

AGENDA
REGULAR MEETING OF CITY COUNCIL
2007 12 10
4:30 P.M.
COUNCIL CHAMBERS

1. **ADOPTION OF MINUTES**

Mover - Councillor O. Grandinetti

Seconder - Councillor J. Caicco

Resolved that the Minutes of the Regular Council Meeting of 2007 11 26 be approved.

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

3. **APPROVE AGENDA AS PRESENTED**

Mover - Councillor O. Grandinetti

Seconder - Councillor S. Butland

Resolved that the Agenda for the 2007 12 10 City Council Meeting as presented be approved.

4. **DELEGATIONS/PROCLAMATIONS**

- (a) Diana Taranto, Chair, Community Christmas for Children will be in attendance concerning Proclamation - Community Christmas for Children.
- (b) Debbie Amaroso, Chair, Sault Ste. Marie Physician Recruitment and Retention Committee; Ron Gagnon, Sault Area Hospital; and Graham Clark, Group Health Association will be in attendance concerning agenda item 6.(8)(a).
- (c) Dave Hornstein, on behalf of the Searchmont Ski Association Board will be in attendance concerning agenda item 6.(8)(b).

PART ONE – CONSENT AGENDA

5.

COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

Mover - Councillor O. Grandinetti

Seconder - Councillor J. Caicco

Resolved that all the items listed under date 2007 12 10 - Part One - Consent Agenda be approved as recommended.

- (a) Correspondence from AMO and OGRA is attached for the information of Council.
- (b) Correspondence from the Municipality of Assigninack (concerning support for establishing the S.S. Norisle as a regional heritage cruise ship); the Town of Caledon (concerning requesting the provincial government consider increasing fees and royalties charged to aggregate operators); and the Township of Elizabethtown-Kitley (concerning cost of training related to Fire Code enforcement) is attached for the information of Council.
- (c) A letter of request for a temporary street closing is attached for the consideration of Council.
 - 1) on Foster Drive from Spring to St. Marys River Drive in conjunction with Ontario Winter Carnival Bon Soo (February 1st)
 - 2) on Shore Drive (for the 10 days of Bon Soo)The relevant By-law 2007-205 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (d) A letter from the Municipal Property Assessment Corporation MPAC concerning an update on MPAC activities is attached for the information of Council.
- (e) A letter from the Minister of Municipal Affairs and Housing concerning the work of the Ministry and concerns shared with municipalities is attached for the information of Council.
- (f) A letter from Grace Performance Chemicals concerning the City's special waste depot winter closure affecting polystyrene recycling is attached for the information of Council.
- (g) A letter from the Ontario Medical Association concerning support for a provincial ban on smoking in vehicles where children are present is attached for the information of Council.

5. (h) Letters from Sault Ste. Marie Michigan City Manager to a Congressman and to two Senators concerning a request to authorize expedited border crossings for emergency fire and ambulance crews crossing for emergency services are attached for the information of Council.
- (i) The Outstanding Council Resolutions List dated 2007 11 26 is attached for the information of Council.
- (j) **Council Travel**
- Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that Councillor James Caicco be authorized to travel to the Toronto area for a review of Private Suites in other municipal facilities (2 days in December) at a cost of \$800.00 to the City.
- (k) **Staff Travel Requests**
- A report of the Chief Administrative Officer is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 12 10 be approved as requested.
- (l) **Property Tax Appeals**
- A report of the City Tax Collector is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
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 12 10 be approved and the tax records be amended accordingly.
- (m) **Proposal for Asbestos Inventory and Hazard Assessment - City-Owned Buildings**
- A report of the Manager of Purchasing is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the Manager of Purchasing dated 2007 12 10 be endorsed and that the Proposal for Asbestos Inventory and Hazard Assessment of City-Owned Buildings, required by the Health and Safety Division of the Human Resources Department be accepted as recommended.

5. (n) **Tender for Oils, Greases and Gear Lubricants (2007WA23)**
A report of the Manager of Purchasing is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that the report of the Manager of Purchasing dated 2007 12 10 be endorsed and that the Tender for the supply and delivery of Oils, Greases and Gear Lubricants, required by various City Departments and cooperatively PUC Services Inc., be awarded as recommended.
- (o) **Tender for Sledge Hockey Equipment**
A report of the Manager of Purchasing is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the Manager of Purchasing dated 2007 12 10 be endorsed and that the Tender for Sledge Hockey Equipment, required by the Social Services Department, be awarded as recommended.
- (p) **Tax Collection Policies and Procedures**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. The relevant By-law 2007-212 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
Note: The Tax Collection Policy is attached to the by-law.
- (q) **Investment Policy**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. The relevant By-law 2007-213 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
Note: The Investment Policy is attached to the by-law.
- (r) **Borrowing By-laws for 2008**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. The relevant By-laws 2007-210 and 2007-211 are listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (s) **Employee Suggestion Plan**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. This is in response to a Council resolution dated 2005 10 17.

5. (s) Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 12 10 concerning Employee Suggestion Plan be accepted and the recommendation that this matter be brought back in 2009 for possible action be approved.
- (t) **Financial Information System Update**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 12 10 concerning Financial Information System Update be accepted as information.
- (u) **Financial Report at June 30th and September 30th, 2007**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 12 10 concerning Financial Report at June 30th and September 30th, 2007 be accepted as information.
- (v) **2008 Budget - Proposed Timetable**
A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the Commissioner of Finance and Treasurer dated 2007 12 10 concerning 2008 Budget - Proposed Timetable be accepted as information.
- (w) **Wastewater Collection and Treatment Works - Supervisory Control and Data Acquisition System (SCADA) Project**
A report of the Director of Engineering Services is attached for the consideration of Council.

5. (w) Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that the report of the Director of Engineering Services dated 2007 12 10 concerning Wastewater Collection and Treatment Works - Supervisory Control and Data Acquisition System (SCADA) Project be accepted and the recommendation that the upset limit in the agreement with EarthTech be revised to \$599,728.00 and further that EarthTech be retained to provide the SCADA programming for \$398,750.00 be approved.
- (x) **Replacement of the Civic Centre Elevators**
A report of the Commissioner of Engineering and Planning is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 12 10 concerning Replacement of Civic Centre Elevators be accepted and the recommendation that a second traction elevator from Thyssen Krupp Elevator be ordered by the end of December in order to enable its installation by May 2008 at a cost of \$132,000.00 with funds to come from the 2008 Capital from Current be approved.
- (y) **Biosolids Management Study**
A report of the Director of Engineering Services is attached for the consideration of Council. The relevant By-law 2007-208 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.
- (z) **City Owned Property - 372 Wellington Street West**
A report of the Commissioner of Engineering and Planning is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that the report of the Commissioner of Engineering and Planning dated 2007 12 10 concerning City Owned Property - 372 Wellington Street West be accepted and the recommendation that Council endorse an agreement between the City and 1187846 Ontario Limited and that staff be authorized to proceed in accordance with the four items contained in the report be approved.
- (aa) **Proposed Sale of City Property Located at 324 Second Line West**
A report of the City Solicitor is attached for the consideration of Council. The relevant By-law 2007-209 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

5. (aa) Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the City Solicitor dated 2007 12 10 concerning Proposed Sale of City Property Located at 324 Second Line West be accepted and the recommendation that Council authorize acceptance of the offer from Peter L. Bortolussi in Trust, in the amount of \$131,000.00, be approved.
- (bb) **Steelback Naming, Advertising and Sponsoring Agreement**
A report of the Assistant City Solicitor is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor S. Butland
Resolved that the report of the Assistant City Solicitor dated 2007 12 10 concerning Steelback Naming, Advertising and Sponsorship Agreement be accepted as information and further that staff report back to Council as to the status of the agreement in the New Year be approved.
- (cc) **Sidewalk Plowing - West Side of Tuckett Street**
A report of the Commissioner of Public Works and Transportation is attached for the consideration of Council.
- Mover - Councillor O. Grandinetti
Second - Councillor J. Caicco
Resolved that the report of the Commissioner of Public Works and Transportation dated 2007 12 10 concerning Sidewalk Plowing - West Side of Tuckett Street be accepted and the recommendation that the sidewalk on the west side of Tuckett Street be added to the sidewalk snowplow route and that the associated cost to plow and sand this sidewalk be added to the Winter Maintenance Cost Centre be approved.

PART TWO – REGULAR AGENDA

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

6. (1) **ADMINISTRATIVE**

(a) **Procurement Policies and Procedures**

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council. The relevant By-law 2007-187 is listed under Item 10 of the Agenda and will be read with all other by-laws listed under that item.

6. (6) **PLANNING**

(a) **Application No. A-29-07-Z - Brian Gallagher - 11 Millwood Street - Request to Rezone to Add "Personal Storage" or "Mini Warehousing" to the Existing "C-4" (General Business) Zoning**

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

Mover - Councillor O. Grandinetti

Seconder - Councillor S. Butland

Resolved that the report of the Planning Division dated 2007 12 10 concerning Application No. A-29-07-Z - Brian Gallagher be accepted and the Planning Director's recommendation that City Council approve the rezoning of the subject property to allow personal storage as a permitted use, subject to the 2 conditions contained in the report, be endorsed.

(b) **Application No. A-30-07-Z.OP - James Rennison - 1661 Base Line - Request to Rezone to Legalize the Existing Contractor's Yard and the Sale/Rental of Freight Containers**

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

Mover - Councillor O. Grandinetti

Seconder - Councillor J. Caicco

Resolved that the report of the Planning Division dated 2007 12 10 concerning Application No. A-30-07-Z.OP - James Rennison be accepted and the Planning Director's recommendation that City Council approve the application to rezone the subject property from "RA" (Rural Area) to "RA-S" (Rural Area) with a Special Exception, subject to the 3 conditions contained in the report, be endorsed.

(c) **Application No. A-31-07-Z.OP - Mattioli Craft Limited - 1601 Trunk Road (East Half) - Request to Rezone to Permit a Reload Centre for Logs, on a Temporary Three Year Basis in Addition to Other Industrial Uses**

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

Mover - Councillor O. Grandinetti

Seconder - Councillor S. Butland

Resolved that the report of the Planning Division dated 2007 12 10 concerning Application No. A-31-07-Z.OP - Mattioli Craft Limited be accepted and the Planning Director's recommendation that City Council DENY the applicant's request for permission to operate a 'Reload Centre for Logs and Pulpwood' on a temporary basis not to exceed three years, and that Council approve the following:

1. Rezoning of the eastern half of 1601 Trunk Road from Rural Area (RA) zone to Medium Industrial zone with a Special Exception (M2.S) requiring that the rear 50m (164') of the subject property is maintained as a natural buffer area.

6. (6)
(c) 2. Approval of Official Plan Amendment No. 139, to redesignate the subject property from Rural Area to Industrial Land Use Schedule "C" of the Official Plan.
3. That the subject property (eastern half of 1601 Trunk Road) be deemed subject to Site Plan Control, as per Section 41 of the Planning Act, be endorsed.

(d) **Application No. A-32-07-Z.OP - James McAuley - 873 Second Line East (South Side) - Request to Rezone to Utilize the Property for a Personal Storage or Mini Warehousing Facility**

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

Mover - Councillor O. Grandinetti

Seconder - Councillor J. Caicco

Resolved that the report of the Planning Division dated 2007 12 10 concerning Application No. A-32-07-Z.OP - James McAuley be accepted and the Planning Director's recommendation that City Council approve the application and rezone the subject property from Rural Area (RA) to Light Industrial (M1), subject to the following:

1. The approval of Official Plan Amendment 140, to redesignate the subject property from Rural Area to Industrial on Land Use Schedule "C" of the Official Plan.
2. That the subject property be deemed subject to Site Plan Control, pursuant to Section 41 of the Planning Act, be endorsed.

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

(a) **Sault Ste. Marie Physician Recruitment and Retention Committee Report**

A report of the Chair, Sault Ste. Marie Physician Recruitment and Retention Committee is attached for the consideration of Council. A report entitled Sault Ste. Marie Physician Recruitment and Retention dated December 2007 is provided under separate cover.

Mover - Councillor O. Grandinetti

Seconder - Councillor S. Butland

Resolved that City Council receives the resolution of the Executive of the Sault Ste. Marie Physician Recruitment and Retention Committee dated November 30, 2007 and supports the request for interim funding for 2008 in the amount of \$150,000.00 which amount will allow the Committee to continue its very important recruitment and retention activities pending consideration by City Council of the full 2008 budget request be approved.

6. (8)
(b)

Searchmont Ski Association (SSAI) Request for Assistance From the City's Economic Diversification Fund 2008

A report of the C.E.O., Economic Development Corporation is attached for the consideration of Council.

Mover - Councillor O. Grandinetti
Seconder - Councillor J. Caicco

Resolved that the report of the C.E.O., Economic Development Corporation dated 2007 12 02 concerning Searchmont Ski Association - Request for Assistance from the City's Economic Diversification Fund 2008 be accepted and the recommendation that:

1. Council approve the request from Searchmont Ski Association Inc. and provide a loan guarantee of \$100,000.00 for a period of up to three years and that the funds for this loan guarantee be set aside in a City reserve account from the City's EDF 2008; and
2. the City secures this loan guarantee against the Excess Value of Searchmont Ski Association Inc.; and
3. City Council request Searchmont Ski Association Inc. to provide a report to the City on a quarterly basis as to its progress and financial status, be approved.

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

- (a) Mover - Councillor T. Sheehan
Seconder - Councillor S. Butland

Whereas the responsibility of social housing was downloaded to municipalities from senior levels of government with a message that it would be revenue neutral; and

Whereas the costs for providing/maintaining social housing has substantially increased to the City of Sault Ste. Marie with no indication that it will not increase again; and

Whereas there are a number of people on a waiting list for affordable housing in the City of Sault Ste. Marie because there is no space available;

Now therefore be it resolved that City Council request the following:

- 1) That the City of Sault Ste. Marie send a letter to both Prime Minister Steven Harper and Premier Dalton McGuinty requesting that Social Housing be uploaded
- 2) That the Federal government and Provincial government once again take a proactive role in building new affordable housing spaces to alleviate the shortage
- 3) That this Council ask both AMO and FCM by copy of this resolution to lobby senior levels of government to upload the soaring costs of social housing which have been downloaded to municipalities and to create new spaces where needed.

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

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

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

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

AGREEMENTS

- (a) 2007-208 A by-law to authorize an agreement between the City and TSH Associates (1997) Limited concerning a Biosolids Management Study for the City's water pollution control plants.

A report from the Director of Engineering Services is on the agenda.

FINANCING

- (b) 2007-187 A by-law to govern the City of Sault Ste. Marie's procurement policies and procedures.

A report from the Commissioner of Finance/Treasurer is on the agenda.

- (c) 2007-210 A by-law to authorize the borrowing of \$10,000,000.00 to finance capital expenditures for short and long term purposes.

- (d) 2007-211 A by-law to authorize the borrowing of \$10,000,000.00 to meet current expenditures until taxes are collected.

A report from the Commissioner of Finance/Treasurer concerning By-laws 2007-210 and 211 is on the agenda.

- (e) 2007-212 A by-law to adopt Tax Collection Policies and Procedures for the City of Sault Ste. Marie.

A report from the Commissioner of Finance/Treasurer is on the agenda.

- (f) 2007-213 A by-law to adopt a Statement of Investment Policy and Goals for the City of Sault Ste. Marie.

10. (f) A report from the Commissioner of Finance/Treasurer is on the agenda.

OFFICIAL PLAN AMENDMENT

- (g) 2007-214 A by-law to adopt Amendment No. 136 to the Official Plan.
- (h) 2007-217 A by-law to adopt Amendment No. 140 to the Official Plan.

PARKING

- (i) 2007-206 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.
- (j) 2007-207 A by-law to appoint By-law Enforcement Officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie.

PROPERTY SALE

- (k) 2007-209 A by-law to authorize the conveyance of 324 Second Line West to Peter L. Bortolussi, in Trust.

A report from the City Solicitor is on the agenda.

SITE PLAN CONTROL

- (l) 2007-216 A by-law to repeal site plan control provisions imposed on the lands described as Civic Nos. 1513 and 1517 Korah Road. [Major Contracting (Algoma) Ltd.]

TEMPORARY STREET CLOSING

- (m) 2007-205 A by-law to permit the temporary closing of Foster Drive, the Bellevue Park access road at Lake Street and Shore Drive to facilitate various Bon Soo Events.

ZONING

- (n) 2007-215 A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 being regarding lands shown as Civic Nos. 1513 and 1517 Korah Road. [Major Contracting (Algoma) Ltd.]
- (o) 2007-218 A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning property at Civic No. 873 Second Line East. (McAuley & Algonquin Radio & TV Company Limited)

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

LOCAL IMPROVEMENTS

- (p) 2007-168 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.
- (q) 2007-169 A by-law to authorize the construction of sanitary sewer and private drain connections on Wellington Street East from Trunk Road to Simpson Street.
- (r) 2007-170 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.

By-laws 2007-168, 2007-169 and 2007-170 received 1st and 2nd reading on October 15th, 2007.

STREET CLOSING

- (s) 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.

Received 1st and 2nd reading on October 29, 2007.

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

- (a) **PUC Inc. - Notice of Shareholder Meeting With City Council**

Mover - Councillor O. Grandinetti

Seconder - Councillor S. Butland

Resolved that City Council be authorized to meet in Closed Session on January 14, 2008 at 3:30 p.m. as the sole shareholder of PUC Inc.

12. **ADDENDUM TO THE AGENDA**

13.

ADJOURNMENT

Mover - Councillor O. Grandinetti

Seconder - Councillor J. Caicco

Resolved that this Council shall now adjourn.

MAYOR

CLERK

MINUTES

REGULAR MEETING OF CITY COUNCIL

2007 11 26

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, F. Fata, T. Sheehan, S. Butland, P. Mick

ABSENT: Councillors F. Manzo (illness)

OFFICIALS: J. Fratesi, D. Irving, L. Bottos, B. Freiburger, N. Apostle, J. Dolcetti, P. McAuley, C. Johnson, L. McCoy, D. McConnell, J. Febbraro

1. **ADOPTION OF MINUTES**

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2007 11 13 be approved. CARRIED.

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

3. **APPROVE AGENDA AS PRESENTED**

Moved by Councillor F. Fata

Seconded by Councillor T. Sheehan

Resolved that the Agenda for the 2007 11 26 City Council Meeting as presented be approved. CARRIED.

4. **DELEGATIONS/PROCLAMATIONS**

(a) Ron Gagnon, President and C.E.O.; Brady Irwin, Vice President Public Affairs, Sault Area Hospital; and Harry Koskenoja, Project Manager were in attendance with an update on the new Sault Area Hospital Project.

(b) Michael Gaudette, President, Sault Ste. Marie Safe Communities Partnership was in attendance with an update on the Program activities.

4. (b) Moved by Councillor S. Myers
Seconded by Councillor L. Turco
Resolved that Sault Ste. Marie City Council greatly supports the efforts of Safe Communities Sault Ste. Marie in its World Health Organization Safe Communities Designation; and further
Whereas Safe Communities is a recognized organization with worldwide significance through the WHO (World Health Organization) designations; and
Whereas this prestigious designation is an invaluable marketing identification as a safe community;
Now therefore be it resolved that the Corporation of the City of Sault Ste. Marie requests that all city and community marketing materials include attaching the WHO logo. CARRIED.
- (c) Diane Lajambe, Branch Manager, Sault Ste. Marie and District Office, Canadian Red Cross was in attendance concerning agenda item 5.(g) Seniors Home Program.
- (d) Mike Battisti was in attendance concerning agenda item 6.(6)(a).
- (e) Bob Paciocco was in attendance concerning agenda item 6.(6)(b).

PART ONE – CONSENT AGENDA

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

- Moved by Councillor D. Celetti
Seconded by Councillor S. Myers
Resolved that all the items listed under date 2007 11 26 - Part One - Consent Agenda be approved as recommended. CARRIED.
- (a) Correspondence from AMO, OGRA and FONOM was received by Council.
- Moved by Councillor L. Turco
Seconded by Councillor S. Myers
Whereas the Federation of Northern Ontario Municipalities (FONOM) has represented the 110 municipalities in Northeastern Ontario for the past 48 years; and
Whereas FONOM held a Leadership Summit in Timmins in October 2007 where it was overwhelmingly supported by more than 200 participants as the unified voice of Northeastern Ontario; and
Whereas as a result of that Summit, FONOM has created seven task forces to deal with priorities from the Summit (Natural Resources, Energy, Business, Transportation, Education, Health, Government Services);

5. (a) Now therefore be it resolved that the City of Sault Ste. Marie supports FONOM as the Unified Voice of Northeastern Ontario and in its creation of these task forces to focus on these priorities; and
Further that a copy of this resolution be forwarded to FONOM. CARRIED.

Moved by Councillor L. Turco

Seconded by Councillor S. Myers

Whereas the Council of the City of Sault Ste. Marie has indicated its support for the Federation of Northern Ontario Municipalities (FONOM) as the Unified Voice of Northeastern Ontario; and

Whereas FONOM has undertaken to form seven task forces to pursue the major issues of concern to Northeastern Ontario; and

Whereas FONOM has suggested a fee of \$0.05 per capita from its member municipalities to help fund this ambitious research and lobbying effort;

Now therefore be it resolved that Sault Ste. Marie City Council hereby commits financial support of FONOM in the amount of \$0.05 per resident of our municipality for a total contribution of \$3,745.00 with funds to come from the Corporate Membership Fees account; and

Further that a copy of this resolution be forwarded to FONOM. CARRIED.

- (b) Correspondence from Tay Valley Township (concerning surface rights owners and mining rights); the Township of MacDonald, Meredith and Aberdeen Additional (concerning Highway 17 4-lane from Bar River Road to Trunk Road); the Municipality of Morris-Turnberry (concerning a request to the Province to develop a tire rebate program); and the City of Waterloo (concerning use and sale of cosmetic chemical pesticides) was received by Council.

- (c) The petition from residents of the west side of Tuckett Street requesting sidewalk snowplowing this winter was received by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the petition from residents of Tuckett Street requesting sidewalk snowplowing on the west side of Tuckett Street commencing this winter BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council. CARRIED.

- (d) **Staff Travel Requests**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the Staff Travel Requests contained in the report of the Chief Administrative Officer dated 2007 11 26 be approved as requested. CARRIED.

5. (e) **Vacant Unit Tax Rebate Program - Commercial and Industrial Properties**

The report of the City Tax Collector was accepted by Council.

Moved by Councillor F. Fata

Seconded by Councillor T. Sheehan

Resolved that pursuant to Section 364 of the Municipal Act, 2001, the adjustments, under the vacant unit tax rebate program, for tax accounts outlined on the City Tax Collector's report of 2007 11 26 be approved and the tax records be amended accordingly. CARRIED.

(f) **Staffing Complement - Fire Services Support Services Division**

Reports of the Chief Administrative Officer and Fire Chief were accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Chief Administrative Officer dated 2007 11 26 concerning Staffing Complement - Fire Services Support Services Division be accepted and the recommendation that Council authorize the hire of a second mechanic in accordance with the recommendation of the Fire Chief be approved. CARRIED.

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

(g) **Seniors Home Program**

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

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Commissioner of Community Services dated 2007 11 26 concerning Seniors Home Program be accepted as information. CARRIED.

(h) **Steelback Centre - Phase 2 and 3 of the Private Suites**

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

5. (h) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Commissioner of Community Services on behalf of the Steelback Centre Working Committee dated 2007 11 26 concerning Steelback Centre - Phase 2 and 3 of the Private Suites be accepted and the recommendation that Council approve hiring EPOH Inc. to update the drawings for Phase 2 and 3 of the Private Suites along with providing possible options for the construction of both phases including order of magnitude costs; and Further that the estimated cost of \$80,000.00 for the architect be applied to the project if it goes forward, or that it be funded from the Steelback Centre seat charge account if it does not go forward, be approved. CARRIED.

(i) **Skatepark Project**

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

Moved by Councillor F. Fata

Seconded by Councillor T. Sheehan

Resolved that the report of the Commissioner of Community Services dated 2007 11 26 concerning Skatepark Project be accepted and the recommendation that Council approve hiring PGM Design Associates to provide detailed drawings of a phased in skatepark at an estimated cost of \$10,000.00 to \$20,000.00 with funds to come from the \$100,000.00 City share that has been provided for this project be approved. CARRIED.

(j) **Waste Management of Canada Corporation - Application for a Certificate of Approval for Transfer Station - Comments to MOE**

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

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Land Development and Environmental Engineer dated 2007 11 26 concerning Waste Management of Canada Corporation - Application for a Certificate of Approval for Transfer Station (120 Industrial Court 'A') - Comments to MOE be accepted and the recommendation that Council endorse the finalization of the letter to the MOE and submission prior to the November 30, 2007 deadline be approved. CARRIED.

(k) **Batchewana First Nation of Ojibways - Sewer Service Agreement**

The report of the Municipal Services Engineer was accepted by Council. The relevant By-law 2007-204 is listed under Item 10 of the Minutes.

5. (l) **Extension of Urban Service Line in Two Locations on Queen Street East and Third Line East (Fox Run Subdivision) and Repeal of By-law 2006-213**

The report of the City Solicitor was accepted by Council. The relevant By-law 2007-203 is listed under Item 10 of the Minutes.

(m) **One-Year Pilot Project to Measure the Effectiveness of Biodiesel Fuel on the Operation, Maintenance and Economics of One Older City Bus**

The report of the Transit Manager was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Transit Manager dated 2007 11 26 concerning One-Year Pilot Project to Measure Effectiveness of Biodiesel Fuel on the Operation, Maintenance and Economics of One Older City Bus be accepted and the recommendation that Council endorse Transit Services to proceed with a one-year pilot project with one older bus to measure the effectiveness of biodiesel fuel on the operation, maintenance and economics based on a formula of up to 20% be approved. CARRIED.

(n) **Free Weeks (Waiving of Landfill Gate Fee) - Fall and Spring**

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

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2007 11 26 concerning Free Weeks (Waiving of Landfill Gate Fee) - Fall and Spring be accepted and the recommendation that Council continue with 'Free Weeks', one in the Spring and one in the Fall and that additional staff and police be used to control the increased traffic when warranted be approved. CARRIED.

(o) **Sidewalk Plowing - Boston Avenue**

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

Moved by Councillor F. Fata

Seconded by Councillor T. Sheehan

Resolved that the report of the Commissioner of Public Works and Transportation dated 2007 11 26 concerning Sidewalk Plowing - Boston Avenue be accepted and the recommendation that the sidewalks on the east and west sides of Boston Avenue from Breton Road to the north end be added to the sidewalk snowplow route and that the associated costs to plow and sand these sidewalks be added to the Winter Maintenance Cost Centre be approved. CARRIED.

PART TWO – REGULAR AGENDA

6. REPORTS OF CITY DEPARTMENTS; BOARDS AND COMMITTEES

6. (6) PLANNING

(a) **Application No. A-26-07-OP - Mike and Orlando Battisti - 86 Old Goulais Bay Road - Request to Rezone in Order to Facilitate the Severance of the Subject Property, to Create One Additional Rural Residential Lot**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor S. Myers

Resolved that the report of the Planning Division dated 2007 11 26 concerning Application No. A-26-07-OP - Mike Battisti be accepted and the Planning Director's recommendation that City Council approve Official Plan Amendment No. 136, which facilitates the severance of the subject property by way of a notwithstanding clause to the Rural Area policies, for one additional rural residential lot, be endorsed. CARRIED.

Councillor J. Caicco declared a pecuniary interest - realtor for the client of the subject property.

(b) **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**

The report of the Planning Division was accepted by Council.

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that the report of the Planning Division dated 2007 11 26 concerning Application No. A-23-07-Z - Major Contracting (Algoma) Ltd. be accepted and the Planning Director's recommendation that City Council approve the application and rezone 1513 and 1517 Korah Road from Medium Density Residential Zone (R4) to Low Density Residential Zone (R3), and that Council remove the Site Plan Control Designation from 1513 and 1517 Korah Road only, be endorsed. CARRIED.

(c) **Gateway Project - Next Steps**

The report of the Planning Division was accepted by Council.

6. (6)
(c) Moved by Councillor F. Fata
Seconded by Councillor S. Myers
Resolved that the report of the Planning Division dated 2007 11 26 concerning the Gateway Project - Next Steps be accepted and the Gateway Project Committee recommendation that City Council authorize the Gateway Project Team to prepare and issue a new Request for Qualifications (RFQ) for a major tourism project on the Gateway property be endorsed. CARRIED.

- (d) **Industrial Community Improvement Plan**
The report of the Planning Division was accepted by Council.

Moved by Councillor F. Fata
Seconded by Councillor T. Sheehan
Resolved that the report of the Planning Division dated 2007 11 26 concerning the Industrial Community Improvement Plan be accepted and the Planning Director's recommendation that City Council authorize the preparation of a Community Improvement Plan for selected industrial areas and uses as permitted by Part IV of the Planning Act be endorsed. CARRIED.

Mayor J. Rowsell declared a pecuniary interest - ASI is client of engineering firm.

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

- (a) Moved by Councillor S. Butland
Seconded by 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 approve a \$50,000.00 allocation to the Red Cross for the purpose of expanding the program and that the funds come from the 2008 Budget allocation; and
Further that the Red Cross be requested to report back to Council on the effectiveness of the \$50,000.00. CARRIED.

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

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

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

Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that all the by-laws listed under Item 10 of the Agenda under date 2007 11 26 be approved. CARRIED.

(a) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2007-195 being a by-law to adopt Amendment No. 135 to the Official Plan be read three times and passed in Open Council this 26th day of November, 2007. CARRIED.

(b) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2007-196 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located on the south side of Trunk Road between Fournier Road and the Eastern City limit and further be it resolved that By-law 2007-197 being a by-law to designate the lands located on the south side of Trunk Road between Fournier Road and the Eastern City limit an area of site plan control be read three times and passed in Open Council this 26th day of November, 2007. (Hedlund, Shunock and 2062111 Ontario Limited) CARRIED.

Recorded Vote

For: Councillors J. Caicco, L. Turco, B. Hayes, D. Celetti, O. Grandinetti, S. Myers, F. Fata, T. Sheehan, S. Butland, P. Mick

Against: Councillor L. Tridico

Absent: Councillor F. Manzo

Mayor J. Rowswell declared a pecuniary interest - relative is an objector of this rezoning.

(c) Moved by Councillor D. Celetti

Seconded by Councillor T. Sheehan

Resolved that By-law 2007-198 being a by-law to adopt Amendment No. 134 to the Official Plan be read three times and passed in Open Council this 26th day of November, 2007. CARRIED.

10. (d) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2007-199 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located on the south side of Third Line East at civic 817 Third Line East; and further be it resolved that By-law 2007-200 being a by-law to designate a portion of the said lands located on the south side of Third Line East at civic 817 an area of site plan control be read three times and passed in Open Council this 26th day of November, 2007. [Fox Run Development (Sault) Inc.] CARRIED.
- (e) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2007-201 being a by-law to adopt Amendment No. 130 to the Official Plan be read three times and passed in Open Council this 26th day of November, 2007. CARRIED.
- (f) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2007-202 being a by-law to amend Sault Ste. Marie Zoning By-law 2005-150 and 2005-151 concerning lands located at 92 - 100 Second Line West be read three times and passed in Open Council this 26th day of November, 2007. (Fata) CARRIED.
- (g) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2007-203 being a by-law to instruct the City Solicitor to apply to the Ontario Municipal Board for an order to alter the boundaries of the urban service area be read three times and passed in Open Council this 26th day of November, 2007. CARRIED.
- (h) Moved by Councillor D. Celetti
Seconded by Councillor T. Sheehan
Resolved that By-law 2007-204 being a by-law to authorize an agreement between the City and Batchewana First Nation of Ojibways for the provision of sewer services to the Rankin Location Indian Reserve be read three times and passed in Open Council this 26th day of November, 2007. CARRIED.

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

12.

ADJOURNMENT

Moved by Councillor F. Fata

Seconded by Councillor S. Myers

Resolved that this Council shall now adjourn. CARRIED.

MAYOR

CLERK



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 Toronto, ON M5H 3C6
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 E-mail: amo@amo.on.ca



MEMBER COMMUNICATION

FYI N°: 07-025

To the attention of the Clerk and Council

November 30, 2007

FOR MORE INFORMATION CONTACT:
 Scott Vokey
 LAS Energy Services Coordinator
 (416) 971-9856 ext 357
svokey@amo.on.ca

LAS Adds Energy Management Software to Growing List of Energy Services

AMO's subsidiary, Local Authority Services (LAS), is rolling out a number of exciting energy conservation projects under its new Energy Services Division. LAS is pleased to announce that it has recently purchased a very dynamic on-line energy management software application. The ION Enterprise Energy Management (EEM) software package will soon allow all AMO members to benchmark and compare facility performance, measure and verify savings from energy conservation projects, reduce operational costs and improve processes, and meet corporate environmental stewardship goals including greenhouse gas (GHG) reductions. Those municipalities with interval meters will also be able to utilize the software to manage demand control schemes such as load shedding, peak shaving, or on-site generation. LAS is planning to pair the software rollout with some optional fee-for-service programs including a utility bill verification service and targeted energy management advice. Bill verification should help members realize significant savings by checking rates and identifying utility billing errors. Energy experts will be retained to help identify and implement those projects that bring the most significant economic and environmental paybacks. Finally, LAS is also investigating the possibility of bulk purchasing programs for related technologies such as streetlights and interval meters.

LAS' Energy Services Division currently offers a suite of energy conservation programs for member municipalities that includes the following:

- Natural Gas and Electricity Procurement programs that obtain consistent prices that are below market value by maximizing the purchasing power of municipalities in the pool.
- Energy Management Workshops offered in partnership with Natural Resources Canada (NrCan) and the Independent Electricity System Operator (IESO).
- Zone Meetings on specific topics and technologies offered in 7 locations throughout the province in both Spring and Fall 2008 in partnership with the gas utilities and local distribution companies (LDCs).
- Future programs will enable municipalities to take advantage of emerging demand response and demand management opportunities as well as future greenhouse gas offset markets.

This information is available in the Energy Services section of the LAS website at:
<http://www.amo.on.ca/Content/las/AboutUs/ProgramsServices/EnergyServices/default.htm>.



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ALERT

MEMBER COMMUNICATION

ALERT N°: 07/055

To the attention of the Clerk and Council
 November 29, 2007

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

Throne Speech – AMO Welcomes Renewed Provincial Commitment to put Municipalities on a Firm Financial Footing

Issue: The Lieutenant Governor of Ontario delivered the Speech from the Throne to open the Second Session of the Thirty-Ninth Parliament of the Province of Ontario.

Background:

- The Speech from the Throne focused on the theme of "Moving Forward the Ontario Way" through priority initiatives aimed at: providing for a better educated workforce, opportunity and prosperity for all, a healthier and greener province, and stronger relations with Ontario's First Nations. The Speech sets out the government's legislative agenda for the upcoming legislative session.
- The government renewed its commitment to the Provincial-Municipal Fiscal and Service Delivery Review pledging to, "put our cities and towns on a firm financial footing." The government pledged to, "do its share", and build on the progress made to date with the municipal sector. This follows the previously announced Ontario Drug Benefit and Ontario Disability Support Program uploads announced by the Premier at this year's August conference. The costs in 2008 of this 4 year, \$935 million upload are to be funded by projected provincial Budget surpluses to be shared by municipalities and school boards.

Key New Commitments (as contained in the Speech):

- Increasing the Northern Heritage Fund to \$100 million;
- A new Eastern Ontario Development Fund - Details of the Fund have not been announced; and
- A ban on the use of cosmetic pesticides across Ontario.

AMO has already signalled to the Province the importance of working with municipalities to ensure that the pesticides initiative is undertaken in a way that will not adversely affect municipalities and rural Ontario.

Other Key Commitments:

- Accelerating the expansion of public transit in the Greater Toronto Area through the MoveOntario 2020 plan;
- Reducing Ontario's greenhouse gas emissions by six per cent of 1990 levels by 2014 and eighty per cent by 2050; and
- A renewed commitment to addressing poverty including an increase in the number of child care spaces, affordable housing plans, and dental benefits for low income earners.

AMO will work with the government to ensure the needs and priorities of municipalities influence the development and implementation of these initiatives.

AMO looks forward to continuing the work of the Provincial-Municipal Fiscal and Service Delivery Review with the Province and the release of the final report as early as possible in the spring of 2008.

Action: For your information.





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Federation of Canadian Municipalities
 Fédération canadienne des municipalités

24 Clarence Street Ottawa K1N 5P3
 Tel: 613.241.5221 Fax: 613.241.7440



MEMBER COMMUNICATION

FYI N°: 07-024

To the attention of the Clerk and Council
 November 28, 2007

FOR MORE INFORMATION CONTACT:

For energy efficiency or district energy projects:
 Scott Vokey, LAS Energy Services Coordinator
 (416) 971-9856 ext 357

For other GHG reducing projects:
 Doug Salloum, General Manager, GMC
 (613) 219 5396 or dsalloum@fcm-gmc.ca

AMO and FCM Partnering to Fight Climate Change

The Association of Municipalities of Ontario (AMO) and the Federation of Canadian Municipalities (FCM) have agreed to work together to help Ontario municipalities create and sell Offset Credits. AMO's subsidiary, Local Authority Services (LAS) is offering to manage the technical and regulatory processes facing municipalities interested in creating Offset Credits from energy efficiency and district energy projects. FCM's Green Municipal Corporation (GMC) will provide the same services for other projects not specifically supported by LAS, with an initial emphasis on landfill gas projects. GMC will also offer to purchase and sell (to regulated large emitters) Offset Credits created by any Ontario municipality.

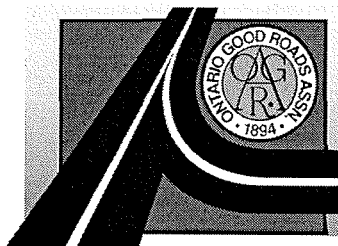
An Offset Credit is an emission reduction that has been verified, certified and registered according to federal regulations. These Offset Credits will counterbalance pollution by abating, reducing, or sequestering greenhouse gases (measured in an equivalent amount of carbon dioxide or CO₂e). Under the evolving federal government's regulatory framework, municipalities will be eligible to sell Offset Credits to regulated emitters such as large power producers and large GHG emitters in the forestry, mining, petrochemical, refining, and steel industries. Municipalities can create Offset Credits by implementing CO₂e reducing projects that comply with federal protocols and processes. Protocols are expected to be developed for the following project types of municipal projects, among others: landfill gas, fleet fuel switching, district energy, and energy efficiency projects.

While regulated emitters are unlikely to be interested in Offset Credits from small projects, they are expected to be interested in purchasing larger, aggregated pools of Offset Credits such as those to be developed by LAS and GMC. In addition, interested municipalities can avoid the numerous regulatory and technical obstacles as well as the price, supply, and project management risks associated with such projects by utilizing the expertise assembled by LAS and GMC.

LAS' Energy Services Division is currently developing a suite of energy conservation programs for member municipalities that will include Greenhouse Gas Offset Credit services for district energy and energy efficiency projects. For more information about these services consult the LAS Website.

This information is available in the Energy Services section of the LAS website at:

<http://www.amo.on.ca/Content/las/AboutUs/ProgramsServices/EnergyServices/default.htm>



ONTARIO GOOD ROADS ASSOCIATION

BOARD BRIEF

NOVEMBER 16, 2007

Accessibility for Ontarians with Disabilities Act (AODA) Committee

OGRA contacted the Ministry of Community and Social Services to advise that, among the 30 or so members, municipal public works is not sufficiently represented on the Built Environment Standards Committee under the Accessibility Act. As a result, public works issues may not get the attention required. Ministry staff recognized that there are knowledge gaps on the committee as structured. OGRA was invited to sit on AMO's Resource Committee which provides input to the AMO representatives on the Built Environment Committee. OGRA will write to Minister Meilleur stating that there should be additional municipal public works expertise on the committee and that OGRA could provide such representation.

Railway Noise Guidelines

In June 2007, The Canada Transportation Act was amended to provide authority to the CTA to resolve disputes related to noise and vibration from the construction or operation of railways under federal jurisdiction. Draft guidelines have been released for review and feedback is requested by December 12. OGRA will submit comments on the proposed guidelines for the resolution of railway noise and vibration complaints.

Drain Maintenance Issue

The Drainage Superintendents Association of Ontario has written to the Ministers of Natural Resources and Agriculture, Food and Rural Affairs regarding the conflicts municipalities are facing between the requirements of The Conservation Authorities Act and The Drainage Act regarding municipal drains and municipal roadside ditches.

The Drainage Act (Section 74) requires municipalities to maintain and repair existing municipal drains. Under The Conservation Authority Act, some Conservation

Highlights from the Board of Directors Meetings



Authorities are putting increased demands on municipalities for impact reports, hydraulic studies, and floodplain analysis studies as they carry out routine drain maintenance and repair. OGRA will continue to monitor this issue and will determine if further involvement is needed.

Manufacturer RST Exemptions for Municipalities

Under Ontario's Retail Sales Tax Act, a manufacturer is a person who manufactures, fabricates, produces or assembles goods for sale where the fair value of the goods sold to others is more than \$5,000 in the fiscal year, or the fair value of goods manufactured for own use is more than \$50,000 in the fiscal year.

Municipalities are among those mentioned in the Retail Sales Tax (RST) Guide required to pay tax on the manufactured cost of taxable goods produced for their own use.

Ministry of Revenue staff advises that sand is RST exempt and municipalities can issue an RST exemption certificate when purchasing salt. However, when sand and salt are mixed, the Ministry of Revenue considers the end result to be a new, manufactured product on which RST must be paid. OGRA will contact the Ministry of Revenue to discuss the need to exclude municipalities from RST paid on certain manufactured products, such as a sand/salt mixture.

Hours of Service & Operational Plans

OGRA staff, with assistance from MTO and Frank Cowan Company, has drafted a municipal template that outlines an operational plan that municipalities can refer to when determining that circumstances exist that require an exemption from the hours of service regulation including: definition of significant/impending situations; designated authority; documentation; and return to compliance. The draft protocol was reviewed by Frank Cowan Company to ensure that all risk management concerns are met. The exemptions and protocol are posted on the OGRA website: www.ogra.org

Overweight Fire Trucks

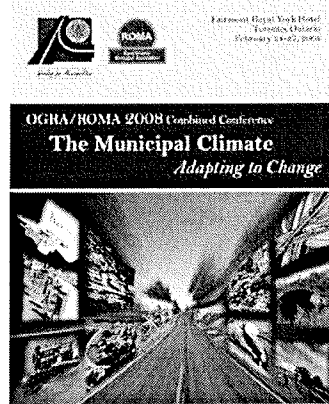
OGRA has been advised that some fire trucks do not conform to the vehicle weight limits set out in The Highway Traffic Act (HTA). If the vehicles exceed the allowable weight, then the fire department will be required to obtain an MTO Overweight Permit. Municipal approval is required to operate an overweight vehicle on municipal roads within the municipal jurisdiction. The MTO Overweight Permit and the process that fire departments will follow to obtain the permit is posted on the website of the Ontario Association of Fire Chiefs. A link is provided on the OGRA website: www.ogra.org

Municipalities can determine the process for issuing these documents.

Municipal Issues and the Fall Election

The provincial election on October 10, 2007 was a welcome opportunity for OGRA to bring municipal issues forward for discussion. OGRA has worked consistently to secure a sustainable source of revenue for municipal transportation infrastructure and through consultation with the Board, identified five key municipal concerns to highlight during the campaign. Ontario's party leaders commented on the five issues for publication in the September issue of Milestones magazine. OGRA reiterated priority municipal issues in a press release on October 3 entitled *Ontario Needs Leadership on Sustaining Municipal Infrastructure*. The release and Milestones article are available on OGRA's website under News & Information: www.ogra.org

OGRA/ROMA Combined Conference – The Municipal Climate: *Adapting to Change*



The 2008 OGRA/ROMA Combined Conference will take place at the Fairmont Royal York Hotel from February 24-27, 2008. The conference program is being developed and workshops, speakers and information rooms are being scheduled.

Invited Speakers:

- Premier McGuinty
- John Tory, Leader of the Opposition and Leader of the Ontario PC Party
- Hon. Jim Watson, Minister of Municipal Affairs and Housing
- Hon. Jim Bradley, Minister of Transportation
- Hon. Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs

Confirmed Speakers: Howard Hampton, Leader of the Ontario NDP, will speak on Tuesday February 26 at 2:45 p.m. and Julian Fantino, OPP Commissioner, will speak on Wednesday February 27 at 10:30 a.m.

Workshop Topics: Waste management, Aboriginal affairs, risk management/minimum maintenance standards, alternative financing of public infrastructure projects, contract management, alternative energy, bridges, public art, impact of climate change on public works, energy program of LAS (Local Authority Services), the economy of northern Ontario, Great Lakes and cities initiative, Workplace Safety and Insurance Board, Municipal DataWorks, proposed regulatory framework for municipal wastewater... **Plus information rooms, the awards luncheon, Ministers' Forum, and Question Box.**

Conference updates are being posted to the OGRA website, along with a registration form.

2007 OGRA BOARD (photo on page 1)

BACK ROW (LEFT TO RIGHT): Ken Hill, Mayor, Township of Russell; Second Vice President, Eric Rutherford, Councillor, Municipality of Greenstone; John Niedra, Director, Etobicoke York District Transportation Operations, City of Toronto; Alan Korell, Managing Director/City Engineer, City of North Bay; Dave Fawcett, Deputy Mayor, Municipality of Grey Highlands; Donald J. McDonald, County Engineer, United Counties of Stormont, Dundas and Glengarry; Tom Bateman, County Engineer, County of Essex; Rick Champagne, Councillor, Township of East Ferris; Joe Tiernay, Executive Director, Ontario Good Roads Association

FRONT ROW (LEFT TO RIGHT): Paul Johnson, Operations Manager, County of Wellington; Gloria Lindsay Luby, Councillor, City of Toronto; Past President, Tony Prevedel, Chief Administrative Officer, Township of Cavan-Monaghan; President, Jim Harrison, Councillor, City of Quinte West; First Vice President, David A. Leckie, Director of Roads & Transportation, City of London; Joanne Vanderheyden, Deputy Mayor, Township of Strathroy-Caradoc; John Curley, Councillor, City of Timmins



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MEMBER COMMUNICATION

FYI N°: 07-026

To the attention of the Clerk and Council
 December 5, 2007

FOR MORE INFORMATION CONTACT:
 Laurel McCosham
 Policy Advisor
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lmccosham@amo.on.ca

Fairness for Military Families Act Passes

Bill 2, Fairness for Military Families Act (Employment Standards and Health Insurance, 2007 was introduced on Monday (Dec. 1) and received Third Reading the same day. The Bill represents an amendment to the *Employment Standards Act (ESA), 2000*, which currently offers no statutory job protection for Canadian Forces Reservists who volunteer for operational military missions. *Bill 2* will provide such job protection to reservists who have six months of continuous employment with an employer covered by the *ESA*.

The legislation entitles reservists to a leave period to engage in the operation for which they have been deployed. For international operations, this includes any pre-deployment or post-deployment activities required by the Canadian Forces. Upon the reservist's return, the employer is required to reinstate the reservist to the same position if it still exists, or to a comparable position if it does not.

The financial impacts associated with this legislative change are negligible since there is no requirement for the employer to continue benefits during the unpaid leave of absence. Employers' financial responsibilities are limited to the cost of hiring and training an employee to fill the position temporarily vacated by the reservist. The average reservist's mission, including training and re-introduction time, is 18 months, although they are entitled to a leave period that is necessary to fulfil the service requirement. Reservists must provide as much notice, in writing, as is reasonable in the circumstances, for both start and end dates.

Currently, there are about 11,675 reservists in Ontario, about 45 percent of whom are employed. Of these, about 50 percent are employed in the public sector. Across the province, there are about 100 public sector employees deployed annually.

To date, 25 municipalities have signed formal statements of support for the protection of reservists' jobs. Manitoba, Saskatchewan, PEI and Nova Scotia have also recently introduced job protection legislation for reservists.

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

MUNICIPALITY



OF ASSIGINACK

5(b)

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Mayor and Council Members
City of Sault Ste Marie
Level 1V, Civic Centre
99 Foster Dr., P.O. Box 580
Sault Ste Marie, Ontario
P6A 5N1

October 22, 2007

Dear Mayor Rowswell and Council Members,

Re: S.S. Norisle - Northern Ontario Heritage Cruise Ship

Please accept this letter as our formal request for support in principle regarding our mission to restore and establish the S.S. Norisle as a "Regional Heritage Cruise Ship". The Township of Assiginack in conjunction with Friends of the Norisle is in the process of seeking out funding assistance to conduct a market / feasibility study that will include determining ports of call and operating programs for the Norisle throughout the North Channel and beyond.

This project is gaining momentum, as the Norisle appears to fit a niche market for packaging northern tourist attractions and is capable of harmonizing heritage, culture, scenery and various destinations throughout the region into all-inclusive cruising experiences that can be marketed globally and extended into the shoulder seasons.

Although this project is in it's infancy, we've received significant benevolent offers and technical support that includes refitting all steam fitted equipment onboard to current operational standards; rejuvenating the triple expansion steam engine and bringing it up to operational mode; and rewiring the ship to current Transport Canada standards. This support alone will be paramount as we move forward into the restoration process.

Many communities throughout the region can benefit economically from this project once it reaches fruition. Some communities may serve as ports of call, while others may be accessible through onshore excursions or may be visited by bus tours traveling to experience a distinctive northern attraction. I've attached a copy of our first newsletter to further apprise you of this significant northern Ontario opportunity.

In closing, I'd greatly appreciate it if your Council would see fit to provide a short resolution of support in principle to help out as we move forward in developing a new northern attraction by restoring and promoting a piece of Canadian steam heritage that served many of the communities in which we live.

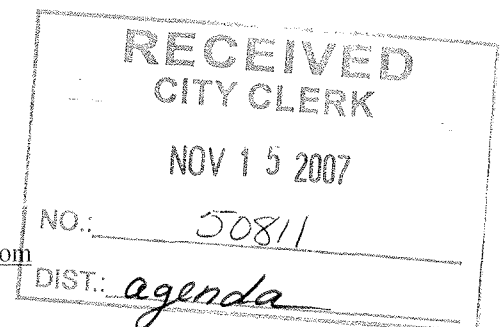
Thank you for your time and consideration regarding this request; I look forward to hearing from you at your earliest convenience.

Sincerely,

Rob Maguire

Rob Maguire, EDO

Please visit Friends of the Norisle at www.norisle.com



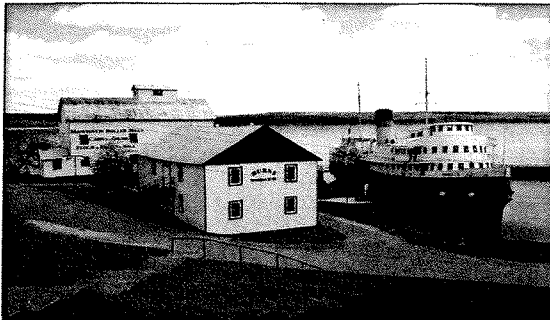
S.S. NORISLE CALLING

Devoted to providing regular updates on the progress of Northern Ontario's important marine development

CANADIAN HERITAGE STEAMSHIP TO BECOME MAJOR NORTHERN ONTARIO ATTRACTION

There's some very exciting news coming out of Manitowaning, a community that played an integral role in the early development of Manitoulin Island as the earliest European settlement and also, the main shipping port.

Manitowaning is home to the S.S. Norisle, the first passenger steamship built in Canada after World War II. Built at the Collingwood Shipyards in 1946, the Norisle provided regular seasonal passenger services from 1947 to 1974 between Tobermory (on the Bruce Peninsula) and South Baymouth (on Manitoulin Island).



The Township of Assiginack in conjunction with Friends of the Norisle is pressing forward to develop the opportunity of turning the steamship Norisle into a northern-based economic generator.

The Norisle measures 215'9" in length, has a beam of 36'3" and a draft of 16 feet. The ship was designed to carry 200 passengers, up to 50 vehicles and featured 58 staterooms that provided for overnight accommodations. Her extremely rare 1,000 HP triple expansion steam engine provides a cruising speed of 10 knots and a top speed of 12 knots.

The Norisle was retired from service in 1974 and later purchased by the Township of Assiginack in 1975 to serve as a floating marine museum and tourist attraction for the community of Manitowaning. Over the years, the ship has provided thousands of visitors with a "hands-on" interpretation of what earlier marine transportation was like on the Great Lakes. Most recently, she also served as a training ground and summer camp for the Sudbury based Navy League and Sea Cadets.

In the fall of 2006, the Norisle was threatened when her lower hull flooded. Although she was pumped

and secured, it became abundantly clear that new options needed to be explored as soon as possible to determine what the future can hold for our regional historic marine asset.

A group of compassionate citizens from across Manitoulin Island gathered at a public meeting and with the blessing of the Township of Assiginack - formed Friends of the Norisle.

Since the organization was formed, a number of dynamic opportunities have been envisioned in order to allow the Norisle to serve Ontario yet again.

Fortuitously, through public support and excellent media attention, significant resource people and organizations have come forth and inspected the ship on a preliminary level; providing their recommendations and services not only to preserve the ship but also advising on the opportunities of reinstating her as a distinguished heritage cruise ship, prominent provincial tourist attraction and Ambassador to Ontario's northlands.

Based on these opportunities and the many examples of similar successful projects globally (there are approximately 200 heritage steamships serving as operating tourist attractions around the world today), the Township of Assiginack in conjunction with Friends of the Norisle is pressing forward to develop the opportunity of turning the steamship Norisle into a northern-based economic generator. This regional project is designed to create new jobs and foster new and diverse economic benefits, while generating innovative branding and marketing opportunities across northern Ontario.

Another Ontario Heritage Steamship success story is the R.M.S. Segwun. Since her return to public service in 1980 and becoming the most important large attraction in Ontario, her direct and indirect business benefits have become an economic pillar to the Muskoka region. Norisle's larger size, greater flexibility and broader Great Lakes operating scope presents numerous added northern region support opportunities.

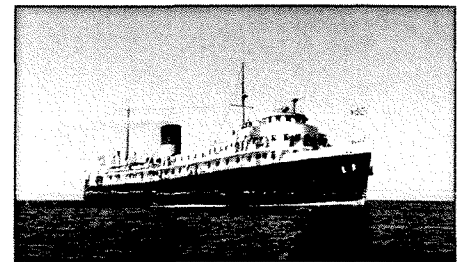
The Friends of the Norisle Executive has established Terms of Reference to undergo a market / feasibility study that will determine ports of call and operating programs for the Norisle throughout the North

Channel and beyond. The study will verify support for such adventure voyages with passenger comfort and services designed to the highest standards that will be stately and complementary to her era. The study should be completed late spring or early summer of 2008.

Interest is clear for International tourism partnerships with bus and rail tour groups and large Great Lakes cruise ships, which cannot access the smaller ports or the most picturesque locations of the North Channel - yesterday's voyageur trade route and today's internationally popular cruising destination.

Opportunities include a broad range of classic passenger steamship experiences, including elegant day cruises to various locations, and week long multiple port and regional sojourns with stateroom comfort. All opportunities will provide a new and supportive awareness of the region's rich history, unique cultural diversities and developing attractions harmonized into a dynamic, educational and entertaining northern adventure.

The 200 plus and growing Friends of the Norisle are committed to returning our northern ship to the region she was originally designed and built to serve. She will provide a time voyage from the past, through the present and into the future.



The Norisle, a classic steamship provided regular passenger services from 1947 to 1974.

Norisle's call to service will develop a major self-sustaining regional attraction, while preserving and promoting one of the finest surviving examples of Canadian nautical history that sailed on the Great Lakes. The call of her steam whistle will unite the region's strengths for the ongoing support and benefit of future generations.

For additional information and to learn how this project may benefit your area, please contact:

Friends of the Norisle
P.O. Box 98 . Manitowaning . ON . P0P 1N0
www.norisle.com . info@norisle.com

MUNICIPALITY OF ASSIGINACK
Corporation of the Township of Assiginack
P.O. Box 238 . Manitowaning, ON . P0P 1N0
(705) 859-3196 or 1-800-540-0179 . Rob Maguire EDO
www.assiginack.ca . asigmtg@amtelecom.net



November 21, 2007

To: All Ontario Municipalities

Council for The Corporation of the Town of Caledon passed resolution W-457-2007 at their regular council meeting of November 20, 2007 as follows:

WHEREAS Aggregate production is essential for the economic growth and prosperity of the Province of Ontario;

AND WHEREAS in a Special Report to the Legislative Assembly of Ontario, Gord Miller, Environmental Commissioner of Ontario outlined a number of inadequacies in the capacity of the Ministry of Natural Resources (MNR) to properly oversee the approvals, compliance, rehabilitation and long term planning to protect Ontario's Aggregate Resources. Chief among those concerns was MNR's lack of adequate funding for staff to properly operate an effective compliance and enforcement program.

AND WHEREAS the Town of Caledon shares the concerns of the Province's Environmental Commissioner.

THEREFORE BE IT RESOLVED THAT Council for the Corporation of the Town of Caledon requests that the Province of Ontario consider increasing the fees and royalties charged to aggregate operators and use this additional revenue exclusively for providing the MNR with resources to effectively staff an enforcement branch that will be able to adequately ensure the long term viability of the aggregate industry as well as ensure the responsible protection of the long-term environmental and human health of the community surrounding these aggregate extraction operations.

AND FURTHER THAT this resolution be forwarded to the Premier of Ontario, the Minister of Natural Resources, the Office of the Environmental Commissioner of Ontario, the Township of North Dumfries and to all the Association of Municipalities of Ontario for circulation to all Ontario municipalities asking for their support.

Carried.

Cheri Cowan, CMO
Town Clerk
Town of Caledon
6311 Old Church Road
Caledon, Ontario L7C 1J6
T (905)584-2272 ext 4218
F (905)584-4325
cheri.cowan@caledon.ca

DISCLAIMER

This material is provided under contract as a paid service by the originating organization and does not necessarily reflect the view or positions of the Association of Municipalities of Ontario (AMO), its subsidiary companies, officers, directors or agents.

Township of Elizabethtown-Kitley

6544 New Dublin Rd, RR 2 Addison ON K0E 1A0

Tel. 613-345-7480, Fax. 613-345-7235

mail@elizabethtown-kitley.on.ca

November 14, 2007

Re: Cost of Training Related to Fire Code Enforcement

The Office of the Fire Marshal has initiated a zero tolerance approach regarding contraventions to the Ontario Fire Code. As a result members of the municipal fire services conducting fire safety inspections are encouraged to attend training seminars pertaining to the legislative authority of the *Fire Protection and Prevention Act* and the *Provincial Offences Act*. The fee for such a seminar is \$150.00 and in some instances requires the participants to travel some distance, resulting in travel and accommodation fees.

The Council of the Corporation of Elizabethtown-Kitley wishes to express its concern with respect to the costs associated with the required training. Council asserts that the training should be provided free of charge by the Office of the Fire Marshal when new initiatives are instituted by the Ministry. Below please find a copy of Resolution No. 373-07 passed by Council November 12, 2007.

RES. NO. 373-07 MOVED BY: E. RENAUD

SECONDED BY: E. BRAYTON

THAT upon the recommendation of the Fire Services Liaison Committee staff be directed to send a letter to the Ontario Fire Marshal requesting that the Ontario Fire Marshal (OFM) cover the cost associated with training and workshops should the OFM initiate new fire safety legislation;

AND THAT this letter be circulated to all Ontario municipalities for support.

DISPOSITION: MOTION CARRIED.

Yours truly,

Andrea Bolton
Deputy Clerk

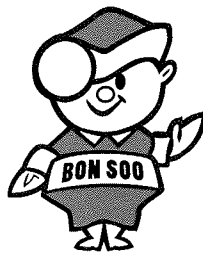
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ONTARIO WINTER CARNIVAL

Bon Soo 5(c)

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



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

December 1, 2007

Mayor John Rowswell and City Councillors
Civic Centre
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6

Dear Mayor John and City Councillors,

To ensure a safe carnival site at the Roberta Bondar Park, Pavilion and Foster Drive, the Bon Soo Board and Staff present the following Street Closure Document for your approval.

With the relocation of Bon Soo's home to Bellevue Park the requested street closure for Foster Drive will be reduced in size as well as in length of time. This will result in maintaining a safe environment of Bon Soo participants as well as reducing the impact that the larger and longer street closures have had on businesses in the past.

The Roberta Bondar Place (Government Services Building), Station Tower, Docks Riverfront Grill have been advised of the proposed closures. For the past thirteen (13) years these businesses have been very cooperative.

