ruscio Construction affiliate) is a client of his employer.

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

(a) Moved by Councillor S. Butland

Seconded by Councillor J. Caicco

Whereas biodiesel has proven to be a clean burning alternative fuel and is also economical and environmentally friendly; and

Whereas a locally owned and operated business is actively pursuing the use of biodiesel in a commercial initiative; and

Whereas the use of biodiesel has successfully been implemented in other municipal jurisdictions in Canada; and

Whereas the City of Sault Ste. Marie is looking to be a leader in the field of alternative energy (wind, sun, co-gen, Enquest); and

Whereas SITTM Inc. is presently working on a small scale, self-contained prototype which would allow consumers to produce their own energy on site;

7. (a) Be it resolved that Council request of City Transit the advisability of proceeding with a one-year pilot project with one older bus to measure the effectiveness of biodiesel fuel on the operation, maintenance, economics of this one bus and report back to Council at its earliest convenience. It is expected that the experiment would be based on a formula of up to 20% biodiesel. CARRIED.
- (b) Moved by Councillor S. Butland
Seconded by Councillor P. Mick
Be it resolved that Council request that Parks Canada immediately move to restore the Sault Locks to full operation to ensure its preparedness for the next boating season; and
Be it also requested that a secondary manually operated option be considered so that any subsequent operational breakdowns be avoided; and
Be it also further requested that in future any such developments impacting the lock and its partners and users be subject to a comprehensive report to be provided to Council for their consideration. CARRIED.
- (c) Moved by Councillor T. Sheehan
Seconded by Councillor P. Mick
Whereas the Sault Steelers defeated the Alberta Football League champion Edmonton Stallions 59-10; and
Whereas this victory gives the Northern Football Conference champion Sault Steelers their first Canadian Major Football League championship since 1972;
Now therefore be it resolved that the City of Sault Ste. Marie congratulate the Sault Steelers on their victory; and
Further that appropriate signage be erected in the City to mark both the 2007 and 1972 national championships and that a copy of this resolution be forwarded to the Sault Steelers Organization. CARRIED.
- (d) Moved by Councillor T. Sheehan
Seconded by Councillor S. Myers
Whereas the great Canadian artist Ken Danby was born and raised in Sault Ste. Marie; and
Whereas Ken Danby never forgot his roots and promoted our City's arts and cultural community;
Now therefore be it resolved that the Cultural Advisory Board be requested to undertake a process which will recognize Ken Danby's greatness and that this be done in consultation with the Danby family and other stakeholders within the community; and
Further that the recommendations should be reported back to City Council at a future date for consideration. CARRIED.

7. (e) Moved by Councillor F. Manzo
Seconded by Councillor D. Celetti
Whereas a letter to the Editor was submitted by Don Nelson and a resident of Old Garden River Road on October 11, 2007 to the Sault Star, stating their views regarding the Engineering Department report and a letter from the resident of Old Garden River Road, wanting to know the reason in the Engineering report for not extending Willow Avenue; and
Whereas in the letter to the Editor, there are some extending circumstances that should be discussed and resolved by City Council, according to the letter to the Editor by Don Nelson and a resident of Old Garden River Road who had submitted a letter to City Council previously, as to why this information was not brought to the attention of city taxpayers;
Therefore be it resolved that City Council accept the letter to the Editor (copy enclosed) and bring out the facts of the matter, that city taxpayers are properly informed of the transaction outlined in this letter to the Editor; and
Further be it resolved that the resolution and letter to the Editor be forwarded to the Engineering, Public Works and Transportation, Fire and Legal departments requesting who authorized the controlled access roadway that Public Works installed as this was not authorized by City Council; and
Further be it resolved that the above-mentioned departments report back to Council with their reasons why the public was not informed and that these departments reveal their findings that the public taxpayers should know.
OFFICIALLY READ NOT DEALT WITH. (Ruled as a reconsideration.)
- (f) Moved by Councillor J. Caicco
Seconded by Councillor P. Mick
Resolved that City Council expresses its sincere congratulations to David Oraziatti, M.P.P. Sault Ste. Marie on the occasion of his re-election for a second term of office as Sault Ste. Marie's Member of Provincial Parliament; and
Further that Council also offer its congratulations to Mike Brown, M.P.P. Algoma Manitoulin on his re-election and to Premier Dalton McGuinty on winning a second majority government in Ontario. CARRIED.
- (g) Moved by Councillor P. Mick
Seconded by Councillor F. Manzo
Whereas patrons at the Steelback Centre are concerned about their safety on the uncovered stairs during winter months;
Therefore be it resolved that staff reports back on the feasibility and costs of covering these outside stairs before the snow flies. CARRIED.
- (h) Moved by Councillor S. Butland
Seconded by Councillor T. Sheehan
Resolved that this Council endorse the pursuit of a permanent casino (as promised) to replace the present interim/temporary casino. CARRIED.

7. (h) Recorded Vote

For: Councillors J. Caicco, L. Turco, D. Celetti, T. Sheehan, S. Butland, P. Mick

Against: Mayor J. Rowswell, Councillors O. Grandinetti, S. Myers, L. Tridico, F. Manzo

Absent: Councillors B. Hayes, F. Fata

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 L. Turco

Seconded by Councillor P. Mick

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 10 15 be approved. CARRIED.

(a) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2007-163 being a by-law to adopt Amendment No. 128 to the Official Plan be read three times and passed in Open Council this 15th day of October, 2007. (Wallace A. Thomson) CARRIED.

(b) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2007-164 being a by-law to adopt Amendment No. 131 to the Official Plan be read three times and passed in Open Council this 15th day of October, 2007. (Odena Reload Centre Inc.) CARRIED.

(c) Moved by Councillor L. Turco

Seconded by Councillor P. Mick

Resolved that By-law 2007-165 being a by-law to authorize the sale of property at 110 Yates Avenue to Nick Parnial (or a company as directed by Mr. Parniak) be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.

10. (d) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-166 being a by-law to assume for public use and establish as a public street various parcels of land conveyed to the City pursuant to the Second Line Road Widening Project be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.
- (e) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-167 being a by-law to allow wall-mounted signs at 455 Albert Street West (Bridge View Bingo) be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.
- (f) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-168 being a by-law to authorize the construction of sanitary sewer and private drain connections and Class "A" pavement on Retta Street from Wellington Street East to Mark Street be read a first and second time in Open Council this 15th day of October, 2007. CARRIED.
- (g) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-169 being a by-law to authorize the construction of sanitary sewer and private drain connections on Wellington Street East from Trunk Road to Simpson Street be read a first and second time in Open Council this 15th day of October, 2007. CARRIED.
- (h) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-170 being a by-law to authorize the construction of sanitary sewer and private drain connections and Class "A" pavement on Franklin Street from Henrietta Street to Wallace Terrace be read a first and second time in Open Council this 15th day of October, 2007. CARRIED.
- (i) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-172 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.

10. (j) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-173 being a by-law to authorize an engineering agreement between the City and Totten Sims Hubicki Associates (1997) Limited to provide design services for the lower Lake, lower McGregor and Tallack Boulevard sanitary pumping stations be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.
- (k) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-174 being a by-law to authorize the City's acquisition of a strip of land at the rear of 310 Fifth Line East, extending from the landfill, from Linda Lewis, be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.
- (l) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-175 being a by-law to authorize the sale of a portion of 75 Hudson Street to the St. Mary's River Bridge Company and International Bridge Authority be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.
- Councillor L. Tridico declared a pecuniary interest - family owns property adjacent to subject property.
- (m) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-179 being 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 be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.
- (n) Moved by Councillor L. Turco
Seconded by Councillor P. Mick
Resolved that By-law 2007-180 being a by-law to authorize a contract between the City and Pressure Pipe Inspection Company to conduct pressure pipe inspections on the Clark Creek and Pim Street Station Forcemains be read three times and passed in Open Council this 15th day of October, 2007. CARRIED.

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

- (a) Councillor S. Myers, Council's representative on Sault Area Hospital Board of Directors showed the Sault Area Hospital groundbreaking DVD for the information of Council.

11. (b) Moved by Councillor D. Celetti
Seconded by Councillor O. Grandinetti
Resolved that Council suspend section 3(2) of Procedure By-law 99-100 to allow for completion of the 2007 10 15 agenda beyond the 5 hour mark. (2/3 vote required) - 7 of 11 present . CARRIED.

12. **ADJOURNMENT**

Moved by Councillor L. Tridico
Seconded by Councillor B. Hayes
Resolved that this Council shall now adjourn. CARRIED.

MAYOR

DEPUTY CITY CLERK



200 University Ave, Suite 801
 Toronto, ON M5H 3C6
 Tel.: (416) 971-9856 | Fax: (416) 971-6191
 E-mail: amo@amo.on.ca

MEMBER COMMUNICATION

ALERT N°: 07/054

To the attention of the Clerk and Council
 October 22, 2007

FOR MORE INFORMATION CONTACT:
 AMO Director of Policy Brian Rosborough
 (416) 971-9856 ext 318

ALERT

\$64 Million COMRIF Top-up Funding Should Be Accessible To All Rural and Small Urban Municipalities

Issue: How should \$64 million in federal COMRIF top-up funding be administered? AMO's position is that the administration of additional funds should be based on the principles of fairness, openness and transparency.

Background: Earlier this year, the federal government allocated an additional \$200 million as a "top-up" of the national Municipal Rural Infrastructure Program (MRIF) program. In Ontario MRIF is administered as the COMRIF Program.

The share of the \$200 million available for COMRIF in Ontario is \$64 million. It will be matched by an additional \$64 million from the province for total additional funding under the original COMRIF program of \$128 million.

The COMRIF program has had three intakes based on original federal funding of approximately \$298 million and provincial funding of \$298 million. The third intake was \$46 million from each of the federal and provincial governments. COMRIF Intake Three closed in September 2006. Many of the COMRIF Intake Three applications that did not receive COMRIF funding received provincial funding through the 2007 provincial rural infrastructure investment initiative.

AMO is concerned about the potential manner through which the \$64 million "top-up" funding may be administered in Ontario. There is debate over whether there should be a new COMRIF Intake 4 or whether only those applications that did not receive funding under the September 2006 COMRIF Intake Three should be eligible for consideration.

AMO has expressed concern to the Government of Canada about the federal government's idea of potentially limiting access to the top-up funding to unfunded COMRIF Intake Three applicants.

Many municipalities did not apply under COMRIF Intake Three because of the limited funding (\$46 million) available at the time. In addition, there has been a municipal election since Intake Three closed in September 2006, and new Councils may have different priorities than those expressed in Intake Three applications. AMO believes that a fourth Intake is a more equitable approach that would allow all COMRIF eligible municipalities to apply for the new funding and does not presuppose any council's decision to apply or not apply. AMO has expressed to the federal government that a fourth intake could be expedited by allowing municipalities to submit updated application form prior COMRIF intake or new applications if they wish.

Action: For your information

This information is available in the Policy Issues section of the AMO website at www.amo.on.ca.



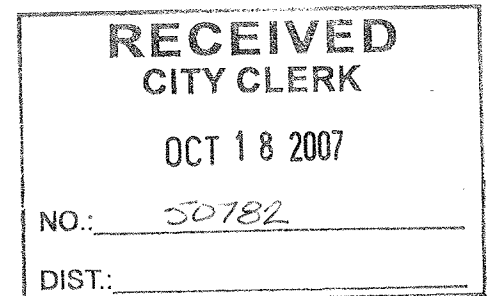


Corporate Services
Clerk's

October 1, 2007

Resolution No. 2007-1118

Ms. Donna P. Irving
City Clerk
City of Sault Ste. Marie
Level IV - Civic Centre
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, ON P6A 5N1



Dear Ms. Irving:

Subject: Resolution Regarding Social Housing Financing

I am writing to advise that Regional Council approved the following resolution at its meeting held on September 13, 2007:

Whereas there is substantial proof that investment in Social Housing pays for itself through savings in many other public services;

And whereas, Social Housing contributes to economic development and environmental sustainability by providing affordable places to live for many key workers in proximity to their places of employment;

And whereas, lessons learned from past social housing programs, combined with the challenges of producing new social housing, have made it obvious that creating partnerships amongst all levels of government are imperative for new delivery and that upfront capital grants are preferable to open-ended operating subsidies;

And whereas, the largest component of current operating subsidies is the cost of mortgage debt retirement;

And whereas, there is substantial potential equity available in existing Social Housing assets, that is locked up by debt obligations and subsidy program restrictions;

And whereas, there is international experience in leveraging the asset value of Social Housing, including the "brutering" initiative in the Netherlands, which cancelled outstanding debts, cancelled ongoing operating subsidies, lessened ongoing program administration, and placed greater autonomy and

responsibility with providers, and resulted in the use of existing assets to support both new development and rehabilitation;

And whereas, the Canada Mortgage and Housing Corporation has begun to generate financial surpluses which are forecast to grow, and the federal expenditures on social housing, including transfers to the Provinces, will be declining substantially, both of which give the federal government large capacity to protect its investments in social housing;

Therefore be it resolved, that the Federal and Provincial Governments be requested to seriously explore the successful international experience in leveraging the asset value of existing Social Housing, including the write off of outstanding mortgage debts and the reduction of ongoing operating subsidies, to foster greater provider accountability and to facilitate both new construction and ongoing maintenance;

And further, that a copy of this resolution be circulated for endorsement to all Municipal Service Managers and District Social Services Administration Boards (DSSAB).

Peel Regional Council is asking for endorsement of this Resolution, which should then be forwarded to both the Federal and Provincial Governments. The Resolution addresses Social Housing financing mechanisms, and not just the need for "grant" and "support", which is one reason why Council believes it should be considered at this time notwithstanding the Provincial/Municipal Fiscal Review process.

A copy of this Resolution has been sent separately to your Housing Leads to facilitate consideration.

Sincerely,

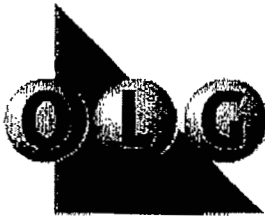


Charlotte Gravlev
Regional Clerk and Director of Clerk's

:vm

c: Keith Ward, Commissioner of Human Services

5(c)

**CONFIDENTIAL**
FAX COVER SHEET**ONTARIO LOTTERY AND GAMING
CORPORATION (OLG)**4120 Yonge Street, Suite 420, Toronto, Ontario M2P 2B8
Ph: 416-224-7047 Fax: 416-224-7002

Date: October 19, 2007

To: Mayor John Rowsell
City of Sault Ste. Marie

Fax: 705-541-7171

From: Kelly McDougald
Chief Executive Officer
Ontario Lottery and Gaming Corporation (OLG)

Message:

Please note that there will be a financial transaction to your Municipality's account today in the amount of \$418,484.

This transaction represents the quarterly payment of the 5% allocation from July 1, 2007 – September 30, 2007 as per your agreement with the Ontario Lottery and Gaming Corporation on the operation of OLG Casino Sault Ste. Marie. This brings the grand total to \$13,596,245.

Should you have any questions regarding this payment, feel free to contact Jake Pastore, Manager, Government and Municipal Relations directly at 416-224-7047.

APPROVED K. McDougald

cc John Black
Chief Financial Officer
Ontario Lottery and Gaming Corporation (OLG)

CASINO REVENUE SUMMARY

City of Sault Ste. Marie

CITY 5% SLOT REVENUE

	TOTAL	Increase over Previous Year
Total 1999	783,232	
Total 2000	1,292,709	65.0%
Total 2001	1,611,235	24.6%
Total 2002	1,926,143	19.5%
Total 2003	1,915,935	-0.5%
2004		
January 1 to March 31/2004	483,157	
April 1 to June 30, 2004	498,329	
July 1 to September 30/2004	464,417	
October 1 to December 31/2004	424,448	
Total 2004	1,870,351	-2.4%
2005		
January 1 to March 31/2005	393,120	
April 1 to June 30, 2005	403,218	
July 1 to September 30/2005	408,222	
October 1 to December 31/2005	372,518	
Total 2005	1,577,078	-15.7%
2006		
January 1 to March 31/2006	344,906	
April 1 to June 30, 2006	355,429	
July 1 to September 30/2006	386,201	
October 1 to December 31/2006	369,383	
Total 2006	1,455,919	-7.7%
2007		
January 1 to March 31/2007	358,727	
April 1 to June 30, 2007	386,432	
July 1 to September 30/2007	418,484	
Total 2007	1,163,643	
Total to Date	13,596,245	

	Jan. to March	% Increase	April to June	% Increase
1999	0	0	0	0
2000	287,177	0%	317,240	0%
2001	320,150	11%	392,289	24%
2002	430,587	34%	490,694	25%
2003	445,897	4%	496,830	1%
2004	483,157	8%	498,329	0%
2005	393,120	-19%	403,218	-19%
2006	344,906	-12%	355,429	-12%
2007	358,727	4%	386,432	9%

	July to Sept.	% Increase	Oct. to Dec.	% Increase
1999	475,421	0%	307,811	0%
2000	372,049	-22%	316,243	3%
2001	473,346	27%	425,450	35%
2002	534,131	13%	470,731	11%
2003	480,977	-10%	492,231	5%
2004	464,417	-3%	424,448	-14%
2005	408,222	-12%	372,518	-12%
2006	386,201	-5%	369,383	-1%
2007	418,484	8%		

Prepared by October 19, 2007

From: Lysiak, Roman (ENE) [mailto:Roman.Lysiak@ontario.ca]
Sent: October 19, 2007 3:10 PM
To: Donna Irving
Cc: Cameron, Brian (ENE); Murphy, Tim - BUR
Subject: Waste Management of Canada Corporation, Sault Ste. Marie

5(d)

Ministry of the Environment
Environmental Assessment and
Approvals Branch
Floor 12A
2 St Clair Ave W
Toronto ON M4V 1L5
Fax: (416) 314-8452
Telephone: (416) 314-8319

Ministère de l'Environnement
Direction des évaluations et des
autorisations environnementales
Étage 12A
2 av St Clair O
Toronto ON M4V 1L5
Télécopieur : (416) 314-8452
Téléphone : (416) 314-8319



October 19, 2007

Clerk, City of Sault Ste. Marie
P.O. Box 580
99 Foster Dr.
Sault Ste. Marie, Ontario
P6A 5N1
E-mail: d.irving@cityssm.on.ca

Dear Sir/Madam:

Re: Application for a Certificate of Approval
MOE Reference Number 5718-75HKAN
Waste Management of Canada Corporation, Sault Ste. Marie, Ontario

The Ministry of Environment has received the above noted application from Waste Management of Canada Corporation for a Certificate of Approval for a transfer/processing facility located at 120 Industrial Court A, Sault Ste. Marie.

Should you wish to obtain a copy of this application or any clarification on it, we suggest you contact the applicant directly by calling Mr. Tim Murphy, Director, Waste Management of Canada Corporation at 905-465-4605.

It is requested that the City of Sault Ste. Marie make comments with respect to the application. Please respond directly to the undersigned by **November 30, 2007**.

As you are aware, the Director has the discretion under Section 32, Part V of the Environmental Protection Act (EPA) to hold a public hearing regarding applications for waste disposal facilities. Municipalities or affected members of the public have the right to request that the Director consider calling a hearing with respect to any application submitted under Part V of the EPA. Any submissions in this regard must be accompanied by valid reasons and supporting technical justification. Please refer file number 5718-75HKAN in all related correspondence.

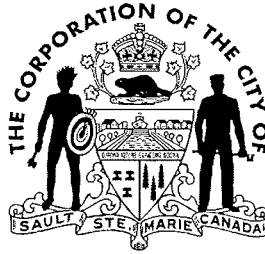
10/25/07

If you have any questions regarding the above, please contact me at 416-314-8316 or e-mail: roman.lysiak@ontario.ca.

Yours truly,

Roman S. Lysiak, P.Eng.
Senior Waste Engineer

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 10 29

Mayor John Rowswell and
Members of City Council
Civic Centre

RE: STAFF TRAVEL REQUESTS

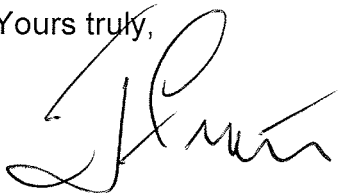
Dear Council:

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

1. **Lynn Rosso – Social Services – Ontario Works Division**
Integrated Approach to Accessibility Planning
November, 2007
Sudbury, ON
Estimated total cost to the City - \$ 704.20
Estimated net cost to the City - \$ 352.10
2. **Denis Desrosiers – Legal – P.O.A. Division**
Appeals Reform Meeting
November, 2007
Hamilton, ON
Estimated total cost to the City - \$ 1,593.00
Estimated net cost to the City - \$ 1,593.00
3. **Carl Rumiel – Engineering & Planning Department**
R U Municipal Engineers Association
November, 2007
Vaughan, ON
Estimated total cost to the City - \$ 1,069.55
Estimated net cost to the City - \$ 1,069.55
4. **Catherine Taddo – Engineering & Planning Department**
R U Sustainable – Municipal Engineers Association
November, 2007
Vaughan, ON
Estimated total cost to the City - \$ 1,069.55
Estimated net cost to the City - \$ 1,069.55

5. **Randy Ayotte – Social Services Department – Ontario Works Division**
ASI (Addictions) Meeting
November, 2007
Toronto, ON
Estimated total cost to the City - \$ 919.00
Estimated net cost to the City - \$ 0.00
6. **Enzo Torcaso – Social Services Department – Ontario Works Division**
ASI Meeting & Motivational Interviewing Session
November, 2007
Toronto, ON
Estimated total cost to the City - \$ 1,235.00
Estimated net cost to the City - \$ 0.00
7. **Paula Provenzano – Social Services Department – Ontario Works Division**
ASI Meeting & Motivational Interviewing Session
November, 2007
Toronto, ON
Estimated total cost to the City - \$ 1,235.00
Estimated net cost to the City - \$ 0.00
8. **Tyler Bertrand – Engineering & Planning – Building Division**
Northern Lights Chapter Meeting
November, 2007
Blind River, ON
Estimated total cost to the City - \$ 54.00
Estimated net cost to the City - \$ 54.00
9. **Larry Kennedy – Engineering & Planning – Building Division**
Northern Lights Chapter Meeting
November, 2007
Blind River, ON
Estimated total cost to the City - \$ 94.00
Estimated net cost to the City - \$ 94.00

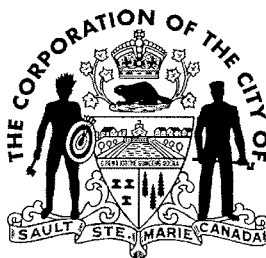
Yours truly,



Joseph M. Fratesi
Chief Administrative Officer

JMF: bb

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 10 29

Mayor John Rowswell and
Members of City Council
Civic Centre

Re: Tender for Parking Lot Snow Removal – Civic Centre

Attached hereto for your information and consideration is a summary of the tenders received for Snow Plowing and Removal from the Civic Centre parking lots, as required by the Building Services Division, Engineering & Planning Department, for the 2007-2008 winter season.

The tender was publicly advertised and tender documents mailed to all firms on our bidders list. A public opening of the tenders received was held October 10, 2007, with Councillor Pat Mick, representing City Council.

The tenders received have been evaluated and reviewed with Mr. Ben Nanni, Supervisor Building Services, Engineering & Planning Department, and Mr. Pat McAuley, Commissioner of Public Works & Transportation. The low tendered prices, meeting specifications, have been identified on the attached summary.

The tendered prices submitted represent the cost per frequency of snow removal and the total value of this tender amounts to approximately \$18,000.00 annually, funded from the Civic Centre Parking Lot Maintenance Account.

RECOMMENDATION

It is therefore my recommendation that the tender for Civic Centre Snow Plowing and Removal be awarded to 1187877 Ont. Inc. (Nick Parniak), Sault Ste. Marie, ON, at their low tendered prices.

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: \$14,000.00

Received: October 10, 2007
File: 2007AD03

SUMMARY OF TENDERS
PARKING LOT SNOW REMOVAL - CIVIC CENTRE

Price Per Occurrence (Not Including GST)

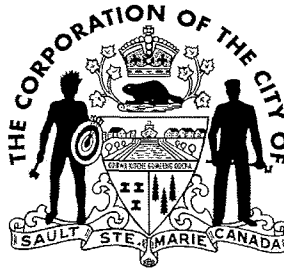
	<u>MidCanada Construction Sault Ste Marie, ON</u>	<u>1187877 Ont. Inc. (Nick Parniak) Sault Ste Marie, ON</u>
South Parking Lot & Main Entranceway (includes removal of snow)	\$1,050.00	\$540.00
North Parking Lot and Walkway (plowing only)	\$450.00	\$180.00
Total Price/Occurrence	<u>\$1,500.00</u>	<u>\$720.00</u>

The low tendered price, meeting Specifications is boxed above.

It is my recommendation that the low tendered price, submitted by 1187877 Ontario Inc. (Nick Parniak), be accepted.

Ralph Robertson
Manager of Purchasing

5(4)



2007 10 29

Mayor John Rowswell
and Members of City Council
Civic Centre

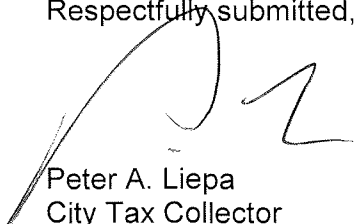
RE: Property Tax Appeals

Attached are listings that summarize applications for adjustments to the Tax Roll pursuant to Section 357 of the Municipal Act, 2001.

The Municipal Property Assessment Corporation (MPAC) has recommended the amount of assessment to be adjusted. Each of the applications has been reviewed individually and recommended as shown.

An appropriate resolution has been prepared for your consideration.

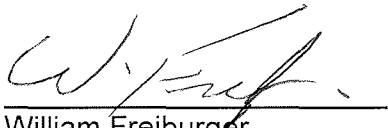
Respectfully submitted,


Peter A. Liepa
City Tax Collector

PAL/bk

Attach.

Recommended for Approval:


William Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

APPLICATION TO COUNCIL TO CANCEL
OR REFUND PROPERTY TAXES PURSUANT TO SECTION 357
OF THE MUNICIPAL ACT, 2001

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2007

DATE: 2007-10-29
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	PROPERTY CLASS	REASON	APPEAL NO.	CANCELLATIONS		TOTAL
						TAXES	INTEREST	ADJUSTMENT
020-035-015-00	235 Pim St	Cavaliere Nicky	Commercial/Residential	A	07-054	61.02	0.19	61.21
030-005-002-00	141 Farquhar	MacIntyre David		C	07-055	6.33	-	6.33
030-082-077-00	1286 Old Garden River Rd	Purvis Jack William	Residential	D	07-056	469.77	-	469.77
040-008-003-00	483 Wilson St	Ukrainian Greek Orthodox Church	Residential	E	07-057	932.58	46.18	978.76
040-020-111-00	332 North St	Pritchard Anthony	Residential	D	07-058	26.29	0.26	26.55
040025-008-00	238 Albert St W	Barbon Pietro	Residential	C	07-059	127.94	-	127.94
050-012-044-00	349 Korah Rd	Laliberte Janice	Commercial	D	07-060	883.57	21.55	905.12
						-		-
						-		-
						-		-

Certified Correct:

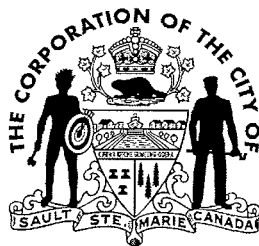
REPORT TOTAL 2,446.48 67.99 2,575.68

Peter A. Liepa
City Tax Collector

- A. REALTY TAX CLASS CONVERSION
- B. BECAME EXEMPT AFTER RETURN OF ROLL
- C. RAZED BY FIRE AFTER RETURN OF ROLL

- D. DEMOLISHED AFTER RETURN OF ROLL
- E. OVERCHARGED BY REASON OF GROSS OR MANIFEST CLERICAL ERROR
- F. REAL PROPERTY THAT COULD NOT BE USED FOR A PERIOD OF AT LEAST 3 MONTHS
DUE TO REPAIRS OR RENOVATIONS

5(9)



2007 10 15

Mayor John Rowswell
and Members of City Council
Civic Centre

RE: 2008 COUNCIL MEETING SCHEDULE

City Council Procedure By-law 99-100 sets out that the regular meetings of Council shall be held at 4:30 p.m. twice per month on Monday afternoons. Public hearings on planning applications commence at 5:30 p.m.

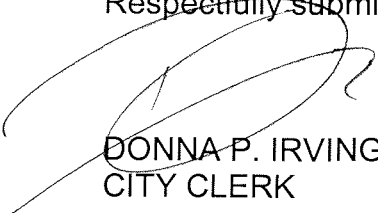
The proposed 2008 Council Meeting Schedule is attached. It is recommended that Council meet only once during the month of August - on August 18th. The reason for this recommendation is that of the four Mondays in August, two are not suitable dates for Council meetings (Monday, August 4th is a Civic Holiday, and the annual AMO Conference is taking place on August 25th). The remaining two Mondays in August are the 11th and the 18th. It is recommended that a Council meeting be held on August 18th.

This meeting schedule does not include Budget meeting(s) or any other special Council meetings as may be necessary during the year.

Recommendation

That the 2008 Council Meeting Schedule be approved by Council.

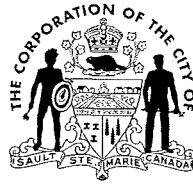
Respectfully submitted,


DONNA P. IRVING
CITY CLERK

Att.


RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



5(h)

2008 COUNCIL MEETING SCHEDULE

<u>Date</u>	<u>Start Time</u>	<u>Planning</u>
January 14	4:30 p.m.	5:30 p.m.
January 28	4:30 p.m.	5:30 p.m.
February 11	4:30 p.m.	5:30 p.m.
February 25	4:30 p.m.	5:30 p.m.
March 17	4:30 p.m.	5:30 p.m.
March 31	4:30 p.m.	5:30 p.m.
April 14	4:30 p.m.	5:30 p.m.
April 28	4:30 p.m.	5:30 p.m.
May 12	4:30 p.m.	5:30 p.m.
May 26	4:30 p.m.	5:30 p.m.
June 9	4:30 p.m.	5:30 p.m.
June 23	4:30 p.m.	5:30 p.m.
July 7	4:30 p.m.	5:30 p.m.
July 21	4:30 p.m.	5:30 p.m.
August 18	4:30 p.m.	5:30 p.m.
September 8	4:30 p.m.	5:30 p.m.
September 22	4:30 p.m.	5:30 p.m.
October 6	4:30 p.m.	5:30 p.m.
October 20	4:30 p.m.	5:30 p.m.
November 3	4:30 p.m.	5:30 p.m.
November 17	4:30 p.m.	5:30 p.m.
December 1	4:30 p.m.	5:30 p.m.
December 15	4:30 p.m.	5:30 p.m.

City Clerk's Department

Calendar for year 2008 (Canada)

5(h)

January 2008						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

February 2008						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	

March 2008						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

March Break week

April 2008						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

May 2008						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

June 2008						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

July 2008						
Su	Mo	Tu	We	Th	Fr	Sa
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

August 2008						
Su	Mo	Tu	We	Th	Fr	Sa
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24	25	26	27	28	29	30
31						

September 2008						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30				

AMO Conference 24-27

October 2008						
Su	Mo	Tu	We	Th	Fr	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November 2008						
Su	Mo	Tu	We	Th	Fr	Sa
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

December 2008						
Su	Mo	Tu	We	Th	Fr	Sa
1	2	3	4	5	6	
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

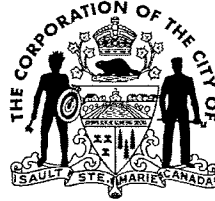
Holidays and Observances:

Jan 1 New Year's Day
Mar 10 Commonwealth Day
Mar 21 Good Friday
Mar 24 Easter Monday

May 19 Victoria Day
Jul 1 Canada Day
Aug 4 Civic/Provincial day (local)
Sep 1 Labour Day

Oct 13 Thanksgiving Day
Nov 11 Remembrance Day
Dec 25 Christmas
Dec 26 Boxing Day

Frank F. Coccimiglio
Manager, Information Technology
Division



FINANCE DEPARTMENT
Information Technology (IT)
Division

October 19, 2007

TO: Mayor John Rowswell and Members of City Council

RE: Immigration Portal, Contracts with Sudbury for Content Management System Hosting.

Overview

At the council meeting held on March 12th 2007, Council gave its approval for the City to proceed with the Ministry of Citizenship and Immigration on the development of an Immigration Portal. The subsequent council meeting held on March 21st 2007, council passed the by-law and signed the agreements with The Ministry of Citizenship and Immigration. Outlined in both the proposal and Contract with the Ministry was the fact that the Portal would be hosted on Sudbury's Content Management Server.

Recommendation

Attached this evening are the contracts outlining the legal agreement between Sudbury and the City of Sault Ste. Marie confirming the cost and the deliverables.

We ask that Council execute the attached agreements and pass the necessary by-law.

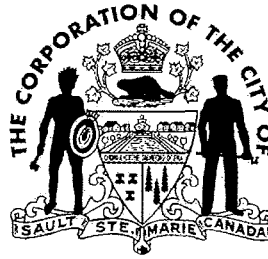
Frank Coccimiglio

Manager, Information Technology Division

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 10 29

Mayor John Rowswell and
Members of City Council

Re: Sault Speed Skating Club Request for Financial Assistance 2007

The Sault Speed Skating Club requested the City cancel or reduce the amount owed for this past season only. The club has received their annual invoice of \$500.00 for last season.

Recommendation

The Finance Department has reviewed this request to ensure that all financial information is complete, that eligibility criteria is met and assessment criteria has been applied, in accordance with the Financial Assistance Policy for Sustaining and Other Grants. A complete application under this policy was not received, but based upon the letter provided to City Council on October 15, 2007 by the Sault Speed Skating Club, it does not meet the eligibility criteria since the request is to fund a past operating deficit.

It is therefore recommended that the City deny the request as it does not meet the criteria of the Financial Assistance Policy for Sustaining and Other Grants.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

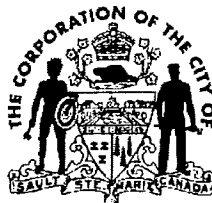
WF/kl

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(j)

NICHOLAS J. APOSTLE
COMMISSIONER COMMUNITY SERVICES



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

October 29, 2007

Mayor John Rowsell
and Members of City Council

Sault Speed Skating Club Request for Debt Reduction or Forgiveness

At their last meeting Council passed the following resolution:

"Resolved that the request from the Sault Speed Skating Club in a letter dated September 30, 2007 that the City cancel or reduce the amount owed to the City by the Club for maintenance of the Art Jennings Oval for the past season BE REFERRED to the Finance Committee and the Commissioner of Community Services for review and report back to Council."

The Community Services Department staff have reviewed the request and recommend that the debt not be forgiven for the following reasons:

- It does not meet the criteria of the City's Financial Assistance Policy
- In order to prepare for the Club's annual competition the City incurred expenses in excess of the permitted amount.
- The Club has free use of the Oval for practicing from 4:00 p.m. to 6:00 p.m. every Monday through to Friday the entire season.
- The Club enjoys additional services for which there is no charge such as storage of outdoor and indoor speed skating equipment, and the use of the sound system.

Recommendation

It is staff's recommendation that Council not approve the request from the Sault Speed Skating Club for debt reduction or forgiveness for the Ontario Long Track Speed Skating Championships that were held this past January.

Respectfully submitted,

Nicholas J. Apostle
Commissioner Community Services

jb/council/speed skating club request for debt forgiveness

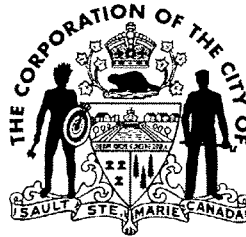
cc: B. Freiburger
M. Hazelton

RECOMMENDED FOR APPROVAL

Joseph M. Hareel
Chief Administrative Officer

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

LORI BALLSTADT, C.M.M.II
SUPERVISOR COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION
Bellevue & Bondar Marinas
Cultural
Historic Sites
Leisure Services/Leadership
Recreational Lock
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

2007 10 29

Mayor John Rowswell
and Members of City Council

Update – Sault Ste. Marie Skatepark Initiative

On June 25, 2007 a resolution of Council approved the submission of grant applications to the Ontario Trillium Foundation (O.T.F.) and the Northern Ontario Heritage Fund Corporation (N.O.H.F.C.) for capital funding to construct a \$300,000. concrete skatepark.

The funding sources to be identified on the applications included the City of Ste. Marie, up to a maximum of \$100,000., the Superior Community Skatepark Association (S.C.S.A.), the O.T.F. and the N.O.H.F.C.

See the attached report for background information.

Ontario Trillium Foundation

A Collaborative Application was submitted to the Ontario Trillium Foundation Community Program Grant in late June 2007 on behalf of the Superior Community Skatepark Association and the City of Sault Ste. Marie.

The O.T.F. recently confirmed their support of the application however the submission was officially denied due to the fact that all of the identified funding sources were not in place and the project was not ready to proceed.

City staff has been directed to resubmit the application prior to November 1, 2007 with a revised project cost of \$187,000 that includes the O.T.F. (\$75,000), the City of Sault Ste. Marie (\$100,000) and the Skatepark Association (\$12,000) as financial contributors. The City will act as the lead applicant for the November application as opposed to the Skatepark Association, as previously directed by O.T.F.

Should additional funds be attained after the November 1, 2007 submission, the O.T.F. will consider enhancing capital funds for the project through a multi-phased application process.

Northern Ontario Heritage Fund Corporation

Preliminary discussions with Ministry of Northern Development and Mines staff several months ago indicated an interest in the project and a possible 1/3rd funding opportunity. N.O.H.F.C. staff has now confirmed that the Sault Ste. Marie skateboard park is considered a single purpose recreational project and is not eligible for infrastructure support.

Support For The Project

City staff has met with Travis McCormack, President, Superior Community Skatepark Association and the Parks and Recreation Advisory Committee - Skatepark Subcommittee to discuss the status of the Ontario Trillium Foundation Community Program Grant.

These groups continue to fully support the initiative but with a preference towards the construction of a larger skatepark at the original cost of \$300,000.

In conversation with Spectrum Skatepark Creations Ltd., this company has confirmed that a park designed at a cost of \$300,000 will provide a medium size facility but large enough to challenge users as they become more skilled. A wide range of design styles can be accommodated dependent upon preferred features and your project budget.

The Skatepark Association commented that the construction of a park design equivalent to \$187,000 for a projected 6300 sq.' facility may be too small for the anticipated demands of the site. Safety concerns resulting from overcrowding may be an issue.

The Skatepark Association will continue to fundraise on an ongoing basis until the project is completed.

Mr. Jason Philips, former President of the S.C.S.A. had the inherent ability to serve as the project's true champion. Since his departure from Sault Ste. Marie in 2004, responsibility for this community initiative has slowly shifted from the Skatepark Association back to the municipality.

As a result of this shift in responsibilities, the matter of who will approach the corporate sector for potential donations has become an issue for City staff. This will be explored further with the P.R.A.C. Skatepark Sub-Committee and the Skatepark Association.

The costs for a Sault Ste. Marie skatepark, regardless of the final design, could be significantly reduced should local donations be received to offset material costs for items such as steel (rebar, coping, etc.) and concrete; as was the case in other communities.

Other Information

The modular components for the temporary skatepark are showing signs of wear and tear and some of the units will not be able to be used in 2008 due to safety concerns.

The original 2004 design accommodated a 1,125 square metre concrete skatepark facility to be constructed at the Queen Elizabeth Park site for an approximate cost of \$300,000. This did not include any amenities other than the skatepark itself.

To build the same custom design today, the cost will be approximately \$450,000 to \$500,000. The greater amount is due primarily to increased material costs.

A concrete skatepark, similar to the original design, can be accomplished by phasing in the construction of the feature components. Phase 1 would see the primary features implemented up to a cost of \$187,000. Subsequent Phases will be dependent upon securing adequate funding.

Next Steps

1. Resubmit an application to the Ontario Trillium Foundation Community Program Grant with a revised project cost of \$187,000.
2. Continue meeting with the P.R.A.C. Skatepark Subcommittee and the Skatepark Association to further explore funding opportunities.

Recommendation

It is therefore recommended that Council authorize City staff to resubmit an application to the Ontario Trillium Foundation Community Program Grant to construct Phase 1 of a concrete skatepark at a cost of \$187,000. with funds to be allocated as follows:

City of Sault Ste. Marie - \$100,000.

Superior Community Skatepark Association - \$12,000.

Ontario Trillium Foundation - \$75,000.

Respectfully submitted,



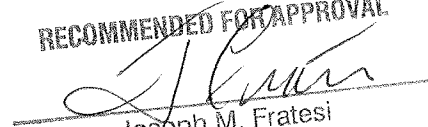
Lori Ballstadt
Supervisor Community Services

Recommended for approval,



Nicholas J. Apostle
Commissioner Community Services

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

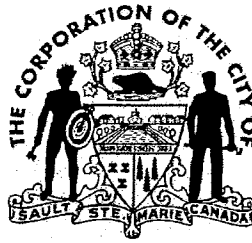
prac/skatepark/2007/council report – skatepark update1

cc: T. McCormack, Superior Community Skatepark Association
Parks and Recreation Advisory Committee

attachment

JOSEPH J. CAIN
MANAGER RECREATION & CULTURE DIVISION

LORI BALLSTADT, C.M.M.II
SUPERVISOR COMMUNITY SERVICES



COMMUNITY SERVICES DEPARTMENT
RECREATION & CULTURE DIVISION

Cultural
Historic Sites
Leisure Services/Leadership
Roberta Bondar Tent Pavilion
Seniors' Services
Sports/Events/Development

2007 06 25

Mayor John Rowswell
and Members of City Council

Skatepark Initiative - Update

This report is in response to the Council resolution dated 2006 10 30:

" Whereas money (\$100,000.00) was dedicated as the city's share of a skateboard park in 2004; and whereas at a recent Youth Council Forum, several young people had many questions concerning a skateboard park; and whereas they asked how Council could expedite a park becoming a reality; and whereas our young people have asked and deserve our guidance and assistance; therefore be it resolved that Council requests a report from appropriate staff on the dedicated funding, how matching funds can be levered, how smaller communities such as Blind River and Massey were able to accommodate their youth with skateboard parks, and the possibilities of building more than one park and/or an indoor park."

CARRIED

Background

In March 2004, City Council accepted a recommendation from PGM Design Associates to construct a 1,125 square metre concrete skatepark at the Queen Elizabeth Park facility at an estimated cost of \$300,000.00 with the City's share of \$100,000.00 to come from the Parks 5% Sub-Dividers Fee.

It was anticipated that additional funding for the project would be shared equally between Federal and Provincial Government sources, and the Superior Community Skatepark Association (cash and in-kind donations).

Research

City Staff has met with Federal and Provincial Government representatives to determine the City's eligibility for various funding sources.

The FedNor branch of Industry Canada has confirmed that while the skatepark initiative will certainly provide a recreational venue for community youth, FedNor is not able to support costs associated with the construction of this facility.

The Northern Ontario Heritage Fund Corporation may consider a 1/3 funding contribution for the project under the Infrastructure and Community Development Program and recently encouraged the City to apply to the program.

The municipality is also eligible to apply in partnership with the Superior Community Skatepark Association to the Ontario Trillium Foundation Community Program grant for capital funding up to a maximum of \$75,000.00 conditional upon the City being responsible for the long term maintenance of the skatepark.

Preliminary discussions for possible funding opportunities have already taken place with businesses from the corporate sector.

Superior Community Skatepark Association

In 2004, Jason Philips, former President of the Superior Community Skatepark Association, was confident that a fundraising goal of between \$50,000.00 to \$100,000.00 could be raised by the not-for-profit volunteer organization. Mr. Philips believed strongly in the project and possessed the ability to champion the initiative.

Unfortunately, Mr. Philips left the community a few years ago to further pursue his education and since that time the Association has found it difficult to raise such a large amount of money.

To date, the Association, under the direction of Travis McCormack, President, has raised approximately \$12,000.00 towards the project which is commendable given the fact that this is a volunteer group comprised primarily of youth and young adults.

The Sault Ste. Marie Teen Centre, currently in the process of officially dissolving, recently supported and encouraged the creation of a skateboard park, through the donation of \$2,500.00 towards the venture. This contribution is included in the above amount.

Additional Information

As per Council's request regarding information about skateparks in Blind River and Massey, please note the following:

The Town of Blind River currently offers their youth a platform base concrete structure with manufactured metal skateboard components. Total cost of the structure, paid for by the municipality, was \$35,000.00.

The Sagamok Anishnawbek First Nation community, located outside of Massey, built a concrete skatepark at a cost of \$185,000.00. Funding was received from the N.O.H.F.C. and the application was coordinated in partnership between Saulteaux Enterprises and the First Nation community.

Next Steps

Albeit the process to construct a skatepark in Sault Ste. Marie has taken longer than anticipated, the demand for a skatepark to be built in our community is still strong and there is the belief that the facility, once constructed, will be widely used by residents and out-of-town youth visiting the community.

Members of the 2007 Parks and Recreation Advisory Committee have rejuvenated an interest in the project and have provided much needed support for staff and the Skatepark Association. P.R.A.C. and City staff will continue to work with the Superior Community Skatepark Association.

Funding applications will be submitted in partnership to the Ontario Trillium Foundation (July 1st deadline) and the Northern Ontario Heritage Fund Corporation. The corporate sector will also be approached now that the Steelback Centre is a reality and the SAH fundraising campaign is coming to a close.

The Ontario Trillium Foundation and the N.O.H.F.C. require a resolution of Council showing support for the funding applications.

Specific to the Trillium Community Program Grant, Council is asked to provide correspondence confirming that the City will accept a capital contribution on behalf of the Superior Community Skatepark Association for the sole purpose of constructing the skatepark, and that the City is prepared to be responsible for the ongoing maintenance of the facility.

The City's contribution towards the \$300,000.00 skatepark initiative will not exceed \$100,000.00 with the balance to come primarily from provincial grants and the corporate sector. The Skatepark Association will continue to fundraise and community donations will be accepted.

The skatepark will not require the establishment of an annual operating budget as funds currently exist in the Public Works and Transportation Department – Parks Division cost centre. A budget of \$15,000.00 to currently maintain the temporary skatepark will be transferred to the concrete facility. Staffing costs for the inspection and daily cleaning of the new facility are also in place.

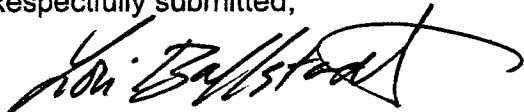
The skatepark initiative is advocated by many groups in the community including the Parks and Recreation Advisory Committee, Sault Youth Council, the Sault Ste. Marie Police Service, the Economic Development Corporation and the Sault Sports Council. Letters of support will be included as part of the grant applications.

Recommendation

It is therefore recommended that Council approve the grant applications to the Ontario Trillium Foundation and the Northern Ontario Heritage Fund Corporation for capital funding to construct a concrete skatepark in Sault Ste. Marie.

This report is provided for Council's information and approval.

Respectfully submitted,



Lori Ballstadt
Supervisor Community Services
Recreation and Culture Division

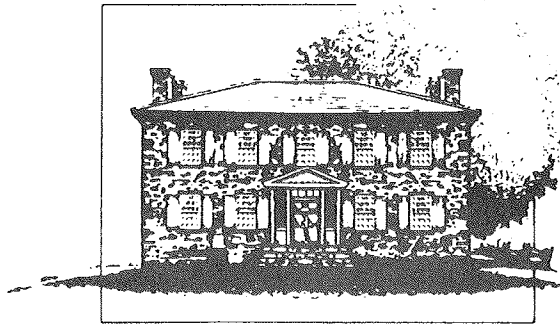
Recommended for approval,



Nicholas J. Apostle
Commissioner Community Services

jb/prac/skatepark/2007/council report- skatepark update

cc: T. McCormack, Superior Community Skatepark Association
J. Bumbacco, Parks and Recreation Advisory Committee



October 29, 2007

Ermatinger • Clergue National Historic Site

Mayor John Rowswell
and Members of City Council

**ERMATINGER•CLERGUE NATIONAL HISTORIC SITE –
VISITOR CENTRE, SUMMER KITCHEN RE-DESIGN AND SITE ACCESSIBILITY PROJECT**

BACKGROUND

In 2006 the Historic Sites Board completed the exterior and interior restoration of the Ermatinger Old Stone House. This \$400,000.00 capital project was funded by FedNor and a private bequest from J. Bishoping. The final component of this project included the schematic designs for the Visitor Centre and Summer Kitchen – from C. Tossell, Architect.