For 2008, Bon Soo is requesting the closure of Foster Drive from Spring Street (not including the intersection of Foster Drive and Spring Street) to St. Marys River Drive from 5:00 PM to 10:00, PM Friday, February 1st, 2008 (Bon Soo opening night). Security have been secured to ensure the necessary safety measures are implemented for all carnival pedestrians using Foster Drive.

The goal of all Bon Soo organizers is to create a safe site for all, with minimal disruption to few. In the Spirit of Bon Soo, we hope the proposed minimal Street Closure Document will be approved for the pleasure of the many families of Sault Ste. Marie and visitors alike.

Bon Soo Regards,

Anna Lisa Gioia, Senior Event Coordinator
Bon Soo Winter Carnival

Att/ Temporary Street Closure Document

RECEIVED	
CITY CLERK	
NOV 27 2007	
NO.:	50829
DIST.:	

5(c)

TEMPORARY STREET CLOSURES DOCUMENTTEMPORARY CLOSURE of FOSTER DRIVE from St. Mary's River Drive to Spring Street not including intersection)

A. Friday, February 1, 2008 from 9 pm to 10 pm that same evening.

* Closure at Foster Drive and Elgin.

* Closure at bottom of Spring Street (at Northern Breweries) on the West side of Foster Drive.

* There will be NO other street closures on Foster Drive. Ample Parking will be made available to the public for Opening Night, with no disruption of customer traffic to Docks other than from Elgin Street.

The only affected building for the 5 hours on Friday, February 1 would be the Ontario Realty Corporation.

Two (2) Security Officers will be hired to assist with the large opening night crowd on Friday, February 1, 2008 at both Elgin Street and Spring Street closures.

Traffic access will NOT be interrupted after these designated times.

B. Peter Bear Swim Day

Bellevue Park at the South end of Lake Street will remain closed as last year for both Opening and Closing Weekend (Feb. 3 and 4, Feb. 10 and 11). Leaving Lake Street open to traffic for the residents of that street.

2. TEMPORARY CLOSURE of Shore Drive for 10 days of Ban Soo

This will be the official entrance to Ban Soo's new home of Tim Horton's Winter Playground. Access to the first parking lot will be for volunteers, staff, handicaps and buses. This would help with any traffic concerns that may arise at the intersection during this congested time period. The City of SSM has also allowed the Public Parking at the Pine Street Marina.

Yes, I approve of the Temporary Street Closure as indicated in the above document.

Signature

Company/Organization

Date

Nov 20

Docks Riverfront Grill

11/20/2007 TUE 10:17 FAX 705 759 6950 BON SOO Winter Carnival

002/002

5(c)

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Yes, I approve of the Temporary Street Closure as indicated in the above document.

Signature

ALGONA CENTRAL PROPERTIES INC.
Company/Organization (STN. Tower)

Date

November 20/07

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Yes, I approve of the Temporary Street Closure as indicated in the above document.

Signature

J. Egan Spt #143

Company/Organization

SAULT STE. MARIE POLICE

Date

20 Nov. 07

5(c)

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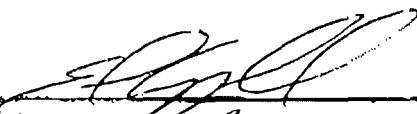
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Yes, I approve of the Temporary Street Closure as indicated in the above document.



Signature
Ontario Realty Corporation
Company/Organization

November 26/07

Date

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESS

CONTACT NAME: BON SOO WINTER CARNIVAL INC. TELEPHONE: 759-3000

ADDRESS: Box 781 POSTAL CODE: R6A 5N3

The above person hereby makes application for the closing of

FOSTER DRIVE

(Name of street to be closed)

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

on the _____ day of _____, 20____ from _____ am/pm to _____ am/pm

for the purpose of ANNUAL ONTARIO WINTER CARNIVAL BON SOO

APPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 759-7348
Fax 759-7820
580 Second Line East

Signature of Official

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

Signature of Official

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

Signature of Official

4. Transit/Parking
Telephone 759-5438/759-5320
Fax 759-4534
111 Huron Street

Signature of Official

5. Central Ambulance Communication Centre (C.A.C.C.)
Telephone 946-1227
Fax 945-6883
969 Queen Street East (Rear of Plummer Hospital)

Signature of Official

CITY CLERK SECTION:

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

11/20/2007 TUE 10:51 FAX 705 759 6950 BON SOO Winter Carnival

002/003

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESSCONTACT NAME: BON SOO WINTER CARNIVAL INC. TELEPHONE: 759-3000ADDRESS: BOX 781 POSTAL CODE: P6A 5N3

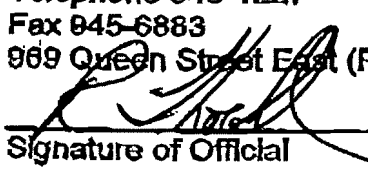
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Fax 759-7820
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Fax 949-2341
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Signature of Official_____
Signature of Official3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road4. Transit/Parking
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Fax 759-4534
111 Huron Street_____
Signature of Official_____
Signature of Official5. Central Ambulance Communication Centre (C.A.C.C.)
Telephone 948-1227
Fax 945-6883
969 Queen Street East (Rear of Plummer Hospital)

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

5(c)

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for the purpose of ANNUAL ONTARIO WINTER CARNIVAL. BON SOOAPPROVALS SECTION:

- | | |
|---|--|
| 1. Police Services, Traffic Dept.
Telephone 759-7348
Fax 759-7820
580 Second Line East
<u>Rec'd 08</u>

Signature of Official | 2. Fire Services/Emergency Medical Services (EMS)
Telephone 949-3335/949-3387
Fax 949-2341
72 Tancred Street
<u>Rec'd 08</u>

Signature of Official |
| 3. Public Works & Transportation Dept.
Telephone 541-7000
Fax 541-7010
128 Sackville Road
<u>Rec'd 08</u>

Signature of Official | 4. Transit/Parking
Telephone 759-5438/759-5320
Fax 759-4534
111 Huron Street
<u>Rec'd 08</u>

Signature of Official |
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Telephone 946-1227
Fax 945-6883
969 Queen Street East (Rear of Plummer Hospital)
<u>Rec'd 08</u>

Signature of Official | |

CITY CLERK SECTION:

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

5(c)

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

11/20/2007 TUE 10:50 FAX 705 759 6950 BON 500 Winter Carnival

5(c)

TEMPORARY STREET CLOSURE - APPROVAL PROCESSCONTACT NAME: BON 500 WINTER CARNIVAL INC. TELEPHONE: 759-3000ADDRESS: Box 781 POSTAL CODE: P6A 5N3

The above person hereby makes application for the closing of

FOSTER DRIVE

(Name of street to be closed)

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



MUNICIPAL PROPERTY ASSESSMENT CORPORATION

November 26, 2007

Mayor John Rowswell
City of Sault Ste. Marie
P.O. Box 58099 Foster Drive
Sault Ste. Marie ON P6A 5N1

RECEIVED
DEC - 3 2007
MAYOR'S OFFICE

Update on MPAC Activities

Dear Mayor John Rowswell:

I am pleased to provide you with an update on the Municipal Property Assessment Corporation's activities to date for 2007. Our efforts to improve the products and services we deliver to municipalities and the taxpayers of Ontario are continuing. Of particular note:

- Our new Integrated Property System (IPS) was implemented in April providing capabilities we require to meet the expectations of municipalities and property taxpayers that were not possible with the 25-year-old computer system we had been using; and
- We are increasing the number of properties that we inspect in 2007 by approximately 40 per cent, providing information we need to generate more accurate values.

We continue to prepare for the province-wide assessment update in 2008 and are working to ensure that the changes introduced in last spring's Ontario Budget, including the move to a four-year assessment cycle with mandatory phase-in provisions, are implemented as smoothly as possible. I would like to provide you with a more detailed update of our activities in the following areas.

- Integrated Property System;
- Increased Property Inspection Program;
- Ombudsman's Recommendations;
- Enumeration;
- Stakeholder Outreach;
- Service Delivery; and
- Participation at the AMO 2007 Annual Conference.

Office of the Chair c/o Municipal Property Assessment Corporation
1305 Pickering Parkway, Pickering, Ontario L1V 3P2
T: 905.688.0990 ext 224 F: 905.831.0040 www.mpac.ca

Integrated Property System (IPS)

I am pleased to report that we have completed the roll-out of IPS and it is MPAC's core business system. Our efforts are now focused on the successful delivery of information products from IPS, such as Property Assessment Notices, Assessment Rolls and Tax Files, as well as system enhancements. As with any new computer system, some changes have been required to internal procedures. MPAC staff continue to work with your staff to ensure that the impact on municipalities is minimized. We will deliver the 2007 assessment rolls on December 11, 2007 as required by legislation.

Increased Property Inspection Program

We will inspect about 500,000 properties in 2007 compared to the 355,000 last year. These additional inspections will allow us to confirm data that we currently have, make any revisions and help ensure the accuracy of values.

I am also pleased to report that we have completed 99 per cent of our inspection of all 22,500 Northern Ontario properties affected by Provincial Land Tax reform. Once we have completed the inspections, we will be able to finalize current value assessments for these properties for the 2008 assessment update.

Ombudsman's Recommendations

We have taken action on all 20 of the recommendations made by the Ombudsman that fall within our jurisdiction. On September 10, 2007, as requested, we delivered our second Update Report to the Ombudsman, which is available on our website, www.mpac.ca.

In an October 1 speech to the Canadian Property Tax Association Annual Workshop, Gareth Jones, of the Ombudsman's office, said that 2008 property tax assessment in Ontario would be "fairer, more transparent and more accountable, thanks in large part to the cooperation we have seen from MPAC and the government."

When the Ombudsman's report was released, we made a commitment to consult municipalities before implementing three recommendations with significant cost implications. We are now reviewing the impact of the changes announced in the Provincial Budget before making a final decision on consulting municipalities.

Enumeration

I am pleased to report that MPAC completed the 2006 enumeration on time and within budget, meeting or exceeding all of the statutory and operational requirements. In addition, a number of new and improved products and services were made available to all municipalities and school boards in the province.

Our 2006 Post-Enumeration Report to municipalities will be distributed to all Municipal Clerks and posted on our website in the next few weeks. One issue identified in the report is a change we introduced at the request of the Association of Municipal Managers, Clerks and Treasurers of Ontario (AMCTO) in which we included a new code with respect to citizenship status. While this was not an issue in most communities, it created some concern in several municipalities.

In preparation for the 2010 enumeration, we have begun consulting stakeholders and will continue to seek input on changes that will further improve accuracy and service. We will also be consulting on the broader issue of the most appropriate entity for the carrying out of the enumeration function in Ontario in the future and we would like your input on this important matter.

MPAC also continues discussions with the Ministry of Government Services (MGS) for access to birth and death information. Test files are being analyzed and a data sharing agreement is being drafted.

Stakeholder Outreach

We continue to place emphasis on communicating with stakeholders, including municipalities and property taxpayer groups, to increase their understanding of MPAC's role in assessment. Between January 1 and September 30, 2007, we held more than 700 meetings with our various stakeholders, surpassing the 580 stakeholder meetings we attended in 2006.

Our Municipal Relations staff continued to meet regularly with municipal councils and staff and attended many municipal conferences this year including the Association of Municipalities of Ontario (AMO) Annual Conference in Ottawa in August.

Service Delivery

Supplementary/Omitted Assessments

We continue to make significant gains in meeting our target of assessing all new buildings and additions within six months of occupation. This year, we have added more than \$18 billion in new assessment to the rolls.

Requests for Reconsideration

MPAC's target is to process a Request for Reconsideration (RfR), for a given tax year within 45 days. The average year-to-date processing time in 2007 is 44 days compared to 84 days for the same time period in 2006. Although our 2007 volume of RfRs is not as high as we would expect in an assessment update year, we also attribute our lowered processing time to efficiencies gained from streamlining our business processes.

To date this year, MPAC has received 20,551 RfRs, which represents .45 per cent of the approximately 4.6 million properties on the 2006 assessment roll.

Seasonal Campgrounds

As you know, the issue of the assessability of trailers is under appeal before the Court of Appeal for Ontario. The appeal was heard on October 15 and 16, and we are awaiting the decision. We look forward to having this matter resolved and will be bound by any legal principle established by the Courts. We will ensure that municipalities are aware of the impact of the decision.

Participation at the AMO 2007 Annual Conference

I attended the AMO Annual Conference in Ottawa with Carl Isenburg, our Chief Administrative Officer. Both Carl and I participated with Diane Ross, Director, Property Tax Legislation and Assessment Policy Branch, Ontario Ministry of Finance, in a concurrent session on August 21. Diane spoke about the recent changes in property assessment policy. Carl and I discussed implementation plans and reviewed some of our recent achievements and planned activities. Copies of our presentation have been posted on the MPAC website at www.mpac.ca.

In conclusion, I want to assure you that we continue to strive to improve service and build stronger relationships with municipalities, property taxpayers and other stakeholders. Our staff takes great satisfaction in receiving positive feedback from our stakeholders and I take these results to mean that we are on track in meeting our customers' needs and expectations.

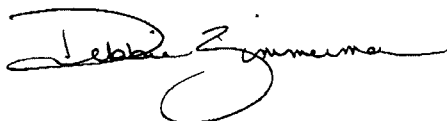
5(d)

Mayor John Rowswell
Update on MPAC Activities

November 26, 2007
Page 5 of 5

As always, I appreciate your interest in our activities. If you would like additional information, please contact me at 905 688-0990, extension 225, Carl Isenburg, President and Chief Administrative Officer, at 905 837-6150, Paul Galaski, Vice-President Customer Relations, at 905 837-6190 or Arthur Anderson, Director of Municipal Relations, at 905 837-6993. Any of us would be happy to answer your questions or discuss these issues with you in more detail.

Yours truly,



Debbie Zimmerman
Chair, MPAC Board of Directors

Copy The Honourable Dwight Duncan, Minister of Finance
Diane Ross
Municipal Clerks and Treasurers (*via e-mail*)
Municipal Liaison Group – Assessment (*via e-mail*)
Municipal Liaison Group – Enumeration (*via e-mail*)
MPAC Board of Directors
Carl Isenburg
Paul Galaski
Arthur Anderson

5(e)

**Ministry of
Municipal Affairs
and Housing**

Office of the Minister
777 Bay Street, 17th Floor
Toronto ON M5G 2E5
Tel. 416 585 7000
Fax 416 585 6470
www.mah.gov.on.ca

**Ministère des
Affaires municipales
et du Logement**

Bureau du ministre
777, rue Bay, 17^e étage
Toronto ON M5G 2E5
Tél. 416 585 7000
Téléc. 416 585 6470
www.mah.gov.on.ca



07-2891

November 23, 2007

His Worship
Mayor John Rowswell
City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie ON P6A 5N1

RECEIVED
DEC - 3 2007
MAYOR'S OFFICE

Dear Mayor Rowswell:

As Ontario's newly appointed Minister of Municipal Affairs and Housing, I would like to take this opportunity to introduce myself and to acknowledge some concerns we share.

Since the beginning of our government's first mandate, I have been working closely with Premier Dalton McGuinty and my colleagues in Caucus to deliver positive change to the people of Ontario. I am pleased to continue advancing this work as the new Minister of Municipal Affairs and Housing.

Currently, the Provincial-Municipal Fiscal and Service Delivery Review is hard at work developing options for a sustainable provincial / municipal relationship. The Review partners – the Association of Municipalities of Ontario, City of Toronto, and Province of Ontario – remain committed to the process. The Review is considering a wide array of complex issues related to infrastructure, services and funding arrangements.

One cannot presuppose the outcomes of the Provincial-Municipal Fiscal and Service Delivery Review. The Review's important work will lead to the release of a consensus report in spring 2008. All participants in the Review are committed to taking the time to get it right.

Our two levels of government face many challenges, requiring us to work together to address those matters that will strengthen Ontario's municipalities. The sustainability of social housing is of particular importance for Ontario. Our government strongly believes that there is a need to reach agreement with the federal government on strategies to protect the social-housing stock and to improve outcomes for vulnerable Ontario households. We want to engage Ottawa in discussions about new federal funding that is long-term and flexible for housing initiatives.

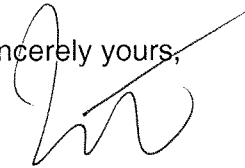
Mayor Rowswell

We also must be prepared for times of difficulty. Financial assistance for disasters in Ontario and coordination of extraordinary costs related to disaster events have been very active areas of federal/provincial/territorial collaboration over the past few years. The government hopes to see progress on the Federal Disaster Assistance Initiative (FDAI) at the upcoming Emergency Management Ministers' meeting in January – particularly in the area of recovery from non-natural disasters.

Over the next four years, I look forward to further developing our partnership. I believe we can continue the good relationship our governments have enjoyed and can work collaboratively with you and our other municipal partners across the province.

Please accept my best wishes as we continue to work together for the benefit of all Ontarians.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Jim Watson', with a long horizontal stroke extending to the right.

Jim Watson, MPP
Minister

5(f)

GRACE

Grace Performance Chemicals

Grace Canada, Inc.
294 Clements Road West
Ajax, ON L1S 3C6

Tel: (905) 683-8561
Fax: (905) 683-4659
<http://www.gcp-grace.com>

November 26, 2007

**The City of Sault Ste. Marie
40 Angelina Avenue
Sault Ste. Marie, Ontario
P6A 4C6**

Attention: Councillor Ward 1, Mr. Steve Butland

Dear Steve,

The first truckload of post consumer expanded polystyrene was received at our Ajax facility the week of Nov 19. The material was sorted very well and processed through our system without any issues.

We are ready to commence with the program full force, however, I understand your collection/sorting facility will be closed from now until spring. Do you have any options to continue on with the program during the months your special waste depot is closed? We are still very interested in maintaining the program for twelve months of the year. The time during which your facility is closed for EPS recycling is a lost opportunity to keep the volumes out of the landfill.

Your consideration is appreciated.

Best Regards,



Debbie Fearn-Wright, CIM, C.P.M.
Senior Purchasing Manager
WR Grace & Co.
Construction Products Division

Cc: S. Boss, Site Manager, Ajax



5(g)



**Ontario
Medical
Association**

525 University Avenue
Suite 200
Toronto, Ontario
M5G 2K7

Tel: 416-599-2580
1-800-268-7215
Fax: 416-599-9309
www.oma.org

November 29, 2007

The Honorable John Rowswell
Mayor of City of Sault Ste. Marie
Box 580, 99 Foster Dr.
Sault Ste. Marie, ON P6A 5N1

RECEIVED

DEC - 3 2007

MAYOR'S OFFICE

Dear Mayor Rowswell:

Ontario's doctors believe that all steps should be taken to ensure the health and well-being of our children. As you may know, the Ontario Medical Association (OMA) has been advocating for a ban on smoking in cars transporting children to help protect them from the negative health impacts of Second-Hand-Smoke (SHS). The recent passing of such a bylaw in Wolfville, Nova Scotia is proof that local action can be taken. York Regional Council has already passed a resolution asking the Government of Ontario to ban smoking in cars carrying children and the City of London has formed a committee to investigate their options.

Research shows that vehicles can be a potent source of SHS, and that such exposure can be 23 times more toxic than in a house because air circulation is restricted within a small space. The OMA's 2004 report "*Exposure to second-hand smoke: are we protecting our kids?*" highlights the fact that children exposed to SHS are at a higher risk for respiratory illnesses including asthma, bronchitis and pneumonia, as well as sudden infant death syndrome (SIDS) and increased incidences of cancer and heart disease in adulthood.

Protecting children from the negative health impacts of SHS is a critical public health initiative and the OMA will continue to call for a province-wide solution to this problem. In the past, municipalities have shown strong leadership in banning smoking in workplaces and public spaces. That hard work eventually led to the Smoke Free Ontario Act, but in this case we believe that the solution must be a provincial law. In our effort to build support for such legislation we invite you to join us in calling for a provincial ban on smoking in vehicles where children are present. Your personal support, and if feasible, a supportive resolution from your council would be of great help in this matter. If you require any assistance, or background information, please contact my office and OMA staff would be happy to help.

Sincerely,

Janice Willett, MD, FRCSC
President

5(h)

November 29, 2007

Congressman Bart Stupak
U.S. Capitol, Room H154
Washington, DC 20515-6601

via facsimile: 202-225-4735

Dear Congressman Stupak:

I am enclosing a news article from The Sault (Ontario) Star outlining concerns about emergency fire and ambulance crews who are required to cross the International Border for mutual aid agreements and other emergency situations. Sault Ste. Marie, Michigan and Sault Ste. Marie, Ontario have shared a mutual aid fire protection agreement for over 23 years. Recent delays in other locations at border crossings have had a significant effect on the protection of life and property where similar circumstances occur.

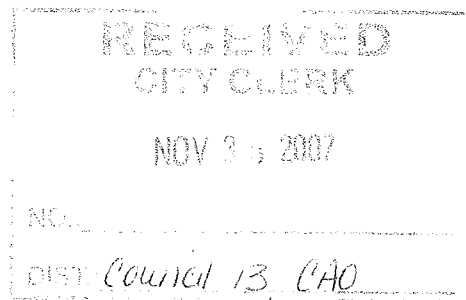
While we have not experienced these types of problems at the Sault Ste. Marie Border Station, it is critical for both Sault Ste. Marie, Michigan and Sault Ste. Marie, Ontario that some sort of expedited crossings be authorized in these types of emergency services. There should also be a waiver provision or passport requirements for personnel involved in cross border emergency responses. These situations occur infrequently enough that emergency workers on either side of the border are not likely to have passports, and even if they do have passports, it is not likely that they would be carrying their passports at the time of an emergency.

It is important that expedited solutions to these issues occur.

Sincerely,

SPENCER R. NEBEL
City Manager

- b
c: Mayor and City Commission, Sault Ste. Marie, Michigan
Mayor and City Councilors, Sault Ste. Marie, Ontario
Fire Chief Ken Eagle, Sault Ste. Marie, Michigan
Fire Chief Lynn McCoy, Sault Ste. Marie, Ontario
Police Chief Lou Murray, Sault Ste. Marie, Michigan



5(h)

November 29, 2007

U.S. Senator Carl Levin
269 Russell Building
Washington, DC 20510

via facsimile: 202-224-1388

Dear Senator Levin:

I am enclosing a news article from The Sault (Ontario) Star outlining concerns about emergency fire and ambulance crews who are required to cross the International Border for mutual aid agreements and other emergency situations. Sault Ste. Marie, Michigan and Sault Ste. Marie, Ontario have shared a mutual aid fire protection agreement for over 23 years. Recent delays in other locations at border crossings have had a significant effect on the protection of life and property where similar circumstances occur.

While we have not experienced these types of problems at the Sault Ste. Marie Border Station, it is critical for both Sault Ste. Marie, Michigan and Sault Ste. Marie, Ontario that some sort of expedited crossings be authorized in these types of emergency services. There should also be a waiver provision or passport requirements for personnel involved in cross border emergency responses. These situations occur infrequently enough that emergency workers on either side of the border are not likely to have passports, and even if they do have passports, it is not likely that they would be carrying their passports at the time of an emergency.

It is important that expedited solutions to these issues occur.

Sincerely,

SPENCER R. NEBEL
City Manager

b

c: Mayor and City Commission, Sault Ste. Marie, Michigan
Mayor and City Councilors, Sault Ste. Marie, Ontario
Fire Chief Ken Eagle, Sault Ste. Marie, Michigan
Fire Chief Lynn McCoy, Sault Ste. Marie, Ontario
Police Chief Lou Murray, Sault Ste. Marie, Michigan

November 29, 2007

U.S. Senator Debbie Stabenow
133 Hart Building
Washington, DC 20510

via facsimile: 202-228-0325

Dear Senator Stabenow:

I am enclosing a news article from The Sault (Ontario) Star outlining concerns about emergency fire and ambulance crews who are required to cross the International Border for mutual aid agreements and other emergency situations. Sault Ste. Marie, Michigan and Sault Ste. Marie, Ontario have shared a mutual aid fire protection agreement for over 23 years. Recent delays in other locations at border crossings have had a significant effect on the protection of life and property where similar circumstances occur.

While we have not experienced these types of problems at the Sault Ste. Marie Border Station, it is critical for both Sault Ste. Marie, Michigan and Sault Ste. Marie, Ontario that some sort of expedited crossings be authorized in these types of emergency services. There should also be a waiver provision or passport requirements for personnel involved in cross border emergency responses. These situations occur infrequently enough that emergency workers on either side of the border are not likely to have passports, and even if they do have passports, it is not likely that they would be carrying their passports at the time of an emergency.

It is important that expedited solutions to these issues occur.

Sincerely,

SPENCER R. NEBEL
City Manager

b

c: Mayor and City Commission, Sault Ste. Marie, Michigan
Mayor and City Councilors, Sault Ste. Marie, Ontario
Fire Chief Ken Eagle, Sault Ste. Marie, Michigan
Fire Chief Lynn McCoy, Sault Ste. Marie, Ontario
Police Chief Lou Murray, Sault Ste. Marie, Michigan

OUTSTANDING COUNCIL RESOLUTIONS

As of November 26, 2007

<u>COUNCIL DATE</u>	<u>SUBJECT OF RESOLUTIONS</u>	<u>SPONSORED BY</u>	<u>REPORTING DEPARTMENT</u>	<u>COMMENTS/STATUS</u>
March 22, 2004	Review current branding and develop new brands	T. Sheehan J. Curran	EDC/TSSM	Tourism SSM to report on status
August 9, 2004	Report on establishing new Welcoming Entrance Infrastructure at north east and west entrances to the City	S. Butland J. Caicco	Council Committee Chair: S. Butland	Budget 2008
August 9, 2004	Report on initiating, marketing and organization of Trade Missions	T. Sheehan S. Butland	International Relations Committee	Pending EDC/Council direction, Budget 2008
January 24, 2005	Report on Lock City Dairies proposal for statue of Wayne Gretzky at new Sports and Entertainment Centre	J. Caicco D. Amaroso	Steering Committee Cultural Advisory Board	February 2008
February 21, 2005	Develop Terms of Reference for new Arts and Entertainment Economic Opportunities Committee	T. Sheehan J. Curran	Steering Committee	Tourism SSM is undertaking this responsibility and will report on status
June 13, 2005	Report on recommendation of the A & E Economic Opportunities Working Committee regarding making films in Sault Ste. Marie	T. Sheehan S. Butland	EDC Legal (reported June 27/05)	Tourism SSM is undertaking this responsibility and will report on status
October 17, 2005	Investigate the merits of an employee suggestions and reward program	J. Caicco B. Hayes	Finance Clerk's Human Resources	January 2008 Finance Committee to review

<u>COUNCIL DATE</u>	<u>SUBJECT OF RESOLUTIONS</u>	<u>SPONSORED BY</u>	<u>REPORTING DEPARTMENT</u>	<u>COMMENTS/STATUS</u>
May 8, 2006	Report on development of the local workforce and current labour requirements	J. Collins T. Sheehan	Destiny S.S.M. E.D.C.	Pending EDC direction February 2008
June 26, 2006	Feasibility of a leash-free zone for dogs at Topsail Island	S. Butland T. Sheehan	C.S.D.	January 2008
July 10, 2006	Report on rationale for by-law controlling parking of mobile homes, travel trailers and work trailers on residential property	S. Butland P. Mick	Building/Planning	Mover/Seconder request this resolution be withdrawn
July 24, 2006 and May 14, 2007	Possibility of purchasing playground equipment that meets CSA requirements to replace the train at Bellevue Park	T. Sheehan S. Butland	P.R.A.C.	March 2008
January 15, 2007	Development of a Comprehensive Municipal Parking By-law with AAC consultation	J. Caicco O. Grandinetti	Parking Legal	January 2008
March 8, 2007	Report on Accountability Agreements with 'outside agencies'	T. Sheehan S. Butland	Finance Committee	February 2008
April 30, 2007	Report on Youth Services Position	T. Sheehan P. Mick	Council Committee	Budget 2008
July 23, 2007	Report on maintenance program at municipal cemeteries	B. Hayes S. Myers	P.W. & T.	January 2008
August 13, 2007	Proposed amendments Class A and B Truck Routes - Recommendations following Open House	S. Myers F. Fata	Engineering	January 2008
August 13, 2007	Report on design options for pedestrian crossing on Northern Avenue	S. Myers F. Fata	Engineering	January 2008
August 13, 2007	Committee to report on policy for bidding for and hosting Conferences and special events	S. Myers L. Tridico	Committee (Myers - Chair)	February 2008

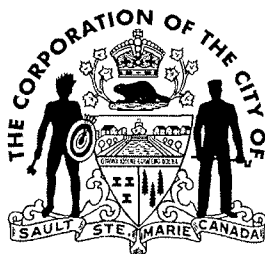
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<u>COUNCIL DATE</u>	<u>SUBJECT OF RESOLUTIONS</u>	<u>SPONSORED BY</u>	<u>REPORTING DEPARTMENT</u>	<u>COMMENTS/STATUS</u>
September 10, 2007	Report on petition for traffic lights at Prentice and Second Line	F. Manzo O. Grandinetti	Engineering P.W. & T.	February 2008
September 24, 2007	Report on repairs to the Soldiers Reunion Plaque on Gore Street	F. Manzo B. Hayes	P.W. & T.	Spring 2008
October 15, 2007	Report on recommendations to recognize late Ken Danby	T. Sheehan S. Myers	Cultural Advisory Board	February 2008
October 15, 2007	Report on feasibility and cost to cover the stairs at the Steelback Centre	P. Mick F. Manzo	C.S.D.	January 2008
October 29, 2007	Report on petition for flashing school crossing light near Kiwedon Public School	F. Fata D. Celetti	P.W. & T.	January 2008
October 29, 2007	Report on request for a 4-way stop at Farwell/Henrietta/Devon and speed signs	D. Celetti F. Fata	P.W. & T.	February 2008
November 13, 2007	Report on feasibility of year-round operation of Household Special Waste Facility	S. Butland J. Caicco	P.W. & T.	Budget 2008
November 13, 2007	Report on possible free parking on Queen Street from 11:30 a.m. to 1:00 p.m.	D. Celetti O. Grandinetti	P.W. & T.	January 2008
November 26, 2007	Report on petition for sidewalk snowplowing on Tuckett Street	D. Celetti T. Sheehan	P.W. & T.	December 10, 2007

5(i)

5(k)

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 12 10

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. **Paul Milosevich & Rocco Celetti – Fire Services**
Career Development
January, 2008
Gravenhurst, ON
Estimated total cost to the City - \$ 250.00
Estimated net cost to the City - \$ 250.00
2. **Dave Peddle – Fire Services**
Training Administration, Program Planning & Career Development
January, 2008
Gravenhurst, ON
Estimated total cost to the City - \$ 225.00
Estimated net cost to the City - \$ 225.00
3. **Terry Barrett – Fire Services**
Principles of Adult Learning
January, 2008
Gravenhurst, ON
Estimated total cost to the City - \$ 225.00
Estimated net cost to the City - \$ 225.00
4. **Paul Antonello – Fire Services**
Principles of Adult Learning
January, 2008
Gravenhurst, ON
Estimated total cost to the City - \$ 175.00
Estimated net cost to the City - \$ 175.00

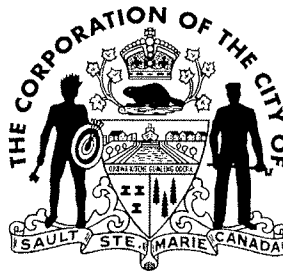
5. **Frank Brescacin – Fire Services**
Applied Administration & Supervision
February, 2008
Gravenhurst, ON
Estimated total cost to the City - \$ 225.00
Estimated net cost to the City - \$ 225.00
6. **Don Elliott – Engineering & Planning**
No Spills Conference
January, 2008
Traverse City, MI
Estimated total cost to the City - \$ 369.00
Estimated net cost to the City - \$ 369.00
7. **Nick Apostle – Community Services Department**
Facility Review – Suites Program
December, 2007
Oshawa, ON
Estimated total cost to the City - \$ 916.00
Estimated net cost to the City - \$ 916.00
8. **Colleen Goertz – Legal – Provincial Offences Division**
Provincial Offences Satellite Courts
Various Dates in 2008
Thessalon & Wawa, ON
Estimated total cost to the City - \$ 55.00
Estimated net cost to the City - \$ 55.00
9. **Deborah Hohenadel - Legal – Provincial Offences Division**
Provincial Offences Satellite Courts
Various Dates in 2008
Thessalon & Wawa, ON
Estimated total cost to the City - \$ 55.00
Estimated net cost to the City - \$ 55.00

Yours truly,



Joseph M. Fratesi
Chief Administrative Officer

JMF: bb



2007 12 10

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

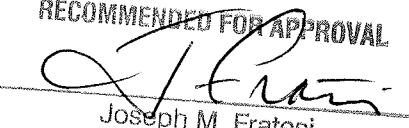
PAL/md

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

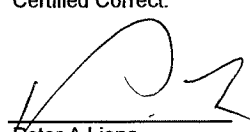
THE CORPORATION OF THE CITY OF SAULT STE. MARIE
PROPERTY TAX APPEALS
2007 Tax Year

DATE: 2007 12 03
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS	PERSON ASSESSED	TAX CLASS	REASON	APPEAL NO.	CANCELLATIONS TAXES	INTEREST	TOTAL ADJUSTMENT
060-030-013	55 South Eden	Eshkibok Henry Ernest	RT	D	07-066	128.53	7.17	135.70
060-070-058	429 Sunnyside Beach Road	Cesarin Denis Antony Cesarin Donna Marie	RT	D	07-067	108.54	0.00	108.54

Certified Correct:

REPORT TOTAL 237.07 7.17 244.24

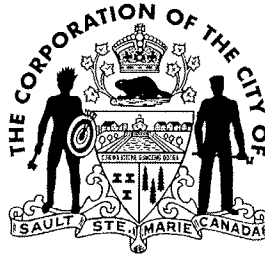

Peter A Liepa
City Tax Collector

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(1)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 12 10

Mayor John Rowswell and
Members of City Council
Civic Centre

**Re: Proposal for Asbestos Inventory and Hazard Assessment
City-Owned Buildings**

Regulations of the Ontario Health and Safety Act require that the City has and maintains an Asbestos Inventory and Hazard Assessment for City-owned buildings. As a result, our Health and Safety Division of the Human Resources Department and the Sault Ste. Marie Housing Corporation jointly have requested a request for proposal to be issued for the inspection and compiling of this information.

The request for proposal was publicly advertised and documents were forwarded to all firms on our bidders list. As a result, three (3) firms have submitted proposals:

Conestoga-Rovers & Associates
D. Harris & Associates
M.R. Wright & Associates Co. Ltd.

The proposals received have thoroughly been evaluated and reviewed with Mr. Roy Dewar, Manager of Health and Safety, Mr. Jeff Barban, Operations Manager – Social Housing, and the Purchasing Division. The proposal best meeting and addressing all of our requirements and concerns, at the lowest cost to the City, has been identified below.

Funding of \$70,000.00 was approved in the 2007 Budget from the OMERS Premium Reserve.

RECOMMENDATION

It is therefore my recommendation that the proposal for the creation of an information database for Asbestos Inventory and Hazard Assessment in City-owned Buildings, submitted by D. Harris and Associates of Barrie, ON, in the amount of \$111,000.00, plus G.S.T, be accepted.

And further, it is recommended that funding be provided from the OMERS Premium Reserve (balance \$275,477.00) and the Sault Ste. Marie Housing Corporation contribute \$26,450.00 to the City in 2008, subject to budget approval, for their portion resulting in a net City cost of \$84,550.00.

...2

5(m)

- 2 -

This report is submitted for Council's approval.

Respectfully submitted,



Ralph Robertson
Manager of Purchasing

RR:nt

Recommended for approval,



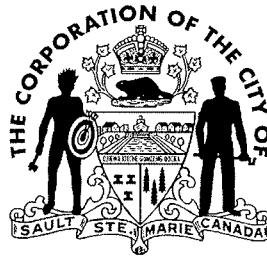
W. Freiburger
Commissioner of Finance & Treasurer

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 12 10

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

Re: Tender for Oils, Greases & Gear Lubricants (2007WA23)

Attached hereto for your information and consideration is a summary of the tenders received for the supply and delivery of Oils, Greases and Gear Lubricants as required by the various City Departments and cooperatively, PUC Services Inc., for the year 2008.

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders received was held November 21, 2007 with Councillor Lou Turco representing City Council.

The tenders received have been carefully evaluated and analyzed as to quality, availability of supply, dependability of vender and price. The low tendered prices meeting specifications have been identified on the attached summary.

RECOMMENDATION

It is therefore my recommendation that the tender for the supply and delivery of Oils, Greases and Gear Lubricants, as required for the year 2008, be awarded to McDougall Fuels, 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

FINANCE DEPARTMENT
PURCHASING DIVISION

BUDGET: MULTI DEPARTMENT INVENTORY AND MAINTENANCE CHARGE OUT ITEMS

Received: November 21, 2007

File: 2007WA23

SUMMARY OF TENDERS
OILS, GREASES AND GEAR LUBRICANTS

<u>DESCRIPTION</u>	<u>Quantity</u>	<u>McDougall Fuels</u> <u>Sault Ste. Marie, ON</u>		<u>Power Fuels</u> <u>Sault Ste Marie, ON</u>	
		<u>Unit Price</u>	<u>Total Price</u>	<u>Unit Price</u>	<u>Total Price</u>
Hydraulic Oil - ISO 32 (205 litre drums)	6150 Litres	\$1.87	\$11,500.50	\$1.98	\$12,177.00
Multipurpose Grease - EP2 (tubes)	750 Tubes	\$2.05	\$1,537.50	\$2.05	\$1,537.50
Multipurpose Grease - EP2 (17kg pail)	51 Kgs	\$4.67	\$238.17	\$4.63	\$236.13
Multipurpose Grease - EP2 (54kg keg)	850 Kgs	\$4.53	\$3,850.50	\$4.48	\$3,808.00
Gearlube 80W90 (60 litre drum)	1260 Litres	\$2.58	\$3,250.80	\$2.56	\$3,225.60
Gearlube 80W90 (205 litre drum)	410 Litres	\$2.52	\$1,033.20	\$2.37	\$971.70
Crankcase Oil 10W30CC/SF (litre)	300 Litres	\$2.40	\$720.00	\$2.49	\$747.00
Crankcase Diesel Oil 30CD/SF (litre)	50 Litres	\$2.50	\$125.00	\$2.52	\$126.00
Crankcase Diesel Oil 10W30CD/SF (litre)	800 Litres	\$2.43	\$1,944.00	\$2.55	\$2,040.00
Crankcase Diesel Oil 15W40CD/SF (litre)	2750 Litres	\$2.43	\$6,682.50	\$2.55	\$7,012.50
Crankcase Diesel Oil 15W40CD/SF(1100 litre)	7700 Litres	\$1.96	\$15,092.00	\$1.91	\$14,707.00
Crankcase Diesel Oil 40CD/SF (205 litre drums)	4100 Litres	\$2.31	\$9,471.00	\$2.22	\$9,102.00
Crankcase Diesel Oil 50CD/SF (205 litre drums)	2050 Litres	\$2.28	\$4,674.00	\$2.40	\$4,920.00
Crankcase H.D. Diesel 15W40CF/SJ (205 litre drums)	2460 Litres	\$2.23	\$5,485.80	\$2.22	\$5,461.20
ATF Dexron Transmission (litre)	1056 Litres	\$2.44	\$2,576.64	\$2.52	\$2,661.12
ATF Dexron Transmission (205 litre drum)	3485 Litres	\$2.24	\$7,806.40	\$2.18	\$7,597.30
Cleaning Solvent (205 litre drum)	410 Litres	\$1.85	\$758.50	\$2.08	\$852.80
Total Weighted Cost (before taxes):			<u>\$76,746.51</u>		<u>\$77,182.85</u>

Comments:

Meets requirements.

Meets requirements.

Note: The low tendered prices, meeting specifications, are boxed above.

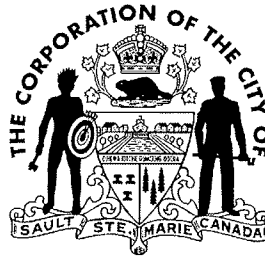
It is my recommendation that the low tendered prices, submitted by McDougall Fuels, be accepted.

Ralph Robertson
Manager of Purchasing

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5(0)

Ralph Robertson
Manager of Purchasing



Finance Department
Purchasing Division

2007 12 10

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

Re: Tender for Sledge Hockey Equipment

Attached hereto for your information and consideration is a summary of the tenders received for Sledge Hockey Equipment as requested by the Social Services Department on behalf of the Accessibility Advisory Committee. This equipment will be used to improve access to sports activities for youth and adults in our community.

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders received was held November 28, 2007, with Councillor S. Butland representing City Council.

The tenders received have been thoroughly evaluated and reviewed with Ms. Lynn Rosso, Social Services Department Unit Manager and members of the Accessibility Advisory Committee. The low tendered price, meeting specifications, has been identified on the attached summary.

Funding for the purchase of this equipment comes from the Accessibility Project Account.

RECOMMENDATION

It is therefore my recommendation that the tender for Sledge Hockey Equipment, be awarded to Unique Inventions Inc, at their tendered price of \$10,792.00, plus taxes.

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: \$20,000.00

Received: November 28, 2007
File #2007OW01

SUMMARY OF TENDERS
SLEDGE HOCKEY EQUIPMENT

Item	Qty.	<u>Healthgear Medical</u> <u>Sault Ste. Marie, ON</u>		<u>Mobility Sports</u> <u>Fort Wayne, IN</u>		<u>Shoppers Home HealthCare</u> <u>Sault Ste. Marie, ON</u>		<u>Unique Inventions</u> <u>Peterborough, ON</u>	
		<u>Unit Price</u>	<u>Total Price</u>	<u>Unit Price</u>	<u>Total Price</u>	<u>Unit Price</u>	<u>Total Price</u>	<u>Unit Price</u>	<u>Total Price</u>
Team-Type Adjustable Length Sledges	14	\$690.00	\$9,660.00	\$535.00	\$7,490.00	\$740.00	\$10,360.00	\$553.00	\$7,742.00
Team-Type Adjustable Length Sledge c/w Adjustable Back	1	\$705.00	\$705.00	\$680.00	\$680.00	\$600.00	\$600.00	\$494.00	\$494.00
Removable Push Handles	6	\$71.00	\$426.00	\$110.00	\$660.00	\$68.00	\$408.00	\$57.00	\$342.00
Pairs-Sledge Hockey Sticks - 85 cm	10	\$78.00	\$780.00	\$77.00	\$770.00	\$24.00	\$240.00	\$62.00	\$620.00
Pairs-Sledge Hockey Sticks - 75 cm	5	\$73.00	\$365.00	\$75.00	\$375.00	\$22.00	\$110.00	\$58.00	\$290.00
Tool Kits	2	not required		\$35.00	\$70.00	\$10.00	\$20.00	n/c	\$0.00
Sets-Wheels & Accessories	6	\$236.00	\$1,416.00	\$100.00	\$600.00	\$225.00	\$1,350.00	\$189.00	\$1,134.00
Shipping	1	inc.		inc.		inc.		\$170.00	\$170.00
Subtotal			<u>\$13,352.00</u>		<u>\$10,645.00</u>		<u>\$13,088.00</u>		<u>\$10,792.00</u>
Equipment Manufacturer		Unique Inventions		Mobility Sports		Unique Inventions		Unique Inventions	
Delivery:		21 w/days		30 w/days		30 w/days		20 w/days	
Remarks:		Meets specifications.		Does not meet specifications Sledge does not adjust through full range of sizes to suit Children & Adults Sticks must be fitted with a crutch tip at \$6.00/set extra for use on hard surfaces		Meets specifications.		Meets specifications.	

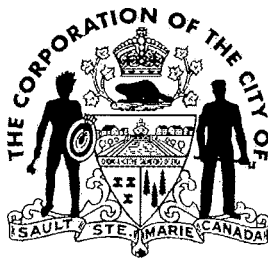
Note: The low tendered price meeting specifications is boxed above.

It is my recommendation that the low tendered price, meeting specifications, submitted by Unique Inventions, be accepted.

Ralph Robertson
Manager of Purchasing

5(0)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowswell and
Members of City Council

Re: Tax Collection Policies and Procedures

The Finance Committee met on Thursday, November 29, 2007 and reviewed a Tax Collection Policy.

Moved by: William Freiburger
Seconded by: Councillor James Caicco

The Tax Collection Policy be approved as amended and recommended to City Council.

By-law 2007-212 appears on the agenda for approval.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

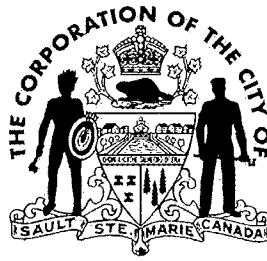
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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

5(9)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowswell and
Members of City Council

Re: Investment Policy

The Finance Committee met on Thursday, November 29, 2007 and reviewed an Investment Policy.

Moved by: Councillor F. Fata
Seconded by: Councillor J. Caicco

The Investment Policy be approved as amended and recommended to City Council.

By-law 2007-213 appears on the agenda for approval.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

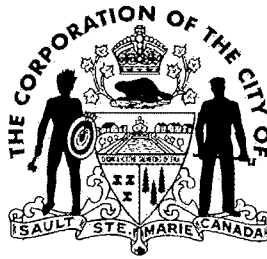
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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor J. Rowswell
and Members of City Council

Re: Borrowing By-laws for 2008

Each year it is necessary to pass borrowing by-laws for current and capital purposes.

Short term borrowing to meet current expenditures may be required to provide cash flow between tax due dates and the receipt of Provincial grants. The recommended by-law provides for borrowing sums not to exceed \$10,000,000 to meet current expenditures.

Capital borrowing may be required for short and long term purposes for financing of capital projects. The recommended by-law provides for borrowing of sums not to exceed \$10,000,000 for capital purposes.

The limits are an approved credit line with the City's Banker that is reviewed annually.

I have asked our Legal Department to prepare the required borrowing by-laws for 2008 and the by-laws are on the agenda for approval.

Respectfully submitted,

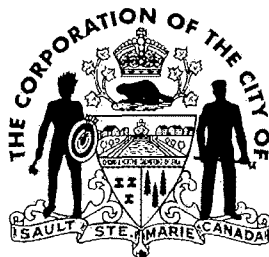
W. Freiburger, CMA
Commissioner of
Finance and Treasurer

WF/kl

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowswell and
Members of City Council

Re: Employee Suggestion Plan

This report is to address the below listed Council resolution dated October 17, 2005.

Moved By: Councillor J. Caicco

Seconded By: Councillor B. Hayes

Whereas it is understood that the operating costs to run a city increase annually; and

Whereas efficiencies that may result in cost savings should be explored at every opportunity; and

Whereas front-line staff are the most knowledgeable in terms of identifying areas of waste and determining where potential opportunities for improvement are;

Now therefore be it resolved that City Council authorize Management to investigate the merits of a program where employees generate ideas for improvements and savings to the Corporation and may result in the employee being rewarded accordingly.

Background

The City had undertaken a suggestion plan in 1990/1991 that generated 99 ideas that were formally considered. The process required a major commitment of staff resources to review each submission and provide a formal report.

Other Northern Municipalities

Clerks Department had surveyed the four Northern Ontario municipalities on this issue.

Formal Plan	1
No Current Plan	2
Plan part of Continuous Improvement Plan	1

One municipality offers gift certificates up to a value of \$250 while another offers a monetary reward of up to \$2,000.

Observations

A meeting to discuss this resolution was held with the CAO, Finance, Human Resources and Clerks.

An organization must be able to allocate sufficient resources to adequately address any type of suggestion plan. The credibility of the plan and the organization rests on the ability to review and respond on a timely basis. If a plan is implemented and the organization fails to respond adequately, the employees become disenchanted and the plan becomes a negative experience.

An organization must consider the cultural impact of providing significant monetary rewards as opposed to nominal gift certificates.

The Finance Committee discussed this matter on November 29, 2007 and staff raised concerns about the time commitment for this project as we are involved in other major projects including system changes and PSAB.

Recommendation

The Finance Committee recommended this matter be brought back in 2009 for possible action.

Respectfully submitted,



W. Freiburger, CMA
Commissioner of Finance and Treasurer

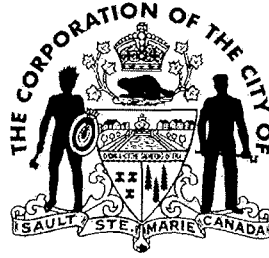
WF/kl

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowsell and
Members of City Council

Re: Financial Information System Update

The Finance Department is implementing a conversion of our financial information system from an Unix platform to Microsoft Dynamics. The Dynamics software will be integrated with Avanti payroll software and Work Tech software for Public Works and Transportation.

The original plan was to have a full conversion on January 1, 2008. After careful review by the Implementation Team which includes; Shelley Schell, Chair, Manager of Finance and Audits; Frank Coccimiglio, Manager of Information Technology; Enrico Pino, Manager of Accounting and Scott McLellan, Manager of Budgets and Revenue, it has been decided to move the implementation date to April 1, 2008.

The implementation process is a massive undertaking that has fully consumed our staff resources this year. We have also developed a new chart of accounts to provide more flexibility in reporting.

Additional time is required to complete the set up, testing and integration of these systems. Additional in-house training is required for our staff to have a reasonable comfort level with the software prior to the conversion.

The Payroll system has been delayed due to vendor issues and we want to be assured that the payroll is fully tested and integrated with other systems before implementation.

The new system has resulted in process changes that require both operational and audit review. This step requires more time than originally forecasted.

Our fiscal year ends on December 31 and this is always an intense time of the year as we prepare for the annual audit which occurs in February and March.

- more -

We have decided to maintain our Property Tax system since we have continually upgraded and improved it due to Provincial changes and we believe our in-house system is better than purchased software.

I would like to thank our Implementation Team, Finance staff and other City staff for their efforts in this conversion. We have a highly skilled Information Technology group that has contributed greatly to the progress of this project. The implementation process is stressful and difficult and I thank staff for their patience and commitment to get the new system operational.

Respectfully submitted,



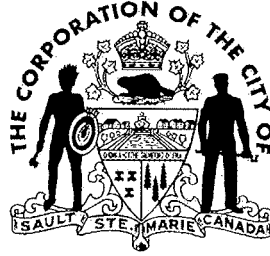
W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowswell and
Members of City Council

Re: Financial Report @ June 30 & September 30, 2007

The attached report of the Manager of Budgets and Revenue was received by the Finance Committee and is provided for the information of Council.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

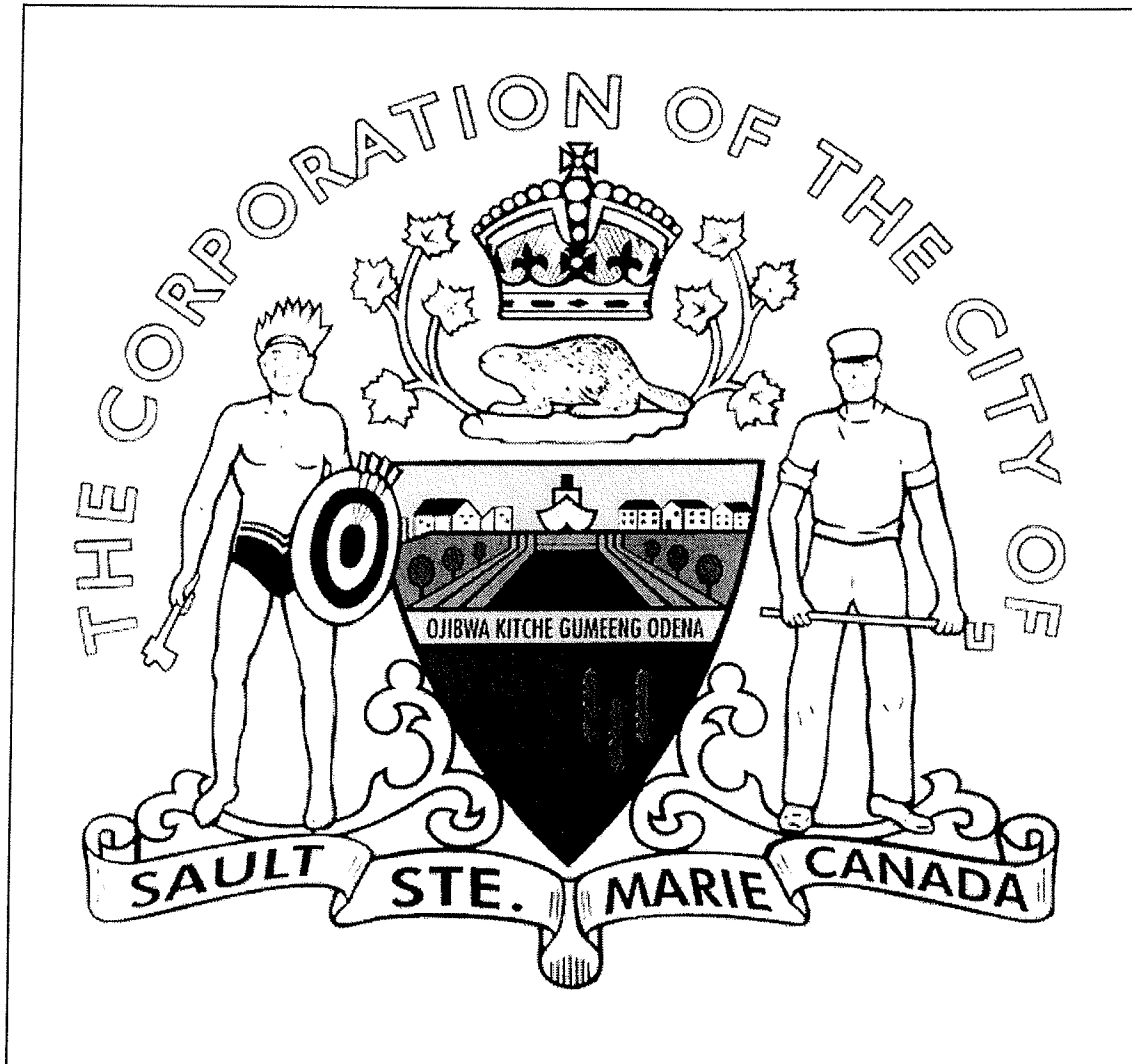
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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

CORPORATION OF THE CITY OF SAULT STE. MARIE

FINANCIAL REPORT @ JUNE 30 & SEPTEMBER 30, 2007



Prepared by : Scott McLellan
Manager of Budgets & Revenue
Finance Department

SIX & NINE MONTH REPORTS

Attached are Computer Reports for Expenditures (including commitments) as well as the Revenue and Netted Summaries.

The Process used in this report was to ask each Department to review their accounts and to provide input in to any areas of concern.

Individual departments have identified some minor concerns in individual Accounts/Cost Centres but on an overall basis they appear within budget on a Global basis.

There are many adjustments required in the Capital & Debt Levy area and these accounts will be in line at year end.

The Legal Department's numbers appear unfavourable, however, this is a result of the Corporate Insurance Cost Centre. There will be a year end adjustment in this Cost Centre which will bring the insurance costs more in line with the budget estimate.

A great deal of staff time and effort has centred on the new Financial system and we look forward to implementation of this system and the enhanced reporting that we expect to flow from this system.