On February 26, 2007 a presentation and report (attached) was provided to Council highlighting the schematic design of the proposed Visitor Centre along with the proposed Summer Kitchen re-design, and Site Accessibility.

In February, at the Province's request, a regional committee was struck to review the 200th Anniversary of the War of 1812. As part of the provincial program a legacy component is to be considered in the commemoration. The Ermatinger•Clergue National Historic site has a direct connection to the War of 1812, [Charles Ermatinger and his allies joined forces with Fort St. Joseph resulting in the capture of Fort Michilimackinac in July 1812]. The committee feels that the proposed Visitor Centre at the Ermatinger Site would be an appropriate facility to house the commemorative exhibits and legacy components for the War 1812.

RECENT DEVELOPMENTS

Members of the Historic Sites Board are working towards having the Visitor Centre completed and open to visitors prior to the 200th Anniversary of the Ermatinger Old Stone House and the commemoration of the War of 1812 – all arriving in the year 2012. Incidentally 2012 is also the 100th anniversary of the Corporation of the City of Sault Ste. Marie.

The Board has obtained a price quote / letter from C. Tossell for Phase II of the development (attached). This work will cost \$16,000 + GST + disbursements.

The proposal from C. Tossell has been reviewed by the following and represents good value for the city:

- Historic Sites Board,
- Executive Committee War 1812 Bicentennial Regional Focus Group,
- Manager of Recreation & Culture – J. Cain,
- Planning Director – D. McConnell.

The costs of \$16,000 will be financed as follows:

- \$ 6,000 War of 1812, provincial planning grant
- \$10,000 Reserve account / trust fund established by Heritage Sault Ste. Marie
[current balance: \$34,5000]

The members of the Historic Sites Board passed the following motion at their October 11, 2007 meeting:

Moved by: K. Yukich

Seconded by: H. Hershey

“Resolved that the Historic Sites Board recommends that C. Tossell be hired for: Completion of Phase 2 – Design Development, for the proposed Visitor Centre for the Ermatinger•Clergue National Historic Site; with the variation of modifying the plans to accommodate exhibits on the War of 1812 and commemorative legacy components,

And whereas, the Historic Sites Board recommends C. Tossell, Architect be hired for the consistency of Site development and for his knowledge and historical background of the Site, rather than the services being sourced through the tendering process,

And whereas, the Historic Sites Board recommends that upon consent from the Regional Focus Group War 1812, that \$6000 be utilized from the provincial moneys provided for War 1812 planning, and the remainder of the funds required for C. Tossell’s work on Phase 2, be secured from he reserve accounts / trust funds of the Historic Sites Board.”

CARRIED

RECOMMENDATION

The Historic Sites Board recommends that Council approve the hiring of C. Tossell to complete Phase II of the Ermatinger•Clergue National Historic Site – Visitor Centre, and further that the cost of \$16,000 be funded from the War of 1812 Provincial planning grant - \$6,000, and from the Historic Sites Board Reserve account - \$10,000.

Respectfully submitted on behalf of the Historic Sites Board,



Kathy Fisher, Curator
Ermatinger•Clergue National Historic Site

Recommended for approval,



Nicholas J. Apostle
Commissioner Community Services

hsb/2007/council visitor centre re Tossell Oct 29

cc: Members of H.S.B.
D. McConnell
B. Freiburger

attachments

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi

Chief Administrative Officer

February 26, 2007

Mayor John Rowsell
and Members of City Council

**ERMATINGER•CLERGUE NATIONAL HISTORIC SITE –
VISITOR CENTRE, SUMMER KITCHEN RE-DESIGN AND
SITE ACCESSIBILITY PROJECT**

Since the City of Sault Ste. Marie purchased the Ermatinger Old Stone House in 1964 and completed the initial restoration project in 1969 the Site has undergone a number of changes.

In 1974, with the approval of the City of Sault Ste. Marie and the Historic Sites Board, an archaeological dig was executed to uncover the traces of the out-kitchen reported to have burned "some year" previous to 1844. Remnants of this addition were never fully identified, however, the skeletal remains of a later addition were, and it was upon this basis that the plans for an interpretive centre – a **Summer Kitchen** – for the Ermatinger Old Stone House was built. Construction began in 1983 and was completed with the construction of a woodshed on the east side in 1987.

The **Heritage Site Development Plan** for the Ermatinger Old Stone House was approved by City Council in 1998. The \$250,000.00 project was initiated to recreate the design of the lands as they might have been through the aid of historical research. The project was completed in the summer of 1999 through funding from the Northern Ontario Heritage Fund, Heritage Sault Ste. Marie and community donations.

In the fall of 1999 the Historic Sites Board, the Sault Ste. Marie Municipal Heritage Committee [former L.A.C.A.C.], and Heritage Sault Ste. Marie completed a half-million dollar (\$.5M) project without any additional funding from government sources. The **relocation of the Clergue Blockhouse** to the Site and the Heritage Site Development Plan prepared the site for the next stage of development.

The Clergue Blockhouse was the home of Francis Hector Clergue during his early years in Sault Ste. Marie. It was during this time that Clergue planned and implemented many of the entrepreneurial ideas for which he is now famous. The foundation of Clergue's home was a one storey North West Company stone powder magazine. In 1894 Clergue built the upper storey as part of the Blockhouse and made adjustments to the interior of the lower stone building.

In 2002 the Historic Sites Board completed the **restoration of the Clergue Blockhouse** with financial assistance from **FedNor**, the Ontario Heritage Foundation, and Heritage Sault Ste. Marie and community donations. This \$300,000.00 capital project included:

"The restoration of the Clergue Blockhouse to the time period when Francis H. Clergue used this building as his private residence. It is from this residence that Francis H. Clergue directed his growing business empire in Sault Ste. Marie".

In 2006 the Historic Sites Board completed the **exterior and interior restoration of the Ermatinger Old Stone House**. The \$400,000.00 capital project developed a supportive interpretation program and conducted conservation maintenance at the Ermatinger Old Stone House ensuring that this important national historic building continued to be a significant and sustainable national attraction in the tourism/cultural infrastructure of Sault Ste. Marie.

With the completion of the exterior and interior restoration of the Ermatinger Old Stone House the Historic Sites Board is seeking City Council approval to proceed with identifying possible funding for the next stage of development for the Ermatinger•Clergue National Historic Site.

The proposed development will include three separate but complimentary sub-components. They are:

- The development of a new Visitor Reception Centre including interpretation components;
- The re-design of the Summer Kitchen to include expanded interpretation and programming facilities and auxiliary kitchen services; and
- Enhanced site accessibility features for persons with a disability.

Appended are the concept drawings for the Visitor Reception Centre and the re-design of the Summer Kitchen prepared by Chris Tossell, Architect. Funding for the development of the concept drawings was approved in the 2006 **exterior and interior restoration of the Ermatinger Old Stone House Project**. Initial site accessibility reviews have been conducted by the Orientation and Mobility Specialist of the C.N.I.B., the Administrative Assistant/Certified Occupational Hearing Conservationist of the Canadian Hearing Society and the March of Dimes.

The estimated budget for the three (3) current proposed developments is \$2,000,000. It is the hope of the Members of the Historic Sites Board to have the proposed project completed and open to visitors prior to the 200th Anniversary of the Ermatinger Old Stone House.

The members of the Historic Sites Board are seeking your approval in principal for the proposed developments for the Ermatinger•Clergue National Historic Site and to proceed with meeting with various funding agencies to identify potential grant dollars for the capital development. The final application to the Northern Ontario Heritage Fund Corporation, FedNor and other funding agencies will be forwarded for your approval at a later date.

On behalf of the members of the Historic Sites Board, I am asking for your support of the resolution and the efforts of the Historic Sites Board.

Thank you in advance for consideration of this request.

Respectfully submitted on behalf
of the Historic Sites Board,

Kelly Marshall, Chairperson
Historic Sites Board

li/rec&cul/hsb/07/council ecnhs visitor centre

cc: Members of H.S.B.
B. Freiburger
N. Apostle

K. Fisher
D. Bourn

attachments



Chris Tossell, Architect, 531 River Road
 Sault Ste. Marie, ON P6A 6X7
 Phone: (705) 942-1013
 Fax: (705) 942-9162
 Email: CTA1@shaw.ca

29 August, 2007

Mrs. Kathy Fisher
 Curator, Ermatinger-Clergue National Historic Site
 Community Services Department
 Civic Centre
 99 Foster Drive
 Sault Ste. Marie, ON
 P6A 5N1

Dear Mrs. Fisher

Re: 2006-25 – Proposed Visitor Centre for the Ermatinger/Clergue National Historic Site

- 1) You have requested a proposal to take the proposed Visitor Centre to the next stage of development, coupled with the possibility of incorporating space to accommodate a permanent gallery commemorating the war of 1812.
- 2) To do this we need to define the next logical step to assist in procuring funding in order to bring the project to reality prior to the Ermatinger Old Stone House bi-centennial in 2012. In project development there are certain well defined stages generally accepted in the design process:
 - Phase 1 – Schematic Design
 - Phase 2 – Design Development
 - Phase 3 - Construction Documents Phase
 - Phase 4 – Construction/Contract Administration Phase
- 4) We have currently completed Schematic Design Phase 1 with a generally accepted plan which appears to meet code and by-laws (note: but which has not been reviewed with City Legal Department) and for which an initial construction budget has been established. In addition we prepared a promotional video presentation to help the relevant funding agencies appreciate the scope of the project.
- 5) Based on our conversation we would suggest that the time is right to move the project forward through Design Development Phase with two variations
 The first to modify the plans to accommodate a gallery commemorating the relevance of Sault Ste Marie the war of 1812 and the second to include sufficient funds in the fee proposal to include initial input from a specialist interpretive /creative consultant for interior design services in the display and orientation theatre areas. We would certainly recommend the continuation of the ongoing E-CNHS relationship with the design services of Annie Dalton for this aspect of the work.
- 6) Phase 2 would then consist of the preparation of the following:
 - Site Plan coordinated with authorities
 - Plans – including the previously mentioned alternative for 1812
 - Elevations

- Sections
- A project brief detailing area calculations, building systems and outline specifications to describe the size and character of the entire project including the site planning/ parking, the architectural, structural, mechanical and electrical systems, materials etc.
- A revised construction cost estimate
- A review of all applicable codes related aspects including local by-laws

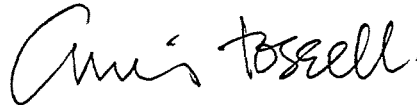
And to receive the Boards approval for this stage.

7) Costs:

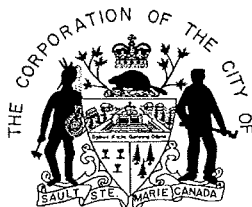
To achieve this phase we would normally have expended 25% of the fee quoted in our 28th September, 2006 letter, less previously paid. Since there is no firm funding commitment in place at this stage we suggest that an interim fee be paid, on completion, to accommodate this work of \$16,000.00 + GST + disbursements. This fee is inclusive of an allowance of for the engagement of Design Network (Annie Dalton) for initial creative design services noted in paragraph 5.

Kathy, I hope the above is the information you need at this stage. Please call if you need further detail.

Yours Sincerely,



Chris Tossell, OAA, MRAIC, CAPHC.
Architect



REPORT TO: Mayor John Rowswell
and Members of City Council

REPORT FROM: Lorie Bottos
City Solicitor

DATE: 2007 10 29

SUBJECT: PROPOSED SALE OF 324 SECOND LINE WEST

1. PURPOSE

The purpose of this report is to seek Council's approval to sell a vacant parcel of land located at the northwest corner of Second Line West and Korah Road.

2. BACKGROUND

As part of the Second Line West widening project, the City purchased a vacant parcel of land at 324 Second Line West. The widening project has been completed and the remainder of the property is not required for municipal purposes. Interest has been expressed in the purchase of this property. The possible disposal of this property has already been circulated to City staff and the PUC with no adverse comments on its disposal other than the PUC requires 2 easements.

3. ATTACHMENT

A plan of the subject property is attached.

4. RECOMMENDATION

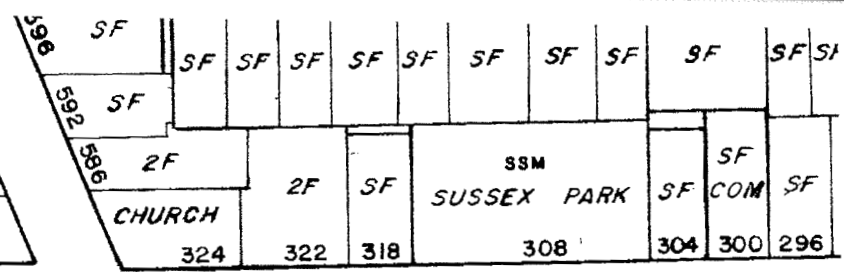
It is recommended that the property be declared surplus and the property will then be advertised for sale. Any offers received will be brought forward at a subsequent Council meeting.

Yours truly,

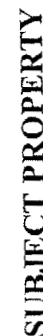

L. A. Bottos
City Solicitor
/sd

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer



SUSSEX



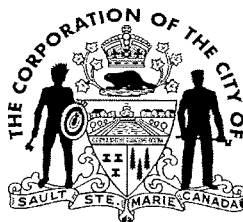
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Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

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

2007 10 29

Mayor John Rowswell
Members of City Council

Re: Connecting Links – Request for 2008 MTO Allocation

The City received an unconditional grant of **\$1,373,250** in 2007 for connecting link resurfacing. A total of **\$1,121,250** was designated for Great Northern Road resurfacing north of Fifth Line, and **\$252,000** was a carryover grant to complete Trunk Road between Black and Boundary. Both projects are scheduled to be completed in 2007.

In the fall of each year, we submit a request for the following year's connecting link allocation. The attached table shows our suggested five year connecting link schedule. The program cost is **\$1,525,000** with the MTO 75% share of **\$1,143,750**. The City share of **\$381,250** will come from the annual connecting link allowance of **\$500,000** set aside in the capital construction budget. The 2008 request includes the following projects:

Great Northern Road from Fifth Line to Wigle Street

This is a continuation of the 2007 project, and will complete the recycled asphalt resurfacing of Great Northern Road north of Fourth Line. We will be recycling most of the existing asphalt using cold in place expanded asphalt techniques for the base course, followed by a 50mm thick surface course layer of new hot mix asphalt. The project is estimated to cost **\$1,050,000** of which **\$262,500** is the City's share.

Right Turn Lane on Second Line, Westbound at Great Northern Road

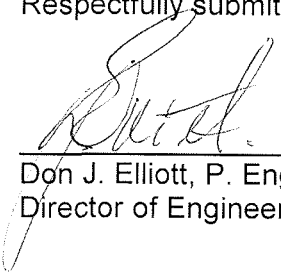
This project has been proposed for several years. It will help alleviate traffic congestion at this busy intersection, especially considering the additional traffic resulting from the relocation of the hospital. The overall project cost is estimated at **\$475,000** of which **\$118,750** is the City's share.

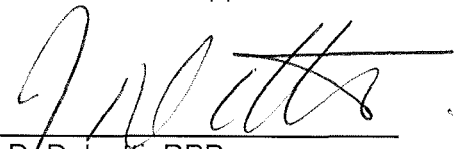
Under the Class Environmental Assessment Act, these projects fall under Schedule A which means they are pre-approved. The Great Northern Road resurfacing contract will be prepared and administered by our own engineering technical staff, and the right turn lane project has already been designed and is ready to construct. The City previously retained Kresin Engineering to complete this project.

This report is presented for Council's information.

Respectfully submitted,

Recommended for Approval:


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


Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

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RECOMMENDED FOR APPROVAL

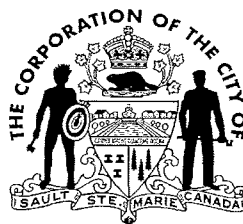
Capital Construction Plan, Connecting Links (2008 and beyond)									
Year	Type	Street	From	To	Total Cost	Not Sharable	Sharable	MTO Cost	City Cost
2008	Resurface	Great Northern Rd	Wigle St.	Fifth Line Road	\$ 1,050,000	\$ -	\$ 1,050,000	\$ 787,500	\$ 262,500
2008	Const	Rt. Trn Lane-NE Cor	200m E of GNR	200m N of 2nd L	\$ 475,000	\$ -	\$ 475,000	\$ 356,250	\$ 118,750
					\$ 1,525,000	\$ -	\$ 1,525,000	\$ 1,143,750	\$ 381,250
2009	Resurface	Second Line East	North St	Great Northern Rd	\$ 1,650,000	\$ -	\$ 1,650,000	\$ 1,237,500	\$ 412,500
	Resurface	Second Line East	Great Northern Rd	Old Garden River Rd	\$ 350,000	\$ -	\$ 350,000	\$ 262,500	\$ 87,500
					\$ 2,000,000	\$ -	\$ 2,000,000	\$ 1,500,000	\$ 500,000
2010	Resurface	Great Northern Rd	Terrance Ave	Third Line	\$ 650,000	\$ -	\$ 650,000	\$ 487,500	\$ 162,500
2010	Resurface	Great Northern Road	Second Line E.	Terrence Ave.	\$ 850,000	\$ -	\$ 850,000	\$ 637,500	\$ 212,500
					\$ 1,500,000	\$ -	\$ 1,500,000	\$ 1,125,000	\$ 375,000
2011	Par Recon (4 lanes)	Second Line East	Old Garden R. Rd.	A/C width change	\$ 2,350,000	\$ -	\$ 2,350,000	\$ 1,762,500	\$ 587,500
					\$ 2,350,000	\$ -	\$ 2,350,000	\$ 1,762,500	\$ 587,500
2012	Par Recon (4 lanes)	Second Line East	A/C width change	Black Rd	\$ 1,650,000	\$ -	\$ 1,650,000	\$ 1,237,500	\$ 412,500
					\$ 1,650,000	\$ -	\$ 1,650,000	\$ 1,237,500	\$ 412,500
Notes: Cost estimates in bold are more accurate, other estimates are generated from the Road Management System									

5(n)

5(0)

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

October 29, 2007

Our file: B77-33

Mayor John Rowswell
Members of Council

**Re: Sault Ste. Marie Municipal Landfill Site
Collection of Landfill Gas Feasibility Study**

Purpose

This report has been prepared to inform Council of the City's potential partnership with the PUC in conducting a feasibility study regarding the collection of landfill gas and the generation of heat and electricity.

Background

Both the City and PUC hope to work together to reduce the production of greenhouse gases. It is understood that Council generally supports such efforts in principle, as it was stated in the resolution creating the Municipal Environmental Initiatives Committee. One of the most recent efforts involves initiating a feasibility study of actively collecting our landfill gas and generating heat and electricity under the Standard Offer Program. For additional information relating to the Standard Offer Program, reference can be made at www.powerauthority.on.ca.

The City currently has installed and maintains a grid of 30 passive flares that burn off the methane gas in our efforts to mitigate off-site odours. The installation of an active system at the time (2005-2006) was considered, but was more expensive and the Standard Offer Program was not yet launched by the Ontario Power Authority. The Standard Offer Program, if the project qualifies, is designed such that a guaranteed rate is offered for power generated by small projects and the rate is committed for a long term period (ie: 20 years). It is understood that this project will qualify for 11 cents per kilowatt hour with additional incentive (3.52 cents per kilowatt hour) should a constant supply be provided during peak hours.

The PUC has offered to fund the feasibility study in its entirety and have employed Totten Sims Hubicki (TSH) Associates to complete it with a separate agreement between the two parties. A Memorandum of Understanding between the City and PUC has been prepared and is included with this report. The MOU has been reviewed with the City's Legal Department and no issues were noted. The study will commence immediately and both the City and PUC will assess its results in order to plan next steps. Reports are anticipated early 2008.

Recommendation

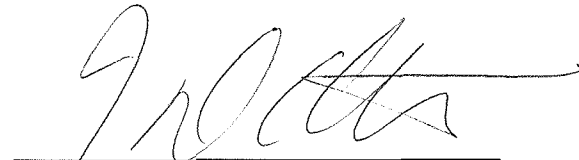
The Engineering Department recommends Council approve the endorsement of the Memorandum of Understanding, as attached, with the PUC. Engineering will report back to Council with the results of the Feasibility Study and will recommend future action and partnerships based on the study's outcome.

Respectfully submitted,

Recommended for Approval



Susan Hamilton Beach, P. Eng
Land Development &
Environmental Engineer



Jerry Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb

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RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding (MOU) is entered into this ____ day of October 2007 between:

PUC Services Inc. (PUC), a corporation with its office at 765 Queen St. East Sault Ste. Marie Ontario, and

The Corporation of the City of Sault Ste. Marie (City) with its office at 99 Foster Dr., Sault Ste. Marie, Ontario.

PUC and the City agree to work together to pursue the possible capture and use of landfill gas at the municipal landfill site, located at 402 Fifth Line East, to generate heat and electricity. The goal of both parties is to reduce the production of greenhouse gases and to use the energy produced in a mutually beneficial manner.

PUC will fund a feasibility study by Totten Sims Hubicki (TSH) Associates. The study will determine whether there is a sufficiently attractive business case to justify the investment necessary to generate electricity and thermal energy. It is anticipated that results of the study will be known by the December 31, 2007. The study report will be shared with the City and the City will be invited to participate in all meetings between PUC and TSH.

If the results of the feasibility study are positive, the PUC and the City will negotiate in good faith an agreement to proceed with the project. The agreement will identify the roles and responsibilities of each party and the manner in which the benefits of the project will be shared. If agreement cannot be reached, and the city decides to pursue the project by itself or with other partners, the city will reimburse PUC for 50% of the cost of the feasibility study to a maximum of \$20,000.

IN WITNESS WHEREOF, the Parties have executed and delivered this MOU as of the date first above written.

PUC Services Inc.

H. J. Brian Curran
President and C.E.O.

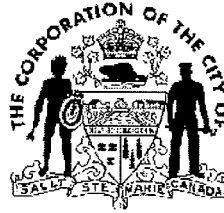
Terry Greco
Vice President
Finance

Witness

Corporation of the City
of Sault Ste. Marie

Jerry Dolcetti
Commissioner of Engineering & Planning

James M. Elliott, P. Eng.
Deputy Commissioner



Public Works &
Transportation Department

2007 10 29

Mayor John Rowswell
And Members of Council
Civic Centre

**RE: TIPPING FEE FOR NON HAZARDOUS SOLID INDUSTRIAL WASTE
(CONTAMINATED WASTE)**

Introduction

The City from receives time to time requests from various groups to allow a reduced tipping fee for waste classified as "non-hazardous solid industrial waste" (contaminated waste) that has a low level of contamination. The argument has been that the tipping fees add additional development costs to an industrial/commercial site and that the material now has a value since there is a requirement for cover material at the landfill site.

The Ministry of the Environment regulations for the operation of a landfill site requires that at the end of the each day the refuse/garbage must be covered with a layer of material. This material is known as "cover material" and it is used to prevent odours from emanating from the refuse, prevent animals from digging up the refuse as well as it allows equipment to work on the surface the following day. This cover material normally takes the form of granular material or sometimes granular material with a mixture of clay.

Background

The Ministry of the Environment regulations requires that "non-hazardous solid industrial waste" (contaminated waste) be brought to a landfill site for disposal. The waste normally comes from an industrial/commercial site or what is known as a "Brownfield" site that has been contaminated by gas, oil, etc. operations. The contamination level is normally confirmed through a series of tests carried out by a qualified engineering firm.

The Corporation of the City of Sault Ste. Marie
Public Works and Transportation Department
128 Sackville Road ~ Sault Ste. Marie, ON P6B 4T6
Telephone: (705) 759-5207 ~ Fax: (705) 541-7010
www.cityssm.on.ca

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The Sault Ste. Marie landfill accepts this waste and charges a tipping fee of \$65 per tonne. In the early 1990's, the tipping fee was relatively low (\$10 to \$15 per tonne) and companies took advantage of disposing large quantities of material at the landfill. In 1992 the tipping fee for waste (including contaminated waste) was raised to \$25 per tonne in order to limit the amount of material being brought to the landfill. At this point in time the lack of cover material at the landfill site was not an issue. The raising of the fee discouraged large quantities of contaminated waste from being brought to the landfill and it forced companies to seek alternative means of disposing of their waste. This fee has continued to rise over the years.

In 2001, the City of Sault Ste. Marie carried out a Solid Waste Management Study. The study looked at all the aspects of solid waste management and set a schedule of tipping fees for waste being brought to the landfill site. As a result, the general tipping fee that included contaminated waste was raised over a number of years to the present \$65 per tonne.

Discussion

Public Works staff carried out a review to determine the pros and cons of reducing the tipping fee for contaminated waste. This review included the effects the fee may have on future landfill cover requirements, effects on "Brownfield" development, tipping fees charged by other municipalities, implications on the operations of the landfill site and the effects on City revenue.

Pros

Landfill Cover Requirements

The 2005-2006 Site Development and Operations Report for the landfill site states that at the present disposal rate there is approximately 11.5 years of capacity available. In addition, the report advises there is a deficiency of cover material of approximately 336,000 m³ of soil. This volume equates to approximately 674,099 tonnes or 56,175 truck loads. It has been determined that with contaminated material presently being brought into the site along with reserves on site, the City has approximately 3 years of cover material available. Staff is of the opinion that this deficit of cover material can be made up by bringing in excavated construction material as well as winter sand from various sites throughout the city. There is however a transportation cost associated with this material and it is felt it would be more cost effective to have cover material such as contaminated waste delivered to the landfill site at no cost. The reduced tipping fee could ultimately reduce the operating costs for the landfill site.

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Development

Staff looked at what effects the reduced tipping fee could have on the development of a typical industrial/commercial site (street corner type development). The estimated removal of 30 truck loads of material from a site at 12 tonnes per truck load under the present tipping fee equates to a total of \$23,400. This cost has to be covered by a developer prior to any construction taking place on a site. A reduction in the tipping fee would reduce the development costs and allow for the development of more of these sites.

Tipping Fees in Northern Communities

A survey of cities in Northern Ontario was carried out to determine the range of tipping fees for contaminated waste. The following are the results of the survey.

Tipping Fees for Non Hazardous Solid Waste (contaminated waste)

- Sudbury \$44/tonne
- North Bay \$20/tonne
- Thunder Bay \$40.11/tonne
- Timmins \$10/tonne

The City's tipping fee of \$65/tonne for contaminated waste is a higher than all other communities in Northern Ontario

Cons

Operational Problems

The contaminated waste has a number of problems associated with it being used as a cover material. It has a low level of contamination and therefore it must be stored within the footprint of the landfill, it may be in a wet condition and must be dried out and large boulder material may have to be sorted prior to being used as a cover material. All of these factors contribute to the cost of using this type of waste as a cover material. Since there are so many variables related to the condition of the waste, the City should reserve the right to reject the waste or charge the full tipping fee of \$65 per tonne.

Revenue

In the 2005-2006 operations, contaminated waste accounted for 4269 tonnes. This equates to \$277,485 in City revenue. A lower tipping fee may cause a decrease in revenue, but it may also increase the tonnage being brought to the site and therefore compensate for any lost revenue.

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Summary

The City's landfill has cover material available for the next three (3) years but with a projected capacity of 11.4 years, it would be in the interest of the City to obtain a supply of material for future years. A portion of this supply is available from contaminated material.

A reduced tipping fee will help to reduce development costs and possibly make some "Brownfield" sites more feasible to develop.

The City's tipping fee for contaminated material is significantly higher than other communities in northern Ontario. It is felt by staff that the present tipping fee is higher than the operational costs for processing the material.

The City will have some operational problems associated with the processing of this waste. The City should reserve the right to reject loads or charge the full tipping fee if the waste is too difficult to handle or does not meet the requirements for a cover material.

Taking into account the tipping fees charged in other northern Ontario communities as well as other factors stated above, it is staff's opinion that a tipping fee of \$32.50 a tonne or 50% of the normal tipping fee of \$65/ tonne would be an appropriate fee to be paid by the public.

Recommendation

It is recommended that the tipping fee for non-hazardous industrial waste (contaminated waste) be set at 50% of the normal tipping fee or \$32.50/tonne and be approved by Council as part of the User Fee and Services By – Law 2007 – 11.

Respectfully submitted,

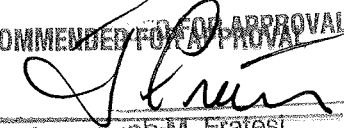

J.M. Elliott, P. Eng.
Deputy Commissioner

JME:cmr

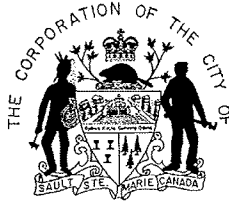
Recommended for approval


Patrick M. McAuley, P. Eng.
Commissioner

RECOMMENDED FOR APPROVAL


Joseph M. Pratesi
Chief Administrative Officer

KIM STREICH-POSER, MSW, RSW
Commissioner



SOCIAL SERVICES DEPARTMENT
Finance
Ontario Works
Housing Operations
Housing Programs
Community Child Care

2007 October 29

Mayor John Rowswell and
Members of City Council

RE: WHERE WE'VE BEEN, WHERE WE'RE GOING-HOMELESSNESS IN SAULT STE. MARIE

PREAMBLE

The City of Sault Ste. Marie has been the Community Entity under Supporting Communities Partnership Initiative since 2002 and as Council may recall on February 26, 2007, the following resolution was passed:

"Therefore, be it resolved that the report from the Community Coordinator-Social Services Department be accepted as information and the City of Sault Ste. Marie, through the Social Services Department continue in their role as Community Entity to access Homelessness Partnering Strategy funds to complete the Community Plan Assessment, and apply for bridge funding to continue with present homelessness programs and activities."

We have received formal notification that \$272,120 from the Homelessness Partnering Strategy has been allocated to Sault Ste. Marie from April 2007 to March 2009. (See Appendix "A"). Out of this allocation, \$102,045 has been used as "bridge funding" from April 2007 to December 2007, which leaves a balance of \$170,075 from January 2008 until March 2009. To access the balance of these funds, a Community Plan Assessment and Community Plan Update had to be completed. As well, Sault Ste. Marie's first report card on Homelessness, called "Below the Waterline" was completed by the Social Development Council.

WHERE WE'VE BEEN

The purpose of the Community Plan Assessment and Report Card on Homelessness was to reflect and analyze where the community was before Supporting Communities Partnership Initiative, and where we are now. Did we make a difference? Did we meet our objectives? What has worked? The report card on homelessness was near completion when we were advised by the Federal Government we required the Community Plan Assessment.

Phase I of Supporting Communities Partnership Initiative allowed us to address our most immediate needs. We've developed and implemented Pauline's Place Youth Shelter and Vincent Place Men's Shelter to ensure no one is on the street involuntarily.

Phase II allowed us to build on the success of Phase I. Support services and communication/coordination activities were implemented. Research was completed. (See Appendix "B" for a breakdown of financial contributions in our community during the Supporting Communities Partnership Initiative era.)

As a result of reviewing and analyzing homelessness statistics, focus group results, and a community survey, what do we know?

We know:

- The demographics in Sault Ste. Marie are changing.
 - The unemployment rate has decreased
 - The vacancy rate remains an issue
 - The population has increased
- We have more people falling in the "at risk" category.
- More employed persons are accessing services.
- There are a percentage of residents at the shelters that require more intensive supports considered the "episodically sheltered". In 2006, 30% of the residents at Pauline's Place Youth Shelter and 40% of the residents at Vincent Place Men's Shelter returned at least once in a twelve month period.
- The vacancy rate has been 1% or less over the past two years. It is getting extremely difficult for people to find safe, affordable accommodations therefore keeping people housed is crucial.
- The Urban Aboriginal population is increasing. 21% accessing Pauline's Place and Vincent Place are Aboriginal.
- The Urban Aboriginal Drop In Centre and support services are essential in assisting folks in maintaining accommodations.
- The Community Entity model has brought people and organizations together and created a common vision. It provided the community with a vehicle to facilitate addressing homelessness through enhanced coordination and comprehensive collaborative approach.
- The continued support of NHI through SCPI II (transitional case manager positions) in the shelters has allowed them to evolve into an effective resource for moving people who are on the street or in emergencies into temporary shelter. Right now these are important resources in this community and need to continue to develop.
- Community Assistance Trust, which provides emergency financial assistance has become an essential part of our local effort to keep people housed.
- The Social Skills Program has provided individuals the opportunity to improve their decision making, problem solving, coping and life management skills.
- We have some excellent examples of community leadership and cohesiveness:
 - The Community Entity model
 - The Social Development Council
 - The Sault Ste. Marie Homelessness Coalition
 - Community Assistance Trust
 - The Housing Supports Committee
 - The Shelters

WHERE WE'RE GOING

To access the next round of funding, the Federal Government required an update of our 2006 community plan. This process was recently completed. Representation to complete the Community Plan Update was from a variety of community stakeholders involved in poverty/homelessness issues. Information was taken from the recently completed Community Plan Assessment and the December 2006 Refreshed Community Plan on Homelessness, looking at areas such as: demographic data, housing and income data, population summary based on 2006 homelessness statistics, community assets, issues, objectives and outcomes.

Based on the demographics, the following trends will likely continue:

- An aging population
- Lack of housing availability
- Status of Poverty
- Low Social Assistance Rates
- Local Political support
- Lack of sustainability
- Transient population

The working committee identified four community issues and used the Kepnor-Trego process to prioritize those issues. The results are:

5(9)

Priority #1: Communication Networks

- Rationale: We currently have no venue to share information and opportunities with private landlords. (Opportunities could mean financial programs to renovate and repair units as well as develop more tenant/landlord supports in the community, etc.).
- Rationale: We as a community recognize the need to continue with community awareness, improved coordination and consistent delivery of services. (We recognize the importance to continue with networking and collaboration, whether funding is present, decreased or ceases altogether).

Priority #2: Transitional Housing and/or Services and Supports

- Rationale: Vincent Place men's shelter had a 40% recidivism rate on 2006.
- Rationale: Pauline's Place Youth Shelter had a 30% recidivism rate in 2006.
- Rationale: We need to develop services and supports to help people who leave the shelters learn the skills they will need to maintain housing.

Priority #3: Homelessness Prevention Services and Supports

- Rationale: We need to keep people housed because the vacancy rate has been less than 1% for the last two years and there is no place for them to relocate to.
- Rationale: We need to help persons who own their own home, regardless of age, to remain in their homes.

Priority #4: Research

- Rationale: We don't have enough information about homeless seniors and families with children in term of numbers, needs and population characteristics.
- Rationale: We need more information on "what's working" elsewhere so we don't "reinvent the wheel" in terms of programs and services.
- Rationale: We need more opportunities to discuss, on a regular basis, our progress in reducing homelessness.

RECOMMENDATION:

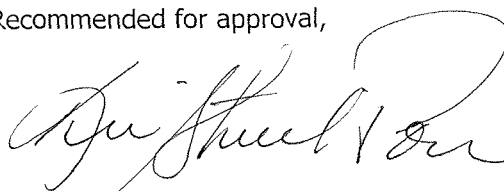
"Therefore, be it resolved that the report from the Community Coordinator-Social Services Department be accepted as information, and the City of Sault Ste. Marie through the Social Services Department, continue in their role as the Community Entity for the balance of the term of the Homelessness Partnering Strategy- January 2008 to March 2009. Be it further resolved that the issues identified in the Updated Community Plan on Homelessness created through comprehensive stakeholder consultation be approved as the homelessness priorities for the city of Sault Ste. Marie."

Respectfully submitted,



Dree Pauzé
Community Coordinator

Recommended for approval,



Kim Streich-Poser, MSW, RSW
Commissioner-Social Services

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer



4900 Yonge Street, 2nd floor
Toronto, Ontario
M2N 6A8

October 2, 2007

Dree Pauze
Entity Manager
Sault Ste. Marie

On April 1, 2007, the Homelessness Partnering Strategy (HPS) was launched to find more effective and sustainable solutions to homelessness. This letter confirms the Homelessness Partnering Strategy (HPS) allocations available for investment in the community of Sault Ste. Marie

The Strategy fosters partnerships and structures, including longer-term housing solutions, to help people who are homeless achieve greater autonomy and self-sufficiency. It recognizes that housing stability is a pre-condition to positive socio-economic outcomes and to full participation in Canadian society. The HPS focuses on transitional and supportive housing as important measures to help people overcome homelessness.

An amount totalling **\$136,060** has been allocated to Sault Ste. Marie for each of two fiscal years. These funds are intended to be used to deliver activities related to the Homeless Partnering Initiative for Designated Communities (HPI-D); to invest in activities that will respond to the community plans covering activities for the period spanning April 1, 2007 to March 31, 2009. They include activity undertaken as part of the communities' essential services commitments.

• HPI-D Allocation 2007/2008	\$ 136,060
○ Essential Services Commitments*	\$ 102,045
○ Remaining 2007/08 Allocation	\$ 34,015
HPI-D Allocation 2008/2009	\$ 136,060
Total	\$ 272,120

* Please note: the Essential Services commitments draw down from the current year HPS allocation.

The allocations are intended to support HPI activities that will be completed by March 31, 2009.

Please note that any National Homelessness Initiative (NHI) funds for the completion of capital projects, Community Plan Assessments, Community Plan Updates and Audits are separate from these Homelessness Partnering Strategy allocations. All NHI activities will end on or before December 31, 2007.

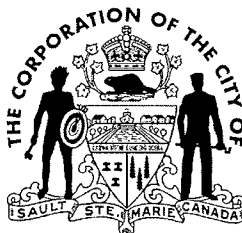
We offer these figures for your HPS community planning purposes. If you have any questions regarding this information please contact Jocelyn Anderson at (416) 954-7341.

Sincerely;

Catherine Kaye
Director
Social Programs Directorate

APPENDIX "B"**FINANCIAL CONTRIBUTIONS**

SUPPORTING COMMUNITIES PARTNERSHIP INITIATIVE PHASE I	
Federal Government-\$485,350	\$485,350
Provincial Government	\$110,000
Municipal Government (City of Sault Ste. Marie and District of Sault Ste. Marie Social Services Administration Board)	\$678,405
Other sectors	\$345,423
In kind	\$181,212
TOTAL	\$1,800,390
SUPPORTING COMMUNITIES PARTNERSHIP INITIATIVE PHASE II (Includes extension year)	
Federal Government-\$485,350	\$623, 763
Provincial Government	\$ 47,500
Municipal Government (City of Sault Ste. Marie and District of Sault Ste. Marie Social Services Administration Board)	\$742, 780
Private sector	\$1,810
Other sectors	\$611,693
In kind	\$40,290
TOTAL	\$2,067,836



2007 10 29

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-8-06-Z.OP & 57T-06-501 –
filed by Jane Eva Hedlund, Catherine Shunock,
2062111 Ontario Limited & Frank Frederick
Shunock.

SUBJECT PROPERTY:

Location – Located on the south side of Trunk Road, between Fournier Road and the eastern city limit. Civic No. 1525, 1675, 1707, 1709, 1715, 1731 Trunk Road and 834 River Road. Zoning Map 1-45

Size – The lot is irregular in shape, approximately 268m (879') x 476m (1,562') depth; 21.67 ha (53.5 acres).

Present Use – Vacant land and two existing single detached dwellings.

Owner – Jane Hedlund, Catherine Shunock, 2062111 Ontario Limited & Frank Frederick Shunock.

REQUEST: The applicants, Jane Eva Hedlund, Catherine Shunock, 2062111 Ontario Limited & Frank Frederick Shunock are requesting a Rezoning, Official Plan Amendment & Draft Plan of Subdivision Approval in order to develop a 39 lot single detached residential subdivision, and a highway commercial zoning within the north east portion of the subject property.

CONSULTATION:

Engineering – See attached letter.

Building Division – No comments.

Legal Department – No objection.

Fire Services – No objection.

PUC Services Inc. – See attached letter & email.

C.S.D. – No concerns.

Fisheries and Oceans Canada – See attached letter.

PWT – See attached letter.

Conservation Authority – See attached letter.

Ministry of Transportation – See attached letter.

Algoma Public Health – See attached letter.

PREVIOUS APPLICATIONS:

In 1988 an application was filed for a 67-lot, urban residential subdivision with water services only. Council denied the application, as the extension of water without sewer was deemed inappropriate.

Synopsis of Proposal

The subject property is located at the eastern edge of town, bounded to the North by Trunk Road, Fournier Road to the west, Garden River First Nations to the East, and St. Mary's River to the south. Shown on the map attached, the proposal is a 39 lot rural residential subdivision. The lot sizes vary between 0.50ha (1.23a) and 0.67ha (1.66a), averaging approximately 0.55ha (1.36a). All of the residential lots will be serviced by on-site wells and septic systems.

Along the northwest corner of the development, Blocks 45 and 46 will be utilized as a private storage area for the exclusive use of those residing in the subdivision. Block 42, located between Lots 19 and 20, will be a private boat launch.

The development will be serviced by 2 roads, resulting in 3 access points. Queen Street East will extend across Fournier Road. River Road will be extended east into the subdivision, and the third access point will be from Trunk Road, between Seamless Cylinder and Superior Seven Advertising. The proposed road network is shown as Block 41 on the map attached.

The applicants are also proposing to rezone Blocks 43 and 44 (located in the northeast corner of the development) from Medium Industrial (M2), to Highway Commercial Zone (HZ), for future commercial purposes.

Conformity with the Official Plan - The majority of the subject property is designated Rural Area on Land Use Schedule C of the City's Official Plan. OP policy R.A.4 states that 'further development of un-serviced lots in the Rural Area is not required to meet the growth needs of the community and development shall be limited to existing lots of record. No new estate residential plans of subdivision shall be permitted.' Adopted in 1996, the Rural Area policies of the Official Plan were based upon the trends and projections available at the time. In May 2006, Hemson Consulting completed the 'Population, Households & Labour Forecasts Report', producing a number of new projections. The report forecasts an average annual household growth rate of 150 dwelling units per year for the next 20 years. Between

2006 & 2011, the number of households will increase by 600. This changing trend, along with other factors has led to a review of the Rural Area policies of the Official Plan. Earlier this year (April 30), Council adopted an interim policy for assessing residential growth in the Rural Area. The interim policy places a moratorium on multiple lot severances and rural Plans of Subdivision, with the exception of several proposals that were filed prior to April 2007, including this application.

Given a stronger local economy, and the updated population and household projections by Hemson Consulting, an Official Plan Amendment to Policy R.A.4, in order to permit a 39 lot rural residential subdivision is desirable.

Blocks 43 and 44, located in the northeast corner of the subject property, are designated 'Industrial' on Land Use Schedule C of the Official Plan. Part of this application is to re-designate those lands to 'Commercial', in order to facilitate a rezoning for future commercial development. Located along Trunk Road, commercial land uses would interface much better with the proposed and existing residential land uses.

Transportation Policy TR 9.1.2 states that 'all proposed Residential buildings within 300m of a railway right-of-way are required to undertake noise studies, to the satisfaction of the Municipality in consultation with the appropriate railway, and shall undertake appropriate measures to mitigate any adverse effects from noise that were identified.' Huron Central operates a rail line along the north side of Trunk Road. Lots 1-7 & 11-15 are within 300m of the rail line right-of-way. A similar situation recently occurred with the development of several homes on Queensgate Boulevard. Although they were much closer to the railway than this proposal, the homes required a sound attenuation study prior to the issuance of a building permit. The recommendations of a sound attenuation study will ensure that noise levels within a particular dwelling are within Ministry of Environment standards. The recommendations may include the orientation of building/sleeping areas to reduce noise exposure, walls constructed of materials which would reduce interior noise levels, and triple glazing on certain windows. In this case, the developer may wish to complete the sound attenuation study upfront, or allow individual property owners to complete the studies and implement the recommendations to suit individual situations. A sound attenuation study will be required prior to the issuance of building permits, for Lots 1-7 and 11-15 inclusive.

Background

Given that this application has been deferred twice, a brief history is useful.

August 13, 2007 – Council defers application to September 10th meeting, in order to further address a number of issues.

August 15, 2007 – The applicants and consulting engineers met with various City Staff in order to clarify a number of issues pertaining to water quality and quantity, a wetland area, and access onto Highway 17 East (Trunk Road). (Minutes Attached)

September 11, 2007 – The applicants host a public meeting with approximately 40 residents, planning staff, Councillors Butland and Caicco, and the Consulting Engineers. Following the meeting, the applicants agreed to a peer review of the Consultant's hydro geological report.

September 24, 2007 – Council defers the application to allow sufficient time for a peer review of the hydro geological report.

October 1, 2007 – Peer review is received and circulated to the appropriate commenting agencies. Additional time is requested by the commenting agencies in order to assess the peer review.

October 15, 2007 – Council defers the application until the October 29, 2007, meeting.

Comments

There are a number of issues associated with this proposal. Below, each issue is addressed separately:

Water Quantity

There were 2 main concerns identified in relation to water quantity.

First, a number of residents were concerned that the additional draw of 39 wells would impact existing wells in the area.

The applicant's hydro geological study, and Burnside's Sault Ste. Marie Area Groundwater Management and Protection Study (2002) indicate that the proposed development is on top of a shallow 'overburden' aquifer and a deep 'bedrock contact' aquifer, separated by an impermeable layer. They do not mix or interact with each other. Correspondence attached to this report from Waters Environmental Geosciences Ltd. states that 'the maximum anticipated drawdown (in the absence of any recharge) at each pumping well would be less than 6cm (2.36") in the shallow overburden, after 20 years of continuous pumping.' The applicant and Consulting Engineers have also noted that all proposed wells will draw from the deep aquifer, which will not only reduce the possible impact to neighbouring wells, but offer added protection from surface activities. Drawing from the deep aquifer will form a condition of approval for this development.

The majority of nearby existing wells draw from the shallow aquifer, which does not mix or interact with the deep aquifer, from which the proposed wells will draw upon. Residents have outlined a number of recent and historical problems with the groundwater levels from which they draw. Burnside (peer reviewer), the PUC, and Conservation Authority agree with the initial hydro geological study, and are satisfied that the additional draw from the deep aquifer will not impact the existing wells in the area. In a letter attached, the hydro geological engineer states that 'by our assessment there is no potential for any significant interference between the

groundwater wells on the proposed subdivision lots and any adjacent well locations off-site'.

Second, the PUC was initially concerned that the additional draw could impact the permitted pumping rates for the Municipal wells at Lorna and Shannon Roads, which draw from the same 'deep' aquifer as the proposed wells. Attached correspondence from Waters Environmental Geosciences Ltd., states that 'in the deeper bedrock contact aquifer, the maximum anticipated draw down (in the absence of any recharge) at each pumping well would be less than 8cm (3.15"), after 20 years of continuous pumping.' The Consulting Engineer, Burnside, and the PUC are satisfied that the daily permitted pumping rates and the overall capacity of the east-end Municipal wells will not be impacted by this development.

Water Quality

A number of concerns were raised with regards to water quality, more specifically, nitrate loading from the new septic systems to the groundwater aquifer, and nearby private wells. As part of the review, Algoma Public Health (comments attached) conducted a ground water impact assessment. The review indicates that the level of nitrates at individual property boundaries is well below the maximum acceptable limit. The comments also note that each lot is large enough for a replacement system in the event of a failure.

During the initial water quality testing, bacteria were found in 2 of the test wells. At that time it was speculated that the results were due to a sampling error. Subsequent independent testing by Testmark Laboratories Ltd., attached to this report, indicates that no E-coli, HPC, or Total Coliform counts exist.

Historically, there have been a number of aesthetic issues with the water quality in this area. Such aesthetic concerns are not health related, and can be easily treated with systems available at most major hardware stores. The Consulting Engineer, and Algoma Public Health have recommended that statements regarding these aesthetic exceedances be attached to all purchaser's information packages.

Storm Drainage

Given the proposals proximity to the St. Mary's River, regulations require that at least 70% of particulates be removed from all storm water. Such removal rates for suspended solids are identified in the correspondence attached, from the Department of Fisheries and Oceans, Conservation Authority, and the Engineering Department.

The Consulting Engineer is confident that a 70% removal rate can be achieved through surface drainage, and a series of properly graded grass ditches. Given the low density, or 'Estate' nature of the subdivision, the overall percentage of impervious surface coverage will remain very low. The final design for storm water drainage shall form a condition of approval, and must be to the satisfaction of the Conservation Authority and the Engineering Department.