FNRP310-1

FINANCIAL REPORTING - CORPORATE SUMMARY**EXPENDITURES + REVENUE**Period: from **20070101** to **20070930**Percent of Year Remaining: **11%** **25**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	430,467.93	1,162.80	.00	431,630.73	586,150.00	154,519.27	26.4
CHIEF ADMINISTRATIVE OFFI	211,856.60	.00	.00	211,856.60	289,090.00	77,233.40	26.7
HUMAN RESOURCES DEPARTMEN	832,651.27	4,925.00	.00	837,576.27	1,183,795.00	346,218.73	29.2
CLERKS DEPARTMENT	555,328.07	2,851.01	-37,200.00	520,979.08	822,520.00	301,540.92	36.7
FINANCE DEPARTMENT	2,489,221.32	17,706.42	-326,031.52	2,180,896.22	3,200,235.00	1,019,338.78	31.9
LEGAL DEPARTMENT	1,929,936.97	375.91	-2,111,750.53	-181,437.65	-296,025.00	-114,587.35	38.7
FIRE DEPARTMENT	8,673,165.88	3,496.26	-1,649,488.97	7,027,173.17	10,262,980.00	3,235,806.83	31.5
POLICE SERVICES	14,377,204.68	.00	-641,108.65	13,736,096.03	18,194,715.00	4,458,618.97	24.5
ENGINEERING & PLANNING	6,170,382.71	9,931.75	-2,984,200.47	3,196,113.99	9,182,155.00	5,986,041.01	65.2
PUBLIC WORKS & TRANSPORTA	21,867,959.96	188,323.61	-5,764,717.71	16,291,565.86	24,773,523.00	8,481,957.14	34.2
COMMUNITY SERVICES DEPART	6,909,764.67	21,208.43	-4,452,161.13	2,478,811.97	3,380,565.00	901,753.03	26.7
SOCIAL SERVICES DEPARTMEN	5,954,170.66	13,661.32	-6,117,414.20	-149,582.22	95,000.00	244,582.22	257.5
LIBRARY BOARD	2,134,664.19	.00	-85,103.57	2,049,560.62	.00	-2,049,560.62	.0
OUTSIDE AGENCIES & LEVY B	21,151,464.18	.00	.00	21,151,464.18	29,522,900.00	8,371,435.82	28.4
CORPORATE FINANCIAL & OTH	6,368,230.47	.00	-112,456,723.29	-106,088,492.82	-111,964,924.00	-5,876,431.18	5.2
CAPITAL LEVY & DEBENTURE	275,202.25	.00	.00	275,202.25	10,767,321.00	10,492,118.75	97.4
EDUCATION REQUISITIONS	17,472,223.21	.00	-23,473,949.78	-6,001,726.57	.00	6,001,726.57	.0
Report Total:	117,803,895.02	263,642.51	-160,099,849.82	-42,032,312.29	.00	42,032,312.29	.0
YTD Total:	137,516,775.04	263,642.51	-177,443,362.20	-39,662,944.65	.00	39,662,944.65	.0

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FNRP310-1

FINANCIAL REPORTING - CORPORATE SUMMARY**EXPENDITURES + COMMITMENTS**Period: from **20070101** to **20070930**Percent of Year Remaining: **25%** **25**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	430,467.93	1,162.80	.00	431,630.73	586,150.00	154,519.27	26.4
CHIEF ADMINISTRATIVE OFFI	211,856.60	.00	.00	211,856.60	289,090.00	77,233.40	26.7
HUMAN RESOURCES DEPARTMEN	832,651.27	4,925.00	.00	837,576.27	1,183,795.00	346,218.73	29.2
CLERKS DEPARTMENT	555,328.07	2,851.01	.00	558,179.08	865,250.00	307,070.92	35.5
FINANCE DEPARTMENT	2,489,221.32	17,706.42	.00	2,506,927.74	3,591,445.00	1,084,517.26	30.2
LEGAL DEPARTMENT	1,929,936.97	375.91	.00	1,930,312.88	2,188,065.00	257,752.12	11.8
FIRE DEPARTMENT	8,673,165.88	3,496.26	.00	8,676,662.14	13,477,215.00	4,800,552.86	35.6
POLICE SERVICES	14,377,204.68	.00	.00	14,377,204.68	19,465,165.00	5,087,960.32	26.1
ENGINEERING & PLANNING	6,170,382.71	9,931.75	.00	6,180,314.46	11,250,855.00	5,070,540.54	45.1
PUBLIC WORKS & TRANSPORTA	21,867,959.96	188,323.61	.00	22,056,283.57	32,227,058.00	10,170,774.43	31.6
COMMUNITY SERVICES DEPART	6,909,764.67	21,208.43	.00	6,930,973.10	7,274,610.00	343,636.90	4.7
SOCIAL SERVICES DEPARTMEN	5,954,170.66	13,661.32	.00	5,967,831.98	9,049,745.00	3,081,913.02	34.1
LIBRARY BOARD	2,134,664.19	.00	.00	2,134,664.19	2,993,375.00	858,710.81	28.7
OUTSIDE AGENCIES & LEVY B	21,151,464.18	.00	.00	21,151,464.18	29,522,900.00	8,371,435.82	28.4
CORPORATE FINANCIAL & OTH	6,368,230.47	.00	.00	6,368,230.47	18,222,454.00	11,854,223.53	65.1
CAPITAL LEVY & DEBENTURE	275,202.25	.00	.00	275,202.25	10,767,321.00	10,492,118.75	97.4
EDUCATION REQUISITIONS	17,472,223.21	.00	.00	17,472,223.21	23,440,405.00	5,968,181.79	25.5
Report Total:	117,803,895.02	263,642.51	.00	118,067,537.53	186,394,898.00	68,327,360.47	36.7
YTD Total:	137,516,775.04	263,642.51	.00	137,780,417.55	186,394,898.00	48,614,480.45	36.7

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FNRP310-1

FINANCIAL REPORTING - CORPORATE SUMMARY**REVENUE ONLY**Period: from **20070101** to **20070930**Percent of Year Remaining: **25%**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	.00	.00	.00	.00	.00	.00	.0
CHIEF ADMINISTRATIVE OFFI	.00	.00	.00	.00	.00	.00	.0
HUMAN RESOURCES DEPARTMEN	.00	.00	.00	.00	.00	.00	.0
CLERKS DEPARTMENT	.00	.00	-37,200.00	.00	-42,730.00	-5,530.00	12.9
FINANCE DEPARTMENT	.00	.00	-326,031.52	.00	-391,210.00	-65,178.48	16.7
LEGAL DEPARTMENT	.00	.00	-2,111,750.53	.00	-2,484,090.00	-372,339.47	15.0
FIRE DEPARTMENT	.00	.00	-1,649,488.97	.00	-3,214,235.00	-1,564,746.03	48.7
POLICE SERVICES	.00	.00	-641,108.65	.00	-1,270,450.00	-629,341.35	49.5
ENGINEERING & PLANNING	.00	.00	-2,984,200.47	.00	-2,068,700.00	915,500.47	-44.3
PUBLIC WORKS & TRANSPORTA	.00	.00	-5,764,717.71	.00	-7,453,535.00	-1,688,817.29	22.7
COMMUNITY SERVICES DEPART	.00	.00	-4,452,161.13	.00	-3,894,045.00	558,116.13	-14.3
SOCIAL SERVICES DEPARTMEN	.00	.00	-6,117,414.20	.00	-8,954,745.00	-2,837,330.80	31.7
LIBRARY BOARD	.00	.00	-85,103.57	.00	-2,993,375.00	-2,908,271.43	97.2
OUTSIDE AGENCIES & LEVY B	.00	.00	.00	.00	.00	.00	.0
CORPORATE FINANCIAL & OTH	.00	.00	-112,456,723.29	.00	-130,187,378.00	-17,730,654.71	13.6
CAPITAL LEVY & DEBENTURE	.00	.00	.00	.00	.00	.00	.0
EDUCATION REQUISITIONS	.00	.00	-23,473,949.78	.00	-23,440,405.00	33,544.78	-.1
Report Total:	.00	.00	-160,099,849.82	.00	-186,394,898.00	-26,295,048.18	14.1
YTD Total:	.00	.00	-177,443,362.20	.00	-186,394,898.00	-8,951,535.80	14.1

5(u)

FNRP310-1

FINANCIAL REPORTING - CORPORATE SUMMARY**EXPENDITURES + REVENUE**Period: from **20070101** to **20070630**Percent of Year Remaining: ☐ % **50**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	285,811.17	1,162.80	.00	286,973.97	586,150.00	299,176.03	51.0
CHIEF ADMINISTRATIVE OFFI	131,111.00	.00	.00	131,111.00	289,090.00	157,979.00	54.6
HUMAN RESOURCES DEPARTMEN	528,177.14	4,925.00	.00	533,102.14	1,183,795.00	650,692.86	55.0
CLERKS DEPARTMENT	352,026.17	2,650.94	-15,250.00	339,427.11	822,520.00	483,092.89	58.7
FINANCE DEPARTMENT	1,638,890.64	7,718.94	-259,328.36	1,387,281.22	3,200,235.00	1,812,953.78	56.7
LEGAL DEPARTMENT	1,656,597.58	375.91	-1,100,564.45	556,409.04	-296,025.00	-852,434.04	288.0
FIRE DEPARTMENT	5,560,503.60	845.88	-1,126,323.97	4,435,025.51	10,262,980.00	5,827,954.49	56.8
POLICE SERVICES	9,458,911.05	.00	-296,643.73	9,162,267.32	18,194,715.00	9,032,447.68	49.6
ENGINEERING & PLANNING	4,071,622.97	2,563.40	-2,573,617.05	1,500,569.32	9,182,155.00	7,681,585.68	83.7
PUBLIC WORKS & TRANSPORTA	13,835,735.60	161,291.09	-3,969,095.80	10,027,930.89	24,773,523.00	14,745,592.11	59.5
COMMUNITY SERVICES DEPART	4,581,083.94	3,244.43	-3,036,267.44	1,548,060.93	3,380,565.00	1,832,504.07	54.2
SOCIAL SERVICES DEPARTMEN	3,496,150.88	1,572.06	-4,103,063.00	-605,340.06	95,000.00	700,340.06	737.2
LIBRARY BOARD	1,357,886.59	.00	-65,724.76	1,292,161.83	.00	-1,292,161.83	.0
OUTSIDE AGENCIES & LEVY B	19,669,407.08	.00	.00	19,669,407.08	29,522,900.00	9,853,492.92	33.4
CORPORATE FINANCIAL & OTH	4,205,283.85	.00	-98,443,578.02	-94,238,294.17	-111,964,924.00	-17,726,629.83	15.8
CAPITAL LEVY & DEBENTURE	382.56	.00	.00	382.56	10,767,321.00	10,766,938.44	100.0
EDUCATION REQUISITIONS	11,648,148.81	.00	-23,473,949.78	-11,825,800.97	.00	11,825,800.97	.0
Report Total:	82,477,730.63	186,350.45	-138,463,406.36	-55,799,325.28	.00	55,799,325.28	.0
YTD Total:	137,516,775.04	186,350.45	-177,443,362.20	-39,740,236.71	.00	39,740,236.71	.0

5(u)

FNRP310-1

FINANCIAL REPORTING - CORPORATE SUMMARY**EXPENDITURES + COMMITMENTS**Period: from **20070101** to **20070630**Percent of Year Remaining: **50%** **50**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	285,811.17	1,162.80	.00	286,973.97	586,150.00	299,176.03	51.0
CHIEF ADMINISTRATIVE OFFI	131,111.00	.00	.00	131,111.00	289,090.00	157,979.00	54.6
HUMAN RESOURCES DEPARTMEN	528,177.14	4,925.00	.00	533,102.14	1,183,795.00	650,692.86	55.0
CLERKS DEPARTMENT	352,026.17	2,650.94	.00	354,677.11	865,250.00	510,572.89	59.0
FINANCE DEPARTMENT	1,638,890.64	7,718.94	.00	1,646,609.58	3,591,445.00	1,944,835.42	54.2
LEGAL DEPARTMENT	1,656,597.58	375.91	.00	1,656,973.49	2,188,065.00	531,091.51	24.3
FIRE DEPARTMENT	5,560,503.60	845.88	.00	5,561,349.48	13,477,215.00	7,915,865.52	58.7
POLICE SERVICES	9,458,911.05	.00	.00	9,458,911.05	19,465,165.00	10,006,253.95	51.4
ENGINEERING & PLANNING	4,071,622.97	2,563.40	.00	4,074,186.37	11,250,855.00	7,176,668.63	63.8
PUBLIC WORKS & TRANSPORTA	13,835,735.60	161,291.09	.00	13,997,026.69	32,227,058.00	18,230,031.31	56.6
COMMUNITY SERVICES DEPART	4,581,083.94	3,244.43	.00	4,584,328.37	7,274,610.00	2,690,281.63	37.0
SOCIAL SERVICES DEPARTMEN	3,496,150.88	1,572.06	.00	3,497,722.94	9,049,745.00	5,552,022.06	61.4
LIBRARY BOARD	1,357,886.59	.00	.00	1,357,886.59	2,993,375.00	1,635,488.41	54.6
OUTSIDE AGENCIES & LEVY B	19,669,407.08	.00	.00	19,669,407.08	29,522,900.00	9,853,492.92	33.4
CORPORATE FINANCIAL & OTH	4,205,283.85	.00	.00	4,205,283.85	18,222,454.00	14,017,170.15	76.9
CAPITAL LEVY & DEBENTURE	382.56	.00	.00	382.56	10,767,321.00	10,766,938.44	100.0
EDUCATION REQUISITIONS	11,648,148.81	.00	.00	11,648,148.81	23,440,405.00	11,792,256.19	50.3
Report Total:	82,477,730.63	186,350.45	.00	82,664,081.08	186,394,898.00	103,730,816.92	55.7
YTD Total:	137,516,775.04	186,350.45	.00	137,703,125.49	186,394,898.00	48,691,772.51	55.7

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FNRP310-1

FINANCIAL REPORTING - CORPORATE SUMMARY

REVENUE ONLY

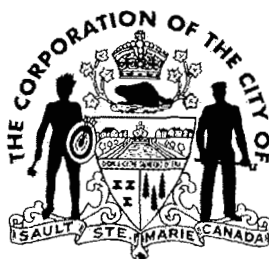
Period: from **20070101** to **20070630**Percent of Year Remaining: **56%** **50**

Department Name	Expenditures	Commitments	Revenue	Total	Budget	Variance	Rem %
MAYOR & COUNCIL	.00	.00	.00	.00	.00	.00	.0
CHIEF ADMINISTRATIVE OFFI	.00	.00	.00	.00	.00	.00	.0
HUMAN RESOURCES DEPARTMEN	.00	.00	.00	.00	.00	.00	.0
CLERKS DEPARTMENT	.00	.00	-15,250.00	.00	-42,730.00	-27,480.00	64.3
FINANCE DEPARTMENT	.00	.00	-259,328.36	.00	-391,210.00	-131,881.64	33.7
LEGAL DEPARTMENT	.00	.00	-1,100,564.45	.00	-2,484,090.00	-1,383,525.55	55.7
FIRE DEPARTMENT	.00	.00	-1,126,323.97	.00	-3,214,235.00	-2,087,911.03	65.0
POLICE SERVICES	.00	.00	-296,643.73	.00	-1,270,450.00	-973,806.27	76.7
ENGINEERING & PLANNING	.00	.00	-2,573,617.05	.00	-2,068,700.00	504,917.05	-24.4
PUBLIC WORKS & TRANSPORTA	.00	.00	-3,969,095.80	.00	-7,453,535.00	-3,484,439.20	46.7
COMMUNITY SERVICES DEPART	.00	.00	-3,036,267.44	.00	-3,894,045.00	-857,777.56	22.0
SOCIAL SERVICES DEPARTMEN	.00	.00	-4,103,063.00	.00	-8,954,745.00	-4,851,682.00	54.2
LIBRARY BOARD	.00	.00	-65,724.76	.00	-2,993,375.00	-2,927,650.24	97.8
OUTSIDE AGENCIES & LEVY B	.00	.00	.00	.00	.00	.00	.0
CORPORATE FINANCIAL & OTH	.00	.00	-98,443,578.02	.00	-130,187,378.00	-31,743,799.98	24.4
CAPITAL LEVY & DEBENTURE	.00	.00	.00	.00	.00	.00	.0
EDUCATION REQUISITIONS	.00	.00	-23,473,949.78	.00	-23,440,405.00	33,544.78	-.1
Report Total:	.00	.00	-138,463,406.36	.00	-186,394,898.00	-47,931,491.64	25.7
YTD Total:	.00	.00	-177,443,362.20	.00	-186,394,898.00	-8,951,535.80	25.7

5(u)

5(v)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowswell and
Members of City Council

Re: 2008 Budget – Proposed Timetable

The attached 2008 Budget – Proposed Timetable was received by the Finance Committee and is provided for the information of Council.

Respectfully submitted,

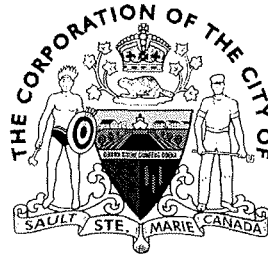
W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



CITY OF SAULT STE. MARIE

Finance Department

2008 BUDGET - PROPOSED TIMETABLE

MID OCTOBER	Budget Preparation System open to all Users, Capital Forecast and User Fee information Distributed.
NOVEMBER 30	2008 User Fees to be submitted
DECEMBER 14	2008 - 2017 Capital Budget Forecast to be submitted
DECEMBER 14	All Department Budgets should be submitted.
LATE JANUARY	Preliminary Budget merged to General Ledger. (new FIS may alter timeline)
EARLY FEBRUARY	Preliminary Budget Report to Senior Management, Includes User Fees.
FEBRUARY	Community Input Session (method to be determined)
FEBRUARY	Council to Review Supplementary and Outside Agency requests for additional funding.
LATE FEBRUARY	Follow up Budget Report to Senior Management, Plan Council Presentation.

EARLY MARCH

Budget Report to City Council including 2008 User Fee By-law. Capital Forecast to Council as information. Preliminary Approvals where possible.

LATE MARCH

Final Budget Report to Senior Management, Finance Committee and Council (*assumes Grant Information, Education Tax Rates, etc are available*)

APRIL

Council finalizes 2008 Budget and sets Municipal Property Tax Rates. Distribution of 2007 Surplus and final approval of items not previously approved from Reserves etc). Final Budget merged to General Ledger.

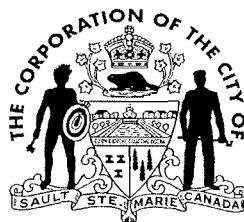
MAY

Budget documentation prepared and distributed.

5(w)

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 12 10

Mayor John Rowswell
Members of City Council

**Re: Wastewater Collection and Treatment Works
Supervisory Control and Data Acquisition System (SCADA) Project**

Work is progressing on the Supervisory Control and Data Acquisition System (SCADA) for our Wastewater Treatment Works. Council will recall that the City received COMRIF funding for provision of this system. SCADA provides better operations in that it provides valuable equipment status information for operators through computers, and provides the ability to operate some equipment remotely. All pumping stations and even the West End Plant can be controlled from the East End Plant.

The SCADA system for the East End Plant was provided as part of that project. The COMRIF SCADA project is for outlying pump stations, system overflows and the West End Plant.

We have new, or nearly new controls at John, Pim, and Clark pumping stations, and the Bellevue Park SSO facility. A detailed review of other facilities has shown that it would be advantageous to upgrade the instrumentation and controls. They include the West End Plant itself, and the West End, Young and Murphy pumping stations. Based on the current estimate, full removal and replacement of all instrumentation and controls can be provided within the overall budget for this project.

Outside of the engineering fees for design, SCADA projects require significant computer programming time. The programming costs are often provided by the contractor, who in turn subcontracts the work to a specialized firm. In our case, our Engineering Consultant EarthTech, has that programming expertise. For example, under the East End Plant project, EarthTech provided all of the SCADA programming.

It is proposed that EarthTech be retained to provide all programming required for this project. It will ensure continuity, and will be cost effective in that this firm will have completed all development of SCADA standards, all design and all programming for our facilities.

The project costs can be summarized as follows:

Original Design Fee per Agreement	\$ 250,000
Additional Design Fee for increased project scope	\$ 349,728
Subtotal Engineering Design and Contract Admin	\$ 599,728
Construction (to be tendered excluding programming)	\$2,300,000
SCADA programming	\$ 398,750
Total	\$3,298,478

Total Eligible Costs under COMRIF Agreement
(1/3 Federal, 1/3 Provincial, 1/3 City) **\$3,680,000**

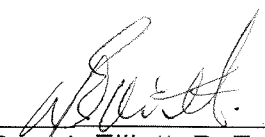
The project, as planned, is well below the eligible funding level in the COMRIF agreement. The remaining funding may be required depending on the tender price.

Recommendation

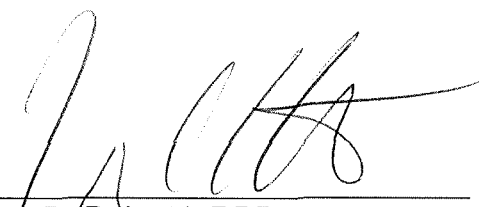
It is recommended that the upset limit in our agreement with EarthTech be revised to **\$599,728** and EarthTech be retained to provide the SCADA programming for **\$398,750**.

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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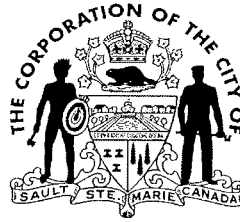


Joseph M. Fratesi
Chief Administrative Officer

5(x)

Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

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2007 12 10

Mayor John Rowswell
Members of City Council

Re: Replacement of Civic Centre Elevators

On May 28, 2007, the following resolution was approved:

Resolved that the report of the Commissioner of Engineering and Planning Dated 2007 05 28 concerning Civic Centre Traction Elevators be accepted and the recommendation that Council award the contract to Thyssen Krupp Elevator to provide and install one elevator in 2007 and that the second elevator await approval as part of the 2008 budget deliberations, be approved.

Given the level of building construction that the Province is experiencing, delivery of the first elevator is to occur by year end 2007, with installation to be completed March 2008.

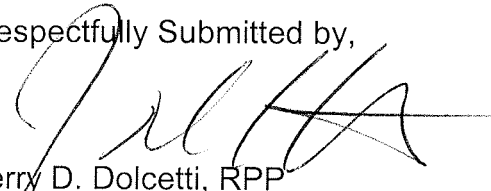
We have been advised by the company that efforts should be made to order the second elevator unit by the end of December 2007. Allowing this to occur will enable the supplier to deliver the equipment by March 2008 for installation May 2008. The cost of the unit is unchanged at \$132,000. If the City waits until May of 2008 to proceed, the second elevator unit, in all probability, will not be delivered until late fall or winter 2008.

Recognizing the importance of having both elevators installed in a timely manner, staff is requesting approval at this time of funding from the 2008 Capital from Current, to order the second unit in December 2007.

Recommendation:

That Council approve the ordering of the second traction elevator from Thyssen Krupp Elevator in order to enable its' installation by May of 2008.

Respectfully Submitted by,


Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

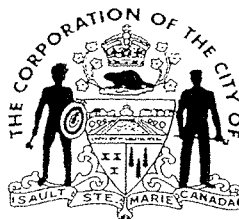
RECOMMENDED FOR APPROVAL


Joseph M. Fratesi
Chief Administrative Officer

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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 05 28

Mayor John Rowsell
Members of City Council

Re: **Civic Centre Traction Elevators**

As part of the 2007 budget, approval was given to proceed with replacing one of the two elevators for \$132,000 in 2007. The second elevator would be considered during the 2008 budget year. Total projected cost over the two year period will be \$262,000.

Implementing the improvements in a phased manner provides an orderly process for the work to be carried out. Parts from the removed elevator could be used if the second elevator needed repairs during the course of installing the new unit. In addition carrying out the installation of both elevators over a two year period reduces the cost burden on the 2007 budget year.

In consultation with Thyssen Krupp Elevator, (TKE) the City's representative for Dover Elevators, a proposal has come forward to consider committing to both of the elevators this year and take delivery of one in September of 2007 with an installation timeline of 2-3 months and with the second unit in January 2008. The cost of both elevators would total \$261,729.20.

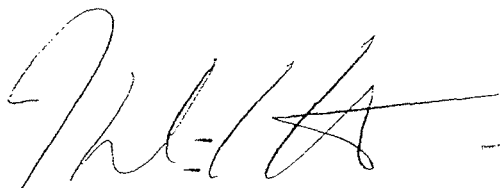
In considering this proposal staff recognizes that the company has been servicing the Civic Centre elevators for over 20 years. Furthermore the company has, over the course the last several years, maintained the elevators by manufacturing the obsolete components in order to extend the life of the equipment. TKE is the largest contractor in the Sault that employs a full time representative plus two full time maintenance staff to work exclusively in the Sault. Response time to address any concerns with elevator operations is usually less than one hour. In comparison the other main company that carries the Otis elevator needs to travel from Sudbury extending the response time to over three hours.

Based on the above, the benefit of utilizing TKE to provide and install the equipment has merit and the price is competitive. Staff has advised the company that approval was only given for one unit and the second unit is subject to the 2008 budget deliberations. TKE is prepared to amend their proposal to reserve the same price into 2008 and have the project phased so that the second unit could be installed later in 2008 subject to the approval of the 2008 budget.

Recommendation:

That Council award the contract to Thyssen Krupp Elevator to provide and install one elevator in 2007 and that the second elevator await approval as part of the 2008 budget deliberations.

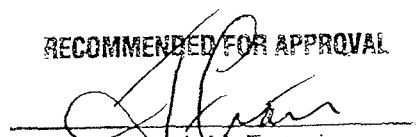
Respectfully Submitted by,



Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

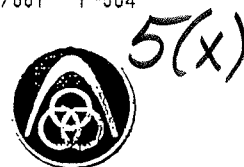
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RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

ThyssenKrupp Elevator



Facsimile Transmission

TO Ben Nanni

COMPANY: Sault Ste Marie Civic Centre

FAX #: 705-759-1842

FROM: Chris Levesque

TEL #:705-673-4702

DATE : April 18, 2007

RE: Two traction elevators

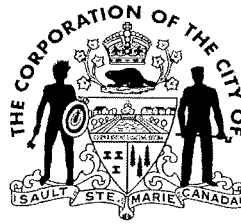
Ben---in speaking with Ken Bonin, he felt it was necessary to re-assert our price for this elevator modernization and also inform you of delivery times and installation times. Pricing was given to you in 2005 and as you know things have not gotten any less expensive since then, as a matter of fact prices have gone up. The two car modernization was priced out at \$229,000.00 plus an additional \$8114.60 per elevator for new elevator machines (in letter dated November 8/05), plus an additional \$16,500.00 to upgrade the cabs per our proposal. If you were considering doing all of this work then the total modernization price would be \$261,729.20 for two elevators. We are prepared to hold our pricing for 30 days more.

Based on an order being placed by May 1/07, ThyssenKrupp elevator would have approval drawings available by June 1/07, and based on a 1 week turnaround time on the shop drawing package we could order the equipment by June 15/07 which would mean delivery of the elevator package could be by September of 2007 and installation time is 6-7 weeks per elevator. This would mean that the modernization on the first elevator would be completed in 2007. We can take delivery of the second elevator in September 2007 or in January 2008. We could start on the second elevator in January 2008 with the same completion time.

Should you have any further questions please contact me.

Jerry D. Dolcetti, RPP
Commissioner

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



ENGINEERING & PLANNING DEPARTMENT

Engineering & Construction Division

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5(y)

2007 12 10

Mayor John Rowswell
Members of City Council

Re: Biosolids Management Study

At the 2007 11 13 meeting, Council approved retaining the team of TSH and Dillon Consulting Engineers to conduct a Biosolids Management Study. The purpose of the study is to develop a recommendation for further processing and final disposal of the biosolids from the treatment plants, and possible use as cover material at the landfill.

By-law 2007 – 208 authorizing execution of the engineering agreement for the fee of \$50,000 can be found elsewhere on this evening's agenda, and is recommended for approval.

Respectfully submitted

Recommended for Approval

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

Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

/bb

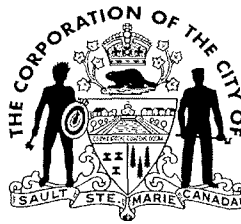
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RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

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 12 10

Mayor John Rowswell
Members of City Council

Re: City Owned Property – 372 Wellington Street West

As part of the planning for the City's new transportation corridor (later named Carmen's Way), many properties were acquired by the City to permit the construction to proceed. Once final design drawings were prepared, it was determined that the old intersection at Wellington Street and Hudson Street would need to be shifted to the East with part of property which had earlier been acquired by the City, 372 Wellington St. West being needed. As well, the reconfiguration of the new intersection meant that there would be some changes to the driveway access points to the two properties which were owned by 1187846 Ontario Limited and which operated the business as Steelton Motors at 354 and 360 Wellington West. The new design would eliminate the most westerly access to the property and both properties would be served by a new access point at 354 Wellington St. West.

As a result of this new design, and prior to the actual construction, the City was advised by the shareholder of 1187846 Ontario Limited that it felt, that not only would it suffer significant financial damage as a result of construction in front of the business, but it would suffer ongoing financial burden as a result of the loss of one of the access points to its two lots. 1187846 Ontario Limited made a request of the City that the City purchase its property at the price of \$190,000.00 given the effect which the construction had on the location. While the City indicated that it was prepared to discuss this matter with the owner of the properties, it was not prepared to purchase the property. A letter was received by the City from the Solicitor for 1187846 Ontario Limited, which threatened legal action based on the alleged injurious affection which was caused to the property by the City.

Since 2005 City staff have continued to work with 1187846 Ontario Limited in an attempt to resolve this matter. 1187846 Ontario Limited requested that the City provide a second exit/entrance onto the new Carmen's Way and this was rejected by staff and MTO officials. A tentative agreement, however has now been arrived at and City Council is asked to approve the agreement and instruct staff to proceed accordingly. 1187846 Ontario Limited would release the City of all and any claims which it may have against the City regarding this matter on the following basis:

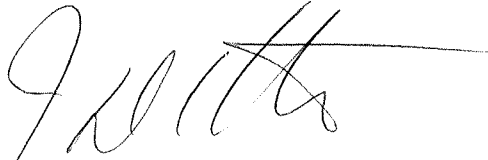
1. The City conveys free and clear to 1187846 Ontario Limited, the land-locked City owned property (372 Wellington St West, as shown on attached sketch), west of 1187846 Ontario Limited's property, subject to any easements which the City may require. This property has limited value given that it has a sewer going through it,

thereby preventing any buildings from being constructed on it. The property also has no access onto any City street.

2. The City will initiate the closing of that portion of the laneway between the two lots which are owned by 1187846 on Wellington Street and the property which it owns on 417 Northland Road (as shown on attached sketch). The closed lane will then be conveyed to 1187846 Ontario Limited, subject to any turnaround easements or any other easements which the City may require. The City no longer requires this portion of the lane to be opened as it serves no useful purpose without access to Carmen's Way.
3. The City will provide a small amount of fencing along a portion of the north boundary of the property of 417 Northland Road to connect to the existing berm and fencing on Carmen's Way.
4. The City will correct landscaping deficiencies which currently exist at the intersection of Wellington Street and Carmen's Way.

This action appears to be reasonable and would satisfy 1187846 Ontario Limited, without setting a dangerous precedent for the City. It also would avoid the litigation which has been threatened against the City. The City Solicitor and all staff who have been involved in resolving this matter agree with this recommendation and Council is asked to endorse it.

Respectfully Submitted by,

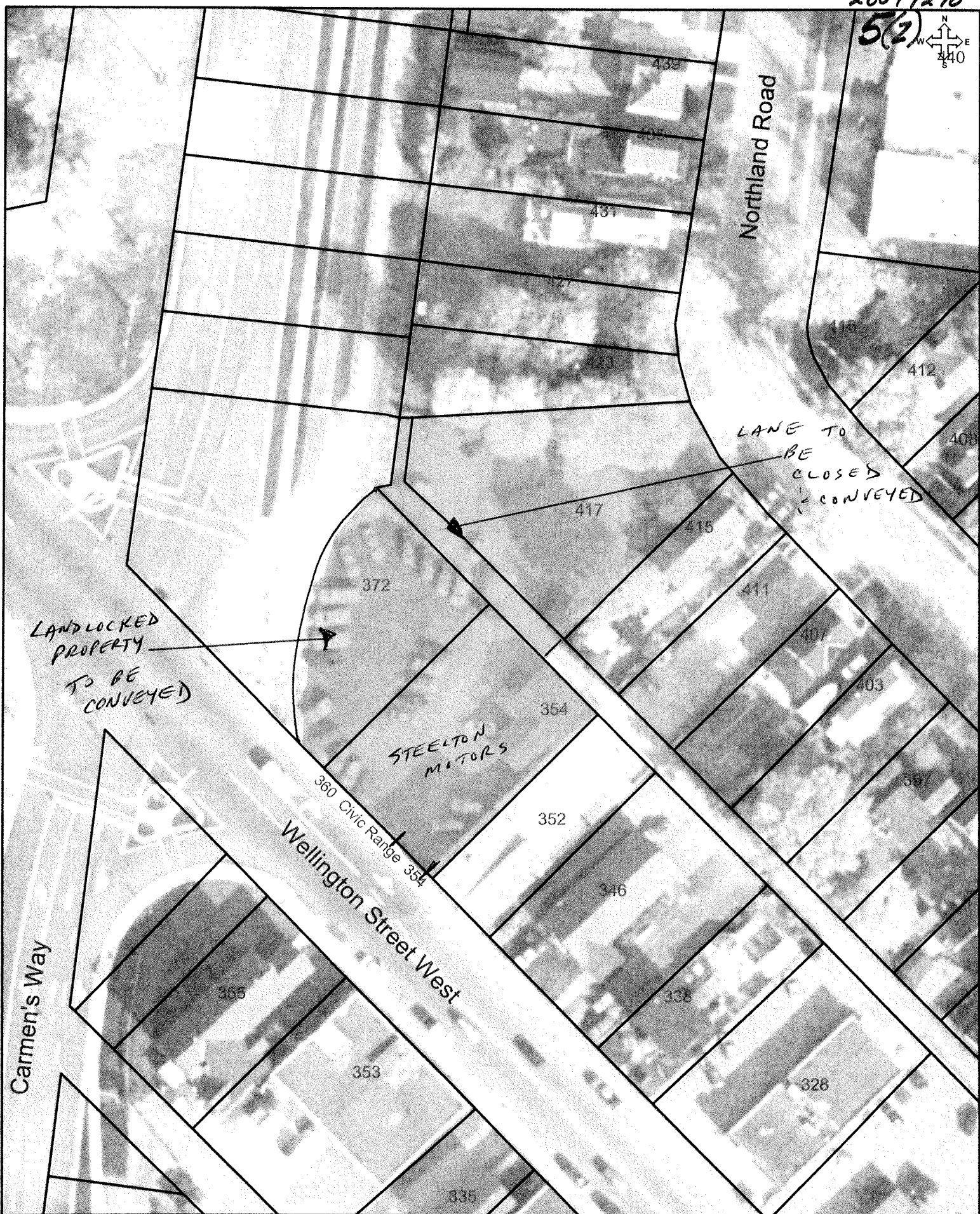
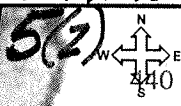


Jerry D. Dolcetti, RPP
Commissioner
Engineering & Planning Department

RECOMMENDED FOR APPROVAL



Joseph M. Fratesi
Chief Administrative Officer

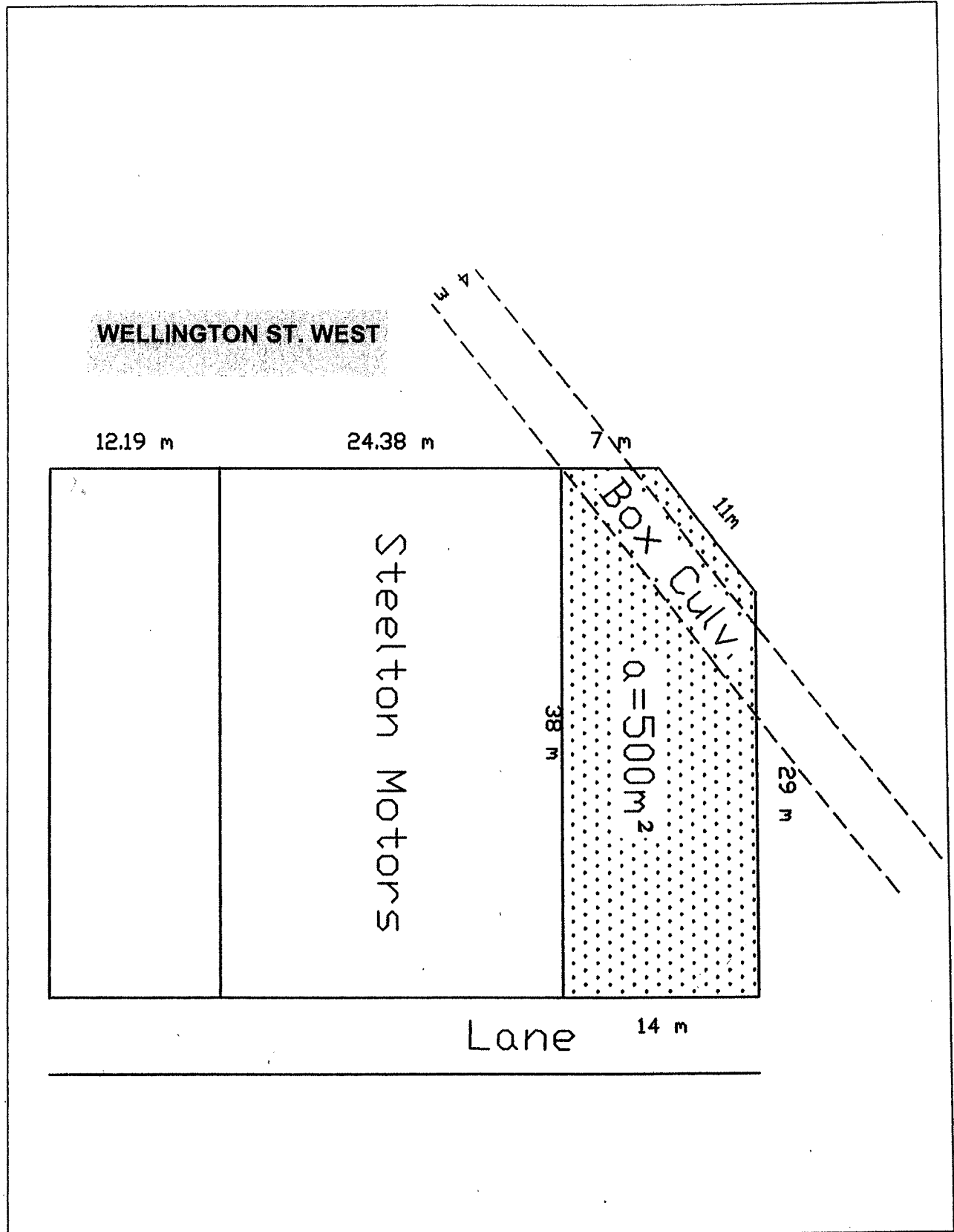


Carmen's Way at Wellington St. West Intersection Overview

354-360 Wellington St. W.

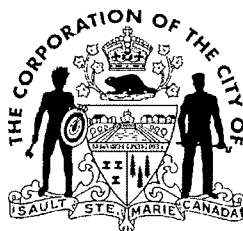
 Subject Area  Parcel Fabric

1:750 0 5 10 20 Meters



LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL DEPARTMENT

P.4.6.390

REPORT TO: Mayor John Rowswell
and Members of Council

REPORT FROM: Lorie A. Bottos
City Solicitor

DATE: 2007 12 10

SUBJECT: Proposed Sale of City property located at 324 Second Line
West

A notice was put in the Sault Star stating the City intended to declare this site surplus and soliciting bids no later than November 30, 2007. The notices in the newspaper read as follows:

"NOTICE IS HEREBY given that the City of Sault Ste. Marie has declared land located at the northwest corner of Second Line and Korah Road (Civic No. 324 Second Line West) as surplus to the City's needs. The frontage on Second Line is 151.40 feet. The previous use of the property was a gas station.

The successful purchaser will be responsible to satisfy himself/herself as to the environmental condition of the property based on the purchaser's proposed use. Sealed bids will be received until 12:00 noon November 30th, 2007 in the Clerk's Office on the 4th floor of the Civic Centre and will be opened at 2:00 p.m. that same afternoon."

The notices were put in the newspaper on November 10th and November 17, 2007.

Attached is a sketch of 324 Second Line West.

Two submissions were received. The higher bid is summarized as follows:

Peter L. Bortolussi In Trust offered \$131,000.00 with a closing date of January 31, 2008. The offer is unconditional and also contained a cheque in the amount of \$100.00 by way of deposit

5(aa)

The bid from Great Northern Developments was significantly lower.

RECOMMENDATION

It is recommended that City Council authorize the offer from Peter L. Bortolussi In Trust, being the higher bid, be accepted.

Yours truly,



Lorie A. Bottos

City Solicitor
LAB:on

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

172765 (INST. 114700) (11/04/04)

314794

11/04/04

LOT 18
PART 2, PLAN IR-7871

METRIC
DISTANCES SHOWN HEREON ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVIDING
BY 0.3048.

I REQUIRE THIS PLAN TO BE DEPOSITED
UNDER THE REG. TRY ACT.

PLAN 1R-

RECEIVED AND DEPOSITED

DATE

DATE

D.S. URSO - ONTARIO LAND SURVEYOR

DEPUTY LAND REGISTRAR FOR THE
REGISTRY DIVISION OF ALGOMA (N.A.)

SCHEDULE

PART	LOT / BLOCK	PLAN	Sq. Metres	PART
1	PART OF LOT 18	REGISTRAR'S COMPILED PLAN H-625	16.19±	PART

PLAN OF SURVEY OF
PART OF LOT 18
REGISTRAR'S COMPILED PLAN H-625
CITY OF SAULT STE. MARIE
DISTRICT OF ALGOMA

SCALE: 1 : 200



D.E. Urso Surveying Ltd.

BEARING NOTE

BEARINGS ARE ASTRONOMIC AND ARE REFERRED TO PER
THE NORTH LIMIT OF PART 21, PLAN 1R-
AS SHOWN ON DEPOSITED PLAN 1R-
HAVING A BEARING OF N87°30'5"E.

SURVEYOR'S CERTIFICATE

I CERTIFY THAT:

- THIS SURVEY AND PLAN ARE CORRECT AND IN ACCORDANCE WITH THE SURVEYS ACT, THE SURVEYORS ACT, THE REGISTRY ACT AND THE REGULATIONS MADE UNDER THEREIN.
- THE SURVEY WAS COMPLETED ON

SAULT STE. MARIE, ONTARIO

D.S. URSO
ONTARIO LAND SURVEYOR

D.E. Urso Surveying Ltd.

Ontario Land Surveyors • Canada Land Survey
Planning Consultants

105 BRUCE ST.
SAULT STE. MARIE ONT. P6A 2K5

PHONE: WSM

FIELD

TEL: 416
FAX: 416

FILE NO.

REGISTRAR'S COMPILED PLAN H-625

LOT 18

INST. T-314794

11/04/04

N87°30'5"E
3.0000 (P.M.)

N87°30'5"E

N87°30'5"E

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N87°30'5"E

N87°30'5"E

LEGEND

- DENOTES FOUND EVIDENCE
- DENOTES PLANTED MONUMENT
- IB DENOTES IRON BAR
- SIB DENOTES STANDARD IRON BAR
- SSIB DENOTES SHORT STANDARD IRON BAR
- M DENOTES MEASURED
- P DENOTES DEPOSITED PLAN 1R-
- DSU DENOTES D.S. URSO SURVEYING LTD.
- MTD DENOTES MINISTRY OF TRANSPORTATION OF ONTARIO
- DENOTES NOT TO SCALE

SECONDARY HIGHWAY No. 550 KNOWN LOCALLY AS SECOND LINE

PART 13, P-2058-27

PART 22, PLAN 1R- 10783

PART 23, PLAN 1R-

PART 1

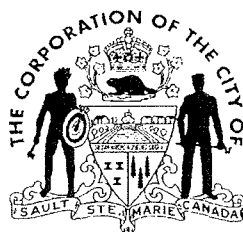
KORH ROAD

5(a)

5(bb)

LORIE BOTTOS
CITY SOLICITOR

NUALA KENNY
ASSISTANT CITY SOLICITOR



LEGAL
DEPARTMENT

File No. L.5.2.4(2)

REPORT TO: Mayor John Rowswell
and Members of Council

REPORT FROM: Nuala M. Kenny, Assistant City Solicitor

DATE: 2007 12 10

Re: Steelback Naming, Advertising and Sponsoring Agreement

On May 29, 2006 the City entered into an agreement with the Steelback Brewery for the naming, advertising and sponsorship of the City's sports and entertainment centre (the "Centre"). The Commissioner of Finance has advised that the sponsorship payment for the second year was not honoured.

On November 15, 2007, Wasanda Enterprises Inc., a creditor of D'Angelo Brands Ltd. and Steelback Breweries, received an Order which prevents any other creditors of the Steelback companies from proceeding until Wasanda files a restructuring plan. In addition, we have received a letter from Aylesworth L.L.P, lawyers who are counsel for Wasanda, confirming that the Steelback Breweries is unable to perform its sponsorship, naming and advertising duties as per our agreement.

RECOMMENDATION

It is recommended that staff continue to monitor the creditor relief process and proposed restructuring and that City Council direct the Community Services Department, the Finance Department and the Legal Department to review and report back to Council as to the status of the agreement in the New Year.

Respectfully submitted,

Nuala Kenny
Nuala M. Kenny
Assistant City Solicitor

NMK/dh

Recommended for approval,

Lorie Bottos
Lorie Bottos
City Solicitor

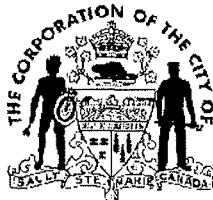
RECOMMENDED FOR APPROVAL

Joseph M. Fratesi

Joseph M. Fratesi
Chief Administrative Officer

5(cc)

Patrick M. McAuley, P. Eng.
Commissioner



Public Works &
Transportation Department

2007 12 10

Mayor John Rowswell
And Members of Council
Civic Center

RE: SIDEWALK PLOWING – WEST SIDE OF TUCKETT STREET

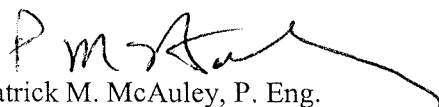
On November 26, 2007 Council passed the following resolution:

“Resolved that the petition from residents of Tuckett Street requesting sidewalk plowing on the west side of Tuckett Street commencing this winter BE REFERRED to the Commissioner of Public Works and Transportation for review and report back to Council.”

As requested, staff has reviewed the petition from the residents of Tuckett Street concerning the plowing of their sidewalk in accordance with the City's policy on adding and subtracting sidewalks to plow routes.

As indicated on the attached sketch, 9 homes out of 12 have signed the petition or 75%. As this is a clear majority, it is recommended that the sidewalk on the west side of Tuckett Street be added to the appropriate sidewalk route. The cost of this will be included in the winter maintenance cost centre.

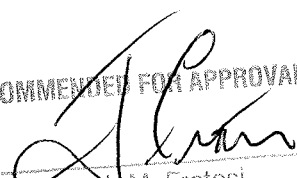
Yours very truly,


Patrick M. McAuley, P. Eng.
Commissioner

PMM:cmr
Attachment

c.c. Gord & Barb Hurley, 25 Tuckett Street

\\DeptShare\Council 2007\Sidewalk Plowing on Tuckett Street\doc


RECOMMENDED FOR APPROVAL
Joseph M. Fratesi
Chief Administrative Officer

Public Works & Transportation
The Corporation of the City of Sault Ste. Marie
128 Sackville Road ~ Sault Ste. Marie, ON P6B 4T6
Telephone : (705) 759-5201 ~ Fax : (705) 541-7010
www.cityssm.on.ca



5(cc)

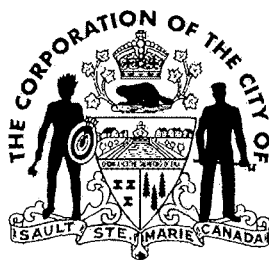
9/12 = 75%

----- EXISTING SW PLOWING
———— PROPOSED SW PLOWING

PROPOSED SIDEWALK
PLOWING
TUCKETT ST. WEST SIDE

6(1)(a)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

2007 12 10

Mayor John Rowswell and
Members of City Council

Re: Procurement Policies and Procedures

The Finance Committee met on Thursday, November 29, 2007 and reviewed a revised Purchasing Policy.

Moved by: Councillor Frank Fata
Seconded by: Shelley Schell

The Purchasing Policy be approved and recommended to City Council.

By-law 2007-187 appears on the agenda for approval.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

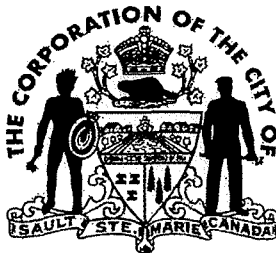
attachment

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

6(1)(a)

William Freiburger, CMA
Commissioner of Finance
and Treasurer



Finance Department

THE CORPORATION OF THE
CITY OF SAULT STE. MARIE

2007 12 10

DFC, - 2007

LEGAL DEPARTMENT

Mayor John Rowswell and
Members of City Council

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Seconded by: Shelley Schell

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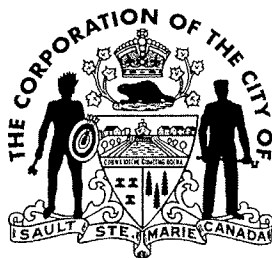
By-law 2007-187 appears on the agenda for approval.

Respectfully submitted,

W. Freiburger, CMA
Commissioner of Finance and Treasurer

WF/kl

attachment



**THE CORPORATION OF THE CITY OF SAULT STE MARIE
99 FOSTER DRIVE
SAULT STE MARIE, ONTARIO
P6A 5X6**

**BY-LAW 2007-187
PROCUREMENT POLICIES
& PROCEDURES**

December 3, 2007

BY-LAW 2007-187

**A BY-LAW OF THE CITY OF SAULT STE MARIE
GOVERNING PROCUREMENT POLICIES AND
PROCEDURES**

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BY-LAW 2007-187**A BY-LAW OF THE CITY OF SAULT STE MARIE
GOVERNING PROCUREMENT POLICIES AND
PROCEDURES**

WHEREAS Section 270 of the *Municipal Act, 2001* imposes upon municipalities the obligation to adopt policies with respect to the procurement of Goods and Services;

AND WHEREAS this By-law establishes the authority and sets out the methods by which Goods, Services or Construction will be purchased and disposed of for the purposes of the City of Sault Ste Marie subject to certain exceptions set out herein;

NOW THEREFORE the Council of the City of Sault Ste Marie enacts as follows:

PART I - SHORT TITLE

1. This By-Law may be cited as the "Purchasing By-Law".

PART II - PURPOSES, GOALS AND OBJECTIVES

2. The purposes, goals and objectives of this By-law and of each of the methods of procurement authorized are:
 - (a) To encourage fair and open competition among suppliers;
 - (b) To maximize savings for taxpayers;
 - (c) To ensure service and product delivery, quality, efficiency and effectiveness;
 - (d) To ensure fairness and objectivity to all bidders;
 - (e) To ensure openness, accountability and transparency while protecting the financial best interests of the City of Sault Ste Marie;
 - (f) To have regard to the accessibility for persons with disabilities to the Goods, Services and Construction purchased by the City of Sault Ste Marie in compliance with the Ontario Disabilities Act 2001;
 - (g) To attempt to reduce the amount of solid waste requiring disposal through the purchase of environmentally responsible Goods and Services.
 - (h) To dispose of surplus and obsolete goods in the most cost effective and environmentally responsible manner.

PART III - DEFINITIONS AND SCHEDULES

3. (1) The words and phrases listed below when used in this By-law shall have the following meanings ascribed to them:

"AGENT" means the Manager of Purchasing of the City of Sault Ste Marie or designate;

"APPROVED INVOICE" means an original supplier's invoice issued at the time of purchase of low dollar Goods or Services not exceeding \$1,000.00 and which bears both the signature of an appropriately authorized employee and appropriate account number(s);

"AWARD", "AWARDED" and "AWARDING" mean authorization to proceed with the purchase of Goods, Services or Construction from a chosen supplier;

"BID" means an offer or submission from a supplier in response to a Bid Solicitation;

"BID BOND" means the form of security required by the terms and conditions of Bid Solicitation documentation to guarantee that the successful bidder enters into a Contract with the City of Sault Ste Marie, as required by Section 20 of this By-law;

"BID SOLICITATION" means a formal request for Bids that may be in the form of a Request for Tender or Request for Proposal;

"CHIEF ADMINISTRATIVE OFFICER" means the Chief Administrative Officer of the City of Sault Ste Marie;

"CITY CLERK" means the Municipal Clerk for the City of Sault Ste Marie.

"CITY SOLICITOR" shall mean the City Solicitor of the City of Sault Ste Marie;

"COMMISSIONER" means the person appointed by Council to be responsible for the operation of a Department and/or their designate and includes the person appointed to the position of Chief Administrative Officer;

"COMMISSIONER OF FINANCE/TREASURER" means the Commissioner of Finance/Treasurer of the City of Sault Ste Marie.

"COMMISSIONER OF HUMAN RESOURCES" shall mean the Commissioner of Human Resources of the City of Sault Ste Marie;

"CONSTRUCTION" means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, soil investigation, the supply of products and materials and the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering design or architectural work, but does not include professional services related to the construction contract unless they are included in the specifications for the procurement;

"CONTRACT" means any agreement, regardless of form or title, for the lease, purchase or disposal of Goods, Services or Construction authorized in accordance with this By-law;

"COUNCIL" means the Council of the City of Sault Ste Marie;

"COUNCIL APPROVED BUDGETS" means Council approved department budgets including authorized revisions, or where applicable, Council approved budgets of local boards to which this By-law applies;

"DEPARTMENT" means an organizational unit of the City of Sault Ste Marie headed by a Commissioner;

"ELECTRONIC ADVERTISING" means the use of a computer-based system directly accessible by suppliers irrespective of their location that provides suppliers with information related to Bid Solicitations;

"EMERGENCY" means a situation, or an impending situation, caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.

"FAIR MARKET VALUE" means the price that would be agreed to in an open and unrestricted market between knowledgeable and willing parties dealing at arms-length who are fully informed and not under any compulsion to transact;

"GOODS" means moveable property and includes,

- (a) the cost of installing, operating, maintaining or manufacturing such moveable property;
- (b) raw materials, products, equipment and other physical objects of every kind and description;

"IN HOUSE BID" means a Bid made by a Department and authorized by the Commissioner of that Department, submitted in response to a Bid Solicitation, where the provision of the Goods, Services or Construction will be provided entirely by the employees of the City of Sault Ste Marie;

"LOWEST COMPLIANT BID" means the Bid that would provide the City of Sault Ste Marie with the desired Goods, Services or Construction at the lowest Total Acquisition Cost, meets all the specifications and contains no irregularities requiring automatic rejection;

"PROFESSIONAL SERVICES" means persons having a specialized knowledge or skill for a defined Service requirement including,

- (a) architects, engineers, designers, management and financial consultants;
- (b) firms or individuals having specialized competence in environmental, planning or other disciplines;

"PROPOSAL" means an offer submitted in response to a Request for Proposal, acceptance of which may be subject to further negotiation;

"PURCHASE ORDER" means a Contract between the City of Sault Ste. Marie and a supplier to supply a specific quantity of Goods or specific set of Services or specific type of Construction defined by such things as time period, location(s) and price;

"PURCHASING CARD" means a card issued in accordance with the Purchasing Card Policy, to purchase Goods and Services;

"REQUEST FOR PROPOSAL" means a Bid Solicitation that is used to acquire Goods, Services or Construction, the suitability of which is dependant upon non-price factors and which may result in further negotiation between the parties;

"STANDING PURCHASE ORDER" means a Contract between the City of Sault Ste Marie and a supplier for the supply of frequently ordered Goods or Services at specified unit prices with, where possible, maximum dollar limits, or discounts, but not specified quantities;

"SERVICES" includes all professional and consulting services, all services in relation to real property or personal property including without limiting the foregoing the delivery, installation, construction, maintenance, repair, restoration, demolition or removal of personal property and real property and all other services of any nature and kind save and except only services to be delivered by an officer or employee of the City of Sault Ste Marie in accordance with terms of employment;

"TENDER" means a publicly advertised Bid Solicitation;

"TOTAL ACQUISITION COST" means an evaluation of quality and service in the assessment of a Bid and the sum of all costs including purchase price, all taxes, warranties, local service costs, life cycle costs, time of completion or delivery, inventory carrying costs, operating and disposal costs for determining the Lowest Compliant Bid;

- (2) Schedules A, B and C attached hereto form part of this By-law.

PART IV - GENERAL PROCUREMENT POLICY

APPLICATION

4. (1) The procedures in this By-law shall be followed to Award a Contract or to recommend to Council that a Contract be Awarded.
- (2) Subject to section 27 and section 4(3), a Commissioner may purchase or contract for the Goods and Services listed in Schedule "A" to this By-law without following the procedures set out herein.
- (3) The purchase of Goods and Services listed in Schedule "A" to this By-law may be made provided that sufficient funds are available and identified in appropriate accounts within Council Approved Budgets.

RESTRICTIONS

5. (1) No Contract for Goods, Services or Construction may be divided into two or more parts to avoid the application of the provisions of this By-law.
- (2) No Contract for Services shall be awarded where the services would result in the establishment of an employee - employer relationship.
- (3) No employee shall purchase, on behalf of the City of Sault Ste Marie, any Goods, Services or Construction, except in accordance with this Bylaw.
- (4) Where an employee involved in the Award of any Contract, either on his or her own behalf or while acting for, by, with or through another person, has any pecuniary interest, direct or indirect, in the Contract, the employee,
 - (a) shall immediately disclose the interest to the Commissioner involved in the Award of the Contract and shall describe the general nature thereof;
 - (b) shall not take part in the Award of the Contract; and
 - (c) shall not attempt in any way to influence the Award of the Contract.
- (5) An employee has an indirect pecuniary interest in any Contract in which the City of Sault Ste Marie is concerned, if,
 - (a) the employee or his or her spouse
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public that has a pecuniary interest in the Contract,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public that has a pecuniary interest in the Contract, or
 - (iii) is a member of an unincorporated association or partnership, that has a pecuniary interest in the matter; or
 - (b) the employee or his or her spouse is in the employment of a person, unincorporated association or partnership that has a pecuniary interest in the Contract.

An employee found to be in conflict as per this section may be subject to disciplinary action by the Division Head, Department Head, C.A.O. or City Council as the case may be.

- (6) There will be no local preference for purchases in compliance with the Discriminatory Business Practices Act, Revised Statutes of Ontario, 1990 Chapter D.12 and the Ontario Free Trade Agreement that does not allow for geographical preference as well in accordance with the updated Municipal Act requiring that a competitive bid process be open, fair and transparent.

TOTAL ACQUISITION COST

6. Where this By-law prescribes dollar limits, the Contract amount shall be the estimated Total Acquisition Cost less any rebates and taxes.

PRESCRIBED COUNCIL APPROVAL

7. (1) Despite any other provisions of this By-law, the following Contracts are subject to Council approval:
- (a) any Contract requiring approval from the Ontario Municipal Board;
 - (b) any Contract where an irregularity precludes the Award of a Contract to the supplier submitting the lowest compliant bid;
 - (c) any Contract where a Good, Service or Construction exceeds \$50,000.00.
- (2) No provision of the By-Law precludes a Commissioner or the Agent from recommending an award to City Council where in the opinion of a Commissioner or the Agent, it is in the best interest of the City to do so.

RESPONSIBILITIES AND AUTHORITIES

8. (1) Commissioners/Department Heads shall be responsible for and shall have authority for all procurement activity and decisions within their Departments and are accountable for achieving the specific objectives of the procurement project.
- (2) Commissioners have the authority to award contracts in the circumstances specified in this by-law provided that the delegated authority is exercised within the limits prescribed in this by-law, and the requirements of this by-law are met.
- (3) Commissioners may delegate their authority, to suitably qualified and approved individuals, where appropriate. Commissioners in conjunction with the Agent shall provide evidence that the contract pricing represents fair market value.

- (4) The Agent is responsible for:
 - (a) Providing professional procurement advice and services to the Commissioners;
 - (b) Monitoring compliance with this by-law;
 - (c) Notifying Commissioners, in advance if possible, of non-compliance;
 - (d) Informing Council that non-compliance with this by-law has occurred;
 - (e) Determining if Goods, Service or Construction less than \$50,000.00, that have been restricted to single or sole source supply because of standardization, compatibility, cost effectiveness or similar justification is the overriding consideration and on any anniversary of the renewal of that restriction; and
 - (f) Scheduling the public tender openings and ensuring a member of Council or the City Clerk or designate is present at opening.
- (5) The Agent may award a contract on behalf of a Commissioner provided that the Agent is in receipt of a funded requisition and the requirements of this by-law are met.
- (6) The Chief Administrative Officer has the authority to instruct Commissioners not to award contracts and to submit recommendations to Council for approval and may provide additional restrictions concerning procurement where such action is considered necessary and in the best interest of the City.

NOTIFICATION OF PROCUREMENT OPPORTUNITIES

- 9. (1) Notification of procurement opportunities for Goods, Services or Construction exceeding a Total Acquisition Cost of \$50,000.00 shall be made by Public Advertising, which advertising may include Electronic advertising and may be used for any other purchase.
- (2) Notification of procurement opportunities for Goods, Services or Construction may be supplemented by other means of notification where appropriate.

PART V - PROCUREMENT PROCEDURES

PURCHASING PROCEDURES

10. (1) The Agent shall establish purchasing procedures consistent with the Purposes, Goals and Objectives set out in this By-law relating to:
- (a) the form, content and use of forms, whether electronic or printed, including purchase requisitions, purchase orders, bonds, letters of credit and other forms of guarantee or surety, tender, proposal and other contract documents;
 - (b) the identification of those Goods, Services or Construction which, are more effectively acquired through cooperative purchasing;
 - (c) the process to be followed in the issuing, receipt and evaluation of Tenders, Quotations and Requests for Proposals including the option of submitting documentation, payment or signature by electronic means pursuant to the *Electronic Commerce Act*, S.O. 2000, c.17, as amended;
 - (d) any other aspect of process or procedure not specifically provided for in this By-Law.
- (2) Where, in the opinion of the Agent, circumstances giving rise to an issue of adherence or non-adherence to the requirements of this By-law which cannot be resolved to the satisfaction of the Agent, the Agent shall advise the Commissioner of Finance/Treasurer who shall determine the issue and appropriate action.

PURCHASING CARDS

11. The Commissioner of Finance/Treasurer is responsible for the Purchasing Card program outlined in the City of Sault Ste Marie's Purchasing Card Policy. The Purchasing Card Policy shall adhere to this Purchasing By-law.

STANDING PURCHASE ORDERS

12. (1) A Standing Purchase Order may be used where:
- (a) one or more Departments repetitively order the same Goods, Services or Construction and the actual demand is not known in advance; or
 - (b) a need is anticipated for a range of Goods, Services or Construction for a specific purpose and for which convenience and location are major factors but the actual demand is not known at the outset.
- (2) The Agent shall establish and maintain Standing Purchase Orders.
- (3) To establish prices and select sources, the Agent shall employ the provisions contained in this by-law for the acquisition of Goods, Services or Construction.
- (4) More than one supplier may be selected where it is in the best interests of the City of Sault Ste Marie and the Bid Solicitation allows for more than one.
- (5) The expected quantity of the specified Goods, Services or Construction to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the greatest extent possible, on previous usage adjusted for any known factors.

REQUEST FOR EXPRESSIONS OF INTEREST

13. A Commissioner or the Agent may conduct a request for expression of interest for the purposes of determining the availability of suppliers of any Goods, Services or Construction and for the purposes of keeping a list of available suppliers.

PROCUREMENT METHODS

14. The procurement methods for the purchase of Goods, Services or Construction are listed in Schedule "B".

LOW DOLLAR VALUE PURCHASES (Not exceeding \$1,000.00)

15. (1) Department requirements for Goods, Services or Construction having a low dollar value may be purchased from the competitive marketplace wherever possible by using the following:
- (a) Field Purchase Order to a value of \$1,000.00.
 - (b) Purchasing Cards to a value of \$1,000.00.
 - (c) Purchase Order, subject to Section 27 of this By-law.
 - (d) Direct Purchase/Approved Invoice.

REQUEST FOR QUOTATION**(Acquisition costs between \$1,000.00 and \$50,000.00)**

16. (1) Purchasing requirements for Goods, Services or Construction having an estimated Total Acquisition Cost between:
- (a) \$1,000.00 and \$2,500.00 may be made by an informal phone quotation to be recorded and filed by the authorized person phoning;
 - (b) \$2,500.00 and \$10,000.00 may be made by an informal Request for Quotation where written specifications are presented to the vendors by an authorized person and a written quotation is returned that is to be filed or forwarded to Purchasing, if required;
 - (c) \$10,000.00 and \$50,000.00 may be made by formal Request for Quotation where Purchasing will distribute a full written Quotation to be signed and sealed and returned by the vendor to Purchasing.
- (2) In appropriate circumstances, the Request for Proposal or the Request for Tender processes may be utilized for the purchase of Goods, Services or Construction in this Total Acquisition Cost range.
- (3) The procedure used to purchase the Goods, Services or Construction in this Total Acquisition Cost range shall demonstrate that Fair Market Value was achieved.

REQUEST FOR TENDER (Acquisitions exceeding \$50,000.00)

17. (1) A Request for Tender shall be used for purchases exceeding \$50,000.00 where all of the following criteria apply:
- (a) two or more sources are considered capable of supplying the requirement;
 - (b) the requirement is adequately defined to permit the evaluation of tenders against clearly stated criteria; and
 - (c) it is intended that the Lowest Compliant Bid will be accepted without negotiations.
- (2) The Commissioner in charge of the Bid Solicitation or the Agent, on behalf of such Commissioner, may Award Contracts emanating from a Request for Tender provided that:
- (a) the Award is to the Lowest Compliant Bidder;
 - (b) the estimated Total Acquisition Cost of Goods or Service does not exceed \$50,000.00; and
 - (c) the provisions of this By-law are complied with.
- (3) The Commissioner or Agent shall follow the provisions of Section 27 of this By-law regarding the form of contract required to complete the purchase.

REQUEST FOR PROPOSAL

18. (1) A Request for Proposal shall be used where:
- (a) the requirement is best described in a general performance specification;
 - (b) owing to the nature of the requirement, suppliers are invited to propose innovative solutions to a problem, requirement or objective and the selection of the supplier is based on the effectiveness of the proposed solution rather than on price alone; or
 - (c) to achieve best value, the award selection will be made on an evaluated point per criterion or other method involving a combination of mandatory and desirable requirements or it is expected that negotiations with one or more bidders may be required with respect to any aspect of the requirement.
- (2) Where the Contract price is anticipated to be \$50,000.00 or greater and the Request for Proposal method of procurement is utilized, the Agent, at their discretion, may be a member of the committee formed to evaluate the response to the Request for Proposal.
- (3) The Agent shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation grid, which criteria may include, but are not limited to, factors such as approach, equipment and facilities, experience and qualifications, methodology, past performance and scheduling, price and strategy.

- (4) The Commissioner in charge of the particular Bid Solicitation or the Agent, on behalf of such Commissioner, may Award Contracts emanating from a Request for Proposal provided that:
- (a) the estimated Total Acquisition Cost of the Goods, Services or Construction does not exceed \$50,000.00;
 - (b) the Award is to made to the supplier meeting all mandatory requirements and determined, by reference to an evaluation grid, as providing best value;
 - (c) sufficient funds are available and identified in appropriate accounts within Council Approved Budgets; and
 - (d) the provisions of this By-law are complied with.
- (5) The Commissioner and Agent shall follow the provisions of Section 27 of this By-law regarding the form of contract required to complete the purchase.

IN HOUSE BIDS

19. In House Bids may be used for the procurement of Goods, Services or Construction in circumstances where the Chief Administrative Officer considers it appropriate to do so.

GUARANTEE OF CONTRACT EXECUTION AND PERFORMANCE

20. (1) The Agent may require that a Bid be accompanied by a Bid Bond or other similar security to guarantee entry into a Contract. Unless otherwise specified, in circumstances where a Bid Deposit is required, the refundable deposit requirements for Requests for Tenders/Quotations and Requests for Proposals shall be as follows:

<u>ESTIMATED TOTAL ACQUISITION COST</u>	<u>TYPE OF SECURITY</u>	<u>MINIMUM DEPOSIT REQUIRED</u>
Less than 25,000.00	Certified Cheque or Irrevocable Letter of Credit	5%
Greater than \$25,000.00	Bid Bond, Certified Cheque or Irrevocable Letter of Credit	10%

- (2) Prior to the commencement of the work, the successful bidder may be required to provide the following security in addition to the security referred to in Subsection 20.-(1):
- (a) a Performance Bond to guarantee the performance of a Contract;
 - (b) a Labour and Material Payment Bond to guarantee the payment of labour and materials supplied in connection with a Contract; or
 - (c) an Irrevocable Letter of Credit.

- (3) The Commissioner and Agent shall select the appropriate means to guarantee execution and performance of the Contract. Means may include one or more of, but are not limited to, surety bonds or other forms of security deposits, provisions for liquidated damages, progress payments and holdbacks.
- (4) Prior to the commencement of work, evidence of insurance coverage satisfactory to the City Solicitor must be obtained and may require listing the City as a co-insured, ensuring indemnification of the City of Sault Ste Marie from any and all claims, demands, losses, costs or damages resulting from the performance of a Bidder's obligations under the Contract and from any other risk determined by the City Solicitor as requiring coverage.
- (5) Prior to payment to a supplier, a Certificate of Clearance from the Workplace Safety and Insurance Board shall be obtained ensuring all premiums or levies have been paid to the Workplace Safety and Insurance Board to the date of payment.

CONTRACT WITHOUT BUDGETARY APPROPRIATION

21. Where a requirement exists to initiate a project for which Goods, Services or Construction are required and funds are not contained within the Council Approved Budget to meet the proposed expenditure, the Commissioner shall, prior to commencement of the purchasing process, submit a report to Council containing:
 - (a) information surrounding the requirement to contract;
 - (b) the terms of reference to be provided in the Contract;
 - (c) information on the availability of the funds within existing estimates, which were originally approved by Council for other purposes, or on the requirement of additional funds.

BIDS IN EXCESS OF PROJECT ESTIMATES

22. (1) Where Bids are received in response to a Bid Solicitation but exceed project estimates, the Commissioner in charge of the Bid Solicitation and the Agent, jointly, may enter negotiations with the Lowest Compliant Bidder to achieve an acceptable Bid within the project estimate.
- (2) Negotiations shall be conducted in accordance with the guidelines established by the Canadian Construction Documents Committee.

EMERGENCY PURCHASES

23. (1) Where an Emergency exists requiring the immediate procurement of Goods, Services or Construction, a Commissioner or the Agent may purchase the required Goods, Services or Construction by the most expedient and economical means, notwithstanding any other provision of this By-Law. As soon as practicable thereafter, the Agent shall comply with Section 27 of this By-law.
- (2) For all Emergency purchases made by a Commissioner, the Commissioner shall as soon after the purchase as reasonably possible, notify the Agent with a written report detailing the circumstances of the Emergency. The Commissioner and the Agent in all circumstances shall make a report to Council where the Emergency purchase exceeds \$50,000.00.

COOPERATIVE PURCHASING

24. (1) The City of Sault Ste Marie may participate with other government agencies or public authorities in cooperative purchasing where it is in the best interests of the City of Sault Ste Marie to do so and where the purposes, goals and objectives of this By-law are complied with by such government agencies and public authorities.
- (2) The policies of the government agencies or public authorities calling the cooperative Bid Solicitation are to be the accepted policy for that particular purchase.

IDENTICAL TENDERS

25. (1) If the Lowest Compliant Bids from two or more bidders are identical in Total Acquisition Cost or unit price, the Agent, with the consent of the Commissioner in charge of the Bid Solicitation, is authorized to enter into negotiations with the bidders who have submitted the identical prices in an attempt to obtain a lesser price and shall maintain a record in respect of such negotiations.
- (2) The Agent shall not reveal information pertaining to such negotiations or the manner in which the final price was determined to any of the bidders concerned. The Agent shall include as part of the record, a report concerning the results of such negotiations.
- (3) When negotiations are not successful in breaking the identical tenders, then the bidders involved will be so informed and advised that the tender to be accepted will be determined by means of a draw. The names of the tied bidders shall be placed in a container and the tender to be accepted shall be drawn by a Designated

Official. The time and location of the draw shall be set by a Designated Official and the bidders shall be so advised in order that they may be present. The following shall be present:

- (a) Designated Officials,
- (b) The Agent, and
- (c) Any of the bidders, or their authorized representative.

Should any bidder elect not to be represented at the draw, the draw will proceed regardless.

BID IRREGULARITIES

26. The process for administering irregularities contained in Bids pertaining to all Contracts shall be as set out in Schedule "C". For an irregularity listed in the first column of Schedule "C", the applicable response is set out opposite the irregularity in the second column of Schedule "C".

CONTRACTUAL AGREEMENT

27. (1) The Award of a Contract over \$1,000.00 shall be made by way of an agreement, or as a Purchase Order.
- (2) A Purchase Order is to be used when the resulting Contract requires only the City of Sault Ste Marie's standard contractual terms and conditions.
- (3) A formal agreement is to be used when the resulting Contract is complex and will contain terms and conditions other than the City of Sault Ste Marie's standard contractual terms and conditions.
- (4) It shall be the responsibility of the Commissioner in charge of the particular Bid Solicitation, with the Agent or the City Solicitor, to determine if it is in the best interests of the City of Sault Ste Marie to establish a formal agreement with the supplier.
- (5) Where it is determined that a formal agreement is required, the formal agreement shall be reviewed and approved for execution by the City Solicitor, or designate.
- (6) Where a formal agreement is required, the Commissioner shall execute the agreement in the name of City of Sault Ste Marie.
- (7) Where a formal agreement is issued, the Agent may issue a Purchase Order incorporating the formal agreement.
- (8) Where a formal agreement is not required, the Agent shall issue and execute a Purchase Order incorporating the relevant terms and conditions.

SURPLUS AND OBSOLETE GOODS

28. (1) Disposal of surplus assets is the responsibility of the Purchasing Division. The Agent must dispose of all Goods for which a Department no longer has use and the Agent may use any method for disposal in the City of Sault Ste Marie's best interests, including without limitation, transfer to another Department, public auction, public tender, trade, or negotiated sale.
- (2) An employee who has the responsibility of declaring Goods surplus or obsolete, or for sending items to a public auction shall not bid on or personally obtain any Goods that the employee has declared as surplus.
- (3) No one shall be permitted to purchase surplus or obsolete Goods except by purchase at public auction, public tender, trade or negotiated sale.
- (4) If it is determined that the goods have no residual value, the Agent may dispose of them in an accredited landfill site or other environmentally responsible manner.

PART VI - OTHER

ACCESS TO INFORMATION

29. The disclosure of information received relevant to the issue of Bid Solicitations or the Award of Contracts emanating from Bid Solicitations shall be made by the appropriate officers in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, as amended.

BY-LAW REVIEW

30. (1) This By-law shall be reviewed every five (5) years or where circumstances warrant a more frequent review. Any amendments resulting therefrom shall be submitted to Council for approval.
- (2) The review shall determine how effective this By-law has been in achieving the objectives set out in Section 2 of the By-law as well as the requirements of the *Municipal Act, 2001*, as amended.
- (3) The review may be undertaken by an inter-departmental committee, the final result of which shall be comprised of a report to Council, by the Agent.

6(1)(a)

EFFECTIVE DATE

31. This By-law shall come into force and take effect on the 1st day of January, 2008.

PROCUREMENT POLICY & PROCEDURES

SCHEDULE "A"

To BY-LAW 2007-187 of the City of Sault Ste Marie

The purchasing methods described in this by-law do not apply to the following Goods and Services, some of which are regulated by other policies or Council:

1. Petty Cash Items
2. Training and Education including:
 - (1) Registration and Tuition fees for conferences, conventions, courses and seminars
 - (2) Magazines, books and periodicals
 - (3) Memberships
 - (4) Staff Development, Workshops and Staff Relations
3. Refundable Employee/Councillor Expenses including:
 - (1) Employee/Councillor Allowances
 - (2) Travel
 - (3) Meeting Costs
4. Employer's General Expenses including:
 - (1) Statutory Remittances
 - (2) Medicals/Employee Assistance Programs
 - (3) Licenses, certificates & other approvals required (Vehicle, Firearms, etc.)
 - (4) Debt Payments
 - (5) Grants to Others
 - (6) Damage Claims
 - (7) Investments
 - (8) Group Benefits
5. Professional & Special Services
 - (1) Audit/Accounting/Financial/Investment/Management Consultant
 - (2) Engineering/Architectural/Appraisal/Surveyor & Consultant
 - (3) Debenture Underwriting/Issuance
 - (4) Professional Services related to litigation or legal matters/insurance/property assessments/Bailiff/Collection
 - (5) Veterinary Expenses

7. Utilities/Communication
8. Advertising services required by the City on or in but not limited to radio, television, newspaper and magazines
9. Miscellaneous
 - (1) Personal Computer Purchase/Payroll Plan
 - (2) Refunds and Overpayments
 - (3) Expression of Sympathy and Special Occasion Payments
 - (4) Fees or Levies of other Boards and Agencies
 - (5) Real property purchases
10. Costs Associated with Public Events

PROCUREMENT POLICY & PROCEDURES

SCHEDULE "B"

To BY-LAW 2007-187 of the City of Sault Ste Marie

PROCUREMENT METHODS

Value of Goods, Services or Construction	Procurement Process	Requisitioning Approval Process	Approval Level
		Prepare requisition	1
\$1,000.00 or less	Direct Purchase Approved Invoice Field Purchase Order Purchasing Card	Approval up to \$1,000.00	2
Over \$1,000.00 to \$2,500.00 or less	Informal Phone Quotation (quotations recorded by authorized caller)	Approval up to \$2,500.00	3
Over \$2,500.00 to \$10,000.00 or less	Informal Request for Quotation (written submissions required) Request for Proposal	Approval up to \$10,000.00	4
Over \$10,000.00 to \$50,000.00 or less	Formal Request for Quotation Request for Proposal	CAO	5
Over \$50,000.00	Request for Tender Request for Proposal	Council	6

Note: Sales taxes, excise taxes, goods and service taxes and duties shall be excluded in determining the price of a contract for the supply of goods or services for the purpose of the relationship of the price to the procurement method utilized.

In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract.

Methods of Purchasing Permitted under By-law

1. Direct Purchase

This method of purchase refers to the direct ordering and purchase of goods and services from a supplier with or without negotiation. This method of purchase will be used primarily for the purchase of low value goods where the cost and administrative burden of other methods of purchase may be equal to or greater than the price or value of the goods purchased. Employees are encouraged to use their own judgment to promote the principles of this policy in any direct purchase.

2. **Negotiation Method**

This method of purchase refers to the negotiation of an agreement for the purchase of goods and services from a supplier where there is no open competition. It is used in the case where the conditions are present such as single/sole source, compatibility, identical bids.

3. **Request for Quotation/Informal Quotation**

This method of purchase is a competitive method. The specifications for the goods and services and terms of purchase will be established with sufficient particularity to permit comparable quotations to be made by suppliers. A sufficient number of suppliers shall be requested to submit quotations on the specifications and terms of purchase so that at least three responsive quotations are received, where practical.

The procedures differentiating the Request for Quotation from the Informal Quotation process are detailed within Section 16 of the Procurement Policy. In general, the Informal Quotation process does not involve the preparation of formal request for quotation documents.

4. **Request for Tender**

This is a competitive method of purchase, which may include supplier or contractor pre-qualification. The tender process follows the general procedures set out below.

- Contractor and Supplier Qualification (if applicable)
- Development of Specifications and Contract Terms
- Publication and Solicitation of Tenders
- Receiving and Opening of Bids
- Bid Evaluation and Selection

The specifications and contract terms are detailed within the tender documents in such a degree that there is no prospect of negotiations between the parties. It is intended to accept the lowest priced compliant bid, as the bidders must meet all the terms, conditions and specifications.

5. **Request for Proposals**

This method of purchase involves the solicitation of proposals. It may or may not include prequalification. In this method of purchase, some or all of the specifications and contract terms may not be finally determined with sufficient certainty to form the basis of a final contract before proposals are solicited and submitted. It may be expected that there will be some variation in the final specification and contract terms among and between responsive proponents. The process may involve negotiations subsequent to the submission of proposals on any or all of the performance specifications, contract terms and price.

PROCUREMENT POLICY & PROCEDURES

SCHEDULE "C"

To BY-LAW 2007-187 of the City of Sault Ste Marie

POLICY FOR CONSIDERING IRREGULARITIES IN BIDS

Extreme care shall be exercised to ensure that Irregular Bids are handled in a manner which is fair to other bidders as well as the public.

The decision as to whether an improper bid shall be accepted or rejected, shall be based upon the following general considerations;

1. is the intention of the bidder clear ?
2. has the bidder made a conscientious attempt to comply with the submission requirements ?

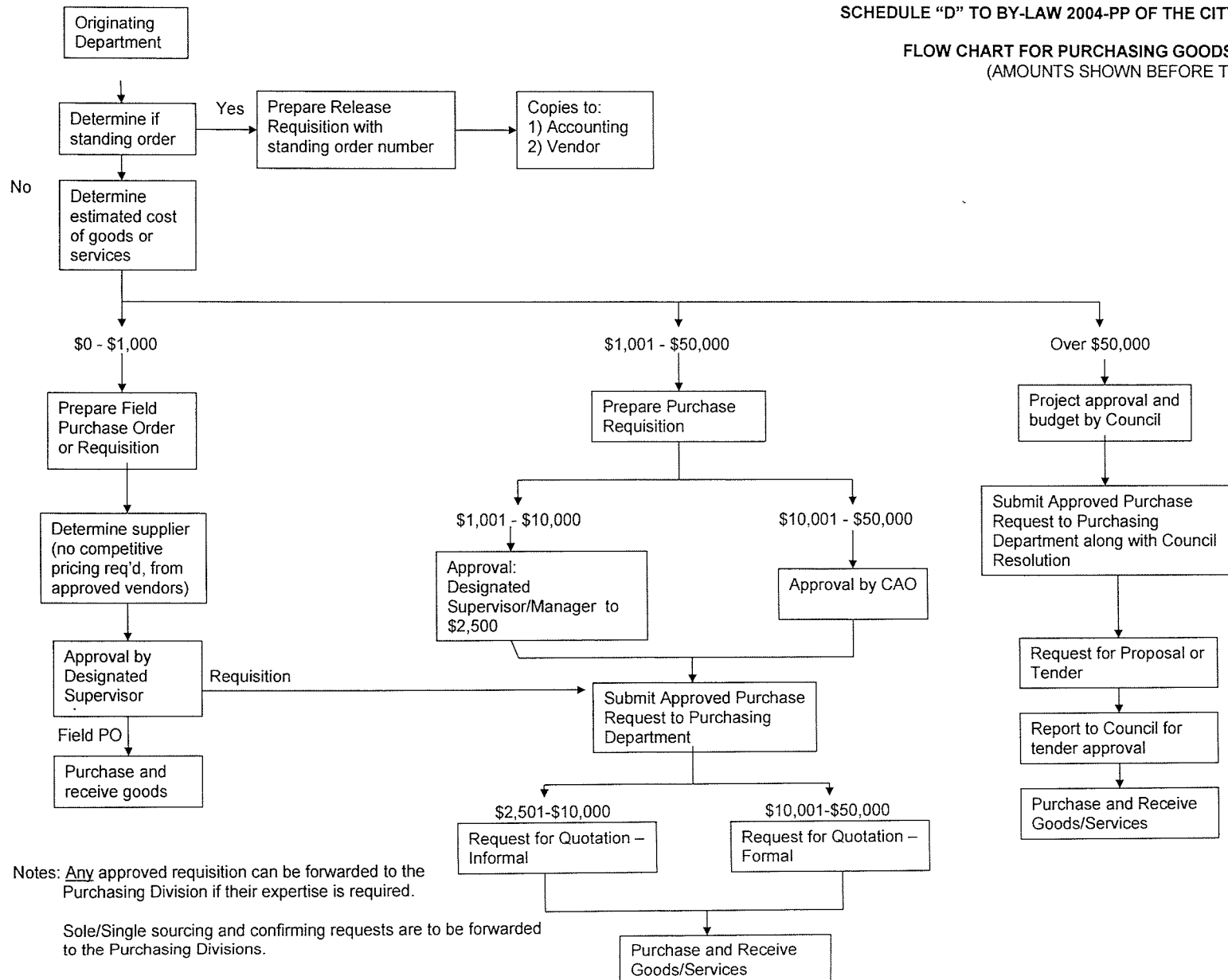
The following are guidelines only, intended to illustrate some of the discretion allowed. The Manager of Purchasing will review each case.

	<u>IRREGULARITY</u>	<u>RESPONSE</u>
1.	Late Bids	Automatic rejection, not opened or read publicly and returned unopened to the bidder
2.	Unsealed Tender Envelopes	Automatic rejection
3.	Tenders received by Facsimile (FAX)	Automatic rejection
4.	Proper Tender Envelope Not Used	Acceptable if the envelope is properly sealed. Automatic rejection if the envelope is not sealed
5.	Insufficient financial security (no deposit or bid bond or insufficient deposit or bid bond)	Automatic rejection unless insufficiency is trivial or insignificant
6.	Bids not completed in ink or in type	Automatic rejection
7.	Incomplete bids (part bids - all items not bid)	Automatic rejection unless part bid specifically permitted by tender documents
8.	Illegible or obscure bids or bids which contain additions not called for, erasures, alterations, errors or irregularities of any kind	May be rejected as informal
9.	Qualified bids (bids qualified or restricted by an attached statement)	Automatic rejection

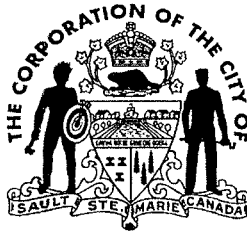
	<u>IRREGULARITY</u>	<u>RESPONSE</u>
10.	Bids received on documents other than those provided by the City	Automatic rejection
11.	Bids containing minor clerical errors	48 hours to correct and initial errors
12.	Execution of Agreements to Bond - Bonding company corporate seal or signature missing from agreement to bond	Automatic rejection
13.	Execution of Bid Bonds (a) Corporate seal or signature of the bidder, or both, missing (b) Corporate seal or signature of bonding company missing	48 hours to correct Automatic rejection
14.	Other Bid Security - Uncertified Cheques	Automatic rejection
15.	Tender Documents - Execution (a) Corporate seal or witness signature missing but Signing Officer signature present (b) Signing Officer signature missing (c) Corporate seal or witness affixed but Signing Officer signature missing	48 hours to affix Automatic rejection Automatic rejection
16.	Erasures, Overwriting or Strike-Outs which are not initialed: (a) Uninitialed changes to the tender documents which are minor (example: the tenderer's address is amended by over-writing but not initialed) (b) Unit prices in the Schedule of Prices have been changed but not initialed (c) Other mathematical errors which are not consistent with the unit prices	48 hours to initial 48 hours to initial 48 hours to initial corrections to be made by department
17.	Failure to attend <u>mandatory</u> pre-submission meeting or visit	Automatic rejection
18.	Tender documents which suggest that the tenderer has made a major mistake in calculations of tender	Consultation with the City Solicitor on a case by case basis and report to C.A.O.

SCHEDULE "D" TO BY-LAW 2004-PP OF THE CITY OF SAULT STE. MARIE

FLOW CHART FOR PURCHASING GOODS AND SERVICES
(AMOUNTS SHOWN BEFORE TAXES)



6(1)(a)



2007 12 10

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-29-07-Z – filed by Brian Gallagher.

SUBJECT PROPERTY: Location – Located on the north side of Queen Street East, approximately 50m (160') west of Millwood Street. Civic No. 11 Millwood Street.
Size – Approximately 2.08 hectares (5.13 acres).
Present Use – Vacant land.
Owner – Carlo A. Biasucci & Joseph R. Biasucci.

REQUEST: The applicant, Brian Gallagher, is requesting a rezoning to add "Personal Storage" or "Mini Warehousing" to the existing "C-4" (General Business) zoning.

CONSULTATION: Engineering – See attached letter.
Building Division – No comments.
Legal Department – No comment.
Fire Services – No objection.
PUC Services Inc. – See attached letter.
C.S.D. – No concerns.
PW&T – No comments or objections.
Conservation Authority – See attached letter.
E.D.C. – See attached letter.
Accessibility Committee – No comment.

PREVIOUS APPLICATIONS

This property was part of the original Headway Builders development. Residential development opposite the East End Sewage Treatment Plant is not permitted given the Ministry of Environment guidelines.

In 1974 this property was rezoned from PD (Planned Development) to "B-4" (Shopping Centre).

In 1980 there were some small changes between the "B-4" (Shopping Centre) and abutting "R-6" (Single Family Residential) lands to create a better lotting pattern. Additional small changes to the zone boundaries were made in 1986.

In 1998 the "B-4" (Shopping Centre) zoning was changed to "B-2" (District Business) to allow for the development of a series of smaller commercial uses. The existing Mac's Milk convenience store at the southeast corner of the property was constructed following this rezoning.

In 2005, this property was zoned "C-4" (General Business) as part of the City's new Zoning By-law.

Conformity with the Official Plan - This property is designated Commercial in the City's Official Plan. The Official Plan defines Commercial land uses as including "personal or household service industries." Therefore, the request to rezone to personal storage conforms to the Commercial policies of the Official Plan.

The subject property is not impacted by the Natural Resources or Constraints policies of the Official Plan.

Comments

The subject property is currently zoned C4-S.51, General Commercial with a special exception. The special exception zoning prescribes standards for setbacks, lot coverage, landscape areas and access. The applicant is seeking to rezone the subject property by way of amending the special exception zoning to permit personal storage.

Personal storage facilities are defined in Zoning By-law 2005-150 as establishments engaged in the operation of public self storage, or mini-storage facilities on a contract basis. Similar operations to this proposal are Bruce Street Storage, located on the east side of Bruce Street, just north of the CPR line, and Ruscio Mini Storage, located at the corner of MacNabb Street and Boundary Road.

Personal storage facilities are permitted in a number of commercial zones, however, they are not permitted in a C4 zone. As such, a special exception zoning is required for the proposed use.

The subject property has been zoned C4 because of its proximity to the City's East End Water Treatment Facility. The Ministry of Environment has a prescribed separation distance of 150 metres (minimum) for sensitive uses in and around these types of facilities. As such, sensitive uses such as private dwellings, hotels, parks or places of worship can not be developed on this site. Given these restrictions, commercial uses are appropriate as they provide a buffer between the water treatment facility and the surrounding residential lands.

Planning staff has had discussions with the current owner of the property regarding the possibility expanding the number of permitted uses. Although the property is zoned for a number of commercial uses, the location of the subject property makes it difficult to develop many of the uses permitted. For example, retail trade is permitted on the subject property, however, other than a neighbourhood convenience store, which has already been developed on the northwest corner of Queen Street East and Millwood Street, the nature and scale of development in this area does not provide a large market for additional retail, such as a grocery store or coffee shop. Staff has advised the owner that additional commercial or light industrial uses may have merit but would be reviewed on a case-by-case basis.

In reviewing this current proposal, one of the main considerations that must be assessed is impact to the surrounding residential area. The subject property abuts the Denwood subdivision, which was approved by City Council in 1988. Once fully developed, residential lots within this subdivision (to be developed on the future Crestwood Avenue) will back onto the proposed storage facility. (See attached map showing subject property in relation to the Draft Approved Subdivision).

The proposed use is compatible with the surrounding residential area as these types of operations traditionally generate very low volumes of customer visits. In addition, the applicant is proposing enhanced landscaping along the rear of the property to ensure any visual impacts of the operation will be mitigated. These include a visually solid fence along the length of the property in the rear yard, as well as tree plantings which will add visually screening, as well as provide aesthetic improvements. The need for a fire route around the periphery of the site will also increase the physical separation between future storage buildings and future residential buildings.

To ensure the compatibility of this development with surrounding land uses, Planning staff recommends that as a condition of approval, the subject property be designated as an area of Site Plan control. The Site Plan review process will serve to further assess the layout of the proposed operation, as well as buffering, landscaping and access points in an effort to mitigate any potential impacts to surrounding residential land uses.

Currently, outdoor storage is not permitted in a C4 zone; however, the applicant would like the flexibility to provide this service. The concept plan of the proposed operation does not indicate where the outdoor storage area is to be located. As such, Planning staff recommends that a condition of approval, any outdoor storage areas be visually screened from all streets and residential buildings. The applicant has suggested using a combination of walls and/or roofs to screen outdoor storage areas.

In addition, Planning staff recommends that the nature of outdoor storage be limited to automobiles, boats, and recreational vehicles. The applicant has been advised of this and is satisfied with this condition. Planning staff also recommend that automobiles, boats or recreational vehicles that are wrecked, discarded, dismantled or in an in-operative condition shall not be permitted.

The submitted concept plan shows an emergency access road off of Millwood Street. To protect the residential character of Millwood Street, Planning staff recommends as a condition of approval that access and egress from Millwood Street be for emergency access only.

To facilitate this rezoning, Special Exception 51 of Zoning By-law 2005-151 (attached) needs to be amended. The reason for this is to include "Personal Storage" as a permitted use. As well, the special exception provisions which deal with setbacks, lot coverage and landscaped areas can be eliminated as these are addressed under the general C4 zoning standards. The applicant has been consulted with this, and has no objections.

As part of the circulation for this proposed rezoning, the following comments were received:

Engineering Division requests that the development provide an internal piped storm system and that a servicing and lot grading plan be provided. This can be coordinated as part of the Site Plan review process. Engineering staff also advise that post development flows cannot exceed the remaining capacity of the existing storm sewer using a 1 in 10 design storm.

PUC has commented that the owner will be required to pay applicable water service lateral and asphalt restoration charges at rates current at the time of connection.

The Conservation Authority had indicated that the property is under consideration of the Source Water Protection Program 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. The Chief Building Official is aware of this request.

Summary

The applicant is seeking to rezone the subject property to include personal storage as a permitted use. The proposal conforms to the City's Official Plan and is appropriate for this site as it will create a land use buffer between the East End Water Treatment Facility and surrounding residential land uses. The applicant is also proposing a series of buffering and landscaping measures to ensure the operation will not negatively impact existing and future residential development.

This proposal will facilitate the development of a property that has remained vacant over a number of years due to the difficulty of attracting other commercial uses. Planning staff is recommending approval of this application, subject to a number of conditions, including designating the property as an area of Site Plan Control.

Planning Director's Recommendation - That City Council approve the rezoning of the subject property to allow personal storage as a permitted use, subject to the following:

1. That Special Exception 51 of Zoning By-law 2005-151 be amended by:

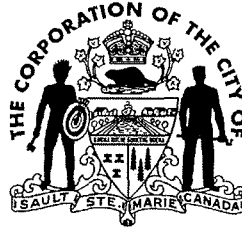
- a) Eliminating special exceptions 1-3.
 - b) That personal storage be added as permitted use.
 - c) That any outdoor storage areas be 100% visually screened from all streets and residential buildings using a combination of walls and/or roofs to visually screen outdoor storage areas.
 - d) That outdoor storage be limited to the storage of automobiles, boats and recreational vehicles.
 - e) Automobiles, boats or recreational vehicles that are wrecked, discarded, dismantled or in an in-operative condition shall not be permitted in any outside storage areas.
 - f) That access and egress from Millwood Street be for emergency access only.
2. That the subject property be designated as an area of Site Plan control.

DBM/pms

PUBLIC HEARING – 2007 12 10, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer



2007 11 13

MEMO TO: Don McConnell, MCIP, RPP
Planning Director

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

**SUBJECT: APPLICATION No. A-29-07-Z
11 MILLWOOD STREET
REQUEST FOR AN AMENDMENT TO THE ZONING BY-LAW**

The Engineering Department has reviewed the above noted application and has no objections provided that an internal piped storm system is provided, with a servicing, and lot grading plan.

The post development flows cannot exceed the remaining capacity of the existing storm sewer using a 1 in 10 design storm.

Sincerely,

Catherine Taddo, P. Eng.
Municipal Services Engineer

c: Jerry Dolcetti, RPP

6(6)(a)



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

November 19, 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: A-29-07-Z
11 Millwood Street

We wish to confirm that we have no objection to the above application, and the Owner will be required to pay applicable water service lateral and asphalt restoration charges at the rates current at the time of connection.

Yours truly,

PUC SERVICES INC.

A handwritten signature in cursive script that reads "C. Stefano".

Claudio Stefano, P. Eng. MEA
Manager of Engineering

CS*jf



Sault Ste. Marie Region
Conservation Authority

6(6)(a)

"Man and Nature"

November 8, 2007

Conservation Authority Comments:

Application # A-29_07-Z
Brian Gallagher
11 Millwood Street
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 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 the severed property located at 11 Millwood Street (2000 Queen Street East).

Sincerely,

Marlene McKinnon
GIS Specialist

File: A-29_07-Z_8Nov07.doc

Pat Schinners

From: Don McConnell
Sent: November 22, 2007 9:40 AM
To: Pat Schinners
Subject: FW: Application A-29-07-Z

Importance: High

From: John Febbraro
Sent: November 22, 2007 9:30 AM
To: Don McConnell
Cc: Bruce Strapp; Peter Tonazzo; Steve Turco
Subject: Application A-29-07-Z
Importance: High

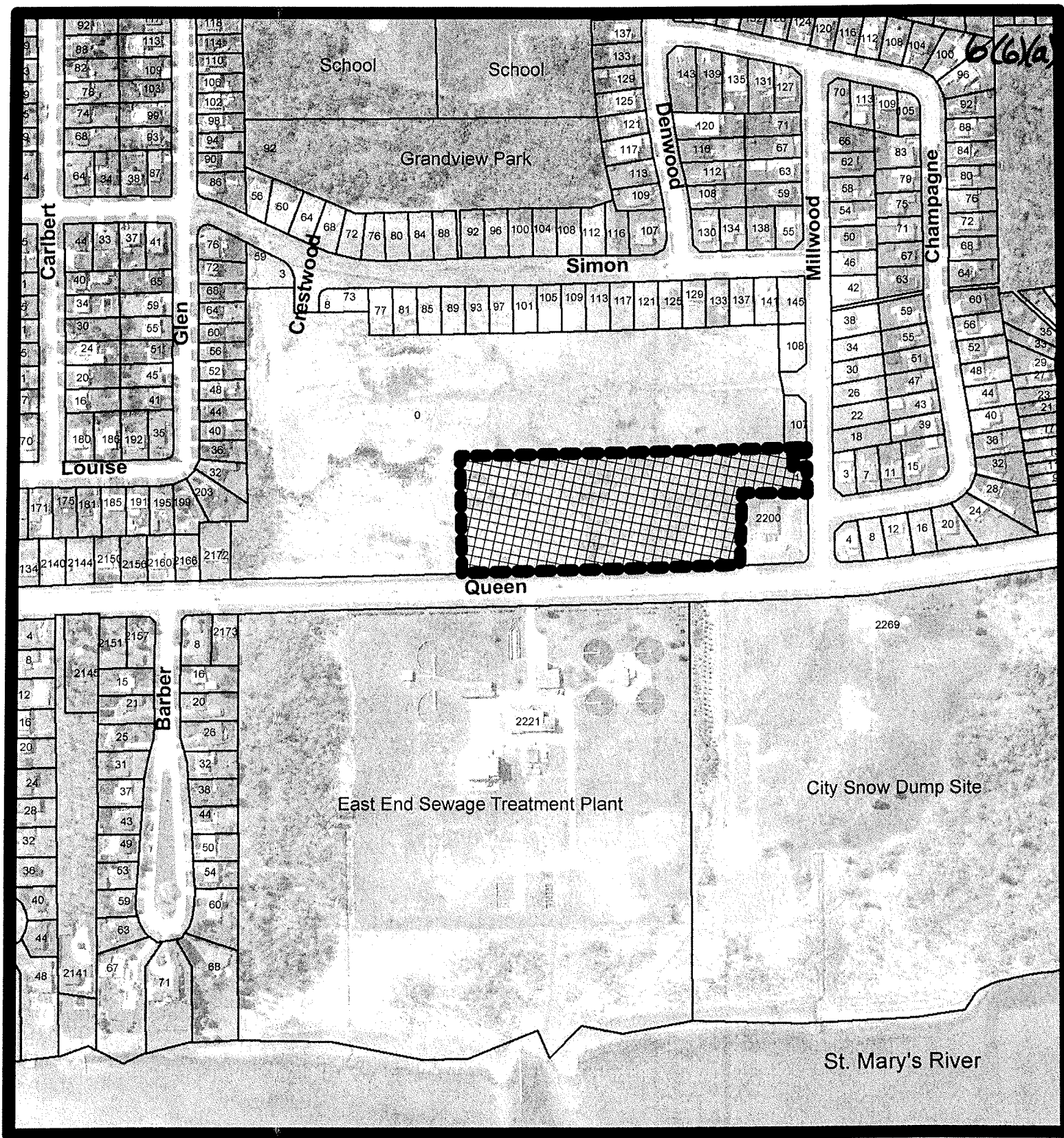
Don:

After reviewing application A-29-07-Z, the SSMECD recommends the addition of personal storage from 25-40% on subject property 11 Millwood. It is recommended that entrance and exiting of property from Queen St. be enforced and the entrance and exiting from Millwood (residential) be used as emergency only.

If you have any questions or concerns, please do not hesitate to contact me.

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

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2004 ORTHO PHOTO

Application A-29-07-Z

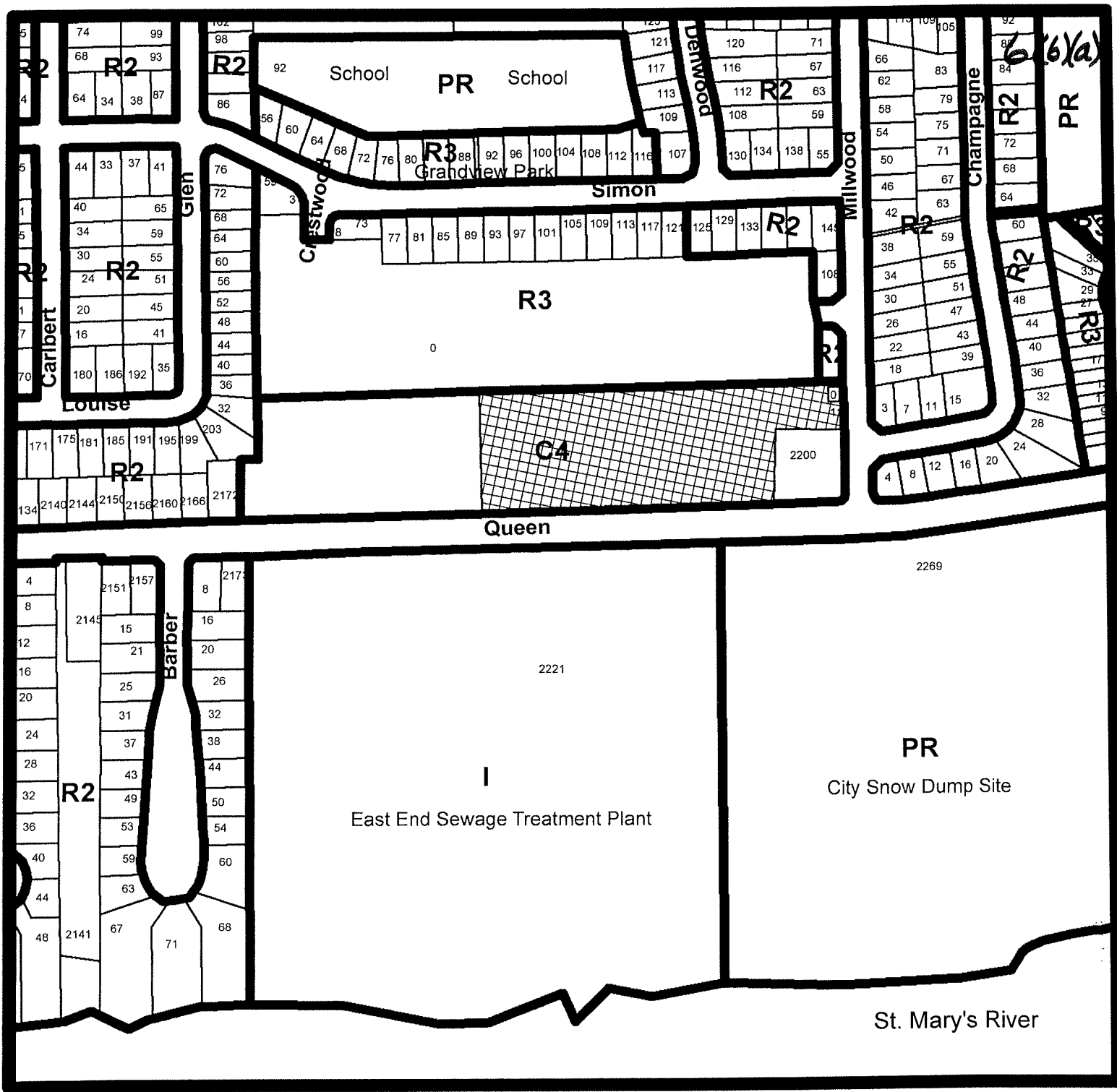


Metric Scale
1 : 4000

Maps
13 & 1-12



SUBJECT PROPERTY - 11 Millwood



ZONING MAP

Application A-29-07-Z

 SUBJECT PROPERTY - 11 Millwood Drive

 C4 - General Commercial Zone

 R2 - Single Detached Residential Zone

 R3 - Low Density Residential Zone

 I - Institutional Zone

 PR - Parks and Recreation Zone



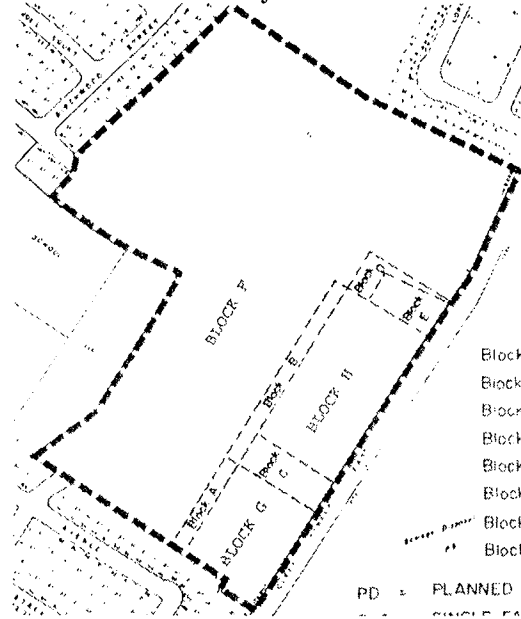
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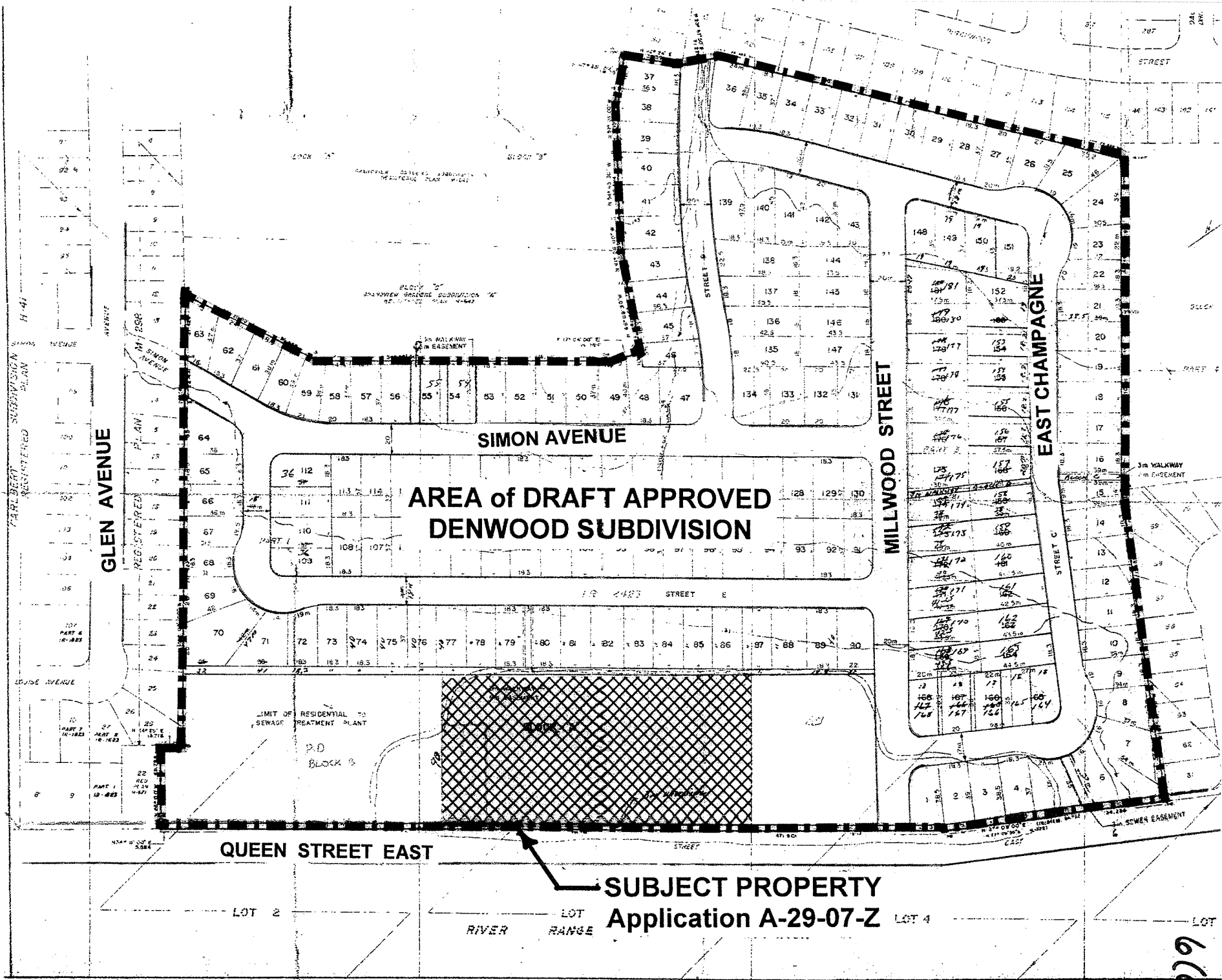
Maps
13 & 1-12

51 (537) COMMERCIAL USES – 2200 QUEEN STREET EAST

Notwithstanding the provisions of By-law 2005-150, the lands described as Block 66, 1M-487 having Civic No. 2200 Queen Street East and marked "subject property" on the map attached as Schedule (537) hereto may be used for a General Commercial (C4) use, excluding residential uses, as outlined in Section 13.5.1 in By-law 2005-150, and subject to the special exceptions set out below:

1. That any building on the subject property be setback a minimum of 7.62m from any lot line, except where the lot line abuts another Commercially zoned property, in which case the setback shall be reduced to 3m.
2. The maximum lot coverage is 25%
3. The minimum landscaped area is 2%
4. No more than 3 driveways are permitted along the entire frontage of the subject property

Schedule No. 795 to By-laws 86-220 & 98-196



**AREA of DRAFT APPROVED
DENWOOD SUBDIVISION**

SUBJECT PROPERTY
Application A-29-07-Z

6(b)(a)

Land-Use Planning Report

Prepared for the
Brian Gallagher
in support of a
Rezoning Application

Prepared
by

Planning Advisory Services

BILL WIERZBICKI, MCIP, RPP 28 TADCASTER PLACE, SAULT STE. MARIE, ONTARIO, P6B 5E4
TELEPHONE (705) 949-3817 CELL (705) 943-3817
Email: wierzbicki@shaw.ca

October, 2007
V 1.0

Land-use Planning Report

Prepared By: Planning Advisory Services

October 26, 2007

Introduction

This application is for an amendment to the existing Special Exception Zoning (S51) of the subject property. The applicant's intent is to develop the property as a "personal storage" facility as defined in By-law 2005-150. While personal storage is listed as a permitted use in both Commercial and Industrial zone categories of By-law 2005-150 it is not specifically listed in the C4 (General Business) Zone which applies to the subject property, making it necessary to add "Personal Storage", as a permitted use, to Special Exception 51.

Location and Existing Land-uses

The subject property is 2.07ha (5.1ac.) in area and located on the northwest side of Queen Street East opposite the Municipal Sewage Treatment Plant. The lands are presently vacant and have no history of past land uses. To the immediate northeast and abutting the subject property is a convenience store. Further east, on the opposite side of Millwood Street are low density single detached homes. Northwest of the subject property is vacant land that is zoned R3 (Low Density Residential). Southwest is a vacant parcel also zoned C4 (General Business).

Official Plan

The subject property is designated Commercial on Schedule "C" of the Official Plan. The property is not subject of any of the Resource or Constraint policies of the Official Plan.

Queen Street is designated as an Urban Collector on Schedule "D". The Official Plan policies state that "collector" streets are *"designed to facilitate the safe movement of traffic from residential, commercial and industrial areas to or from the arterial street network. The design width for collector streets is up to 26m. Limited access is permitted from abutting uses subject to the approval of Public Works & Transportation."*

Only one main access to the subject property is proposed from Queen Street. The final location of this access is not known at this time. Its location will be determined in the final site design through the application of the building code

safety standards for fire protection criteria, and emergency vehicle access and circulation. In addition the final location will be subject to municipal approval prior to the issuance of a building permit.

Zoning

Existing

The Subject Property is presently zoned C4 (General Business) and is subject to Special Exception #51. The boundary of the Special Exception is the same as the boundary of the subject property. The Special Exception zoning;

- a) removes residential units from the C4 permitted uses,
- b) limits the number of access points along the frontage to 3,
- c) fixes the maximum building coverage at 25% of the lot area,
- d) fixes the minimum landscaped area at 2%
- c) set a minimum setback of 7.62m (25') abutting Residentially zoned land and 3m (9.8') for all other yards.

Proposed

In order to accommodate the proposed use it is necessary to amended Special Exception #51 by:

- a) adding "personal storage" as a permitted use,
- b) increasing the maximum building coverage to 45%

Provincial Policy

The Planning Act requires that all applications for approval be reviewed for conformity with the PPS (Provincial Policy Statement (2005)). The city's Official Plan and Zoning By-law implement those policies. Of particular concern with this application is how PPS Policies in section 1.1 (Managing and Directing Land Use to Achieve Efficient Development and Land Use Patterns) in general and section 1.1.3.2 in particular are applicable. Policies listed in section 1.1.3.2 require the separation of incompatible land uses. This is the reason the city has the lands opposite the sewage treatment plant zoned in a manner that prohibits residential development. The Ministry of Environment in their Guidelines recommends a sensitive use, such as residential, be setback of between 100m and 400m from waste stabilization ponds of sewage treatment plants.

The proposed use is well suited for this location because it traditionally generates very low customer visits. This is unlike many of the existing permitted uses such as Bingo Halls, Fitness Facilities, Assembly Halls, Day Care Facilities, Food Services, Retail Stores, e.t.c which would generate a lot of on site activity and have a much greater potential to generate complaints about odours from the Municipal Sewage Treatment Plant.

Site Access

The existing Special Exception #51 limits the number of access points along the property's frontage to 3. The proposal is to have only one main access from the Queen Street frontage. It is the intent to locate the Queen Street access somewhere on the southwest portion of that frontage. The exact location of the Queen Street access will be set as a final site plan ensuring all building code and safety standards is completed prior to the application for a building permit. In addition an emergence access is proposed from Millwood Street. This emergency access will be gated and locked at all times. Its sole purpose is to allow an alternative access for emergency vehicles.

Landscaping and Buffering

The site plan attached to this report illustrates a 3m (9.8') landscaped strip of land abutting the vacant residentially zoned lands to the northwest. In addition to the landscaping a 2.4m (8') chain link fence with 0.15m (6") by 1.8m (6') vertical boards fastened to its surface. This together with trees planted at 12m (40') intervals will be installed. The trees will help soften the visual aesthetics for the long vertical board fence.

The small frontage on Millwood drive will be landscaped to a depth of 15m (49'). An "emergency" driveway access will traverse this landscaping.

In addition the proposed development has increased building setbacks from a minimum of 7.62m (25') abutting the Residentially zoned land to 10.6m (35'). This combined with the landscaped area, trees and vertical boards attached to the chain link security fence will offer an improved buffer to the future abutting residences.

In total the landscaped area will occupy approximately 8% of the lot. This is well over the 2% minimum presently allowed.

ServicingSewage

The subject property is serviced by municipal sanitary sewers.

Water

The subject property is serviced by municipal water.

Storm Water Drainage

The subject property will be drained by surface ditches, swales, and drainage system. A detailed design will be completed by a qualified professional and submitted to the city prior to the issuance of a building permit.

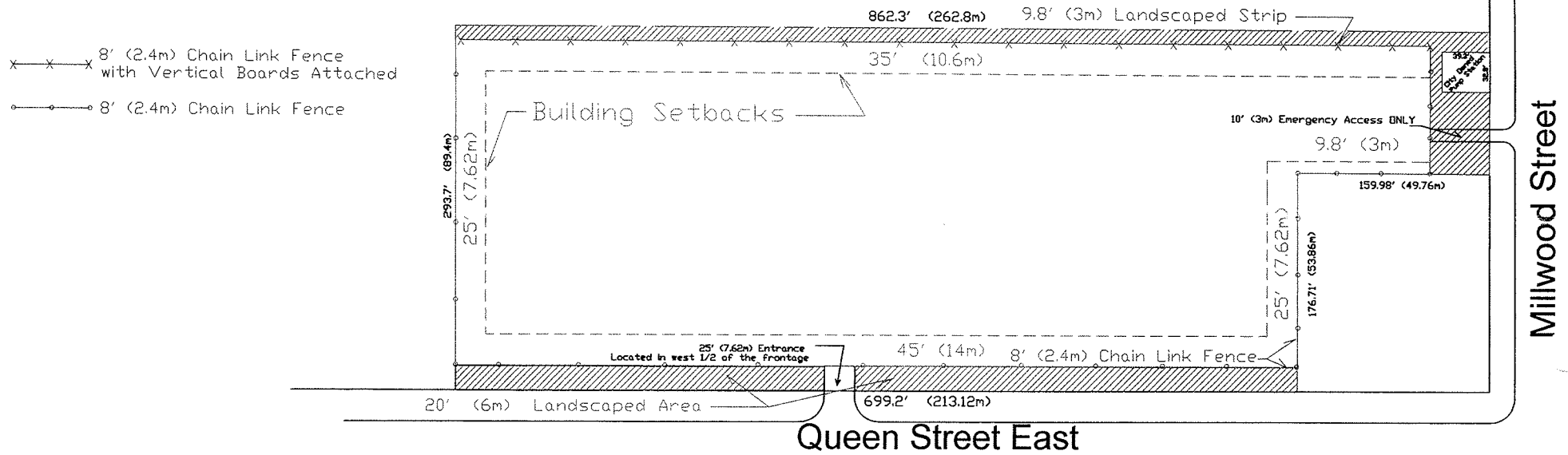
Summary of Benefits

Approval of the proposed use of the subject property as a Personal Storage facility further compliments the existing zoning and land-use restrictions by allowing a use that generates very few customer visits and as such is more compatible with the municipal sewage treatment plant. Approval of the proposal would also result in increases to both the minimum building setbacks and landscaped area. Approval will also reduce the allowable number of access points from 3 to 1 full access from Queen Street East and 1 emergency access from Millwood Street.

Conclusion

Approval of this application will result in a land use more compatible with the existing and proposed uses in the area than presently allowed by the existing zoning.

Note: The Landscaped Strip Abutting Residentially Zoned Land Will Contain Trees Planted In Groups Of 3 Approximately 40' (12m) Apart.

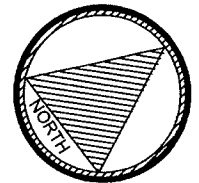


Concept Plan Showing Buffers,
Landscaping, Building
Setbacks, and Access Only

Planning Advisory Services

Last Revision Date: Oct. 24, 2007

Date: Oct. 24, 2007
SCALE: 1" = 100'



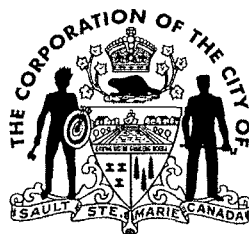
6 (6) 12



Planning Advisory Services

SUBJECT PROPERTY

6161(a)



2007 12 10

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-30-07-Z.OP – filed by James Rennison.

SUBJECT PROPERTY: Location – Located on the south side of Base Line, approximately 285m (935') east of its intersection with Town Line. Civic No. 1661 Base Line.
Size – Approximately 68m (223') frontage x 194m (636') depth; 1.83 ha (4.5 acres). Zone Map 2-20.
Present Use – Contractor's yard.
Owner – Jim Rennison Well Drilling Limited.

REQUEST: The applicant, James Rennison, is requesting an Official Plan amendment and rezoning to legalize the existing Contractor's Yard and the sale/rental of freight containers.

CONSULTATION: Engineering – No objections or comments.
Building Division – No comment.
Legal Department – No comment.
Fire Services – No objection.
PUC Services Inc. – No objection.
C.S.D. – No concern.
Conservation Authority – See attached letter.
PW&T – No comments or objections.
Algoma Public Health – No objections.
E.D.C. – Recommends permitting contractor's yard and the sale of freight containers at 1661 Base Line. Company has been operating on the site since 1973.
Accessibility Committee – No comments.
TransCanada Pipeline – See attached letter

PREVIOUS APPLICATIONS There are no previous applications.

Conformity with the Official Plan - The subject property is designated "RA" (Rural Area) on Land Use Schedule "C" of the Official Plan. An Official Plan Amendment, by way of a notwithstanding clause to Section 2.3.6 (Rural Area Policies) is required to permit the existing 'Well Driller's Contractor's Yard', and the 'Sale and Rental of Freight Containers'.

Comments

The Applicant, James Rennison wishes to rezone the subject property in order to legalize the existing 'Well Driller's Contractor's Yard', and the 'Sale and Rental of Freight Containers'. Records indicate that the contractor's yard has been operating from the site since 1973. It is worth noting that this rezoning application was not the result of a complaint. The applicant came in on his own accord. Attached to this Report is a petition of support, signed by a number of neighbours, including the owner of 1663 Base Line, which abuts the property to the north and west.

The 'Sale and Rental of Freight Containers' is self explanatory. The applicant intends to sell freight containers, as well as rent them out, to be located off-site for a period of time, or filled off-site, then brought back to the subject property to be stored. The use is very similar to a personal storage facility, except that the storage containers are moveable. The impacts associated with such a use are minimal.

Operating since 1973, the applicant has demonstrated the ability to operate the contractor's yard with minimal off-site impacts to neighbours. Correspondence from Building Division indicates that there have been no complaints on the subject property.

Referring to the site plan attached, the uses occur on the western half of the subject property. The applicant has recently planted a hedgerow along the common lot line between the subject property and 1663 Base Line. The western lot line of the subject property is heavily treed, which helps buffer the use from the existing residence to the west (1607 Base Line), which is approximately 61m (200') away. The eastern half of the subject property presently supports a vegetable garden. The applicant does not intend to expand the use any further east. The neighbours dwelling to the east is approximately 67m (220') away from the eastern edge of the existing uses on the subject property.

Even though substantial separations distances will mitigate any negative impacts from the use, to maintain the rural character of the area, controls should be put in place to ensure that the existing uses do not expand further north, or any closer to Base Line.

Correspondence from the various commenting agencies indicated no concerns with the proposal. The Conservation Authority (comments attached) notes that a portion of the northwest corner of the property is within the Conservation Authorities regulated area. If expansion plans involve the area under the SSMRCA's jurisdiction, a permit will be required prior to any site grading, filling or alteration.

The TransCanada Pipeline runs along the rear lot line of the subject property. The rear portion of the property, to within approximately 35m (115') of the rear lot line is vacant. The applicant has identified this area on the site plan attached as space for future expansion. Section 4.14.7 of Zoning By-law 2005-150 requires that any buildings or structures be setback at least 10m from TansCanada's right of way. The applicant is

aware of this requirement, which must be taken into account if future expansions to the rear of the property are proposed.

Correspondence on behalf of TransCanada Pipeline (attached) does not object to the proposal; however it notes a number of requirements prior to any site alterations, or development within 30m (98') of the pipeline right-of-way. TransCanada's correspondence has been included in the Applicants information package, and it is the proponent's responsibility to ensure that TransCanada's requirements are adhered to.

Planning Director's Recommendation - That City Council approve the application to rezone the subject property from "RA" (Rural Area), to "RA-S" (Rural Area) with a Special Exception, subject to the following:

1. Approval of Official Plan Amendment No. 138 by way of a Notwithstanding clause to the Rural Area policies of the Official Plan, to permit on the subject property, a Contractor's Yard supporting a well driller, and the Sale and Rental of Freight Containers only, in addition to those uses permitted within the Rural Area.
2. That the Special Exception permits a Contractor's Yard supporting a well driller, and the Sale and Rental of Freight Containers only, in addition to those uses permitted within the Rural Area.
3. That no part of the existing uses be permitted to expand further north than the existing storage building, which is setback approximately 76m (250') from Base Line.