Coastal Wetland/Fish Habitat/Shoreline Management

There is a coastal wetland, adjacent to Lots 17-28. The limits of the wetland have been identified as the high water mark for St. Mary's River. The Conservation Authority notes that development within the wetland is prohibited. Development within 120m of the edge of the wetland (high water mark) is regulated and subject to the review of the Conservation Authority.

Correspondence from the Department of Fisheries and Oceans also notes the need to protect fish habitat, and the shoreline of the River.

A condition of approval will require that all lots with frontage upon St. Mary's River (Lots 17-28 inclusive) be subject to Site Plan Control. This will trigger a review of any development adjacent to the wetland, fish habitat, and the shoreline.

The development proposes a private boat launch on Block 42, between lots 19 and 20. The boat launch will be for the exclusive use of subdivision residents. Although development within the wetland is strongly discouraged, in this case the provision of a private boat launch is encouraged, as it will reduce the necessity for individual docking facilities.

Access to Trunk Road

As this portion of Trunk Road is a Highway Connecting Link, the Ministry of Transportation must approve the proposed access onto Trunk Road, as well as any other development within a 396m radius of the new Highway 17 Link Road Intersection. MTO approvals will form a condition of this application.

The MTO also notes concerns with the commercial development of Blocks 43 and 44. Direct access from Block 43 to Trunk Road will not be supported by the MTO; however Block 43 is configured to gain access from the proposed road shown as Block 41. The MTO is also concerned that any commercial development of Block 44 could impact the Highway 17 Link Road signalized intersection.

Blocks 43 and 44 will be placed under Site Plan Control, to allow MTO and the City an opportunity to review the development details. MTO also requires a traffic impact study to be submitted for review prior to any commercial development on Block 44.

The attached correspondence from Public Works notes that the proposed intersection at Trunk Road should be at right angles, rather than skewed as shown on the Plan. The Consulting Engineers have indicated that this will be accommodated within the proposed right of way.

Commercial Zoning of Blocks 43 and 44 – 1719 Trunk Road: Valiquette Property

The applicants wish to rezone Blocks 43 and 44 to Highway Zone (HZ) for future commercial purposes. An existing residence at 1719 Trunk Road could be completely surrounded by commercial development. There is also an access

easement registered on title. The easement is across Block 44, in a north-easterly direction towards Trunk Road. Any development of Block 44 must take into account the existing residence and easement agreement.

It is important to note that 1719 Trunk Road, as well as Blocks 43 and 44 are presently zoned Medium Industrial (M2), with a Special Exception (229) that permits among other things, an automobile service station, retail stores, a campground, accommodation facilities, food services, and assembly halls. As such, it is possible that 1719 Trunk Road could now be surrounded by an industrial or commercial use, without the property being rezoned, and without any further review such as Site Plan Control.

Any proposed commercial development must take into account the existing residence and access easement. Site Plan Control will be utilized to ensure that proper buffers are in place, and that efforts are made to minimize any impacts to the proposed subdivision, and the existing residence at 1719 Trunk Road.

Garden River First Nations

Attached to this report is a letter dated October 22, 2007 from Jennifer Tremblay-Hall, legal counsel for Garden River First Nations (GRFN). In that letter Mrs. Tremblay-Hall states that there has been a lack of consultation with her client. As per Section 34 of the Planning Act, GRFN was circulated this application on August 8. Planning staff has also had a number of phone conversations with GRFN. The letter notes that the subject property is part of a Statement of Claim, presently before the courts. The Claim issue supersedes Municipal Jurisdiction, and the final decision, as well as any negotiations with GRFN is the sole responsibility of the applicants and their representatives.

Mrs. Tremblay-Hall also indicates that the proposed development will destroy the current recreational usage along the St. Mary's River, and a 'well worn ATV trail leaving open the possibility that such recreational users may turn to the First Nation's lands as an alternative'. Historically, the property has been utilized as an informal recreational area, by both motorized and non-motorized users. There is a network of well established trails leading towards Bell's Point. This development may actually act as a barrier, as access to GRFN via the established trail network will be cut off. ATV users will be forced to either ride through the residential subdivision, or along the edge of Trunk Road. It is also important to note that in the absence of this proposal, the applicants are well within their rights to block ATV access onto their private property.

The letter also expresses concerns with the off-site environmental impacts of the subdivision, more specifically adverse affects upon fishing, flora and fauna integral to the aboriginal culture, and 'any other ecological and environmental impacts not yet fully appreciated or investigated.' There is no doubt that this development will result in a loss of vegetation and wildlife habitat on the site. Developments of this nature hinge upon a Planning process which ensures that every person or agency with an interest has an opportunity to comment. In this case, Department of Fisheries and Oceans, as well as the Conservation Authority have commented upon the wetland,

fish habitat and shoreline management, resulting in a number of conditions aimed at ensuring that impacts are minimized, or eliminated. Algoma Public Health has stated that the risk of contamination from septic beds is extremely low.

Finally, the correspondence notes a cultural significance upon the subject property that may yield archaeological importance to GRFN. A condition of this report will require an Archaeological Assessment prior to any development or alteration of the subject property.

Design

The applicant's intent is to create an estate subdivision. Averaging approximately 0.55ha (1.36a), the lots will be quite large. The residential density is relatively low at 1.36 dwelling units per hectare (0.55 du/acre). Keeping with Official Plan policies aimed at 'maintaining the urban forest' the Consulting Engineer has indicated that efforts will be made to keep as many trees and natural vegetation as possible.

Roadways will be constructed to the City standards, and drained through a series of sloped vegetated swales. It is anticipated that the traffic within the subdivision will be local. The proposed road network will not offer motorists an effective alternative route from Trunk Road to Queen Street East, the only other arterial road in the immediate vicinity of the subject property. There will however be a significant amount of heavy traffic during the construction phases. In order to minimize any impacts to existing residents in the area, a condition of approval will require that all construction traffic access the site via Trunk Road.

City Transit has a route that operates along Fournier Road, between Queen Street East and Trunk Road. The existing route is sufficient to service a Rural Subdivision of this nature, with the furthest lot being approximately 900m from the corner of Queen Street East and Fournier Road.

Historically, the subject property has been utilized as an informal park. There is a network of trails, with evidence of both motorized and non-motorized traffic. While the developers Plan does not provide park space, 5% cash in lieu of park space will be required on a per lot basis, in accordance with city policy. The City does however own a vacant (45m x 172m) parcel at the end of Fournier Road, with frontage upon the River. Neighbours have suggested that the 5% cash in lieu of park space could be utilized towards building a non-motorized trail to the River, along with a few parking spaces.

An addition to the proposed commercial land uses on Blocks 43 & 44, there are a number of industrial land uses north of the subject property, abutting Lots 6-14. Fronting upon Trunk Road, the industrial uses should be protected from residential encroachment. The maintenance of a vegetative buffer, along the rear of these lots would be prudent.

Boat Launch Facilities - The proposed subdivision includes a private boat launch, shown on the map between Lots 19 and 20. The launching facilities will be for residents of this subdivision only.

As noted by the Conservation Authority, the private boat launch is a welcome addition to this proposal. Given the wetland, fish habitat, and general shoreline management, development along this portion of St. Mary's river is not recommended. A communal boat launch will reduce the need for individual docking facilities on each lot with water frontage. As such, the impacts can be centralized to one location. Under the current residential zoning, a boat launch is not permitted. The launch should be permitted by way of a special exception limiting the use of Block 42 as a 'private boat launch only', available only to those residing in the River Road Subdivision. It is however important to note that the development of any launching or docking facilities along the River will require approval from the Department of Fisheries and Oceans, the Conservation Authority, and any other agencies having jurisdiction.

Outdoor Storage Area - The development also includes a private outdoor storage area, shown as Blocks 45 & 46 on the map attached. The outdoor storage area is for the sole use of the River Road Subdivision residents. Located in the northwest corner of the subdivision, access will be gained from a 10m easement along the west side of Lot 1, as well as Trunk Road. The intent of the facility is to reduce the need for outdoor storage upon individual lots, thus adding to the aesthetic appeal of the development.

The northern portion of the proposed storage area is bounded by Highway Zoned (HZ) properties on either side, each occupied by Motels. There are a number of existing homes on Fournier Road that will abut the storage area to the west. Measures such as proper buffering must be utilized to protect these homes from any off-site impacts generated by the use. Site Plan Control will be utilized to review the development details.

Provincial Policy Statement (PPS)

The Provincial Policy Statement (2005) provides policy direction on matters of Provincial interest related to land use planning and development in Ontario.

Located beyond the City's Urban Settlement Area, this proposal falls within the Rural Area policies of the PPS. Section 1.1.4.1 of the PPS permits 'limited residential development' within the Rural Area. Policy 1.6.3.3 further states that Individual on-site sewage and water services may be used to service limited residential development.

From a land use perspective, the definition of 'limited residential development' incorporates the notion of impact to future urban development and urban settlement area expansion. The subject property is located at the eastern limit of the City, and would not create a 'leap-frog' effect, forcing future urban expansion to 'jump' over this development. Another aspect of impact is whether or not this development will sterilize those lands for future serviced development at urban densities. The urban service line or edge of City services is located at Queen and Tamarack Streets, approximately 800m away from the western edge of the subject property. The area between the edge of the Urban Service Line and the subject property is rural residential in character. There are a number of smaller vacant parcels with limited

residential development potential, however the existing and potential densities do not warrant an extension of City services to the subject property. From a land use perspective, the proposed subdivision is considered 'limited residential development'.

SUMMARY

Given the nature of the initial concerns, this application has undergone an extensive review by consulting engineers and commenting agencies alike. The applicants have demonstrated to the satisfaction of the Municipality, and external commenting agencies that this development will not negatively impact the City's water supply or that of nearby residents. The key concept is that the new wells will draw from the deep aquifer, whereas most nearby wells draw from the shallow aquifer. The shallow and deep aquifers do not mix, or interact in any way. The additional draw of 39 wells will not impact existing water levels in the shallow aquifer. Having said this, anecdotal evidence from neighbours points to an existing water quantity problem in the area, most likely relating to shallow 'sand point' wells. The risk of off-site contamination is far greater from the older septic systems on nearby properties, rather than those new systems proposed in this development.

Water developments normally generate concerns over the well-being of the shoreline, as it pertains to fish habitat, shoreline erosion and alteration, and in this case, a coastal wetland. Conditions will be put in place to ensure that environmental impacts are minimized or eliminated.

The development contains a commercial aspect in the northeast corner. The residential use at 1719 Trunk Road could be completely surrounded by a commercial land use. While not an ideal situation, the existing zoning is Medium Industrial, with a Special Exception (229) that permits a number of commercial uses. At this time, Blocks 43 and 44 are not subject to Site Plan Control, which would provide staff the opportunity to minimize any impacts to 1719 Trunk Road. A rezoning to Highway Zone, as well as the inclusion of Site Plan Control would facilitate a much better interface with the residential use, and a better situation for those residing at 1719.

With a recent upturn in the economy, demand for rural estate homes has been quite strong in recent years. The 39 lots proposed in this application will help to supply that demand, providing water access and an opportunity for several shoreline lots.

Planning Director's Recommendation – That City Council approve the Application for a 39 lot Rural Estate Subdivision and Highway Zone uses subject to:

1. Approval Official Plan Amendment 135;
 - a. redesignate Blocks 43, 44, from Industrial to Commercial, and Block 46 from Rural Area to Commercial, on Land Use Schedule C of the Official Plan.
 - b. Notwithstanding the Rural Area Policies of the Official Plan, the said lands may be utilized to develop a 39 lot Rural Estate Residential Subdivision.

2. Repeal existing Special Exception 229 concerning industrial and commercial uses.
3. Rezone Blocks 43 & 44 from Medium Industrial (M2) to Highway Zone (HZ).
4. Rezone Block 46 from Rural Area (RA) to Highway Zone (HZ) with a special exception applied to Blocks 45 & 46 to permit a 'private storage facility only, for the exclusive use of those residing in the subdivision'.
5. Rezone the remainder of the subject property (including all Lots, and Blocks 42 & 45) from Rural Area (RA) to Estate Residential Zone (R1), and incorporate the following special exception;
 - a. Block 42 – Permit the property to be used as a 'private boat launch facility only, for the exclusive use of those residents living in the proposed subdivision.
6. Deem Blocks 42, 43, 44, 45 & 46 as well as Lots 14-28 inclusive, subject to Site Plan Control, pursuant to Section 41 of the Planning Act.
7. Approve the Draft Plan of Subdivision for the proposed River Road Subdivision, subject to the following conditions:
 - a. Sound attenuation – Prior to the issuance of a building permit, a sound attenuation study is submitted, to the satisfaction of the Municipality in consultation with the appropriate railway, for Lots 1-7 & 11-15 inclusive.
 - b. Water wells – The wells must be installed by a licensed well driller, and drilled to the deep 'bedrock contact' aquifer.
 - c. Aesthetic Water Issues – Statements regarding possible aesthetic exceedences must be attached to all purchasers' information packages.
 - d. Stormwater Drainage – That sediment control plan and storm water management plan be submitted to the satisfaction of the Commissioner of Engineering and Planning or his designate, and the Conservation Authority.
 - e. Development within regulated areas (wetland, shoreline) – Statements informing potential purchasers of Lots 14-28 of development prohibitions within the wetland, and regulations within 120m of the wetland, including the need for Conservation Authority approval prior to any site alterations or development.
 - f. Traffic Impact Study Block 44 – That prior to the finalization of a Site Plan Control agreement, a traffic impact study must be completed, to the satisfaction of the Ministry of Transportation.
 - g. Ministry of Transportation Permits – Prior to the finalization of a Subdivision Agreement, MTO approvals are required for the proposed access point onto Trunk Road
 - h. Realigning Access to Trunk Road – Prior to the finalization of a Subdivision Agreement, the proposed access point onto Trunk Road shall be shifted so that the access point is at right angles (90 degrees) to Trunk Road

- i. Archaeological Study – That prior to the finalization of a subdivision agreement, the applicants hire a qualified professional to conduct an Archaeological assessment, with appropriate recommendations to be included as part of the Subdivision Agreement.
- j. Construction Traffic – All construction traffic shall use Trunk Road to access the site.
- k. Cash in lieu of Parkland - The developer shall provide the Municipality with 5% cash in lieu of parkland.
- l. Electrical Underground Services - The developer must enter into a subdivision agreement with the PUC regarding underground electrical services.
- m. Site Alteration and Grading – Prior to registration, the applicant must enter into a Subdivision Agreement with respect to, but not limiting the following:
 - i. That streets, corner roundings, drainage etc., be designed and constructed to the satisfaction of the Commissioner of Engineering and Planning or his designate.
 - ii. The developer must submit plans and specifications showing final presale grades, to be reviewed by the Commissioner of Engineering and Planning or his designate. Lot grading plans should show existing contours, and proposed grades for each lot. As constructed drawings should be modified to show only final grades.
 - iii. The developer shall provide soil tests in the road allowances, including a report on the road base design, considering the use of geotextile fabric and weeping tile, as well as a determination of the depth of the road base. A brief outlining the pavement design is also required.
 - iv. The submission of certified copies of soil tests by an independent testing laboratory on the stability of the soil and its ability to sustain superimposed loads from building and filling operations.
 - v. That no work shall commence without the approval of the Commissioner of Engineering and Planning or his designate. Any work requiring approvals from the Municipality or or any other Agency shall not commence until such approvals and agreements are endorsed.
 - vi. That prior to the issuance of any building permits, arrangements for the 20m right of way accessing the subdivision must be completed to the satisfaction of the Commissioner of Engineering and Planning or his designate.

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

PT/pms

PUBLIC HEARING – 2007 10 29, Council Chambers, Civic Centre

**OFFICIAL PLAN AMENDMENT NO. 135
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to Schedule "C" of the City of Sault Ste. Marie Official Plan, as well as a text amendment relating to the Rural Area Policies in the Official Plan.

LOCATION:

PIN's 31483-0010, 0040, 0043, 0045, 0046, 0047, 0048, 0049, 0050, 0051, 0074, 0075, bounded by St. Mary's River to the south, Trunk Road to the north, the Eastern City Limit to the east, and Fournier Road to the West; Zoning Map 1-45.

BASIS:

This Amendment is necessary in view of the request for Draft Plan of Subdivision in order to develop the property for commercial and rural residential purposes.

The proposal does not conform to the existing Commercial and Rural Area policies as they relate to the subject property.

Council now considers it desirable to amend the Official Plan to the following:

1. Re-designating Blocks 43 & 44 of the subject property from "Industrial" to "Commercial".
2. Re-designating Block 46 from "Rural Area" to "Commercial"
3. A notwithstanding clause to the Rural Area Policies of the OP in order to permit the development of a 39 Lot rural estate subdivision.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule

1. Re-designating Blocks 43 & 44 of the subject property from "Industrial" to "Commercial".
2. Re-designating Block 46 from "Rural Area" to "Commercial"
3. A notwithstanding clause to the Rural Area Policies of the OP in order to permit the development of a 39 Lot rural estate subdivision.

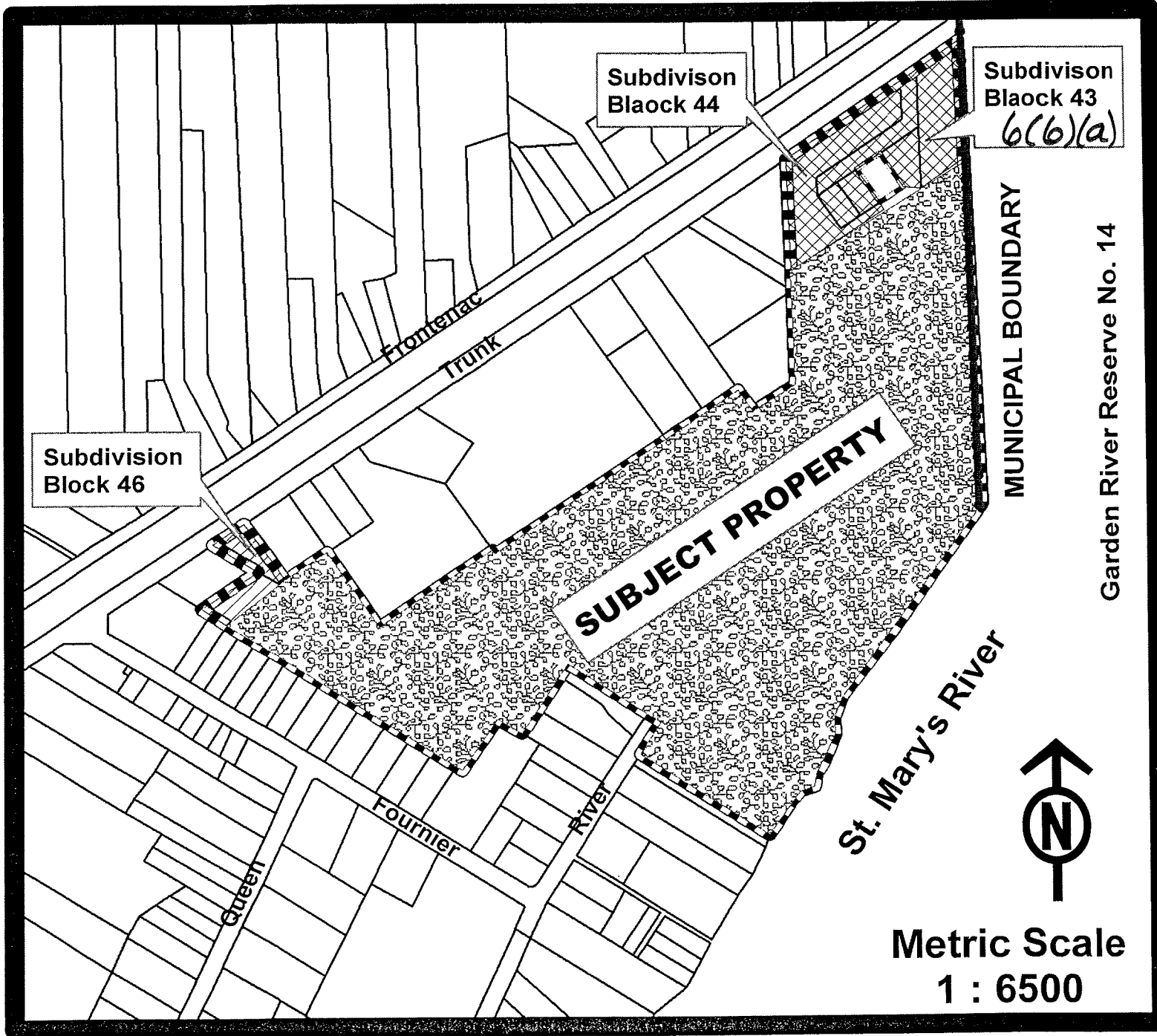
And, by adding the following paragraph to the Special Exceptions section:

"Special Exceptions"

90. The properties described as, PIN's 31483-0010, 0040, 0043, 0045, 0046, 0047, 0048, 0049, 0050, 0051, 0074, 0075, bounded by St. Mary's River to the south, Trunk Road to the north, the Eastern City Limit to the east, and Fournier Road to the West may be utilized by way of a notwithstanding clause to Policy R.A.4, for the purposes of a 39 lot estate residential subdivision with on-site wells and septic systems.

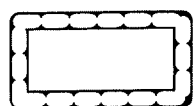
INTERPRETATION

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



OFFICIAL PLAN AMENDMENT No. 135

APPLICATION A-8-06-Z.OP



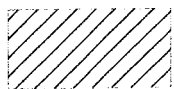
Subject Property



Text Amendment by way of Notwithstanding Clause



Subdivision Blocks 43-44 [Industrial to Commercial]



Subdivision Block 46 [Rural Area to Commercial]

River Road Subdivision**Meeting Minutes****August 15th, 2007 – Plummer Room – Civic Centre****Present:**

Jerry Dolcetti, Commissioner of Planning and Engineering

Don McConnell, Director of Planning

Peter Tonazzo, Planner

Steve Turco, Planner

Larry Jackson, Walker Engineering

Doug Leask, Walker Engineering

Peter Richards, Waters Environmental

Frank Shunock, Applicant

Frank Sarlo, Wishart Law Firm

Andrew Hallet, PUC

Dominic Parrella, PUC

Susan Hamilton-Beach, City Engineer

Jim Elliot, PWT

Ken Hamilton, PWT

Frank Tesolin, Conservation Authority

Anjum Amin, Conservation Authority

Wes Terry, Algoma Public Health

The group was brought together to discuss a number of issues regarding the Rezoning/Subdivision Application to develop a 39 lot estate residential subdivision between Fournier Road, the east City Limit, Trunk Road, and St. Mary's River.

The application was heard by Council on August 13th and deferred until September 24th, to allow the consultants to sort out a number of issues, as outlined below.

Intermittent Streams and Coastal Wetland

- It was determined that there is a coastal wetland on the subject property, greater than 2ha. The limit of the wetland is the high water mark of St. Mary's River.
- Any development (docks, filling, tree cutting) within 120m of the wetland (high water mark) is regulated by the Conservation Authority, and therefore requires a permit.
- The C.A. will base permit application decisions upon whether or not the proposed development will impact the overall functions of the wetland.

- It was further confirmed that contrary to previous correspondence, there are no intermittent streams or notable ravines on the subject property.

Storm Drainage

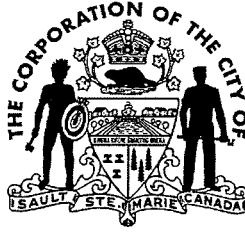
- The Engineering Consultant is confident that 70% removal of particulates can be achieved, through surface drainage, and a series of properly graded grass ditches.
- Given the low density, or 'Estate' nature of the subdivision, the overall percentage of impervious surface coverage will remain relatively low.
- It was agreed that the final design for storm water drainage shall be to the satisfaction of the Conservation Authority and City Engineering Department.

Water Quantity

There are a number of concerns relating to water quantity. The concern is that the additional draw of 39 wells may impact water levels in the east aquifer, as well as a number of private wells nearby.

- Mr. Richards noted that 39 wells represent a very small draw on the east aquifer, relative to the draw from Municipal wells.
- He further noted that the proposed subdivision is at least 1km from the outer edge of the 25-year capture zones (as identified by Burnside) around the Shannon and Lorna Municipal wells.
- Based upon Burnside's report, the east aquifer may be heavily stressed, in terms of the amount of water the PUC is permitted to take, and the recharge rate for the aquifer.
- Mr. Richards again noted that based upon Burnside's defined 25-year capture zone, the proposed development will not impact the quantity of water in the east aquifer. Further, the draw of 39 private residential wells is so small relative to the Municipal draw; it wouldn't have much of an impact if it was within the capture area.
- Mr. Richards also noted that the draw of 39 wells will not interfere with nearby private wells, both shallow and deep. Onsite testing has confirmed that the yield from the shallow and deep aquifers is the same.
- The applicant noted that all wells in the proposed subdivision will be properly grouted, and drilled to the 'deep' aquifer.
- The requirement for deep, drilled and grouted wells will probably form a condition in the subdivision agreement.

Based upon Mr. Richards explanation, the PUC and Conservation Authority both agreed that a 3rd Party review is not required. Mr. Richards will meet with the PUC and CA to draft correspondence to formally address the concerns outlined above. Such correspondence should be forwarded to the Planning Division for inclusion into the final report.



6(6)(a)

2007 09 17

Our File: A-8-06-Z.OP & 57T-06-501

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Catherine Taddo, P. Eng.
Municipal Services Engineer

**SUBJECT: JANE EVA HEDLUND, CATHERINE SHUNOCK, 2062111 ONTARIO
LIMITED & FRANK FREDERICK SHUNOCK
1525, 1675, 1707, 1709, 1715, 1731 TRUNK ROAD & 834 RIVER ROAD**

The Engineering Department has reviewed the above noted application and provides the following:

- A sediment control plan and storm water management plan must be submitted to the satisfaction of the Commissioner of Engineering and Planning or his designate, and the Sault Ste. Marie Conservation Authority.
- Plans and specifications showing final presale grades should be reviewed and approved by the Commissioner of Engineering and Planning or his designate. Lot grading plans should show existing contours, and proposed grades for each lot. As constructed drawings should be modified to show only final grades.
- Soil tests are required in the road allowances, including a report on the road base design, considering the use of geotextile fabric and weeping tile and which determines the depth of the road base. A brief outlining the pavement design is also required.
- The Owner shall submit soil tests by an independent testing laboratory on the stability of the soil and its ability to sustain superimposed loads from building and filling operations and to furnish at no cost to the City certified copies of the results thereof for examination by the Commissioner of Engineering & Planning or his designate.

6(6)(a)

- No work shall be commenced without the approval of the Commissioner of Engineering & Planning or his designate and any work which required approvals from the City and the Ministry of the Environment shall not commence until such approvals and agreements are endorsed.

If you have any questions with regards to the above, please do not hesitate to contact the undersigned.

Sincerely,



Catherine Taddo, P. Eng.
Municipal Services Engineer

c: Mr. Jim Elliott, P. Eng., PWT
Mr. Peter Tonazzo, BURPL, Planning Department
Mr. Jerry Dolcetti, RPP

6(6)(a)



765 Queen Street East, P.O. Box 9000
Sault Ste. Marie, Ontario P6A 6P2

July 23, 2007

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

FAXED: (705) 541-7165

Dear Sir:

Re: **Application No. A-8-06-Z.OP & 57T-06-501**
1525, 1675, 1707, 1709, 1715, 1731 Trunk Road & 834 River Road

We wish to advise that the Owner must enter into an electrical subdivision agreement with PUC Services Inc. in order to provide underground electric services to the proposed development.

We also wish to advise that a monitoring well is located along the proposed subdivision access road from Fournier Road.

Yours truly,

PUC SERVICES INC.

Claudio Stefano

Claudio Stefano, P. Eng. MBA
Distribution Engineer

CS*jf

6(6)(a)

Don McConnell

From: Andrew Hallett [andrew.hallett@ssmpuc.com]
Sent: October 18, 2007 5:13 PM
To: Don McConnell
Cc: Claudio Stefano
Subject: Burnside comments RE Shunnock subdivision

Don,

David Hopkins returned my call after our conversation today. He advises that we should not have cause for concern regarding PUC permitted pumping rates affecting the wells in the proposed subdivision. David has agreed to forward me correspondence to this effect and I will copy you upon receipt.

Regards,
Andrew

Andrew Hallett, P.Eng.
Water Distribution Engineer
PUC Services Inc.
765 Queen Street East
Sault Ste. Marie, ON
P6A 6P2

Phone: (705) 541-2382
Fax: (705) 759-6553
Email: andrew.hallett@ssmpuc.com

10/19/07



Fisheries and Oceans
Canada

Great Lakes Forestry Centre

1219 Queen St. East
Sault Ste. Marie, Ontario
P6A 2E5

Pêches et Océans
Canada

Centre de foresterie des Grands Lacs

1219, rue Queen est
Sault Ste. Marie (Ontario)
P6A 2E5



Your file

Votre référence

Our file

Notre référence

SS-07-2249

July 26, 2007

Frank Shunock
c/o 2062111 Ontario Ltd
255 Pim Street
Sault Ste. Marie, ON
P6B 2T3

*Document communiqué en vertu de
la Loi sur l'accès à l'information*

Dear Mr. Shunock:

Subject: Proposed River Road Subdivision

I received a copy of the Planning Report & Supporting Information and Application for Rezoning and Approval of Draft Plan from the City of Sault Ste. Marie Planning Division on July 17, 2007 with a request for my comments. My comments are restricted to those aspects of the plan which may involve the habitat protection provisions of the federal *Fisheries Act*.

The proposed development is adjacent to the St. Mary's River which is considered to be *Canadian Fisheries Waters* as defined in the federal *Fisheries Act*. Stormwater drainage from the site and access roads could potentially have a detrimental impact on the St. Mary's River. Stormwater drainage coming off the site has the potential to cause shoreline erosion and introduce sediment or other deleterious substances into the river. To reduce the potential for degradation of water quality and covering of existing habitat from the products of stormwater from this site, a vegetated buffer should be maintained along the river bank to help protect river bank integrity and protect the fish habitat along the shoreline.

On July 25, 2007 I visited the site with Frank Tesolin and Anjim Amin of the Sault Ste. Marie Region Conservation Authority. While on site I observed a strip of wetland that follows the shore for the length of the proposed development. Shoreline wetlands directly connected to *Canadian Fisheries Waters* are very productive areas with respect to local fisheries. Any proposed development below the high water line which may encroach upon this wetland will be subject to the *Fisheries Act*.

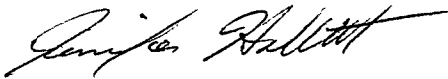
If you proceed to develop this site please note that works or undertakings resulting in the harmful alteration, disruption or destruction of fish habitat are prohibited unless authorized by the Minister of Fisheries and Oceans pursuant to subsection 35(2) of the *Fisheries Act*. In keeping with the Department's *Policy for the Management of Fish Habitat* (DFO 1986), no such authorizations are issued unless acceptable measures to compensate for the habitat loss are developed and implemented by the proponent.

From the location map provided in the plans I see the development is bounded on the east side by the Garden River First Nation Reserve and is in close proximity on the west side to a small section of the Rankin First Nation Reserve. As this development may impact, in particular residents of the Garden River First Nation Reserve, it would be prudent to circulate to them a copy of the rezoning application for their comments if you have not already notified them of the development.

I look forward to working with you during plan development and I strongly encourage you to consider fish habitat protection and enhancements in the St. Mary's River as part of your final plan.

Should you have any questions or comments, please contact me directly by telephone at (705) 941-2012 or by fax at (705) 941-2013.

Yours sincerely,



Jennifer Hallett
Fish Habitat Biologist

copy: Don McConnell, City Planning
Frank Tesolin, SSMRCA

6(6)(a)

Don McConnell

From: Hallett, Jennifer [HallettJ@DFO-MPO.GC.CA]
Sent: October 4, 2007 1:52 PM
To: frank.tesolin@sympatico.ca
Cc: Don McConnell
Subject: Burnside Report, River Road Subdivision

Hi Frank,

Don McConnell sent me a copy of the report by R.J. Burnside & Assoc. of the review of the well tests that were done for the proposed River Road subdivision. The Fisheries Act does not apply to groundwater except in those cases where removal of groundwater will affect the base flow of nearby creeks or very large scale water drawing that has resulted in the draining of lakes that were primarily fed by groundwater. The closest water body in this case is the St. Mary's River and while I expect there will be some impact from groundwater removal on the base flow of the river I do not foresee this subdivision having enough of an impact on the the base flow of the river to impact the fishery in the river. I would be more concerned about septic bed leaching but again that is not a Fisheries Act issue but one that should be considered by the Health Department and MOEE.

I will be away the week of Thanksgiving returning on the week of the 15th. If you would like to discuss the report I can be available that week.

Regards,

Jennifer Hallett

Fish Habitat Biologist |Biologiste, Habitat du poisson

Sault Ste. Marie District |Bureau de district de Sault Ste-Marie

Fisheries and Oceans Canada |Pêches et Océans Canada

1219 Queen St. East |1219, rue Queen Est

Sault Ste. Marie, ON |Sault Ste. Marie (ON) P6A 2E5

Telephone/ Téléphone: (705) 941-2012
Facsimile/ Télécopieur: (705) 941-2013

10/06/07

6(6)(a)

Peter Tonazzo

From: Jim Elliott
Sent: July 26, 2007 1:23 PM
To: Don McConnell
Cc: Peter Tonazzo
Subject: Don McConnell. River Road Subdivision.doc

Don McConnell
Planning Director

Subject: Request for Amendment to Design Bylaw, Official Plan
And Draft Subdivision Approval
Application Number: A-8-06-Z.OP and 57T-06-501
1525, 1675, 1707, 1709, 1715, 1731 Trunk Road and 834 River Road

Staff from the Public Works and Transportation Department has reviewed this application and had no objections. We do however have comments with regard to this application.

Since Trunk Road is a Highway Connecting Link, the Ministry of Transportation must approve the subdivision entrance onto this portion of Trunk Road. The four-lane bypass intersection it is immediately east of the proposed entrance/exit location could further complicate the situation.

If the Ministry approves the entrance onto Trunk Road, Public Works would like to see the proposed entrance at right angles to the right-of-way rather than skewed as shown on the plan.

If you have any questions, do not hesitate to contact me at 759-5207.

Yours truly

J. M. Elliott, P. Eng
Deputy Commissioner
Public Works and Transportation Department

26/07/2007

6(6)(a)

*"Man and Nature"*

Sault Ste. Marie Region Conservation Authority

October 18, 2007

Mr. Don McConnell,
Director of Planning
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

Dear Mr. McConnell:

Re: Draft Plan of Subdivision-57T-06-501 - Shunock Subdivision Limited

An inspection of the above site was carried out on July 25, 2007, when the following assessment of the site was made. This report deals with the review/comments on the Application A-8-06-Z.OP& 57T-06-501 and Burnside Peer Report on "Aquifer and Well Yield Analysis River Road Subdivision, Sault Ste. Marie" dated September 25, 2007.

Proposed Development: To establish the 39 residential lots on the remainder of Lot 55, Registrar's Compiled Plan H714, City of Sault Ste. Marie.

Site Observations:

1. The south-eastern portion (Lots # 17 to 28) of the subject property is subject to the provisions of Regulation 176/06 as a result of the wetlands and shoreline features of the property.
2. The proposed development is to be serviced by individual private wells and septic systems. Storm drainage and lot grading have not been addressed in the information submitted by the developer. In general, the present storm water proposes discharge to the St. Mary's River. The location and design of the storm water retention ditches has not been submitted as part of this draft plan. In the proposed development, "Normal" protection would be required to remove the 70% of suspended solids through the storm water retention ditches.

6(6)(a)

3. The south-eastern portion of the proposed subdivision contains a shoreline wetland of greater than 2 hectares. This land will remain area under the jurisdiction of O. Regulation 176/06. This area would comprise all development in the lots identified as # 17 to 28 inclusive. These lots will be directly subject to site plan development controls and the protection of the function of the wetland.

Recommendations

It is recommended that the Sault Ste. Marie Region Conservation Authority consider supporting the above Draft Plan of Subdivision provided the following concerns are addressed:

1. *Storm Drainage*: The SSMRCA and the DFO have discussed the discharge to the St. Mary's River and have determined that storm water discharges to the river should be managed to provide approximately 70% average annual solids removal efficiency to protect the wetland and fishery features and limit siltation of the river. In order to address this treatment efficiency the proponent should prepare a design which would make use of the good infiltration capacity of this primarily sandy area using a combination of appropriately sized, graded and vegetated open ditches as the primary treatment device and incorporating any additional retention in the form of dry ponds on site. This 70 % target should be attainable with minimal additional retention as it is underlain by the sand and no excessive grades present.
2. *Regulation 176/06*: The engineering report does not take into account the presence of the wetland in its assessment of regulated allowances for this subdivision. The primary concern under the legislation is the high water mark associated with the 100 year return flood level of the St. Mary's River which would be the 178.2 metres GSC (Geodetic Survey of Canada) Datum elevation referred to in the report, however, the presence of the greater than 2 hectare wetland along the shoreline of the river is allocated an area of interference of 120 metres from the edge of the wetland. This area would comprise all development in the lots identified as #17 to #28 inclusive. These lots will be directly subject to site plan development controls and the protection of the function of the wetland is paramount and a minimum of 15 metres of existing vegetation must be maintained back from the fringe of the wetland. This would be a major liability for these lots and would seriously preclude any shoreline benefits for the development of these lots. The need for development control and CA permitting of any work on these sites should be placed on the purchase agreement and explained to prospective purchasers prior to acceptance of any offer.
3. The inclusion of a private use boat ramp for the development is highly encouraged and appreciated as this will reduce the necessity for individual dockage facilities in a rather shallow section of the river.

6(6)(a)

4. All development within lots # 17 to 28 will be subject to the permitting requirements of the legislation both during subdivision preparation, individual lot development and future owner initiated works on these properties.
5. As mentioned in a groundwater study of the City of Sault Ste. Marie (Burnside, 2003), the East Basin Aquifer is recharged through the glaciolacustrine sands and gravels adjacent to the Precambrian uplands to the north, with the potential surface water recharge adjacent to the St. Mary's River. Therefore, necessary precautions should be undertaken in proposed septic system on lots # 15 to 28 to avoid contamination from the septic beds.
6. As mentioned on page 12 of Appendix II of the proposed sub-division draft plan, the depth of static water level is less than 15 m, there could be chance of contamination in individual shallow wells from the 39 septic systems. The installation of shallow wells for drinking purpose should be discouraged.
7. It is suggested that mapping of the existing domestic wells along with the information on their depth and where possible water quality analysis would also be carried out. We agreed that many of the wells in neighbouring area might be completed in the overburden aquifer due to the likeliness of the availability of shallow groundwater.
8. Since the aquifer testing was done at each well for a period of four (4) hours, which is not in compliance with the MOE Policy D5-5 and the Waters Environment assessment that the likelihood for interference with any neighbouring wells is minimal. It is suggested that PUC Inc. should also be consulted with the Waters Environment Report dated August 17, 2007 regarding any potential interference between the groundwater wells and proposed sub-division.
9. The presence of nitrate and chloride at the testing Well PW5 indicates some minor impacts currently occurring from the surface activities, which may be from septic loading or road salt applications. We agreed that the wells for any new domestic water supply be constructed in the underlying deeper sandstone aquifer to have better protection from the surface activities.
10. A "limited baseline water quality monitoring" program should be completed in order to establish the existing background water quality. Further to this comment, we suggest that water sampling should be taken a minimum of four (4) times a year. Water quality from the neighboring domestic wells should also be monitored.
11. As the peer review of hydrogeological report of proposed sub-division has been consulted after a meeting with the neighbouring residents, therefore, the peer review report should also be consulted with neighbours and provided that they will not have any further objection on the proposed development.

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We appreciate the opportunity to comment of this application. Please feel free to contact me if you require anything further.

Sincerely,



Christine Aasen for
Frank Tesolin and Anjum Amin
Technical Advisers

Ministry of Transportation
Engineering Office
Planning and Design Section
Northeastern Region
301-447 McKeown Avenue
North Bay ON P1B 9S9
Tel.: (705) 497-5456
Fax: (705) 497-5499

Ministère des Transports
Bureau du génie
Section de planification et de conception
Région du Nord-Est
301-447, avenue McKeown
North Bay ON P1B 9S9
Tél : (705) 497-5456
Téléco : (705) 497-5499



July 27, 2007

City of Sault Ste. Marie
Planning Division
Engineering & Planning Department
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

Attention: Donald B. McConnell, Planning Director

Dear: Mr. McConnell,

**Re: APPLICATIONS A-8-06-Z.OP & 57T-06-501
AMENDMENT TO ZONING BY-LAW AND DRAFT SUBDIVISION APPROVAL
JANE EVA HEDLUND, CATHERINE SHUNOCK, 2062111 ONTARIO LIMITED
& FRANK FREDERICK SHUNOCK
1525, 1675, 1707, 1709, 1715, 1731 TRUNK ROAD AND 384 RIVER ROAD
MTO SAULT STE MARIE AREA**

This is in response to your July 16, 2007 Notice requesting comments on the above noted applications.

We appreciate being circulated concerning applications along connecting links that can have an impact on adjacent Provincial Highways.

Some of the properties subject to these applications are located within the Ministry's area of permit control. Therefore, MTO development permits will be required for any proposed buildings, structures, stormwater management facilities, roadways etc. within a 396 metre radius of the Highway 17/Link Road intersection.

Other concerns the Ministry has is in respect to the proposed Blocks 43 and 44.

Regarding Block 43, we will require that all access to this Block be restricted via the proposed road shown as Block 41. Direct access to Trunk Road will not be supported by the MTO.

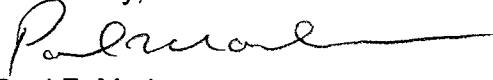
Regarding Block 44, we have concerns that any increased commercial use of the property would negatively impact the new Highway 17/Link Road signalized intersection. We would therefore ask that a traffic impact study be prepared and submitted for our review prior to allowing any commercial development on this Block. Also, provisions should be put in place to prevent "flow through" traffic to other lots via Block 44.

We would also request that the Ministry be allowed the opportunity to review and comment on any draft Site Plan Control Agreements concerning Blocks 43 and 44. Again, this is to ensure that the Highway 17/Link Road intersection is not negatively impacted.

For further information on Ministry permit requirements, please contact Ms. Susan McCooeye at our Sault Ste. Marie Area Office at (705) 945-6685.

Thank you for the opportunity to provide input regarding this worthwhile endeavour. Should you wish to discuss the contents of this letter, please call.

Yours truly,



Paul F. Marleau
Regional Development Review Coordinator

c. Susan McCooeye, CMO, Sault Ste. Marie Area Office



Algoma
PUBLIC HEALTH
Santé publique Algoma

AA Northan MD MHSc FRCP(C)
Medical Officer of Health
www.algomapublichealth.com



August 22, 2007

Blind River
Community
Services Centre
15 Hanes Avenue
P0R 1B0
Tel: 1 (705) 356-2551
TF: 1 (888) 211-4739
Fax: 1 (705) 356-2494

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

Elliot Lake
Algo Centre
151 Ontario Avenue
P5A 2T2
Tel: 1 (705) 848-2314
TF: 1 (888) 211-6749
Fax: 1 (705) 848-1911

SUBJECT: Application No. A - 8 - 06 - Z . OP & 57T - 06 - 501

Algoma Public Health has reviewed the reasonable use and hydrogeological reports for the above noted subdivision proposal. The 39 lots applied for are proposed to be serviced by individual wells and on site sewage disposal systems.

Sault Ste. Marie
Civic Centre
99 Foster Drive
P6A 5X6
1st Floor
6th Floor
Tel: 1 (705) 759-5287
TF: 1 (866) 892-0172
Fax: 1 (705) 759-1534

The lot sizes are less than the ideal 1 ha in size and as a result a ground water impact assessment was conducted. The results of that review indicates that the level of nitrates at boundary is well below the maximum acceptable concentration of 10 mg/L. Each lot contains enough area for the proposed leaching bed system as well as enough area for a future replacement leaching bed.

126 Queen Street East
P6A 1Y5
Tel: 1 (705) 942-3103
Fax: 1 (705) 942-9915

The hydrogeological report indicates there are two aquifers available for water well construction. One was described as an unconfined overburden aquifer and the other a confined bedrock aquifer. Algoma Public Health recommends that wells be developed in deeper confined bedrock aquifer. Total coliform bacteria was detected in wells developed in both aquifers. This is unusual in this area. It is recommended that the wells be properly treated as is normal following construction and resampled to eliminate the possibility of sample error. There are also a number of aesthetic objectives from the Ontario Drinking Water Standards that were exceeded. Again this is not unusual for the aquifers in this area. Walker Engineering has recommended that statements regarding these exceedances be contained in the information packages that would be attached to all offers to sell. A copy of this recommendation is attached.

186 East Street
P6A 3C6
Tel: 1 (705) 759-3935
Fax: 1 (705) 759-2105

63 East Street
Unit 1
P6A 3C4
Tel: 1 (705) 759-1844
Fax: 1 (705) 759-5953

Wawa
18 Ganley Street
P0S 1K0
Tel: 1 (705) 856-7208
TF: 1 (888) 211-8074
Fax: 1 (705) 856-1752

6(6)(a)

To: Don McConnell
Re: River Road Subdivision
Date: August 22, 2007
Page - 2 -

In addition, as Algoma Public Health is not involved in well water evaluation it is recommended that the past practice of submitting well logs and engineering comments on well construction to this agency not occur for this proposal.

Algoma Public Health has no objection to the approval of the amendment to the Zoning by-law nor to draft subdivision approval.

For healthier communities,



Wes Terry, CPHI (C)
Public Health Inspector

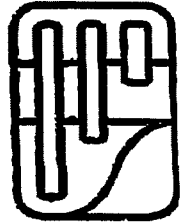
/jb

6(6)(a)

Waters Environmental Geosciences Ltd.

P.O. Box 69
Lively, Ontario
P3Y 1M2

Telephone (705) 692 - 0937
Toll Free (888) 585 - 7805
Facsimile (705) 692 - 0466
e-mail waters@on.aibn.com



August 17, 2007

27 - 186a

Wm. R. Walker Engineering Inc.
499 Queen Street East, Level 2
Sault Ste. Marie, Ontario
P6A 1Z9

Attention : Mr. Doug Leask, C.E.T.

Dear Doug,

**ADDITIONAL COMMENTS
AUGUST 15, 2007, MEETING
RIVER ROAD SUBDIVISION
SAULT STE. MARIE, ONTARIO**

Further to our recent meeting at the City of Sault Ste. Marie City Hall, we are providing you with the following comments which re-iterate our discussions with the City at the August 15, 2007, meeting. These comments were specifically requested by Don McConnell (City of Sault Ste. Marie) in order to assist with the review of the River Road Subdivision application.

Our comments are presented in point form, as follows:

- The 2003 R.J. Burnside and Associates Limited report on the Groundwater Management and Protection Study (undertaken for the Sault Ste. Marie Public Utilities Commission) presented the results of a detailed groundwater modelling exercise for the various aquifers which underlie the City of Sault Ste. Marie. Figures 5.1 and 5.2 of this report present the groundwater "Capture Zones" for the existing high yield municipal wells, the difference being that Figure 5.1 indicates the capture zones for the wells pumping at the current pumping rates, while Figure 5.2 indicates the capture zones for the wells when pumping at the "theoretical maximum" permitted pumping rates.

6(b)(a)

Wm. R. Walker Engineering Inc.Waters Environmental Geosciences Ltd. Project No. 27-186a

The information presented on these figures indicates the zones from which groundwater is drawn into the municipal well intakes, and they extend a considerable distance upgradient from each well location. As pointed out at our meeting, the zones do not extend very far to the east of the Loma or Shannon well head areas, and are oriented more or less perpendicular to the St. Marys River shoreline.

In particular, the proposed River Road Subdivision lies over 1 km to the east of (and more importantly, cross-gradient from) the groundwater capture zones established in the Burnside groundwater study. Simply stated, the proposed subdivision lies well outside of the groundwater capture zones established for the municipal well fields.

As well, the maximum anticipated groundwater usage by the lots within the proposed subdivision amounts to less than 0.5 % of the current water taking from the aquifer by the municipality. Therefore, the proposed groundwater usage by the subdivision is an insignificant amount compared to the on-going municipal takings, and will have no impact on the capture zones already established for the municipal well fields.