PT/pms

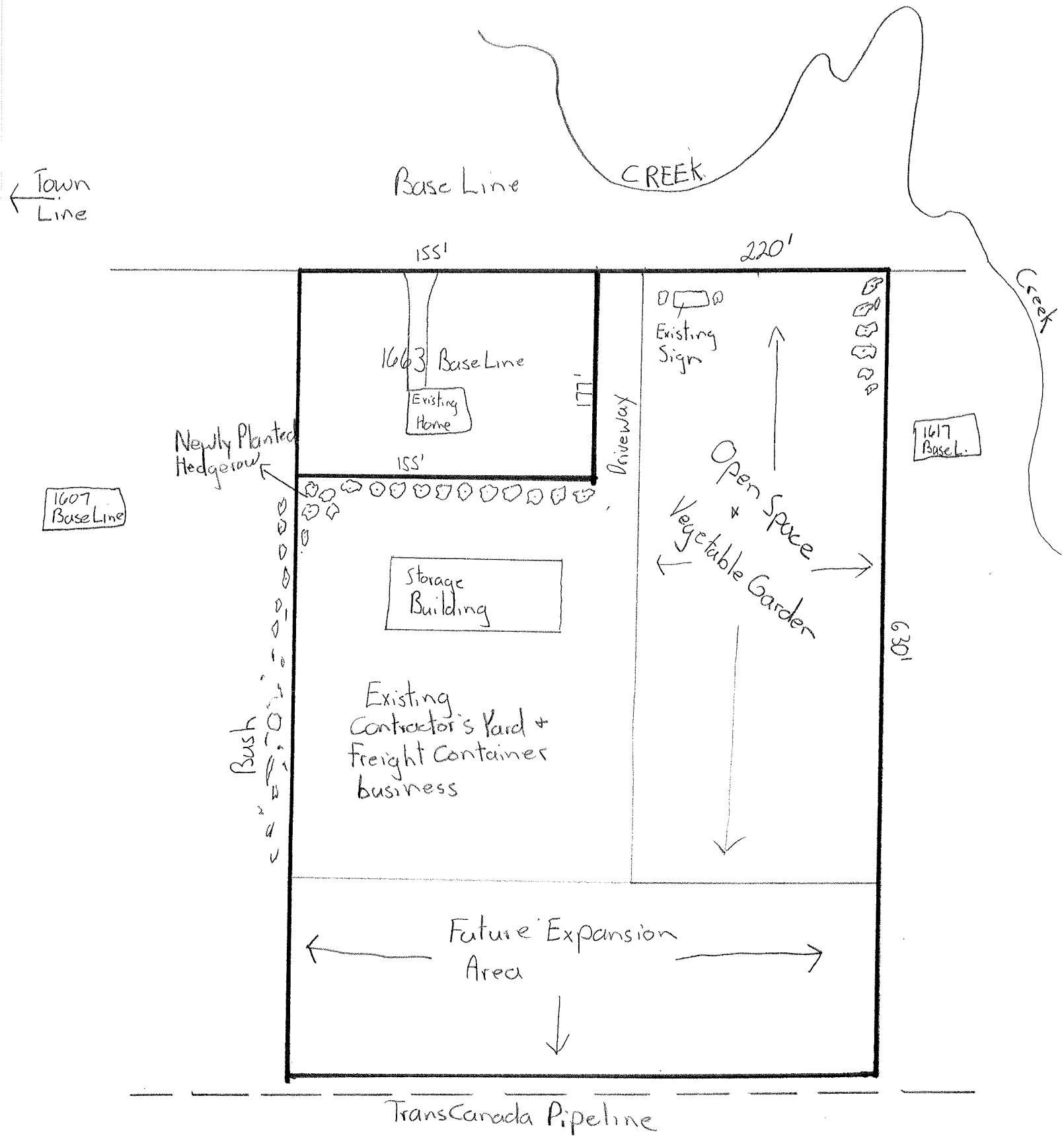
PUBLIC HEARING – 2007 12 10, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

1621/1661 Base Line

6(6)(6)



6(b)(b)

November 5, 2007

By signing this petition, I do not have any concerns with Jim Rennison continuing to operate his businesses (well drilling, sales/rental of freight containers) at 1621/1661 Base Line.

Name	Address	Signature
Ray Seabrook	1667 Base Line	Ray Seabrook
LINDA LIEGINGTON	1617 BASE LINE	Linda Lieginton
PAUL SHANNETTE	1599 BASELINE	Paul Shannette
KEN PAIR	1584 BASELINE	Ken Pair
LORRAINE PUNKARI	1616 BASELINE	Lorraine Punkari
Lana Huard	1687 Base Line	Lana Huard
June Marshall	445 Town Line	June Marshall
Mindy DeGregorio	5600 Town Line	M. DeGregorio
RAY CLARGO	1742 BASELINE	Ray Clargo
AL HANES	540 TOWN LINE	al Hanes
DALE LARQUE	1569 BASE LINE	Dale Larque
Don LANCUS	1048 BASELINE	Don LANCUS
RICHARD REED	1478 BASE LINE	Richard Reed
DON VALLIE	1487 BASELINE	Don Vallie
Mark Muise	1600 Baseline	Mark Muise
Bill Wallace	433 Townline	Bill Wallace
GEORGE BACHURA	453 TOWN LINE	George Bachura



*Sault Ste. Marie Region
Conservation Authority*

6(6)(b)

"Man and Nature"

November 20, 2007

Conservation Authority Comments:

**Application # A-30-07-Z.OP
 James Rennison
 1621 - 1661 Base Line
 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 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. Therefore a plan review is required prior to any site grading, excavating, filling, development or construction. If the plan should involve the area under the regulation Ont. Reg. 176/06 then a SSMRCA Permit would be required.

Sincerely,

Marlene McKinnon
GIS Specialist

File: A-30_07-Z-OP_20Nov07.doc

6(6)(b)

November 30, 2007

Mr. Donald B. McConnell,
Planning Director
The Corporation of the City of Sault Ste. Marie
Civic Centre
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6

Dear Mr. McConnell:

**Re: Application No. A-30-07-Z.OP, James Rennison
1661 Base Line, City of Sault Ste. Marie
Our File No. PAR 10160**

We have received notice of application for the above-noted lands. We understand the purpose of the amendment is to legalize the existing contractor's yard.

TransCanada has two high pressure natural gas pipelines abutting the subject lands. TransCanada reviews any proposed development within 200 metres of TransCanada's facilities to ensure it does not affect the safety and integrity of those facilities.

While TransCanada has no objections to the proposed application, we wish to advise the applicant of the following conditions:

1. All permanent structures and excavations shall be located at least 7m from the limits of TransCanada's right-of-way. Accessory structures and lots with side-yards abutting the right-of-way shall have a minimum setback of at least 3m from the limit of the right-of-way.
1. Section 112 of the National Energy Board Act requires that anyone excavating with power-operated equipment or explosives within 30 metres of the pipeline must obtain leave from the National Energy Board before starting any work. To satisfy this NEB requirement, you may send your request for leave directly to TransCanada with supporting information explaining how the work will be carried out. Once you obtain written approval for your excavation request, you must notify TransCanada at 1-800-827-5094 three business days before the start of any excavation using power-operated equipment and seven business days before the use of explosives within 30 metres of the pipeline right-of-way limits.
2. Notice must be given to TransCanada directly (1-800-827-5094) or through Ontario One Call (1-800-400-2255) a minimum of three business days before the

Authorized commenting Agency for



113 Collier St.,
Barrie, ON L4M 1H2
(705) 737-4512



6(b)(b)

2

start of any construction on or within 30m of the pipeline right-of-way and 7 business days minimum advance notice for any work involving explosives.

3. No fill or building material may be stored on the pipeline easement before, during or after any construction unless prior written approval is obtained from TransCanada.

If the decision can be provided either by email to darlene@meridianplan.ca or by fax at 705-737-5078 it would be greatly appreciated. If you have any questions, please do not hesitate to contact our offices.

Sincerely,



Darlene Truax,
Planning Coordinator

Authorized commenting Agency for



113 Collier St.,
Barrie, ON L4M 1H2
(705) 737-4512



**AMENDMENT NO. 138
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 designation.

LOCATION:

Part 4 of Section 6, NW1/4, 1R2682, located on the south side of Base Line approximately 238m east of it's intersection with Town Line. Civic no. 1661 Base Line.

BASIS:

This Amendment is necessary in view of a request to permit a well driller's Contractor's Yard, and the sale/rental of freight containers on the subject property.

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

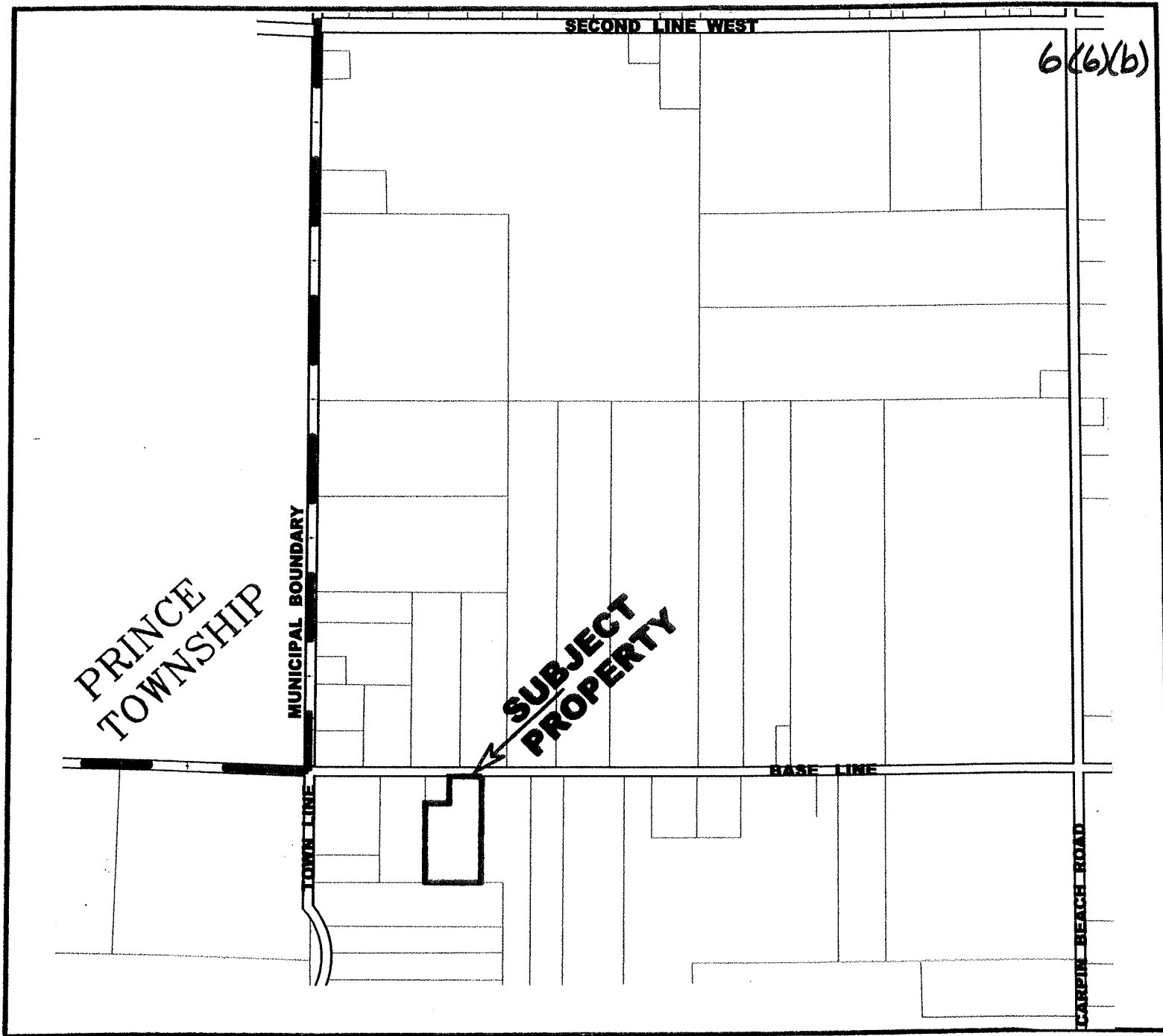
The Official Plan for the City of Sault Ste. Marie is hereby amended by adding the following paragraph to the Special Exceptions Section:

"Special Exceptions"

93. Notwithstanding the Rural Area policies of the Official Plan, lands described as Part 4 of Section 6, NW1/4, 1R2682, located on the south side of Base Line approximately 238m east of its intersection with Town Line. Civic no. 1661 Base Line may be used for a Contractor's Yard supporting a well driller, and for the sale/rental of freight containers.

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. 138





SUBJECT PROPERTY MAP

APPLICATION A-30-07-Z.OP

Legend



SUBJECT PROPERTY - 1661 Base Line

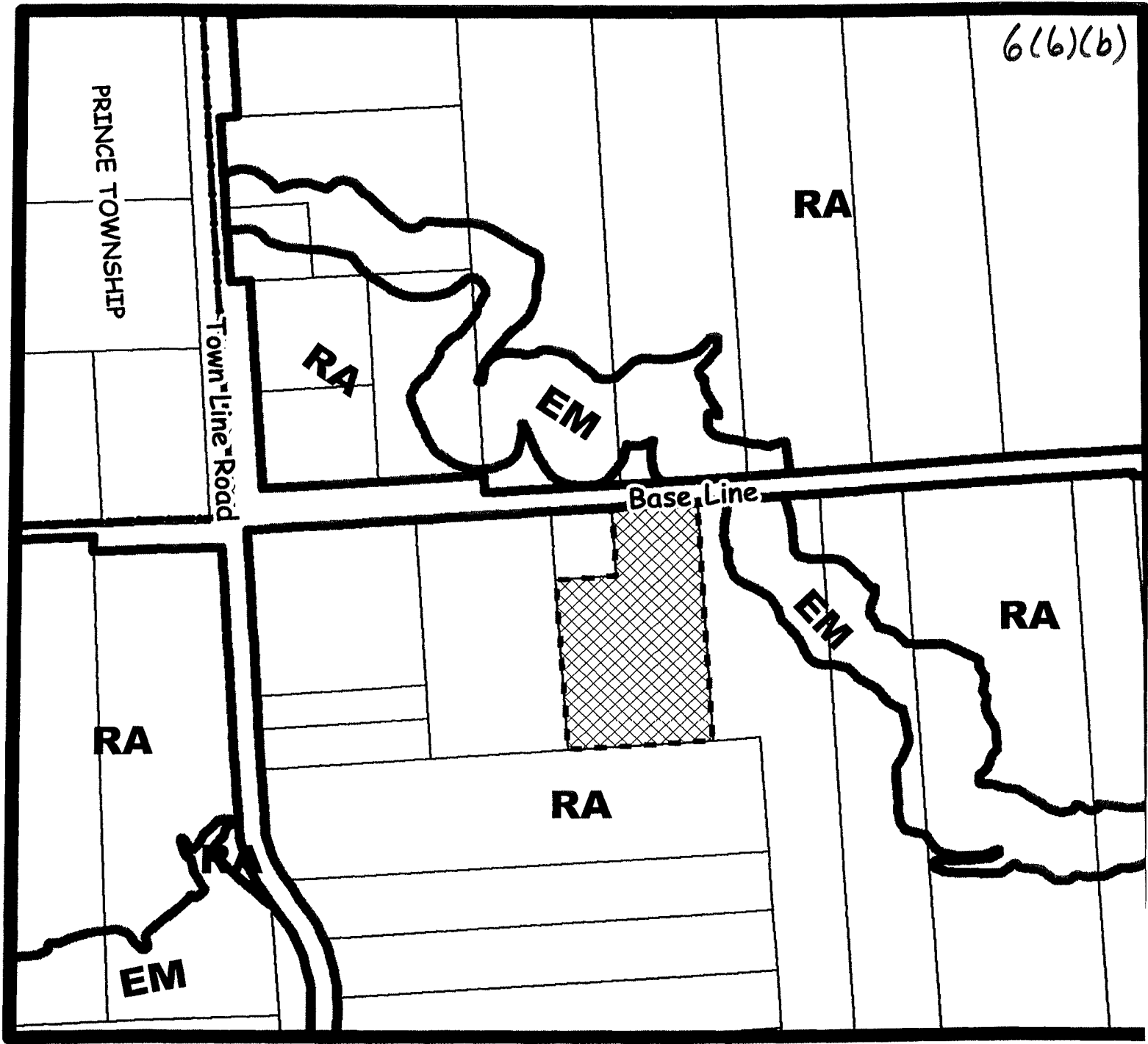


MUNICIPAL BOUNDARY



METRIC SCALE
1 : 4500

MAPS
520 & 2-20



ZONING MAP APPLICATION A-30-07-Z.OP



SUBJECT PROPERTY - 1661 Base Line



MUNICIPAL BOUNDARY



RA - Rural Area Zone; RAhp

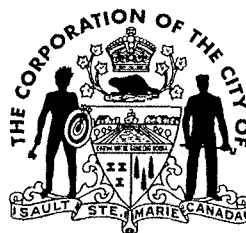


EM - Environmental Management Zone



METRIC SCALE
1 : 4500

MAPS
520 & 2-20



2007 12 10

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application No. A-31-07-Z.OP – filed by Mattioli
Craft Limited.

SUBJECT PROPERTY: Location – Located on the south side of Trunk
Road, approximately 520m (1,706') east of its
intersection with Fournier Road. Civic No.
1601 Trunk Road (east half); Zoning Map 1-45.
Size – Approximately 103m (338') frontage x
185m (607') depth; 1.9 ha (4.7 acres).
Present Use – Vacant land.
Owner – Mattioli Craft Limited.

REQUEST: The applicant, Mattioli Craft Limited, is
requesting an Official Plan amendment and
rezoning in order to rezone the subject
property from "RA" (Rural Area) zone to "M-2"
(Medium Industrial) zone with a Special
Exception to permit a reload centre for logs, on
a temporary 3 year basis in addition to other
industrial uses.

CONSULTATION: Engineering – No comments or objections.
Building Division – See attached letter.
Legal Department – No comment.
Fire Services – See attached letter.
PUC Services Inc. – No objection.
C.S.D. – No concerns.
Conservation Authority – The subject property
is not located in an area under the jurisdiction
of the Conservation Authority.

PW&T – See attached letter.

E.D.C. – No objections.

Accessibility Committee – No comment.

PREVIOUS APPLICATIONS: There are no previous applications.

Conformity with the Official Plan - This application proposes an Official Plan amendment to re-designate the subject property from 'Rural Area' to 'Industrial' on Land Use Schedule "C" of the Official Plan.

The subject property is the eastern half of 1601 Trunk Road. All of 1601 Trunk Road is the subject of an upcoming severance application to the Committee of Adjustment. Although 1601 Trunk Road is presently designated Rural Area on Land Use Schedule "C" of the Official Plan, once severed, the eastern half will be conveyed to the abutting property to the east (1655 Trunk Road), which is presently occupied by Mattioli Craft Limited. Given that the severance will not result in any new lots being created in the Rural Area, an Official Plan Amendment (notwithstanding clause to Rural Area Policy 4) prior to the severance is not required.

Comments

The applicant, Mattioli Craft Limited, is requesting a rezoning of the subject property from Rural Area Zone (RA) to Medium Industrial (M2) with a Temporary Use By-law to permit a 'reload centre for logs and pulpwood' for a period not to exceed 3-years.

The character of the area is a mixture of Highway Commercial to the west, industrial to the east, rural area to the north, and the recently approved River Road Subdivision, which consists of a number of estate residential lots that will abut the subject property to the south.

A rezoning of the eastern half of 1601 will extend the existing block of Medium Industrial (M2) zoned lands west to incorporate the subject property. The use of this portion of Trunk Road for Medium Industrial (M2) purposes is appropriate, and within the general character of the area. The uses permitted in an M2 Zone, also include those permitted within the Light Industrial (M1) Zone (Attached to this Report). Of special concern is the interface between the subject property and the recently approved estate subdivision to the south. The maintenance of an adequate buffer is important, and will form a condition of approval. Referring to the air photo attached, the rear 70m (230") of the subject property is heavily treed. Protecting a 50m (164') strip of this natural buffer will enhance the industrial/residential interface. The uses permitted within the M2 zoning encompass a combination of Class I and II Industrial uses, as defined through the Ministry of the Environment's Minimum Distance Separation (MDS)

Guidelines. The MDS Guidelines further state that Class I Industrial uses shall be setback at least 20m (66') from a sensitive or residential land use. Class II Industrial uses should be setback a minimum of 70m (230') from a residential use. Given that the future industrial use of the subject property will likely fall between Class I & II, a 50m (164') is consistent with the Ministry of the Environment's Minimum Distance Separation Guidelines. The applicant is aware of, and has no objection to the recommended 50m buffer requirement.

Site Plan Control will also be recommended to ensure that the site is developed in a manner that minimizes off-site impacts, especially those concerning the residential neighbours to the south.

It is also important to note that the lack of municipal services (sewer & water) in the area will limit the types of uses that may locate upon the subject property. Uses that utilize water in the manufacturing process, as a coolant, lubricant or to wash a product, cannot locate upon a property without city services. Vast quantities of water cannot be safely treated through an on-site sewage system. While the lack of municipal sewer and water services is a limiting factor, there are a number of medium industrial uses east of the subject property that operate without the benefit of city services, and without the need for vast quantities of water.

While a rezoning of the eastern half of 1601 Trunk Road is appropriate, a reload centre for logs and pulpwood, a heavy industrial (M3) use, is not. The inclusion of a heavy industrial use to this portion of Trunk Road will set a dangerous precedent. The applicant argues that a reload centre for logs and pulpwood does not represent a major change from the existing use located on the abutting property to the west. Mattioli Craft Limited is a woodworking shop, specializing in the processing of logs into hardwood flooring, and other finished wood products. Part of this use includes receiving and storing logs, as well as the shipping, and delivery of finished products.

The introduction of a reload centre on the subject property is a change of use, which will result in a substantial increase in off-site impacts such as traffic, noise, and dust. Reload centres for logs and pulpwood generally occur outside, with very few, if any buildings associated with the use. The loading and unloading of logs generates noise, as well as dust and debris, which will migrate south towards the recently draft approved residential subdivision, and north onto the travelled portion of Trunk Road. The introduction of a reload centre will also result in a substantial increase of heavy truck traffic.

This application is an attempt to legalize the existing reload centre for logs and pulpwood, which has been operating upon the subject property for several months. On September 26, 2007, Building Division (letter attached) informed Mr. Mattioli that the use of the subject property for a reload centre for logs and pulpwood was not permitted. At that time the applicant was asked to

immediately cease this operation. Mr. Mattioli was also cautioned that the reload use could not be conducted upon 1651-1655 Trunk Road (Mattioli Craft Ltd.). Despite these warnings, further complaints prompted the Building Division to conduct another inspection on October 12, 2007. At this time the operation was 'simply re-located' to the Mattioli Craft Ltd. property at 1651-1655 Trunk Road. A subsequent site inspection (pictures attached) was conducted on December 2. At this time, the reload centre was not being conducted on either property.

It is important to note that Planning Staff did not receive any formal objections or complaints from any of the neighbours that were given notice as part of this application.

Correspondence from Public Works and Transportation (attached) notes a concern with debris being tracked onto Trunk Road.

Fire Services (correspondence attached) indicates that the applicant must conform to the provisions of the Ontario Fire Code, more specifically Subsection 3.2.2 Outdoor Storage of Lumber and Forest Products.

Summary

The rezoning of the subject property from Rural Area (RA) to Medium Industrial (M2) is appropriate, given the character of the area, and more specifically the existing medium industrial uses to the east.

While staff welcomes new development along this portion of Trunk Road, a reload centre for logs and pulpwood will not compliment the existing uses of the area, and would create a number of negative impacts to the commercial properties to the west, and the recently approved residential properties to the south. Reload centres for logs and pulpwood are heavy industrial uses, occurring outdoors, and resulting in off-site impacts such as noise, debris, and increased heavy truck traffic.

Planning Director's Recommendation – That City Council denies the applicants request for permission to operate a 'Reload Centre for Logs and Pulpwood' on a temporary basis not to exceed three years, and that Council approve the following:

1. Rezoning of the eastern half of 1601 Trunk Road from Rural Area (RA) zone, to Medium Industrial zone with a Special Exception (M2.S) requiring that the rear 50m (164') of the subject property is maintained as a natural buffer area.
2. Approval of Official Plan Amendment No. 139, to re-designate the subject property from Rural Area to Industrial on Land Use Schedule "C" of the Official Plan.

6(6)(c)

3. That the subject property (eastern half of 1601 Trunk Road) be deemed subject to Site Plan Control, as per Section 41 of the Planning Act.

PT/pms

PUBLIC HEARING – 2007 12 10, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

Data\APPL\REPORT\31-07-Z.OP.doc

**AMENDMENT NO. 139
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE:

This Amendment is an amendment to Schedule "C" of the Official Plan.

LOCATION:

The east half of Lot 102, Plan H714, located on the south side of Trunk Road, approximately 520m east of its intersection with Fournier Road. Being the east half of Civic No. 1601 Trunk Road. Zoning Map 1-45.

BASIS:

This Amendment is necessary in view of the request to rezone the subject property to permit the lands to be utilized for industrial 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 "Industrial".

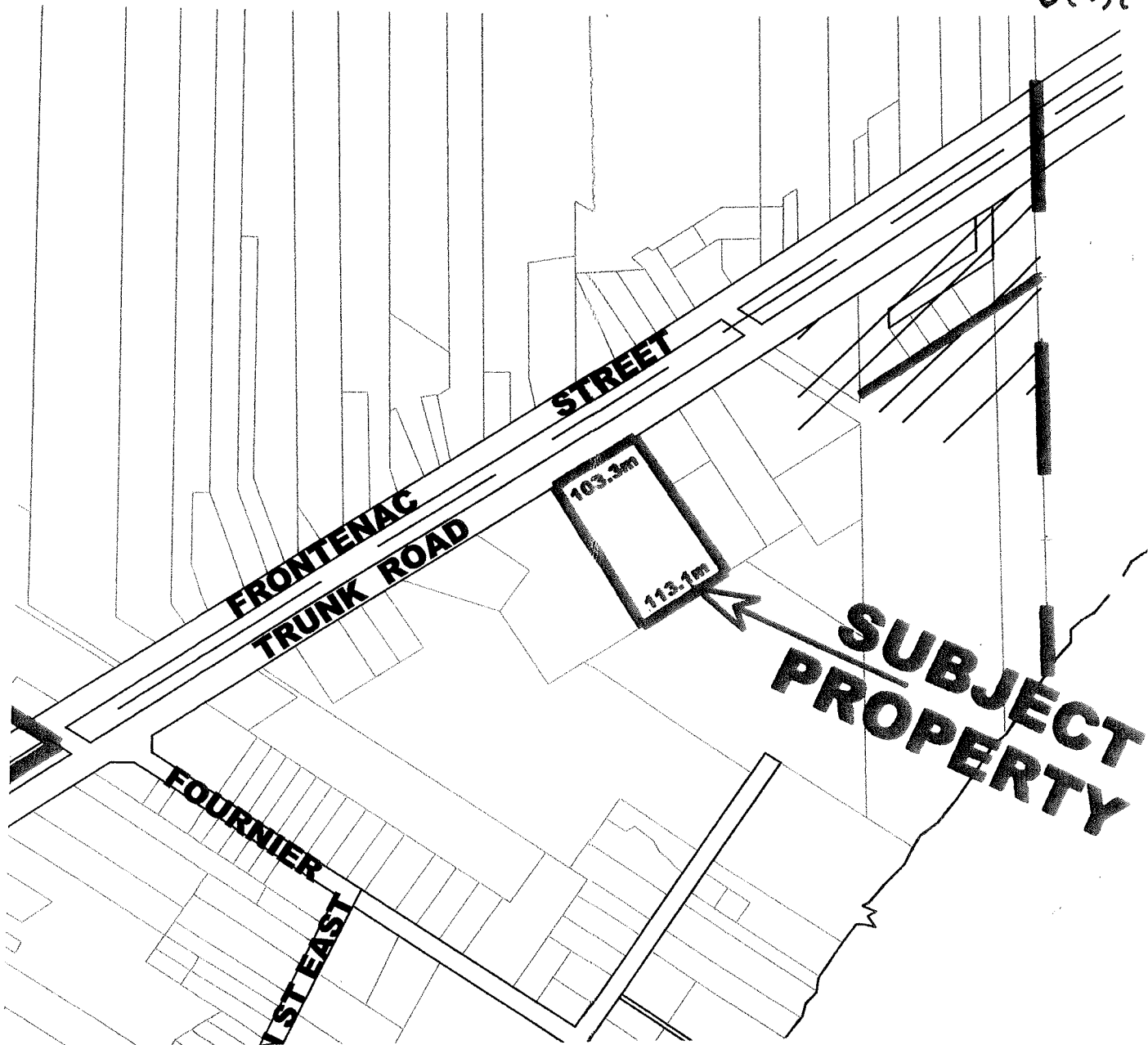
DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Schedule "C" to the Sault Ste. Marie Official Plan is hereby amended re-designating those lands shown on the attached schedule from "Rural Area" to "Industrial"

INTERPRETATION

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

6(6)(c)



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND

	RESIDENTIAL		INDUSTRIAL		PARKS RECREATIONAL
	COMMERCIAL		INSTITUTIONAL		RURAL AREA

SCHEDULE "A" to AMENDMENT No. 139





6(b)(c)

14 INDUSTRIAL ZONES

14.1 LIGHT INDUSTRIAL ZONE (M1)

Introduction

This zone accommodates low intensity industrial uses. Effects such as noise, dust, odours, and vibrations should be minimal to non-existent. This zone shall include regulations meant to create a campus like atmosphere.

14.1.1 PERMITTED USES

- *Accessory uses*
- *{2007-105} Accessory use solar power installations – Refer to Section 1.1.6 for additional regulations*
- *{2006-200} Accessory use wind turbines - Refer to Section 4.13 for additional regulations*
- *Broadcasting*
- *Caretakers dwelling unit*
- *Computer, precision, and electronic products manufacture and repair*
- *Contractors yards*
- *Delivery and courier services*
- *Dry cleaning and laundry plants*
- *Emergency response centres*
- *Industrial plazas*
- *Information and technology services*
- *Manufacture of food and beverages*
- *Motion picture and sound recording studios*
- *Personal Storage*
- *Printing and related support activities*
- *Professional scientific and technical services*
- *Publishing industries*
- *Rental and leasing services*
- *Similar uses*
- *Warehousing, Wholesaling and Distribution Centres - with no outdoor storage*

Exclusion: *Reload centres for logs and pulpwood*



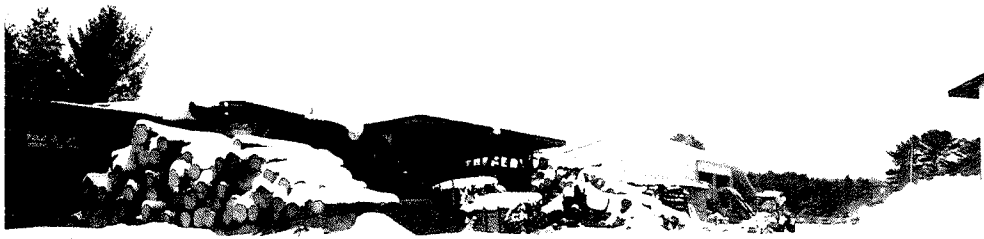
14.2 MEDIUM INDUSTRIAL ZONE (M2)

Introduction

This zone allows more intensive uses than the Light Industrial Zone, however it requires that noise, dust, odors, and vibrations impacting sensitive uses in the area be kept to a minimum.

14.2.1 PERMITTED USES

- All uses permitted in M1 zone
 - *Accessory uses*
 - *{2007-105} Accessory use freight containers*
 - *Accessory use storage trailers*
 - *{2006-200} Accessory use wind turbines - Refer to Section 4.13 for further regulations*
 - *Auto body repair establishments*
 - *Building, hardware, and garden supply stores*
 - *Bulk storage and distribution of fossil fuels*
 - *Caretakers dwelling unit*
 - *{2006-200} Commercial wind generating systems— Refer to Section 4.13 for additional regulations.*
 - *Heavy equipment sales maintenance and repair*
 - *Industrial plaza*
 - *Medium manufacturing*
 - *Motor vehicle sales and parts dealers*
 - *Rental and leasing services*
 - *Repair and maintenance services*
 - *Road transportation and warehousing*
 - *Similar uses*
 - *Warehousing, wholesaling and distribution centres - with 100% visually screened exterior storage*
- Exclusion:** *Reload centres for logs and pulpwood*



6461(c)

Pat Schinners

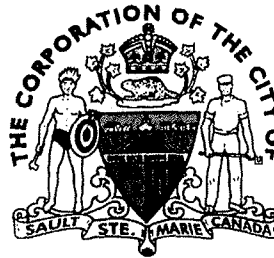
From: Don Maki
Sent: November 13, 2007 2:28 PM
To: Don McConnell; Pat Schinners
Subject: Rezoning Application A-31-07-Z.OP

Hi Don

The use proposed had been located on the property in question without the benefit of proper zoning. It was relocated to the property to the east again without proper zoning. They have been advised to cease operations at this time. The area inspector will review to see if operations have ceased.

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

**Don Maki, CBCO
Chief Building Official**



MATTIOLI Reason
File
6(b)(c)
**Engineering & Planning
Department
Building Division**

October 16, 2007
File No. 21449 & 32114

Mr. George Mattioli
Mattioli Craft Limited
1655 Trunk Road
Sault Ste. Marie, ON P6A 6X9

Attention Mr. Mattioli:

**Re: Log Reload Operation at
Civic No. 1601 Trunk Road
Civic No 1651-1655 Trunk Road, Sault Ste. Marie, ON**

This letter will serve to summarize the conversation I had with you on September 26, 2007 here at the Civic Centre and again at your shop on Friday October 12, 2007.

On September 26, 2007 and by letter dated September 27, 2007 I advised you that a reload operation was not a permitted use for the property known as 1601 Trunk Road and that this illegal use would have to cease immediately. You indicated that you would not permit any more logs to be brought onto the site. I also informed you that you that a log reload operation is not permitted on your property known as 1651-1655 Trunk Road (Mattioli Craft). I told you that approval of a rezoning application to permit a reload center is needed before the use can be introduced onto any of these properties. I also told you that I would re-inspect the property for compliance on October 12, 2007.

On September 27, 2007 both Mrs. Kelly and I cautioned you that you could very well jeopardize any future rezoning or severance applications if you continued to carry on this contravening use as Council and the Committee are advised of any known history related to applications they are considering. Mr. Mattioli you indicated that you clearly understood these facts and that we had your word that you would discontinue using your property in this manner.

In spite of the above, additional complaints came in, informing us that logs were being brought in and reloaded at 1601 Trunk Road as late as October 11, 2007.

The Corporation of the City of Sault Ste. Marie
P.O. Box 580 ~ Level 5 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 541-7152 ~ Fax: (705) 541-7165
www.cityssm.on.ca ~ g.irwin@cityssm.on.ca

On October 12, 2007 I witnessed that you had simply re-located the operation to your property at 1651-1655 Trunk Road which as you had previously been informed, was in contravention of the Zoning By-law.

6(b)(c)

Mr. Mattioli unless the use of your properties as a log reload center is not discontinued and all evidence of the use removed from the property immediately, it is our intent to proceed with legal action forthwith and without further notice.

I would encourage you to give this matter your prompt attention so that further action on our part is not necessary.

Sincerely,



Glen Irwin
Building & Property Standards Inspector

GI/mk

Cc D. Maki, Chief Building Official
D. McConnell, Director of Planning
M. Kelly, Committee of Adjustment

6(6)(c)

Pat Schinners

From: Don McConnell
Sent: November 23, 2007 2:28 PM
To: Pat Schinners
Subject: FW: 1601 Trunk Rd Application Number: A-31-07-Z .O P.

From: Jim Elliott
Sent: November 23, 2007 11:46 AM
To: Don McConnell
Cc: Peter Tonazzo
Subject: 1601 Trunk Rd Application Number: A-31-07-Z .O P.

Don McConnell
Planning Director

Subject: Request for an Amendment to the Official Plan in Zoning Bylaw
Application Number: A-31-07-Z .O P.
Mattioli Craft Limited
1601 Trunk Rd

Staff from the Public Works and Transportation Department has reviewed this application and have no objections. We do however request that the owner of the proposed log reload centre prevent debris from the operation being tracked onto Trunk Road. In addition, any entrances from Trunk Road to the property will require approval from the Ministry of Transportation.

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

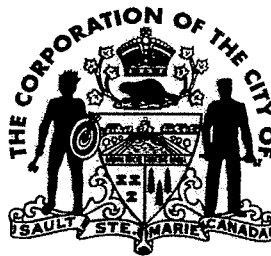
Yours truly

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

11/26/07

Fire Chief Lynn D. McCoy

Division Heads:
Paul Milosevich – Prevention
Marcel Provenzano – Suppression
David Stokes – EMS
Jim St. Jules – Support Services



FIRE SERVICES
72 Tancred Street
Sault Ste. Marie, Ontario
P6A 2W1

6(6)(c)
Emergency Direct "911"
Emergency Phone (705) 949-3333
Business Phone (705) 949-3335
Fire Prevention Phone (705) 949-3377
Emergency Medical Services (705) 949-3387
Fax Phone (705) 949-2341



November 15, 2007

MEMORANDUM

TO: Donald McConnell, Planning Director

RE: Application No. A-31-07-Z.OP
1601 Trunk Road (east half)

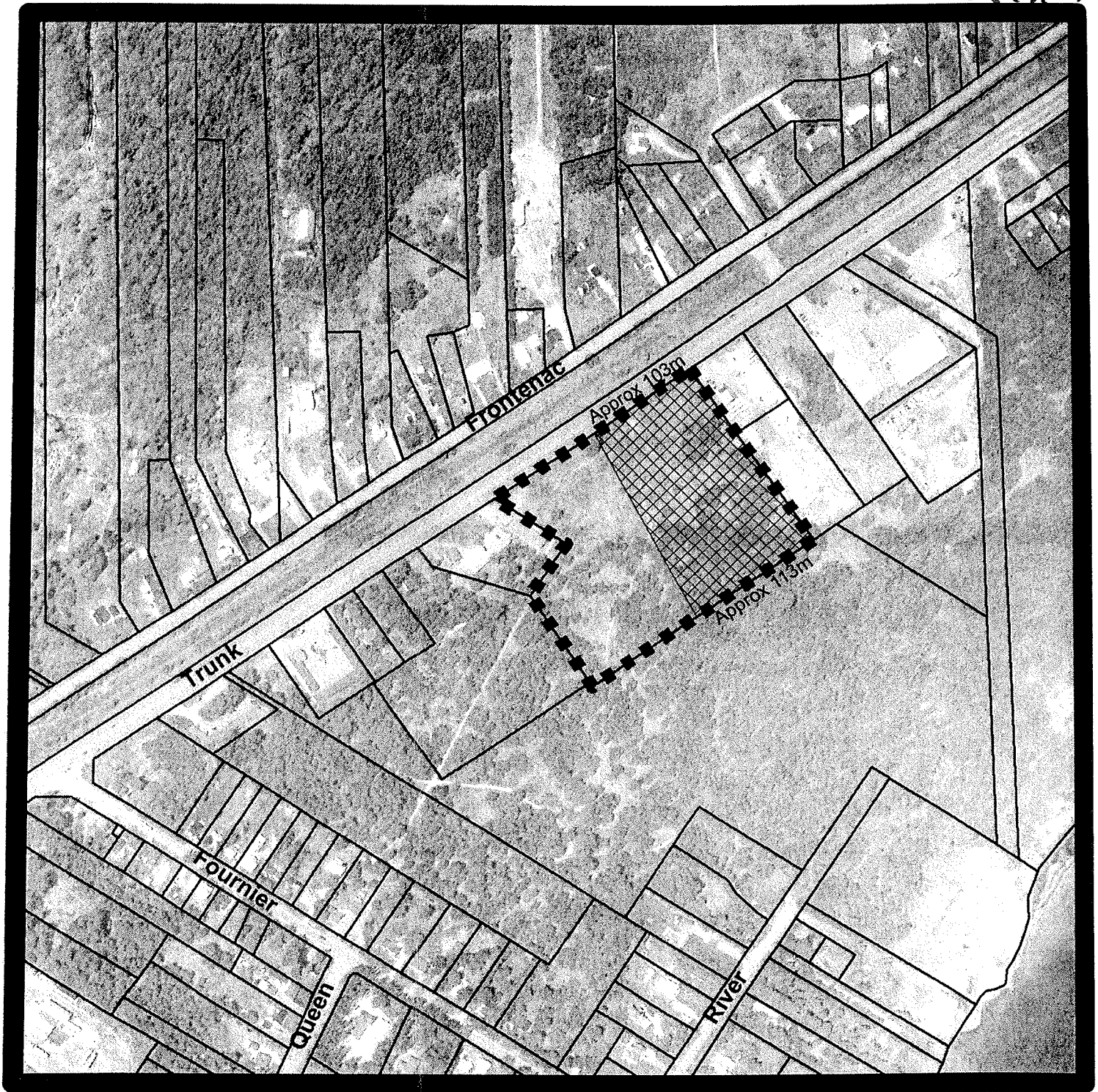
With respect to the above noted rezoning application, Fire Services wishes to make the following comment.

The applicant shall ensure all provisions of Subsection 3.2.2. **Outdoor Storage of Lumber and Forest Products** are in compliance with the Ontario Fire Code prior to operation as proposed.

Should you have any questions or concerns, please contact our Fire Prevention and Public Education office at 949-3377.


Paul Milosevich – Assistant Fire Chief – Fire Prevention
Sault Ste. Marie Fire Services

PM/ks

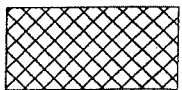


SUBJECT PROPERTY MAP

APPLICATION A-31-07-Z-OP



Subject Land -1601 Trunk Road

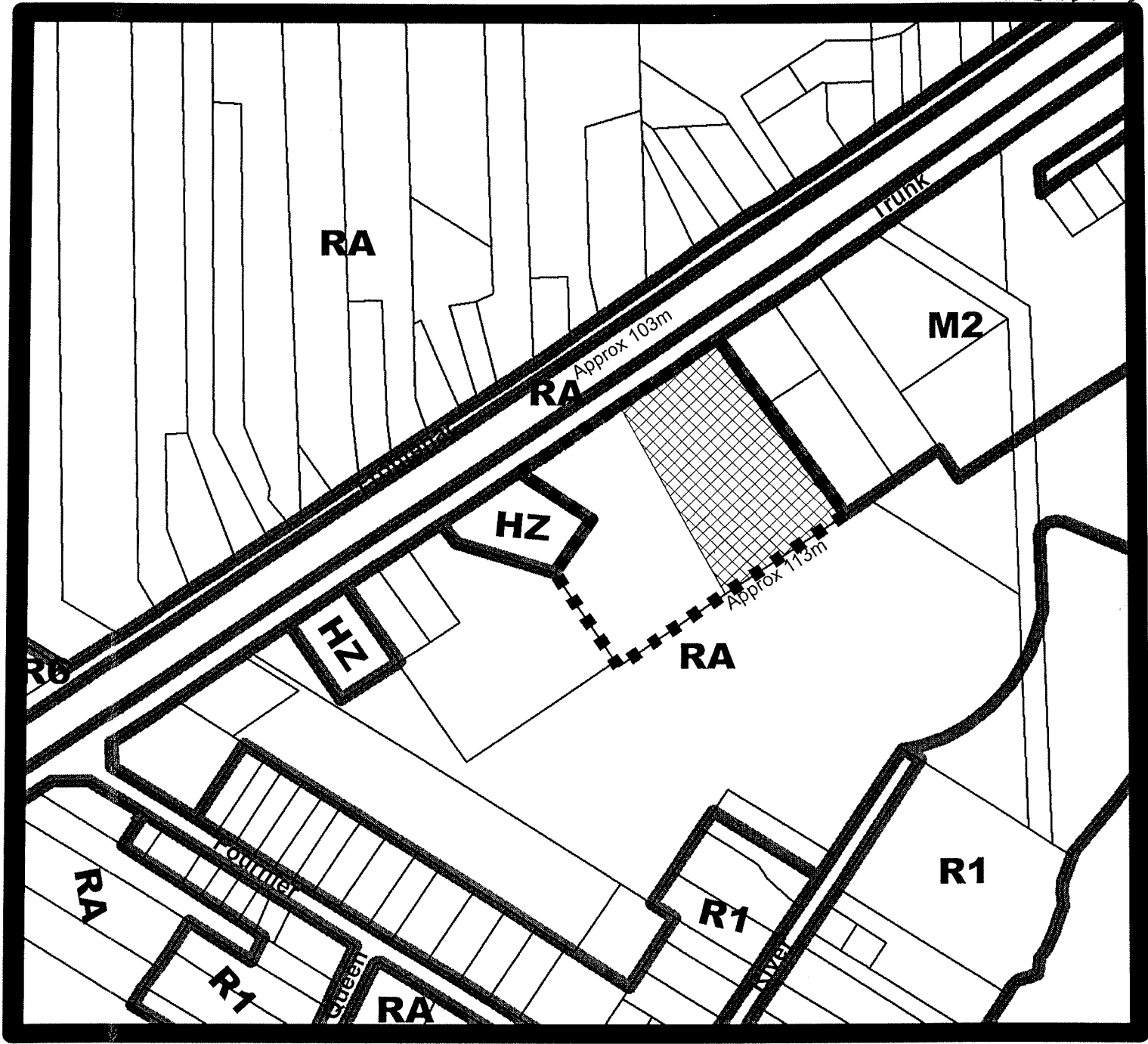


Subject Area to be Rezoned



Metric Scale
1 : 5000

Maps
69 & 1-45



EXISTING ZONING MAP

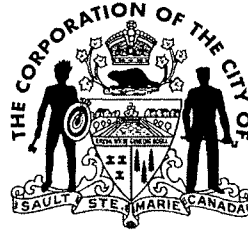
-  Area_to_be_Rezoned
-  Subject Land - 1601 Trunk Road
-  HZ - Highway Zone
-  M2 - Medium Industrial Zone
-  R1 - Estate Residential Zone
-  RA - Rural Area Zone; RAhp

Metric Scale
1 : 5000



Application
A-31-07-Z-OP

Maps
69 & 1-45



2007 12 10

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO: Mayor John Rowsell
and Members of City Council

SUBJECT: Application A-32-07-Z.OP – filed by James McAuley.

SUBJECT PROPERTY:

Location – Located on the south side of Second Line East, approximately 490m (1,608') east of its intersection with Old Garden River Road.

Size – Approximately 50m (164') frontage x 236.5m (776') depth; 1.18 ha (1.93 acres). Civic No. 873 Second Line East (south side). Zoning Map 1-77

Present Use – Vacant land.

Owner – James R. McAuley and Algonquin Radio & TV Company Limited.

REQUEST: The applicant, James R. McAuley, is requesting an Official Plan amendment and rezoning from "RA" (Rural Area) to "M-1" (Light Industrial) zone to utilize the property for a personal storage or mini warehousing facility.

CONSULTATION:

Engineering – A 5m road widening is required as per the By-law.

Building Division – See attached letter.

Fire Services – No objection.

PUC Services Inc. – No objection.

PW&T – No comments or objections.

C.S.D. – No concerns.

Conservation Authority – See attached letter.

E.D.C. – No objections.

PREVIOUS APPLICATIONS

In 1988, the subject property was part of an application to rezone from Planned Development (PD) to General Business (B3) in order to permit a storage warehouse. The application also included an Official Plan Amendment to re-designate the property from Residential to Commercial on Land Use Schedule "C" of the Official Plan. The request was denied by City Council.

Conformity with the Official Plan - The applicant wishes to redesignate the property from "Residential" to "Industrial" on Land Use Schedule "C" of the Official Plan, therefore, an Official Plan amendment is required as part of the approval for this application.

Comments

The applicant, James R. McAuley wishes to rezone the subject property from Rural Area (RA) to Light Industrial (M1) in order to develop a 'personal storage facility'. Referring to the site plan attached, the majority of the storage will be indoors, with a small portion at the rear of the property devoted to outdoor storage.

The character of this area is mixed. Existing rural residences abut the property to the east and west. Further west, there are a number of Light Industrial (M1) properties, and further east, towards Black Road there are also a number of Light Industrial (M1) properties. Sault College owns a large block of institutionally zoned land to the south and east of the subject property. The proposed Pine Street Extension (shown on the site plan attached) is located approximately 35m (115') to the west of the subject property.

This portion of Second Line East was part of the Black Road Master Plan and more specifically, the Forest Heights Neighbourhood. That plan identified the immediate areas south of the subject property for residential development. Given the restricted access constraints, as well as the noise generated by highway traffic, the immediate area south of Second Line is not conducive to residential development, although the areas further south, behind the subject property do have residential development potential.

In 1988, an application to rezone the subject property for storage warehouse uses was denied by Council. At that time, it was appropriate to protect the residential development potential south of the subject property. Given the planned future connection of the Second Line By-pass, residential uses are not appropriate in the immediate areas along Second Line, although there is some residential development potential further south. If this application is approved,

the subsequent personal storage use will not impact the future residential potential of the lands immediately south of the subject property. Light industrial uses are fairly innocuous, with minimal off-site impacts such as noise, dust, and odour. As such, the proposal to rezone the subject property to develop a personal storage facility is appropriate for the existing and future uses of the area.

With plans to connect the Second Line By-pass, and the proposed Pine Street Extension, future commercial and industrial development pressures within this area are imminent. A combination of light industrial and highway uses are most appropriate, as long as the limited access constraints, Institutional uses to the east and residential development potential to the south are protected.

This report will also recommend that the property be deemed subject to Site Plan Control, to ensure that proper access, appropriate buffers, and sufficient landscaping is provided along the frontage of the TransCanada Highway.

Correspondence from Engineering notes that Section 16.1 of the Zoning By-law requires a 5m road widening along this portion of Second Line. Consequently, the minimum front yard setback will be 15m (as outlined in the Zoning By-law) plus the additional 5m for the road widening, for a total minimum required front yard setback of 20m. The proposed site plan attached to this report shows a 16m (52.5') front yard setback. The applicant has been made aware of the additional 4m (13') front yard setback that is required.

Building Division correspondence attached to this report notes that the subject property does not have municipal water service. An adequate water supply for fire fighting, in accordance with the Ontario Building Code will be required prior to the issuance of a building permit. The applicant is aware of this condition.

The Conservation Authority notes that the northeast portion of the property is within their jurisdiction. Prior to any development within this area, a permit from the SSMRCA will be required. Conservation Authority correspondence also indicates that the property is under the consideration of the Source Water Protection Program. Located within the 25-year catchment area for the east-end Municipal wells, there is some sensitivity associated with any land use that occupies the subject property. There is the potential that a spill upon the subject property could impact the aquifer from which the east-end wells draw the Municipal water supply. A Source Water Protection Committee has been formed, with the mandate of developing a Groundwater Protection Plan for the area. At the conclusion of the Plan, there may be recommendations applied to the catchment and recharge areas, aimed at protecting our groundwater resource.

Planning Director's Recommendation – That City Council approve the application and rezone the subject property from Rural Area (RA) to Light Industrial (M1) subject to the following:

1. Approve Official Plan Amendment 140, to redesignate the subject property from 'Rural Area', to 'Industrial' on Land Use Schedule "C" of the Official Plan.
2. That the subject property be deemed subject to Site Plan Control, pursuant to Section 41 of the Planning Act.

PT/pms

PUBLIC HEARING – 2007 12 10, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

**OFFICIAL PLAN AMENDMENT NO. 140
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 1 on Plan 1R6999, located on the south side of Second Line East, approximately 490m east of its intersection with Old Garden River Road, Civic No. 873 Second Line East; Zoning Map 1-77.

BASIS:

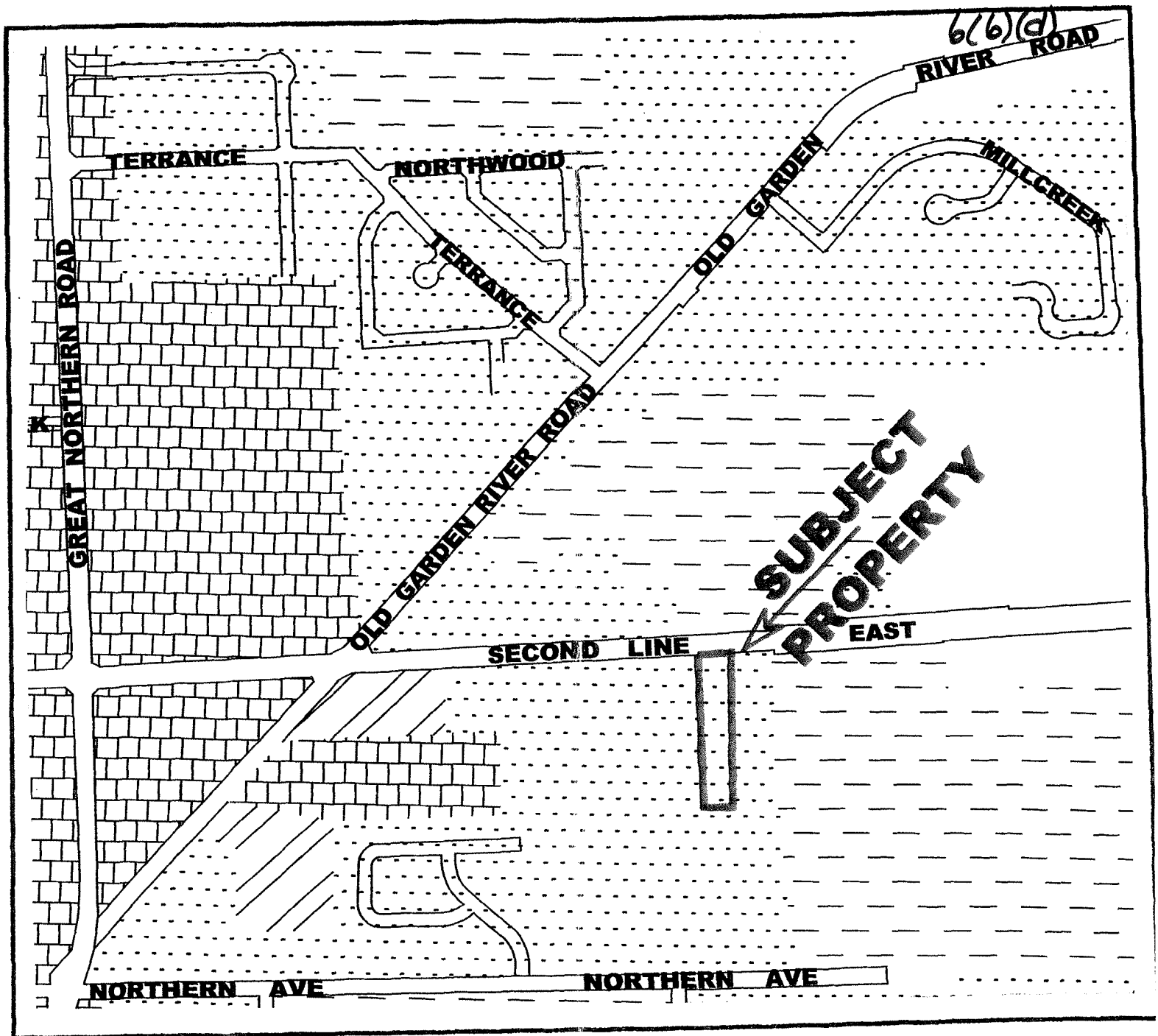
This Amendment is necessary in view of the request to re-designate the subject property from 'Rural Area' to 'Industrial' on Land Use Schedule "C" of the Official Plan, in order to develop the property for light industrial purposes.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Land Use 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 'Industrial'.

INTERPRETATION

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



OFFICIAL PLAN SCHEDULE "C" LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL



INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 140



6(6)(d)

Pat Schinners

From: Don Maki
Sent: November 13, 2007 2:14 PM
To: Don McConnell; Pat Schinners
Subject: Rezoning Application A-32-07-Z.OP

Hi Don

The property proposed to be rezoned does not appear to have municipal water service. All self-serve storage facilities must be provided with an adequate water supply for fire fighting in accordance with the Ontario Building Code. I have no other comment.

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



"Man and Nature"

November 20, 2007

*Sault Ste. Marie Region
Conservation Authority*

6(6)(d)

Conservation Authority Comments:

**Application # A-32-07-Z.OP
James R. McAuley
873 Second Line East (South Side)
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 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. Therefore a plan review is required prior to any site grading, excavating, filling, development or construction. If the plan should involve the area under the regulation Ont. Reg. 176/06 then a SSMRCA Permit would be required.

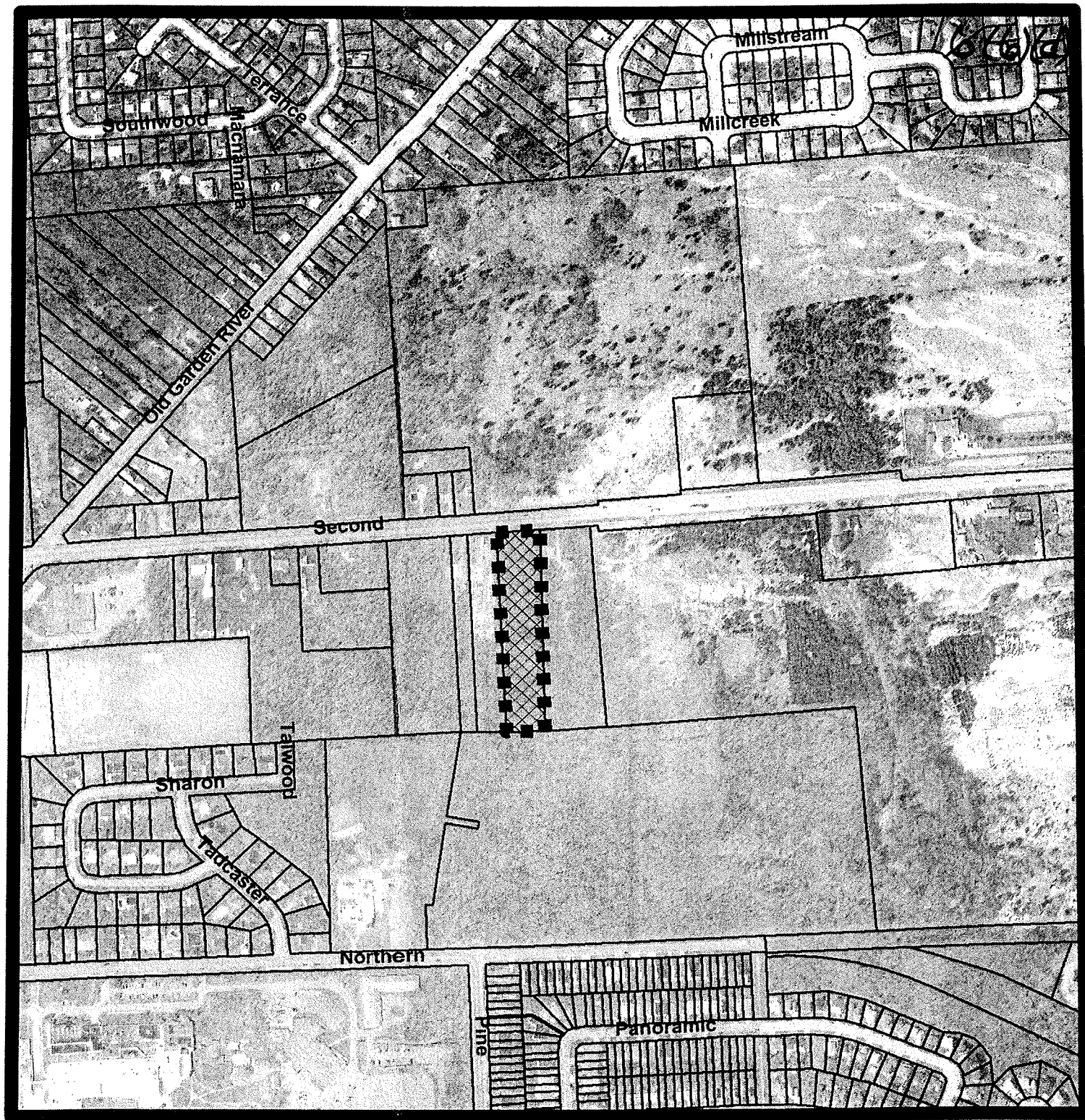
The subject property is under consideration of the Source Water Protection Program of the Conservation Authority with regard to Drinking Water Source Protection and there may be recommendations dependant on the proposed development. CA staff should review any plans prior to a Building Permit being issued for the severed property located at 873 Second Line East.

Sincerely,

**Marlene McKinnon
GIS Specialist**

File: A-32_07-Z-OP_20Nov07.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



2004 ORTHO PHOTO

Application A-32-07-Z-OP

Legend

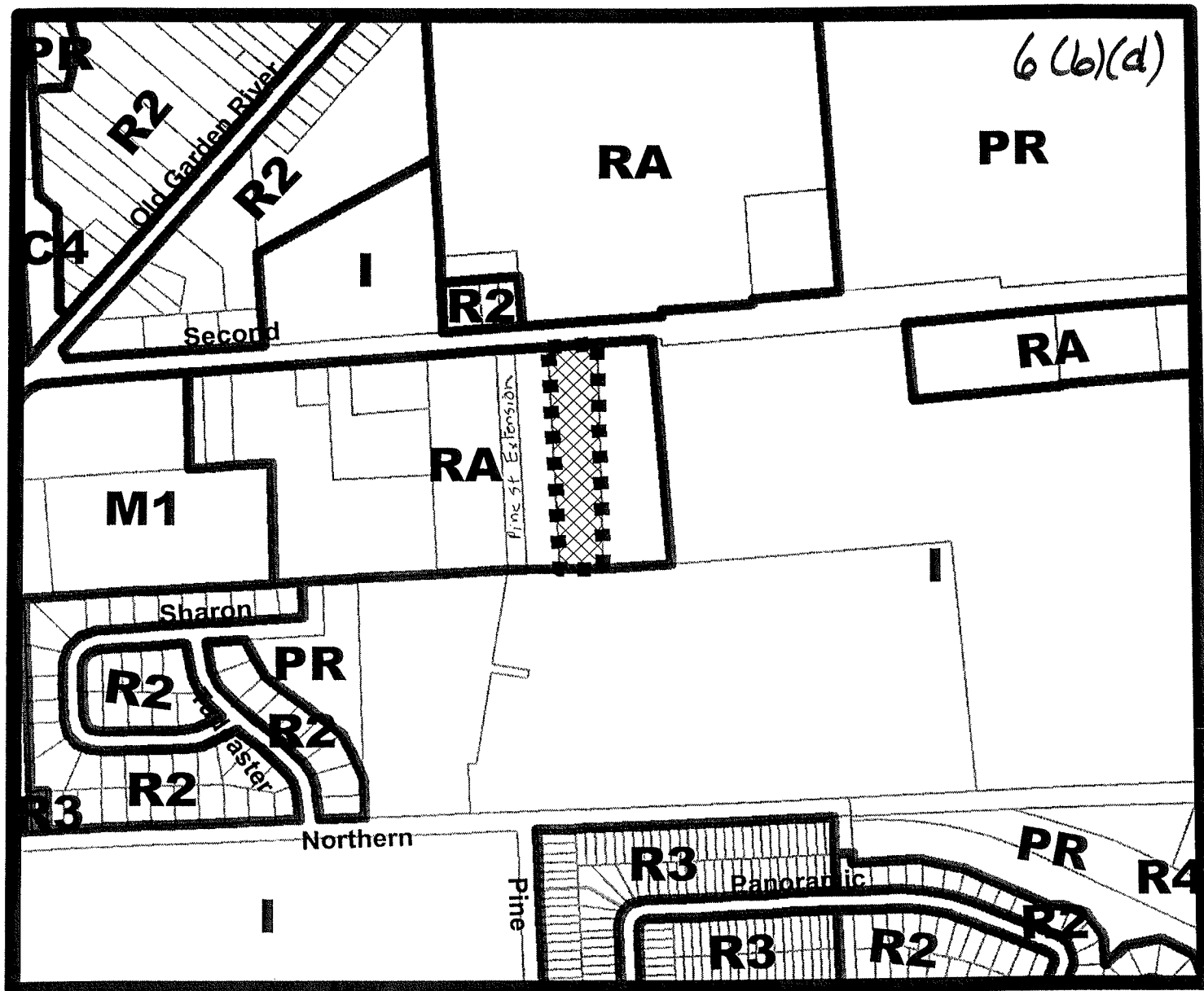


Subject Property - 873 Second Line E



Metric Scale
1 : 6500

Maps
72 & 1-77



EXISTING ZONING MAP

Application
A-32-07-Z-OP

-  Subject Property - 873 Second Line E
-  C4 - General Commercial Zone
-  HZ - Highway Zone
-  M1 - Light Industrial Zone
-  R2 - Single Detached Residential Zone
-  R3 - Low Density Residential Zone
-  RA - Rural Area Zone; RAhp

Metric Scale
1 : 6500



Maps
72 & 1-77

December 4, 2007

Mayor John Rowswell and
Members of City Council
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5X6

Dear Mayor Rowswell and Members of Council:

Attached is a resolution which was passed at the Sault Ste. Marie Physician
Recruitment and Retention Executive Committee meeting of November 30th.

We respectfully request City Council's support of the following draft resolution.

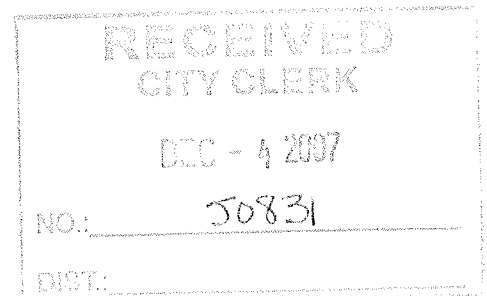
*That City Council receives the resolution of the Executive of the Sault Ste. Marie
Physician Recruitment and Retention Committee, dated November 30, 2007 and
supports the request for interim funding for 2008 in the amount of \$ 150,000.00,
which amount will allow the Committee to continue its very important recruitment
and retention activities pending consideration by City Council of the full 2008 budget
request*

Would you please put this letter on the December 10, 2007 Council Agenda, for
Council's consideration.

Yours truly,



Debbie Amaroso, Chair
SSM Physician Recruitment
& Retention Committee



Sault Ste. Marie Physician Recruitment and Retention Executive Meeting
dated November 30th, 2007

Whereas access to good and reliable medical services is seen as an essential service in any progressive community; and

Whereas this was recognized by City Council in 2002 when it partnered with Sault Area Hospital, the Group Health Centre and the Algoma West Academy to form the Sault Ste. Marie Physician Recruitment and Retention Committee; and

Whereas this effort has been responsible for the successful recruitment of many new physicians, including specialists to our community, including the eight that were recruited in 2007 alone; and

Whereas this program has also attempted to recognize and show appreciation for the services of our existing medical personnel as a means of retaining our base of professionals; and

Whereas it becomes even more important that we redouble our efforts to attract new doctors to our community, given the fierceness of the competition from other communities and the average age of our current staff and likely impending retirements of current staff; and

Whereas the Committee requires some degree of certainty as to its continued financial support in 2008 from the City of Sault Ste. Marie to match those which have already been given by the other partners, prior to making any commitments in early 2008; and

Whereas City Council will not be dealing with a 2008 budget request from the Committee for the upcoming year until about May 2008,

NOW THEREFORE BE IT RESOLVED that City Council hereby approves, as an interim allocation the sum of \$150,000.00 (amount of estimated available casino surplus), with said amount being approved to allow the Committee to continue its good work until 2008 budget has been settled in approximately May 2008.

Moved by Ron Gagnon

Seconded by Graham Clark

CARRIED





Sault Ste. Marie
**ECONOMIC
DEVELOPMENT
CORPORATION**



DEVELOPMENT
Sault Ste. Marie
a division of the SSMEDC



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



6(8)(b)
¹
TOURISM
Sault Ste. Marie
a division of the SSMEDC

December 2, 2007

Mayor John Rowswell and
City Councilors

Re: Searchmont Ski Association (SSAI) Request for assistance from
The City's Economic Diversification Fund 2008

Background

The City of Sault Ste. Marie in partnership with the CDC, the SSMEDC, community partners and individuals have been instrumental in the establishment of SSAI and support for the initial start up capital to take over of this resort. Tourism SSM and the City of Sault Ste. Marie have been long time supporters of the resort both in its time as private operators and now owned by the non-profit corporation. An NOHFC loan (\$350,000) which converted to a grant upon the purchase of the resort by SSAI was used along with matching local contributions to upgrade the lifts and other resort assets.

SSAI has secured the purchase of the resort as a result of Jack McDermot accepting a first mortgage on the Resort along with Mr. Frank Shunock's continued support (2nd mortgage) in providing the balance of the funds to complete the purchase. Total purchase price was \$2.5 million Cdn. SSAI had provided \$500,000 Cdn towards this with the balance coming from the first and second mortgages.

SSAI Request of \$100,00 loan guarantee from the City's EDF

The SSMEDC has been working with the Searchmont Ski Association in preparing a request to the City of Sault Ste. Marie Economic Diversification Fund to provide a loan guarantee in the amount of \$100,000 which would be secured by a third position in the security of the chattels of the resort. SSAI has stated that this is necessary in order to obtain a positive cash flow position that would support them in the next five years of operation.



This loan guarantee would be part of an overall financial package that would provide SSAI access to a \$400,000 financial package (working capital) that would sustain its operation over the next 5 years. SSAI has secured \$200,000 through the Royal Bank and requires approvals from the City of Sault Ste. Marie for the \$100,000 loan guarantee in order to secure its operating line with the Royal Bank. SSAI has also had discussions with the Community Development Corporation concerning a further loan guarantee of up to \$100,000 in support of the operating line that would be secured by individual guarantors.

The SSMEDC staff has received the current SSAI financial projections, SSAI business plan (dated), and supporting documentation. SSAI has worked with Destiny SSM on a revised Strategic Plan and will be meeting in the near future to identify priorities to their strategy and update their business and capital plans. This will be provided to the SSMEDC at a later date.

EDF Criteria Fit

Searchmont Ski Resort has been a major tourism economic generator for the Sault. Recent times, the resort has struggled with declining tourism visitation and aging demographics and although the economic impact is somewhat lower to the City, it has grown in importance for ensuring the Sault has a unique quality of life asset that helps with attracting and maintaining our citizens who perform important roles in the community (e.g., doctors, professionals, skill workers, etc.).

Key Performance Indicators

Job Creation: In reviewing the EDF key performance targets, the City would support the retention of the workforce at Searchmont (100 + seasonal positions and those indirect jobs impacted in the tourism and retail sectors in the Sault). **Sustain 100 + seasonal jobs.**

Increase Tax Assessment: Searchmont Resort does not have a direct impact on the tax assessment for the City of Sault Ste. Marie as it is outside of the City limits, but it does support indirectly the tourism and retail sector which do pay property taxes in the Sault. **Sustain and support existing tourism and retail sector in Sault Ste. Marie.**

Economic Development Projects: Searchmont Ski Resort is a strategic priority for our Economic Diversification Strategy and is one of our key winter attractions supporting our tourism industry. **Maintain Destiny SSM strategic priority and winter attraction.**

Criteria for the Use of the Fund

The EDF (loan guarantee) will “contribute to the sustainability of Searchmont” (Criteria 2.2).

Application Requirements

The SSMEDC has the business plan (used for NOHFC application) for Searchmont Ski Association Inc., and a current cash flow for the period of October 07 to September 08. SSAI plans to update the business plan this winter. SSAI cash flow projections based upon the \$400,000 financial package would ensure a positive financial position for the Association if the organization does not have any further unexpected major capital costs. The SSMEDC continues to work closely with SSAI at both the Board and staff level.

Risk Management

From a risk management point, if SSAI is unable to receive the necessary support for this financial strategy, the Resort would have difficulty in meeting its operating targets. The City’s risk will be the fixed limit of \$100,000 which would be set aside from the City’s EDF 2008 to a reserve account. Although there is merit in securing this financial guarantee with a guarantee security agreement (GSA) against the Excess Value of the resort (see attached Searchmont Ski Association Inc. Statement of Capital Assets), if Searchmont was to default and close, it would be unlikely that there would be any monies left if the resort was put into bankruptcy and sale.

Consultation with City Finance and Legal

In meeting with the CAO’s office, the City Solicitor, and City Finance, concerns were raised that this request is high risk and that there would be little or no security to the City if SSAI went into bankruptcy. This application only focuses on supporting the sustainable operation of Searchmont and there is no or very little direct benefit to the City in the terms of new tax assessment or net job expansion as the resort is outside the City’s geographical boundaries. City Finance has suggested that if City Council would support this application, that the \$100,000 would be expensed from the EDF 2008 and put into a reserve account. As well that this commitment should not go beyond the period of this term of City Council.

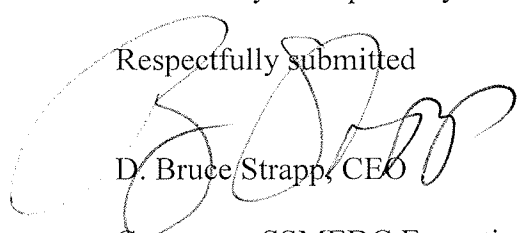
SSMEDC Board and CEO's Recommendation

The Sault Ste. Marie Economic Development Corporation Board of Directors is supportive of Searchmont Ski Association Inc.'s application to the City's EDF and attached is the SSMEDC Board resolution (see attached SSMEDC Resolution 2007-11-48).

CEO recommends to City Council that:

1. City Council approve the request from SSAI and provide a loan guarantee of \$100,000 for a period of up to three (3) years which the funds for this guarantee would be set aside in a City reserve account from the City's EDF 2008.
2. the City of Sault Ste. Marie secures this loan guarantee against the Excess Value of Searchmont Ski Association Inc.
3. the City Council request Searchmont Ski Association Inc. to provide a report to the City on a quarterly basis as to its progress and financial status.

Respectfully submitted



D. Bruce Strapp, CEO

Cc: SSMEDC Executive Committee
Searchmont Ski Association Inc. Board of Directors
Joe Fratesi, C.A.O., City of Sault Ste. Marie
Bill Freiburger, Commissioner of Finance and City Treasurer
Lorie Bottos, City Solicitor
Ian McMillan, Executive Director, Tourism SSM

Encl. SSMEDC Board Resolution 2007-11-48
Searchmont Ski Association Inc. Letter of Request, Dec. 2nd, 2007
Searchmont Statement of Capital Assets
Searchmont Cash Flow Oct. 07 to Sept. 08

6(8)(b)

SAULT STE. MARIE
ECONOMIC DEVELOPMENT CORPORATION
Board of Director's Meeting
Monday, November 5, 2007
Russ Ramsay Board Room – Civic Centre
11:30 am

AGENDA ITEM 5.3
EDF Financial Request - Searchmont

Resolution 2007-11-48

Moved by: D. Hornstein

Seconded by: C. Greensted

Resolved that, if required, the SSMEDC will support an application for monies from the Economic Development Fund (EDF) for the amount of \$100,000 to be used as a loan guarantee for Searchmont CARRIED.



December 2, 2007

Mayor John Roswell &
Members of City Council
City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, Ontario

Dear Mayor Roswell and Members of City Council:

**RE: Searchmont Ski Association – Request for Assistance with Finalizing
Operating Arrangements for 2007/08 Season**

I am pleased to be writing this letter after spending much of the last several days shoveling this beautiful snow. We are both encouraged and relieved with the early arrival of winter and are looking forward to a long, busy season as compared to the late winters and resulting challenges that have accompanied the last several years. The purpose of this letter is to bring the Council up to date on positive developments concerning the resort, as well as to request City Council support of a loan guarantee that will assist with securing our operating line.

As the Council will know, the Searchmont Ski Association is a not-for-profit organization whose sole mandate is to sustain the operations and associated significant tourism and economic benefits associated with Searchmont Ski Resort. You will also know that our Association completed the purchase of the resort property and assets from Jack McDermott earlier this summer. This has returned ownership of the resort to a local organization that is fully committed to its continued operation and long term financial success.

The past few years have been challenging for the Association and the resort, however we now feel confident that the resort's future has been secured. In 2006/07, some \$750,000 in major capital improvements were made to the resort with significant funding (\$350,000) from the Northern Ontario Heritage Fund Corporation; these capital improvements focused on the resort's lift system. The Board has recently entered into arrangements with a business financing group that is now working with us on a long term financing strategy that will incorporate financial resources to support future capital requirements; we expect to have this strategy in place within a few months.

Arrangements are well in hand for this operating season and with the cooperation of the winter weather now has us on track for an opening by December 14, 2007.

Our Board is very fortunate to include a group of very committed and creative people who have worked very hard to ensure that we have the financial arrangements to support our immediate and longer term needs. Early this year, we were successful in raising some \$200,000 through the sale of chalet properties, the proceeds of which were invested into the preceding season's capital investment program, along with minor capital investments for the current year. Further, we have recently concluded a transaction with the Royal Bank that provided an equipment lease and operating funds in the order of \$200,000. I would be amiss if I did not acknowledge the support of Tourism Sault Ste. Marie who again was a tremendous support through their advance purchase of some \$50,000 in advance tickets.

While we I trust you will agree that we have made considerable progress, we are continuing to face some challenges with respect to stabilizing our operating funds. While we have also made progress on extending our business into the off-season (e.g. through hosting of conferences and retreats), the cash flow of a resort is always constrained until we move into our prime operating months. To this end, it is essential that we have access to an operating line in the order of no less than \$150,000.

Royal Bank is prepared to provide the operating line on the condition that we are able to provide adequate security. The current structure of the security provided to our primary mortgage holders, does not support pledging our physical assets as security for the operating line. Instead, we will need to provide third party security in the form of guarantees. Once again our volunteers and others have indicated their willingness to provide support, however our lender is unable to accept security provided by numerous parties. I am therefore requesting the support of the City of Sault Ste. Marie, through the Economic Development Fund, to provide a loan guarantee in the amount of \$100,000. I would propose that the loan guarantee be provided for a period of 3-5 years. The balance of security for the operating line will be provided by a few individual guarantors who are acceptable to the Bank.

The City of Sault Ste. Marie has been an essential partner and supporter of our efforts to preserve and enhance Searchmont and the many benefits that it brings to our community and region, including:

- an estimated local direct economic impact of \$8 to \$10M - of the three big Winter attractions in Sault Ste. Marie (Searchmont Resort, the Snow Train and Snowmobiling), Searchmont has historically represented over 2/3 of the direct and indirect economic impact;
- 120 to 150 direct seasonal full and part-time employees in ski operations, accommodation, food and beverage;

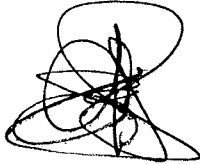
- one of the top Winter tourist attractions in Northern Ontario typically attracting 24,000 to 30,000 tourists (non resident) annually. Almost 60% of the non-resident visits have typically been from Michigan and 18% from other U.S. states and the rest from Ontario and elsewhere. Also, it is a popular spot within an 8 hour drive for regional and international ski clubs given the terrain and elevation;
- located next to TOPS snowmobile trail providing access to trails, accommodation, food and beverage for snowmobilers;
- supports the tourism and hospitality sector in Sault Ste. Marie through the spending impacts of visitors in local hotels, restaurants and other shops;
- acts as an attractor for employers and professionals (e.g. doctors) and their families.

Further, we are now working on a number of exciting new initiatives that are intended to expand our business base in non-traditional seasons, diversify the experiences that are available at the resort or that could use the facility as a base or staging area, and also create a unique venue for tourism training in partnership with Sault College. You may also be aware that we have been acknowledged by Alpine Ontario as a regional training centre.

In anticipation of this request, we have been working with Mr. Strapp of the EDC and have provided with him with our financial information, a summary of which we believe will be included in Mr. Strapp's report to you.

Searchmont, like our community as a whole, is a survivor that continues to overcome adversity and continues to rebuild its strength and prosperity. In closing, our Board wishes to again acknowledge the tremendous support extended to us and the resort by the City Council, the Citizens of Sault Ste. Marie, the Government of Ontario and our MPP David Oraziatti, Tourism Sault Ste. Marie, the Sault Ste. Marie Economic Development Corporation and, of course, our skiers. Searchmont Ski Resort is very much a part of our community and our economy and we appreciate the opportunity to submit our report and request to the Council for your consideration.

Yours Sincerely,



Duane Buchanan
President
Searchmont Ski Association

Cc: Bruce Strapp, CEO, SSMEDC

6(8)(b)

Searchmont Ski Association Inc.
Statement of Capital Assets

Book Value as of October 31, 2007

	Cost	Accumulated Amortization	Net Book Value
Land	\$ 232,975	\$ -	\$ 232,975
Buildings	\$ 600,000	\$ 30,000	\$ 570,000
Lifts	\$ 1,932,495	\$ 193,250	\$ 1,739,246
Equipment	\$ 410,195	\$ 76,680	\$ 333,515
	<u>\$ 3,175,665</u>	<u>\$ 299,930</u>	<u>\$ 2,875,735</u>

Footnote: Amortization is provided using the following method and rates

Buildings	Declining balance	5%
Lifts	Declining balance	10%
Equipment	Declining balance	20%

Net Book Value of Assets is **\$ 2,875,735**

Unencumbered value in assets

Net book value of assets	\$ 2,875,735
Specific charges:	
1st mortgage - Jack McDermott	\$ 1,485,700
2nd mortgage - Frank Shunock	\$ 500,000
RBC Lease	\$ 200,000
	<u>\$ 2,185,700</u>
Excess value	\$ 690,035

Cash Flow Projection

Cash	Oct 07	Nov 07	Dec 07	Jan 08	Feb 08	Mar 08	Apr 08	May 08	Jun 08	Jul 08	Aug 08	Sep 08
Beginning cash	26,225	11,400	105,897	-38,631	-22,859	187,997	314,814	236,080	163,676	241,453	242,930	245,407
Season Pass Revenue	41,512	5,000	5,000	0	0	0	0	5,000	100,000	20,000	20,000	200,000
Merchandise Sales	0	0	11,000	18,500	28,500	40,500	0	0	0	0	0	0
Equipment Rental & Repair	169	0	22,000	33,500	44,800	55,500	0	0	0	0	0	0
Chalet & Villa Revenue	1,955	0	50,000	55,000	80,000	60,000	0	0	4,000	4,000	4,000	6,000
Ski School & Programs Revenue	0	0	11,750	45,300	74,050	27,950	0	0	0	0	0	0
Other Income	0	0	175	5,400	550	325	0	600	0	0	0	0
Special Event Revenue	1,234	1,500	9,760	2,500	2,500	2,500	0	2,500	2,000	2,000	2,000	5,000
Daily Tickets & Packages	0	0	91,000	132,000	223,000	198,000	0	0	0	0	0	0
Food & Beverage Revenue	4,402	0	55,000	114,000	142,000	113,500	0	0	0	0	0	0
Fundraising Revenue	150	15,000	15,000	0	0	0	0	0	0	0	0	0
Total Available Cash	\$ 75,647	\$ 32,900	\$ 376,582	\$ 367,569	\$ 572,541	\$ 686,272	\$ 314,814	\$ 244,180	\$ 269,676	\$ 267,453	\$ 268,930	\$ 456,407
Less												
Capital Expenditures												
Accounts Payable		200,000	100,000	50,000								
Equipment Lease - RBC (Principal)	0	6,213	3,814	3,845	3,877	3,908	3,940	3,972	4,005	4,038	4,071	4,104
Interest & Financing Costs	0	0	21,680	21,649	21,617	21,586	21,554	21,522	2,208	2,175	2,142	2,109
On Hill Expenses	4,922	7,000	3,500	0	7,000	0	0	0	0	0	0	0
Insurance	0	0	0	34,000	34,000	34,000	0	0	0	0	0	0
Office Expenses	4,928	4,100	4,300	1,400	850	700	600	1,550	0	0	0	0
Lease & Rental Expenses	0	150	500	150	500	150	150	150	150	150	150	150
Automobile Expenses	1,095	3,050	2,850	3,100	3,850	4,350	1,700	1,200	950	700	700	700
Communications	2,290	2,130	2,250	3,200	3,100	3,100	3,075	3,075	2,975	1,975	1,975	1,975
Repairs & Maintenance	5,522	22,650	19,700	9,200	5,700	3,650	1,850	6,000	1,000	1,000	0	0
Sales & Marketing Expenses	3,123	5,750	32,150	30,800	26,150	21,750	0	1,100	0	0	0	0
Payroll & Payroll Expenses	38,492	46,000	152,997	152,584	172,750	227,750	40,250	10,000	10,000	10,000	10,000	25,000
General Administrative Expense	1,012	5,200	1,200	12,800	34,700	21,100	280	27,200	2,400	200	200	200
Professional Fees	0	2,700	0	0	0	0	0	0	0	0	0	0
Bank Charges	2,023	2,560	2,872	3,800	5,900	5,714	460	460	260	260	260	260
Health & Safety	0	650	1,150	500	500	600	0	0	0	0	0	0
Utilities Expense	647	17,350	49,700	52,750	53,750	17,750	4,750	4,250	4,250	4,000	4,000	4,000
Groomer Expenses	193	1,500	16,550	10,650	10,300	5,350	125	25	25	25	25	25
Total disbursements	\$ 64,247	\$ 327,003	\$ 415,213	\$ 390,428	\$ 384,544	\$ 371,458	\$ 78,734	\$ 80,504	\$ 28,223	\$ 24,523	\$ 23,523	\$ 38,523
Cash balance (deficit)	\$ 11,400	-\$ 294,103	-\$ 38,631	-\$ 22,859	\$ 187,997	\$ 314,814	\$ 236,080	\$ 163,676	\$ 241,453	\$ 242,930	\$ 245,407	\$ 417,884
ADD												
Short-term loans/Lease		200,000										
Long-term loans/Lease		200,000										
Capital stock issues												
Total additions	\$ -	\$ 400,000	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Ending cash balance	\$ 11,400	\$ 105,897	-\$ 38,631	-\$ 22,859	\$ 187,997	\$ 314,814	\$ 236,080	\$ 163,676	\$ 241,453	\$ 242,930	\$ 245,407	\$ 417,884

6(8)(b)
(9)(8)(9)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2007-208

AGREEMENT: (.) a by-law to authorize an agreement between the City and TSH Associates (1997) Limited.

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 and TSH Associates (1997) Limited to conduct a Biosolids Management Study concerning the City's two water pollution control plants.

2. 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 10th day of December, 2007

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

NOTICE
THIS IS A DRAFT DOCUMENT. This document
has not been enacted by City Council. It may not
be enacted as is AND if enacted, it may not be in
the form of the DRAFT copy.
CITY SOLICITOR

10(a)

- 1 -

**AGREEMENT
FOR
PROFESSIONAL CONSULTING SERVICES**

MEMORANDUM OF AGREEMENT dated the 10th day of December

A. D. 2007

-BETWEEN-

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Hereinafter called the 'Client'

THE PARTY OF THE FIRST PART

-AND-

TOTTEN SIMS HUBICKI ASSOCIATES (1997) LIMITED

Hereinafter called the 'Consultant'

THE PARTY OF THE SECOND PART

WHEREAS the Client intends to undertake a Biosolids Management Study to identify a preferred approach to managing the biosolids for the two water pollution control plants that is effective in addressing the current challenges (ie: odour and workability), is economical and removes biosolids from the waste stream.

hereinafter called the 'Project' and has requested the Consultant to furnish professional services in connection therewith;

NOW THEREFORE WITNESSETH that in consideration of the covenants contained herein, the Client and the Consultant mutually agree as follows:

ARTICLE 1 - GENERAL CONDITIONS**1.01 Retainer**

The Client hereby retains the services of the Consultant in connection with the Project and the Consultant hereby agrees to provide the services described herein under the general direction and control of the Client.

In this Agreement the word Consultant shall mean professionals and other specialists engaged by the Client directly and whose names are party to this Agreement.

1.02 Services

The services to be provided by the Consultant and by the Client for the Project are set forth in Article 2 and such services as changed, altered or added to under Section 1.08 are hereinafter called the 'Services'.

1.03 Compensation

The Client shall pay the Consultant in accordance with the provisions set forth in Article 3. For purposes of this agreement, the basis of payment shall be as specified in Article 3.2.2.

1.04 Staff and Methods

The Consultant shall perform the services under this agreement with that degree of care, skill and diligence normally provided in the performance of such services as contemplated by the agreement at the time such services are rendered and as required by the Professional Engineers Act (RSO 1990, Chapter P. 28) and regulations therein. The Consultant shall employ only competent staff who will be under the supervision of a senior member of the Consultant's staff.

1.05 Drawings and Documents

Subject to Section 3.2.4 of Article 3, drawings and documents or copies thereof required for the Project shall be exchanged between the parties on a reciprocal basis. Documents prepared by the Consultant for the Client, including record drawings, may be used by the Client, for the Project herein described. In accordance with Article 1.06, the client indemnifies the Consultant for unauthorized use of the documents and deliverables.

1.06 Intellectual Property

All concepts, products or processes produced by or resulting from the Services rendered by the Consultant in connection with the Project, or which are otherwise developed or first reduced to practice by the Consultant in the performance of his Services, and which are patentable, capable of trademark or otherwise, shall be considered as Intellectual Property and remain the property of the Consultant.

The Client shall have permanent non-exclusive royalty-free license to use any concept, product or process, which is patentable, capable of trademark or otherwise produced by or resulting from the Services rendered by the Consultant in connection with the Project and for no other purpose or project.

1.07 Records and Audit

- (a) In order to provide data for the calculation of fees on a time basis, the Consultant shall keep a detailed record of the hours worked by staff employed for the Project.
- (b) The Client may inspect timesheets and record of expenses and disbursements of the Consultant during regular office hours with respect to any item which the Client is required to pay on a time scale or disbursement basis as a result of this Agreement.
- (c) The Consultant, when requested by the Client, shall provide copies of receipts with respect to any disbursement for which the Consultant claims payment under this Agreement.

1.08 Changes and Alterations and Additional Services

With the consent of the Consultant the Client may in writing at any time after the execution of the Agreement or the commencement of the Services delete, extend, increase, vary or otherwise alter the Services forming the subject of the Agreement, and if such action by the Client necessitates additional staff or services, the Consultant shall be paid in accordance with Section 3.2.1 for such additional staff employed directly thereon, together with such expenses and disbursements as allowed under Section 3.2.4. In the event that the client delays the project then the consultant shall have the right to renegotiate the agreement.

1.09 Suspension or Termination

Either party may at any time by notice in writing to the other party, suspend or terminate the Services or any portion thereof at any stage of the project. Upon receipt of such written notice, the Consultant shall perform no further Services other than those reasonably necessary to close out his Services. In such an event, the Consultant shall be entitled to payment in accordance with Section 3.2. for any of the Consultant's staff employed directly thereon together with such expenses and disbursements allowed under Section 3.2.

If the Consultant is practicing as an individual and dies before his Services have been completed, this Agreement shall terminate as of the date of his death, and the Client shall pay for the Services rendered and disbursements incurred by the Consultant to the date of such termination.

1.10 Indemnification

The Consultant shall indemnify and save harmless the Client from and against all claims, actions, losses, expenses, costs or damages of every nature and kind whatsoever which the Client, his employees, officers or agents may suffer, to the extent the Consultant is legally liable as a result of the negligent acts of the Consultant, his employees, officers or agents in the performance of this Agreement.

The Client agrees to hold harmless, indemnify and defend the Consultant from and against any and all claim, losses, damages, liability and costs of defense arising out of or in any way connected with the presence, discharge, release or escape of contaminants of any kind, excluding only such liability as may arise out of the negligent acts of the Consultant in the performance of consulting services to the Client within this project.

1.11 Insurance

The Client will accept the insurance coverage amount specified in this clause section (1.11) as the aggregate limit of liability of the Consultant and its employees for the Client's damages.

a) Comprehensive General Liability and Automobile Insurance

The Insurance Coverage shall be \$2,000,000.00 per occurrence and in the aggregate for general liability and \$2,000,000.00 for automobile insurance. When requested, the Consultant shall provide the Client with proof of Comprehensive General Liability and Automobile Insurance (Inclusive Limits) for both owned and non-owned vehicles.

b) Professional Liability Insurance

The Insurance Coverage shall be in the amount of \$2,000,000.00 per claim and in the aggregate. When requested, the Consultant shall provide to the Client proof of Professional Liability Insurance carried by the Consultant, and in accordance with the Professional Engineers Act (RSO 1990, Chapter P. 28) and regulations therein.

c) Change in Coverage

If the Client requests to have the amount of coverage increased or to obtain other special insurance for this Project then the Consultant shall endeavour forthwith to obtain such increased or special insurance at the Client's expense as a disbursement allowed under Section 3.2.

It is understood and agreed that the coverage provided by these policies will not be changed or amended in any way nor cancelled by the Consultant until thirty (30) days after written notice of such change or cancellations has been personally delivered to the Client.

1.12 Contracting for Construction

Neither the Consultant nor any person, firm or corporation associated or affiliated with or subsidiary to the Consultant shall tender for the construction of the Project, or have an interest either directly or indirectly in the construction of the Project.

1.13 Assignment

Neither party may assign this Agreement without the prior consent in writing of the other.

1.14 Previous Agreements

This Agreement supersedes all previous agreements, arrangements or understandings between the parties whether written or oral in connection with or incidental to the Project.

1.15 Approval by Other Authorities

Unless otherwise provided in this Agreement, where the work of the Consultant is subject to the approval or review of an authority, department of government, or agency other than the Client, such applications for approval or review shall be the responsibility of the Consultant, but shall be submitted through the offices of the Client and unless authorized by the Client in writing, such applications for approval or review shall not be obtained by direct contact by the Consultant with such other authority, department of government or agency.

1.16 Principals and Executives

The use of principals and executives on a time basis by the Consultant, will be in accordance with Section 1.23.1 (c).

1.17 Sub-Consultants

The Consultant may engage others as sub-consultants for specialized services provided that prior approval is obtained, in writing, from the Client and may add a mark-up of not more than 5% of the cost of such services to cover office administration costs when claiming reimbursement from the Client plus the cost of the additional insurance incurred by the Consultant for the specialized services.

1.18 Inspection

The client, or persons authorized by the Client, shall have the right, at all reasonable times, to inspect or otherwise review the Services performed, or being performed, under the Project and the premises where they are being performed.

1.19 Publication

The Consultant agrees to obtain the consent in writing of the Client before publishing or issuing any information regarding the Project.

1.20 Confidential Data

The Consultant shall not divulge any specific information, communicated to or acquired by him, or disclosed by the client in the course of carrying out the Services provided for herein and identified by the Client as being confidential. These obligations of confidentiality shall not apply to information which is in the public domain, which is provided to the Consultant by a third party without obligation of confidentiality which is independently developed by the Consultant without access to the Client's information, or which is required to be disclosed by law or by court order. No such information shall be used by the Consultant on any other project without the approval in writing of the client.

1.21 Dispute Resolution

- (a) If requested in writing by either the Client or the Consultant, the Client and the Consultant shall attempt to resolve any dispute between them arising out of or in connection with this Agreement by entering into structured non-binding negotiations with the assistance of a mediator on a without prejudice basis. The mediator shall be appointed by agreement of the parties. If a dispute cannot be settled within a period of ninety (90) calendar days with the mediator, the dispute shall be referred to and finally resolved by arbitration under the rules of the province having jurisdiction or by an arbitrator appointed by the agreement of the parties.
- (b) No person shall be appointed to act as mediator or arbitrator who is in any way interested, financially or otherwise, in the conduct of the work on the Project or in the business or other affairs of either the Client or the Consultant.
- (c) The award of the arbitrator, including an award for costs if applicable, shall be final and binding upon the parties.
- (d) The provisions of The Arbitration Act, R.S.O., 1991, Chapter 17, as amended shall apply.

1.22 Time

The Consultant shall perform the Services expeditiously to meet the requirements of the Client and shall complete any portion or portions of the Services in such order as the Client may require. .

The Client shall give due consideration to all designs, drawings, plans, specifications, reports, tenders, proposals and other information submitted by the Consultant, and shall make any decisions which he is required to make in connection therewith within a reasonable time so as not to delay the work of the Consultant.

1.23 Estimates, Schedules and Staff List**1.23.1 Preparation of Estimate of Fees, Schedule of Progress and Staff List**

When requested by the Client, and where payment is calculated on a time basis, the Consultant shall provide, for approval by the Client:

- (a) An estimate of the total fees to be paid for the Services.
- (b) A Schedule showing an estimate of the portion of the Services to be completed in each month and an estimate of the portion of the fee which will be payable for each such month.
- (c) A Staff list showing the number, classifications and hourly rate ranges for staff, principals and executives, for which the Consultant will seek payment on a time basis. The Consultant shall relate such information to the particular type of work that such staff is to perform, while employed on the Project. Such list shall designate the member of the Consultant's staff who is to be the liaison person between the Consultant and the Client.

1.23.2 Subsequent Changes in the Estimate of Fees, Schedule of Progress and Staff List

The Consultant will require prior written approval, from the Client for any of the following changes:

- (a) Any increase in the estimated fees beyond those approved under Subsection 1.23.1 (a).
- (b) Any change in the schedule at progress which results in a longer period than provided in Subsection 1.23.1 b).
- (c) Any change in the number, classification and hourly rate ranges of the staff provided under Subsection 1.23.1 c).

1.23.3 Monthly Reporting of Progress

When requested by the Client, the Consultant shall provide the Client with a written report showing the portion of the Services completed in the preceding month.

1.24 Additional Conditions

(Not Applicable)

ARTICLE 2 - SERVICES

2.01 Consultant's Services for Biosolids Management Study

The Consultant shall provide the following services for the Biosolids Management Study, unless already provided:

1. Preparation of and updating preliminary project schedules.
2. Collecting background documentation from City, and other agencies as applicable.
3. Developing and maintaining the project contact list.
4. Clearly identifying and documenting the problem/opportunity to be addressed.
5. Identification and evaluation of "Alternatives to" the undertaking. Alternatives shall include but not be limited to the following:
 - a. Land Application (agricultural, forest)
 - b. WPCP Processing (anaerobic digestion, aerobic digestion, lime stabilization, freeze/thaw in a geo tube, etc.)
 - c. Composting (indoor, outdoor, covered)
 - d. Thermal Technologies (incineration, gasification, pyrolysis) Note: we believe we can use the information developed in conjunction with the Disposal EA to assist in addressing this option.
6. Conduct an open house to solicit input on the alternatives.
7. Identification and Evaluation of "Alternative Methods" for the preferred solution including alternative sites and alternative conceptual designs.
8. Develop a preliminary design for the preferred alternative method and identify approvals requirements.
9. Develop preliminary capital and operating costs for the preliminary design and incorporate into the Business and Implementation Plan.
10. Prepare a summary report.
11. Coordinating and conducting project review meetings and preparing related meeting reports.

2.02 Client's Services for Individual Environmental Assessment

The Client shall provide the Consultant with the following, unless already provided:

1. Copies of available information, investigations/studies undertaken for or related to the Work.
2. Access to and the use of existing plans, profiles, utility information, legal documents (plans) and correspondence relevant to the Project.
3. General direction of the Consultant in the provision of services and approvals within reasonable time as necessary during the currency of this agreement.

2.03 Services to be Provided by Consultant for Detailed Design and Tendering

(Not Applicable)

2.04 Services to be Provided by Client for Detailed Design

(Not Applicable)

2.05 Services to be Provided by Consultant for Contract Administration and Construction Inspection of the Project
(Not Applicable)

2.06 Services to be Provided by Client for Contract Administration and Construction Inspection of the Project
(Not Applicable)

2.07 Milestones

The Consultant shall endeavour to perform the services set forth in paragraph 2.01 within 20 weeks.

ARTICLE 3 - FEES AND DISBURSEMENTS

3.1 Definitions

For the purpose of this Agreement, the following definitions shall apply:

(a) Cost of the Work:

- (i) The "Cost of the Work" shall mean the total cost of the Project including all materials, equipment, sales taxes, labour and contractor's overhead and profit, necessary to complete the work for which the Consultant prepares designs, drawings or specifications, for which he is responsible. Where sales taxes are not included in the cost of the work, the fee shall be adjusted upwards by the factor equivalent to the sales taxes. The adjusted fee may be computed to the nearest one-tenth of one percent (1/10%).
- (ii) Wherever the client furnishes labour or other service which is incorporated in the work, the current price of labour or other service when the work was executed shall be used to compute the Cost of the Work.
- (iii) Whenever used materials or equipment is furnished by or on behalf of the Client, the fair market value of such materials or equipment, as though it was purchased new, shall be used to compute the Cost of the Work.
- (iv) In computing the Cost of the Work, no deductions shall be made on account of any penalties or damages claimed by the Client from any contractor or on account of any other sum withheld from any contractor.
- (v) The Cost of the Work shall not include any fees and disbursements due to the Consultant, the Client's engineering and office expenses, or cost of land.

(b) Site:

Site includes the actual work site and other locations where the checking of materials, equipment and workmanship is carried out.

3.2 Basis of Payment

3.2.1 Fees Calculated on a Percentage of Cost Basis

(Not Applicable)

3.2.2 Fees Calculated on a Time Basis

The Client shall pay the Consultant a fee, calculated on a time basis, for that part of the Services described in Article 2. Fees on a time basis for all staff shall be hourly rates based on job classifications as follows:

- a) Staff on normal assignments – Payroll Cost multiplied by a factor of 2.0.
- b) Services During Construction:
 - (i) For all services, except for staff full-time continuously on site – Payroll cost multiplied by a factor of 2.0.
 - (ii) For site staff working full-time continuously – Payroll cost multiplied by a factor of 1.7.

For a project of over one (1) year duration, or for projects which become extended beyond one (1) year in duration, the consultant may from time to time seek approval from the client to adjust hourly rates and such approval shall not be unreasonably withheld.

3.2.2.2 Time Expended

All time expended on the assignment, whether in the Consultant's office, at the Client's premises, or elsewhere, and including travel time, shall be chargeable. This also includes, but is not limited to, stenographic and clerical staff engaged in the preparation of documents such as reports and specifications.

3.2.3 Lump-Sum Fee / Negotiated Fee**3.2.3.1 Lump-Sum Fee Basis**

(Not Applicable)

3.2.4 Reimbursable Expenses

In addition to the fee, the Consultant shall be reimbursed at cost plus an administrative charge of 5%, plus the cost of additional insurance incurred by the Consultant, for all expenses properly incurred by him in connection with the project, including but not limited to: vehicle use charges, travelling and living expenses, long distance telephone charges, facsimile transmission charges, printing and reproductions, progress photography, advertising for tenders, special delivery and express charges, overtime premium costs, and the cost of providing and maintaining site offices, supplies and equipment, chemical and physical tests.

3.2.4.1 Information Technology and Reprographic (ITR) costs incurred by the Consultant shall be reimbursed at a standard charge rate of \$0 per labour hour expended. The assessment shall include all information technology resources required for purposes of providing the services contemplated under this agreement, including: computer equipment/systems, computer software, computer supplies, networking (local and wide area), and labour associated with computer management, administration and support. Computer systems include all types of computers, such as: general purpose microcomputers, PC-CADD microcomputers, graphic design workstations, and notebooks. The ITR charge shall also include all regular in-house convenience copying and printing. Cost for reproducing specifications and drawing set shall not be included in this rate.

3.2.4.2 Telecommunication costs (COM) other than video-conferencing incurred by the Consultant shall be reimbursed at a standard charge rate of \$0 per labour hour expended. The assessment shall include in-house costs for use of telephone/telecommunication services (including maintenance and support) and facsimile transmissions.

3.3 Payment**3.3.1 Fees Calculated on a Time Basis**

The Consultant shall submit an invoice to the Client for all Services completed in the immediately preceding month. Interest at the annual rate of 12 percent (1 percent monthly) will be paid on the total outstanding unpaid balance commencing 30 days after the Client has received the Consultant's invoice.

3.3.2 Fees Calculated on a Percentage of Cost Basis

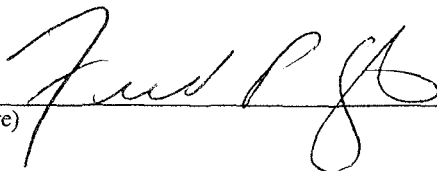
(Not Applicable)

3.3.3 Lump Sum Fee/Negotiated Fee

(Not Applicable)

CONSULTANT

The signatory shall have the authority to bind the corporation or company for purposes of this agreement


(Signature)


FRED P CLAYTON
(Name)

VICE PRESIDENT - NORTHERN OPERATIONS
(Title)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

The signatory shall have the authority to bind the municipality or its agency for purposes of this agreement

MAYOR JOHN ROWSWELL

CLERK - ~~DONNA P. IRVING~~ DONNA P. IRVING

SCHEDULE "A"

to Memorandum of Agreement

Dated the 10th day of, December, 2007 A.D.

1. The estimated fee for the project is as follows:

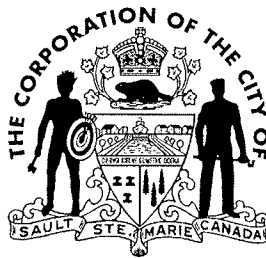
Description	Scope of Work	Estimated Fee	Upset Fee Limit	Estimated Disbursements
	As per Agreement	\$49,000		\$500

Note:

- (i) All subconsultant work is included under "Estimated Fee".
- (ii) Fees excludes taxes.

2. A range of billing rates for each employee classification is as follows:

Classification	Billing Rate (\$/hour)	Anticipated Staff Allocation to this Project
Senior Engineer	100 -200	5
Intermediate Engineer	75 - 100	2
Senior Technician	80 - 120	2
Intermediate Technician	65 - 80	2
Junior Technician	45 - 65	2
Support Staff	45 - 65	4



**THE CORPORATION OF THE CITY OF SAULT STE MARIE
99 FOSTER DRIVE
SAULT STE MARIE, ONTARIO
P6A 5X6**

**BY-LAW 2007-187
PROCUREMENT POLICIES
& PROCEDURES**

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

December 3, 2007

BY-LAW 2007-187

**A BY-LAW OF THE CITY OF SAULT STE MARIE
GOVERNING PROCUREMENT POLICIES AND
PROCEDURES**

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BY-LAW 2007-187**A BY-LAW OF THE CITY OF SAULT STE MARIE
GOVERNING PROCUREMENT POLICIES AND
PROCEDURES**

WHEREAS Section 270 of the *Municipal Act, 2001* imposes upon municipalities the obligation to adopt policies with respect to the procurement of Goods and Services;

AND WHEREAS this By-law establishes the authority and sets out the methods by which Goods, Services or Construction will be purchased and disposed of for the purposes of the City of Sault Ste Marie subject to certain exceptions set out herein;

NOW THEREFORE the Council of the City of Sault Ste Marie enacts as follows:

PART I - SHORT TITLE

1. This By-Law may be cited as the "Purchasing By-Law".

PART II - PURPOSES, GOALS AND OBJECTIVES

2. The purposes, goals and objectives of this By-law and of each of the methods of procurement authorized are:
 - (a) To encourage fair and open competition among suppliers;
 - (b) To maximize savings for taxpayers;
 - (c) To ensure service and product delivery, quality, efficiency and effectiveness;
 - (d) To ensure fairness and objectivity to all bidders;
 - (e) To ensure openness, accountability and transparency while protecting the financial best interests of the City of Sault Ste Marie;
 - (f) To have regard to the accessibility for persons with disabilities to the Goods, Services and Construction purchased by the City of Sault Ste Marie in compliance with the Ontario Disabilities Act 2001;
 - (g) To attempt to reduce the amount of solid waste requiring disposal through the purchase of environmentally responsible Goods and Services.
 - (h) To dispose of surplus and obsolete goods in the most cost effective and environmentally responsible manner.

PART III - DEFINITIONS AND SCHEDULES

3. (1) The words and phrases listed below when used in this By-law shall have the following meanings ascribed to them:

"AGENT" means the Manager of Purchasing of the City of Sault Ste Marie or designate;

"APPROVED INVOICE" means an original supplier's invoice issued at the time of purchase of low dollar Goods or Services not exceeding \$1,000.00 and which bears both the signature of an appropriately authorized employee and appropriate account number(s);

"AWARD", "AWARDED" and "AWARDING" mean authorization to proceed with the purchase of Goods, Services or Construction from a chosen supplier;

"BID" means an offer or submission from a supplier in response to a Bid Solicitation;

"BID BOND" means the form of security required by the terms and conditions of Bid Solicitation documentation to guarantee that the successful bidder enters into a Contract with the City of Sault Ste Marie, as required by Section 20 of this By-law;

"BID SOLICITATION" means a formal request for Bids that may be in the form of a Request for Tender or Request for Proposal;

"CHIEF ADMINISTRATIVE OFFICER" means the Chief Administrative Officer of the City of Sault Ste Marie;

"CITY CLERK" means the Municipal Clerk for the City of Sault Ste Marie.

"CITY SOLICITOR" shall mean the City Solicitor of the City of Sault Ste Marie;

"COMMISSIONER" means the person appointed by Council to be responsible for the operation of a Department and/or their designate and includes the person appointed to the position of Chief Administrative Officer;

"COMMISSIONER OF FINANCE/TREASURER" means the Commissioner of Finance/Treasurer of the City of Sault Ste Marie.

"COMMISSIONER OF HUMAN RESOURCES" shall mean the Commissioner of Human Resources of the City of Sault Ste Marie;

"CONSTRUCTION" means a construction, reconstruction, demolition, repair or renovation of a building, structure or other civil engineering or architectural work and includes site preparation, excavation, drilling, seismic investigation, soil investigation, the supply of products and materials and the supply of equipment and machinery if they are included in and incidental to the construction, and the installation and repair of fixtures of a building, structure or other civil engineering design or architectural work, but does not include professional services related to the construction contract unless they are included in the specifications for the procurement;

"CONTRACT" means any agreement, regardless of form or title, for the lease, purchase or disposal of Goods, Services or Construction authorized in accordance with this By-law;

"COUNCIL" means the Council of the City of Sault Ste Marie;

"COUNCIL APPROVED BUDGETS" means Council approved department budgets including authorized revisions, or where applicable, Council approved budgets of local boards to which this By-law applies;

"DEPARTMENT" means an organizational unit of the City of Sault Ste Marie headed by a Commissioner;

"ELECTRONIC ADVERTISING" means the use of a computer-based system directly accessible by suppliers irrespective of their location that provides suppliers with information related to Bid Solicitations;

"EMERGENCY" means a situation, or an impending situation, caused by the forces of nature, an accident, an intentional act or otherwise that constitutes a danger of major proportions to life or property.

"FAIR MARKET VALUE" means the price that would be agreed to in an open and unrestricted market between knowledgeable and willing parties dealing at arms-length who are fully informed and not under any compulsion to transact;

"GOODS" means moveable property and includes,

- (a) the cost of installing, operating, maintaining or manufacturing such moveable property;
- (b) raw materials, products, equipment and other physical objects of every kind and description;

"IN HOUSE BID" means a Bid made by a Department and authorized by the Commissioner of that Department, submitted in response to a Bid Solicitation, where the provision of the Goods, Services or Construction will be provided entirely by the employees of the City of Sault Ste Marie;

"LOWEST COMPLIANT BID" means the Bid that would provide the City of Sault Ste Marie with the desired Goods, Services or Construction at the lowest Total Acquisition Cost, meets all the specifications and contains no irregularities requiring automatic rejection;

"PROFESSIONAL SERVICES" means persons having a specialized knowledge or skill for a defined Service requirement including,

- (a) architects, engineers, designers, management and financial consultants;
- (b) firms or individuals having specialized competence in environmental, planning or other disciplines;

"PROPOSAL" means an offer submitted in response to a Request for Proposal, acceptance of which may be subject to further negotiation;

"PURCHASE ORDER" means a Contract between the City of Sault Ste. Marie and a supplier to supply a specific quantity of Goods or specific set of Services or specific type of Construction defined by such things as time period, location(s) and price;

"PURCHASING CARD" means a card issued in accordance with the Purchasing Card Policy, to purchase Goods and Services;

"REQUEST FOR PROPOSAL" means a Bid Solicitation that is used to acquire Goods, Services or Construction, the suitability of which is dependant upon non-price factors and which may result in further negotiation between the parties;

"STANDING PURCHASE ORDER" means a Contract between the City of Sault Ste Marie and a supplier for the supply of frequently ordered Goods or Services at specified unit prices with, where possible, maximum dollar limits, or discounts, but not specified quantities;

"SERVICES" includes all professional and consulting services, all services in relation to real property or personal property including without limiting the foregoing the delivery, installation, construction, maintenance, repair, restoration, demolition or removal of personal property and real property and all other services of any nature and kind save and except only services to be delivered by an officer or employee of the City of Sault Ste Marie in accordance with terms of employment;

"TENDER" means a publicly advertised Bid Solicitation;

"TOTAL ACQUISITION COST" means an evaluation of quality and service in the assessment of a Bid and the sum of all costs including purchase price, all taxes, warranties, local service costs, life cycle costs, time of completion or delivery, inventory carrying costs, operating and disposal costs for determining the Lowest Compliant Bid;

- (2) Schedules A, B and C attached hereto form part of this By-law.

PART IV - GENERAL PROCUREMENT POLICY

APPLICATION

4. (1) The procedures in this By-law shall be followed to Award a Contract or to recommend to Council that a Contract be Awarded.
- (2) Subject to section 27 and section 4(3), a Commissioner may purchase or contract for the Goods and Services listed in Schedule "A" to this By-law without following the procedures set out herein.
- (3) The purchase of Goods and Services listed in Schedule "A" to this By-law may be made provided that sufficient funds are available and identified in appropriate accounts within Council Approved Budgets.

RESTRICTIONS

5. (1) No Contract for Goods, Services or Construction may be divided into two or more parts to avoid the application of the provisions of this By-law.
- (2) No Contract for Services shall be awarded where the services would result in the establishment of an employee - employer relationship.
- (3) No employee shall purchase, on behalf of the City of Sault Ste Marie, any Goods, Services or Construction, except in accordance with this Bylaw.
- (4) Where an employee involved in the Award of any Contract, either on his or her own behalf or while acting for, by, with or through another person, has any pecuniary interest, direct or indirect, in the Contract, the employee,
 - (a) shall immediately disclose the interest to the Commissioner involved in the Award of the Contract and shall describe the general nature thereof;
 - (b) shall not take part in the Award of the Contract; and
 - (c) shall not attempt in any way to influence the Award of the Contract.
- (5) An employee has an indirect pecuniary interest in any Contract in which the City of Sault Ste Marie is concerned, if,
 - (a) the employee or his or her spouse
 - (i) is a shareholder in, or a director or senior officer of, a corporation that does not offer its securities to the public that has a pecuniary interest in the Contract,
 - (ii) has a controlling interest in or is a director or senior officer of, a corporation that offers its securities to the public that has a pecuniary interest in the Contract, or
 - (iii) is a member of an unincorporated association or partnership, that has a pecuniary interest in the matter; or
 - (b) the employee or his or her spouse is in the employment of a person, unincorporated association or partnership that has a pecuniary interest in the Contract.

An employee found to be in conflict as per this section may be subject to disciplinary action by the Division Head, Department Head, C.A.O. or City Council as the case may be.

- 10(16)
- (6) There will be no local preference for purchases in compliance with the Discriminatory Business Practices Act, Revised Statutes of Ontario, 1990 Chapter D.12 and the Ontario Free Trade Agreement that does not allow for geographical preference as well in accordance with the updated Municipal Act requiring that a competitive bid process be open, fair and transparent.

TOTAL ACQUISITION COST

- 6. Where this By-law prescribes dollar limits, the Contract amount shall be the estimated Total Acquisition Cost less any rebates and taxes.

PRESCRIBED COUNCIL APPROVAL

- 7. (1) Despite any other provisions of this By-law, the following Contracts are subject to Council approval:
 - (a) any Contract requiring approval from the Ontario Municipal Board;
 - (b) any Contract where an irregularity precludes the Award of a Contract to the supplier submitting the lowest compliant bid;
 - (c) any Contract where a Good, Service or Construction exceeds \$50,000.00.
- (2) No provision of the By-Law precludes a Commissioner or the Agent from recommending an award to City Council where in the opinion of a Commissioner or the Agent, it is in the best interest of the City to do so.

RESPONSIBILITIES AND AUTHORITIES

- 8. (1) Commissioners/Department Heads shall be responsible for and shall have authority for all procurement activity and decisions within their Departments and are accountable for achieving the specific objectives of the procurement project.
- (2) Commissioners have the authority to award contracts in the circumstances specified in this by-law provided that the delegated authority is exercised within the limits prescribed in this by-law, and the requirements of this by-law are met.
- (3) Commissioners may delegate their authority, to suitably qualified and approved individuals, where appropriate. Commissioners in conjunction with the Agent shall provide evidence that the contract pricing represents fair market value.

- (4) The Agent is responsible for:
 - (a) Providing professional procurement advice and services to the Commissioners;
 - (b) Monitoring compliance with this by-law;
 - (c) Notifying Commissioners, in advance if possible, of non-compliance;
 - (d) Informing Council that non-compliance with this by-law has occurred;
 - (e) Determining if Goods, Service or Construction less than \$50,000.00, that have been restricted to single or sole source supply because of standardization, compatibility, cost effectiveness or similar justification is the overriding consideration and on any anniversary of the renewal of that restriction; and
 - (f) Scheduling the public tender openings and ensuring a member of Council or the City Clerk or designate is present at opening.
- (5) The Agent may award a contract on behalf of a Commissioner provided that the Agent is in receipt of a funded requisition and the requirements of this by-law are met.
- (6) The Chief Administrative Officer has the authority to instruct Commissioners not to award contracts and to submit recommendations to Council for approval and may provide additional restrictions concerning procurement where such action is considered necessary and in the best interest of the City.

NOTIFICATION OF PROCUREMENT OPPORTUNITIES

- 9. (1) Notification of procurement opportunities for Goods, Services or Construction exceeding a Total Acquisition Cost of \$50,000.00 shall be made by Public Advertising, which advertising may include Electronic advertising and may be used for any other purchase.
- (2) Notification of procurement opportunities for Goods, Services or Construction may be supplemented by other means of notification where appropriate.

PART V - PROCUREMENT PROCEDURES

PURCHASING PROCEDURES

10. (1) The Agent shall establish purchasing procedures consistent with the Purposes, Goals and Objectives set out in this By-law relating to:
- (a) the form, content and use of forms, whether electronic or printed, including purchase requisitions, purchase orders, bonds, letters of credit and other forms of guarantee or surety, tender, proposal and other contract documents;
 - (b) the identification of those Goods, Services or Construction which, are more effectively acquired through cooperative purchasing;
 - (c) the process to be followed in the issuing, receipt and evaluation of Tenders, Quotations and Requests for Proposals including the option of submitting documentation, payment or signature by electronic means pursuant to the *Electronic Commerce Act*, S.O. 2000, c.17, as amended;
 - (d) any other aspect of process or procedure not specifically provided for in this By-Law.
- (2) Where, in the opinion of the Agent, circumstances giving rise to an issue of adherence or non-adherence to the requirements of this By-law which cannot be resolved to the satisfaction of the Agent, the Agent shall advise the Commissioner of Finance/Treasurer who shall determine the issue and appropriate action.

PURCHASING CARDS

11. The Commissioner of Finance/Treasurer is responsible for the Purchasing Card program outlined in the City of Sault Ste Marie's Purchasing Card Policy. The Purchasing Card Policy shall adhere to this Purchasing By-law.

STANDING PURCHASE ORDERS

12. (1) A Standing Purchase Order may be used where:
- (a) one or more Departments repetitively order the same Goods, Services or Construction and the actual demand is not known in advance; or
 - (b) a need is anticipated for a range of Goods, Services or Construction for a specific purpose and for which convenience and location are major factors but the actual demand is not known at the outset.
- (2) The Agent shall establish and maintain Standing Purchase Orders.
- (3) To establish prices and select sources, the Agent shall employ the provisions contained in this by-law for the acquisition of Goods, Services or Construction.
- (4) More than one supplier may be selected where it is in the best interests of the City of Sault Ste Marie and the Bid Solicitation allows for more than one.
- (5) The expected quantity of the specified Goods, Services or Construction to be purchased over the time period of the agreement will be as accurate an estimate as practical and be based, to the greatest extent possible, on previous usage adjusted for any known factors.

REQUEST FOR EXPRESSIONS OF INTEREST

13. A Commissioner or the Agent may conduct a request for expression of interest for the purposes of determining the availability of suppliers of any Goods, Services or Construction and for the purposes of keeping a list of available suppliers.

PROCUREMENT METHODS

14. The procurement methods for the purchase of Goods, Services or Construction are listed in Schedule "B".

LOW DOLLAR VALUE PURCHASES (Not exceeding \$1,000.00)

15. (1) Department requirements for Goods, Services or Construction having a low dollar value may be purchased from the competitive marketplace wherever possible by using the following:
- (a) Field Purchase Order to a value of \$1,000.00.
 - (b) Purchasing Cards to a value of \$1,000.00.
 - (c) Purchase Order, subject to Section 27 of this By-law.
 - (d) Direct Purchase/Approved Invoice.