Therefore, by our assessment there is no potential for mutual interference between the municipal well field and the groundwater use beneath the proposed River Road Subdivision (including any future increases in the well field pumping rates, up to the permitted maximum groundwater withdrawals at the municipal well field).

- Our report provided an analysis of the water yielding characteristics of two aquifers beneath the proposed River Road Subdivision. These aquifers comprise a surficial un-confined aquifer, and a deeper confined bedrock-contact aquifer. The surficial aquifer is accessible with shallow wells, and locally drive points have been used on adjacent land parcels (according to discussions at the August 15, 2007, meeting), while the deeper aquifer is the same aquifer as is used by the municipal well fields.

From our analysis, there is no preference for either type of well construction (i.e. a shallow well or a deep well), based on the aquifer testing and well performance during pumping. Historically, shallow unconfined wells have had more problems with bacteriological contamination (depending on the well construction methods) and will suffer from seasonally fluctuating water levels (as indicated verbally at the meeting). The water chemistry results which we reviewed (from both aquifers) were typical of the groundwater quality in the Sault Ste. Marie area, and are considered treatable for the aesthetic parameters noted in our report.

In terms of the potential for mutual interference between the wells on the proposed subdivision and the wells on adjacent land parcels, our report indicates that the maximum anticipated drawdown (in the absence of any recharge) at each pumping

24 Aug 2007 11:21

705-692-0466

p. 4

6(6)(a)

Wm. R. Walker Engineering Inc.Waters Environmental Geosciences Ltd. Project No. 27-186a

well would be less than 6 cm (2.4 inches) in the shallow overburden, after 20 years of continuous pumping. In the deeper bedrock contact aquifer, the maximum anticipated drawdown (in the absence of any recharge) at each pumping well would be less than 8 cm (3.1 inches), after 20 years of continuous pumping. These values are conservative values in that they focus on the drawdown at the very centre of the well, and will be less at the property boundaries (due to the curvature of the drawdown cone). In addition, the assumptions behind these calculations are extremely conservative in that they ignore completely any inputs of recharge (which would offset any lowering of the water table).

Therefore, by our assessment there is no potential for any significant interference between the groundwater wells on the proposed subdivision lots and any adjacent well locations off-site. This conclusion is supported by the observation that, during the pumping tests, the test wells were pumped at more than 15 x the required lot by lot individual well pumping rates, with only minimal drawdowns being recorded during the test.

The above comments are not an indication of any guarantee of a specific water quantity yield on a specific lot, which will be dependent upon the water well construction itself and natural variations in the local geological conditions. However, our test results indicate that the aquifers beneath the site have demonstrated (via testing) the potential for producing the required water quantity yields, with minimal associated impacts.

We trust that this information addresses the comments received during our meeting with the City of Sault Ste. Marie. If you have any questions or comments, please contact the undersigned directly.

Yours truly,
WATERS ENVIRONMENTAL GEOSCIENCES LTD.



Peter A. Richards, M.Sc., P.Eng.
President, Senior Environmental Engineer

R.J. Burnside & Associates Limited 292 Speedvale Avenue West Unit 7 Guelph ON N1H 1C4 Canada
telephone (519) 823-4995 fax (519) 836-5477 web www.rjburnside.com



BURNSIDE

[THE DIFFERENCE IS OUR PAST]

6(6)(a)

September 25, 2007

The Corporation of the City
of Sault Ste. Marie
99 Foster Drive, Civic Centre
Sault Ste. Marie, ON P6A 5N1

Attention: Mr. D.B. McConnell, RPP
Principal Planner, City Planning Division

Re: Review of Waters Environmental Geosciences Ltd. Report
"Aquifer and Well Yield Analysis
River Road Subdivision, Sault Ste. Marie, Ontario"
File No. PDA 13943.0

Dear Mr. McConnell,

R.J. Burnside & Associates Limited (Burnside) was retained by Mr. Doug Leask, of Wm. R. Walker Engineering Inc. (Walker Engineering) to provide comments regarding the above captioned report (the report). In order to complete this review, Burnside was provided with a copy of the report dated June 26, 2007 and an April 11, 2006 drawing "Draft Plan of Subdivision River Road Property Development," which was prepared by Walker Engineering. This drawing shows the proposed lot layout of the subdivision and shows a number of surrounding features such as Highway 17, the St. Mary's River and a number of existing residences.

It is our understanding that Waters Environmental Geosciences Ltd. (Waters) was retained by Walker Engineering to prepare the report which documents the testing of five water wells at the proposed subdivision. Four wells (PW1, PW2, PW3 and PW5) were constructed in 2006 by Jim Rennison Well Drilling Ltd. An existing well (PW4) was drilled as part of an earlier study in 1981. An additional well (PW6) was drilled in early 2007 and provides water for a new home in the southwest corner of the development. Wells PW1, PW2 and PW4 are all completed in sandstone bedrock at depths greater than 122 m (400 ft). Wells PW3, PW5 and PW6 are all completed in overburden at depths less than 21 m (70 ft). Aquifer testing was completed by representatives of Rennison Well Drilling, who provided the data to Waters for plotting and interpretation. Wells PW1, PW2, PW3, PW4 and PW5 were subjected to step tests, followed by four continuous rate pumping tests and recover. Water quality samples were collected from PW2, PW3 and PW4 during the pumping test. The following are Burnside's comments on the report:

Mr. D.B. McConnell,
September 25, 2007

Page 2 of 4

6(b)(a)

Section 2.1: Hydrogeological Setting

The discussion of the hydrogeological setting is based on data provided in the water well records for the site, along with a review of published geological mapping. The regional groundwater flow direction is interpreted to be to the south as described in the 2003 Groundwater Management and Protection Study.

Burnside Comment

The draft plan of subdivision provided by Walker Engineering suggests that there are a number of established residential properties in the area. It would be helpful if Waters could provide a map showing the location of existing domestic wells in the area and also provide information on their depth. It is likely that, given the availability of shallow groundwater, that many of the wells in the area are completed in the overburden aquifer.

Section 2.2: Aquifer Testing

As indicated above, each of the wells tested was subjected to an initial step test and, based on the results, a constant rate discharge of 27 m³/day (5 US gpm) was selected as the test rate for each of the wells. The number of wells to be tested was done in accordance with Ontario Ministry of the Environment (MOE) Policy D5-5, which indicates that five test wells are required for developments between 25 and 50 ha. Section 4.3.1 indicates that the tests shall be run at a fixed rate for a minimum period of six hours. The testing at the site was run at each well for a period of four hours, which is not in compliance with the policy. The test rate of 5 USgpm (18.93 L/m) is in compliance with the minimum rate of 13.7 L/m in the MOE guidance

The aquifer testing data for all of the wells indicates that the yields are more than adequate for domestic purposes and that any interference which may occur between wells is minimal. The 20-year predicted drawdown for an overburden well pumped continuously is estimated to be less than 0.06 m. Similarly, the protected drawdown for a well pumping continuously for 20 years in bedrock is less than 0.08 m. Waters concludes that these values indicate that there will be no impact on neighbouring wells.

Mr. D.B. McDonnell,
September 25, 2007

Page 3 of 4

6(6)(a)

Burnside Comment

Many of the wells actually had an increase in specific capacity during the testing which suggests that the wells were undergoing additional development. Although the testing was not conducted for the minimum period of six hours, the data suggests that very little additional drawdown would have occurred. Burnside agrees with Waters assessment that the likelihood for interference with any neighbouring wells is minimal.

Section 2.4: Geochemical Analysis

Water quality samples were collected from PW2, PW3 and PW5 during the testing. The discussion by Waters suggests that the aesthetic objective for colour, iron and manganese was exceeded in a number of samples. In addition, sodium present at levels above 20 mg/L exceeds the medical officer of health notification level of 20 mg/L. The operational guideline for hardness, which is set at 80 to 100 mg/L was exceeded at all of the locations. However, these levels are considered by Burnside to be relatively low and be easily treated by water softening, if desired.

Total Coliform bacteria was detected in samples from PW2 and PW5 and PW5. The fact that total coliform was detected in the deeper aquifer (PW2) suggests that it is likely due to inadequate chlorination of the well following construction or a sampling error. Elevated chloride (50.4 mg/L) and nitrate (1.08 mg/L) was present in the sample from Well 5.

Burnside Comment

The water quality from PW5 indicates that chloride and nitrate are elevated in comparison to the other wells. Well PW5 is completed in an unconfined overburden aquifer at a depth of 19.8 m (65 ft). The presence of nitrate and chloride suggests that there are some minor impacts currently occurring from surface activities such as agriculture, septic loading or road salting.

Given that there are to be a number of houses serviced by in-ground septic systems in the future, Burnside would recommend that the wells for the new development be constructed in the underlying sandstone, which appears to offer some protection from surface activities.

Mr. D.B. McConnell,
September 25, 2007

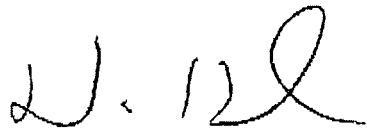
Page 4 of 4

6(b)(a)

In addition, it is likely that a number of wells on adjacent residential properties may be completed in the upper, unconfined, shallow aquifer. We agree with Waters conclusions that it is unlikely there will be any water quantity interference from the proposed development. However, given the presence of nitrate and chloride in one of the existing wells on site, there is the potential for some impact from septic effluent. As a result, Burnside suggests that a limited baseline water quality monitoring program be completed in order to establish existing background water quality in the downgradient neighbouring domestic wells. This will provide an indication of pre-development water quality for use in the assessment in the unlikely event there are future water quality impact claims.

Yours truly,

R.J. Burnside & Associates Limited



David Hopkins, B.Sc., P.Geo.
Hydrogeologist
DH:jw

cc: Walker Engineering, Attn: Mr. D. Leask

070925McCon

2007-10-01 4:44 PM



WALKER ENGINEERING

Wm. R. Walker Engineering Inc.
499 Queen Street East, Level 2
Sault Ste. Marie, Ontario, P6A 1Z9
(t) 705.942.2070 (f) 705.942.3532
walker@walkerengineering.on.ca

6(6)(a)

September 10, 2007

Mr. D. B. McConnell, RPP, Principal Planner
City Planning Division
Corporation of the City of Sault Ste. Marie
99 Foster Drive, Civic Centre
Sault Ste. Marie, ON P6A 5N1

Via Facsimile
2005-38

Dear Mr. McConnell

RE: River Road Subdivision

Earlier, it was noted in the Aquifer and Well Yield Analysis for the River Road Subdivision completed by Waters Environmental Geosciences Ltd. that Well #2 and Well #5 had test results which indicated a low count of total coliform bacteria. In that report it was indicated that coliform should not have existed and it was indicated that this was unwarranted and possible bad testing. In our letter of August 24, 2007, we referred to re-testing of Well #3 and Well #5. This was inadvertent and it should have read "Well #2 and Well #5".

Since that letter, we have chlorinated, re-pumped, and tested Well #2 and Well #5 and received successful test results indicating that no E-coli, HPC, or Total Coliform counts exist. I am attaching one (1) copy each of the test results from Testmark Laboratories Limited.

We ask that this letter be appended to your file in the Aquifer Well Yield Analysis completed by Waters Environmental Geosciences Ltd.

If you require additional information, please feel free to contact me.

Yours very truly
Wm. R. Walker Engineering Inc.



D. S. Leask, CET

Enc.

DSL:jlb

fc: Frank Sarlo, Wishart and Partners, 949-2465
Frank Shunock, 254-2142
Peter Richards, Waters Environmental, 705-692-0466



TESTMARK Laboratories Ltd.

Committed to Quality and Service

6(6)(a)

Wm. R. Walker Engineering Inc.

Work Order: 41206

Sample Data:

Sample Name: Shunock Well #2

Date: 9/5/2007

Matrix: Water

Lab #: 137756

BACKGROUND (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform background	1	ND	CFU/100mL	20070905.BAC2AS
ECOLI (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Escherichia Coli	1	ND	CFU/100mL	20070905.BAC2AS
HPC (SP) SSM				
Parameter	MDL	Result	Units	QAQCID
Heterotrophic Plate Count (HPC)	10	ND	CFU/1mL	20070905.BAC2BS
Heterotrophic Plate Count (HPC) (Dup)	10	ND	CFU/1mL	20070905.BAC2BS
TOTCOL (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform	1	ND	CFU/100mL	20070905.BAC2AS

Sample Name: Shunock Well #2

Date: 9/5/2007

Matrix: Water

Lab #: 137757

BACKGROUND (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform background	1	ND	CFU/100mL	20070905.BAC2AS
Total coliform background (Dup)	1	2	CFU/100mL	20070905.BAC2AS
ECOLI (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Escherichia Coli	1	ND	CFU/100mL	20070905.BAC2AS
Escherichia Coli (Dup)	1	ND	CFU/100mL	20070905.BAC2AS
HPC (SP) SSM				
Parameter	MDL	Result	Units	QAQCID
Heterotrophic Plate Count (HPC)	10	ND	CFU/1mL	20070905.BAC2BS
TOTCOL (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform	1	ND	CFU/100mL	20070905.BAC2AS
Total coliform (Dup)	1	ND	CFU/100mL	20070905.BAC2AS

6(6)(a)



TESTMARK Laboratories Ltd.

Committed to Quality and Service

Wm. R. Walker Engineering Inc.

Work Order: 40292

Sample Data:

Sample Name: Shunock Well #5

Date: 8/20/2007

Matrix: Water

Lab #: 135277

BACKGROUND (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform background	1	2	CFU/100mL	20070821.BAC1AS

ECOLI (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Escherichia Coli	1	ND	CFU/100mL	20070821.BAC1AS

HPC (SP) SSM				
Parameter	MDL	Result	Units	QAQCID
Heterotrophic Plate Count (HPC)		ND	NA	20070821.BAC1BS
Heterotrophic Plate Count (HPC) (Dup)		ND	NA	20070821.BAC1BS

TOTCOL (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform	1	ND	CFU/100mL	20070821.BAC1AS

Sample Name: Shunock Well #5

Date: 8/20/2007

Matrix: Water

Lab #: 135278

BACKGROUND (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform background	1	4	CFU/100mL	20070821.BAC1AS

ECOLI (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Escherichia Coli	1	ND	CFU/100mL	20070821.BAC1AS

HPC (SP) SSM				
Parameter	MDL	Result	Units	QAQCID
Heterotrophic Plate Count (HPC)		ND	NA	20070821.BAC1BS

TOTCOL (MF) SSM				
Parameter	MDL	Result	Units	QAQCID
Total coliform	1	ND	CFU/100mL	20070821.BAC1AS

7

(b)(6)(a)

TREMBLAY-HALL & TIJERINA**Barristers and Solicitors**494 Albert Street East
Sault Ste. Marie, ON
P6A 2K2Jennifer M. Tremblay-Hall
Stacy Richard TijerinaTel: (705) 759-7557
Fax: (705) 759-7556Email: jtremblayhall@shaw.ca
stijerina@shaw.ca
djackson@shaw.ca (assistant)**FAX COVER PAGE**

TO: City of Sault Ste. Marie
Engineering & Planning Department

ATTENTION: Peter Tonazzo

FAX NO.: 541-7165

FROM: Jennifer Tremblay-Hall

DATE: October 22, 2007

MESSAGE: Re: Notice of Application for Absolute Title
Catherine Shunock - Applicant
PIN 31483-0047

Please see attached letter.

This transmission consists of 3 pages, including this cover page. If all pages are not received please call **DOROTHY** at 705-759-7557.

ORIGINAL TO FOLLOW BY MAIL: Yes-x No

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ONLY FOR THE USE OF THE RECIPIENT NAMED ABOVE.**

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TREMBLAY-HALL & TIJERINA**Barristers and Solicitors**494 Albert Street East
Sault Ste. Marie, ON
P6A 2K2Jennifer M. Tremblay-Hall
Stacy Richard TijerinaTel: (705) 759-7557
Fax: (705) 759-7556Email: jtremblayhall@shaw.ca
stijerina@shaw.ca
djalderson@shaw.ca
(assistant)

6(6)(a)

via fax & mail

October 22, 2007

Attention: Don McConnell
City of Sault Ste. MarieRE: Notice of Application for Absolute Title
Catherine Shunock - Applicant
PIN 31483-0047Garden River First Nation-Objection

Dear Sir:

I am general counsel to the Garden River First Nation. My clients have reviewed the above application by Ms. Shunock and have physically attended the land which is the subject of her application. The First Nation wishes to raise to your attention the following concerns which do not appear to have been addressed in relation to this application which causes them to object to the application based on their aboriginal interests in the subject lands and their neighbouring reserve.

Garden River First Nation commenced a Notice of Application in June of 2003 claiming lands immediately west of its western boundary which lands are the subject of your client's Notice of Application for Absolute Title. While this Application was converted to a Statement of Claim in 2004, which is presently before the courts, and the claim for the lands proper abandoned, that does not relieve the imposition of a legal obligation premised on the cultural interests of the First Nation and its members.

By way of background, in support of my client's Application, Chief Lyle Sayers sworn Affidavit details the historical occupation of the Belleau family on the very lands your client now proposes to construct a subdivision on. The lands therefore are culturally significant and may yield archeological importance to your neighbours, the Garden

6(b)(a)

River First Nation, which interests have not yet been fully explored. The legal impacts of proposed development on such lands at the very least impose a duty on the applicant and the authorizing government body to investigate and consult with the aboriginal interest at stake, which has not yet been done, to the appropriate legal standard.

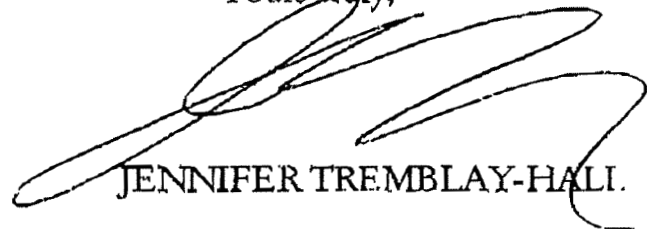
The second concern of the First Nation relates to the lack of consultation with the Band relative to the environmental impacts of the proposed development of 39 lots each equipped with septic systems as such development may adversely affect the First Nation and its members, in areas such as fishing, flora and fauna integral to the aboriginal culture in addition to any other ecological and environmental impacts not yet fully appreciated or investigated.

Lastly, the First Nation expresses a concern that the proposed development will destroy the current recreational usage along the St. Mary's River and a well worn ATV trail leaving open the possibility that such recreational users may turn to the First Nation's lands as an alternative.

These concerns require an immediate response. In the very least, the Application cannot proceed at this time until consultation with the First Nation has taken place as to how the above concerns will be addressed, when they will be addressed and, some agreement as to what will be the content of any investigations to address the above concerns.

Should you require any further information, please do not hesitate to contact me.

Yours truly,

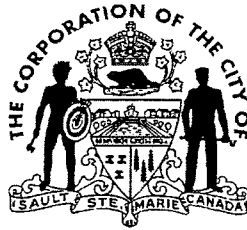


JENNIFER TREMBLAY-HALL

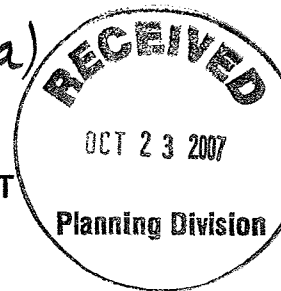
cc. Client, Garden River First Nation
Frank Sarlo, Applicant Counsel
Peter Tonazzo, City ✓

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



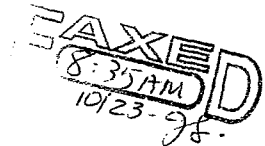
6(6)(a)
LEGAL
DEPARTMENT



File No. Zoning Applications 2006
2007 10 22

FAXED TO: 759-7556 (1 page)

Tremblay-Hall & Tijerina
Barristers & Solicitors
194 Albert Street East
Sault Ste. Marie, ON P6A 2K2



ATTENTION: Jennifer Tremblay-Hall

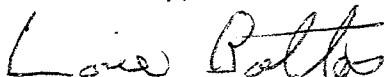
Dear Ms. Tremblay-Hall:

**RE: Planning application A-8-06-Z.OP & 57T-06-501 – Your client:
Garden River First Nation**

Don McConnell discussed with me your letter to him of October 22nd. This rezoning application has been deferred by council previously and now is scheduled to be back before council on Monday, October 29th. The Planning Division report will appear on the agenda that evening along with your letter. You are welcome to attend the meeting that evening. The Planning section of the meeting starts around 5:30. It depends on how many Planning items are on the agenda as to what time this item will be reached.

I see that you have copied your letter to Mr. Sarlo. I think any discussions should take place between you and Mr. Sarlo on behalf of your respective clients. Certainly City Planning staff as well as any other staff that might be helpful would be most willing to attend any meetings you and Mr. Sarlo arrange and thus be part of the consultation.

Yours truly,


Lorie A. Bottos
City Solicitor

LAB/jl

cc: Frank Sarlo, Wishart Law Firm
Don McConnell, Planning Director, Planning Division

The Corporation of the City of Sault Ste. Marie
P.O. Box 580 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 759-5400 ~ Fax: (705) 759-5405
www.cityssm.on.ca

6(6)(a)

September 20, 2007

John Rowswell
Mayor, City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 6X9

RECEIVED

SEP 24 2007

MAYOR'S OFFICE

Dear Mayor Rowswell:

As a follow-up to the recent meeting at city hall, with Councillors Butland and Caicco and the Shunucks, the applicants for rezoning to allow a new subdivision between Fournier Road and the existing city boundary, I have concerns that were passed over or were not entirely answered. In regards to blocks 44 and 45, I find that if these are not being proposed for residential purposes, zoning and development applications should be dealt with separately.

In regards to the plan submitted as a residential estate subdivision, there are components which are not specific to a residential subdivision. The statement that they proposed to rezone Block 45, the northeastern block on Trunk Road, for Highway Commercial as a storage compound for vehicles and trailers was a total surprise.

During the meeting, the Shunuck's avoided the question regarding the proposed zoning of Block 44 as highway commercial and the fact that the right to a significant portion of this block is not legally theirs to develop. This does not belong in this rural estate subdivision application.

The residence at 1719 Trunk Road should not be isolated within in a Highway Commercial plan and despite their comment that it was already done, is not zoned for such purpose. I have an established driveway to Trunk Road and a legal 60' wide registered Right of Way for 185.12 feet to the southeast east and then 201.79 feet northeast to Trunk Road. The registered Right of Way is part of my deed and may not be changed by the Shunuck's. On the plan, they have arbitrarily avoided identifying my existing rights. This is totally unacceptable. Block 44 on their application has a depth of approximately 200' to the highway. My lot and right of way totals 160' as per the attachments enclosed.

Any commercial highway use in front of and surrounding my home will certainly impact my water supply, the aesthetics of an established residential setting, increase traffic noise and negatively impact the value of our home. These specific concerns for this property need to be addressed before proceeding or removed from this proposal.

It is not good planning to isolate the residential property I have owned and lived in for the last 42 years. Attempts to rezone and develop commercially around my home have been denied by a previous council.

RECEIVED
CITY CLERK

SEP 24 2007

NO.:

City Council Planning

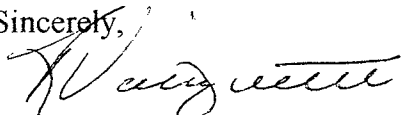
6(6)(a)

2.

I trust you take my concerns seriously and acknowledge me accordingly as our mayor

Please contact me by telephone or e-mail if you require a meeting or have any questions that I can answer.

Sincerely,

A handwritten signature in cursive script, appearing to read 'Rita Valiquette', written in black ink.

Rita Valiquette
1719 Trunk Road
Sault Ste. Marie, Ontario P6A 6X9
(705) 759-6191
rvaliquette2@shaw.ca

3 Attachments

6(6)(a)

TRUNK ROAD

BLOCK 44

BLOCK 43

GARDEN RIVER

INDIAN RESERVE

LOT 11 (5098m²)

LOT 12 (5109m²)

LOT 13 (5164m²)

LOT 14 (6718m²)

LOT 15 (5331m²)

LOT 16 (5070m²)

LOT 17 (5044m²)

LOT 18 (5017m²)

LOT 19 (5012m²)

PIN 31483-0036

PIN 31483-0038

PIN 31483-0075

PIN 31483-0044

PIN 31483-0045

PIN 31483-0046

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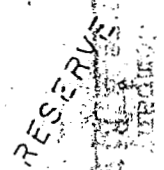
PIN

177

SURVEYOR

6(b)(a)

199.60'



65 - 421

6(6)(a)

The Registry Act

IN THE MATTER of the PLANNING ACT (as amended)

AND IN THE MATTER of the TITLE TO PART OF LOT 15 IN THE SECOND RANGE SOUTH IN TOWNSHIP OF RANKIN, DISTRICT OF ALGOMA, BEING LOT NUMBER 112 ON REGISTRAR'S COMPILED PLAN H-714; TOGETHER WITH A RIGHT OF WAY OVER AND ALONG PART OF LOT 109 ON REGISTRAR'S COMPILED PLAN NUMBER H-714 NOW DESIGNATED AS PART 4 ON PLAN 1R 3102;

Deed, Mortgage,
Agreement of
Sale, Lease, etc.

AND IN THE MATTER OF A

DEED

THEREOF, FROM SAUL S. FOX, C.A., Trustee of the Estate of George Rene Valiquette and RITA VALIQUETTE
TO RITA VALIQUETTE
DATED OCTOBER 31, 1978

I, SAUL S. FOX,
of the City of Toronto, in the County of York,

MAKE OATH AND SAY AS FOLLOWS:

1. I am the Trustee of the Estate of George Rene Valiquette named in the above mentioned Instrument, and have knowledge of the matters hereinafter sworn.
2. The said Instrument, and the conveyance or other dealing with land affected thereby, do not contravene the provisions of The Planning Act, as amended, because
 - (a) The present registered owner does not retain the fee or the equity of redemption in, or a power or right to grant, assign or exercise a power of appointment with respect to any land abutting the land affected by the said Deed.

Delete
if not
applicable

State
other
reason
if any

SUBSCRIBED

1

6(6)(a)

Don McConnell

To: Donna Irving
Cc: Pat Schinners; Bev Alisch
Subject: RE: Application NO. A-8-06-Z.OP & 57T-06-501

From: Sault & District Personnel Services [mailto:ssmpersonnel@shaw.ca]
Sent: August 3, 2007 10:06 AM
To: City Clerk
Subject: Application NO. A-8-06-Z.OP & 57T-06-501

August 3rd, 2007

Mayor & Council

c/o D.P. Irving
City Clerk
Sault Ste. Marie, Ontario
P6A 5N1

Dear Mayor & Council:

In response to the **Notice of Public Meeting regarding Application NO. A-8-Z.OP & 57T-06-501**, submitted to me regarding a proposed request to amend Zoning By-law 2005-150, the Official Plan and Draft Plan of Subdivision Approval, I would like to address several concerns:

1. The notice which I received in the mail has a map outlining an area to be rezoned which includes my property and access, as part of the parcel to be rezoned. I do not want to be rezoned and find this assumption by the proponents objectionable and unacceptable to me.
2. The area proposed to be rezoned **Highway Commercial** totally surrounds my property; one side being in front of my property, between the highway and my residence. Any proposed commercial use of the designated property will negatively impact the value of my property as an established home and is unacceptable. .
3. On the same map, there is a line approximately where the existing three residences, including mine, are, without showing how this fits into the plan. This in my understanding, is the easement which is part of my deed. I have used an additional established driveway to Trunk Road since purchasing my property and continue to do so. New construction completed by MTO recognized this entrance when they installed the new accesses to Highway 17. This is not shown on this map or the Preliminary Draft Plan of Subdivision. I have not relinquished my established and legal use of these and have no intention of doing so.
4. The area surrounding and enclosed in the proposed amendment is serviced by existing wells owned by the current residents and businesses. With the lower water levels in this area, the additional load by the proposed development will certainly cause extreme stress to the water table

8/03/07

6(6)(a)

as will the potential contamination by the many new septic systems required.

5. This is an area that is identified as part of Garden River Reserve in the Robinson Huron Treaty, which my ancestor, John Bell, was a signatory. The original Treaty identifies the western boundary as Partidge Point, which is approximately at Falldien Road and River Road. This may be a potential for a valid native land claim. All band members of Garden River should be notified that this development is being proposed and be able to address how it may impact a future land claim for this property. As a band member, I have not been advised that any claim has been initiated or settled. The governments of Ontario and Canada are ultimately financially responsible for defending or settling any claims that may be brought forward and can be quite contentious and expensive if not dealt with properly.
6. The proposed area being considered is part of the sensitive St. Marys River waterfront and provincially significant wetlands. The existing construction being done at the eastern limit of River Road by the one or more of the proponents, has already filled riverfront marsh area. Any waterfront development east of this will only magnify the impact on surface and subsurface drainage.
7. This is a very active wildlife area where waterfowl nest along the shore and birds and animals use the mature White Pines and hardwoods as year round home. With the reduction of forest habitat from the new highway development we enjoy encountering the few small animals such as squirrels, mink, raccoons, rabbits, coyotes and larger animals such as deer that we have always been accustomed to having in our neighbourhood. I will expect a full environmental assessment be undertaken prior to any further development on the land being proposed for amendment.
8. As an heir to the Harriet Bell estate, of Bell's Point, Garden River, adjacent to the eastern boundary of the proposed development, I also have concerns about the impact on our undeveloped waterfront property. I am also concerned about the impact on the level and quality of the watertable available to traditional and future members of the Harriet Bell Estate.
9. Block 42 of the Preliminary Draft Plan indicates a proposed Private Boat Launch. This is directly adjacent to and upriver of my family's riverfront estate. It is also on the shores of the St. Marys River below the East End Sewage Plant. The St. Marys River is bi-nationally recognized as an Area of Concern due to contaminated sediments. Development of any boat launch in this area will increase vessel traffic in front of our land, resulting in re-suspension of sediments along our beach front. Department of Fisheries Oceans and the St. Marys River Remedial Action Plan team should be provided details on any proposal such as this before the municipality considers such a development. Water quality and fisheries habitat are certainly going to be impacted by increased shallow water activities.

Submitted By: Rita Valiquette
1719 Trunk Road
Sault Ste. Marie, Ontario
P6A 6X9

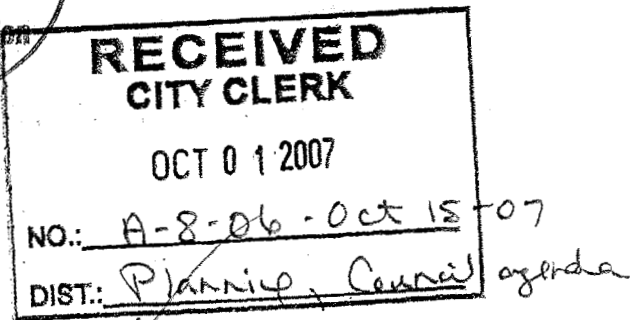
808 River Road
Sault Ste. Marie, ON
P6A 5K9



October 1, 2007

6(6)(a)

Mr. Steve Butland and Mr. James Caicco
Ward 1 Councillors, Civic Centre
Sault Ste. Marie, ON
P6A 5M1



Dear Sirs:

Further to the meeting of September 11, 2007 at the Russ Ramsay Room at the Civic Centre, as a resident of Sault Ste. Marie and a concerned taxpayer, I had raised two questions with respect to the proposed development of land into estate lots. The lands in question, with the proposed development, include approximately 75 acres north and east of my civic address: 808 River Road, Sault Ste. Marie, Ontario. These lands, my understanding, are to the east of Fournier Road and south of Trunk Road (Highway 17 East) and west of Garden River (Bell's Point).

The first question that I raised at the September 11th meeting was phrased as follows:

1. Approximately two years, there was a court case in British Columbia that ruled that the municipality has a "duty to consult" with area First Nations affected by land developments.

My two-part question is: 1. Did the city conduct meaningful consultations with area First Nations with respect to the proposed development in the first paragraph above? And, what is your definition of meaningful consultation? The response from the city was that there was no consultation; therefore, the meaning of "meaningful consultation" was not addressed.

2. Under whose authority (First Nations or otherwise) was the development allowed to proceed thus far? Since there was no meaningful consultations done with area (and border) First Nations by the city, I feel that my question of: under whose authority ((First Nations or otherwise)) was the development allowed to proceed thus far?) has not adequately addressed.

During the meeting, I was asked by the city where such information may be obtained to start researching my concerns. I had suggested that, initially the city may want to consult the Robinson-Huron Treaty. As well, I had suggested that the city may want to contact Chief Lyle Sayers at 946-6300, former Chiefs Dennis Jones and Noel Jones. Their phone numbers are 759-2197 and 759-7937, respectively.

I am proud of my Garden River Ojibway heritage and history. I remain passionate that the Robinson-Huron Treaty's spirit and intent is to provide a future for ALL generations to follow. Garden River is signature to that Treaty.

6(6)(a)

I hope that all area First Nations neighbouring Sault Ste. Marie can resolve this issue that is agreeable to all, keeping in mind that the spirit and intent of the Robinson-Huron Treaty is alive and well.

As I stated in the September 11th meeting, I appreciate any and all correspondence between the developers, you (the city) and Garden River, with respect to my request.

On behalf of the safety, health and future generations of Garden River, I thank you,

Alanna Jones

concerned Garden River First Nation Band member and Sault Ste. Marie taxpayer

c.c. Chief Lyle Sayers, Garden River First Nation

c.c. Mr. Dennis Jones

c.c. Mr. Noel Jones

c.c. Mr. Tony Martin, MP, Sault Ste Marie/Algoma District

c.c. Ms. Donna Irving, City Clerk, Sault Ste Marie

cc. David Orzetta

October 5, 2007

Peter Tonazzo
Planner
City of Sault Ste. Marie
P.O. Box 580
Sault Ste. Marie, Ontario
P6A 5N1

Dear Mr. Tonazzo:

It is with great concern that I recently became aware of an application by Jane Eva Hedlund; Catherine Shunock; 20620111 Ontario Ltd.; Frank Frederick Shunock to develop a 39-lot residential subdivision with private wells and septic systems next to the Estate of Harriet Bell property.

As sole trustee for the Harriet Bell Estate, the property adjacent to the entire eastern boundary outlined on the map included in the application, I should have been contacted directly. I only became aware of this through conversations with residents of your municipality who contacted me after a meeting between Mr. Butland and Mr. Caicco.

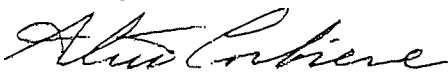
Being sole trustee, I must conduct all matters relating to concerns and potential issues in the best interest of the heirs through meaningful consultation with all parties. In this matter this has not been possible due to lack of notice or information from the applicants or the municipality.

As the Harriet Bell Estate is part of the Garden River Indian Reservation, there are a number of legal concerns I must research and discuss with the appropriate federal agencies as well as Chief and Council.

Any further action by the applicants or the City of Sault Ste. Marie should follow due process including proper notification and open exchange of information.

I request and expect a sixty day extension of any further proceedings so that I may follow through with the many parties that must be consulted to ensure meaningful consultation.

Sincerely,


Alice Corbiere

110 Highway 17 East
Garden River, Ontario
P6A 5K9

6(6)(a)

Don McConnell

From: Alice Corbiere [a.corbiere@hotmail.com]
Sent: October 15, 2007 12:59 PM
To: Don McConnell
Cc: Steve Butland; Valiquette, Rita; Alanna Jones, Ms.
Subject: request to reschedule meeting

Good afternoon

this is a request to defer the city council meeting, regarding the application of an east end subdivision abutting the Garden River First Nation lands, for two weeks. This meeting is now set for oct. 29, 2007

At the Oct 3, 2007 neighbourhood meeting with Councillors Butland and Caicco, I had informed the group that due to out of town travel I would not be available until November.

I feel meaningful consultation has to take place with GRFN and its concerned members. I am concerned that an archaeological study has not been completed in this area of former GRFN lands. The impact of waterfront development should also be addressed.

Thank you for your consideration.

Alice Corbiere
110 Highway #17 East,
Garden River, On. P6A 5K9
Ph. 705 253 7470

Express yourself with free Messenger emoticons. [Get them today!](#)

10/15/07

Pat Schinners

From: Don McConnell
Sent: August 13, 2007 3:44 PM
To: Peter Tonazzo; Pat Schinners
Subject: FW: Rezoning, Official Plan Amendment and Draft Plan of Subdivision

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

From: Donna Irving [mailto:clerks@cityssm.on.ca]
Sent: August 13, 2007 2:12 PM
To: Malcolm White
Cc: Don McConnell
Subject: Fw: Rezoning, Official Plan Amendment and Draft Plan of Subdivision

Sent via BlackBerry on the Bell Mobility network

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

From: "City Clerk" <cityclerk@cityssm.on.ca>
Date: Mon, 13 Aug 2007 13:54:57
To: "Donna Irving" <d.irving@cityssm.on.ca>
Subject: FW: Rezoning, Official Plan Amendment and Draft Plan of Subdivision

From: Mark Stevenson [mailto:Mark.Stevenson@algomau.ca]
Sent: August 13, 2007 1:06 PM
To: City Clerk
Cc: markhamstevenson@shaw.ca
Subject: Rezoning, Official Plan Amendment and Draft Plan of Subdivision

D.P. Irving:

I wish to submit this written submission with respect to Application NO. A-8-06-Z.OP & 57T-06-501 (Hedlund/Shunock). I reside at 800 River Road and my property adjoins the proposed subdivision.

I as well as several of my neighbors are concerned about the impact this subdivision will have on our water supply both from the drilling of so many wells in an area that has already seen the water table drop and the added impact of septic systems for each of any houses built in the subdivision.

I would request a copy of the adoption of this application. I would also like to be informed about any public meetings regarding this application, especially if it is necessary to attend the City Council meeting of Aug. 13th at 5:30pm in order to get more information and put forward my concerns.

6(b)(a)

I would also like to request information/reports on the test wells drilled on the proposed subdivision as well as the original reports conducted by Walker Engineering over ten years ago when the subdivision was first proposed. Can you forward this request for the reports to the appropriate department or advise me by return email who I would contact to submit my requests.

Thanks for your assistance in this matter.

Mark Stevenson
800 River Road
markhamstevenson@shaw.ca: <mailto:markhamstevenson@shaw.ca>

work: 949-2301 x 4512

--

August 7, 2007

6(6)(a)

Mr. D.P. Irving
City Clerk
P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

Re: Application No. A-8-06-ZOP & 57T-06-501

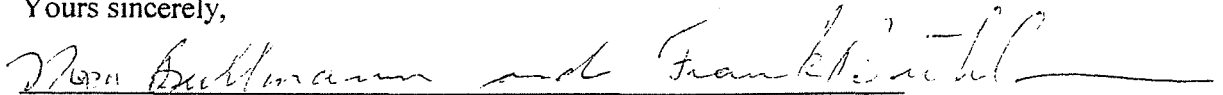
Dear Mr. Irving:

Rezoning of land to accommodate 39 single detached homes is not a problem providing those homes come equipped with city water and sewer. On two separate occasions Ecoli has been detected on Frontenac Street. In 2006 there was 12 contaminated wells.

The MOE and Algoma Health could not give us a concrete reason why the wells got infected. Our immediate neighbours do not have leaky septic systems. All four homes east and west of our residence have clean functioning septic tanks, yet three homes had contaminated wells. All have good water now. A representative from the PUC gave a plausible reason. He explained to us at the Civic Centre meeting on May 16, 2007 that when people switch from well water to city water services septic tanks might blow. How many tanks blew down on the Rankin Reserve when they converted to city water and how many more have yet to blow? I believe the problem is coming from the Rankin Reserve. The Northland Trailer Park potentially has also contributed to it.

Who is held responsible for this contamination? We are too many people living in this area to be all dependants on septic systems. The Northland Trailer Park's new sewage system was just a band aide solution to not bringing city water and sewer to the east end of the city. Having 39 more septic systems in this area is a threat to the water supply flowing to the current and future residents.

Yours sincerely,



Nora and Frank Buhlmann
710 Frontenac Street
Sault Ste. Marie, ON P6A 5K9

phone no. 759 1469

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CITY CLERK
AUG 08 2007
NO.: <u>50712</u>
DIST.: _____

6(6)(a)

August 9, 2007

To D.P. Irving, City Clerk

This letter is in reference to the proposed rezoning application A-8-06-Z.OP and 57T-06-501, as filed by Hedland and Shunock.

As residents of Fournier Rd, we are very concerned with and strongly oppose this proposed development. The multiple reasons for our opposition are outlined below:

1) this development will include installation of multiple well and septic systems. Our well and the wells of many of our neighbours have had chronic issues with water quantity and quality. Many wells have been re-drilled and deepened, and we are likely already stretching the limit of the capacity of sand point well systems, as above ground pumps are only able to pull water up from shallow wells. The additional water usage of the proposed 39 houses will inevitably involve a much greater draw of water from this aquifer, and will undoubtedly cause further problems with our water source. Furthermore, our shallow sand point wells will be subject to contamination by the increase in number of septic tanks in the immediate area.

2) the addition of more homes in this area will result in a considerably higher traffic level on our street. Currently a dead end road, any addition of residents in this area will put at risk our family-friendly and pet-friendly environment.

3) the proposed development well may add to our city tax burden. Given that we already receive minimal services for our taxes (e.g. no city water, no city sewer, no sidewalks, etc.) the possible raising of our taxes is a serious issue.

4) the original reason we (and likely many of our neighbours) moved to our area was the appeal of the dead end quiet street and surrounding wooded areas. This proposed development will result in the deforestation of these areas, and will result in a dramatic degradation of the environment and quality of life in our area.

5) although we recognize the prediction of an increased need for housing in general within the city, it is equally important to keep green spaces. This area is an important buffer zone. Larger cities such as Toronto have designated green zones adjacent to cities, and this is a prime opportunity for Sault Ste Marie to take the lead in this area in the north. Recent bad press about the city with regard to our air quality will only be aggravated by the removal of surrounding green spaces.

6) This area acts as the entrance to the city of Sault Ste. Marie for many people. Developing this area into yet another subdivision seems contrary to the city's slogan – "Naturally Gifted" – this area is currently home to some beautiful old growth trees, and wildlife, including pileated woodpeckers, merlins, deer, coyotes, and the occasional wolf. This rare pocket of country near the city would be terrible to waste, and we feel the city should give serious thought about keeping the city naturally gifted.

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CITY CLERK

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NO.: 50713

DIST.

6(6)(a)

7) this development would involve the removal of the forested zone which currently provides a valuable sound buffer for us. Being near both the railway and the transcanada highway, the sound of traffic will become much more audible should this development proceed.

In closing, we are strongly opposed to the development for what we feel are many important reasons. We hope that you take these into consideration when evaluating this application. The very recent destruction of a previously green area close to us (the Queen St. and Falldien Rd. area) for the purpose of development is environmentally irresponsible, and we should not allow this to happen again in a nearby area.



Fraser Neave
Biologist
Department of Fisheries and Oceans



Nancy Neave
Teacher
Algoma District School Board

6(6)(a)

July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



Re: New Development in Ward 1

Dear Mayor Rowswell and Members of Council,

The residents of Fournier Road and its extending area in Ward 1 signed this petition to oppose the development of thirty nine homes behind our existing neighbourhood. As the residents of this area we are asking you to consider our concerns and in-turn to support our petition and oppose this development.

It was not that long ago since a proposal such as this one was refused. Since that time, nothing in our community has changed to warrant the recent consideration of development again. We still do not have access to sanitary services or city water, and city services in general are limited.

We as residents are also concerned about the environmental costs this plan of development could bring with it. The areas of land expected to be zoned slopes down a hill towards the Saint Mary's River. Can you guarantee that the installation of the new thirty-nine septic systems required to implement this development would not seep into our grounds or water ways?

Furthermore, we utilize well-water and are on sand points. We are already concerned about the changing climate that has brought with it less rain and snow and therefore less water. What assurance can you provide that this development will not affect our already jeopardized water systems? And if this development does affect our water systems, what will you do to ensure we as residents do not have to bare the cost involved in this matter?

Finally, as residents we understand this proposal would also bring forth an increase in taxes. We feel our taxes are currently high enough considering we still have very limited access to city services (i.e. no city water or sanitary sewers, no fire hydrants, no side walks, insufficient street lighting, and extremely limited bus route services, etc...).

We encourage and ask you Mayor John Rowswell and Members of City Council to consider our concerns and oppose this new development. Your support is important in this matter. Thank you for your time and consideration.

Sincerely, *Betty Benke*

The concerned residents of Fournier Road and Ward 1

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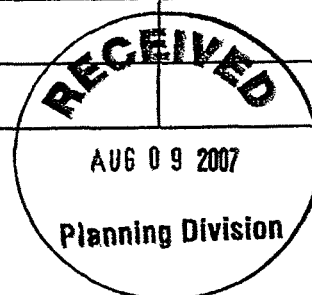
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AUG 09 2007

	Name	Address	Phone Number	Signature	Planning Division
1	CLARENCE BURKE	98 FOURNIER RD	759-5105	Clarence Burke	
2	BETTY BURKE	98 FOURNIER RD	759 5105	Betty Burke	
3	CORY BURKE	112 FOURNIER RD	257 6774	Cory Burke	
4	Kathy Delorme	72 Fournier Rd	254-2892	K. Delorme	
5	Roch Delorme	72 Fournier Rd	254-2892	Roch Delorme	
6	Ady Bombhof	92 Fournier Rd	942-4905	Ady Bombhof	
7	John Bombhof	92 Fournier Rd	942-4905	John Bombhof	
8	Deb Van Scoy	107 FOURNIER RD	256-8963	Deb Van Scoy	
9	Earl MacDonald	60 Fournier	759-6593	Earl MacDonald	
10	Larry Marconi	125 Fournier Rd.	759-2165	Larry Marconi	
11	Mary Marconi	125 Fournier	759-2168	Mary Marconi	
12	Ray Green	687 RIVER RD.	942-5409	Ray Green	
13	Billy Van Scoy	107 Fournier	256-8963	Billy Van Scoy	
14	ERICH EPPERT	701 RIVER RD	759 9315	Erich Eppert	
15	Emile Duguay	784 River R.D.	946-4515	Emile Duguay	
16	Anne Duguay	784 River R.D.	946-4515	Anne Duguay	
17	Deanne Dill	771 River Rd.	946-0621	Deanne Dill	
18	Kelly Pettit	792 River Rd	946-5256	Kelly Pettit	
19	GERALD LIZOTTE	792 RIVER Rd	946-5256	Gerald Lizotte	
20	Paul DeBoer	750 River Rd	949-3750	Paul DeBoer	
21	Jean Kennis	32 Fournier Rd	759 5086	Jean Kennis	
22	HAROLD REE	740 RIVER RD	759 6156	Harold Ree	
23	P. KORGIA	128 Fournier Rd	759-5195	P. Korgia	
24	Paul Bravette	78 Fournier Rd.	946-5041	Paul Bravette	
25	Shawn Conway	78 Fournier Rd	946-5041	Shawn Conway	
26					

666(a)

	Name	Address	Phone Number	Signature
27	Alicia Madon	51 Fournier Rd	254-2301	Alicia Madon
28	Darin Thibodeau	44 Fournier Rd	759-5066	Darin Thibodeau
29	EISIE LANKLIN	52 Fournier Rd	759-6519	E. Lanklin
30	Carol Souliere	711 River Rd	759-0285	Carol Souliere
31	Michel Souliere	711 River Rd	759-0285	MICHEL SOULIERE
32	Nancy Neave	146 Fournier	942-7057	N Neave
33	FRASER NEAVE	146 FOURNIER	942-7057	F Neave
34	Marcel Thibodeau	31 Fournier Rd	754-1418	MT Thibodeau
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July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



Re: New Development in Ward 1

Dear Mayor Rowswell and Members of Council,

The residents of Fournier Road and its extending area in Ward 1 signed this petition to oppose the development of thirty nine homes behind our existing neighbourhood. As the residents of this area we are asking you to consider our concerns and in-turn to support our petition and oppose this development.

It was not that long ago since a proposal such as this one was refused. Since that time, nothing in our community has changed to warrant the recent consideration of development again. We still do not have access to sanitary services or city water, and city services in general are limited.

We as residents are also concerned about the environmental costs this plan of development could bring with it. The areas of land expected to be zoned slopes down a hill towards the Saint Mary's River. Can you guarantee that the installation of the new thirty-nine septic systems required to implement this development would not seep into our grounds or water ways?

Furthermore, we utilize well-water and are on sand points. We are already concerned about the changing climate that has brought with it less rain and snow and therefore less water. What assurance can you provide that this development will not affect our already jeopardized water systems? And if this development does affect our water systems, what will you do to ensure we as residents do not have to bare the cost involved in this matter?

Finally, as residents we understand this proposal would also bring forth an increase in taxes. We feel our taxes are currently high enough considering we still have very limited access to city services (i.e. no city water or sanitary sewers, no fire hydrants, no side walks, insufficient street lighting, and extremely limited bus route services, etc...).

We encourage and ask you Mayor John Rowswell and Members of City Council to consider our concerns and oppose this new development. Your support is important in this matter. Thank you for your time and consideration.

Sincerely,

A handwritten signature in cursive script that reads "Gerald B. Ljath".

The concerned residents of Fournier Road and Ward 1

6(6)(a)

July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



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Sincerely,

The concerned residents of Fournier Road and Ward 1

A large, stylized handwritten signature, possibly reading "R", with a long horizontal line extending to the right.

6(6)(a)

July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
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Sincerely,

The concerned residents of Fournier Road and Ward 1

A handwritten signature in cursive script that reads "Kelly Pettit".

6(6)(a)

July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



Re: New Development in Ward 1

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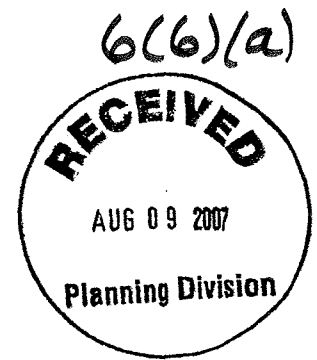
Sincerely,

The concerned residents of Fournier Road and Ward 1

Therese Buller

July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



Re: New Development in Ward 1

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We encourage and ask you Mayor John Rowswell and Members of City Council to consider our concerns and oppose this new development. Your support is important in this matter. Thank you for your time and consideration.

Sincerely,

The concerned residents of Fournier Road and Ward 1

John Rowswell
Kenneth

6(6)(a)

July 30, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



Re: New Development in Ward 1

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6(6)(a)

July 30, 2007

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Members of City Council
City of Sault Ste. Marie,
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Sincerely,

The concerned residents of Fournier Road and Ward 1

*C. K...
128 Fournier Rd.
459-5185*

6(6)(a)

July 30, 2007

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Members of City Council
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Civic Centre, P.O. Box 580,
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Sincerely,

The concerned residents of Fournier Road and Ward 1

P. Gravelle
[Signature]
S. Conway
[Signature]

6(6)(a)

July 30, 2007

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Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



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Sincerely, *Alicia Macdon.*

The concerned residents of Fournier Road and Ward 1

6(6)(a)

July 30, 2007

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Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
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A handwritten signature in dark ink, appearing to read "John Rowswell".

6(6)(a)

July 30, 2007

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Members of City Council
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Civic Centre, P.O. Box 580,
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Sincerely,

The concerned residents of Fournier Road and Ward 1

Erie Franklin

6(6)(a)

July 30, 2007

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Members of City Council
City of Sault Ste. Marie,
Civic Centre, P.O. Box 580,
Sault Ste. Marie, Ont., P6A 5N1



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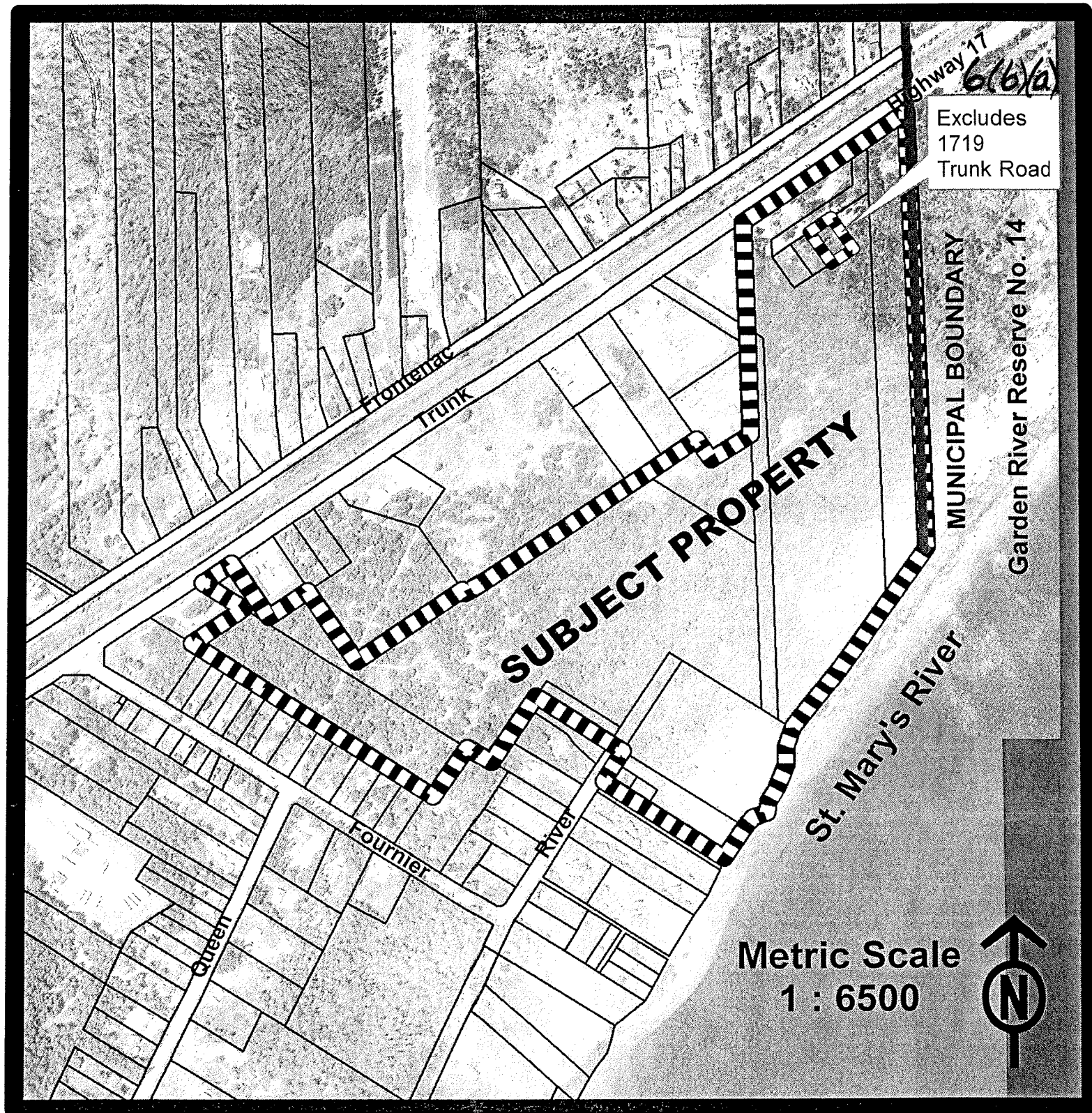
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Carol Saulnier
Michael A. Lushington

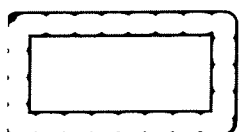




2004 ORTHO PHOTO

APPLICATION A-8-06-Z.OP

PROPOSED SUBDIVISION LANDS



Subject Property

6(6)(a)

October 23, 2007

Mr. Steve Butland
Councillor, City of Sault Ste. Marie
Civic Centre
99 Foster Drive
Sault Ste Marie, ON
P6A 5M1

Dear Mr. Butland:

On Tuesday, October 2, 2007, I attended a meeting at the city hall in Sault Ste. Marie. In attendance were Councillors: you, Mr. Steve Butland, and Mr. James Caicco. Also present were Mr Mark Stevenson, Ms. Rita Valiquette, Mr. Bob Collins, Ms. Alice Corbiere, Ms. Alanna Jones, and Ms. Nancy Stewart.

The purpose of the meeting was to discuss concerns with an Application to develop lands immediately west of the Garden River First Nation lands, just south of Highway 17 (and east of Fournier Road).

Sometime in the year 1993 or 1994, the Garden River First Nation instructed our legal advisor to proceed with a land claim adjacent to the present western boundary of our Reserve, Garden River First Nation.

Having researched many, many documents with regards to the "New" Highway 17 East, 4-lane Project, I was and am keenly aware of the numerous instances where our Reserve has lost most of its original land base: approximately 75% to 80% ... shocking!!!

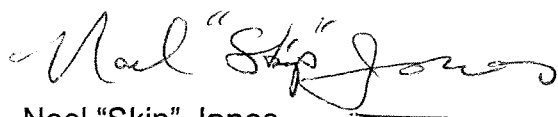
The land that was being discussed at the meeting I attended on October 2, 2007 is most certainly just one of the areas that legally belong to the Garden River First Nation.

The area in questions was an admitted mistake by the original surveyor in the 1850s. Because "ALL" land is collectively held by ALL members of Garden River First Nation, myself being one of many, I am most certainly objecting to development of any kind on these lands until the people of Garden River First Nation have had a chance for their input into what can become of our lands.

Because Mr. Blaine Belleau did not respond to a letter sent to him by city planner, Mr. Peter Tonazzo, on 2007-08-07 does not mean that members of the Garden River First Nation are OK with this proposed development.

For information purposes, in all lands and waters referred to in the (Robinson-Huron) Treaty of 1850, Garden River First Nation still retains a 66' piece of land from the high water mark. This includes much of the 75 to 80% lands lost through various means.

Respectfully,



Noel "Skip" Jones
Garden River First Nation Band member

6(6)(a)

RITA VALIQUETTE & BOB COLLINS

1719 TRUNK ROAD, SAULT STE MARIE ONTARIO P6A 6X9 705 759-6191

Facsimile 541-7171

October 23, 2007

Mayor John Roswell and City Council
City of Sault Ste Marie

83 East Champagne Drive
Sault Ste. Marie, Ontario P6A 6S8

Dear Mayor Roswell and Council;

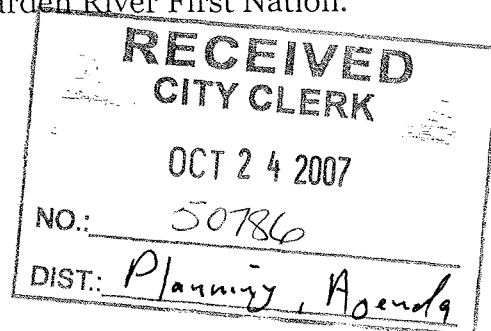
**Re: Application no. A-8-06-Z.OP and 57T-06-501
Filed by Jane Eva Hedlund, Catherine Shunock, 2062111
Ontario Limited and Frank Shunock
Lots 1525, 1675, 1707, 1709, 1715, 1731 Trunk Road and 834
River Road**

We are quite concerned that this issue is being recommended by city staff and is going to City Council on October 29th, 2007 for a decision. We live in an area surrounded by this Application and it does not appear that our concerns have been answered or even considered.

We have sent letters to ward one Councillors Butland and Caicco. It appears from their demeanor and actions at various meetings that they are supportive of this Application and are only making token actions in consulting with effected people in this area. We have asked numerous questions which have been ignored and the letters we sent have been apparently lost.

A decision by the City Council appears to be premature for a number of reasons.

1. There is an outstanding land claim issue regarding the Garden River First Nation.
2. There appears to be duty to consult with the Garden River First Nation.



- a. Attached is a recent article, written by Greg Joyce of the Canadian Press, titled "***Federal Court uphold right of Musqueam band to be consulted on sales***"
- b. This court decision deals with high rise office buildings being sold in the Musqueam band's traditional area.
- c. The facts are very similar to here:
 - i. Musqueam was informed of potential sale on Aug. 20th 2007
 - ii. Garden River was informed by letter on August 7th 2007
3. There is an outstanding re-zoning application, for the same area numbered A-8-06-Z.OP
 - a. The application was dated March 26, 2007
 - b. Please advise the status of this application
4. We are also concerned that there has not been meaningful consultation by the developers or the City staff.
5. Our home is in the immediate area in which the Applicants wish to rezone to highway commercial.
 - a. Our questions to city staff, council and the developers have been ignored.
 - b. It is difficult to have a fair hearing when the necessary information has not been supplied
6. It appears that 1731 Trunk Road is applying for Absolute Title (PIN 31483-0047) by Ms Catherine Shunock
 - a. There are outstanding easement issues on this property and all the property mentioned
7. Possible outstanding easement issues on the Trunk Road properties there are countless trails, dirt roads throughout this vacant property that has been used by people from the Fournier Road and Queen street areas.
8. In addition people from the Garden River have used this right of way to get back and forth to Queen street for 50 -60 years.

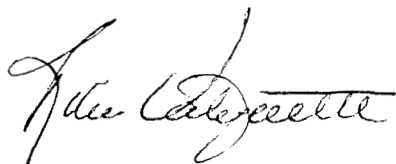
Attached are copies of the following letters that we have sent:

- | | | |
|----|--------------------------------------|--------------------|
| A. | To: Mayor and Council c/o City Clerk | August 3, 2007 |
| B. | To: Councillors Butland and Caicco | September 17, 2007 |
| C. | To: Councillors Butland and Caicco | September 18, 2007 |

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It is our wish that meaningful consultation take place and that we are supplied with required information to make a fair and informed presentation if required.

Your's truly,

A handwritten signature in cursive script, appearing to read "Rita Valiquette".

Rita Valiquette

A handwritten signature in cursive script, appearing to read "Bob Collins".

Bob Collins

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(0)

Federal Court upholds right of Musqueam band to be consulted on sales

(BC News) Friday, 28 September 2007, 18:19 PST

Greg Joyce, THE CANADIAN PRESS

VANCOUVER - The Musqueam First Nation must be consulted before the federal government sells two multimillion-dollar buildings in downtown Vancouver, the Federal Court of Canada said in an order released Friday.

Justice Frederick Gibson issued an interlocutory injunction that prohibits the federal government from "transferring, selling or otherwise disposing of the properties" pending a formal hearing on the matter.

The buildings are located in an area the Musqueam band claims as part of its traditional territory.

Lawyer Jim Reynolds, acting for the Musqueam, said the order was granted and the judge's written reasons would follow later.

The Musqueam action began with an announcement earlier this year that the federal government intended to dispose of nine federal buildings across Canada, including the Sinclair Centre and another buildings on Burrard Street.

The buildings are located in the heart of downtown Vancouver and the property is worth many millions of dollars.

The sale of the nine buildings across the country is part of a \$1.6-billion sale initiative the federal government is undertaking to sell off some real estate holdings.

Reynolds said the Musqueam was told that no final decisions had been made and that it would be consulted.

In August, said Reynolds, the band was told that the federal government felt it had adequately consulted with the First Nation and would proceed with the sale to Larco Investments Ltd.

"It wasn't until Aug. 28 that the Musqueam were told the buildings could be sold as early as Oct. 1 or as late as Oct. 31," said Reynolds.

The Musqueam didn't agree that it had been adequately consulted "and as it turns out, neither did the judge," said the lawyer.

The Federal Court decision has its roots in a Supreme Court of Canada decision that said the Haida Nation on the Queen Charlotte Islands must be consulted before decisions are made that affect its traditional territory.

"The Supreme Court of Canada in the Haida case spoke in terms of a spectrum from at one end deep consultation to the other end of basically advising the First Nation that the decision had been made,"

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Shannon Thomas
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RE/MAX CENTRE CITY

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562-3600

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said Reynolds.

The Federal Court said (the federal government) had not come up to the right standard "and you can't sell the buildings until you have adequately consulted."

The Musqueam issued a statement Friday.

"Our preferred option is to negotiate a reconciliation of the Crown's rights and those of the Musqueam in our traditional territory. Unfortunately, in this case, the Crown's refusal to have meaningful negotiations left us no alternative but to go again to court."

Comments (0) 

 Subscribe to this comment's feed

You must be logged in to a comment. Please register if you do not have an account yet.

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6(b)(a)

SHUNUCK APPLICATION
FOLLOW-UP to SEPTEMBER 11th MEETING

September 18, 2007

Councillor Steve Butland
Councillor James Caicco
City of Sault Ste. Marie

Councillors:

After discussing our concerns regarding the impact of the proposed Shunuck subdivision with Jennifer Howlett, Dept. of Fisheries & Oceans, Frank Tesolin, Conservation Authority and Rod Stewart, Ministry of Environment, it is apparent that communications have been limited, mostly due to jurisdiction. Therefore, there has been no approval on behalf of any of these agencies

The Department of Fisheries & Oceans only deals with Fisheries Habitat and does not have an application for a launching ramp or other documents to deal with. Ms. Howlett did forward a copy of her concerns to the Shunuck's, with a copy to Don McConnel, City Planner. We would like to have a copy of this document.

The Conservation Authority is restricted to wetland protection and municipal Source Water Protection only. This means that they have no input on private sources such as our residential wells.

The Ministry of Environment has no jurisdiction in this area of municipal development and was not aware of the proposal.

The general consensus was that there are several areas of concern that the municipality should be addressing on our behalf, and we must deal with them through the planning process,

As brought forward by many at the September 11th, meeting, water source protection is a most important issue in the east end.

Most of the residents in the east end depend on the shallow aquifer at around 50-75'. Others have sand points at around 25-35'. These have provided safe and adequate water supply for the modest homes and businesses in this area.

The continuing expansion of development to the city's boundary is placing everyone's supply at risk of exceeding safe carrying capacity.

To be able to fully assess the potential impact of development in the east end, we would like to have a number of details made available to the public before this or any other development in our area proceeds.

How many residential, commercial and industrial septic tanks are there currently between the city service area and the eastern municipal boundary?

How many residential, commercial and industrial water supplies are currently being drawn from private wells between the city service area and the eastern municipal boundary?

What is the value of taxes paid by those on wells and septic systems?

How many potential lots are there available for future development in this area that would require private water sources and septic systems?

What would the estimated cost be to extend the municipal water and sewers to the eastern city boundary?

If the city is willing to allow and promote rapid growth in the eastern end of the city, at what point will they consider the safety of its residents and expand services?

If the upper aquifer becomes contaminated from further development, each and every home using wells in the east end would be required to drill more than 200' to access the deep aquifer. For many, this will be unaffordable and will not relieve the impact of sewage disposal through septic systems.

Currently, on the aquifer serving the east end, we have light industries, motels, and auto service centres which have higher demands for potable water supply and waste water disposal. Several of these are on Trunk Road, adjacent to the proposed residential property. Though not addressed at the Sept. 11th meeting, the proponents are seeking another highway commercial zoning which would be on the aquifer. This would mean that the entire strip on the south side of Trunk Road from Fournier to the eastern city boundary would be commercial and industrial properties, requiring elevated water demand and waste water disposal.

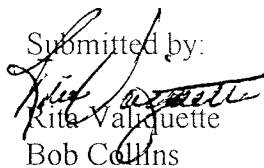
The proposed development by the Shunuk's, drawing water from greater than 200', will probably provide them with safe water, but certainly the impact of waste water and surface run-off has not been adequately addressed for those drawing water from existing wells.

For many years, it is known that ground water sources are susceptible to septic systems if the carrying capacity is exceeded. Locally, there are several locations where the number of septic systems exceeded safe levels and expensive treatment options were required. Echo Bay, Desbarats and Haviland Bay are examples. On a wider scale, Lake Erie communities and summer residents were required to abandon septic use as a way to improve the water quality of Lake Erie.

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The one area we have not been able to confirm is the status of a potential boundary dispute whereby the original Treaty states the western reservation boundary of Garden River runs north from Partridge Point. Partridge Point is in the Falldien Road area. The government has already returned Squirrel Island to Garden River, Whitefish Island to Batchewana First Nation due to inappropriate acquisition of land identified in treaties. Some treaty disputes have been very expensive on all sides. If the proposed property is developed knowing there are concerns that have not been settled, the municipality could be party to liability for future claims.

Submitted by:

 
Rita Valiquette
Bob Collins

1719 Trunk Road
Sault Ste. Marie, Ontario
(705) 759-6191

August 3rd, 2007

Mayor & Council

c/o D.P. Irving
City Clerk
Sault Ste. Marie, Ontario
P6A 5N1

Dear Mayor & Council:

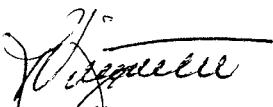
In response to the **Notice of Public Meeting regarding Application NO. A-8-Z.OP & 57T-06-501**, submitted to me regarding a proposed request to amend Zoning By-law 2005-150, the Official Plan and Draft Plan of Subdivision Approval, I would like to address several concerns:

1. The notice which I received in the mail has a map outlining an area to be rezoned which includes my property and access, as part of the parcel to be rezoned. I do not want to be rezoned and find this assumption by the proponents objectionable and unacceptable to me.
2. The area proposed to be rezoned **Highway Commercial** totally surrounds my property; one side being in front of my property, between the highway and my residence. Any proposed commercial use of the designated property will negatively impact the value of my property as an established home and is unacceptable.
3. On the same map, there is a line approximately where the existing three residences, including mine, are, without showing how this fits into the plan. This in my understanding, is the easement which is part of my deed. I have used an additional established driveway to Trunk Road since purchasing my property and continue to do so. New construction completed by MTO recognized this entrance when they installed the new accesses to Highway 17. This is not shown on this map or the Preliminary Draft Plan of Subdivision. I have not relinquished my established and legal use of these and have no intention of doing so.
4. The area surrounding and enclosed in the proposed amendment is serviced by existing wells owned by the current residents and businesses. With the lower water levels in this area, the additional load by the proposed development will certainly cause extreme stress to the water table as will the potential contamination by the many new septic systems required.
5. This is an area that is identified as part of Garden River Reserve in the Robinson Huron Treaty, which my ancestor, John Bell, was a signatory. The original Treaty identifies the western boundary as Partidge Point, which is approximately at Falldien Road and River Road. This may be a potential for a valid native land

claim. All band members of Garden River should be notified that this development is being proposed and be able to address how it may impact a future land claim for this property. As a band member, I have not been advised that any claim has been initiated or settled. The governments of Ontario and Canada are ultimately financially responsible for defending or settling any claims that may be brought forward and can be quite contentious and expensive if not dealt with properly.

6. The proposed area being considered is part of the sensitive St. Marys River waterfront and provincially significant wetlands. The existing construction being done at the eastern limit of River Road by the one or more of the proponents, has already filled riverfront marsh area. Any waterfront development east of this will only magnify the impact on surface and subsurface drainage.
7. This is a very active wildlife area where waterfowl nest along the shore and birds and animals use the mature White Pines and hardwoods as year round home. With the reduction of forest habitat from the new highway development we enjoy encountering the few small animals such as squirrels, mink, raccoons, rabbits, coyotes and larger animals such as deer that we have always been accustomed to having in our neighbourhood. I will expect a full environmental assessment be undertaken prior to any further development on the land being proposed for amendment.
8. As an heir to the Harriet Bell estate, of Bell's Point, Garden River, adjacent to the eastern boundary of the proposed development, I also have concerns about the impact on our undeveloped waterfront property. I am also concerned about the impact on the level and quality of the watertable available to traditional and future members of the Harriet Bell Estate.
9. Block 42 of the Preliminary Draft Plan indicates a proposed Private Boat Launch. This is directly adjacent to and upriver of my family's riverfront estate. It is also on the shores of the St. Marys River below the East End Sewage Plant. The St. Marys River is bi-nationally recognized as an Area of Concern due to contaminated sediments. Development of any boat launch in this area will increase vessel traffic in front of our land, resulting in re-suspension of sediments along our beach front. Department of Fisheries Oceans and the St. Marys River Remedial Action Plan team should be provided details on any proposal such as this before the municipality considers such a development. Water quality and fisheries habitat are certainly going to be impacted by increased shallow water activities.

Submitted By:


Rita Yaliquette
1719 Trunk Road
Sault Ste. Marie, Ontario
P6A 6X9

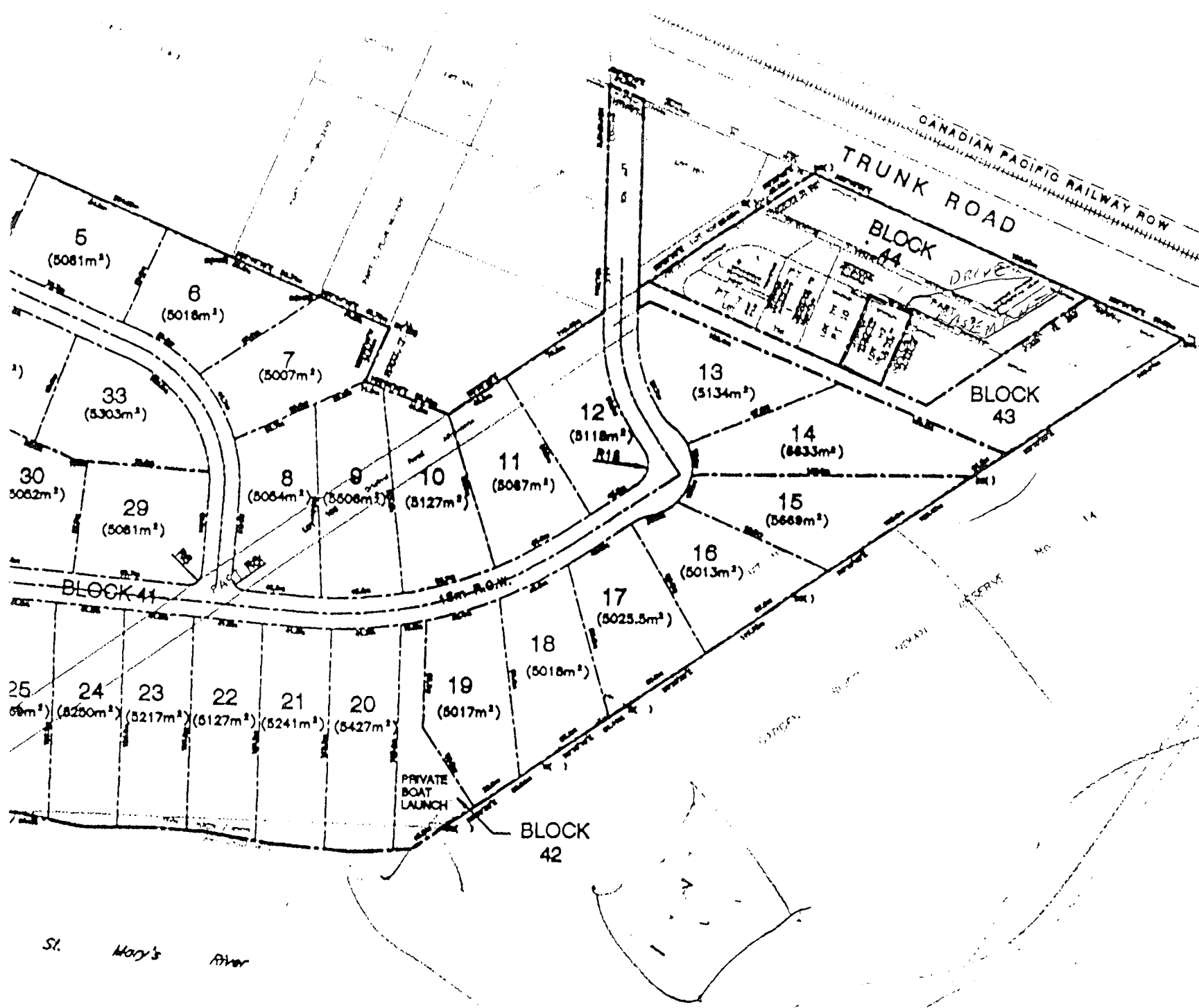
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- Additional
Section 5:
(a) As Shc
(b) As Shc
(c) As Shc
(d) Reside
(e) Rural /
(f) As Sho
(g) As Shc
(h) Private
(i) Sand /
(j) As Sho
(k) Hydro /
(l) None

OWNERS' AU

XXXXXXXXXX
OWNER OF THE ABOVE
Wm. R. WALKER DIED
TO PREPARE AND SUB
SUPERVISION FOR APP



Sl.	Mary's	Ather
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$$b(b)(a)$$

שׁוּב אֵלֵינוּ וְנִשְׁמָח

6(6)(a)

September 17, 2007

Councillors Butland & Caicco
Ward 1
City of Sault Ste. Marie

Dear Sirs:

As a follow-up to the recent meeting at city hall, we have concerns that were passed over or were not entirely answered. In regards to blocks 44 and 45, we find that if these are not being used for residential purposes they should be proposed separately.

In regards to the plan submitted as a residential estate subdivision, there are other components which are not specific to a residential subdivision. The statement that they proposed to use Block 45, the northeastern block on Trunk Road, as a storage compound for vehicles and trailers was a total surprise. This is not a residential use.

During the meeting the Shunuck's avoided our question regarding the proposed use of Block 44 as highway commercial. This does not belong in a rural estate subdivision application if this is what they are proposing.

The residence at 1719 Trunk Road should not be isolated in a Highway Commercial plan and has not to our knowledge been zoned for such purpose. We have an established access to Highway 17 and a legal easement through a portion of the property which was not identified on their plan. On the plan, they have arbitrarily moved access from the existing legal points of entry to a new lane behind our property. This is unacceptable.

Commercial highway use in front of and surrounding our home will certainly impact our water supply, the aesthetics of an established residential setting, increase traffic noise and negatively impact the value of our home. These specific concerns for this property need to be addressed before proceeding or removed from this proposal.

We trust you take our concerns seriously and represent us accordingly as our councilors.

Sincerely,



Rifa Valiquette/Bob Collins
1719 Trunk Road
Sault Ste. Marie, Ontario
P6A 6X9

(705) 759-6191

+

6(b)(a)

Subject letter to rowswell
From Bob Collins <collinsbob@shaw.ca>
Date Thursday, September 20, 2007 3:03 pm
To rvaliquette2@shaw.ca

September 20, 2007

John Rowswell
Mayor, City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 6X9

Dear Mayor Rowswell:

As a follow-up to the recent meeting at city hall, with Councillors Butland and Caicco and the Shunucks, the applicants for rezoning to allow a new subdivision between Fournier Road and the existing city boundary, I have concerns that were passed over or were not entirely answered. In regards to blocks 44 and 45, I find that if these are not being proposed for residential purposes, zoning and development applications should be dealt with separately.

In regards to the plan submitted as a residential estate subdivision, there are components which are not specific to a residential subdivision. The statement that they proposed to rezone Block 45, the northeastern block on Trunk Road, for Highway Commercial as a storage compound for vehicles and trailers was a total surprise.

During the meeting, the Shunuck's avoided the question regarding the proposed zoning of Block 44 as highway commercial and the fact that the right to a significant portion of this block is not legally theirs to develop. This does not belong in this rural estate subdivision application.

The residence at 1719 Trunk Road should not be isolated within in a Highway Commercial plan and despite their comment that it was already done, is not zoned for such purpose. I have an established driveway to Trunk Road and a legal 60' wide registered Right of Way for 185.12 feet to the southeast east and then 201.79 feet northeast to Trunk Road. The registered Right of Way is part of my deed and may not be changed by the Shunuck's. On the plan, they have arbitrarily avoided identifying my existing rights. This is totally unacceptable. Block 44 on their application has a depth of approximately 200' to the highway. My lot and right of way totals 160' as per the attachments enclosed.

Any commercial highway use in front of and surrounding my home will certainly impact my water supply, the aesthetics of an established residential setting, increase traffic noise and negatively impact the value of our home. These specific concerns for this property need to be addressed before proceeding or removed from this proposal.

It is not good planning to isolate the residential property I have owned and lived in for the last 42 years. Attempts to rezone and develop commercially around my home have been denied by a previous council.

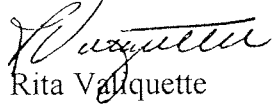
2.

6(6)(a)

I trust you take my concerns seriously and acknowledge me accordingly as our mayor

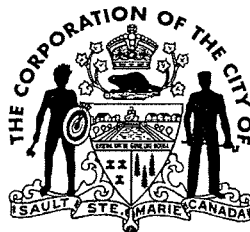
Please contact me by telephone or e-mail if you require a meeting or have any questions that I can answer.

Sincerely,



Rita Valiquette
1719 Trunk Road
Sault Ste. Marie, Ontario P6A 6X9
(705) 759-6191
rvaliquette2@shaw.ca

3 Attachments



2007 10 29

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-19-07-Z.OP – filed by Frank Fata.

SUBJECT PROPERTY:

Location – Located on the north side of Second Line West, approximately 335m (1,099') west of its intersection with People's Road. Civic No. 92 & 100 Second Line West. Zone Map 1-91.
Size – Approximately 39m (128') frontage x 131m (429.8') depth; 0.51 ha (1.26 acres).
Present Use – Vacant building.
Owner – Frank Fata.

REQUEST: The applicant, Frank Fata is requesting a rezoning from "C.4" (General Commercial) zone to "C.4.S" (General Commercial) zone with a Special Exception.

CONSULTATION:

Engineering – No objections.
Building Division – See attached memo.
PUC Services Inc. – See attached letter.
Fire Services – No objection.
Community Services Dept. – No concerns.
Conservation Authority – No objections.

PREVIOUS APPLICATIONS: Over the years, the property has been subject to a number of rezoning applications. In 1972 the property was rezoned from general business to neighbourhood business. At that time the property was utilized as an automobile sales and repair establishment. In 1976 an application was made to rezone the property back to general business, with a special exception to permit the storage,

wholesale, and retail sale of vinyl and aluminum products, as well as other building materials. While Council approved the application, Planning records indicate that it was never finalized by the applicant, and the property remained zoned local business. Later in 1976, an application was approved to rezone the property back to general business in order to permit a funeral home.

Conformity with the Official Plan – The property is designated “Residential” on Land Use Schedule “C” of the Official Plan. In light of the request to permit a contractor’s yard, an Amendment by way of a notwithstanding clause to the residential policies of the OP is required.

Comments

Over the years there have been a number of uses conducted at 92/100 Second Line West. In the 1950’s, an auto-body shop and wrecking yard conducted business on the site. The applicant also notes that Sam Niro Construction operated a contractor’s yard from the property. City records do not confirm this use. It may have been operated illegally or prior to amalgamation (1967). More recently, an auctioneer’s establishment, the sales, repair and maintenance of automobiles, and a funeral home were operated from the site.

The applicant, Frank Fata, is requesting an Official Plan Amendment and rezoning by way of a Special Exception to permit a contractor’s yard on the subject property. Mr. Fata notes considerable interest in locating a contractor’s yard on the property. The proposed use would consist of the outdoor storage of heavy equipment, with no immediate plans for the outdoor storage of other goods and materials. The building would be utilized for the servicing and repair of equipment associated with the contractor’s yard. The applicant further notes that if granted this request he will be able to secure the funds necessary to fix the building, which is need of repair.

The character of the area is a mixture of commercial and residential land uses. The north side of Second Line, starting at the subject property and heading east to the corner of Peoples Road is zoned General Commercial (C4), however there are a few remaining residential uses within this block. West and north of the subject property is residential, while there is a commercial block on the south side of Second Line, southwest of the subject property. The original intent was to maintain this area as a local or neighbourhood commercial district, to service nearby residents. Second Line West is a busy arterial road, and the imminent commercialization of the area is appropriate.

An industrial use such as a contractor’s yard is not appropriate for the area, given the size of the subject property, and the residential land uses to the west and north. The existing building and the size of the property have the capacity to house a substantial contractor’s yard. While the uses could be limited to a specific area on the property,

past experiences with contractor's yards has shown that the outdoor storage component tends to expand over time. Enforcing such limitations is difficult.

The existing buildings are quite close to the travelled portion of the recently widened Second Line right of way. Aesthetically, a contractor's yard in this area is not appropriate. Pushing the operation towards the rear of the property might screen the use from Second Line, but increase the impact upon the residential uses abutting the property to the north. As mentioned earlier, enforcing such site limitations becomes very difficult, especially if the use expands.

Attached to this report, correspondence from Building Division notes that there is a work order posted to fix the exterior of the building on the subject property. Building Division will act on this matter once Council has heard this application. A review of the Building files also notes that there have been some issues with the abutting lot to the east. Ongoing inspections have been initiated in an effort to clean up the property. As such, the immediate area has a history of issues, related specifically to the deteriorating building on the subject property, and the improper and unsightly outdoor storage of goods and materials on surrounding lots. More importantly, there is an ongoing effort from the Building and Planning Divisions to clean up this area. The introduction of a contractor's yard on the subject property would further deteriorate the area. Care must be taken to protect the sensitive nature of the commercial/residential interface.

Planning Director's Recommendation - That City Council:

1. Deny the applicant's request to amend the Official Plan (Amendment No. 130) and rezone the subject property in order to locate a contractor's yard on the subject property.
2. Approve Official Plan Amendment and re-designate the front 85m of the subject property from "Residential" to "Commercial" on Land Use Schedule C of the Official Plan, to be consistent with the existing commercial zoning.

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

PT/pms

PUBLIC HEARING – 2007 09 24, Council Chambers, Civic Centre

6(6)(b)

Pat Schinners

From: Don Maki
Sent: August 22, 2007 8:54 AM
To: Don McConnell; Pat Schinners
Subject: Rezoning Application A-19--07-Z-OP

Hi Don

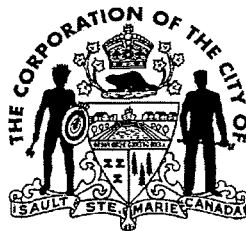
The above noted property has a work order posted to fix up the exterior of the building. The work order is confirmed and the city can initiate the repairs to the exterior. A requisition has been prepared to have the work done.

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

6(6)(b)

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

2007-09-12



Mr. Don McConnell
Planning Director

Dear Don:

**Re: Frank Fata - Application A-19-07-Z.OP
92 and 100 Second Line West**

If your recommendation is to permit a contractor's yard at this property, my suggestion is that the contractor's yard be limited to the northerly portion of the property so that the contractor's yard does not exist right on Second Line West. Contractor's yards tend to get unsightly and it is not the type of appearance that would enhance Second Line in this area.

Yours truly,

L.A. Bottos
City Solicitor

LAB/lz



765 Queen Street East, P.O. Box 9000
Sault Ste. Marie, Ontario P6A 6P2

6(6)(b)

August 24, 2007

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

FAXED: (705) 541-7165

Dear Sir:

Re: **A-19-07-Z.OP**
92 & 100 Second Line West

Premised on Burnside's Area Groundwater Management and Protection Study Report dated June 2003, the subject area appears to be outside the recharge area and capture zones. Accordingly we wish to confirm that we have no objection to the above application but suggest that any storage or handling of toxic substances be adequately managed.

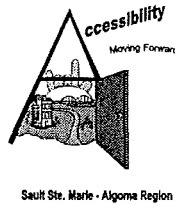
Yours truly,

PUC SERVICES INC.

Claudio Stefano

Claudio Stefano, P. Eng. MBA
Manager of Engineering

CS*jf



6(b)(b)

August 30, 2007

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW – A-19-07-Z.OP

92 & 100 Second Line West

Dear Mr. McConnell

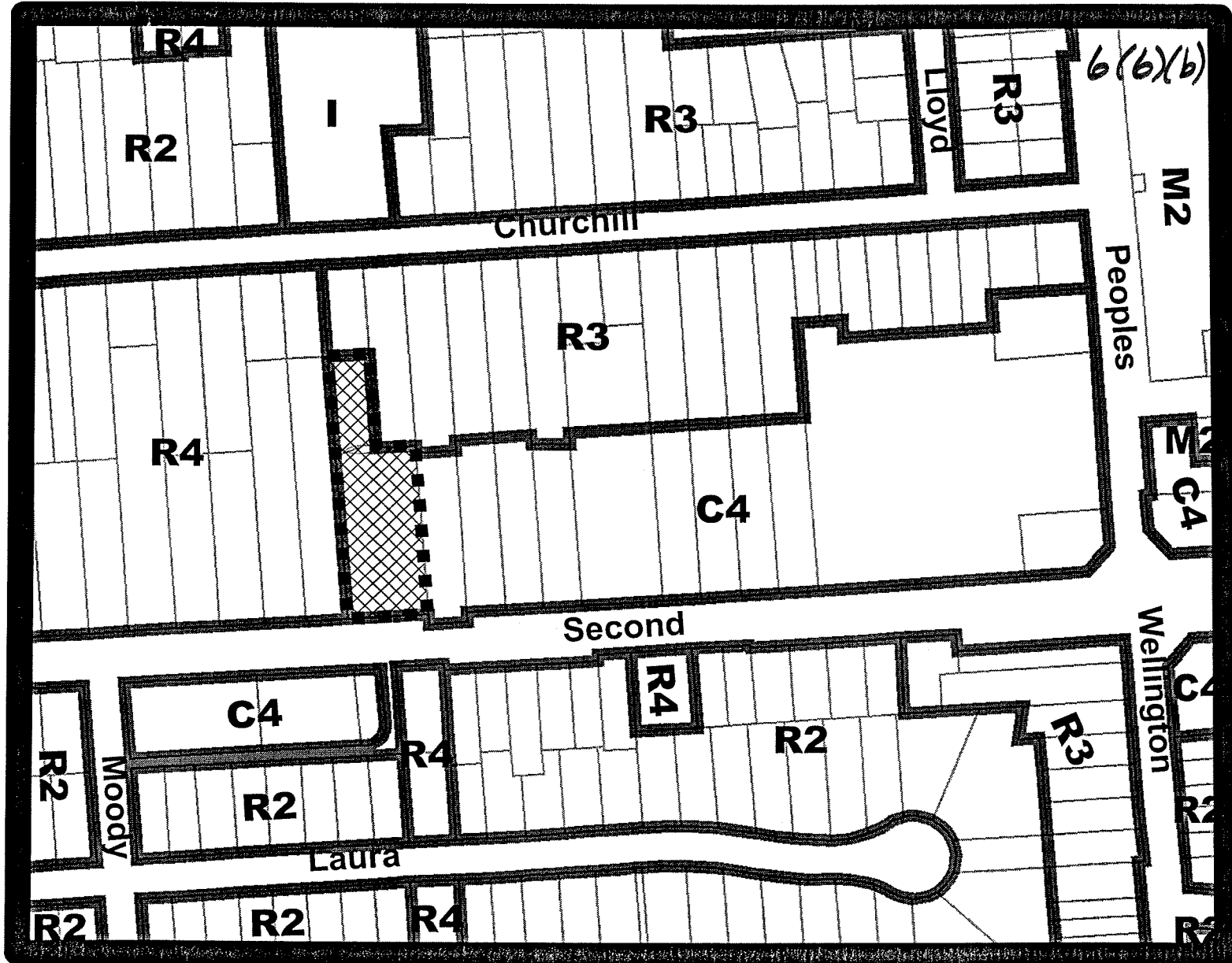
The Accessibility Advisory Committee makes the following recommendations in respect of barriers to access for person with disabilities on the subject rezoning application.

Exterior

1. Parking: Follow Comprehensive Zoning Bylaws for Accessible Parking
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
8. Signage: Parking appropriate signage. Any other as required.
9. Other: All Commercial sites should have the same consistency.

Thank you for your attention to these recommendations.

Sincerely,
Catherine Meincke



EXISTING ZONING MAP

APPLICATION A-19-07-Z-OP
92 Second Line West



Metric Scale
1 : 3000

Map 1-91

August 2007



SUBJECT PROPERTY - 92 Second Line W

ZONING



R2



R3



R4



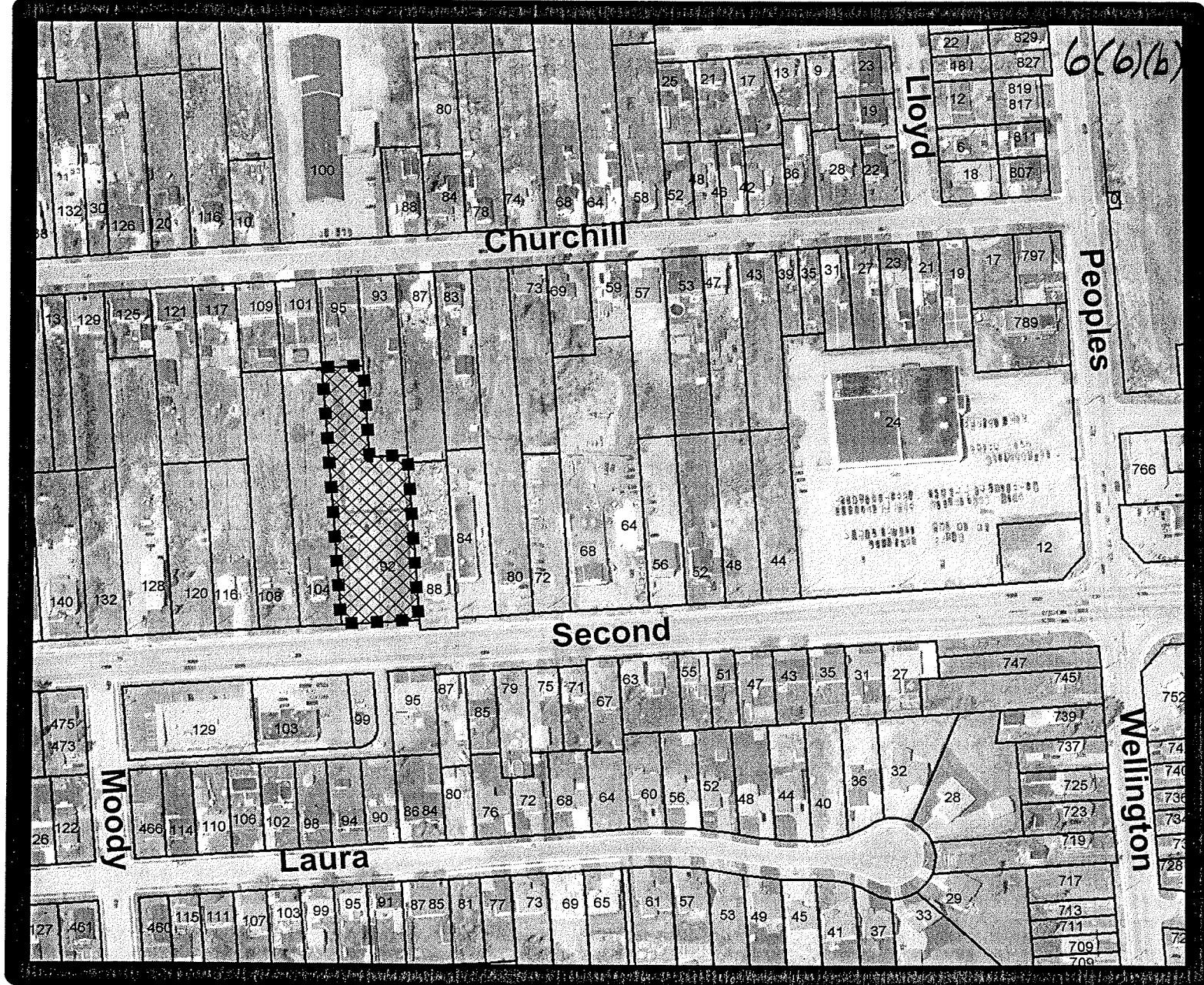
C4



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PR



2004 ORTHO PHOTO

APPLICATION A-19-07-Z-OP

92 Second Line West

Metric Scale
1 : 3000

Map 1-91

August 2007



SUBJECT PROPERTY - 92 Second Line W

**AMENDMENT NO. 130
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to Schedule "C" of the Official Plan.

LOCATION:

Lots 28 and 29, and part of Lot 27, Plan H651, RP 1R3215, located on the north side of Second Line West, approximately 335m west of it's intersection with Peoples Road. Civic No. 92 and 100 Second Line West.

BASIS:

This Amendment is necessary in view of the request to redevelop the property for the storage of vehicles, transportable storage units, and personal storage facilities.

The existing zoning does not match to the Residential policies as they relate the to the subject property.

Council now considers it desirable to amend the Official Plan re-designating the subject property from "Residential" to "Commercial".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Residential" to "Commercial".