REQUEST FOR QUOTATION

(Acquisition costs between \$1,000.00 and \$50,000.00)

16. (1) Purchasing requirements for Goods, Services or Construction having an estimated Total Acquisition Cost between:
- (a) \$1,000.00 and \$2,500.00 may be made by an informal phone quotation to be recorded and filed by the authorized person phoning;
 - (b) \$2,500.00 and \$10,000.00 may be made by an informal Request for Quotation where written specifications are presented to the vendors by an authorized person and a written quotation is returned that is to be filed or forwarded to Purchasing, if required;
 - (c) \$10,000.00 and \$50,000.00 may be made by formal Request for Quotation where Purchasing will distribute a full written Quotation to be signed and sealed and returned by the vendor to Purchasing.
- (2) In appropriate circumstances, the Request for Proposal or the Request for Tender processes may be utilized for the purchase of Goods, Services or Construction in this Total Acquisition Cost range.
- (3) The procedure used to purchase the Goods, Services or Construction in this Total Acquisition Cost range shall demonstrate that Fair Market Value was achieved.

REQUEST FOR TENDER (Acquisitions exceeding \$50,000.00)

17. (1) A Request for Tender shall be used for purchases exceeding \$50,000.00 where all of the following criteria apply:
- (a) two or more sources are considered capable of supplying the requirement;
 - (b) the requirement is adequately defined to permit the evaluation of tenders against clearly stated criteria; and
 - (c) it is intended that the Lowest Compliant Bid will be accepted without negotiations.
- (2) The Commissioner in charge of the Bid Solicitation or the Agent, on behalf of such Commissioner, may Award Contracts emanating from a Request for Tender provided that:
- (a) the Award is to the Lowest Compliant Bidder;
 - (b) the estimated Total Acquisition Cost of Goods or Service does not exceed \$50,000.00; and
 - (c) the provisions of this By-law are complied with.
- (3) The Commissioner or Agent shall follow the provisions of Section 27 of this By-law regarding the form of contract required to complete the purchase.

REQUEST FOR PROPOSAL

18. (1) A Request for Proposal shall be used where:
- (a) the requirement is best described in a general performance specification;
 - (b) owing to the nature of the requirement, suppliers are invited to propose innovative solutions to a problem, requirement or objective and the selection of the supplier is based on the effectiveness of the proposed solution rather than on price alone; or
 - (c) to achieve best value, the award selection will be made on an evaluated point per criterion or other method involving a combination of mandatory and desirable requirements or it is expected that negotiations with one or more bidders may be required with respect to any aspect of the requirement.
- (2) Where the Contract price is anticipated to be \$50,000.00 or greater and the Request for Proposal method of procurement is utilized, the Agent, at their discretion, may be a member of the committee formed to evaluate the response to the Request for Proposal.
- (3) The Agent shall maintain a list of suggested evaluation criteria for assistance in formulating an evaluation grid, which criteria may include, but are not limited to, factors such as approach, equipment and facilities, experience and qualifications, methodology, past performance and scheduling, price and strategy.

- (4) The Commissioner in charge of the particular Bid Solicitation or the Agent, on behalf of such Commissioner, may Award Contracts emanating from a Request for Proposal provided that:
- (a) the estimated Total Acquisition Cost of the Goods, Services or Construction does not exceed \$50,000.00;
 - (b) the Award is to made to the supplier meeting all mandatory requirements and determined, by reference to an evaluation grid, as providing best value;
 - (c) sufficient funds are available and identified in appropriate accounts within Council Approved Budgets; and
 - (d) the provisions of this By-law are complied with.
- (5) The Commissioner and Agent shall follow the provisions of Section 27 of this By-law regarding the form of contract required to complete the purchase.

IN HOUSE BIDS

19. In House Bids may be used for the procurement of Goods, Services or Construction in circumstances where the Chief Administrative Officer considers it appropriate to do so.

GUARANTEE OF CONTRACT EXECUTION AND PERFORMANCE

20. (1) The Agent may require that a Bid be accompanied by a Bid Bond or other similar security to guarantee entry into a Contract. Unless otherwise specified, in circumstances where a Bid Deposit is required, the refundable deposit requirements for Requests for Tenders/Quotations and Requests for Proposals shall be as follows:

ESTIMATED TOTAL ACQUISITION COST	TYPE OF SECURITY	MINIMUM DEPOSIT REQUIRED
Less than 25,000.00	Certified Cheque or Irrevocable Letter of Credit	5%
Greater than \$25,000.00	Bid Bond, Certified Cheque or Irrevocable Letter of Credit	10%

- (2) Prior to the commencement of the work, the successful bidder may be required to provide the following security in addition to the security referred to in Subsection 20.-(1):
- (a) a Performance Bond to guarantee the performance of a Contract;
 - (b) a Labour and Material Payment Bond to guarantee the payment of labour and materials supplied in connection with a Contract; or
 - (c) an Irrevocable Letter of Credit.

- (3) The Commissioner and Agent shall select the appropriate means to guarantee execution and performance of the Contract. Means may include one or more of, but are not limited to, surety bonds or other forms of security deposits, provisions for liquidated damages, progress payments and holdbacks.
- (4) Prior to the commencement of work, evidence of insurance coverage satisfactory to the City Solicitor must be obtained and may require listing the City as a co-insured, ensuring indemnification of the City of Sault Ste Marie from any and all claims, demands, losses, costs or damages resulting from the performance of a Bidder's obligations under the Contract and from any other risk determined by the City Solicitor as requiring coverage.
- (5) Prior to payment to a supplier, a Certificate of Clearance from the Workplace Safety and Insurance Board shall be obtained ensuring all premiums or levies have been paid to the Workplace Safety and Insurance Board to the date of payment.

CONTRACT WITHOUT BUDGETARY APPROPRIATION

- 21.** Where a requirement exists to initiate a project for which Goods, Services or Construction are required and funds are not contained within the Council Approved Budget to meet the proposed expenditure, the Commissioner shall, prior to commencement of the purchasing process, submit a report to Council containing:
- (a) information surrounding the requirement to contract;
 - (b) the terms of reference to be provided in the Contract;
 - (c) information on the availability of the funds within existing estimates, which were originally approved by Council for other purposes, or on the requirement of additional funds.

BIDS IN EXCESS OF PROJECT ESTIMATES

- 22.** (1) Where Bids are received in response to a Bid Solicitation but exceed project estimates, the Commissioner in charge of the Bid Solicitation and the Agent, jointly, may enter negotiations with the Lowest Compliant Bidder to achieve an acceptable Bid within the project estimate.
- (2) Negotiations shall be conducted in accordance with the guidelines established by the Canadian Construction Documents Committee.

EMERGENCY PURCHASES

23. (1) Where an Emergency exists requiring the immediate procurement of Goods, Services or Construction, a Commissioner or the Agent may purchase the required Goods, Services or Construction by the most expedient and economical means, notwithstanding any other provision of this By-Law. As soon as practicable thereafter, the Agent shall comply with Section 27 of this By-law.
- (2) For all Emergency purchases made by a Commissioner, the Commissioner shall as soon after the purchase as reasonably possible, notify the Agent with a written report detailing the circumstances of the Emergency. The Commissioner and the Agent in all circumstances shall make a report to Council where the Emergency purchase exceeds \$50,000.00.

COOPERATIVE PURCHASING

24. (1) The City of Sault Ste Marie may participate with other government agencies or public authorities in cooperative purchasing where it is in the best interests of the City of Sault Ste Marie to do so and where the purposes, goals and objectives of this By-law are complied with by such government agencies and public authorities.
- (2) The policies of the government agencies or public authorities calling the cooperative Bid Solicitation are to be the accepted policy for that particular purchase.

IDENTICAL TENDERS

25. (1) If the Lowest Compliant Bids from two or more bidders are identical in Total Acquisition Cost or unit price, the Agent, with the consent of the Commissioner in charge of the Bid Solicitation, is authorized to enter into negotiations with the bidders who have submitted the identical prices in an attempt to obtain a lesser price and shall maintain a record in respect of such negotiations.
- (2) The Agent shall not reveal information pertaining to such negotiations or the manner in which the final price was determined to any of the bidders concerned. The Agent shall include as part of the record, a report concerning the results of such negotiations.
- (3) When negotiations are not successful in breaking the identical tenders, then the bidders involved will be so informed and advised that the tender to be accepted will be determined by means of a draw. The names of the tied bidders shall be placed in a container and the tender to be accepted shall be drawn by a Designated

Official. The time and location of the draw shall be set by a Designated Official and the bidders shall be so advised in order that they may be present. The following shall be present:

- (a) Designated Officials,
- (b) The Agent, and
- (c) Any of the bidders, or their authorized representative.

Should any bidder elect not to be represented at the draw, the draw will proceed regardless.

BID IRREGULARITIES

26. The process for administering irregularities contained in Bids pertaining to all Contracts shall be as set out in Schedule "C". For an irregularity listed in the first column of Schedule "C", the applicable response is set out opposite the irregularity in the second column of Schedule "C".

CONTRACTUAL AGREEMENT

27. (1) The Award of a Contract over \$1,000.00 shall be made by way of an agreement, or as a Purchase Order.
- (2) A Purchase Order is to be used when the resulting Contract requires only the City of Sault Ste Marie's standard contractual terms and conditions.
- (3) A formal agreement is to be used when the resulting Contract is complex and will contain terms and conditions other than the City of Sault Ste Marie's standard contractual terms and conditions.
- (4) It shall be the responsibility of the Commissioner in charge of the particular Bid Solicitation, with the Agent or the City Solicitor, to determine if it is in the best interests of the City of Sault Ste Marie to establish a formal agreement with the supplier.
- (5) Where it is determined that a formal agreement is required, the formal agreement shall be reviewed and approved for execution by the City Solicitor, or designate.
- (6) Where a formal agreement is required, the Commissioner shall execute the agreement in the name of City of Sault Ste Marie.
- (7) Where a formal agreement is issued, the Agent may issue a Purchase Order incorporating the formal agreement.
- (8) Where a formal agreement is not required, the Agent shall issue and execute a Purchase Order incorporating the relevant terms and conditions.

SURPLUS AND OBSOLETE GOODS

28. (1) Disposal of surplus assets is the responsibility of the Purchasing Division. The Agent must dispose of all Goods for which a Department no longer has use and the Agent may use any method for disposal in the City of Sault Ste Marie's best interests, including without limitation, transfer to another Department, public auction, public tender, trade, or negotiated sale.
- (2) An employee who has the responsibility of declaring Goods surplus or obsolete, or for sending items to a public auction shall not bid on or personally obtain any Goods that the employee has declared as surplus.
- (3) No one shall be permitted to purchase surplus or obsolete Goods except by purchase at public auction, public tender, trade or negotiated sale.
- (4) If it is determined that the goods have no residual value, the Agent may dispose of them in an accredited landfill site or other environmentally responsible manner.

PART VI - OTHER

ACCESS TO INFORMATION

29. The disclosure of information received relevant to the issue of Bid Solicitations or the Award of Contracts emanating from Bid Solicitations shall be made by the appropriate officers in accordance with the provisions of the *Municipal Freedom of Information and Protection of Privacy Act*, R.S.O. 1990, as amended.

BY-LAW REVIEW

30. (1) This By-law shall be reviewed every five (5) years or where circumstances warrant a more frequent review. Any amendments resulting therefrom shall be submitted to Council for approval.
- (2) The review shall determine how effective this By-law has been in achieving the objectives set out in Section 2 of the By-law as well as the requirements of the *Municipal Act, 2001*, as amended.
- (3) The review may be undertaken by an inter-departmental committee, the final result of which shall be comprised of a report to Council, by the Agent.

SCHEDULES "A", "B", "C" and "D"

31. Schedules "A", "B", "C", and "D" hereto form part of this by-law.

EFFECTIVE DATE

32. This By-law shall come into force and take effect on the 1st day of January, 2008.

Read THREE times and PASSED in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

PROCUREMENT POLICY & PROCEDURES

SCHEDULE "A"

To BY-LAW 2007-187 of the City of Sault Ste Marie

The purchasing methods described in this by-law do not apply to the following Goods and Services, some of which are regulated by other policies or Council:

1. Petty Cash Items
2. Training and Education including:
 - (1) Registration and Tuition fees for conferences, conventions, courses and seminars
 - (2) Magazines, books and periodicals
 - (3) Memberships
 - (4) Staff Development, Workshops and Staff Relations
3. Refundable Employee/Councillor Expenses including:
 - (1) Employee/Councillor Allowances
 - (2) Travel
 - (3) Meeting Costs
4. Employer's General Expenses including:
 - (1) Statutory Remittances
 - (2) Medicals/Employee Assistance Programs
 - (3) Licenses, certificates & other approvals required (Vehicle, Firearms, etc.)
 - (4) Debt Payments
 - (5) Grants to Others
 - (6) Damage Claims
 - (7) Investments
 - (8) Group Benefits
5. Professional & Special Services
 - (1) Audit/Accounting/Financial/Investment/Management Consultant
 - (2) Engineering/Architectural/Appraisal/Surveyor & Consultant
 - (3) Debenture Underwriting/Issuance
 - (4) Professional Services related to litigation or legal matters/insurance/property assessments/Bailiff/Collection
 - (5) Veterinary Expenses

7. Utilities/Communication
8. Advertising services required by the City on or in but not limited to radio, television, newspaper and magazines
9. Miscellaneous
 - (1) Personal Computer Purchase/Payroll Plan
 - (2) Refunds and Overpayments
 - (3) Expression of Sympathy and Special Occasion Payments
 - (4) Fees or Levies of other Boards and Agencies
 - (5) Real property purchases
10. Costs Associated with Public Events

10(b)

PROCUREMENT POLICY & PROCEDURES

SCHEDULE "B"

To BY-LAW 2007-187 of the City of Sault Ste Marie

PROCUREMENT METHODS

Value of Goods, Services or Construction	Procurement Process	Requisitioning Approval Process	Approval Level
		Prepare requisition	1
\$1,000.00 or less	Direct Purchase Approved Invoice Field Purchase Order Purchasing Card	Approval up to \$1,000.00	2
Over \$1,000.00 to \$2,500.00 or less	Informal Phone Quotation (quotations recorded by authorized caller)	Approval up to \$2,500.00	3
Over \$2,500.00 to \$10,000.00 or less	Informal Request for Quotation (written submissions required) Request for Proposal	Approval up to \$10,000.00	4
Over \$10,000.00 to \$50,000.00 or less	Formal Request for Quotation Request for Proposal	CAO	5
Over \$50,000.00	Request for Tender Request for Proposal	Council	6

Note: Sales taxes, excise taxes, goods and service taxes and duties shall be excluded in determining the price of a contract for the supply of goods or services for the purpose of the relationship of the price to the procurement method utilized.

In the case of multi-year supply and/or service contracts, the preauthorized expenditure limit shall refer to the estimated annual expenditure under the contract.

Methods of Purchasing Permitted under By-law

1. Direct Purchase

This method of purchase refers to the direct ordering and purchase of goods and services from a supplier with or without negotiation. This method of purchase will be used primarily for the purchase of low value goods where the cost and administrative burden of other methods of purchase may be equal to or greater than the price or value of the goods purchased. Employees are encouraged to use their own judgment to promote the principles of this policy in any direct purchase.

2. **Negotiation Method**

This method of purchase refers to the negotiation of an agreement for the purchase of goods and services from a supplier where there is no open competition. It is used in the case where the conditions are present such as single/sole source, compatibility, identical bids.

3. **Request for Quotation/Informal Quotation**

This method of purchase is a competitive method. The specifications for the goods and services and terms of purchase will be established with sufficient particularity to permit comparable quotations to be made by suppliers. A sufficient number of suppliers shall be requested to submit quotations on the specifications and terms of purchase so that at least three responsive quotations are received, where practical.

The procedures differentiating the Request for Quotation from the Informal Quotation process are detailed within Section 16 of the Procurement Policy. In general, the Informal Quotation process does not involve the preparation of formal request for quotation documents.

4. **Request for Tender**

This is a competitive method of purchase, which may include supplier or contractor pre-qualification. The tender process follows the general procedures set out below.

- Contractor and Supplier Qualification (if applicable)
- Development of Specifications and Contract Terms
- Publication and Solicitation of Tenders
- Receiving and Opening of Bids
- Bid Evaluation and Selection

The specifications and contract terms are detailed within the tender documents in such a degree that there is no prospect of negotiations between the parties. It is intended to accept the lowest priced compliant bid, as the bidders must meet all the terms, conditions and specifications.

5. **Request for Proposals**

This method of purchase involves the solicitation of proposals. It may or may not include prequalification. In this method of purchase, some or all of the specifications and contract terms may not be finally determined with sufficient certainty to form the basis of a final contract before proposals are solicited and submitted. It may be expected that there will be some variation in the final specification and contract terms among and between responsive proponents. The process may involve negotiations subsequent to the submission of proposals on any or all of the performance specifications, contract terms and price.

PROCUREMENT POLICY & PROCEDURES

SCHEDULE "C"

To BY-LAW 2007-187 of the City of Sault Ste Marie

POLICY FOR CONSIDERING IRREGULARITIES IN BIDS

Extreme care shall be exercised to ensure that Irregular Bids are handled in a manner which is fair to other bidders as well as the public.

The decision as to whether an improper bid shall be accepted or rejected, shall be based upon the following general considerations;

1. is the intention of the bidder clear?
2. has the bidder made a conscientious attempt to comply with the submission requirements?

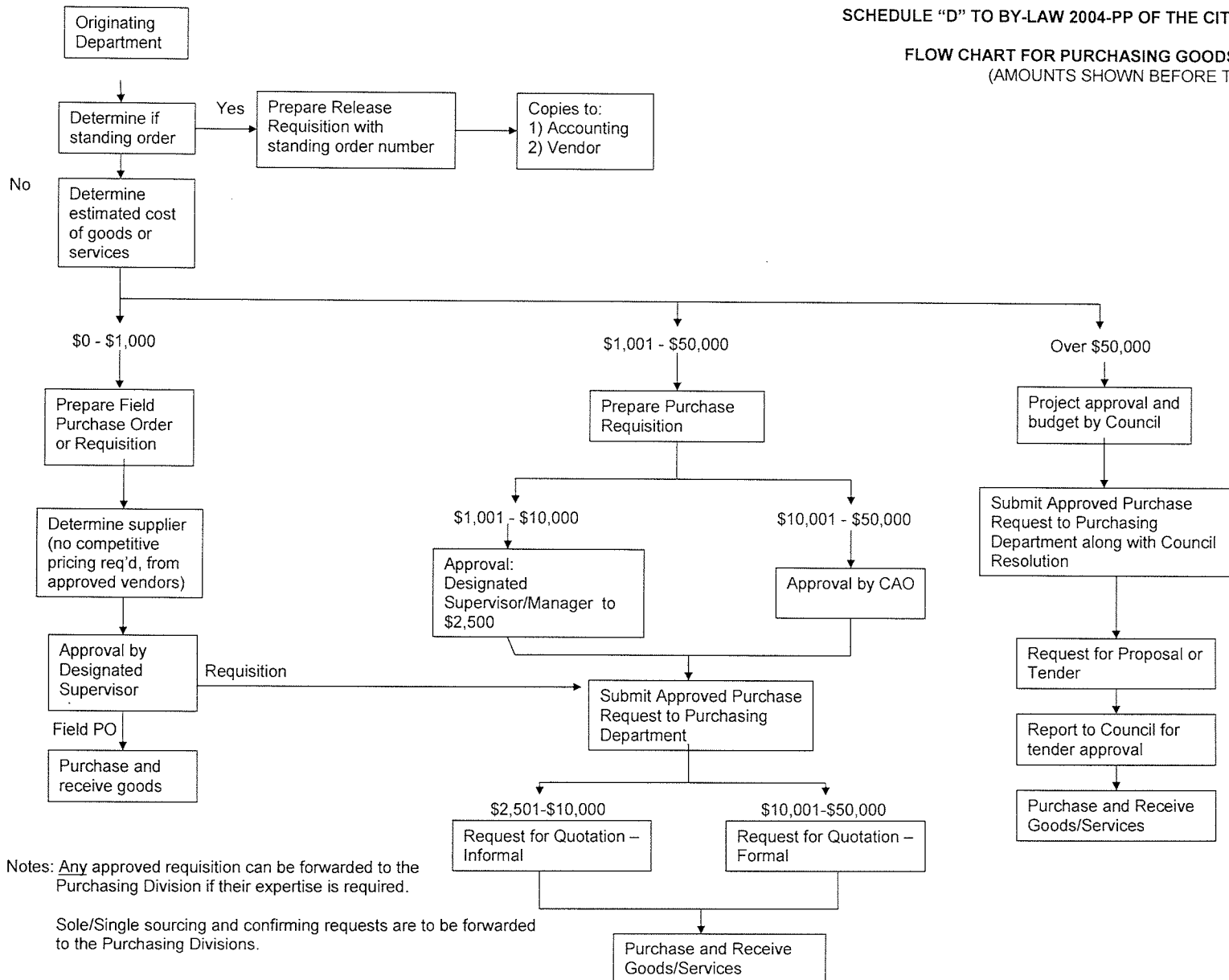
The following are guidelines only, intended to illustrate some of the discretion allowed. The Manager of Purchasing will review each case.

	<u>IRREGULARITY</u>	<u>RESPONSE</u>
1.	Late Bids	Automatic rejection, not opened or read publicly and returned unopened to the bidder
2.	Unsealed Tender Envelopes	Automatic rejection
3.	Tenders received by Facsimile (FAX)	Automatic rejection
4.	Proper Tender Envelope Not Used	Acceptable if the envelope is properly sealed. Automatic rejection if the envelope is not sealed
5.	Insufficient financial security (no deposit or bid bond or insufficient deposit or bid bond)	Automatic rejection unless insufficiency is trivial or insignificant
6.	Bids not completed in ink or in type	Automatic rejection
7.	Incomplete bids (part bids - all items not bid)	Automatic rejection unless part bid specifically permitted by tender documents
8.	Illegible or obscure bids or bids which contain additions not called for, erasures, alterations, errors or irregularities of any kind	May be rejected as informal
9.	Qualified bids (bids qualified or restricted by an attached statement)	Automatic rejection

	<u>IRREGULARITY</u>	<u>RESPONSE</u>
10.	Bids received on documents other than those provided by the City	Automatic rejection
11.	Bids containing minor clerical errors	48 hours to correct and initial errors
12.	Execution of Agreements to Bond - Bonding company corporate seal or signature missing from agreement to bond	Automatic rejection
13.	Execution of Bid Bonds (a) Corporate seal or signature of the bidder, or both, missing (b) Corporate seal or signature of bonding company missing	48 hours to correct Automatic rejection
14.	Other Bid Security - Uncertified Cheques	Automatic rejection
15.	Tender Documents - Execution (a) Corporate seal or witness signature missing but Signing Officer signature present (b) Signing Officer signature missing (c) Corporate seal or witness affixed but Signing Officer signature missing	48 hours to affix Automatic rejection Automatic rejection
16.	Erasures, Overwriting or Strike-Outs which are not initialed: (a) Uninitialed changes to the tender documents which are minor (example: the tenderer's address is amended by over-writing but not initialed) (b) Unit prices in the Schedule of Prices have been changed but not initialed (c) Other mathematical errors which are not consistent with the unit prices	48 hours to initial 48 hours to initial 48 hours to initial corrections to be made by department
17.	Failure to attend mandatory pre-submission meeting or visit	Automatic rejection
18.	Tender documents which suggest that the tenderer has made a major mistake in calculations of tender	Consultation with the City Solicitor on a case by case basis and report to C.A.O.

SCHEDULE "D" TO BY-LAW 2004-PP OF THE CITY OF SAULT STE. MARIE

FLOW CHART FOR PURCHASING GOODS AND SERVICES
(AMOUNTS SHOWN BEFORE TAXES)



10/6
(970)

10(c)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-210

FINANCING: (F.I.2.) - A by-law to authorize the borrowing of \$10,000,000 to finance capital expenditures for short and long term purposes.

WHEREAS Section 401 of the Municipal Act, 2001 states a municipality may borrow money or incur a debt for municipal purposes and may issue debentures for the money borrowed or for the debt; and

WHEREAS the Council of The Corporation of the City of Sault Ste. Marie deems it necessary to borrow the sum of \$10,000,000 for short and long term purposes, the capital expenditures of the Corporation under its construction by-laws shown on Schedule "A" hereto; and

WHEREAS the total amount of the estimated revenues of the Corporation for the year 2005 not including revenues derived or derivable from the sale of assets, borrowings or issues of debentures or from a surplus, including arrears of taxes and proceeds from the sale of assets is estimated to be in excess of \$150,000,000.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie hereby ENACTS as follows:

- I. The Mayor and the Treasurer are hereby authorized on behalf of the Corporation to borrow from time to time by way of promissory note from the City's Banker or any person a sum or sums not exceeding \$10,000,000 for short and long term purposes to finance the capital expenditures of the Corporation under its construction by-laws as shown on Schedule "A" hereto, which schedule forms part of this by-law, and to give on behalf of the Corporation to the Bank or lender a promissory note or notes sealed with the corporate seal and duly signed for the moneys so borrowed with interest which may be paid in advance or otherwise, with interest at the bank's prescribed lending rate or other persons' lending rate from time to time.
2. All sums borrowed pursuant to the authority of this by-law as well as all other sums borrowed by the Corporation in this year and in previous years from the said Bank or lender and remaining unpaid shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the moneys hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.
4. Long term purposes is defined as a loan with a fixed rate and term.

Read THREE TIMES and PASSED in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING

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 CLERK

10(c)

Schedule A to By-law 2007-209

The Corporation of the City of Sault Ste. Marie

Financial Information at
November 30, 2007

Construction By-law		Estimated Capital Expenditure	
2004-214	Constr. of a new East End Sewage Treatment Plant	52,406,000.00	
	- Federal/Provincial Subsidy	(30,837,000.00)	
	- City Sewer Surcharge	(10,569,000.00)	
		11,000,000.00	11,000,000.00
2005-128	Constr. of New Arena - Sports Entertainment Centre	25,040,368.00	
	- City Funding	(4,640,368.00)	
	- Federal/Provincial Subsidy	(7,400,000.00)	
	- Less: Debt Issue	(11,220,000.00)	
		1,780,000.00	1,780,000.00
	Luxury Suites	1,000,000.00	1,000,000.00
(PUC) 2005-162	Intallation of 385 metres of 200 mm watermain and 19 water service laterals on Fourth Line E. from Great Northern Rd. to the east limit of Civic #742	(236,031.86	PUC Local Improvement)
(PUC) 2006-102	Intallation of 1421 metres of 250 mm watermain and 38 water service laterals and a pressure reducing station on Old Garden River Road from Civic #443 to south side of Third Line East	(1,043,472.00	PUC Local Improvement)
2006-227	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on Shannon Rd. from Margaret St. to Wellington St.		1,501,900.00
2007-18	Constr. of a Concrete Sidewalk, on Queen St. East from Dacey Rd. to Queensgate Blvd.		200,000.00
2007-114	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on Pilgrim St. from Herrick St. to Tower St.		213,250.00
2007-168	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on Retta St. from Wellington St. East to Mark St.		980,000.00
Sub-total			16,675,150.00

Schedule A to By-law 2007-209
The Corporation of the City of Sault Ste. Marie
Financial Information at November 30, 2007

<u>Construction</u> <u>By-law</u>		Estimated Capital Expenditure
2007-169	Constr. of Sanitary Sewer, and Private Drain Connection on Wellington St. East from Trunk Rd. to Simpson St.	520,000.00
2007-170	Constr. of Sanitary Sewer, Private Drain Connection and Class "A" Pavement on Franklin St. from Henrietta St. to Wallace Terrace	750,000.00
		17,945,150.00

10(d)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-211

FINANCING: (F.I.2.) - A by-law to authorize the borrowing of \$10,000,000 to meet current expenditures until taxes are collected.

WHEREAS the Council of The Corporation of the City of Sault Ste. Marie deems it necessary to borrow the sum of \$10,000,000 to meet, until the taxes are collected, the current expenditures for the year 2008; and

WHEREAS the total amount of the estimated revenues of the Corporation for the year 2005, not including revenues derived or derivable from the sale of assets, borrowings or issues of debentures or from a surplus, including arrears of taxes and proceeds from the sale of assets, is estimated to be in excess of \$150,000,000.00.

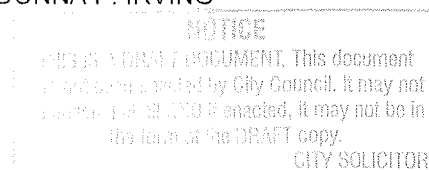
THEREFORE the Council of The Corporation of the City of Sault Ste. Marie, pursuant to Subsection 407 of the Municipal Act, 2001, chapter M.45 and amendments thereto, ENACTS as follows:

1. The Mayor and the Treasurer are hereby authorized, on behalf of the Corporation, to borrow from time to time by way of promissory note from the City's Banker or any person, a sum or sums not exceeding \$10,000,000 to meet, until the taxes are collected, the current expenditures of the Corporation for the year, including the amounts required for the purposes mentioned in Subsection 407 of the Municipal Act, 2001 and to give on behalf of the Corporation to the Bank or lender, a promissory note or notes, sealed with the corporate seal and duly signed for the moneys so borrowed, with interest, which may be paid in advance or otherwise, with interest at the Bank's prescribed lending rate or other persons' lending rate from time to time.
2. All the sums borrowed pursuant to the authority of this by-law, as well as all other sums borrowed in this year and in previous years from the said Bank or lender for any or all of the purposes mentioned in the said Subsection 407 shall, with interest thereon, be a charge upon the whole of the revenues of the Corporation for the current year and for all preceding years as and when such revenues are received.
3. The Treasurer is hereby authorized and directed to apply in payment of all sums borrowed as aforesaid, together with interest thereon, all of the moneys hereafter collected or received either on account or realized in respect of taxes levied for the current year and preceding years or from any other source which may lawfully be applied for such purpose.
4. This by-law is effective January 1st, 2008.

Read THREE TIMES and PASSED in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CLERK - DONNA P. IRVING



ONTARIO
MUNICIPAL CORPORATIONS
TEMPORARY BORROWING BY-LAW

(FOR BANK USE ONLY)

SRF Account No.

The Corporation of the City of Sault Ste. Marie (the "Municipality") By-law No. 2007-211 being a by-law to authorize temporary borrowing from time to time to meet current expenditures during the fiscal year ending December 31, 2008.

WHEREAS Section 407 of the *Municipal Act, 2001*, as amended, provides authority for a council by by-law to authorize the head of council or the treasurer or both of them to borrow from time to time, such sums as the council considers necessary to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the year; and

WHEREAS the total amount which may be borrowed from all sources at any one time to meet the current expenditures of the Municipality, except with the approval of the Municipal Board, is limited by Section 407 of the *Municipal Act, 2001*;

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE ENACTS AS FOLLOWS:

1. The head of council or the treasurer or both of them are hereby authorized to borrow from time to time during the fiscal year (hereinafter referred to as the current year) such sums as may be necessary to meet, until taxes are collected and other revenues are received, the current expenditures of the Municipality for the current year.
2. The lender(s) from whom amounts may be borrowed under authority of this by-law shall be **Royal Bank of Canada** and such other lender(s) as may be determined from time to time by by-law of council.
3. The total amount which may be borrowed at any one time under this by-law plus any outstanding amounts of principal borrowed and accrued interest under Section 407 together with the total of any similar borrowings that have not been repaid, shall not exceed from January 1st to September 30th of the current year, 50 percent of the total estimated revenues of the Municipality as set out in the budget adopted for the current year, and from October 1st to December 31st of the current year, 25 percent of the total of the estimated revenues of the Municipality as set out in the budget adopted for the current year or **\$10,000,000.00**, whichever is less.
4. The treasurer shall, at the time when any amount is borrowed under this by-law, ensure that the lender is or has been furnished with a certified copy of this by-law, (a certified copy of the resolution mentioned in section 2 determining the lender,) if applicable, and a statement showing the nature and amount of the estimated revenues for the current year and also showing the total of any other amounts borrowed from any and all sources under authority of Section 407 of the *Municipal Act* that have not been repaid.
5. a) If the budget for the current year has not been adopted at the time an amount is borrowed under this by-law, the limitation on total borrowing, as set out in section 3 of this by-law, shall be temporarily calculated until such budget is adopted using the estimated revenues of the Municipality as set forth in the budget adopted for the next previous year.

b) If the budget for the current year has not been adopted at the time an amount is borrowed under this by-law, the statement furnished under section 4 shall show the nature and amount of the estimated revenues of the Municipality as set forth in the budget adopted for the previous year and the nature and amount of the revenues received for and on account of the current year.
6. For purposes of this by-law the estimated revenues referred to in section 3, 4, and 5 do not include revenues derivable or derived from, a) any borrowing, including through any issue of debentures; b) a surplus, including arrears of taxes, fees or charges; or c) a transfer from the capital fund, reserve funds or reserves.
7. The treasurer be and is hereby authorized and directed to apply in payment of all or any sums borrowed under this by-law, together with interest thereon, all or any of the moneys hereafter collected or received, either on account of or realized in respect of the taxes levied for the current year and previous years or from any other source, that may be lawfully applied for such purpose.
8. Evidences of indebtedness in respect of borrowings made under section 1 shall be signed by the head of the council or conform to the treasurer or both of them.
9. The Bank shall not be responsible for establishing the necessity of temporary borrowing under this by-law or the manner in which the borrowing is used.
9. This by-law shall taken effect on the final day of passing.

Enacted and passed this 10th day of December, 2007.

MAYOR - JOHN ROWSWELL

CITY CLERK - DONNA P. IRVING

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-212

FINANCING (T.1.2.): A by-law to adopt Tax Collection Policies and Procedures for the City of Sault Ste. Marie.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001* and amendments thereto enacts as follows:

1. TAX COLLECTION POLICIES AND PROCEDURES ADOPTED

The Corporation of the City of Sault Ste. Marie adopts the Tax Collection Policies and Procedures for the City of Sault Ste. Marie in the form of Schedule "A" attached hereto.

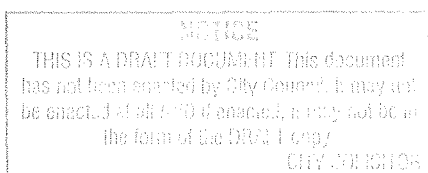
2. SCHEDULE "A"

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

3. EFFECTIVE DATE

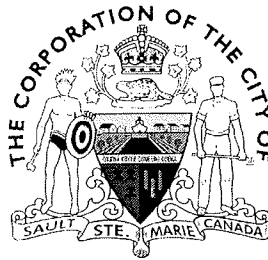
This by-law takes effect on the date of its final passing.

Read THREE times and PASSED in open Council this 10th day of December, 2007.



MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



106e)

SCHEDULE "A" TO
BY-LAW 2007-212

THE CORPORATION OF THE CITY OF SAULT STE MARIE

TAX AND LICENCE DIVISION

TAX COLLECTION POLICIES AND PROCEDURES

PURPOSE

This document has been prepared to define the policies and procedures to be taken in the collection of taxes.

This document will outline the timetable necessary to ensure the prompt, effective and efficient collection of taxes. It is also to ensure that all ratepayers are being treated in a fair and equitable fashion with respect to tax arrears.

INTRODUCTION

The responsibility of the collecting of taxes falls under the authority of the City Tax Collector. The Tax Collector must ensure that taxes are collected within the guidelines of the following legislation:

- a) The Municipal Act, 2001
- b) Municipal By-Laws
- c) The Bailiff Act
- d) The Collection Agencies Act
- e) The Education Act
- f) The Costs of Distress Act

METHODS OF COLLECTION

In the collection of Realty Taxes the following enforcement methods are used:

- a) Penalty and interest levy
- b) Monthly tax arrears statements
- c) Personalized letters
- d) Telephone contact
- e) Field calls
- f) 3rd party demand
- g) Rent attornment
- h) Tax sale process

METHODS OF PAYMENT

There are a number of payment options currently available to ratepayers. They include:

- 1) Payment(s) made at any financial institution
- 2) Payment(s) made by mail or Civic Centre drop off box
- 3) Payment(s) made in person at the Central Collections – Cashier Counter
- 4) Payment(s) made via the Internet or by Telephone Banking
- 5) Pre-authorized 10-Month Payment Plan
- 6) Pre-authorized Due Date Payment Plan
- 7) Pre-authorized Arrears Payment Plan
- 8) Post-Dated Cheques

Note: The City does not accept credit card payments for taxes due to the cost of service charges.

PENALTY AND INTEREST

A penalty of 1.00% (As of April 1st 2006) is added to current taxes on the first day after the due date. Interest is added to tax arrears on the first day of each month at a rate of 1.00% simple interest to the previous month's ending principle balance. Payment is applied to interest and penalty charges first and then to the outstanding taxes.

Interest and Penalty is adjusted as follows:

- 1) Tax Adjustments under Sections 357, 358 and 364 of the Municipal Act, 2001
- 2) Assessment Review Board Decisions, Minutes of Settlements
- 3) Electronic Bank and Mail payments post-marked on or prior to the Due Date
- 4) After an unsuccessful tax sale

MINIMUM BALANCE WRITE-OFF

In some circumstances there remains a balance owing on a taxpayers account after a payment is received which is often a result of a late payment penalty or interest being added to the account. When the remaining amount is small enough that the additional cost of collection would not be worthwhile, it may be expedient to write the amount off. This would allow the City Treasurer to establish a minimum write-off balance amount that does not exceed \$10.00.

PROCEDURES

It is the mandate of the Tax & Licence Division to ensure prompt, effective and efficient collection of taxes by various means available to it through various forms of legislation.

It must be remembered in all types of collections that there are two principles which require attention. First, is the timing of any action, and the second is the consistency of the application of any actions.

role)

TAX BILLING CYCLE

Property taxes are billed based on four instalments per year as established by City by-laws. The instalments have due dates as follows:

- INTERIM LEVY is based on 50% on the previous year's levy, payable in two instalments. The due dates are March 5th and May 5th. If either date falls on a weekend, the due date would be the next business day.
- FINAL OR AFTER INTERIM LEVY is based on the final tax rate for the year multiplied by the current value assessment less the Interim Levy. The Final levy is also payable in two instalments, due July 5th and September 5th. If either date falls on a weekend, the due date would be the next business day.

Any applicable B.I.A. (Business Improvement Area) charges and Local Improvement Charges will be included in the Final Levy.

Supplementary Taxes are billed four times a year for improvements to property i.e. new homes, garages etc.

REMINDER NOTICES

Immediately after the due date and on the first of each month a Statement of Outstanding Taxes is generated to individual taxpayers whose taxes are past due. Reminder notices valued below an amount established by the City Treasurer under Minimum Balance Write-Off are not produced and would be subject to a minimum balance write-off.

REALTY TAX COLLECTION

Section 349 of the Municipal Act, 2001 allows for the recovery of taxes with costs as a debt due to the municipality from the taxpayer originally assessed for them or any subsequent owner. Taxes are a special lien on the land in priority to every claim, privilege, lien or encumbrance of every person except the Crown.

There are several methods to encourage the payment of realty taxes, which must be considered. They are:

- 1) Penalty/ Interest Levies
- 2) Rent Attornment
- 3) Third Party Demand
- 4) Severances
- 5) Zoning Applications, only where property has been approved for Tax Sale Registration by City Council
- 6) Tax Sale

Tax Collection Policies and Procedures

Page 4

Methods used to collect realty taxes will consist of any or all of the following:

- 1) Monthly Statement of Outstanding Taxes
- 2) Personalized Collection Letters
- 3) Telephone Follow-up
- 4) Personal Visits

METHODS

Penalty/Interest Charges

Section 345 of the Municipal Act, 2001, determines rates for penalty and interest. This section allows municipalities to pass by-laws to impose a percentage charge, not to exceed a penalty of 1.25 % on non-payment of current taxes from the first day of default and interest charges, not to exceed 1.25 % each month on tax arrears.

The purpose of adding interest and penalty is to help defray the costs of borrowing by the municipality resulting from unpaid taxes and to discourage ratepayers from treating unpaid taxes as an alternative form of financing.

Rent Attornment

Section 350 of the Municipal Act, 2001 provides for the seizure of rent(s) by the treasurer, or his agent, from tenant occupied properties to be applied against outstanding tax arrears. The seizure of rent(s) is the most severe deterrent on these types of properties as it deprives the owner of their operating funds. This action would only be used if all other methods of collections have been exhausted other than tax sale. By taking this action does not impose upon the treasurer or municipality the responsibilities of a landlord.

Third Party Demand

Third party demands, also know as offset, would be used if a taxpayer, who is in tax arrears, was a vendor to the city. The Tax & Licence Division would review the vendors listing to see if any cheques are pending for payment that can be applied against the vendors outstanding tax account. The company or individual who have provided services to the city would be advised of this action.

Severances and Re-Zoning Applications

Property owners that are in arrears of taxes that are looking to have property severed through The Committee of Adjustments, or have a pending re-zoning application filed with the Planning Department, must have no outstanding taxes prior to official approval. The appropriate department, along with the taxpayer, would be notified of the City's intent to collect.

Tax Collection Policies and Procedures

Page 5

Properties Approved for Tax Sale

The use of the municipal tax sale proceedings, as prescribed in the Municipal Act, 2001 is a very effective and proven tool in the collection of outstanding property taxes. Such properties must be registered within the time allowed in the Municipal Act. Postponing the registration of properties to a later date could pose a problem when the property is actually registered and the amount of taxes owing plus costs could be more than the value of the property on the open market.

Once all other collections efforts are exhausted, and the City has been unable to secure payment of the tax arrears, or a firm, suitable repayment plan, the City commences Municipal Tax Sale Proceedings as prescribed by the Municipal Act, 2001.

Municipal Tax Sale proceedings can commence once taxes have been in arrears for at least three years. Once City Council has approved the report of the City Collector, recommending those properties that are to be registered for tax sale, a Tax Arrears Certificate will then be registered on title of a property. The debtor has one year from the date of registration of a Tax Arrears Certificate on title of the property, to pay the cancellation price (which includes all the taxes levied and outstanding, as well as all accrued penalty and interest and costs). Failing payment within that year, or the entering into of an extension agreement, the Treasurer is required to proceed to a sale of the property through public tender or auction.

TAX COLLECTION PROCESS

Depending on what status the tax account(s) might be in during the year, the following outlines the steps involved in the collection of taxes by the degree of arrears on the property. Included are samples of any relevant billing(s) and correspondence deemed necessary in the collection process.

Current Taxes

- 1) Interim and After-Interim Tax Bills are mailed out
- 2) Outstanding Tax Arrears Statement – Reminder of past due instalment(s)
- 3) Make personal contact on any large tax accounts in excess of \$25,000 that are at least 90 days past due.

Current and One Year Outstanding

- 1) Continue sending Outstanding Tax Arrears Statements on a monthly basis until the tax account(s) is/are in good standing.
- 2) A title search is conducted on the property to determine if there is a mortgagee. In any standard mortgage agreement, taxpayers who are in tax arrears are also in default of their mortgage.
- 3) Correspondence is sent to the mortgagee and or property owner requesting payment.
- 4) Personal contact is made if no response to correspondence.

Current and the Previous Two Years are Outstanding

- 1) Continue sending Outstanding Tax Arrears Statements on a monthly basis.
- 2) Conduct a title search on the property if required.
- 3) In June once the taxes have been finalized for the current year, correspondence is sent out to the mortgagee and or property owner to arrange for payment of the tax debt.
- 4) Personal contact is made if no response to correspondence.
- 5) In October a "Notice of Impending Tax Sale" is sent out to mortgagees and /or property owner demanding payment in full.
- 6) In November, continued personal contact is made to secure payment arrangements.
- 7) In December, a "Final Notice Before Tax Sale Listing" is sent Registered Mail to mortgagees and/or property owner will be liable for tax sale on or after the 1st of January of the following year.
- 8) Again, personal contact is made to indicate that the property will now be on a tax sale listing sent to City Council for approval.
- 9) In February, the City Tax Collector prepares as report recommending those properties that are to be registered for tax sale and submits it to City Council for approval.
- 10) In March, once City Council has approved the tax sale list, it is then sent to the Legal Department to finalize all those interested parties that would require a notice of registration. Also Farm Debt Notices are sent out.
- 11) In April or early May, Legal Department to register a Tax Arrears Registration Certificate against those properties.
- 12) A Notice of Registration is sent out 60 days after the registration of a Tax Arrears Certificate by the treasurer to all interested parties.
- 13) If the cancellation price remains unpaid 280 days after the day the Tax Arrears Certificate is registered, the treasurer, within 30 days after the expiry of the 280 day period, shall send a final notice to all interested parties that unless the cancellation price is paid before the end of the one year period, the property(s) will be advertised for public sale.
- 14) If the one year redemption period has expired, the property(s) will then be advertised for sale: once in the Ontario Gazette, and once a week for four weeks in the Sault Star, Sault This Week, and on the City's web site.
- 15) In late September or early October a public tax sale is then held.

TAX COLLECTION POLICY
CITY OF SAULT STE MARIE
CURRENT YEAR TAXES

- January or February – Prepare and Mail Interim Tax Bills
- March – First Tax Instalment is due. Statements are sent after the due date if 1st instalment is past due
- April – Statement is sent if the 1st instalment remains unpaid
- May – Second Tax Instalment is due. Prepare and mail out Final Tax Bills, past due amounts are included in this billing
- July – Third Tax Instalment is due
- July – Statements are sent out for any of the first three tax instalments that are now past due
- August – Statements are sent out for any of the first three tax instalments that are now past due
- September – Fourth Instalment is due. Past due instalments are sent a statement
- October – Statements are sent out for any of the four tax instalments that are now past due
- November – Statements are sent out for any of the four tax instalments that are now past due
- December – Same as November. Follow-up of Tax Accounts over \$25,000.00 that are 90 days past due

10(e)

YEAR 2

**TAX COLLECTION POLICY
CITY OF SAULT STE MARIE
CURRENT & PREVIOUS YEAR TAXES**

- January or February – Prepare and Mail Interim Tax Bills, Tax Arrears are included with bill
- February & March – Request Title Searches
- March – Tax Arrears Statement is sent
- April – Tax Arrears Statement is sent
- May – Prepare and Mail After Interim Tax Bills, Tax Arrears are included with bill
- May, June – Prepare and Mail Correspondence To Mortgagee and/or Property Owner
- July – Tax Arrears Statement is sent
- July – Follow-up on previously sent correspondence with personal contact
- August – Tax Arrears Statement is sent
- August – Follow-up on previously sent correspondence with personal contact
- September – Tax Arrears Statement is sent
- September – Follow-up on previously sent correspondence with personal contact
- October – Tax Arrears Statement is sent
- October – Follow-up on previously sent correspondence with personal contact
- November – Tax Arrears Statement is sent
- November – Follow-up on previously sent correspondence with personal contact
- December – Tax Arrears Statement is sent
- December – Follow-up on previously sent correspondence with personal contact

TAX COLLECTION POLICY
CITY OF SAULT STE MARIE
CURRENT & PREVIOUS TWO YEARS OF TAXES

- January or February, Prepare and Mail Interim Tax Bills ,Tax Arrears are included with bill
- February & March ,Request Title Searches
- March, Tax Arrears Statement is sent
- April, Tax Arrears Statement is sent
- May , Prepare and Mail After Interim Tax Bills, Tax Arrears are included with bill
- May, June Prepare and Mail Correspondence To Mortgagee and/or Property Owner
- July, Tax Arrears Statement is sent
- July, Follow-up on previously sent correspondence with personal contact
- August, Tax Arrears Statement is sent
- August, Follow-up on previously sent correspondence with personal contact
- September, Tax Arrears Statement is sent
- September, Follow-up on previously sent correspondence with personal contact
- October , Tax Arrears Statement is sent
- October, Notice of Impending Tax Sale sent to Mortgagee and/or Property Owner
- November, Tax Arrears Statement is sent
- November, Follow-up on previously sent correspondence with personal contact
- December, Tax Arrears Statement is sent
- December , Final Notice before Tax Sale Listing sent Registered Mail to Mortgagee and/or Property Owner

TAX COLLECTION POLICY
CITY OF SAULT STE MARIE
CURRENT & PREVIOUS THREE YEARS OF TAXES

- January – Notify owner that Tax Sale list being prepared for City Council
- February – Final Tax Sale list sent to City Council for approval
- March – Forward on approved Tax Sale list to legal to update title search
- March – Mail Farm Debt Notices
- April or May – Legal Department registers Tax Arrears Certificate against property
- June or July – Prepare and mail notice of Registration 60 days after the registration of the Tax Arrears Certificate
- August }
- September }
- October } **Tax Sale Redemption Period Expires One Year From Date of**
- November } **Registration**
- December }

TAX COLLECTION POLICY
CITY OF SAULT STE MARIE
CURRENT & PREVIOUS FOUR YEARS OF TAXES

- January – **Tax Sale Redemption Period**
- February – Prepare and mail Final Notice that property will be advertised for Public Sale unless the cancellation price is paid before the expiry of the one year period
- February – **Tax Sale Redemption Period**
- March – **Tax Sale Redemption Period**
- March – Prepare and mail Final notice that property will be advertised for Public Sale unless the cancellation price is paid before the expiry of the one year period
- May – **Tax Sale Redemption Period expires**
- June – Prepare advertising, tax sale packages
- July – Advertise properties for Public Tender in the Ontario Gazette, Sault Star, Sault This Week, and on the City's website
- August - Continue advertising properties
- September – Conduct Public Tax Sale last Wednesday of the month
- October – Alternative date of Public Tax Sale the first Wednesday of the month
- October – Notify successful bidder and prepare Tax Deeds and other required documents
- November or December – Have Legal Department Register new Tax Deeds, issue Tax Arrears Cancellation Certificate

TAX COLLECTION POLICY
CITY OF SAULT STE MARIE

YEAR 1	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
CURRENT YEAR TAXES	Prepare and Mail Interim Tax Bills		Inst # 1 Due		Inst # 2 Due		Inst # 3 Due		Inst # 4 Due			Follow-up of Tax Accounts over \$25,000 90 days past due	
			Statement	Statement	Prepare and Mail Final Tax Bills		Statement	Statement	Statement	Statement	Statement	Statement	
YEAR 2	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
CURRENT & PREVIOUS YEAR TAXES	Tax Arrears are included with Interim Tax Bills		Request Title Searches	Prepare and Mail Correspondence to Mortgagee and/or Property Owner		Follow-up Previously Sent Correspondence with Personal Contact							
			Statement										Statement
YEAR 3	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
CURRENT & PREVIOUS TWO YEARS OF TAXES	Tax Arrears are included with Interim Tax Bills		Request Title Searches	Prepare and Mail Correspondence to Mortgagee and/or Property Owner		Follow-up Previously Sent Correspondence with Personal Contact		Notice of Impending Tax Sale Mailed to Mortgagee and/or Property Owner		Follow-up Previously Sent Correspondence with Personal Contact		Final Notice Before Tax Sale Listing sent Registered Mail to Mortgagee and/or Property Owner	
			Statement										Statement
YEAR 4	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
CURRENT & PREVIOUS THREE YEARS OF TAXES	Prepare Tax Listing for City Council Advise Property Owner	Final Tax Sale List Sent to City Council	Send Approved Tax Sale Listing to Legal to Update Title Search Mail Farm Debt Notices	Legal Department Registers a Tax Arrears Certificate Against Property(s)		Prepare and Mail Notice of Registration 60 days after the Registration of the Tax Arrears Certificate		TAX SALE REDEMPTION PERIOD EXPIRES ONE YEAR FROM DATE OF REGISTRATION					
YEAR 5	JANUARY	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER	
CURRENT & PREVIOUS FOUR YEARS OF TAXES		Prepare and Mail Final Notice that Property will be Advertised for Public Sale unless the Cancellation Price is Paid before the Expiry of the One-Year Period					Advertise Property(s) for Public Tender		Conduct Public Tax Sale		Register Tax Deeds Issue Tax Arrears Cancellation Certificate(s)		
TAX SALE REDEMPTION PERIOD						Prepare Tax Deeds and Notices							

10/6

Date

OWNER'S NAME:

«Name1»
«Name2»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

PROPERTY ADDRESS:

«Propertyaddress»
Roll Number: «Rollnumber»
Arrears: «Arrears»

Tax bills and statements have been forwarded to you to encourage payment of tax arrears for 2006 and 2007 on the above-noted property.

To date a balance of \$ «Arrears» remains outstanding. Keep in mind that outstanding taxes are subject to a penalty of 1.00 % per month or 12% per annum.

It is imperative that, by (date selected), you provide full payment of the arrears indicated or contact our office to make payment arrangements to discharge the amount owed.

Your immediate attention to this matter would be appreciated.

Yours truly,

10(e)

Date

OWNER'S NAME:

PROPERTY ADDRESS:

«Name1»
«Name2»
«Address1»
«Address2»
«City», «Province»
«PostalCode»

«Propertyaddress»
Roll Number: «Rollnumber»
Arrears: «Arrears»

Tax bills and statements have been forwarded to you to encourage payment of tax arrears for 2006 and 2007 on the above-noted property.

Our records indicated that as of (date selected) a mortgage exists on this property. As a condition of your mortgage, all taxes must remain current.

To date a balance of \$ «Arrears» remains outstanding. Keep in mind that outstanding taxes are subject to a penalty of 1.00% per month or 12% per annum.

It is imperative that, by (date selected), you provide full payment of the arrears indicated or contact our office to make payment arrangements to discharge the amount owed.

Your immediate attention to this matter would be appreciated.

Yours truly,

CC: «Mortgagecompany1»
«Mortgagecompany2»
«Mortgagecompany3»

Date

«Name1»

«Name2»

«Address»

«Address2»

«City» «PC» -

TAX ARREARS - \$«Arrears»

ADDRESS - «Address1»

OWNER'S NAME - «Owner»

ROLL NUMBER - «ROLL»

Our office has, on numerous occasions, sent out notices to you requesting payment for outstanding property taxes regarding the above named property.

You are hereby being notified that the above property will be subject to **tax sale action** in accordance with the **Municipal Tax Sales Act**.

To ensure that tax sale registration does not take place on this property, you are required to contact the Tax Office immediately to arrange payment of this tax debt.

Yours truly,

Date

«Company»
«COMPANY2»
«Address»
«ADDRESS2»
«City» ~
«PC»

TAX ARREARS - \$«Arrears»

ADDRESS - «Address1»

OWNER'S NAME - «Owner»

ROLL NUMBER - «ROLL»

Our office has, on numerous occasions, notified the owner of the above property to provide payment of the outstanding property taxes.

Since the tax arrears have not been paid, a title search was conducted on (date selected), which determined that you have an interest in the property as a mortgagee. In order to protect your interest, you are being notified that the above property will be subject to **tax sale action** in accordance with the **Municipal Tax Sales Act**.

To ensure that tax sale registration does not take place on this property, you are required to contact the Tax Office immediately to arrange payment of this tax debt.

Yours truly,

cc: «Owner1»
«Owner2»

10(e)

NOTICE OF IMPENDING TAX SALE

ASSESSED OWNER:

Name

Address

City

Date:

Tax Arrears: \$

Roll No:

Civic Address:

You are hereby given notice that the above noted property is now liable for tax registration and tax sale procedures in accordance with the provisions of the Municipal Act.

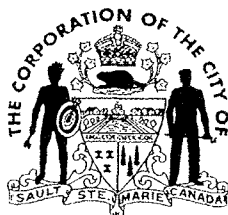
Once the Municipality registers the tax arrears certificate, extra charges are added to your tax account. Upon expiry of the legislated time period, the property will be sold by public tender.

Full payment of the tax arrears is required **by OCTOBER 31, 200?**.

Yours truly,

cc: mtg company (if applicable)

10(e)



FINAL NOTICE BEFORE TAX SALE LISTING

ASSESSED OWNER:

«owner1»
«owner2»
«address1»
«address2»
«city», «Province»
«postalcode»

Date:
Tax Arrears: «amount»
Roll No: «rollnumber»
Civic Address: «civicaddress»

You are hereby given notice that the above noted property will be liable to be registered for tax sale proceedings as of January 1, 200? pursuant to The Municipal Act.

This property will be sold by public tender at the next tax sale conducted by the City Tax Collector.

Full payment of the tax arrears is required by 4:30 p.m. (Day of the Week) December 31, 200? to avoid **tax sale proceedings**.

Yours truly,

cc: «Mtgcompany» (if applicable)
«Mtgcompany2»
«Mtgcompany3»

1041

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-213

FINANCING: (A.3.7) A by-law to adopt a Statement Investment Policy and Goals for the City of Sault Ste. Marie.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the Municipal Act and amendments thereto enacts as follows:

1. STATEMENT OF INVESTMENT POLICY AND GOALS ADOPTED

The Corporation of the City of Sault Ste. Marie adopts the Statement of Investment Policy and Goals for the City of Sault Ste. Marie in the form of Schedule "A" attached hereto.

2. SCHEDULE "A"

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

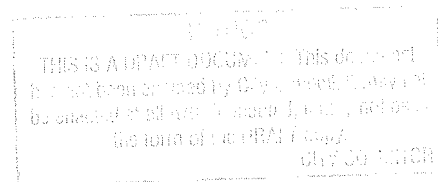
3. EFFECTIVE DATE

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

Read THREE times and PASSED in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



The Corporation of the City of Sault Ste. Marie

Investment Policy
Statement of Investment Policies and Goals

POLICY STATEMENT:

The Corporation of the City of Sault Ste. Marie strives for the optimum utilization of its cash resources within statutory limitations and the basic need to protect and preserve capital, while maintaining solvency and liquidity to meet on-going financial requirements.

PROCEDURE:

1. Priorities for the investing of funds are as follows:
 - a) legality of investments;
 - b) preservation of principal;
 - c) maintenance of liquidity; and
 - d) competitive rate of return.
2. The Treasurer shall only invest surplus monies in investments authorized by Ontario Regulation 438/97, as amended.
3. When investing surplus monies, the Treasurer shall do so in a prudent manner that ensures the preservation of capital and maintains the liquidity of the Corporation. To this end, portfolio diversification shall be employed when possible.
4. The Treasurer shall obtain legal and financial advice on an investment when the Treasurer, or Council, deems it to be appropriate.
5. The Treasurer shall report annually to Council on investment activities as per the requirements of Ontario Regulation 438/97, as amended.
6. The policy will be reviewed on an annual basis.

1061

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-214

OFFICIAL PLAN AMENDMENT: A by-law to adopt Amendment No. 136 to the Official Plan.

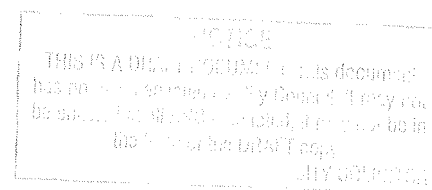
THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P. 13 and amendments thereto, ENACTS as follows:

1. The Council hereby adopts Amendment No. 136 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 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



10(g)
6(b)(a)

**AMENDMENT NO. 136
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 Lot 29 RCP, being part of the SW ¼, Section 19, Township of Tarentorus, located approximately 430m (1,411') north of Third Line. Civic No. 86 Old Goulais bay Road. Zoning Map 1-126.

BASIS:

This Amendment is necessary in view of a request to sever the subject property to create one additional single rural residential lot.