INTERPRETATION

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

6(b)(b)

FARWELL

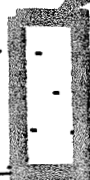
CHURCHILL AVENUE

SECOND LINE WEST

LAURA

SUBJECT
PROPERTY

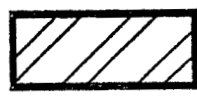
PEOPLES ROAD



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



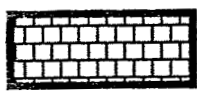
RESIDENTIAL



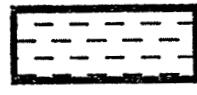
INDUSTRIAL



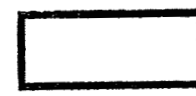
PARKS
RECREATIONAL



COMMERCIAL

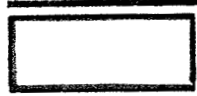


INSTITUTIONAL

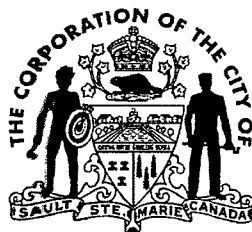


RURAL AREA

SCHEDULE "A" to AMENDMENT No. 130



Residential to Commercial



2007 10 29

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-23-07-Z – Major Contracting
(Algoma) Ltd.

SUBJECT PROPERTY:

Location – Located on the south side of Korah Road, approximately 34m (112') west of its intersection with Cooper Street. Civic No. 1513 & 1517 Korah Road.

Size – Approximately 33.5m (110') x 49.9m (164').

Present Use – Vacant.

Owner – Major Contracting (Algoma) Ltd.

REQUEST: The applicant, Major contracting (Algoma) Ltd., is requesting a rezoning from "R-4" (Medium Density Residential) zone to "R-2" (Single Residential) zone to permit the creation of 3 single detached residential lots.

Comments

Working with City staff, the applicant has agreed to a deferral in order to further explore the servicing options for 1513 & 1517 Korah Road.

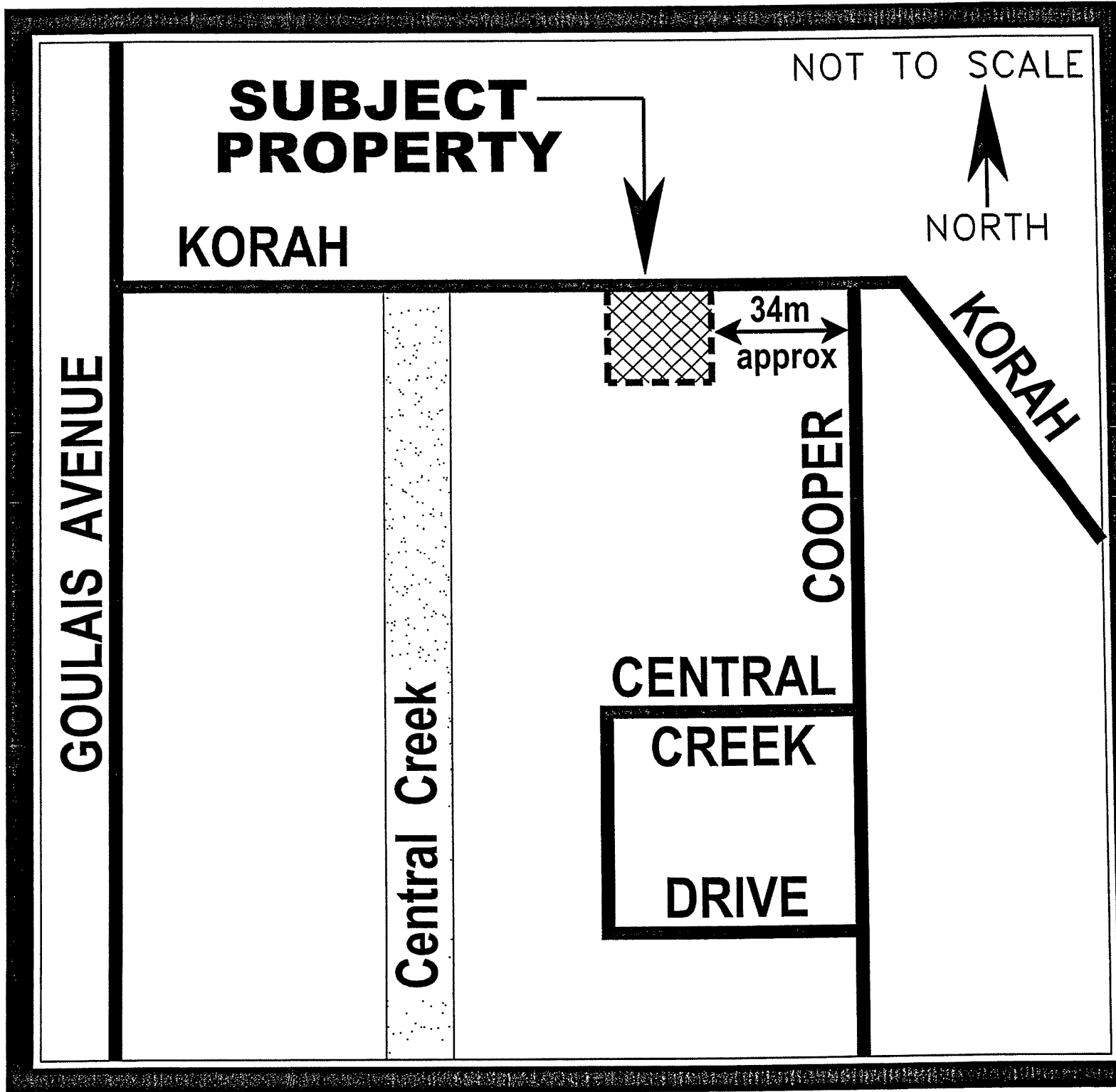
Planning Director's Recommendation – That Council defer application 23-07-Z until November 26, 2007.

PT/pms

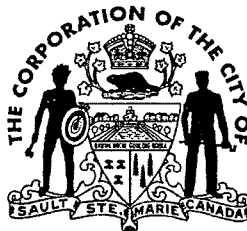
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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



APPLICATION
A-23-07-Z
revised



2007 10 29

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-24-07-Z.OP – filed by
510127 Ontario Limited.

SUBJECT PROPERTY: Location – Located on the east side of Great
Northern Road, approximately 85m (278.9')
north of its intersection with Second Line East.
Size – Approximately 61m (200') frontage x
75m (247') depth; .46 ha (1.13 acres). Civic
No. 432 Great Northern Road.
Present Use – Presently vacant.
Owner – 510127 Ontario Limited.

REQUEST: The applicant, 510127 Ontario Limited, 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 a 1,950 sq.
meters (21,000 sq. ft.) office building outside of
the downtown.

Comments

The applicant has applied for amendments to the Official Plan and existing "C-4" (General Commercial) zoning to permit a 1,950 sq. meters (21,000 square foot) three-story office building outside of the downtown.

At their October 15, 2007 meeting, City Council approved the application in principle subject to a review of appropriate conditions.

At that meeting, there was some discussion about the possibility of limiting the uses in some manner. This is not recommended and would not be acceptable to the developer. Instead of limiting the uses, a condition restricting the building to the requested 1,950 square meters (21,000 square feet) is proposed. As this application does not conform to the Official Plan, an Official Plan Amendment has been prepared and is attached.

The property is large enough to accommodate the use as proposed. The applicant's architect is aware of the limitations on storm sewer capacity in this area and is working with our Engineering and Construction Division to resolve the problem with respect to this property.

The City has received an email suggesting that the Council require the building to be LEED certified. The Leadership in Energy and Environmental Design Green Building Rating System (LEED) is a voluntary rating system for defining what elements make a building 'green' and to quantify how 'green' a building is in comparison to another building. The City cannot require a higher building standard that required by the Ontario Building Code. However, staff has asked the applicant to consider incorporating energy efficient features into the design.

It is recommended that the application be approved subject to site plan control. This will allow for a review of the proposed storm water management system, accessibility issues and the provision of walking and cycling facilities as part of the development.

Should City Council wish to approve this application, the following resolution is proposed.

Proposed Resolution - That City Council approve the application to permit a 1,950 sq. meters (21,000 square foot) office building as an additional permitted use to the C4 (General Commercial) zoning subject to approval of Official Plan Amendment No. 134 and that the property be designated as subject to site plan control.

DBM/pms

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

CITY COUNCIL HEARING – 2007 10 15, Council Chambers, Civic Centre

**AMENDMENT NO. 134
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 Commercial Land Use policies.

LOCATION:

Located on the east side of Great Northern Road, approximately 85 meters north of its intersection with Second Line East. Civic Number 432 Great Northern Road.

BASIS:

This Amendment is necessary in view of a request to construct a 1,950 sq. meters office building. The current Official Plan policies, as they relate to the Commercial Land Use state that "the Downtown area should be maintained as the primary administrative, business and cultural centre of the community" and that "Construction of major new office buildings of 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:

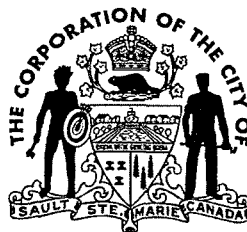
The Official Plan for the City of Sault Ste. Marie is hereby amended by adding the following paragraph to the Special Exceptions Section:

"Special Exceptions"

89. Notwithstanding the Commercial Land Use policies of the Official Plan, lands described as Civic No. 432 Great Northern Road may be used for the development of a 1,950 sq. meters office building, subject to the conditions imposed by Council.

INTERPRETATION

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



2007 10 15

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowswell
and Members of City Council

SUBJECT: Application No. A-24-07-Z.OP – filed by 510127 Ontario Limited.

SUBJECT PROPERTY:

Location – Located on the east side of Great Northern Road, approximately 85m (278.9') north of its intersection with Second Line East.

Size – Approximately 61m (200') frontage x 75m (247') depth; .46 ha (1.13 acres). Civic No. 432 Great Northern Road.

Present Use – Presently vacant.

Owner – 510127 Ontario Limited.

REQUEST: The applicant, 510127 Ontario Limited, 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 a 1,950 sq. meters (21,000 sq. ft.) office building outside of the downtown.

CONSULTATION:

Engineering – See attached letter.

Building Division – See attached letter.

Legal Department – No comment.

PUC Services Inc. – No objection.

Fire Services – No objection.

C.S.D. – No concerns.

E.D.C. – See attached letter.

Conservation Authority – See attached letter.

PREVIOUS APPLICATIONS: There are three previous applications on this property, all related to the City's requirement for

paved parking lots in commercial areas. When considering the Royal Canadian Naval Association's financial situation in 1986, City Council granted a three-year deferral of the paving requirement. This approval was repeated in 1991 and again in 1994.

Conformity with the Official Plan - This property is designated Commercial in the City's Official Plan. Policy C.5 includes this statement: "the Downtown area should be maintained as the primary administrative, business and cultural center of the community.... construction of major office buildings outside of the Downtown area shall be discouraged and new office building shall be encouraged to locate in the Downtown core".

The proposed office building is 1,950 sq. meters (21,000 sq. ft.) and does not conform to this policy. Therefore, approval would require an Official Plan amendment.

Comments

The applicant has applied for amendments to the Official Plan and existing C4 (General Commercial) zoning to permit a 1,950 sq. meters (21,000 square foot) three-story office building outside of the downtown. The attached letter from Peter Bortolussi indicates that the first and third floors of the building will be used by a financial services firm, with the second floor to be leased for general office uses. At least some of the employees occupying this space will be relocated from the downtown.

Historically, the City has allowed retail and service commercial uses to be located throughout the community while restricting major office development and entertainment uses (e.g. casino, theatres, the new Steelback Centre) to the downtown. This creates activity from the office uses during the daytime and from the entertainment uses in the evening. Office uses have an important multiplier effect as they provide a market for restaurants, retail and other commercial uses. Continuation of this policy, along with encouraging new residential development, is the focus of the new downtown development strategy. Smaller office uses of not more than 300 square meters (3,230 square feet) are presently permitted in the C4 zone and throughout the community.

Although there has been considerable new retail development such as Wal-Mart and Home Depot outside of the downtown in recent years, the existing office and entertainment uses have kept the downtown area relatively vibrant. However in 2010, with the opening of the new Sault Area Hospital on Great Northern Road approximately 1500 employees will be relocated out of the downtown area. The effect of this relocation is not yet known.

Currently, the downtown contributes almost half (46.58%) of the commercial assessment in Sault Ste. Marie. Should a significant amount of new office space be

constructed outside of the downtown, it is likely that downtown property values will decrease. This will result in a financial loss for the existing downtown building owners and a decrease in municipal tax revenues.

Approval of this application may set a precedent for requests for additional office space outside of the downtown area as pointed out in the correspondence from the Economic Development Corporation. The EDC has had discussions concerning possible health-care related offices near the hospital. Planning staff are recommending that City Council proceed cautiously with this type of development and note that medical centres are already permitted uses in the C1 (Traditional Commercial Zone) and I (Institutional zone) in addition to the C2 (Central Commercial or downtown zone). It is important to note that there is already a large amount of Institutional zoned land near the new SAH site that already permits medical related offices and facilities.

Although comparisons with the recently approved Northern Credit Union Building on McNabb Street are inevitable, that property had been previously approved for a financial institution prior to the enactment of the City's new Official Plan and Zoning By-law. Further, no employees are being relocated outside of the downtown as a result of that project.

The property is large enough to accommodate the use as proposed. The Engineering Division has noted that should this project of the approved, a storm water management plan and servicing plan will be required given that the storm sewer on Great Northern Road is at capacity at this location.

Summary

The applicant is proposing to construct a 1,950 sq. meters (21,000 square foot) three-story office building outside of the downtown, contrary to Official Plan policy. Planning staff are recommending that City Council deny the application given the importance to maintaining a healthy and vibrant downtown. Given the relocation of the hospital with approximately 1500 jobs out of the downtown, staff is recommending that approval of significant new office space outside of the downtown area be denied until the effects of the hospital relocation on the downtown area are known. It should be noted that smaller office facilities of up to 300 sq. meters (3,230 sq. ft.) will continue to be permitted in commercial areas throughout the community.

Planning Director's Recommendation - That City Council deny the application.

DBM/pms

PUBLIC HEARING – 2007 10 15, Council Chambers, Civic Centre

6(6)(d)

BORTOLUSSI LAW FIRM

PETER L. BORTOLUSSI, B.A., LL.B.

470 ALBERT STREET EAST
SAULT STE. MARIE, ONTARIO
P6A 2J8
TELEPHONE: 705 942 1333
FACSIMILE: 705 949 7684

August 20, 2007

Delivered



The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
99 Foster Drive, Level 5
Sault Ste. Marie, Ontario P6A 5N1

Attention: Don McConnell

Dear Sir:

**Re: 510127 Ontario Limited re. Rezoning Application
432 Great Northern Road, Sault Ste. Marie, Ontario**

Further to our meeting in connection with the above noted proposed Rezoning Application, I forward to you herewith a set of artists' renderings with respect to the proposed project which includes the front elevation, the site plan and the typical floor layouts.

It may be of assistance in perusing said drawings to note the following:

1. The basement is all below grade and for storage purposes only. It is planned to have 6,000 square feet.
2. The ground floor has 6,000 square feet of interior space and 410 square feet of lobby for a total of 6,410 square feet.
3. Each of the second and third floors have a total of 6,800 square feet per floor of which 800 square feet is over the main floor lobby.
4. The above represents a total of 20,010 square feet.
5. The drive through ATM on the north side of the building attached to the main floor has not yet been sized and is not included in the said square footage.
6. The artists' renderings show a square footage of 19,000. This would be leasable space and excludes stairwells, the elevator shaft and the basement as well as the ATM and the open air green space on the roof.

You had asked me about use of the space. I am advised that the main floor will be financial institutional use of a retail nature involving retail financial services. The third floor will be by the same financial institution as operates the retail financial services on the main floor but will include support services for the retail, financial advisors and investment advisors as well as administrative functions.

There may be some overflow of the first floor function into the second floor and the third floor function into the second floor, although it is anticipated that any unused space will be let or sublet to compatible uses.

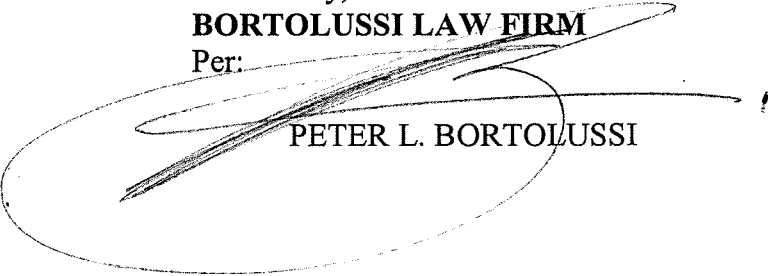
Once you have had an opportunity to review this further, I would appreciate meeting with you and your staff to receive your comments and suggestions and to make such mutually acceptable changes as may be required to the planned development with a view to securing a favourable report from the Planning Division and Council approval.

I thank you and remain.

Yours truly,

BORTOLUSSI LAW FIRM

Per:

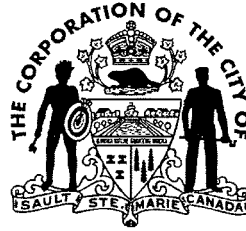


PETER L. BORTOLUSSI

PLB*klr

Encls.

- c 510127 Ontario Limited
Attention: Ben Pino
Fax to 705 254 6588
- c Sal-Dan Developments Limited
Attention: Salvatore Biasucci
Fax to 705 942 1130
- c Caughill Services Inc.
Attention: Bruce Caughill \ Trevor Brown
Fax to 705 949 1906



2007 09 25

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Catherine Taddo, P. Eng.
Municipal Services Engineer

SUBJECT: **APPLICATION A-24-07-Z.OP**
510127 ONTARIO LIMITED
432 GREAT NORTHERN ROAD

The Engineering Department has reviewed the above noted application and provides the following:

- The storm sewer on Great Northern Road is at capacity, and therefore a stormwater management plan, and servicing plan is required. Post development flows shall not exceed pre-development flows using a 1 in 10 year design storm.
- It is our understanding that the site is required to be paved to meet the Planning Department requirements. This will increase flows from the site, and therefore, we will need a review by a Consulting Engineer dealing with stormwater quantity.

Yours very truly,

Catherine Taddo, P. Eng.
Municipal Services Engineer

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

Pat Schinners

From: Don Maki
Sent: September 12, 2007 4:23 PM
To: Don McConnell; Pat Schinners
Subject: Rezoning A-24-07-Z.op

Hi Don

The property was used for a hall and a bar the owners had been required to pave the parking lot for some time now.

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

Don McConnell

From: John Febbraro
Sent: October 4, 2007 12:37 PM
To: Don McConnell
Cc: Peter Tonazzo; Pat Schinners
Subject: FW: Revised Response to Application A-24-07-Z.OP and A-22-07-OP

Importance: High

Don:

Have reviewed both applications.

Application A-22-07-OP submitted by applicant Sar-Gin Developments ON SUBJECT PROPERTY 799 Goulais Ave (875 Third Line West) has been reviewed and we have no objections.

Application A-24-07-Z.OP submitted by applicant 510127 Ontario Limited on SUBJECT PROPERTY 432 Great Northern Road has been reviewed and we provide the following comments:

The official plan indicates that office space (greater than 3000 square feet) at this point in time is in the downtown core. The SSMEDC understands the purpose of the Downtown Development Strategy to focus on bringing people into the downtown core whether it is to live, work, or shop. One of the challenges facing the Downtown is the demand for development in the north end of the city as a result of strong economic forces. With the Sault Area Hospital relocating to the North of the City, the downtown will have a challenge to replace the people that work at the hospital. As well, Great Northern Road has seen considerable development and the hospital relocation will create further development pressures for the City that may challenge the City's Official Plan. The SSMEDC has had preliminary discussions in regards to possible health care related offices in the North end of the City near the new hospital. This also will have implications for the City's Official Plan. This application is for an office complex of 21,000 square feet that will provide space for financial services. This complex will have an immediate positive impact on the City's tax base. Visually, it will be an attractive modern facility located on Great Northern Road and it is creating space for future business expansions.

Understanding that this application requires an amendment to the Official Plan, and this would have an implication for future developments along Great Northern Road, and given the SSMEDC's mandate to be supportive of development in the City and free enterprise, the SSMEDC is supportive of the application.

Thank you

John Febbraro
 Director of Industrial Marketing
 SSM Economic Development Corporation
 99 Foster Drive, Level 3
 Sault Ste. Marie, ON, Canada
 P6A 5X6
 Phone: 705-759-5432
 Fax: 705-759-2185
 E-mail j.febbraro@ssmedc.ca

DISCLAIMER: This e-mail message is intended only for the named recipient(s) above and may contain information that is privileged, confidential and/or exempt from disclosure under applicable law. If you have received this message in error, or are not the named recipient(s), please immediately notify the sender and delete this e-mail message.



*Sault Ste. Marie Region
Conservation Authority*

6(6)(d)

"Man and Nature"

September 26, 2007

Conservation Authority Comments:

**Application # A-24/07-Z.OP
510127 Ontario Limited
432 Great Northern Road
Sault Ste. Marie**

- ☐ The subject properties are located in an area under the jurisdiction of the Conservation Authority with regard to the Development, Interference with Wetlands and Alterations to Shoreline and Watercourses O.Reg.176/06.
- ☐ This property is subject to the Shoreline Management Plan.
- ☒ This property is subject to Source Water Protection
- ☐ A permit is required prior to ANY site grading, excavating, filling, development or construction.
- ☐ We have no comments or objections to this application
- ☒ Other:

The subject property is not located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

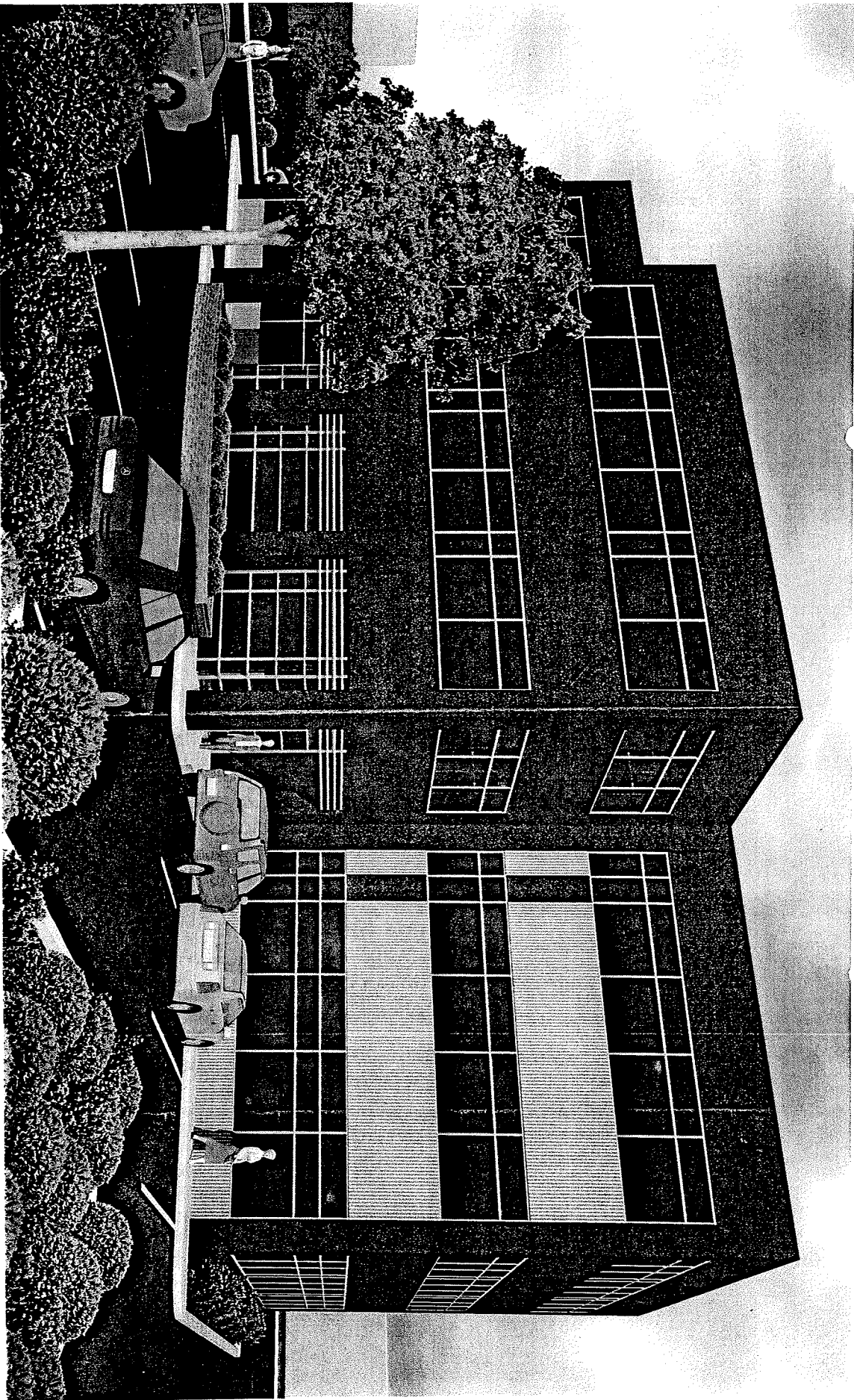
The subject property is under consideration of the Source Water Protection Program of the Conservation Authority with regard to Drinking Water Source Protection and there may be recommendations dependant on the proposed development. CA staff should review any plans prior to a Building Permit being issued for Civic 432 Great Northern Road.

Sincerely,

**Marlene McKinnon
GIS Specialist**

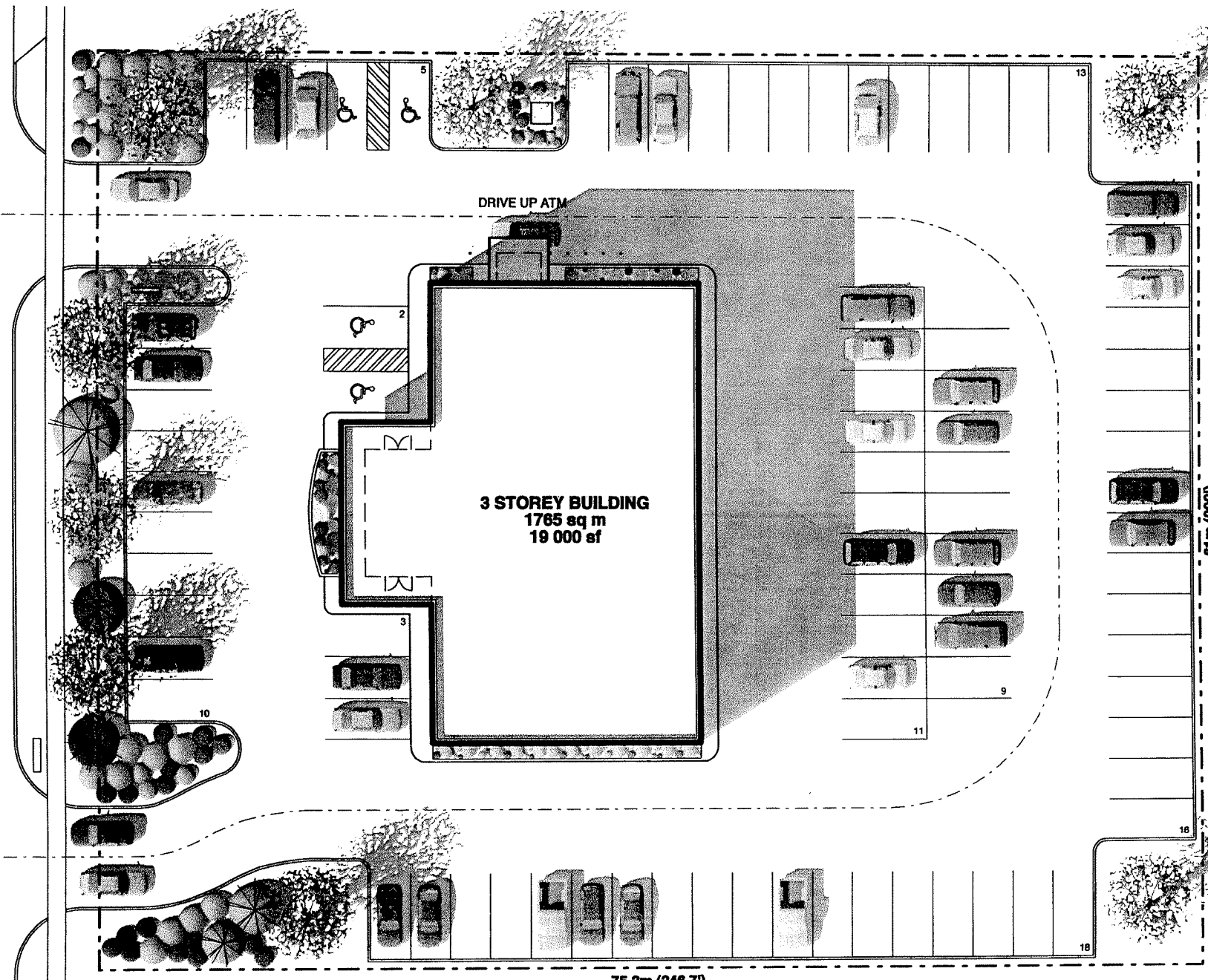
File: A-24_07-Z_OP_26Sep07.doc

Phone: (705) 946-8530 * Fax (705) 946-8533 * Email: nature@ssmrca.ca
1100 Fifth Line East * Sault Ste. Marie, Ontario P6A 5K7
www.ssmrca.ca



(b)(9)9

GREAT NORTHERN ROAD



NORTH

PARKING - 87 SPACES

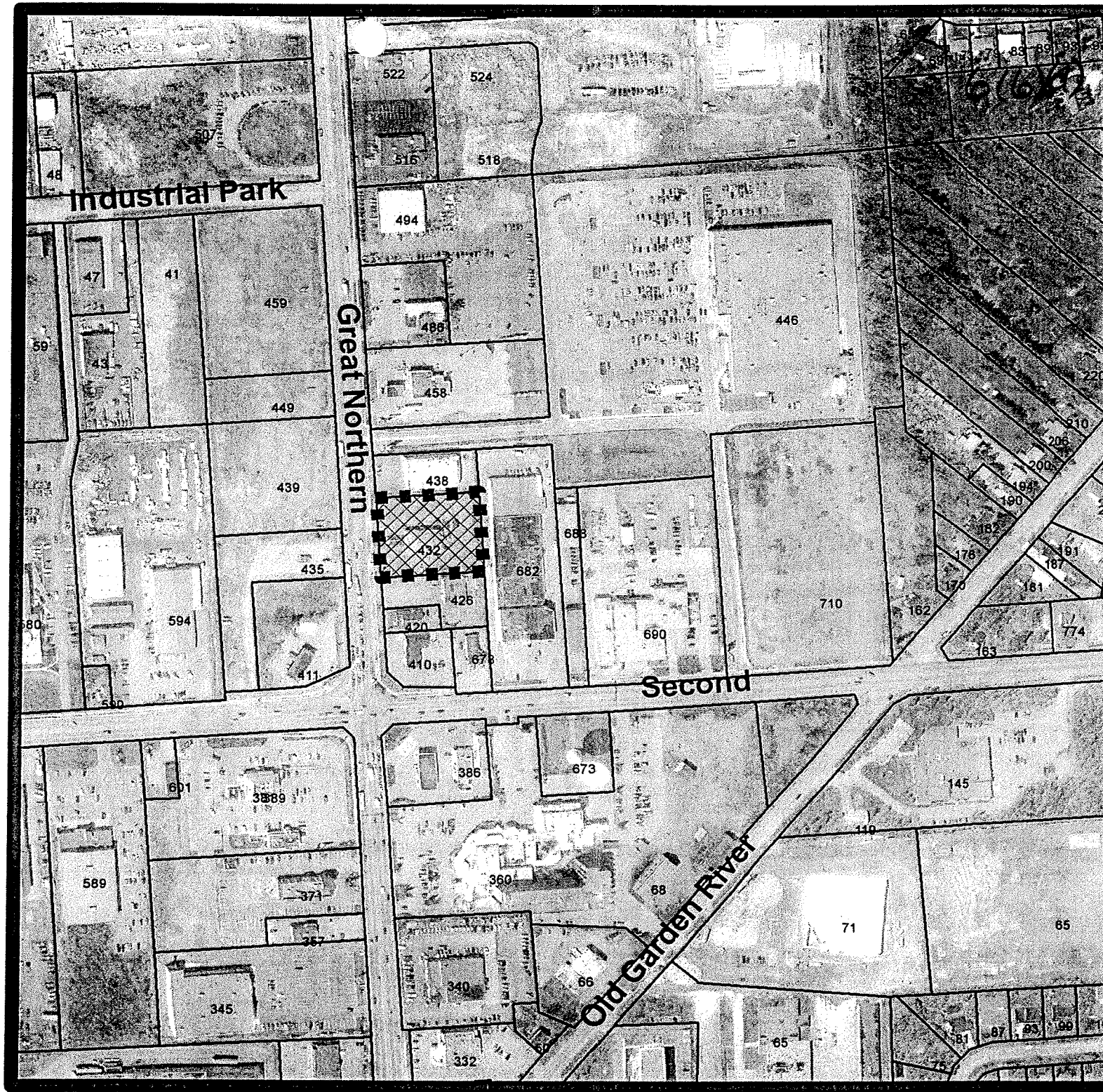
61m (200')

(P1979)

432 GREAT NORTHERN ROAD
SAULT STE. MARIE, ONTARIO

AUGUST 2007

Caughill Consulting



2004 ORTHO PHOTO

Application A-24-07-Z.OP

432 Great Northern Road

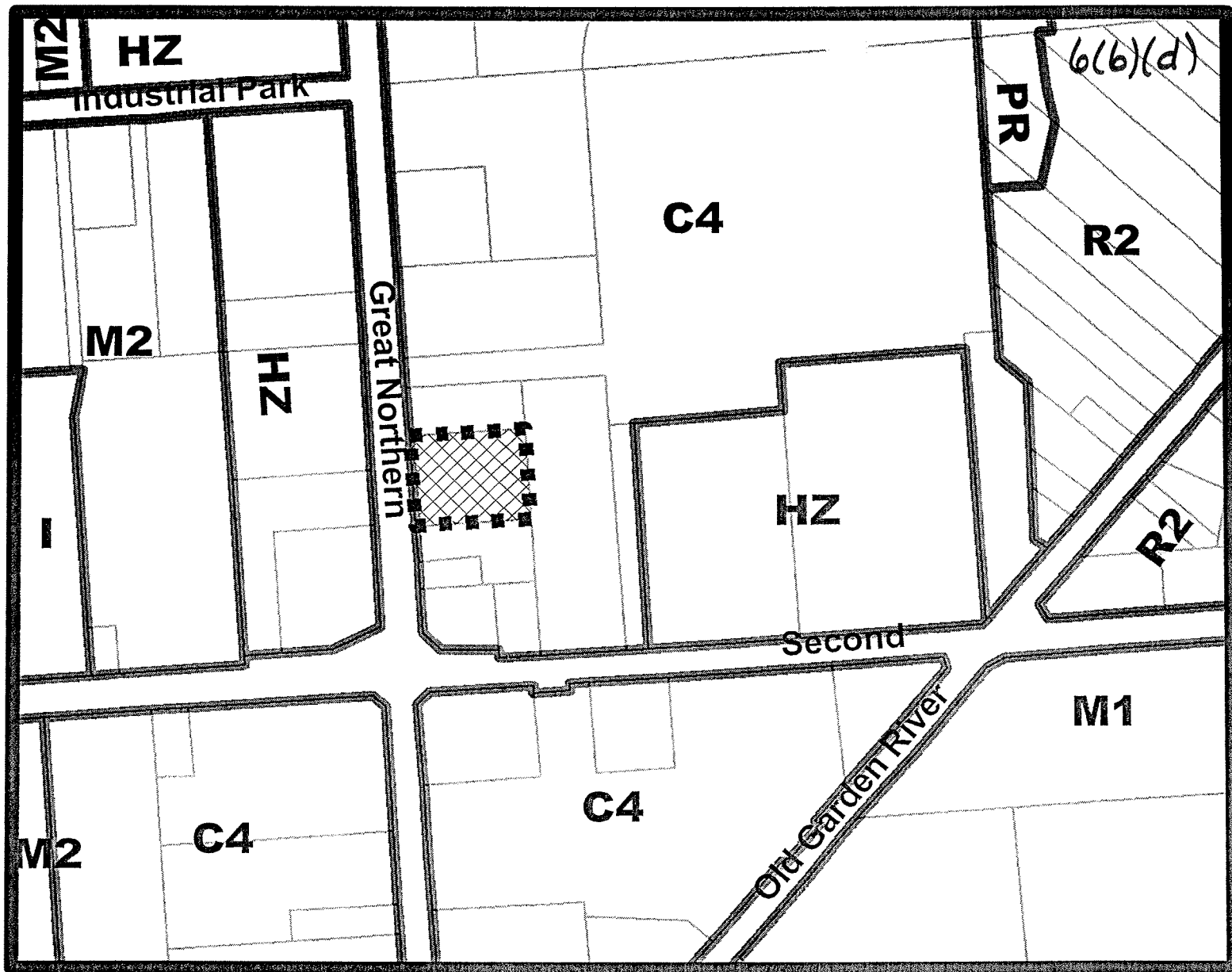


SUBJECT PROPERTY - 432 Great Northern



**Metric Scale
1 : 4000**

Map 1-95



EXISTING ZONING MAP

Application A-24-07-Z.OP

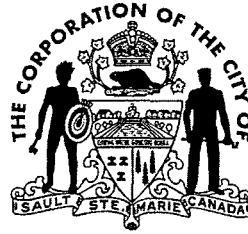
432 Great Northern Road

-  C4 - General Commercial Zone
-  HZ - Highway Zone
-  M1 - Light Industrial Zone
-  M2 - Medium Industrial Zone
-  M3 - Heavy Industrial Zone
-  R2 - Single Detached Residential Zone
-  I - Institutional Zone
-  PR - Parks and Recreation Zone
-  SUBJECT PROPERTY - 432 Great Northern



Metric Scale
1 : 4000

Map 1-95



2007 10 29

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-25-07-Z.OP & 57T-07-505 –
filed by Fox Run Development (Sault) Inc.

SUBJECT PROPERTY: Location – Located on the south side of Third
Line East, approximately 786m (2579') east of
its intersection with Great Northern Road.
Civic No. 817 Third Line East.
Present Use – Vacant land.
Owner – Dennis Maninos and Patricia Rosa
Maninos.

REQUEST: The applicant, Fox Run Development (Sault)
Inc. is requesting a Rezoning, Official Plan
amendment & Draft Plan of Subdivision
Approval in order to develop a serviced 193 lot
residential subdivision consisting of a mixture
of housing types, park-space, and an
institutional component upon the south
western side of the subject property.

Comments

The proposal is for a 191 lot residential subdivision. The subdivision is proposed on a 26.39 ha (65.21 acre) parcel in the city's north end, immediately east of the future hospital site. The subdivision will be accessible from both Third Line and the Windsor Farms subdivision, which received Council's approval in January 2007.

At their October 15, 2007 meeting, City Council deferred this application to allow for a review of any necessary roadways between this subdivision and a potential subdivision on the Simek property to the south. The Simek property has frontage on Old Garden River Road and abuts the proposed Fox Run Subdivision to the north and the Windsor Farms Subdivision now under construction to the west.

Attached is a preliminary design for the possible development of the Simek property prepared by the consultants involved with both abutting subdivisions. This plan proposes a residential layout with a single access road onto Old Garden River Road and has been reviewed by City staff. The only difficulty identified by staff is that the single roadway may become blocked if repairs to underground services become necessary. To resolve this problem, staff is working with the consultant on a modified road profile that would place all of the underground services to one side of the roadway or in the boulevards. This would allow at least one lane of traffic to remain open at all times. This design will be reviewed further at the detailed design stage but a roadway connection to either Fox Run or Windsor Farms will not be necessary.

The westerly portion of the proposed Fox Run subdivision includes three lots for either medium density residential or limited institutional uses. The proposed Official Plan Amendment includes the statement "Institutional uses shall be developed in a park-like setting with adequate setbacks and high quality landscaping including trees, shrubs and pedestrian walkways to ensure compatible development with the adjoining residential uses." At the October 15th meeting, Mr. Paciocco, representing the owners of Windsor Farms requested that the proposed Official Plan Amendment be modified to include the reference to medium density residential in addition to the Institutional uses. A revised amendment incorporating this request is attached.

Peter Bortolussi, representing the owners of Fox Run was in agreement with the staff recommendations but requested two changes to the conditions of approval. The owners are prepared to pay for cash-in-lieu for any deficiency in parkland (Condition #7) but would like to receive credit for the cost of constructing walking trails throughout the subdivision. He also asked that only those trails where significant pedestrian traffic is expected be constructed to the City's Hub Trail standard (Condition #13). Both of these requests have been incorporated into the recommendation below.

The remainder of staff's recommendations to approve this development are unchanged.

Planning Director's Recommendation - That City Council approve the Draft Plan of Subdivision subject to the 21 conditions contained in the Planning Division report dated 2007 10 15 subject to the following modifications:

Condition #7 – That as part of the finalization of the Subdivision Agreement, the developer be required to pay cash-in-lieu of parkland for the deficiency in dedicated park space, which will be used to purchase playground equipment for the subdivision. The cost of constructing walking trails throughout the development shall be applied to any required cash-in-lieu amount.

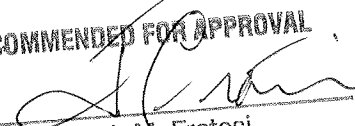
Condition #13 – The proposed walking trails shall be constructed to the 3.0 meters asphalt Hub Trail standard where significant pedestrian traffic is expected.

DBM/pms

PUBLIC HEARING – 2007 10 29, Council Chambers, Civic Centre

Data\APPL\REPORT\A25-07-Z OP - Second Report.doc

RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

**OFFICIAL PLAN AMENDMENT NO. 133
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to Schedule "C" of the City of Sault Ste. Marie Official Plan.

LOCATION:

Part of Lot 25 RCP H731, being part of NE ¼, section 29, Township of Tarentorus, located on the south side of Third Line East, approximately 860 meters east of Great Northern Road. Civic Number 817 Third Line East; Zoning Map 1-114.

BASIS:

This Amendment is necessary in view of the request for Draft Plan of Subdivision in order to develop the property for residential purposes.

The proposal does not conform to the existing Rural Area policies as they relate to the subject property.

Council now considers it desirable to amend the Official Plan, re-designating the subject property from "Rural Area" to "Residential".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Rural Area" to "Residential"; and, by adding the following paragraph to the Special Exceptions section:

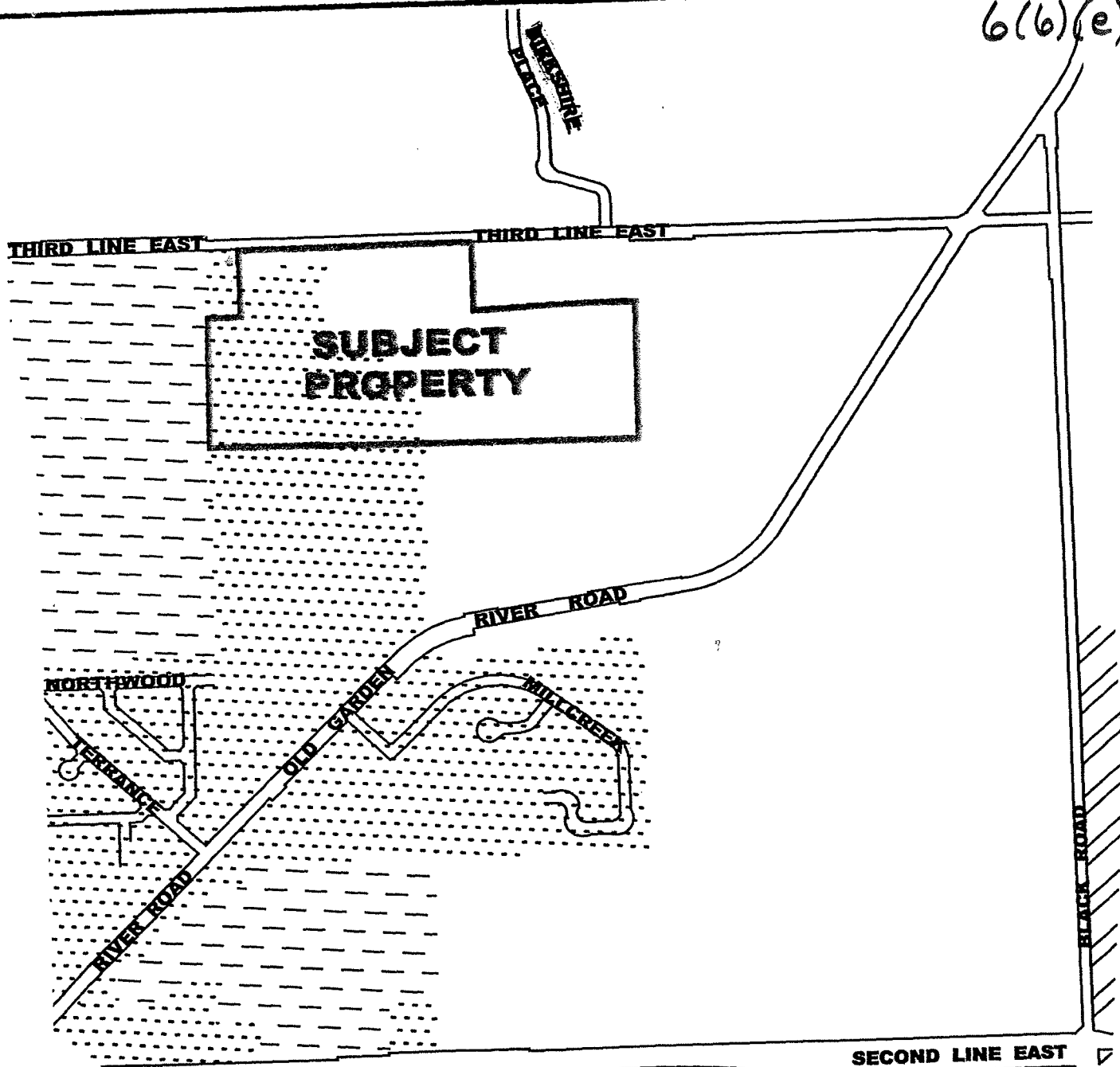
"Special Exceptions"

88. The property described as Part of Lot 25 RCP H731, being part of NE ¼, section 29, Township of Tarentorus, located on the south side of Third Line East, approximately 860 meters east of Great Northern Road: Civic Number 817 Third Line East, may be zoned for a mixture of low and medium density housing types and limited institutional uses. Institutional and medium density residential uses shall be developed in a park-like setting with adequate setbacks and high quality landscaping including trees, shrubs and pedestrian walkways to ensure compatible development with the adjoining residential uses.

INTERPRETATION

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

6(6)(e)



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 133



6(6)(e)

LAIDLAW, PACIOCCO, MELVILLE**Barristers and Solicitors****Station Tower - 421 Bay Street - Suite 604****Sault Ste. Marie, Ontario.****P6A 1X3**

DONALD B. LAIDLAW, B.ENG., LL.B.
ROBERT W. PACIOCCO, LL.B.
JAMES T. MELVILLE, H.BA., LL.B.

TELEPHONE: (705) 949-7790
FAX: (705) 949-5816
E-MAIL: paciocco@vianet.ca

October 22nd, 2007**VIA TELEFAX****705-541-7165**

The Corporation of the
City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5N1

ATTENTION: Mr. Don McConnell
Planning Director

Dear Sir:

RE: FOX RUN SUBDIVISION
Application Numbers A 25-07-ZOP and 57T-07-505

I understand that the above-captioned matters will be on Council's agenda for October 29th, 2007.

As mentioned at the prior Council meeting I would appreciate it if the wording in the proposed Official Plan Amendment could be clarified to provide that the landscaping and site plan controls apply to all permitted uses, not just the institutional uses.

I would also point out that the north end of Foxborough Trail in the Windsor Farms Subdivision terminates in a one foot reserve. The Applicant should be advised that there will be cost-sharing obligations applicable to the removal of the one foot reserve.

- 2 -

b(6)(e)

With respect to the access from the Simek property to the Fox Run Subdivision, our Consulting Engineer has met with Municipal staff to review a proposed plan terminating in a cul-de-sac which would obviate the necessity of an access to the Fox Run Subdivision. I am reasonably optimistic that this issue will be resolved before the end of the week.

Yours very truly,

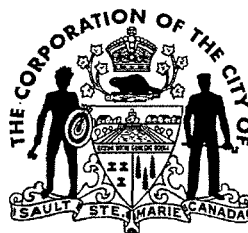
LAIDLAW, PACIOCCO, MELVILLE

per: 

(Robert W. Paciocco)

RWP/cs

cc to Mr. David Ruscio
cc to Mr. Peter Bortolussi



2007 10 15

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-25-07-Z.OP & 57T-07-505 –
filed by Fox Run Development (Sault) Inc.

SUBJECT PROPERTY: Location – Located on the south side of Third
Line East, approximately 786m (2579') east of
its intersection with Great Northern Road.
Civic No. 817 Third Line East.
Present Use – Vacant land.
Owner – Dennis Maninos and Patricia Rosa
Maninos.

REQUEST: The applicant, Fox Run Development (Sault)
Inc. is requesting a Rezoning, Official Plan
amendment & Draft Plan of Subdivision
Approval in order to develop a serviced 193 lot
residential subdivision consisting of a mixture
of housing types, park-space, and an
institutional component upon the south
western side of the subject property.

CONSULTATION: Engineering – See attached letter.
Building Division – No comments.
Fire Services – No objection.
Legal Department – No comment.
PUC Services Inc. – See attached letter.
Conservation Authority – See attached letter.
PW&T – See attached letter.

Accessibility Advisory Committee – See attached letter.

Algoma Public Health – No comments.

Huron Superior Catholic District School Board – No objection.

Fisheries and Oceans Canada – See attached letter.

PREVIOUS APPLICATIONS: In 1970, an application for a motorcycle race track was received and subsequently withdrawn.

Synopsis of Proposal

The proposal is for a 191 lot residential subdivision. The subdivision is proposed on a 26.39 ha (65.21 acre) parcel in the city's north end, immediately east of the future hospital site. The subdivision will be accessible from both Third Line and the Windsor Farms subdivision, which received Council's approval in January 2007.

This current application proposes a mix of housing densities, including single detached, multiple attached dwellings, and potentially apartments. With the proposed mix of housing densities, the development can accommodate approximately 200 to 300 dwelling units.

The proposal also seeks a special exception zoning to provide the flexibility to potentially develop the apartment lots for institutional uses. Given the proximity of these lots to the future hospital, institutional uses would be appropriate.

The proposal also calls for a 0.4 ha park, as well as open space areas that will function both as storm water management areas and walking/cycling areas.

To facilitate the development of this subdivision, amendments are required to the City's Official Plan and Zoning By-law, as well as the urban service line.

Conformity with the Official Plan - On June 12, 2006, City Council approved Official Plan Amendment 107 which added a number of areas to the City's urban settlement area. This expansion was necessary in light of anticipated population growth and housing demand. The westerly portion of the subject property was included in the settlement area expansion; however the easterly portion is outside the expanded settlement area. As such, such an amendment to Schedule "C" of the Official Plan is required to include the entire parcel within urban settlement area.

The City of Sault Ste. Marie Official Plan has a number of policies that relate to residential development. The following is an assessment of the proposed development in relation to the relevant policies of the Official Plan:

Part V – Physical Development – Natural Environment

4.6 Fill Areas

F.1 The following slopeland criteria and development prescriptions shall apply to new development:

Slope:

- | | | |
|----|--------|--|
| 1. | 25% | No development, dedication to the Municipality |
| 2. | 20-25% | Restricted development and possible dedication |

All slopelands on the subject property that are in excess of 20% will be dedicated to the municipality and are contained within the proposed open space areas, as identified on the attached plan. The sloped open spaces will be used to accommodate storm water management. Lands to be dedicated to the municipality should form a condition of approval.

F.5 The prime agency in the designation and review of fill areas is the Conservation Authority. Changes to the boundaries or permits to place fill require the approval of the Conservation Authority.

Much of the proposed subdivision is within the Sault Ste. Marie Region Conservation Authority's regulated area, as indicated on Schedule "B" of the Official Plan. As such, prior to any development or filling of slope-lands, a permit will be required from the Conservation Authority for the lots affected by the fill regulations.

As a condition of City Council's approval, the developer should inform potential purchasers of the lots affected by the fill area and that a permit is required from the Conservation Authority prior to the placing of any fill or development. This can be included in the final subdivision agreement. The Conservation Authority (CA) has indicated as part of the fill permit review process, the CA will indicate which lots are within the regulated fill area.

Part VI – Physical Development – Built Environment

2.1 Urban Design

D.3 The maintenance and/or reinforcement of all natural features such as river and creek valleys, ravines, wooded areas, parkland and heritage

landscapes located within or next to development sites shall be encouraged.

- D.5 The "Urban Forest" concept of maintaining existing and establishing new forested areas shall be encouraged. Tree planting shall be required for new development. (*Section 3.3 Forested Areas (Woodlands)*; Policy FO.3 also encourages the concept of the "Urban Forest")

The proposal calls for park space as well as an open space area that will accommodate storm water management. The provision of park and open space is consistent with the Official Plan's "Urban Forest" policy.

With respect to tree planting, historically, the City's policy for new residential subdivisions has been one tree per lot. Based on discussions with City staff from both the Engineering Division and from Public Works and Transportation, staff recommends that prior to the finalization of the subdivision agreement, a per-lot fee, the amount to be determined by the City's Parks Division, should be collected from the developer for tree plantings. This should be included as a condition of approval.

For new subdivisions, the City has agreed to provide and plant a tree of the owner's choice for each lot after the houses have been developed, the location of which will be determined by the City's Parks Division.

- D.8 Site design shall consider the impact on street functions and pedestrian, cycling and vehicular access. The effects of traffic noise, vibration and odour shall be assessed.
- D.9 Pedestrian and cycling access to parks, bus stops and schools shall be encouraged.

2.2 Energy

- E.4 Alternative transportation and energy efficient forms of transportation such as public transit, cycling and walking shall be supported.

With respect to the current subdivision design, the applicants are proposing a sidewalk along the easterly side of Road "A", continuing along the outer loop of the round-about intersection. A sidewalk is also proposed along the inner loop of Road "B", from its intersection with Road "A" and "C", and continuing to the access road exiting the future Windsor Farms subdivision. The remainder of Road "B", as proposed, does not include a sidewalk.

The Official Plan supports design that is inclusive for all modes of transportation, including pedestrian and public transit.

Part VI, Section 2.4 – Transportation, supports the provision of sidewalks on at least one side of local streets in new residential developments. The provision of sidewalks on one side of the street would enhance the pedestrian environment of the neighbourhood and would support future public transit in this area. As such, given the policies of the Official Plan in *Part VI section 2.1 – Urban Design*, *section 2.2 – Energy* and *section 2.4 – Transportation*, staff recommends that the remaining inner loop of Road “B” also include a sidewalk. During pre-consultations, City staff has advised the developer of this requirement. Given the length, sidewalks will not be required for of the remaining roads and cul-de-sacs.

The developer will also be incorporating walking and cycling paths in the open space areas, which will create increased recreational and non-motorized transportation opportunities.

The provision of sidewalks and off-road paths throughout the proposed subdivision will also create a safer pedestrian link to Tarentorus Public School, located just south of this area.

2.3.5 Parks and Recreation

P.4 Residential developments shall be required to provide 5% of the land for park purposes or cash in lieu of 5% where the City deems it appropriate.

The subject property is 26.39 ha (65.21 acre) in size. As such, the 5% of dedicated park space required is 1.32 ha (3.26 acres). The subdivision proposal contains a 0.4 ha (0.9 acre) park, as well as large areas of open space that will be dedicated to the City. As there is a deficiency in the amount of parkland, the developer should be required to pay cash in-lieu of parkland, which will be used to purchase playground equipment.

The developer is also proposing an innovative approach to enhancing open space areas by incorporating a number of walking and cycling paths throughout the subdivision and around storm water retention areas. Although this approach is common in Southern Ontario, this is the first example of this in Sault Ste. Marie.

With respect to off-road pathways, given the City’s recent work with these types of facilities, a minimum standard width of 3.0 meters with an asphalt surface has been set. This standard should apply to the proposed pathways that connect between streets and existing sidewalks.

As a condition of approval, the applicant should submit a plan of the park and open spaces, prior to the finalization of the subdivision agreement, and to the satisfaction of the Commissioner of Engineering and Planning, showing landscaped areas, park equipment and detailed engineering for the storm water retention areas.

It is important to note that the proposed subdivision will abut the future Hub Trail, which was approved by City Council in 2006. The City is planning to construct a portion of the Hub Trail on lands immediately west of the subject property (along the eastern access drive on the future hospital site). Prior to the finalization of the subdivision agreement, a connection to the future Hub Trail should be identified. The connection should be developed to the City's standard mentioned earlier in this report.

2.4 Transportation

TR.6.1 Public Transit – Public Transit use shall be encouraged by the City. The needs of the Transit system shall be considered in the design of the transportation systems, in road construction, road reconstruction, and in development approvals. For new development or redevelopment, the City may acquire lands for transit rights-of-way as a condition of approval. As well, the City will require that the layout of the road network for new developments facilitate transit and ensure reasonable walking distances to transit stops. Efficient pedestrian access to and from Public Transit facilities will be encouraged.

In the review for the Windsor Farms subdivision, located immediately south of this current proposal, it was determined that due to increased development in this area (i.e. new residential, the hospital), future transit services may be required.

As a condition of approval for the Windsor Farms subdivision, the main road (shown as Foxborough Trail on the lot layout plan) is to be designed and constructed to accommodate City buses. As a condition of approval for this current subdivision, Road "A" and the westerly loop of Road "B" leading to Foxborough Trail should also be designed and constructed to accommodate City bus services.

In addition, at the time of constructing these roads, concrete pads should be installed to accommodate future bus shelters. The location of the bus shelters and stops can be addressed at the time of the subdivision agreement.

These provisions will ensure that this area can be serviced by public transit if required in future.

Comments

To facilitate the development, a rezoning of the subject property is required as the property is zoned RA (Rural Area). For this current proposal, the applicant is proposing a variety of residential zonings, in order to provide housing choice and flexibility that will be dependant on current market conditions.

The applicant is also requesting a special exception zoning to provide the flexibility to potentially develop the larger westerly lots for institutional uses.

The following zoning amendments are proposed:

- Lots 1-16, and lots 83-159: From RA (Rural Area) to R2 (Single Detached Residential).
- Lots 17-82: From RA (Rural Area) to R3 (Low Density Residential) – Permits single detached, semi detached, and duplexes.
- Lots 160-188: From RA (Rural Area) to R4 (Medium Density Residential) – Permits semi detached, duplex, triplex, multiple attached dwellings and apartment buildings.
- Lots 189-191: From RA (Rural Area) to R4.S (Medium Density Residential, with a Special Exception to permit institutional uses).

The location of this proposed subdivision is within close proximity to the future hospital as well other institutional and commercial areas. Given the general service amenities that these facilities will offer as well as the range of employment opportunities in this area, a mixture of housing choices is strongly encouraged.

With respect to the special exception zoning to permit institutional uses, the lots proposed for this zoning are located immediately east of the future hospital site and are identified as lots 189-191. Due to their proximity to the proposed hospital, institutional uses are appropriate for these lots. However, to ensure overall compatibility with future residential and institutional development, only the following institutional uses are recommended for approval. These include the following:

- Accessory uses
- Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations
- Accessory use wind turbines - Refer to Section 4.13 for additional regulations
- Care facilities
- Group Home
- Group Residence – Subject to site plan control
- Hospices
- Hospitals
- Medical Centres
- Nursing and Residential Care Facilities
- Parks and Playgrounds
- Places of Worship

- Recreational Facilities, excluding animal pens and cages, bandstands, and horse riding establishments

Planning staff recommend that the Institutional zone regulations apply to the uses identified above. In addition, to ensure that development on these lots is compatible in scale, Planning staff recommends that the R.4 height standard of 5 storeys be applied to the institutional uses.

As part of Planning staff's recommendation, a number of institutional uses are excluded. In particular, Arts, Culture and Heritage Uses and Federal, Provincial and Municipal Government Public Administration have been excluded. The reason for this is that these uses are encouraged to locate in the Downtown area, as prescribed in the Official Plan. Policy C.5 of the Plan states "The Downtown area should be maintained as the primary administrative, business and cultural centre of the community".

Given the range of development potential for these lots, Planning staff recommends that Lots 189-191 be designated as areas of Site Plan Control. To ensure that development occurs in a manner that is compatible with surrounding residential uses, staff is also recommending that future institutional uses be developed in a park-like setting with adequate setbacks and high quality landscaping including trees, shrubs and pedestrian walkways. This recommendation forms part of the Official Plan amendment necessary to facilitate the development.

In addition, the institutional uses should be designed so that access from the hospital property is also available to avoid commercial traffic through the subdivision.

The easterly portion of the subject property is outside of the urban service line. Given that full municipal services will be extended to this subdivision, an amendment to the urban service line is also required. As part of the approval for this application, Planning staff is recommending that Council approve a bylaw authorizing the Legal Department to apply to the Ontario Municipal Board to amend the urban service line

As part of the development review, the application was circulated to various City departments and agencies for comment. The following comments were received.

Engineering and Construction Division

Engineering has indicated that sediment control and storm water management plans be submitted to the satisfaction of the Commissioner of Engineering and Planning, the Sault Ste. Marie Region Conservation Authority and the

Department of Fisheries and Oceans. The prescribe plans shall meet Ministry of Environment guidelines.

Engineering has also commented on several other servicing issues, which should form part of City Council's approval. These conditions are outlined in Engineering's letter, which are attached to this report. These conditions can be addressed as part of the subdivision agreement.

Public Works and Transportation

Staff from PWT has indicated that the developer will need to determine if the proposed development will impact the downstream capacity within the existing trunk sanitary sewer system. This should be confirmed by the developer prior to the finalization of the subdivision agreement.

PWT also advised that the forced sanitary sewer main will require flushing ports, the type and design to be dependent on the size of the main. As well, any pump stations that are to be part of the servicing infrastructure is to be FLYGT type (PWT standard).

With respect to the proposed walkways, staff from PWT state that the minimum 3.0 meter width standard be applied in order to accommodate service vehicles that will maintain the storm water retention areas. In addition, prior to accepting any easements, staff from PWT need to know the depth of the future sewer pipes, and that corrugated PVC pipe is not acceptable for storm and sanitary sewers.

Public Utilities Corporation

PUC has advised that water services from Third Line may be delayed as the reconstruction of that road is presently under a Part II order under the Environmental Assessment Act.

Also, PUC advised that thus far, the Windsor Farms subdivision has been unable to obtain required easements to allow for adequate fire flow. If the Windsor Farms subdivision cannot obtain the required easements, it is unclear how adequate flow will be provided for this current proposal. Given this issue and the size of the proposed development, the developer will be required to carry out an engineering assessment and design of the water distribution system to assure the provision of fire flows required to meet City requirements without compromising the existing distribution system.

PUC has indicated that the developer will be required to enter into a subdivision agreement with the PUC regarding underground electrical and water services.

Sault Ste. Marie Region Conservation Authority

The entire site is within the CA's regulated area; therefore, permits will be required prior to any development, including all cut and fill work, stream work, storm water management work and slope stabilization. Prior to the approval of any future permits, the CA will require the information prescribed in their letter, dated September 28, 2007, and attached to this report.

As well, the Conservation Authority has advised that any existing wells on the property are to be decommissioned in accordance with Ministry of Environment guidelines. Prior to the finalization of the subdivision agreement, the developer should confirm any existing wells that are to be decommissioned.

The CA will also require sedimentation and storm water management plans that addresses storm water quality and quantity, and potential off-site impacts to fish habitat. This will be addressed prior to the finalization of the subdivision agreement.

Prior to the final approved plan, the CA will designate which properties will remain under the regulatory requirements. Staff recommends that the developer inform future lot owners as to which lots will be affected by the CA regulations.

The Conservation Authority also advised that all fill to be used in the development be clean fill as defined the Authority.

Department of Fisheries and Oceans

DFO does not have any objections to the proposal, subject to the proposed ponds retaining and releasing storm water at a rate that will not result in an increased rate of erosion or sedimentation to the downstream creeks. This will be addressed prior to the finalization of the subdivision agreement.

Accessibility Advisory Committee

The Accessibility Advisory Committee has provided a number of comments as they relate to barrier-free design. As per City standards, any future design of walkways, curb cuts, transit facilities, etc., will be designed to Ontario Provincial Standards, which take into consideration universal design principles.

Other Comments

All other commenting agencies or departments had no objections to the proposed subdivision.

Provincial Policy Statement (2005)

In accordance with Section 3 of the Planning Act, a decision of the council of a municipality, in respect of the exercise of any authority that affects a planning matter, "shall be consistent with" the Provincial Policy Statement (2005). The Provincial Policy Statement (PPS), which provides the policy foundation for regulating the development and use of land, have a number of policy recommendations related to new subdivision development.

As part of the review for this current subdivision proposal, Planning staff reviewed the PPS to assess the current proposal in relation to Provincial policy. The proposal, coupled with staff's recommendations, is consistent with the Provincial Policy Statements.

SUMMARY

The proposed Fox Run subdivision is located on lands immediately east of the future hospital and north of the recently approved Windsor Farms subdivision. The developer is proposing a mix of housing densities, as well as a number of institutional uses. With the proposed mix of housing densities, the development can accommodate approximately 200 to 300 dwelling units.

Planning staff is recommending approval of the Official Plan and Zoning By-law amendments necessary to facilitate this development. Staff is also recommending that the urban service line be amended to include the proposed subdivision.

Planning Director's Recommendation - That City Council approve the Draft Plan of Subdivision for the proposed Fox Run Subdivision, subject to the following:

1. That Council approve of Official Plan Amendment No. 133, re-designating the subject property from Rural Area to Residential on Schedule "C" of the Official Plan, to facilitate the development of these lands for residential and institutional uses. Institutional uses shall be developed in a park-like setting with adequate setbacks and high quality landscaping including trees, shrubs and pedestrian walkways to ensure compatible development with the adjoining residential uses.
2. That Council approve a bylaw authorizing the Legal Department to apply to the OMB to amend the urban service line
3. That Council approve the rezoning of the subject property, as per the following:

- a) Lots 1-16, and lots 83-159: From RA (Rural Area) to R2 (Single Detached Residential).
 - b) Lots 17-82: From RA (Rural Area) to R3 (Low Density Residential).
 - c) Lots 160-188: From RA (Rural Area) to R4 (Medium Density Residential).
 - d) Lots 189-191: From RA (Rural Area) to R4.S (Medium Density Residential, with a special exception) to permit the following institutional uses:
 - Accessory uses
 - Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations
 - Accessory use wind turbines - Refer to Section 4.13 for additional regulations
 - Care facilities
 - Group Home
 - Group Residence – Subject to site plan control
 - Hospices
 - Hospitals
 - Medical Centres
 - Nursing and Residential Care Facilities
 - Parks and Playgrounds
 - Places of Worship
 - Recreational Facilities, excluding animal pens and cages, bandstands, and horse riding establishments
 - e) That the Institutional zone regulations apply to the institutional uses identified in Condition 3(d).
 - f) That the R.4 height standard of 5 storeys be applied to the institutional uses identified in Condition 3(d).
4. That Lots 189-191 be designated as areas of Site Plan Control.
 5. That prior to registration, the subdivider enter into a Subdivision Agreement with respect to, but not limited to the following:
 - a) That the streets, corner roundings, in-ground services, sidewalks, drainage, etc., be designed and constructed to the satisfaction of the Commissioner of Engineering and Planning or his designate.
 6. That as part of the Subdivision Agreement, the developer informs potential purchasers of the lots affected by the fill regulated area and that a permit

is required from the Conservation Authority prior to the placing of any fill or development.

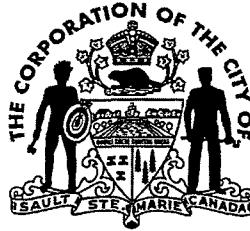
7. That as part of the finalization of the Subdivision Agreement, the developer be required to pay cash in-lieu of parkland for the deficiency in dedicated park space, which will be used to purchase playground equipment.
8. That prior to the finalization of the Subdivision Agreement, a per-lot fee, the amount to be determined by the City's Parks Division, should be collected from the developer for tree plantings.
9. That lots 192, 193, 194, 195, and 196, as shown on the attached plan, be dedicated to the municipality for open space, park land, storm water management.
10. That all sidewalks and walkways, as shown on the attached design concept drawing, are provided, and that the sidewalk along the inner loop of Road "B" is continued to its intersection with Road "A" and "C".
11. That prior to the finalization of the Subdivision Agreement, a phasing plan be completed to the satisfaction of the Commissioner of Engineering and Planning or his designate, which outlines the phasing of the development with respect to lot creation and servicing.
12. That prior to the finalization of the Subdivision Agreement, the location of a connection from the subdivision to the future Hub Trail be determined.
13. That proposed off-road paths connecting between streets and sidewalks, and the connection to the future Hub Trail, be designed to of a minimum width of 3.0 meters with an asphalt surface, as per the City's standard.
14. That prior to the finalization of the Subdivision Agreement, a plan be submitted, to the satisfaction of the Commissioner of Engineering and Planning, or his designate, showing details of the park and open space areas, including walking/cycling paths, storm water management areas and landscaping features.
15. That Road "A" and the easterly loop of Road "B" leading to Foxborough Trail be designed and constructed to accommodate City bus services, and that at the time of constructing these roads, concrete pads be constructed to accommodate future bus shelters, the location to be determined at the time of the subdivision agreement.
16. That prior to the finalization of the Subdivision Agreement, the applicant submit the information prescribed by the Engineering Division, as outlined

in their letter, dated September 25, 2007, and attached to this report, and that no work shall be commenced without the approval of the Commissioner of Engineering and Planning, or his designate, and that any work which requires approvals from the City and the Ministry of Environment shall not commence until such approvals and agreements are endorsed.

17. That the developer determine if the proposed development will impact the downstream capacity within the existing trunk sanitary sewer system prior to the finalization of the subdivision agreement.
18. That all future servicing infrastructure be to current City standards.
19. That prior to the finalization of the Subdivision Agreement, the developer be required to carry out an engineering assessment and design of the water distribution system to assure the provision of fire flows required to meet City requirements without compromising the existing distribution system.
20. That the developer be required to enter into a Subdivision Agreement with the PUC regarding underground electrical and water services.
21. That prior to the finalization of the Subdivision Agreement, the developer confirm any existing wells that are to be decommissioned, and if any, these well be decommissioned as per Ministry of Environment Guidelines.

SDT/pms

PUBLIC HEARING – 2007 10 15, Council Chambers, Civic Centre



2007 09 25

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

FROM: Catherine Taddo, P. Eng.
Municipal Services Engineer

SUBJECT: **APPLICATION A-25-07-Z.OP**
FOX RUN DEVELOPMENT (SAULT) INC.
817 THIRD LINE EAST

The Engineering Department has reviewed the above noted application and provides the following:

- A sediment control plan and storm water management plan must be submitted to the satisfaction of the Commissioner of Engineering and Planning or his designate, the Department of Fisheries and Oceans, and the Sault Ste. Marie Conservation Authority. Ministry of Environment guidelines shall be met for safety design objectives.
- Plans and specifications showing final presale grades should be reviewed and approved by the Commissioner of Engineering and Planning or his designate. Lot grading plans should show existing contours, and proposed grades for each lot. As constructed drawings should be modified to show only final grades.
- Soil tests are required in the road allowances, including a report on the road base design, considering the use of geotextile fabric and weeping tile and which determines the depth of the road base. A brief outlining the pavement design is also required.
- The Owner shall submit soil tests by an independent testing laboratory on the stability of the soil and its ability to sustain superimposed loads from building and filling operations and to furnish at no cost to the City certified copies of the results thereof for examination by the Commissioner of Engineering & Planning or his designate.

6(6)(e)

- No work shall be commenced without the approval of the Commissioner of Engineering & Planning or his designate and any work which requires approvals from the City and the Ministry of the Environment shall not commence until such approvals and agreements are endorsed.

If you have any questions with regards to the above, please do not hesitate to contact the undersigned.

Yours very truly,

A handwritten signature in black ink, appearing to read "C. Taddo". The signature is fluid and cursive, with a large initial "C" and a stylized "Taddo".

Catherine Taddo, P. Eng.
Municipal Services Engineer

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



6(6)(e)

**PUC SERVICES INC.
ENGINEERING DEPARTMENT
765 QUEEN STREET EAST, P.O. Box 9000
SAULT STE. MARIE, ONTARIO, P6A 6P2**

Our File

September 27, 2007

FAX: (705) 541-7165

Mr. Donald B. McConnell, Planning Director
Corporation of the City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

Dear Mr. McConnell

**RE: Application No. A-25-07-ZOP & 57T-07-505
817 Third Line East - Draft Subdivision Approval**

With regards to your September 13 correspondence regarding Fox Run Development, PUC has the following comments:

- 1) Burnside (2003) indicates the proposed subdivision is in an area of low susceptibility for groundwater contamination, and is within the 10-year capture zone. The area is not identified as a recharge area to be protected.
- 2) The subdivision water supply is shown from Third Line and from Windsor Farms subdivision. The report indicates that PUC will extend watermain along Third Line. The Third Line project is presently under Environmental Assessment, and a Part II order request has yet to be resolved. The timing of the extension of the Third Line watermain is therefore uncertain – it may not occur in 2008.
- 3) Walker Engineering has indicated to PUC that the Windsor Farms subdivision required connection at both Old Garden River Road and at Northwood Crescent to allow for adequate fire flow. Thus far, Windsor Farms has been unable to obtain required easements to allow connection at Northwood. If Windsor Farms does not have adequate fire flow without connection at Northwood, it is unclear how adequate flow will be provided to Fox Run without a connection at Third Line.
- 4) The proposed subdivision is relatively large. PUC will require that the developer carry out sufficient engineering assessment and design of the water distribution system to assure provision of fire flows required to meet City requirements without compromising the existing distribution system.
- 5) Recent rates of development indicate that the capacity for drinking water production will need to be increased. PUC is committed to providing safe drinking water for Sault Ste. Marie, and will meet demand increases with increased capacity and implementation of conservation programs as required.

- 6) We wish to advise that the Owner must enter into subdivision agreements with PUC Services Inc. in order to provide underground electric and water services to the proposed development.

If you have any further questions relating to the above, please call me at 541-2382.

Yours truly,
PUC SERVICES INC.


Andrew Hallett, P.Eng.,
Water Distribution Engineer

cc.

encl.



"Man and Nature"

Sault Ste. Marie Region Conservation Authority

Friday, September 28, 2007

Mr. Donald B. McConnell
Planning Director
The Corporation of the City of Sault Ste. Marie
Civic Centre P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

Dear Mr McConnell

Re: Application No. A25-07-Z.OP and 57T-07-505
Fox Run Development (Sault) Inc.
817 Third Line East

The Sault Ste. Marie Region Conservation Authority has reviewed the Draft Plan of Subdivision and supporting information for the above proposed development which includes 191 lot mixed residential/ some institutional subdivision.

The SSMRCA has no objections to the proposed development provided the following

1. The entire site is in a Regulation 176/06 regulated area associated with the streams and associated hazard lands (ravines) found on the property. A permit from the SSMRCA will be required for all cut and fill work, stream work, storm water retention pond construction and slope stabilization work associated with the development.
2. The subdivision will be municipally serviced by water and sanitary sewage facilities and no subsurface disposal or well water sources are planned.
3. All existing wells located on the property are to be decommissioned in accordance with Ministry of the Environment's O. Regulation 903 and associated policies.
4. The property has several flowing and intermittent streams running west to east through it. The developer is attempting to conserve as much of the natural features by establishing Blocks 192 193 194 and 195 as parkland, storm water retention areas and buffer areas. Prior to commencement of any earth moving operations, the developer is to submit for approval an application with supporting information showing the extent and type of work proposed, if any, in these sensitive areas, in particular:
 - a. Amount and location of all cut and fill
 - b. Grades to be maintained

- c. Proposed methods to maintain slope stability
 - d. Protection of streams from sediment runoff
 - e. Vegetation protection, proposed re-vegetation and erosion protection techniques.
 - f. Maintenance/promotion of shading over waterways
 - g. Design and construction of any retaining walls
 - h. Details of any stream crossings including extent of fill and culvert sizing for the road crossing area at the southeast end of the subdivision.
5. The SSMRCA has concerns for fish habitat and sedimentation which may occur off site from the work proposed in the development. The SSMRCA is requesting a Sediment Control Plan and a Storm Water Management Plan be prepared and approved by the DFO, City and the SSMRCA prior to any work being initiated on the property. The plans will detail the approach to ensure the expected quality of stormwater discharge from the subdivision will be better than or equivalent to pre construction water quality. This plan will be required prior to the issuance of a permit under Regulation 176/06 by the SSMRCA.
6. Prior to final plan of Subdivision Approval the SSMRCA will designate which properties will remain under the regulatory requirements of Regulation 176/06. This designation will read:
- Lots ____ to ____ inclusive are located in an area subject to cut and fill regulations administered by the Sault Ste. Marie Region Conservation Authority. A permit from the said authority is required for any alterations involving cutting or filling and additional building construction on the said lots prior to commencing the proposed work.
7. All fill to be used in the development of the subdivision shall be clean fill as defined by the SSMRCA.

We have discussed application with our Drinking Source Water Protection Section who has indicated they have no concerns with the proposed subdivision in relation to their mandate.

If you have any questions in regards to the above comments please feel free to contact me directly.

Yours truly

Frank Tesolin
Technical Adviser

c.c. Linda Whalen/ Christine Aasen, SSMRCA
Catherine Taddo, City Engineering

Memo

To: J. Elliott P. Eng
From: Ted Russell City of Sault Ste. Marie
CC: File: S. Bringleson
Date: 10/3/2007
Re: Fox Run Subdivision.

Sanitary Sewer:

Have there been flow tests on the McNabb St trunk sewer at or near Manitou Dr and Gibb St? I have concerns as to whether this trunk can handle this much more flow. I estimate from the drawings that there would be 347.67 Cubic Meters per day added to this system. This does not include the extra flow introduced by the Windsor farms subdivision.

The forced main will require flushing ports. The type and design will depend on the size of the forced main.

The pump station will be a flygt station if it is to be operated by the city, this falls in with our plan to upgrade our stations to the flygt type. We have dealt with the sole source issue before and I think it is now accepted.

Storm Sewer:

In dealing with the storm water retention ponds. I see by the plans that there is a walkway over (or very near) the storm sewer leading to the inlet of these ponds. This walkway should be enlarged to 3m from 1.5m to facilitate access for cleaning these systems. We would therefore have access from the storm sewer easement as well as from the street. (Road B)

General:

Before accepting the easements we would need to know the depth of the sewers.

Again; we do not accept corrugated PVC pipe for the storm or sanitary sewer.



6(6)(e)

October 1, 2007

Don McConnell
Planning Director
City Planning & Engineering Division

SUBJECT: REZONING APPLICATION REVIEW – 57T-07-505

Fox Run Development

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: Accessibility Standards to be applied
2. Walkways & Sidewalks: Wide enough to accommodate accessible mobility device(s).
3. Curb Cuts: According to accessibility guidelines
4. Ramping: According to accessibility guidelines
5. Green space access: According to accessibility guidelines
6. Transit Access: Consult with Transit re appropriate stop(s), access, turns, ensure accessibility needs.
7. Lighting: Appropriate to provide adequate visibility/safety
8. Signage: Appropriate color/contrast, size and symbols.
9. Other: Reference to institutions – What institutions? How will that contribute to amount of traffic including foot traffic? Will the 10% rule be applicable to subdivision development.
10. Any changes to the site Plan must be reviewed proper to acceptance.

6(6)(e)

Steve Turco

From: Hallett, Jennifer [HallettJ@DFO-MPO.GC.CA]
Sent: October 5, 2007 1:23 PM
To: Steve Turco
Subject: Fox Run Estates

hello Steve,

I read over the report for the Fox Run Subdivision I received September 18, 2007. I have spoken with Frank Tesolin of the Sault Ste. Marie Region Conservation Authority about the storm water retention ponds and I am not an engineer so I can not assess the appropriateness of the size and retention time of those ponds. Suffice it to say I see no Fisheries Act concerns with the ponds if they are able to retain and release the stormwater at a rate that will not result in an increased rate (from the current undeveloped state) of erosion of the natural drainage channel they will release into. Nor significantly increase the level of suspended sediments from that currently found in the downstream receiving creek.

In addition, when they are available, I would like to see the plans for the creek/ ravine crossing that is located at the south east corner of the development.

I will be away all next week, so I hope this meets your needs for comments.

Sincerely,

Jennifer Hallett

Fish Habitat Biologist |Biologiste, Habitat du poisson

Sault Ste. Marie District |Bureau de district de Sault Ste-Marie

Fisheries and Oceans Canada |Pêches et Océans Canada

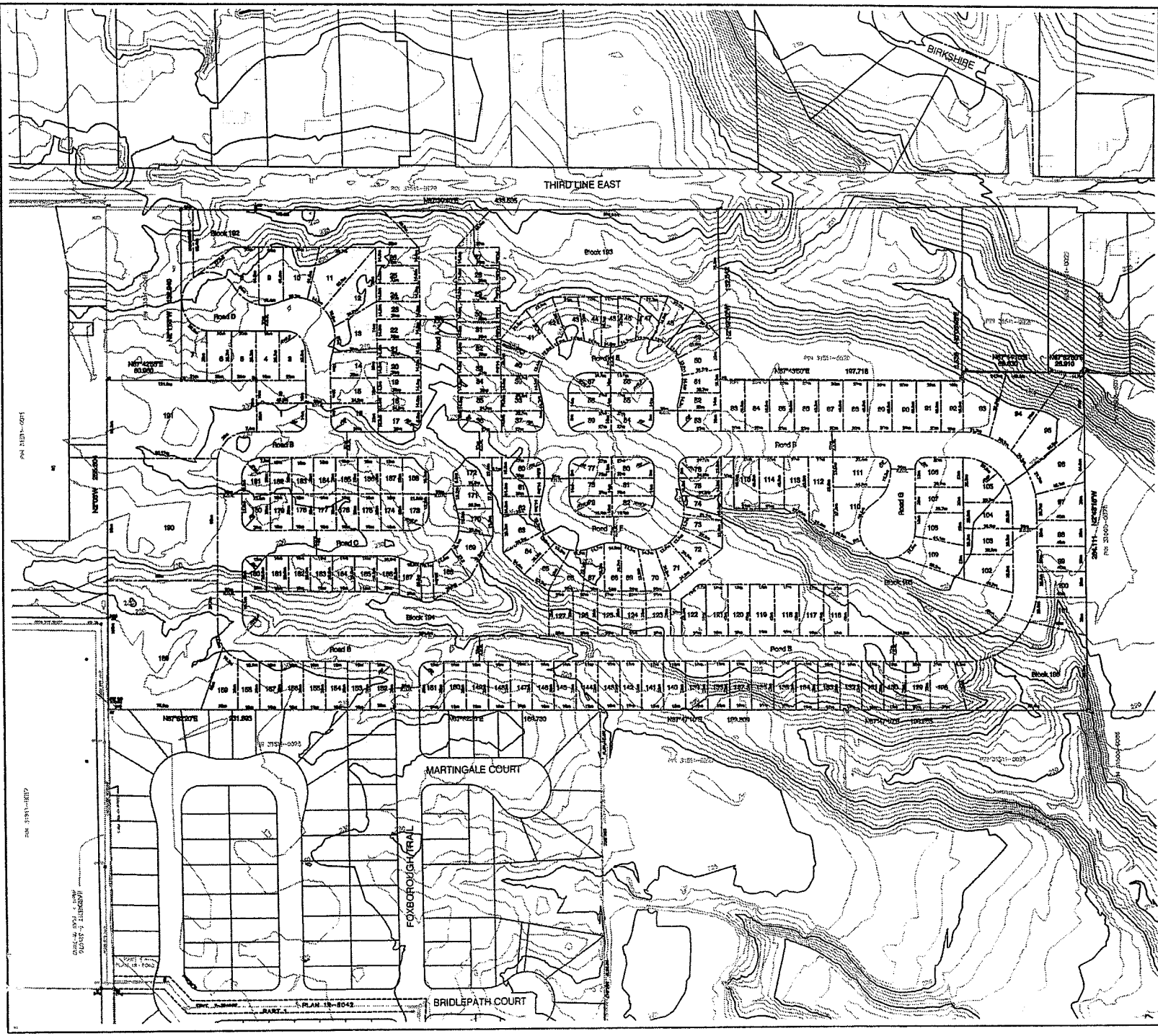
219 Queen St. East |1219, rue Queen Est

Sault Ste. Marie, ON |Sault Ste. Marie (ON) P6A 2E5

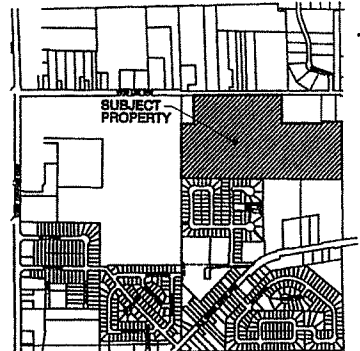
Telephone/ Téléphone: (705) 941-2012

Facsimile/ Télécopieur: (705) 941-2013

10/05/2007



- LEGEND:**
- W DENOTES FOUND EVIDENCE
 - D DENOTES IRON BAR
 - DENOTES PROPOSED LOT LINE
 - DENOTES PROPOSED BOUNDARY
 - DENOTES PROPOSED LOT LINE
 - DENOTES PROPOSED BOUNDARY



KEY PLAN SCALE - 1:12,500

DRAFT PLAN OF SUBDIVISION **FOX RUN DEVELOPMENT (SAULT) INC.** PIN 31511-0019

SCALE 1:1500

JOB NUMBER 2007-22 DATE JULY 10 2007

DRAWN BY EGM CHECKED BY JH

FEE/DATE



- Additional Information Required Under Section 51 (17) of the Planning Act:**
- (a) Boundaries Are As Shown
 - (b) Proposed Roads As Shown
 - (c) Key Plan As Shown
 - (d) Mixed Use, Mixed Density, Residential/Institutional
 - (e) Adjoining Uses Are: Institutional, Rural, Residential
 - (f) 191 Lots 15.4 Ha.
Roadways 6.6 Ha.
Parks Open Space 4.4 Ha.
Storm Water Management
 - (g) Rolling Terrain, Well Drained
 - (h) Municipal Water Supply
 - (i) Clay Till
 - (j) Contours As Shown
 - (k) Existing Sanitary Sewer & Existing Drainage Course
 - (l) No Restrictions

OWNERS' AUTHORIZATION

I, FOX RUN DEVELOPMENT (SAULT) INC., ASSOCIATED OWNER OF THE ABOVE LANDS, HEREBY AUTHORIZE AND SUBMIT THIS PLAN OF SUBDIVISION FOR APPROVAL.

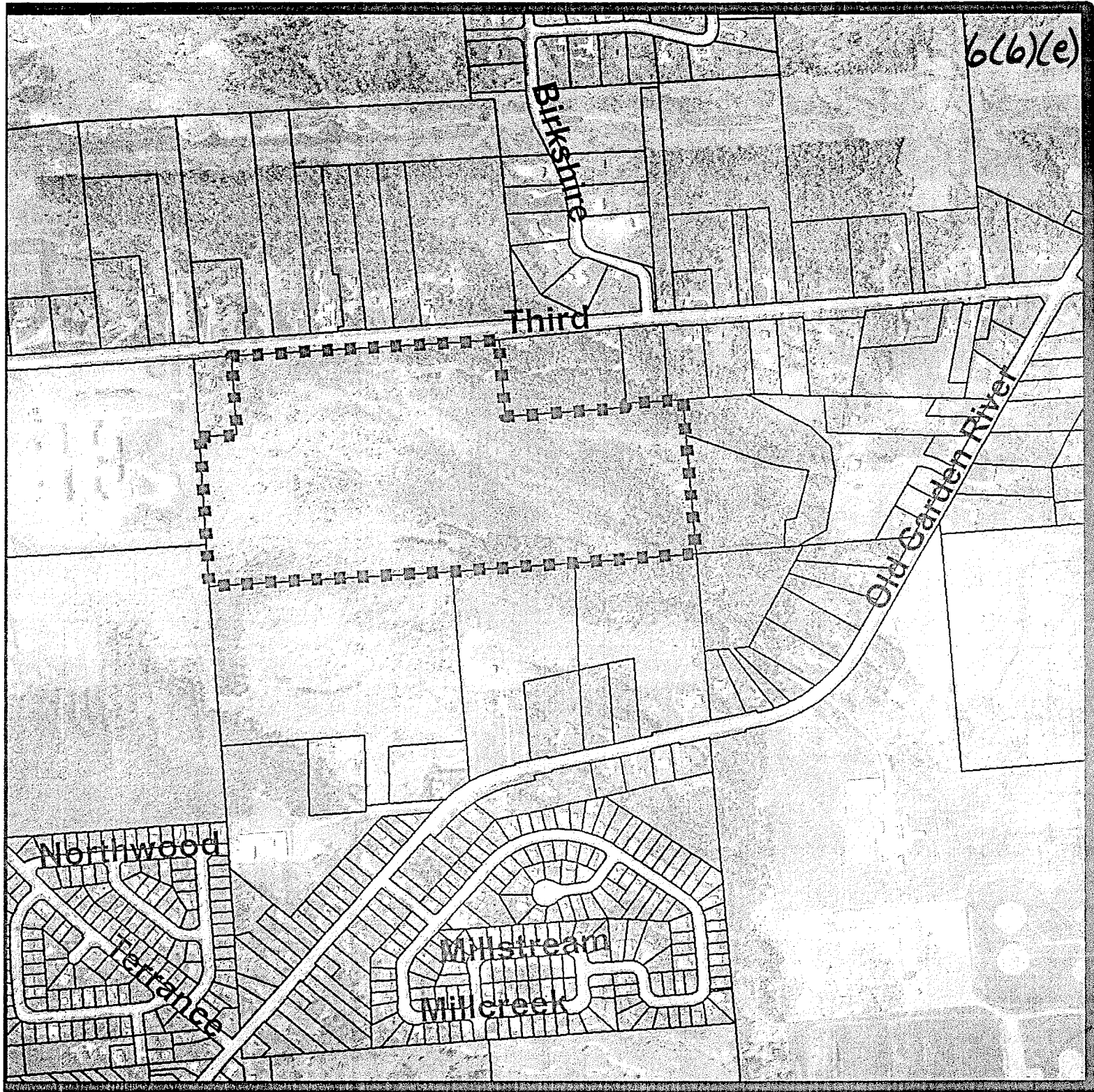
DATE _____ SIGNATURE (SAULT) INC.

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THE BOUNDARIES OF THE LAND TO BE SUBDIVIDED AS SHOWN ON THIS PLAN AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE SHOWN ACCURATELY AND CORRECTLY.

DATE _____ D.E. URSO, Q.S.

1061616

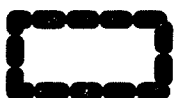


SUBJECT PROPERTY MAP

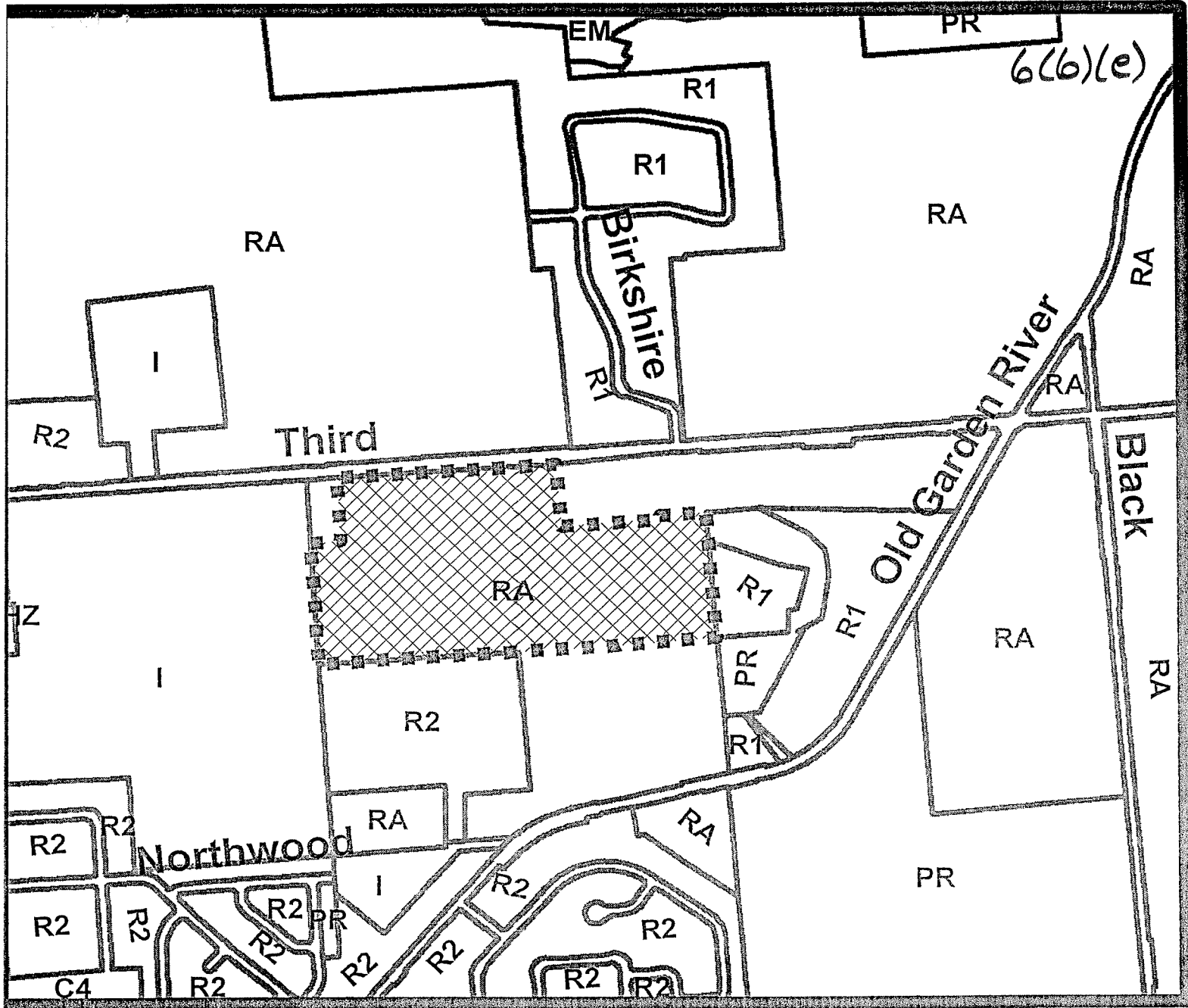
Application A-25-07-Z.OP

Subdivision Reference 57T-07-505 [Fox Run]

Metric Scale
1 : 9000



Subject Property [Proposed Subdivision Area]



EXISTING ZONING MAP

Application A-25-07-Z.OP

Subdivision Reference 57T-07-505 [Fox Run]

Metric Scale
1 : 12000



Subject Property



R1 - Estate Residential Zone



R2 - Single Detached Residential Zone



I - Institutional Zone



RA - Rural Area Zone; RAhp



PR - Parks and Recreation Zone



Map 1-114

MEMORANDUM

TO: CITY OF SAULT STE. MARIE
MAYOR AND COUNCILLORS

FROM: H. J. BRIAN CURRAN, PRESIDENT & C.E.O.
PUC INC.

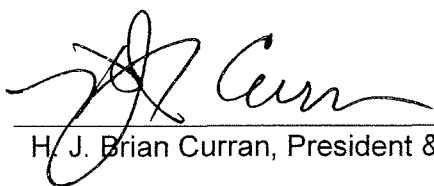
DATE: October 19, 2007

SUBJECT: 2007 THIRD QUARTER SHAREHOLDER REPORT

Attached is the Third Quarter Shareholder Report for the period June 1 to September 30, 2007 and the unaudited financial statements for September 2007.

I will be available at the next Council meeting to answer any questions on the report.

If you have any questions, please do not hesitate to call me at 759-6538.