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"

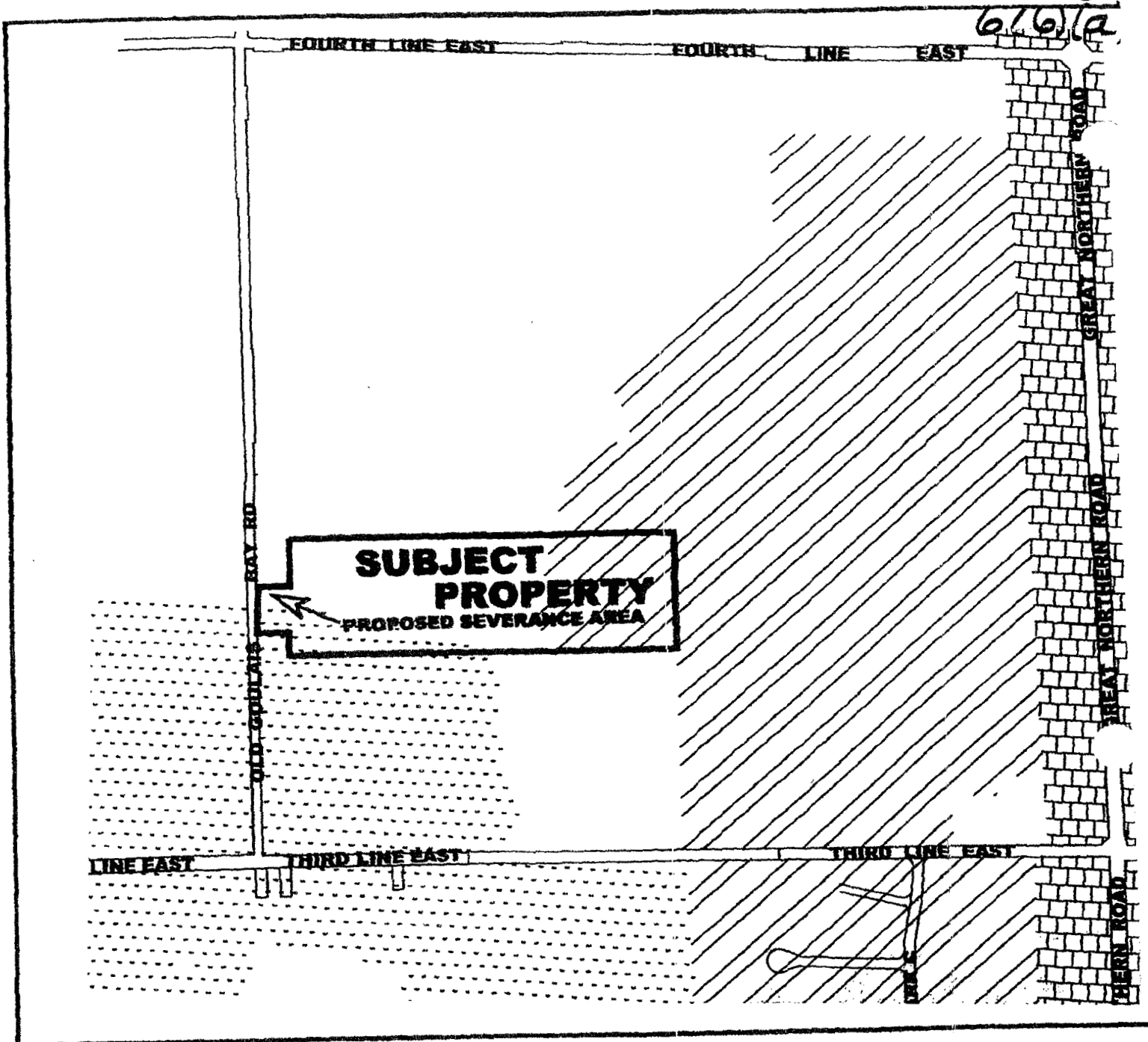
91. Notwithstanding the Rural Area policies of the Official Plan, lands described as Part of Lot 29 RCP, being part of the SW ¼, Section 19, Township of Tarentorus, located approximately 430m (1,411') north of Third Line, Civic No. 86 Old Goulais bay Road; may be used for one (1) additional rural residential lot.

INTERPRETATION

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

10(9)

6/6/2



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



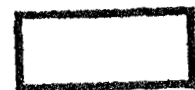
PARKS
RECREATIONAL



COMMERCIAL

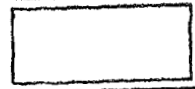


INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 136



10/11

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-217

OFFICIAL PLAN AMENDMENT: A by-law to adopt Amendment No. 140 to the Official Plan.

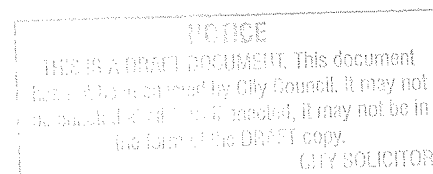
THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P. 13 and amendments thereto, ENACTS as follows:

1. The Council hereby adopts Amendment No. 140 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 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



10(1)

**OFFICIAL PLAN AMENDMENT NO. 140
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 1. on Plan 1R6999, located on the south side of Second Line East, approximately 490m east of its intersection with Old Garden River Road, Civic No. 873 Second Line East; Zoning Map 1-77.

BASIS:

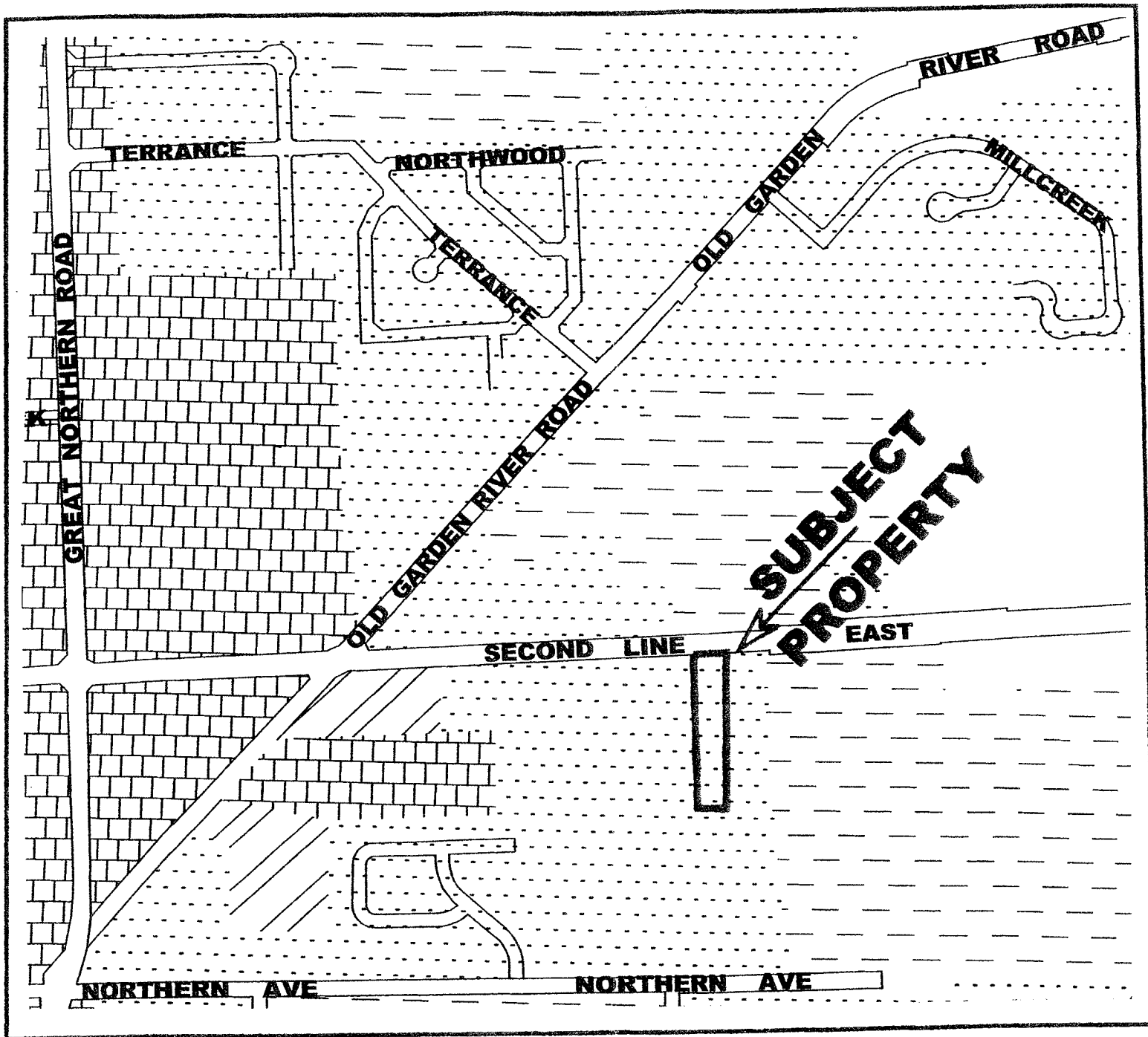
This Amendment is necessary in view of the request to re-designate the subject property from 'Rural Area' to 'Industrial' on Land Use Schedule "C" of the Official Plan, in order to develop the property for light industrial purposes.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO:

Land Use 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 'Industrial'.

INTERPRETATION

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



OFFICIAL PLAN SCHEDULE "C"
LAND USE LEGEND



RESIDENTIAL



INDUSTRIAL



PARKS
RECREATIONAL



COMMERCIAL

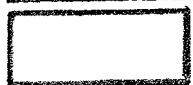


INSTITUTIONAL



RURAL AREA

SCHEDULE "A" to AMENDMENT No. 140



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-206

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

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

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

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

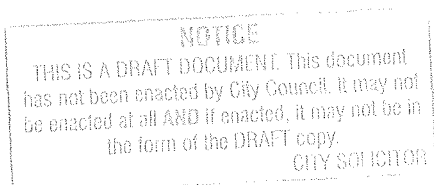
2. **EFFECTIVE DATE**

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

READ THREE times and **PASSED** in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CLERK – DONNA IRVING



BADGE NO.	SPECIAL CONSTABLE	EMPLOYER	PROPERTY LOCATION
12	ROUSE, BRIAN	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
26	MCLEOD, ROD	FLEMING & SMITH	378 QUEEN ST E & APARTMENTS
30	RENDELL, VERN	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
35	ORR, DEREK	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE
37	MILLER, STEVE	NORPRO SECURITY	ST MARY'S PAPER
59	BARONE, MARCELLO	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
109	SEBECIC, JOHN LUDVIC	DENTAL BUILDING	946 QUEEN ST E/216 QUEEN ST E
111	DESCHENE, BERNARD, FREDERIC	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
113	TAYLOR, GARY	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
115	LEE, RICHARD, JOHN	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
138	CAIN, JOSEPH	CITY OF SAULT STE. MARIE	BELLEVUE MARINA/ BONDAR MARINA & PARK
151	PARR, DEREK, RAYMOND	NORPRO SECURITY	ST MARY'S PAPER
153	TASSONE, VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163	BUMBACO, PHILIP CAREM	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
178	D'AGOSTINI, ROSEMARY	DR. RAYMOND CHO	71 & 131 EAST ST
179	DARLOW, LEONARD	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
183	SAXBY, MICHELLE	G4S SECURITY	MARKET MALL / BONDAR PLACE/ALGOMA UNIVERSITY/HOSPITAL
186	HARMAN, JASON	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
190	LALONDE, BRIAN	CITY OF SAULT STE. MARIE	BELLEVUE MARINA/BONDAR MARINA & PARK
191	BROWN, STEVEN, GEORGE	SEPARATE SCHOOL BOARD	SEPARATE SCHOOL BOARD PROPERTIES
196	SEABROOK, LAURA, LEE	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
238	BECK, DESMOND	G4S SECURITY	SAULT AIRPORT/HOSPITAL/ALGOMA UNIVERSITY
240	MASON, STEPHEN	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
241	COGHILL, ROBIN	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
248	CHAN, GILBERT	DR. RAYMOND CHO	71 & 131 EAST ST/129 SECOND LINE W
249	CHO, LINDA	DR. RAYMOND CHO	71 & 131 EAST ST/129 SECOND LINE W
253	TRAVSON, TERRANCE (TERRY)	NORTH EAST SECURITY	BELLEVUE MARINA/BONDAR MARINA & PARK
258	LEGACY, STEVEN	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
259	CONNOR, JAMES	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
261	HEINTZMAN, DAVID	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA
262	ADAM, CINDY	SAULT COLLEGE	SAULT COLLEGE
263	RECOLLECT, HOLLY	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP
267	CORBIERE, JOHN, ALLAN	G4S SECURITY	CROSS COUNTRY/ DAVEY HOME/SAULT HOSPITAL/ALGOMA UNIVERSITY
270	NOTTE, KYLE	ALGOMA CENTRAL PROP.	STATION MALL/STATION 49/STATION TOWER
274	DAVIS, JAMES	NORPRO SECURITY	ST MARY'S PAPER/SAULT COLLEGE/REGENT PROP.
275	EBARE, JAMES	G4S SECURITY	DAVEY HOME/SAULT HOSPITAL/308 FARWELL TERR/ALGOMA UNIVERSITY
276	SMITH, DENNIS, ROBERT	G4S SECURITY	DAVEY HOME/SAULT HOSPITAL/ALGOMA UNIVERSITY
280	LEE, MARSHA	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
281	LYPPS, ELEANOR	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
286	O'DELL, SEAN, MICHAEL	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
291	TRANDEMONTAGNE, JORI	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE/REGENT PROP.
296	MURDOCK, IESHA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ REGENT PROP.
297	SWIRE, WILLIAM, JAMES	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ REGENT PROP.
298	MANN, DUSTIN	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME
299	DIMMA, WILLIAM, GEORGE	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/ALGOMA UNIVERSITY
300	PAPINEAU, EVAN, LORNE	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
301	COTTINGHAM, EDWARD ALLEN	G4S SECURITY	SAULT HOSPITAL/DAVEY HOME/AIRPORT
305	CATLING, DAVID	NORTH EAST SECURITY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA/BELLVUE PARK & MARINA/STEE
307	GUREVITCH, JASON	NORTH EAST SECURITY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA/BELLVUE PARK & MARINA/STEE
308	BELL, TYLER	G4S SECURITY	SAULT HOSPITAL /ALGOMA UNIVERSITY
309	PIGEAU, EDWARD	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
310	MOORE, LORNE	NORPRO SECURITY	SAULT COLLEGE
314	AASEN, PAULINE	KOPRASH BUILDING SERVIC	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE
315	FITTON, MICHELLE	ALGOMA UNIVERSITY	1520 QUEEN STREET EAST
316	MCCULLOCH, BRANDON	G4S SECURITY	SAULT HOSPITAL/ALGOMA UNIVERSITY
320	PETTENUZZO, LUCAS	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/ELGIN TOWERS
321	LORENZO, COREY	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
325	HEALEY, KATRINA	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
327	POZZEBON, IAN	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH/ST MARY'S PAPER/REGENT PROPERTY
329	NOLAN, JESSE, JOHN	NORTH EAST SECURITY	CAMBRIAN MALL /PINE PLAZA/BELLVIEW MARINA/CHURCHILL PLAZA /STEELBACK
330	O'NEILL, ROY	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA
331	HAMILTON, SILVI	RIOCAN PROPERTY	CAMBRIAN MALL/PINE PLAZA/CHURCHILL PLAZA
333	LUCIER, ROBERT	CITY OF SAULT STE. MARIE	TRANSIT SERVICES AREAS
334	MILLER, BRADLEY	CITY OF SAULT STE. MARIE	TRANSIT SERVICES AREAS
335	GROSSO, DONALD	NORTH EAST SECURITY	CHURCHILL & PINE PLAZA/CAMBRIAN MALL
337	RENNISON, JEFF	NOR PRO SECURITY	GROUP HEALTH/SAULT COLLEGE
340	DAMIGNANI, MATTHEW	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
342	PICK, DENNY	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
343	CHILLMAN, JODI	NORPRO SECURITY	GROUP HEALTH/SAULT COLLEGE
344	HARPE, KENNETH	DAYS INN	DAYS INN HOTEL
345	SETCHELL, RODDY	NORTH EAST SECURITY	CAMBRIAN MALL/PINE & CHURCHILL PLAZA/STEELBACK/BELLEVUE MARINA
346	HAZELTON, MARGARET	CITY OF SAULT STE. MARIE	BELLEVUE MARINA
347	BEDELL, LUCAS	CITY OF SAULT STE. MARIE	BELLEVUE MARINA
348	LEWIS, PETER	NORPRO SECURITY	SAULT COLLEGE/GROUP HEALTH CENTRE/ELGIN TOWERS
349	CONWAY, GARY	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
350	HUSBAND, CHRISTOPHER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
351	MCLEOD, JENNIFER	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
352	O'CONNOR, DANIEL	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
353	RIPPLINGER, JAYSON	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
354	STEEVES, ROBERT	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
355	TYCZYNSKI, TAMARA	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES

BY-LAW 2007-206
PASSED 10 DEC 07

356	ZACK,MOLLI	NORPRO SECURITY	GROUP HEALTH CENTRE/SAULT COLLEGE/REGENT PROPERTIES
357	BONENFANT,TERRANCE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
358	COLLINS,LESLEE	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
359	DEVOE,DAVID	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
360	HALLIGAN,AGNES	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
361	HIGGINSON,HENRY	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
362	ROY,ERNEST	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
363	SMELTZER,LESLEY	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
364	SMELTZER,PETER	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
365	CLOUSTON,JOHN	SOLID SECURITY SERVICES	CAMBRIAN MALL/CHURCHILL PLAZA
366	TROINOW,VICTORIA	G4S SECURITY	SAULT AREA HOSPITAL/ALGOMA UNIVERSITY
367	MORIN,NATHAN	NORTH EAST SECURITY	STEELBACK CENTRE
368	WILLET,JORDAN	NORPRO SECURITY	SAULT COLLEGE
369	CARMICHAEL,MARY	ON FINNISH HOME ASS	FINNISH REST HOME
370	HANSEN,LOUIS	ON FINNISH HOME ASS.	FINNISH REST HOME
371	LAKE,ROBERT	ON, FINNISH HOME ASS.	FINNISH REST HOME
372	BENOIT,ALAIN	ON FINNISH HOME ASS.	FINNISH REST HOME
373	RISSANEN,ANJA	ON, FINNISH HOME ASS.	FINNISH REST HOME

1061

10(j)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-207

PARKING DIVISION: (P.1.2.4.) A by-law to appoint by-law enforcement officers to enforce the by-laws of the Corporation of the City of Sault Ste. Marie

WHEREAS from time to time persons have been appointed by-law enforcement officers;

THEREFORE the Council of the Corporation of the City of Sault Ste. Marie pursuant to section 15 of the *Police Services Act*, R.S.O. 1990, chapter p. 15 and amendments thereto, **ENACTS** as follows:

1. **SCHEDULE "A" TO BY-LAW 93-165 REPEALED**

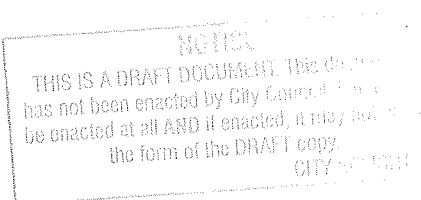
Schedule "A" to by-law 93-165 is hereby repealed and replaced with Schedule "A" attached to this by-law.

2. **EFFECTIVE DATE**

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

READ THREE TIMES and **PASSED** in Open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL



CITY CLERK - DONNA IRVING

SCHEDULE "A"

BY-LAW 2007-207
PASSED 10 DEC 2007

Don Scott	1
Art Gagnon	7
David Etchells	51 (Mechanic)
Renee Vanderklift	71
Frank Jolicoeur	72
Denise Garrett	78
Dan VanBakel	80
Alan Smith	81

10(k)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-209

PROPERTY SALE (P.4.6.390) to authorize the conveyance of
324 Second Line West to Peter L. Bortolussi In Trust

THE COUNCIL of The Corporation of the City of Sault Ste. Marie,
pursuant to the Municipal Act, S.O. 2001, C. 25, ENACTS as follows:

1. LANDS DECLARED SURPLUS

The lands more particularly described in Schedule "A" to this by-law are surplus to the requirements of the municipality.

2. SALE AUTHORIZED

The Corporation of the City of Sault Ste. Marie shall sell the lands more particularly described in Schedule "A" hereto to the person or persons (or such other person or companies directed) and at the consideration shown therefore in the Schedule upon the conditions set out in Schedule "A".

3. 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 all documents required to complete the sale.

4. SCHEDULE "A"

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

6. EFFECTIVE DATE

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

Read THREE TIMES and PASSED in open Council this 10th day of December,
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

CITY CLERK – DONNA P. IRVING

10(k)



**AGREEMENT OF PURCHASE AND SALE
(FOR USE IN THE PROVINCE OF ONTARIO)**



BUYER, PETER L. BORTOLUSSI IN TRUST. , agrees to purchase from
(Full legal names of all Buyers)

SELLER, THE CORPORATION OF THE CITY OF SAULT STE. MARIE. , the following
(Full legal names of all Sellers)

REAL PROPERTY:

Address 324 Second Line West fronting on the north side of Second Line West and fronting on the west side of Korah Road in the City of Sault Ste. Marie, District of Algoma and having a frontage of 151.40 feet on Second Line West and a frontage of 103.80 feet on Korah Road more or less and a depth of 132.99 feet at the westerly limit of the said parcel more or less and legally described as

Part Lot 18 and 19 RCP H625, Sault Ste. Marie being PIN 31594-0071 (R), shown on plan attached hereto (the "property")

(Legal description of land including easements not described elsewhere)

PURCHASE PRICE: ONE HUNDRED THIRTY-ONE THOUSAND-----xx/100Dollars
(CDN\$131,000.00)

DEPOSIT:

Buyer submits (Herewith) ONE HUNDRED -----xx/100Dollars (CDN\$100.00)
(Herewith/Upon acceptance)

by negotiable cheque payable to The Corporation of the City of Sault Ste. Marie to be held in trust without interest pending completion or other termination of this Agreement and to be credited toward the Purchase Price on completion. Buyer agrees to pay the balance in cash or by certified cheque, subject to the usual adjustments, to the Vendor on closing.

The Purchaser acknowledges that Parts 21, 22 and 23, 1R-10783, being parts contiguous to the south limit of the subject property with an aggregate width of 17 feet or part thereof, may be excluded from the subject property reducing the depth of the subject property to 116.30 feet more or less from north to south. The Purchaser agrees to accept the subject property with the minimum depth of 116.30 feet as aforesaid without any abatement in the purchase price.

The Purchaser is purchasing the subject property as Trustee and shall have the right to direct the Vendor as to how title is to be engrossed on the Transfer.

SCHEDULE(S) Plan attached hereto form(s) part of this Agreement.

1. **CHATELS INCLUDED:** .NIL

2. **FIXTURES EXCLUDED:** NIL

3. **RENTAL ITEMS:** The following equipment is rented and **not** included in the Purchase Price. The Buyer agrees to assume the rental contract(s), if assumable:
NIL.

4. **IRREVOCABILITY:** This Offer shall be irrevocable by Buyer until 5:00 p.m. on the 30th day
(Seller/Buyer)
of November, 2007., after which time, if not accepted, this Offer shall be null and void and the deposit shall be returned to the Buyer in full without interest.

10(k)

5. **COMPLETION DATE:** This Agreement shall be completed by no later than 6:00 p.m. on the 31ST day of January, 2008. Upon completion, vacant possession of the property shall be given to the Buyer unless otherwise provided for in this Agreement.

6. **NOTICES:** Any notice relating hereto or provided for herein shall be in writing. This offer, any counter offer, notice of acceptance thereof, or any notice shall be deemed given and received, when hand delivered to the address for service provided in the Acknowledgement below, or where a facsimile number is provided herein, when transmitted electronically to that facsimile number.

FAX No 705-949-7684 (For delivery of notices to Seller)

FAX No 705-759-5405 (For delivery of notices to Buyer)

7. **GST:** If this transaction is subject to Goods and Services Tax (G.S.T.), then such tax shall be in addition to the Purchase Price.
(Included in/in addition to)

If this transaction is not subject to G.S.T., Seller agrees to certify on or before closing, that the transaction is not subject to G.S.T.

8. **TITLE SEARCH:** Buyer shall be allowed until 6:00 p.m. on the day of closing, (Requisition Date) to examine the title to the property at his own expense and to satisfy himself that there are no outstanding work orders or deficiency notices affecting the property, that its present use (Commercial Serviced Vacant Land) may be lawfully continued and that the principal building may be insured against risk of fire. Seller hereby consents to the municipality or other governmental agencies releasing to Buyer details of all outstanding work orders affecting the property, and Seller agrees to execute and deliver such further authorizations in this regard as Buyer may reasonably require.

9. **FUTURE USE:** Seller and Buyer agree that there is no representation or warranty of any kind that the future intended use of the property by Buyer is or will be lawful except as may be specifically provided for in this Agreement.

10. **TITLE:** Provided that the title to the property is good and free from all registered restrictions, charges, liens, and encumbrances except as otherwise specifically provided in this Agreement and save and except for (a) any registered restrictions or covenants that run with the land providing that such are complied with; (b) any registered municipal agreements and registered agreements with publicly regulated utilities providing such have been complied with, or security has been posted to ensure compliance and completion, as evidenced by a letter from the relevant municipality or regulated utility; (c) any minor easements for the supply of domestic utility or telephone services to the property or adjacent properties; and (d) any easements for drainage, storm or sanitary sewers, public utility lines, telephone lines, cable television lines or other services which do not materially affect the present use of the property. If within the specified times referred to in paragraph 8 any valid objection to title or to any outstanding work order or deficiency notice, or to the fact the said present use may not lawfully be continued, or that the principal building may not be insured against risk of fire is made in writing to Seller and which Seller is unable or unwilling to remove, remedy or satisfy or obtain insurance save and except against risk of fire in favour of the Buyer and any mortgagee (with all related costs at the expense of the Seller) and which Buyer will not waive, this Agreement notwithstanding any intermediate acts or negotiations in respect of such objections, shall be at an end and all monies paid shall be returned without interest or deduction and Seller, Listing Broker and Co-operating Broker shall not be liable for any costs or damages. Save as to any valid objection so made by such day and except for any objection going to the root of the title, Buyer shall be conclusively deemed to have accepted Seller's title to the property.

11. **CLOSING ARRANGEMENTS:** Where each of the Seller and Buyer retain a lawyer to complete the Agreement of Purchase and Sale of the property, and where the transaction will be completed by electronic registration pursuant to Part III of the Land Registration Reform Act, R.S.O. 1990, Chapter L4 and the Electronic Registration Act, S.O. 1991, Chapter 44, and any amendments thereto, the

10(k)

Seller and Buyer acknowledge and agree that the exchange of closing funds, non-registrable documents and other items (the "Requisite Deliveries") and the release thereof to the Seller and Buyer will (a) not occur at the same time as the registration of the transfer/deed (and any other documents intended to be registered in connection with the completion of this transaction) and (b) be subject to conditions whereby the lawyer(s) receiving any of the Requisite Deliveries will be required to hold same in trust and not release same except in accordance with the terms of a document registration agreement between the said lawyers, the form of which is as recommended from time to time by the Law Society of Upper Canada. Unless otherwise agreed to by the lawyers, such exchange of the Requisite Deliveries will occur in the applicable Land Titles Office or such other location agreeable to both lawyers.

12. **DOCUMENTS AND DISCHARGE:** Buyer shall not call for the production of any title deed, abstract, survey or other evidence of title to the property except such as are in the possession or control of Seller. If requested by Buyer, Seller will deliver any sketch or survey of the property within Seller's control to Buyer as soon as possible and prior to the Requisition Date. If a discharge of any Charge/Mortgage held by a corporation incorporated pursuant to the Trust and Loan Companies Act (Canada), Chartered Bank, Trust Company, Credit Union, Caisse Populaire or Insurance Company and which is not to be assumed by Buyer on completion, is not available in registrable form on completion, Buyer agrees to accept Seller's lawyer's personal undertaking to obtain, out of the closing funds, a discharge in registrable form and to register same, or cause same to be registered, on title within a reasonable period of time after completion, provided that on or before completion Seller shall provide to Buyer a mortgage statement prepared by the mortgagee setting out the balance required to obtain the discharge, and, where a real-time electronic cleared funds transfer system is not being used, a direction executed by Seller directing payment to the mortgagee of the amount required to obtain the discharge out of the balance due on completion.
13. **INSPECTION:** Buyer acknowledges having had the opportunity to inspect the property and understands that upon acceptance of this Offer there shall be a binding agreement of purchase and sale between Buyer and Seller.
14. **INSURANCE:** All buildings on the property and all other things being purchased shall be and remain until completion at the risk of Seller. Pending completion, Seller shall hold all insurance policies, if any, and the proceeds thereof in trust for the parties as their interests may appear and in the event of substantial damage, Buyer may either terminate this Agreement and have all monies paid returned without interest or deduction or else take the proceeds of any insurance and complete the purchase. No insurance shall be transferred on completion. If Seller is taking back a Charge/Mortgage, or Buyer is assuming a Charge/Mortgage, Buyer shall supply Seller with reasonable evidence of adequate insurance to protect Seller's or other mortgagee's interest on completion.
15. **PLANNING ACT:** This Agreement shall be effective to create an interest in the property only if Seller complies with the subdivision control provisions of the Planning Act by completion and Seller covenants to proceed diligently at his expense to obtain any necessary consent by completion.
16. **DOCUMENT PREPARATION:** The Transfer/Deed shall, save for the Land Transfer Tax Affidavit, be prepared in registrable form at the expense of Seller, and any Charge/Mortgage to be given back by the Buyer to Seller at the expense of the Buyer. If requested by Buyer, Seller covenants that the Transfer/Deed to be delivered on completion shall contain the statements contemplated by Section 50(22) of the Planning Act, R.S.O. 1990.
17. **RESIDENCY:** Buyer shall be credited towards the Purchase Price with the amount, if any, necessary for Buyer to pay to the Minister of National Revenue to satisfy Buyer's liability in respect of tax payable by Seller under the non-residency provisions of the Income Tax Act by reason of this sale.

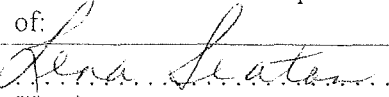
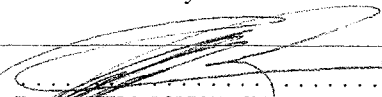


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Buyer shall not claim such credit if Seller delivers on completion the prescribed certificate or a statutory declaration that Seller is not then a non-resident of Canada.

18. **ADJUSTMENTS:** Any rents, mortgage interest, realty taxes including local improvement rates and unmetered public or private utility charges and unmetered cost of fuel, as applicable, shall be apportioned and allowed to the day of completion, the day of completion itself to be apportioned to Buyer.
19. **TIME LIMITS:** Time shall in all respects be of the essence hereof provided that the time for doing or completing of any matter provided for herein may be extended or abridged by an agreement in writing signed by Seller and Buyer or their respective lawyers who may be specifically authorized in that regard.
20. **TENDER:** Any tender of documents or money hereunder may be made upon Seller or Buyer or their respective lawyers on the day set for completion. Money may be tendered by bank draft or cheque certified by a Chartered Bank, Trust Company, Province of Ontario Savings Office, Credit Union or Caisse Populaire.
21. **FAMILY LAW ACT:** Seller warrants that spousal consent is not necessary to this transaction under the provisions of the Family Law Act, R.S.O. 1990 unless Seller's spouse has executed the consent hereinafter provided.
22. **UFFI:** Seller represents and warrants to Buyer that during the time Seller has owned the property, Seller has not caused any building on the property to be insulated with insulation containing ureaformaldehyde, and that to the best of Seller's knowledge no building on the property contains or has ever contained insulation that contains ureaformaldehyde. This warranty shall survive and not merge on the completion of this transaction, and if the building is part of a multiple unit building, this warranty shall only apply to that part of the building which is the subject of this transaction.
23. **AGREEMENT IN WRITING:** If there is conflict or discrepancy between any provision added to this Agreement (including any Schedule attached hereto) and any provision in the standard pre-set portion hereof, the added provision shall supersede the standard pre-set provision to the extent of such conflict or discrepancy. This Agreement including any Schedule attached hereto, shall constitute the entire Agreement between Buyer and Seller. There is no representation, warranty, collateral agreement or condition, which affects this Agreement other than as expressed herein. For the purposes of this Agreement, Seller means vendor and Buyer means purchaser. This Agreement shall be read with all changes of gender or number required by the context.
24. **SUCCESSORS AND ASSIGNS:** The heirs, executors, administrators, successors and assigns of the undersigned are bound by the terms herein.

Dated at Sault Ste. Marie, Ontario this 29th day of November, 2007.

SIGNED, SEALED AND DELIVERED in the presence of:	IN WITNESS whereof I have hereunto set my hand and seal:	
 (Witness)	 (Buyer) PETER L. BORTOLUSSI IN TRUST	DATE November 29, 2007 (Seal)

10(11)

I, the Undersigned Seller, agree to the above Offer.

Dated at Sault Ste. Marie, Ontario this day of ~~November, 2007~~ December, 2007

SIGNED, SEALED AND DELIVERED in the presence of:	IN WITNESS whereof I have hereunto set my hand and seal:	
(Witness)	The Corporation of the City of Sault Ste. Marie Per: (Seller) Authorized Signing Officer John Rowswell, Mayor (Seller) Authorized Signing Officer (I/we have authority to bind the Corporation.) Donna P. Irving, City Clerk	ζ DATE November , 2007 (Seal)

Seller's Lawyer Lorie Bottos, City Solicitor.	Buyer's Lawyer Peter L. Bortolussi
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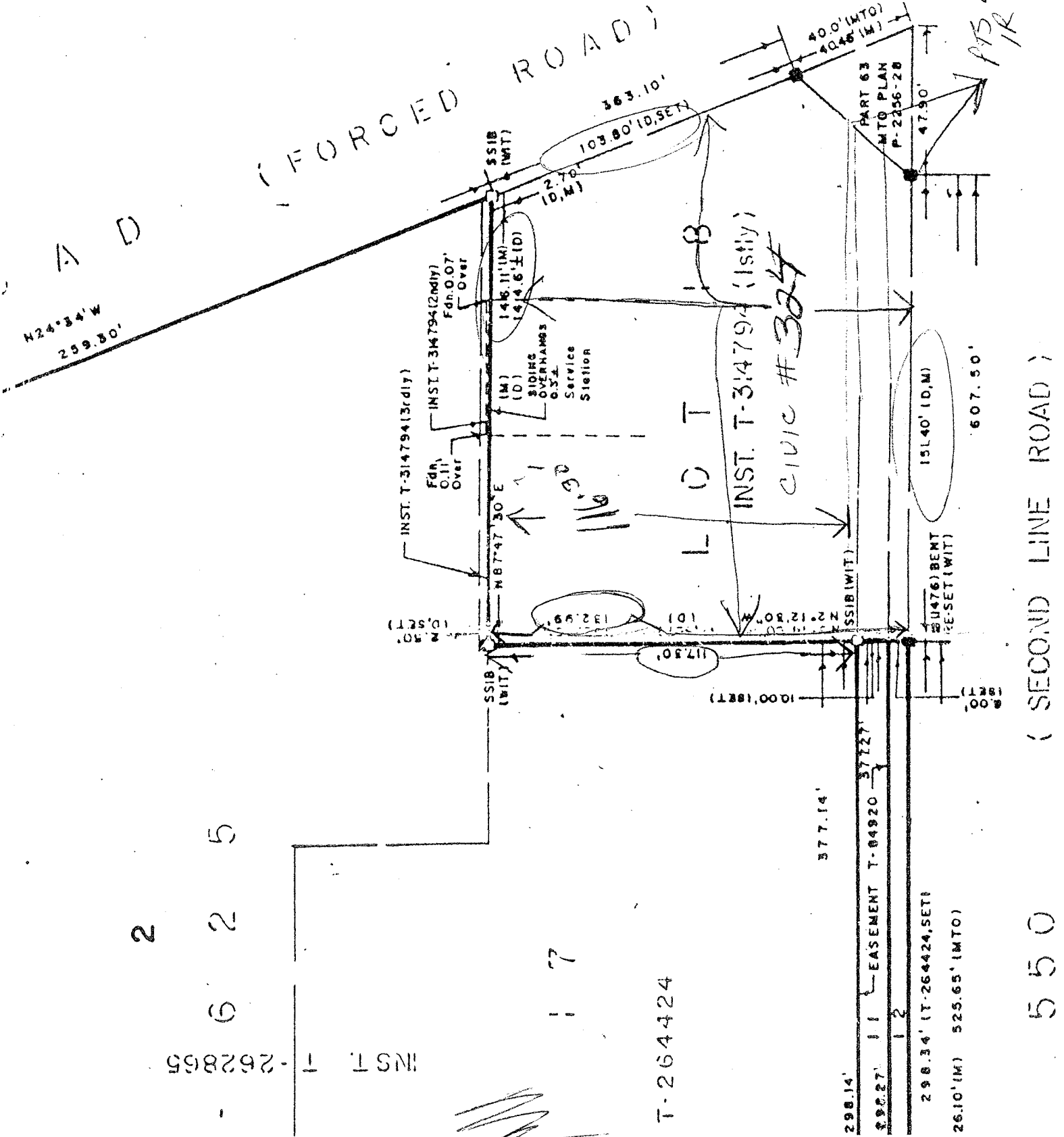
CHORDLINE - PLAN

TO AGREEMENT BORTOLUSSI IN TRUST

CITY OF SAINT STE MARIE

RE: #324 SECOND LINE WEST.

10(k)



10(4)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-216

SITE PLAN CONTROL: A by-law to repeal site plan control provisions imposed on the lands described as Civic Nos. 1513 and 1517 Korah Road

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P. 13 and amendments thereto, ENACTS as follows:

1. SITE PLAN CONTROL REPEALED ON THE LANDS DESCRIBED AS CIVIC NOS. 1513 AND 1517 KORAH ROAD

The site plan control provisions imposed on the lands located on the south side of Korah Road approximately 34m west of Cooper Street, being Civic Nos. 1513 and 1517 Korah Road and outlined and marked "subject property on the map attached as Schedule "A" hereto are hereby repealed.

2. SCHEDULE "A"

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

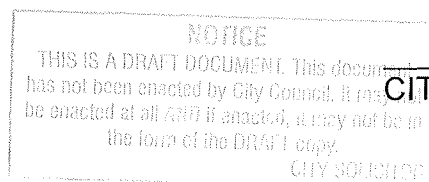
3. EFFECTIVE DATE

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

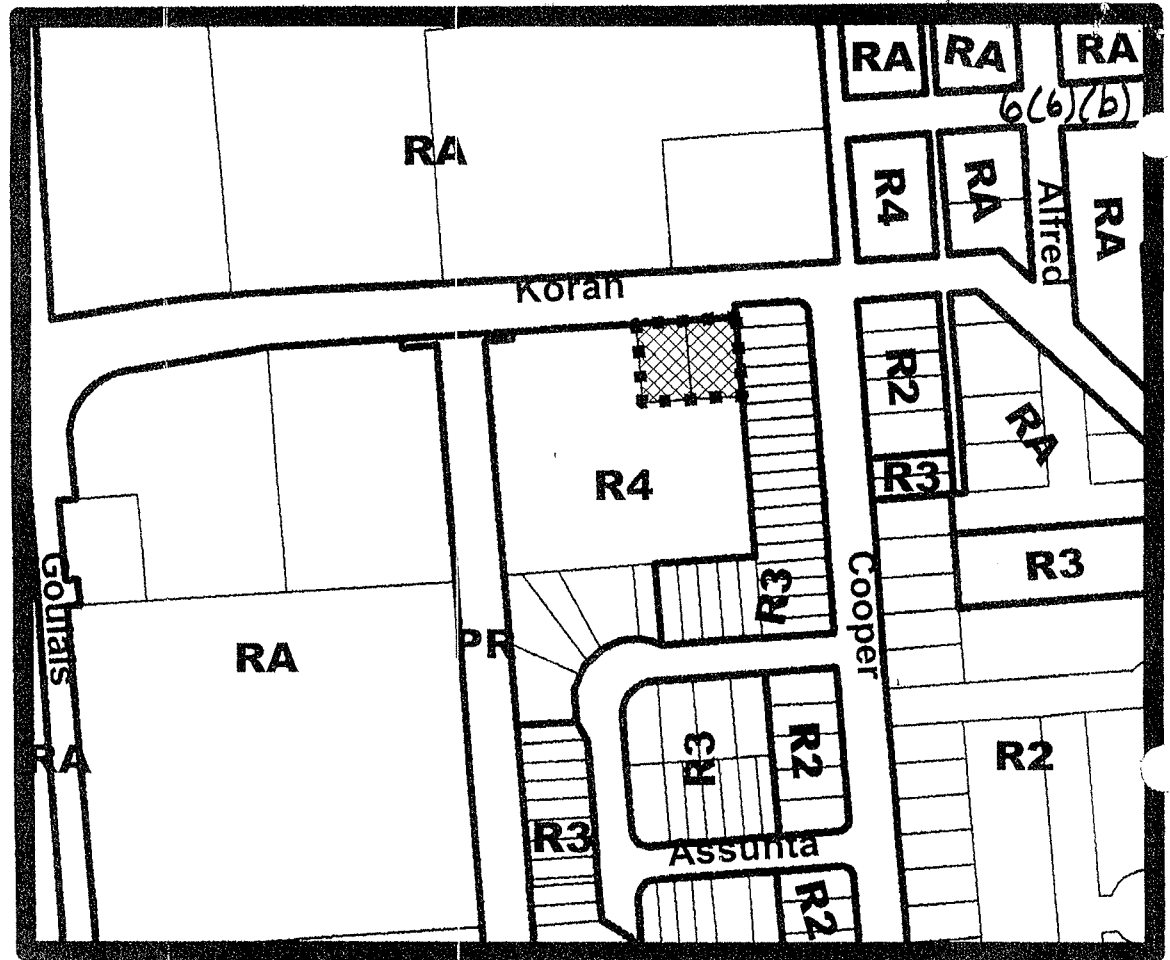
Read THREE times and PASSED in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



SCHEDULE "A" TO BY-LAW 2007-216 OF THE CORPORATION OF THE CITY OF
SAULT STE. MARIE READ THREE TIMES AND PASSED IN OPEN COUNCIL
THIS 10TH DAY OF DECEMBER, 2007



ZONING MAP

Zoning Application A-23-07-Z

1513 & 1517 Korah Road

 SUBJECT LAND - 1513 & 1517 Korah Road

 R2 - Single Detached Residential Zone

 R3 - Low Density Residential Zone

 R4 - Medium Density Residential Zone

 RA - Rural Area Zone; RAhp

 PR - Parks and Recreation Zone



Metric Scale
1 : 3000

Map 1-106

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-205

TEMPORARY STREET CLOSING: (S.2.) A by-law to permit the temporary closing of Foster Drive, Bellevue Park access road at Lake Street, and Shore Drive to facilitate various Bon Soo Events.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to section 11 of the Municipal Act 2001, S.O. 2001, c.25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY CLOSING OF FOSTER DRIVE FROM ST. MARY'S RIVER DRIVE TO SPRING STREET**

The Council hereby authorizes the closing to vehicular traffic of Foster Drive from St. Mary's River Drive to Spring Street (not including the Spring Street intersection) on the following date to facilitate various Bon Soo Events:

Friday, February 1, 2008 from 5 p.m. until 10 p.m.

Closure at Foster Drive and Elgin Street
Closure at Spring Street (at Northern Breweries)

There¹ will be NO other street closures for Bon Soo for Foster Drive. Ample parking will be made available to the public for Opening Night with no disruption of customer traffic to Dock's other than from St. Mary's River Drive. The only affected building for the five hours on Friday, February 1st would be the Ontario Realty Corporation.

Two Security Officers will be hired to assist with the large opening night crowd on Friday, February 1, 2008 at both St. Mary's River Drive and Spring Street closures.

Traffic access will NOT be interrupted after these designated times.

2. **TEMPORARY CLOSURE OF THE ACCESS TO BELLEVUE PARK AT SOUTH END OF LAKE STREET**

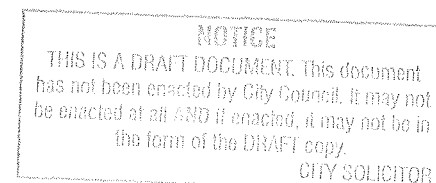
The Council hereby authorizes the closing to vehicular traffic of the access to Bellevue Park at the south end of Lake Street on the following dates and times to facilitate various Bon Soo Events:

Opening Weekend - Saturday, February 2, 2008 from 7 a.m. continuously to Sunday, February 3, 2008 at 10 p.m.

Closing Weekend - Saturday, February 9, 2008 from 7 a.m. continuously to Sunday, February 10, 2008 at 10 p.m.

Lake Street will remain open to traffic for residents of the street.

A security officer will be hired to control pedestrian traffic at that intersection.



3. **TEMPORARY CLOSURE OF SHORE DRIVE EAST OF PINE**

The Council hereby authorizes the closing to vehicular traffic of Shore Drive east of Pine Street (Winter Playground) from Friday, February 1, 2008 at 5 p.m. continuously to Sunday, February 10, 2008 at 10 p.m. to facilitate various Bon Soo Events.

A security officer will be hired to control pedestrian traffic at that intersection.

Public will have access to the first parking lot as well as access to the parking lots at the Ontario Forest Research Institute. The City is also allowing public parking at the Pine Street Marina.

4. **EFFECTIVE DATE**

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

READ THREE times and **PASSED** in open Council this 10th day of December, 2007.

!

MAYOR – JOHN ROWSWELL

CITY CLERK-DONNA P. IRVING

10(n)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-215

ZONING: A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 regarding lands located at 1513 and 1517 Korah Road.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P. 13 and amendments thereto, ENACTS as follows:

1. LOCATED ON SOUTH SIDE OF KORAH ROAD APPROXIMATELY 34M WEST OF COOPER STREET; CHANGE FROM R.4. TO R.3.

The zoning on the lands located on the south side of Korah Road approximately 34m west of Cooper Street having civic nos. 1513 and 1517 Korah Road and marked "subject property" on Map 1-106 of Schedule "A" to By-law 2005-150 is changed from R.4. Medium Density Residential Zone to R.3., Low Density Residential Zone.

2. EFFECT

The change in zone designation made by Section 1 hereof does not repeal, alter or amend By-law 2005-150 in respect of any lands other than those lands intended to be rezoned by this by-law.

3. BY-LAW 2005-150 CONTINUES TO APPLY

The provisions of By-law 2005-150 as amended hereby, continue to apply are consistent with this by-law or higher or more restrictive or onerous requirements are imposed hereby.

4. SCHEDULE "A"

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

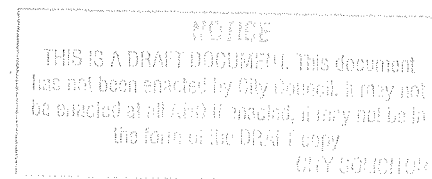
5. CERTIFICATE OF CONFORMITY

It is here 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.

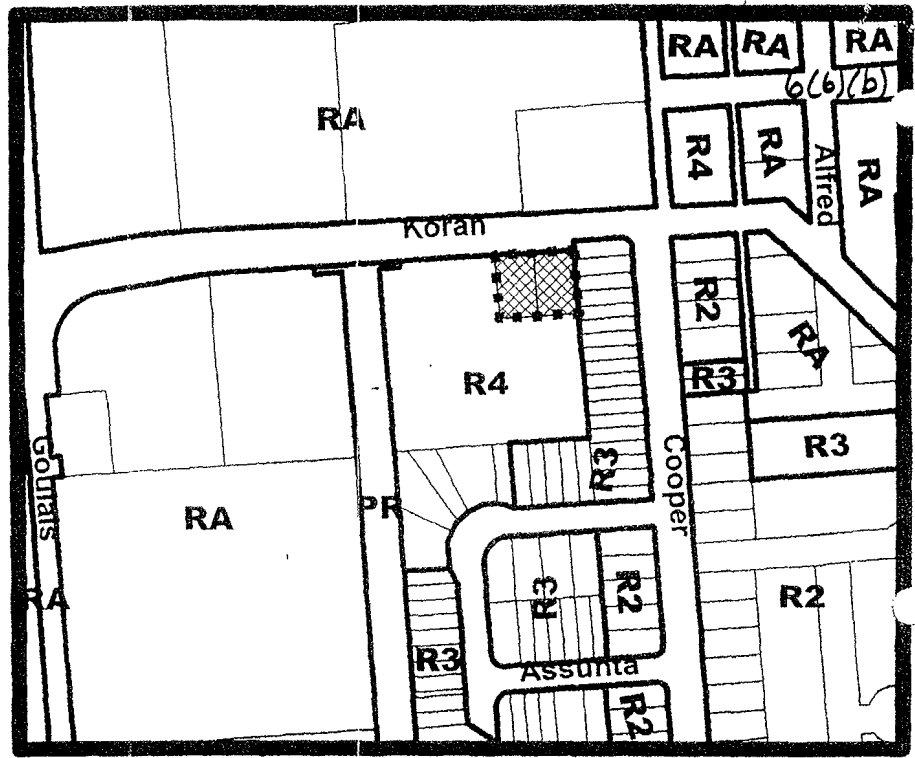
Read THREE times and PASSED in open Council this 10th day of December, 2007.

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING



SCHEDULE "A" TO BY-LAW 2007-215 OF THE CORPORATION OF THE CITY OF SAULT STE MARIE READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 10TH DAY OF DECEMBER, 2007.



ZONING MAP

Zoning Application A-23-07-Z

1513 & 1517 Korah Road

- SUBJECT LAND - 1513 & 1517 Korah Road
- R2 - Single Detached Residential Zone
- R3 - Low Density Residential Zone
- R4 - Medium Density Residential Zone
- RA - Rural Area Zone; RAhp
- PR - Parks and Recreation Zone



Metric Scale
1 : 3000

Map 1-106

1060

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2007-218

ZONING: A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning property at Civic No. 873 Second Line East

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 34 of the Planning Act, R.S.O. 1990, Chapter P. 13 and amendments thereto, ENACTS as follows:

1. SOUTH SIDE OF SECOND LINE EAST APPROXIMATELY 490 METRES EAST OF OLD GARDEN RIVER ROAD; CHANGE FROM R.A. TO M.1

The zone designation on the lands described as Civic No. 873 Second Line East and shown on Map No. 1-77 of Schedule "A" to By-law 2005-150 and also shown outlined and marked "subject property" on the map attached as Schedule "A" to this by-law is changed from R.A. Rural Area Zone to M.1. Light Industrial Zone.

2. EFFECT

The change in zone designation made by Section 1 hereof, does not repeat, alter or amend By-law 2005-150 in respect of any lands other than those lands intended to be rezoned by this by-law.

3. BY-LAW 2005-150 CONTINUES TO APPLY

The provisions of By-law 2005-150 as amended hereby, continue to apply are inconsistent with this by-law or higher or more restrictive or onerous requirements are imposed hereby.

4. SCHEDULE "A"

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

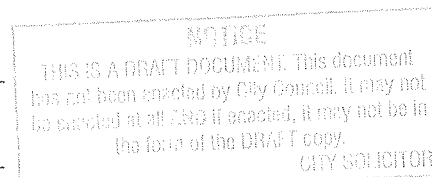
5. CERTIFICATE OF CONFORMITY

It is here 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. 140.

Read THREE times and PASSED in open Council this 10th day of December, 2007.

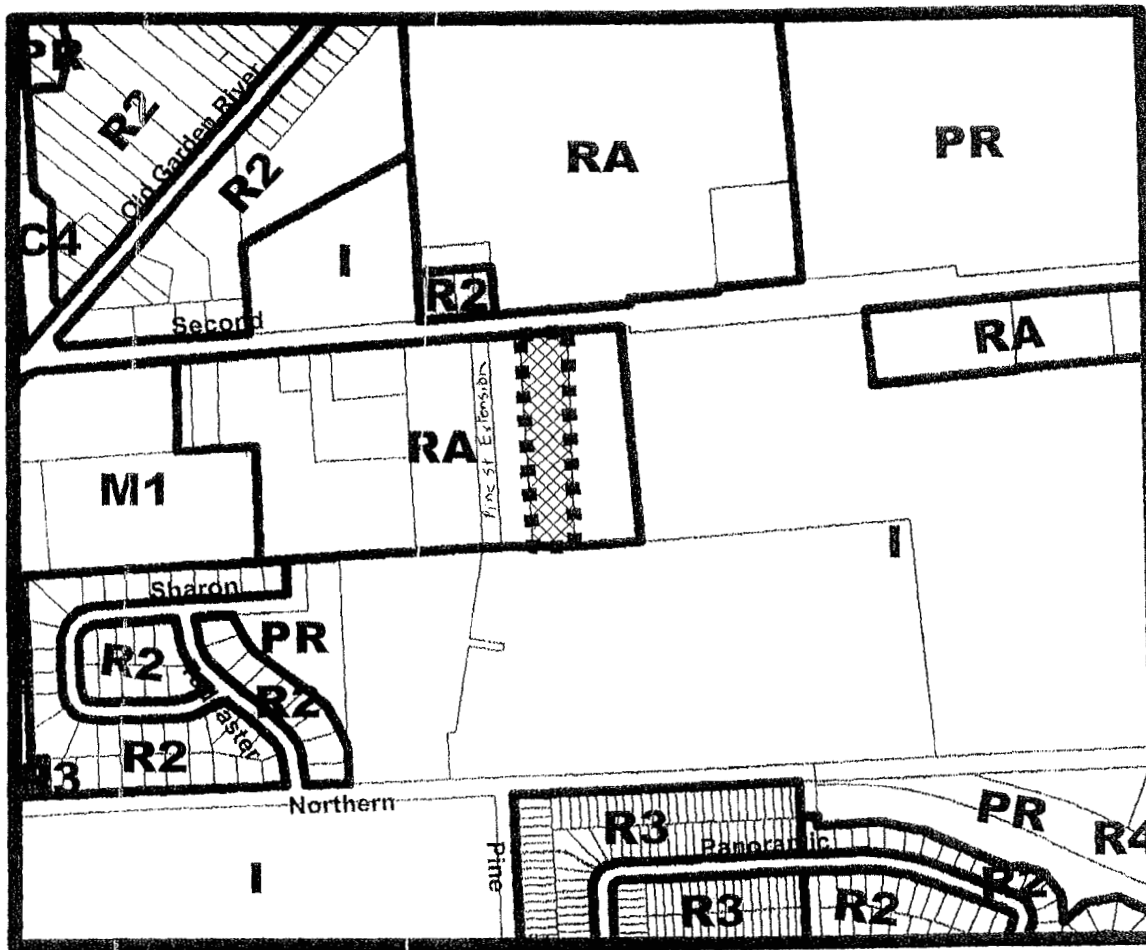
MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

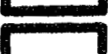


106)

SCHEDULE "A" TO BY-LAW 2007-218 OF THE CORPORATION OF THE CITY OF SAULT STE. MARIE READ THREE TIMES AND PASSED IN OPEN COUNCIL THIS 10TH DAY OF DECEMBER, 2007.



EXISTING ZONING MAP

-  Subject Property - 873 Second Line E
-  C4 - General Commercial Zone
-  HZ - Highway Zone
-  M1 - Light Industrial Zone
-  R2 - Single Detached Residential Zone
-  R3 - Low Density Residential Zone
-  RA - Rural Area Zone; RAhp

Application
A-32-07-Z-OP

Metric Scale
1 : 6500



Maps
1-72 & 1-77

LOCAL IMPROVEMENT: 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 under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" & "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering & Planning.
2. The Commissioner of Engineering & Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering & Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the instalment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this 10th day of December, 2007

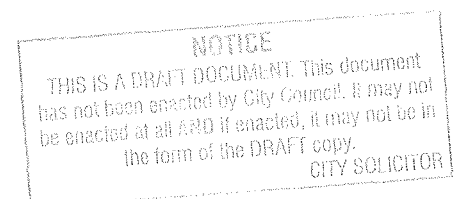
MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

FIRST reading: October 15, 2007

SECOND reading: October 15, 2007

THIRD reading: December 10, 2007



CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2007-168

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-5-06	Retta Street	Wellington Street East	Mark Street	470m	250mm	37	613.9m	\$29,666.91

CR/al
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CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2007-168

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-7-06	Retta Street	Wellington Street East	Mark Street	470m	10.0m	n/a	688.6m	\$54,743.53

CR/al
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1040

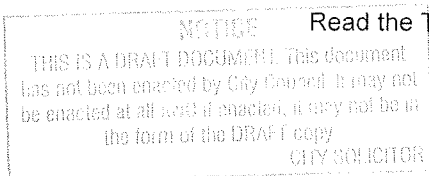
LOCAL IMPROVEMENT: A by-law to authorize the construction of sanitary sewer and private drain connections on Wellington Street East from Trunk Road to Simpson Street Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03

WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedule "A" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering & Planning.
2. The Commissioner of Engineering & Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering & Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the instalment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedule "A" forms a part of this by-law.
11. This by-law comes into force on the day of its final passing.



Read the THIRD time and PASSED in open Council this 10th day of December, 2007

MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

FIRST reading: October 15, 2007
SECOND reading: October 15, 2007
THIRD reading: December 10, 2007

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2007-169

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2007-5-07	Wellington Street East	Trunk Road	Simpson Street	1200m	250-450mm	110	1552.86m	\$77,762.50

CR/al
2007 10 15

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LOCAL IMPROVEMENT: 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 under Section 3 of the Municipal Act, 2001, Ontario Regulation 119/03

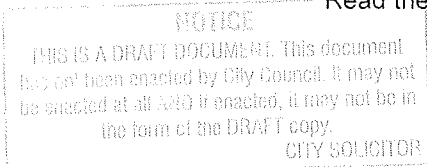
WHEREAS notice of the intention of the Council to undertake the works hereinafter described was duly published and served more than one month prior to the passing of this by-law; and

WHEREAS the Council has received the reports, estimates and statements required for undertaking the said works.

THEREFORE the Council of The Corporation of the City of Sault Ste. Marie ENACTS as follows:

1. The Corporation shall construct the works described in Schedules "A" & "B" hereto as local improvements under the said Act and in accordance with Plans and specifications furnished by the Commissioner of Engineering & Planning.
2. The Commissioner of Engineering & Planning shall forthwith make such plans, profiles and specifications and furnish such information as may be necessary for the construction and completion of the said works.
3. The construction and completion of the said works shall be performed under the superintendence and in accordance with the directions and orders of the Commissioner of Engineering & Planning.
4. The Commissioner of Finance/Treasurer may agree with any bank or person for temporary borrowing of money to meet the cost of the works pending completion thereof.
5. The sum of \$30.50 per metre frontage shall be specially assessed upon the lots abutting directly on the said sanitary sewers, according to the extent of their respective frontages thereon, and the sum of \$304.00 shall be specially assessed upon each of such lots served by a private drain connection from any of such sanitary sewers to the street line and the remainder of the cost of the work shall be borne by the Corporation.
6. The sum of \$79.50 per metre frontage shall be specially assessed upon the lots abutting directly on the Class "A" pavement according to the extent of their respective frontages thereon and the remainder of the cost of the works shall be borne by the City.
7. The special assessments shall be paid in one payment by December 31st of the current year or in the alternative by ten equal annual instalments.
8. The debentures to be issued for the loan to be effected to pay the cost of the works when completed shall bear interest at such rate as the Council may determine and be made payable within ten years on the instalment plan.
9. Any person whose lot is specially assessed may commute for a payment in cash in accordance with By-law 69-436 the special rates imposed on such lot.
10. The said Schedules "A" and "B" form a part of this by-law.
11. This by-law comes into force on the day of its final passing.

Read the THIRD time and PASSED in open Council this 10th day of December, 2007



MAYOR – JOHN ROWSWELL

CITY CLERK – DONNA P. IRVING

FIRST reading: October 15, 2007
SECOND reading: October 15, 2007
THIRD reading: December 10, 2007

CORPORATION OF THE CITY OF SAULT STE. MARIE
SANITARY SEWER AND PRIVATE DRAIN CONNECTIONS - SECTION 3

SCHEDULE "A"

BY-LAW 2007-170

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>SIZE</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-5-08	Franklin Street	Henrietta Street	Wallace Terrace	335.0m	250mm	36	506.2m	\$26,688.03

CR/al
2007 10 15

10/15

CORPORATION OF THE CITY OF SAULT STE. MARIE
CLASS "A" PAVEMENT - SECTION 3

SCHEDULE "B"

BY-LAW 2007-170

<u>JOB NUMBER</u>	<u>STREET</u>	<u>FROM</u>	<u>TO</u>	<u>LENGTH</u>	<u>WIDTH</u>	<u>#OF P.D.C.</u>	<u>ASSESSABLE FRONTAGE</u>	<u>ESTIMATED COST</u>
A-2006-7-08	Franklin Street	Henrietta Street	Wallace Terrace	335.0m	10.0m	n/a	480.6m	\$37,969.27

CR/al
2007 10 15

1067

10(s)

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 SUPPLUS

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

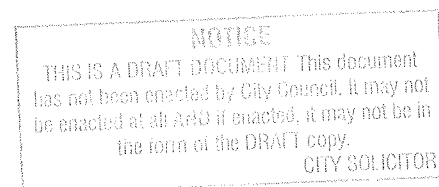
The Mayor and the Clerk are hereby authorized for and in the name of the Corporation to execute and to affix the seal of the Corporation to all documents required to give effect to this by-law.

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.

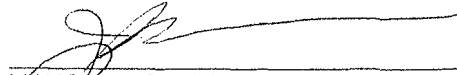


10(s)

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 10th day of December 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

10(s)

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)