H. J. Brian Curran, President & C.E.O

c.c. City of Sault Ste. Marie, C.A.O

attachments 1. 2007 Third Quarter Report
 2. Unaudited September 2007 Financial Statements

PUC INC. 2007 THIRD QUARTER REPORT

PUC SERVICES

Lighting retrofits were completed at the Queen Street building, the Service Centre and the Water Treatment Plant. The City also approved retrofitting the lighting system at the west end wastewater treatment plant. The total cost to retrofit the four buildings was \$69,830. Annual savings are projected to be \$25,652 and annual energy savings are estimated at 285 MWh.

As a result of heavy rain on September 21 a portion of the influent to both the east and west end plants had to be diverted around the secondary treatment process for a short period of time. The bypasses were reported to the MOE. The partially treated sewage was blended with fully treated effluent, disinfected and discharged. The blended effluent did not exceed provincial secondary effluent treatment standards. Both treatment plants were in compliance with provincial requirements during the past quarter.

The drop boxes that are located around the city where individuals can deposit their utility payments will be removed in the near future. Use of the boxes other than the one in front of the Queen Street building is very low and the boxes are the target of vandalism from time to time. The drop box in front of the Queen Street building will remain in use.

PUC DISTRIBUTION

Degree days were 7.7% less than normal but 10.3% more than the first nine months of 2006. Electricity consumption was 225.5 GWh, 1% below budget but 1.7% above last year's consumption year-to-date. System peak in the first quarter was 139.7 MW compared to 137.3 MW in 2006. Given the fact that there has been a higher heating load than last year and economic expansion has added more customers, one would have anticipated a higher increase in electricity consumption. There is strong evidence that energy conservation measures employed by consumers are having a noticeable impact.

The appliance round up program is proving very popular. Approximately 625 old appliances have been picked up to the end of September. Prior to the start of the program we had expected to collect 144 appliances. Our experience reflects that found in other communities throughout Ontario. The program is funded by the Conservation Bureau of the Ontario Power Authority (OPA).

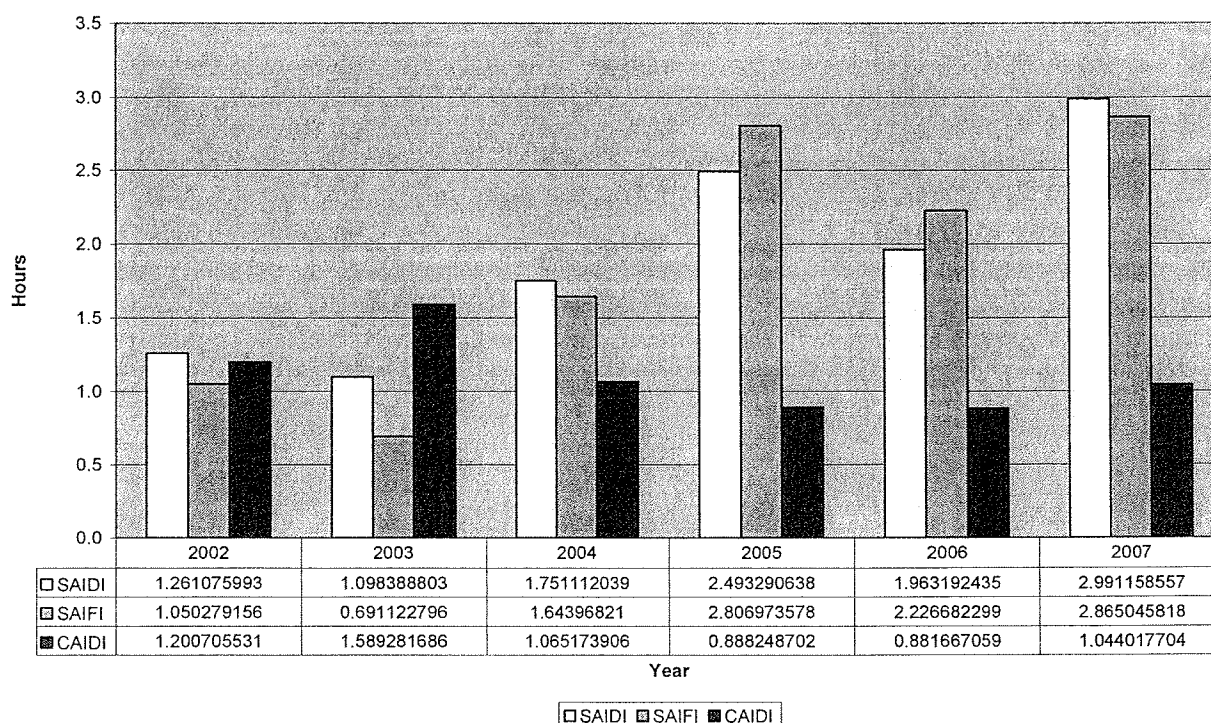
An application has been filed with the OEB to recover payments in lieu of taxes (PILS) expense that resulted from the provincial budget in March. The budget requires local distribution companies (LDC) such as PUC Distribution to calculate PILS using the OEB deemed debt to equity ratio of 50/50 rather than the existing 90/10 ratio. In addition, PUC Distribution is preparing a rate application to the OEB to set rates for a three year period beginning May 1, 2008.

OPA's standard offer program has generated significant interest in renewable power facilities that are less than 10 MW. The facilities must be connected to an LDC grid in order to be eligible for the 11 ¢/kWh rate from the OPA. PUC Distribution has received a request to connect six 10 MW solar generating facilities in the City. The OPA has issued a contract for two 10 MW facilities and construction is expected to begin in early 2008.

A review of the financial structure of PUC Distribution by an outside consultant concluded that the existing debt to equity ratio of 90/10 was not sustainable especially in light of the provincial budget in March. The consultant, however, also concluded that a blend of interest payments and dividends should provide the City with equivalent revenue on average but such payments cannot be guaranteed every year.

System reliability continued to deteriorate during the quarter. A weather related event caused an outage that affected over 10,000 customers for approximately two hours. Equipment failures also were a major contributor to outages. The 2008 budget will have a significant increase in resources dedicated to equipment maintenance and replacement.

**Reliability Indices - January 1 to September 30
(excluding Loss of Supply)**



WATER SYSTEM

Water consumption for the first nine months was 8.5 million cubic meters a slight increase of 0.1 million over 2006. This is in spite of the fact that precipitation during July and August of this year was half of what occurred in 2006. Water production was down 2.5% indicating a reduction in losses and unaccounted for consumption.

As reported to council in August 2007 regulations have been put in place that require us to sample 80 private residences, 8 non residential facilities and 16 points in the water distribution system for lead, alkalinity and pH. The sampling program must begin December 15, 2007 and continue indefinitely on a semi annual basis.

Since the November 2006 start of recording annual watermain breaks we have experienced 86 breaks, equal to the five year average.

PUC TELECOM

Plans are being developed to connect nine facilities under the Smart Systems for Health program by November 1, 2007. PUC Telecom and its partner, Ontera, are negotiating a five year agreement to provide high speed broadband services to the Algoma District School Board. All ADSB facilities must be connected by July 2008.

PUC ENERGIES

Business activity was minimal, limited only to sentinel lighting rentals.

FINANCIAL STATUS

PUC Inc. had unconsolidated net income of \$132,415 for first nine months of the year, compared to \$162,869 in 2006. Interest expense to the City for the period was \$1,909,059.

PUC Distribution Inc. had net income of \$303, 809 compared to a loss of \$274,097 in 2006 and a year-to-date budgeted loss of \$273,971. Revenue was up 3% and expenses were down 3% from the same period in 2006. A slight loss for the year is still projected.

Year-to-date net income for the water utility was \$2,205,012 compared to \$2,073,591 in 2006. Extensive capital works have been completed but full invoicing is not expected for these projects until later in the year. A significant capital project will not proceed this year as a result of engineering reevaluation. This and the deferral of other municipal projects will result in a significant surplus for the year. These projects are deferred not deleted and funds will still be required to complete them in the near future.

PUC Services had net income of \$130,108 compared to a loss of \$228,862 in 2006. PUC Telecom had net income \$119,812 compared to \$60,115 in 2006. Telecom revenues were up 11% and expenses were down 9.5% for the period. PUC Energies' net income was \$50,086 compared to a \$23,930 in the same period in the previous year.

Summary of Operations



For the Period Ending September 30, 2007

PUC Inc.**Summary of Operations****For the Period Ending September 30, 2007**

	Budget	YTD Budget	YTD Actual
Miscellaneous Revenue	\$120,000	\$94,788	\$115,891
Related Party Interest	\$2,307,650	\$1,730,045	\$2,064,083
	\$2,427,650	\$1,824,833	\$2,179,974
Related Party Interest	\$2,045,401	\$1,534,051	\$1,909,059
Administrative Expenses	\$374,245	\$283,208	\$138,501
	\$2,419,646	\$1,817,259	\$2,047,560
Net Income (Loss)	\$8,004	\$7,575	\$132,415

PUC Distribution Inc.**Summary of Operations****For the Period Ending September 30, 2007**

	Budget	YTD Budget	YTD Actual
Distribution Revenue	\$11,946,072	\$8,662,012	\$8,742,995
Miscellaneous Revenue	\$874,029	\$705,340	\$910,030
	\$12,820,101	\$9,367,353	\$9,653,025
Cost of Power Revenue	\$49,000,000	\$36,260,000	\$36,473,478
Cost of Power Expense	\$49,000,000	\$36,260,000	\$36,473,478
	\$0	\$0	\$0
Operating and Maintenance Expenses	\$3,605,052	\$2,775,206	\$2,450,908
Administrative Expenses	\$4,010,141	\$2,937,658	\$2,650,395
Depreciation	\$2,870,000	\$2,181,921	\$2,152,503
Interest Expense	\$2,329,650	\$1,746,539	\$2,095,410
	\$12,814,844	\$9,641,324	\$9,349,216
Net Income (Loss)	\$5,257	(\$273,971)	\$303,809

Public Utilities Commission - Water Utility



Summary of Operations

For the Period Ending September 30, 2007

	Budget	YTD Budget	YTD Actual
Water Revenue	\$10,378,888	\$7,983,153	\$8,181,519
Miscellaneous Revenue	\$345,551	\$257,070	\$311,397
	\$10,724,439	\$8,240,224	\$8,492,916
Appropriations from W/C	\$1,000,000	\$0	\$0
	\$1,000,000	\$0	\$0
Operating and Maintenance Expenses	\$5,093,101	\$3,782,214	\$3,420,318
Administrative Expenses	\$2,560,428	\$1,854,111	\$1,736,356
	\$7,653,529	\$5,636,325	\$5,156,673
Capital Expenditures	\$4,006,524	\$1,958,782	\$1,131,230
	\$4,006,524	\$1,958,782	\$1,131,230
Net Income (Loss)	\$64,386	\$645,117	\$2,205,012

PUC Services Inc.
Summary of Operations
For the Period Ending September 30, 2007



	Budget	YTD Budget	YTD Actual
Streetlight Revenue	\$546,000	\$409,500	\$409,962
Contract Revenue	\$3,708,602	\$2,515,413	\$2,589,392
Management Fee Revenue	\$5,038,556	\$3,778,917	\$3,466,597
Miscellaneous Revenue	\$107,184	\$71,708	\$88,017
	\$9,400,342	\$6,775,538	\$6,553,968
Operating and Maintenance Expenses	\$3,663,869	\$2,551,778	\$2,304,208
Administrative Expenses	\$4,327,802	\$3,267,665	\$3,191,749
Depreciation	\$1,243,535	\$932,407	\$927,903
Interest Expense	\$0	\$0	\$0
	\$9,235,206	\$6,751,850	\$6,423,860
Net Income (Loss)	\$165,136	\$23,687	\$130,108

6(8)(a)

PUC Telecom Inc.
Summary of Operations
For the Period Ending September 30, 2007



	Budget	YTD Budget	YTD Actual
Telecommunication Revenue	\$493,626	\$360,026	\$382,539
Miscellaneous Revenue	\$57,061	\$42,791	\$54,377
	\$550,687	\$402,817	\$436,916
Operating and Maintenance Expenses	\$59,440	\$44,535	\$36,232
Administrative Expenses	\$174,534	\$132,978	\$100,872
Depreciation	\$240,000	\$182,400	\$180,000
	\$473,974	\$359,913	\$317,104
Net Income (Loss)	\$76,713	\$42,904	\$119,812

PUC Energies Inc.
Summary of Operations



For the Period Ending September 30, 2007

	Budget	YTD Budget	YTD Actual
Rental Revenue	\$65,000	\$48,750	\$45,608
Miscellaneous Revenue	\$50,000	\$36,500	\$47,516
	\$115,000	\$85,250	\$93,125
Operating and Maintenance Expenses	\$62,477	\$47,132	\$36,912
Administrative Expenses	\$18,931	\$14,193	\$4,021
Depreciation	\$2,800	\$2,099	\$2,106
	\$84,208	\$63,424	\$43,039
Net Income (Loss)	\$30,792	\$21,826	\$50,086

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-183

AGREEMENT: (A.3.9.1) a by-law to authorize an agreement between the City of Sault Ste. Marie and the City of Sudbury

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

1. EXECUTION OF DOCUMENTS

The Mayor and Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to an agreement between the City of Sault Ste. Marie and the City of Sudbury with respect to administering an immigration portal.

SCHEDULE "A"

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

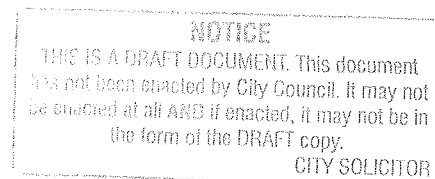
3. EFFECTIVE DATE

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

Read THREE times and PASSED the 29th day of October, 2007

MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK - MALCOLM WHITE





Scope Document – City of Greater Sudbury – Sault Ste Marie CMS Immigration Portal

Client Company: City of Sault Ste Marie
Client Contact: Frank Coccimiglio
Introduction
The City of Sault Ste Marie would like to leverage the mysudbury.ca portal solution and infrastructure for their Immigration portal needs. It would be a CMS 2002 based portal that will be managed by the Sault Ste. Marie team leveraging the existing look & feel with some of the functionality of the mysudbury.ca Immigration portal with Sault Ste Marie branding.

Scope of Work
The scope of this project involves leveraging the existing templates of the mysudbury.ca portal (as defined in the assumptions) and building out a new CMS 2002 (only) portal. The look and feel would follow the existing mysudbury.ca portal with the branding of the City of Sault Ste Marie. This portal would be independent of the mysudbury.ca solution and would not share any components or content. There are no requirements for any Sharepoint or commerce related functionality for this project and would be considered out of scope. High level overview of items included in scope: • Environment Setup for the project and configuration of the new production environment for the portal. • System Requirements Specifications based on the existing functionality of the templates. • Development of re-branded templates and selected controls from mysudbury.ca (post immigration portal project) for the CMS 2002. • No design phase required as project, however, production time required to integrate the branding of Sault Ste. Marie into the existing look and feel from the templates copied of the mysudbury.ca portal. • Training documentation on how to use the CMS Authoring environment and one week of on-site training.

Risks and Assumptions

- We assume any change in the scope of the work would require a re-estimate here.
- We assume on completion of requirements we would re-estimate accordingly to provide a fixed price quote for the effort required if applicable.
- We assume to leverage the existing look and feel of the Sudbury portal with the branding/logos provided by Sault Ste Marie. The existing Sudbury templates would be copied and re-engineered accordingly to cover the functionality within scope of this project. Templates that would be copied are: Homepage, Redirect, IFRAME, Event detail, Event Listing, News detail, News listing, Article 2 column, Article 3 column and gallery component template.
- We assume no Sharepoint related functionality to be included within scope here.
- We assume the only functionality to be built within scope of the project aside from the CMS templates would be an event calendar, link control and Image gallery component.
- We assume all domain names that require to be used would be purchased by the Sault Ste. Marie team.
- We assume all content entry for the project to be conducted by the Sault Ste Marie team.
- We assume that all branding images to be provided by the Sault Ste Marie team.
- We assume start date for this project would be post March 07 (tentatively) as it would depend on the latest templates developed as part of Sudbury's Immigration project.
- We assume that the deliverables for this project would include the following: System Requirements Document, Test Cases and Training documentation on how to use the authoring environment.
- We assume a 1 week UAT period which is based on common shared test cases between the SSM and Sudbury. Any delays in UAT are likely to impact the estimate. It has to be noted that since the templates used would be existing templates any changes required to the templates would be treated as outside of scope of the project and would required to be billed in addition.
- We assume a 30 day warranty period for this project.

Pricing & Delivery Timeframe

The fixed fee cost range for this project is based on the estimate of 338 hours of effort plus one week of on-site training.

The total cost range for the work outlined in this scope document is \$50,000.00 - \$65,000.00.

The total cost of license fee's and hosting per month is \$1,000.00 (or \$12,000 per year).

Total project cost for a 4 year period: High-end \$113,000, low-end \$98,000

After 4 years, the monthly cost would drop to \$500.00 per month.

APPROVAL

We the undersigned, warrant that we have authority to bind The Corporation of the City of Sault Ste. Marie and approve mysudbury.ca(CGS) to proceed with the allocation of this project based on the above scope and stated fees.

THE CORPORATION OF THE CITY OF
SAULT STE. MARIE

MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK–MALCOLM WHITE

SSM Immigration Portal Estimate

This agreement may be terminated immediately by either party upon default or with 60 days written notice on the mutual consent of the parties.

Assumptions
Any changes in the requirements or scope of work is likely to effect the estimate and would require a re-estimate. This website would follow the existing look and feel of the mysudbury.ca portal using a color theme determined in the elaboration phase. Any additional design implementation required would be treated as a change request. The deliverables as part of the project would be the Systems Requirements Specification, Deployment package and shared test cases. We expect the client to provide acceptance signoff within a period of 3 days after delivery of the application on the production environment. Should no notification be received, the application would be considered accepted and formally signed off. We assume the CMS templates to have the functionality as available on the current mySudbury portal in collaboration with the requirements document provided as part of this project. We assume any delays in sign-off or deliverables from either party would impact the delivery schedule. We assume the warranty period to begin based on deployment and acceptance on production (i.e. sudbury environment) and for a total duration of 30 days. The warranty scope covers, at no additional cost, any level 1/2 issues defined either in UAT/warranty and any level 3/4 items defined during the UAT period. The shared test cases would be considered a mechanism by which the project functionality is to be signed off. We assume the portal to be bilingual and all translation to be conducted by the client. We assume the content entry is to be owned by the client and conducted on the sudbury environment. We assume the warranty period to begin based on deployment and acceptance on production (i.e. sudbury environment) and for a total duration of 30 days. The warranty scope covers, at no additional cost, any level 1/2 issues defined either in UAT/warranty and any level 3/4 items defined during the UAT period. After 48 months, the fee for licenses and hosting would be \$500 per month.

APPROVAL TO PROCEED

I, the undersigned, have authority to bind the corporation

THE CORPORATION OF THE CITY OF
SAULT STE. MARIE

MAYOR - JOHN ROWSWELL

DEPUTY CITY CLERK - MALCOLM WHITE

Dated this 29th day of October, 2007

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-176

OFFICIAL PLAN AMENDMENT: A by-law to adopt
Amendment No. 129 to the Official Plan.

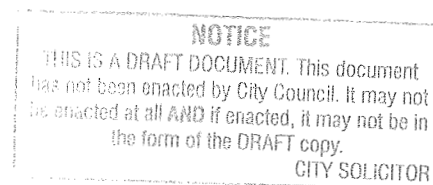
THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 21 of the Planning Act, R.S.O. 2000, chapter P.13 and amendments thereto, ENACTS as follows;

1. The Council hereby adopts Amendment No. 129 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

Read THREE TIMES and PASSED in open Council this 29th day of October, 2007

MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK – MALCOLM WHITE



10(b)

**AMENDMENT NO. 129
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to Schedule "C" of the Official Plan.

LOCATION:

Part of Lot 61, all of Lots 62 and 63, Plan 6061, Part of Lane Being Part 2, 1R11083, located behind properties along the south side of Wellington Street West, approximately 40m west of its intersection with Beverly Street, and approximately 42m east of Carmens' Way. Civic No. Rear 333 Wellington Street West.

BASIS:

This Amendment is necessary in view of the request to redevelop the property for the storage of vehicles, transportable storage units, and personal storage facilities.

The proposal does not conform to the existing Residential policies as they relate the to the subject property.

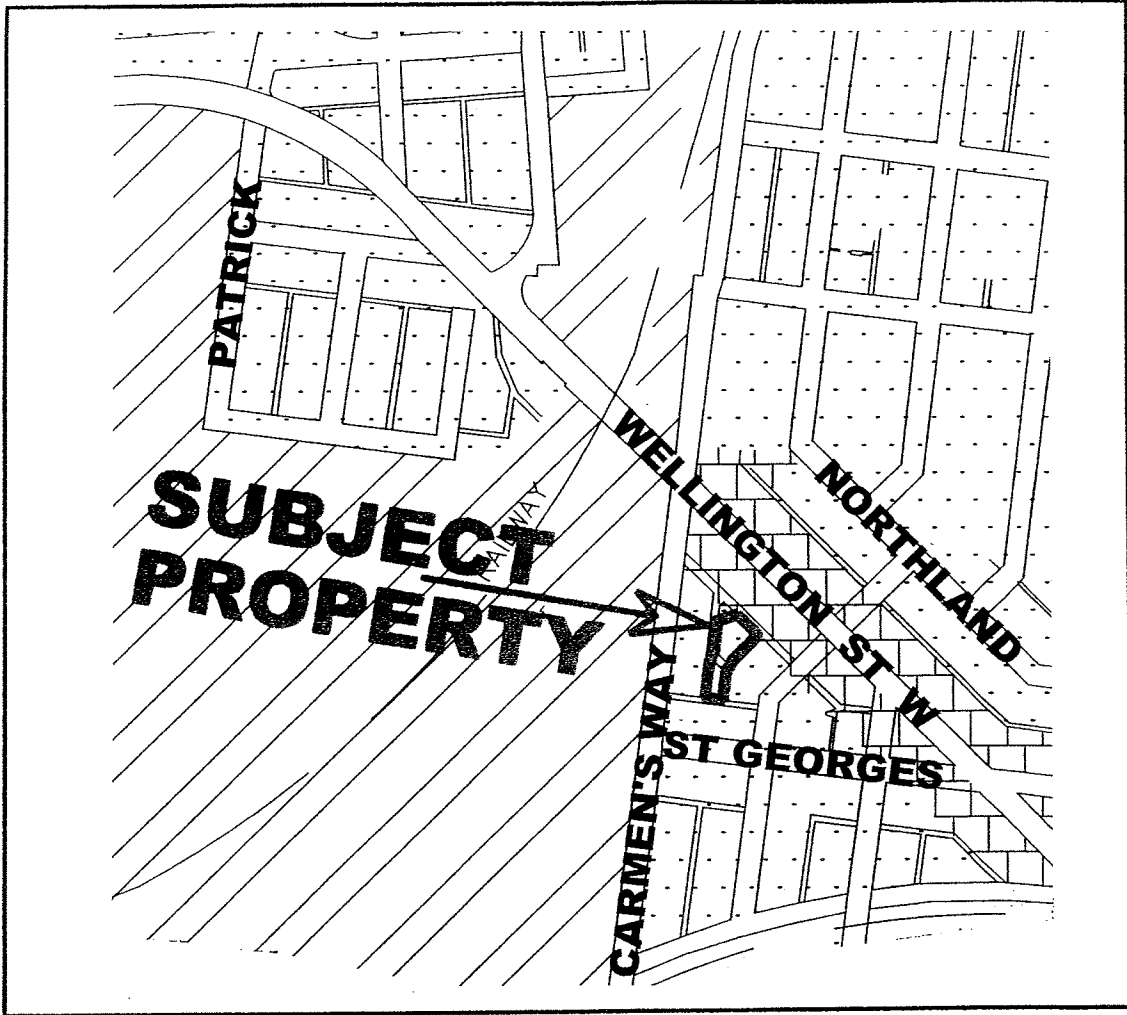
Council now considers it desirable to amend the Official Plan re-designating the subject property from "Rural Area" to "Commercial".

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the City of Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Residential" to "Commercial".

INTERPRETATION

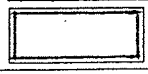
The provisions of the Official Plan as amended from time to time will be applied to this Amendment.



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND

	RESIDENTIAL		INDUSTRIAL		PARKS RECREATIONAL
	COMMERCIAL		INSTITUTIONAL		RURAL AREA

SCHEDULE "A" to AMENDMENT No. 129



10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007- 182

OFFICIAL PLAN AMENDMENT: A by-law to adopt
Amendment No. 132 to the Official Plan.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 21 of The Planning Act, R.S.O. 2000, Chapter P.13 and amendments thereto, ENACTS as follows:

1. The Council hereby adopts Amendment No. 132 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

Read THREE TIMES and PASSED in open Council this 29th day of October, 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

DEPUTY CITY CLERK – MALCOLM WHITE

**AMENDMENT NO. 132
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 Rural Area policies.

LOCATION:

Part of NW ¼ of Section 27, former TWP of Korah, being Parts 1, 2 and 3 on 1R-3120: located on the south side of Third Line West, approximately 150 meters west of Goulais Avenue; Civic Number 875 Third Line West: Zoning Map 1-104 and 1-105.

BASIS:

This Amendment is necessary in view of a request to sever the subject property to create four additional rural residential lots.

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

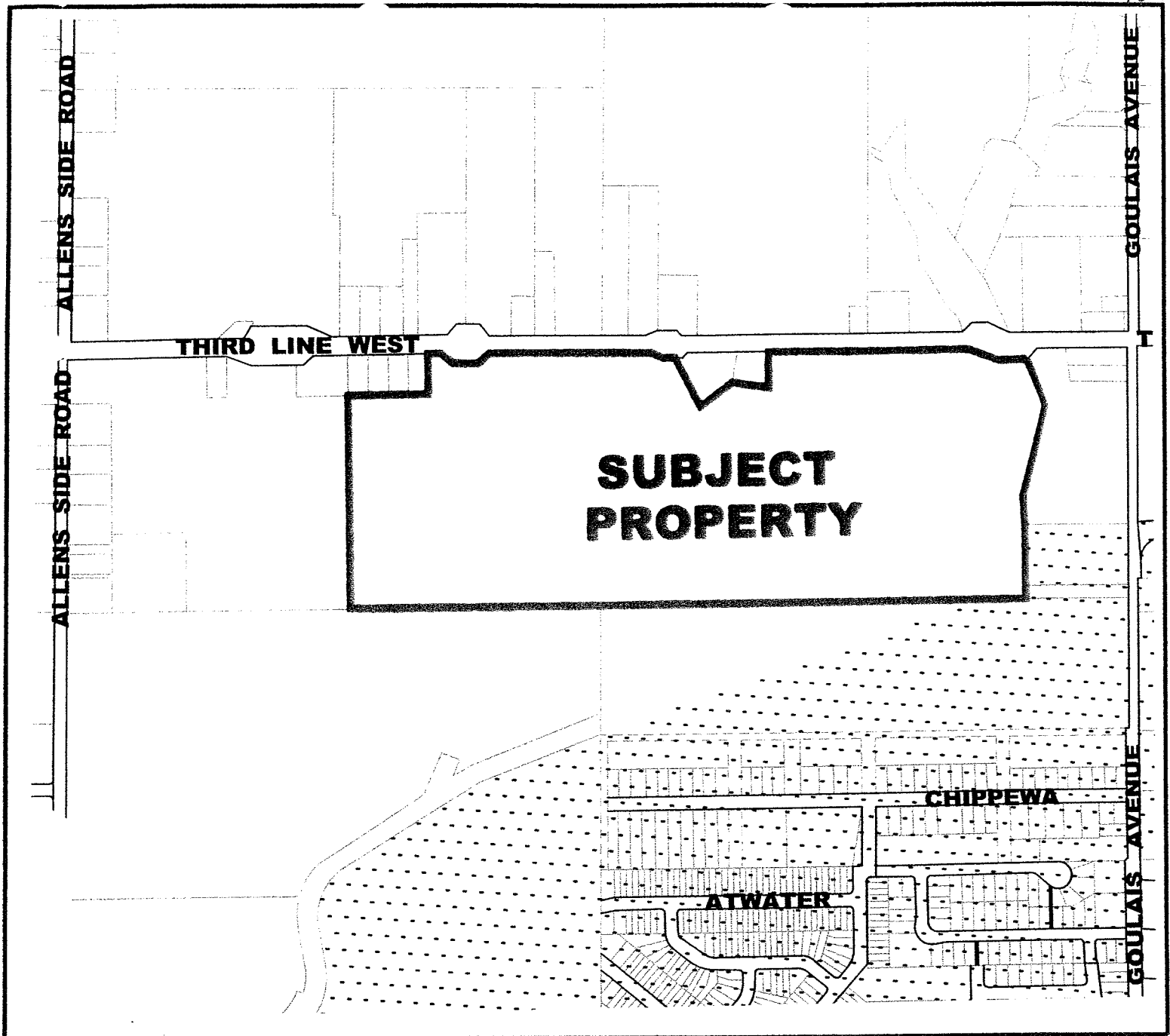
The Official Plan for the City of SSM is hereby amended by adding the following paragraph to the Special Exceptions Section:

"Special Exceptions"

87. Notwithstanding the Rural Area policies of the Official Plan, lands described as the Part of NW ¼ of Section 27, former TWP of Korah, being Parts 1, 2 and 3 on 1R-3120: located on the south side of Third Line West, approximately 150 meters west of Goulais Avenue, may be used for four (4) additional rural residential lots.

INTERPRETATION

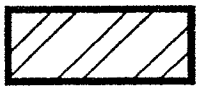
The provisions of the Official Plan as amended from time to time will be applied to this Amendment.



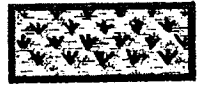
OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



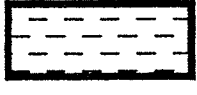
INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 132



10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-184

ASSUMPTION: a by-law to assume for public use and establish as public street a portion of Nelson Street shown as Part 3 on Plan 1R-11431

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

1. **STREETS ESTABLISHED AND ASSUMED**

The streets or parts of streets more particularly described in Schedule "A" to this by-law are hereby established as public streets and are assumed for public use.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

READ THREE times and PASSED in open Council this 27^h day of October , 2007.

MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK – MALCOLM WHITE

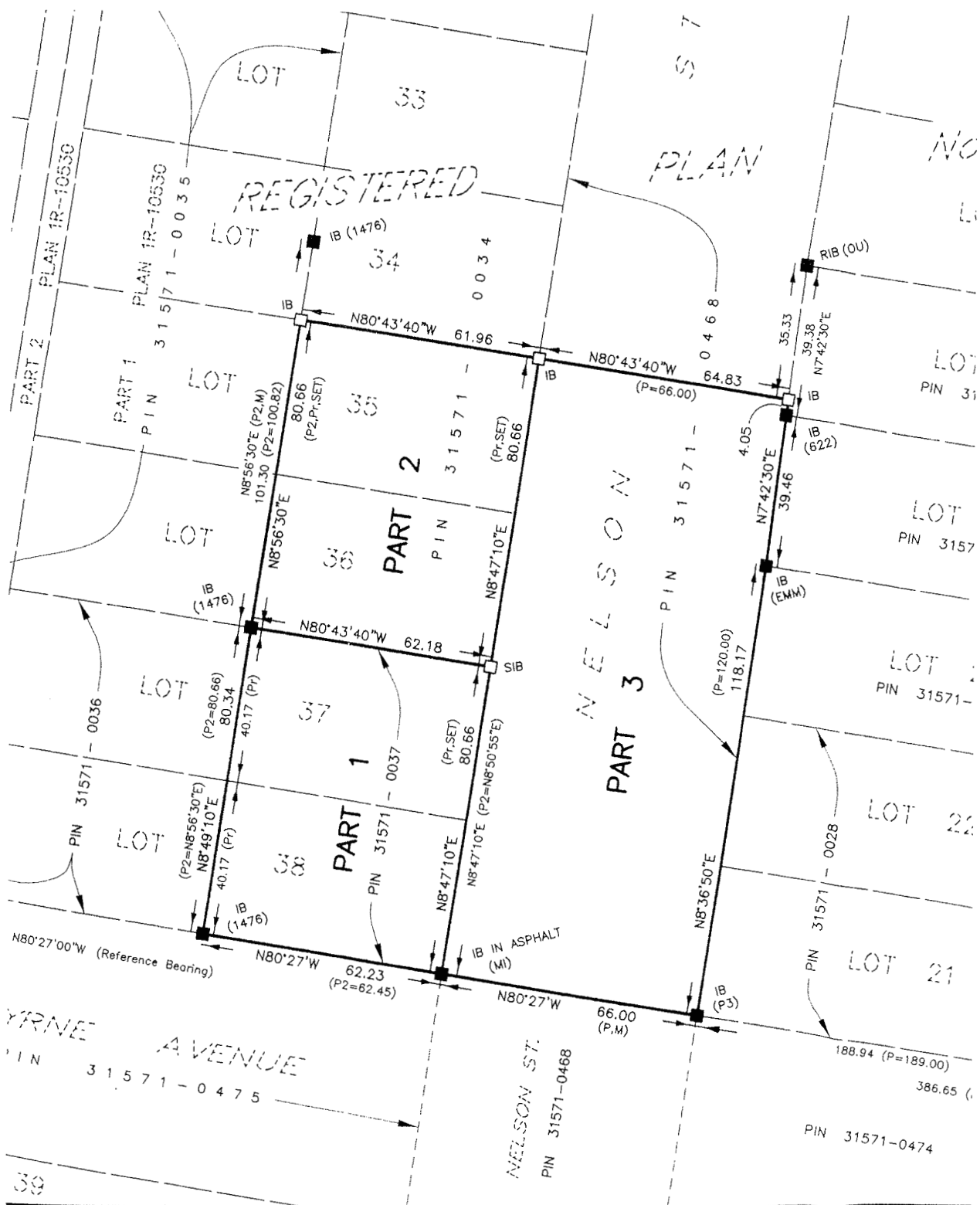
NOTICE

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

CITY SOLICITOR

SCHEDULE "A" TO BY-LAW 2007-184 and 2007-185

Description: Part of Nelson Street, Pt 3 on Plan IR-11431; City of Sault Ste. Marie,
District of Algoma (PT PIN NO. 31571-0468)



10(e)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007- 181

TRAFFIC: (T.2.1) A by-law to amend Schedule "A" of Traffic By-law 77-200.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to the provisions Section 11 the Municipal Act, 2001, S.O. 2001 c. 25 and amendments thereto, ENACTS as follows:

1. Schedule "A" to Traffic By-law 77-200 is amended by deleting item 565 of the Schedule "A" and replacing it with the following:

<u>No.</u>	<u>Street</u>	<u>Side</u>	<u>From</u>	<u>To</u>	<u>Prohibited Time</u>
565	Spadina Ave.	East	24 m north of Young Street	Wallace Terrace	any time

2. EFFECTIVE DATE

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

Read THREE TIMES and PASSED in open Council this 29th day of October, 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

DEPUTY CITY CLERK – MALCOLM WHITE

10(f) 1)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-177

ZONING: A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 and 2005-151 concerning lands located at 333 Wellington Street West.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the Planning Act, R.S.O. 2000, chapter P.13 and amendments thereto, ENACTS as follows:

1. **PART OF LOT 61, ALL OF LOTS 62 AND 63, PLAN 6061, PART OF LANE, PLAN 6061, BEING PT 2 ON PLAN 1R-11083, LOCATED BEHIND PROPERTIES ALONG THE SOUTH SIDE OF WELLINGTON STREET WEST, APPROXIMATELY 40M WEST OF ITS INTERSECTION WITH BEVERLEY STREET, AND APPROXIMATELY 42M EAST OF CARMEN'S WAY;
CHANGE FROM R.3 TO C.1.S.**

The zone designation on the lands described in Section 2 of this by-law, which lands are shown on Map No. 1-47 of Schedule "A" to By-law 2005-150 is changed from R.3., Low Density Residential Zone to C.1.S., Traditional Commercial Zone with a "special exception".

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding thereto the following subsection 2(252) and heading as follows:

"2(252) 333 Wellington Street West

Despite the provisions of the By-law 2005-150, the lands located on Part of Lot 61, all of Lots 62 and 63, Plan 6061, Part of A lane, Plan 6061, being Part 2 on Plan 1R-11083, located behind properties along the south side of Wellington Street West, approximately 40m west of its intersection with Beverley Street and approximately 42m east of Carmen's Way and marked "subject property" on the map attached as Schedule No. 252 hereto is changed from R.3., Low Density Residential Zone to C.1.S., Traditional Commercial Zone with a special exception to permit to the following uses only:

- a) Outdoor storage of vehicles
- b) Outdoor storage of transportable storage units; and
- c) Personal storage facilities"

3. **SCHEDULE "A"**

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

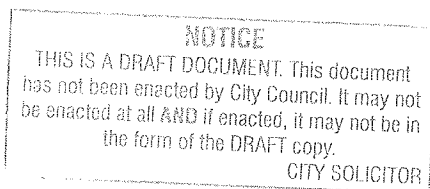
4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie, authorized and in force on the day of the passing of this by-law as amended by Official Plan Amendment No. 129.

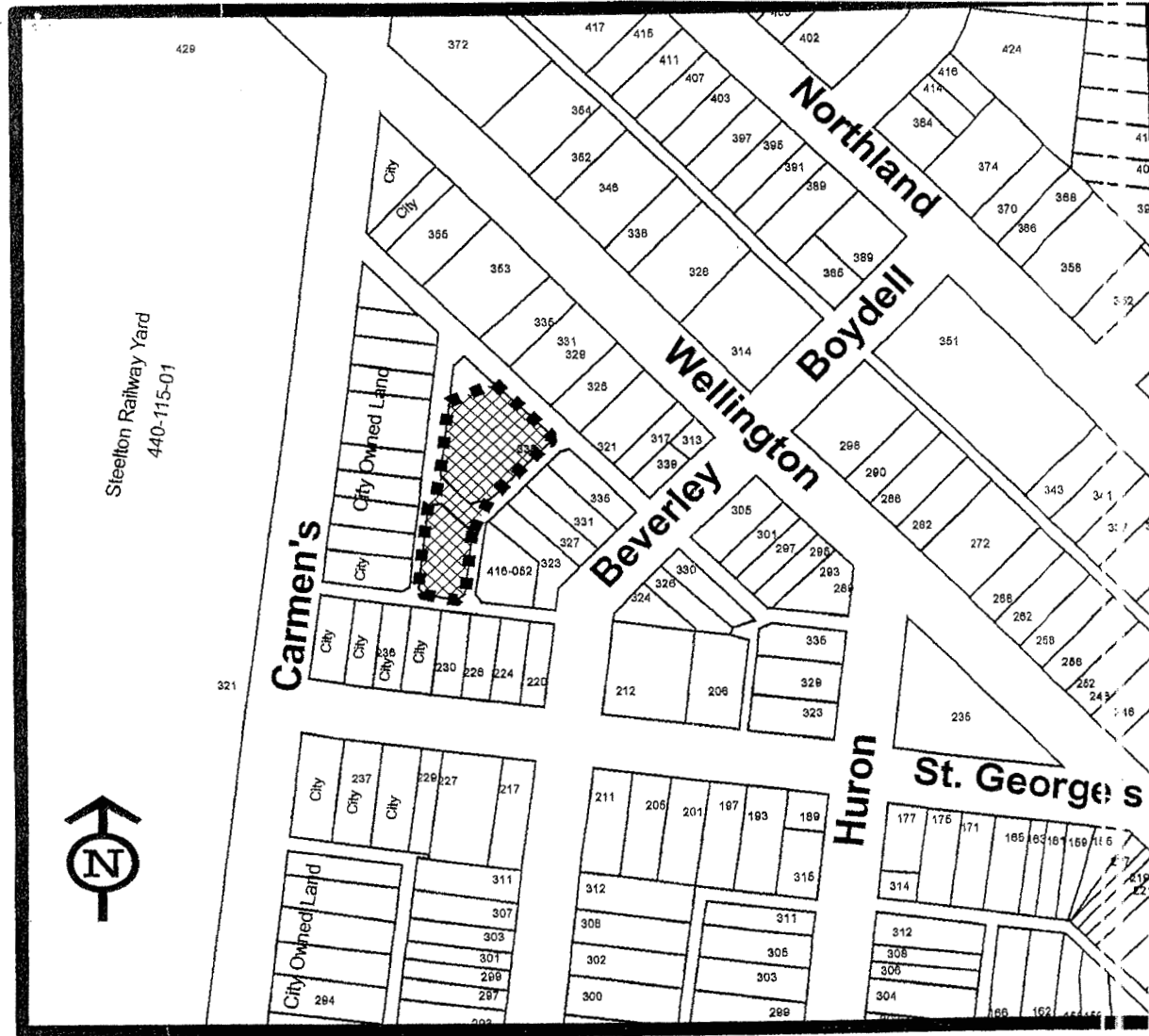
READ THREE TIMES and PASSED in Open Council this 29th day of October, 2007.

MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK–MALCOLM WHITE



SCHEDULE A TO BY-LAW 2007-177 AND SCHEDULE 252 TO BY-LAW 2005-151 OF
THE CORPORATION OF THE CITY OF SAULT STE. MARIE, READ THREE TIMES
AND PASSED IN OPEN COUNCIL THIS 29TH DAY OF OCTOBER, 2007.



MAP 1-4'

SUBJECT PROPERTY MAP

METRIC SCALE
1 : 2000

APPLICATION A-21-07-Z-OP

333 Rear Wellington Street West

August 200



SUBJECT PROPERTY -333 Wellington Wes

10(9)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-178

DEVELOPMENT CONTROL: A by-law to designate the lands located at 333 Wellington Street West as an area of site plan control.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 41 of the Planning Act, **ENACTS** as follows:

1. **DEVELOPMENT CONTROL AREA**

The lands described on Schedule "A" attached hereto are hereby designated to be an area of site plan control pursuant to Section 41 of the Planning Act, R.S.O. 2000 chapter P. 13 and amendments thereto.

2. **SITE PLAN POWERS DELEGATED**

The Council hereby delegates to the Planning Director and in his absence to the Junior Planner of the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the Planning Act as amended, for the lands more particularly described in Schedule "A" to this by-law.

3. **SCHEDULE "A"**

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

4. **PENALTY**

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is liable upon conviction therefor to penalty provisions as contained in the Planning Act and the Municipal Act.

5. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

READ THREE TIMES and **PASSED** in Open Council this 29th day of October, 2007.

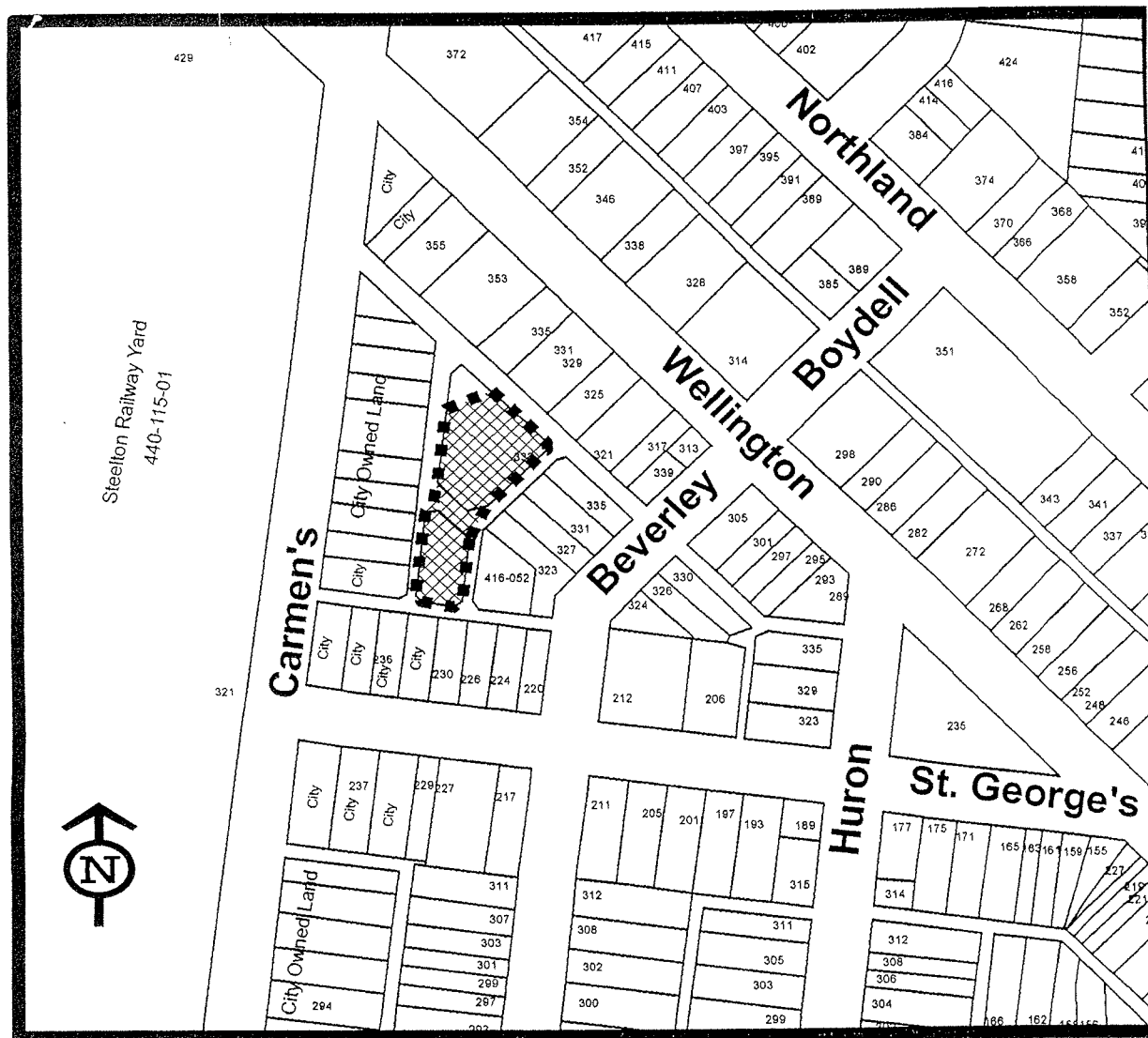
MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK – MALCOLM WHITE

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CITY SOLICITOR

10(g)

SCHEDULE "A" TO BY-LAW 2007-178 OF THE CORPORATION OF THE CITY OF SAULT BE READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 29TH DAY OF OCTOBER, 2007



MAP 1-47

SUBJECT PROPERTY MAP

METRIC SCALE
1 : 2000

APPLICATION A-21-07-Z-OP
333 Rear Wellington Street West

August 2007



SUBJECT PROPERTY -333 Wellington West

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-185

STREET CLOSING: (S.2.3.) a by-law to stop up, close and authorize the conveyance of an unopened portion of Nelson Street to the abutting owners of 553 Nelson Street

WHEREAS the street or part of the street more particularly hereinafter described was established as a public street and assumed for public use by By-law 2007-184

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

1. STREET CLOSED

The street or part of street more particularly described in Schedule "A" to this by-law, having been assumed by the Corporation for public use, is hereby stopped up and closed.

2. LANDS DECLARED SUPLUS

The lands more particularly described in Schedule "A" to this by-law are surplus to the requirements of the municipality.

3. EASEMENTS TO BE RESERVED

Subject to the retention of easements if required, the Corporation shall convey all of the street that is more particularly described in Schedule "A" to this by-law.

4. EXECUTION OF DOCUMENTS

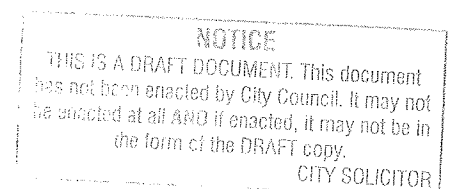
The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

5. CONVEYANCE TO ABUTTING OWNERS

The said street shall be offered to the owners of the lands abutting thereon. In default of acceptance thereof within 30 days of such offer being made to him by prepaid first class mail, the said street shall be offered to the persons owning lands opposite to the said street or part of the street.

6. SCHEDULE "A"

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



7. EFFECTIVE DATE

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

Read the first and second times this 29th day of October, 2007

MAYOR – JOHN ROWSWELL

DEPUTY CITY CLERK – MALCOLM WHITE

Read a THIRD time and PASSED in open Council this day of
2007 after notice thereof had been published once a week for two consecutive
weeks and after the Council had met to hear every person who claims that his
land will be prejudicially affected by the by-law and who had applied to be heard.

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

