

ADDENDUM
REGULAR MEETING OF CITY COUNCIL

2010 09 13

4:30 P.M.

PART ONE – CONSENT AGENDA

3. APPROVE ADDENDUM AS PRESENTED

Mover: Councillor B. Hayes
Seconded: Councillor L. Turco

Resolved that the Addendum for the 2010 09 13 City Council meeting as presented be approved.

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

(q) Correspondence from the Commissioner, Ontario Provincial Police and the Mayor of Kingston are attached for the information of Council.

(r) Appointments to Boards and Committees

Mover: Councillor B. Hayes
Seconded: Councillor L. Turco

Resolved that citizens Richard Fiacconi, Deane Stinson and Jillian Wilson be appointed to the Compliance Audit Committee from December 1, 2010 to November 30, 2014.

6. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

(5) LEGAL AND LEGISLATIVE

(5)(b) Third Reading of By-law 2010-61 Being a By-law to Stop and Close Up a Lane in the Laird Subdivision

Further correspondence is attached for the information of Council.

(6) **PLANNING**

- (6)(f) **Application No. A-15-10-Z.OP – 225927 Ontario Inc. – Located 50 Linda Road – Requesting Rezone From Residential to Commercial and to Rezone Blocks 'A' and 'B' From "R.2" (Single Detached Residential) Zone to "C.4" (General Commercial) Zone with Special Exception**

An additional report is attached for the consideration of Council.

Mover: Councillor B. Hayes

Seconder: Councillor S. Butland

Resolved that agenda item 6(6)(f) be deferred to the 2010 09 27 Council meeting.

5(q)



Office of the Commissioner

*Mr. Joseph M. Fratesi
Chief Administrative Officer
Corporation of the City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie ON P6A 5X6*

Dear Mr. Fratesi:

Joe

*As Commissioner of the Ontario Provincial
Police, and on behalf of our 8,900 members, I extend my
deepest condolences to you and the members of the
Corporation of the City of Sault Ste. Marie council,
following the passing of Mayor John Rowswell.*

*The City of Sault Ste. Marie and its citizens have
suffered a tremendous loss. May you and the council
members find comfort in remembering the camaraderie
shared with Mayor Rowswell and by honouring his
dedication to public service.*

*Our thoughts and prayers are with the Rowswell
family and with the council members of the Corporation
of the City of Sault Ste. Marie.*

Yours sincerely,

Chris D. Lewis

*September 3, 2010
Orillia, Ontario*

/dmw

5(9)



Office of the Mayor

September 2, 2010

Mr. Malcolm White
City Clerk; City of Sault Ste. Marie
Level IV – Civic Centre
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, ON P6A 5N1

Dear Mr. White,

On behalf of City Council, I would like to extend my sincerest condolences to you and the fine citizens of Sault Ste. Marie on the passing of your Mayor John Rowsell.

I can only imagine the impact that his passing has had on your community. I recall meeting him at an event in Toronto. His love for his home city was quite evident. It is my hope that your many happy memories bring comfort to you and the people of Sault Ste. Marie during this difficult time.

Sincerely,

Harvey Rosen,
Mayor



The Corporation of the City of Kingston
216 Ontario Street, Kingston, Ontario K7L 2Z3
www.cityofkingston.ca e-mail: hrosen@cityofkingston.ca
(613) 546-4291 ext. 1400 fax (613) 546-5133

Kingston:
Canada's
First Capital

9 e-mails in support of Laird lane closure received by S. Myers

Hello Susan

Rob and I have provided the attachment (letter shown last in the e-mail) to all of the neighbours affected by the closure along with a copy of the petition to read. We wanted to be sure they clearly understood what they would be signing when they were presented with the original petition to sign. We also provided Sandy's number so that they could obtain answers to their questions and concerns from someone other us, as we obviously are in agreement to close the lane.

Please let me know if you need anything further.

Sincerely

Nancy Leindecker

(The following is a Letter to neighbors hand delivered December 17, 2009)

Re: Lane closure and purchase of lane property

Dear Neighbour

We would like to ask the Corporation of the City of Sault Ste Marie to close public access to the lane which runs from Borron to MacDonald, (Subdivision-Laird, Plan No. 71), such as motorcycles, 4 wheelers, trucks, etc. In the event the city closes the lane, land owners would have the option of purchasing ½ of the laneway which is abutting to their property. The cost of this purchase would be the surveyor's fee (see attached) and any fee for the land which the City may require. A petition will be circulated which will provide you with several options. If you have any questions regarding this matter, you may direct them to Sandy Davidson, Property Data Analyst, with the Corporation of the City of Sault Ste Marie at 759-5408. Please read the following carefully to ensure you understand the process and the responsibilities attached to your signature on the petition.

Once the Petition is complete, the City will circulate it to the Civic Officials for their comments and give it first and second readings by City Council. The lane closure will then be advertised for four subsequent weeks. A draft survey plan will be requested. Upon receipt of the draft plan, the City will give final reading of the closing by-law. The City will prepare the respective deeds at no cost to the abutting owners. The City shall retain or grant easements for present and future use by the City or by utilities companies at its discretion. They may restrict the improvements on the allowed easements. All deeds, easements and other documents will be prepared by the City Solicitor at no cost to the owners. However, the City does reserve the right to charge for the land where circumstances indicate that the value of the part of the land is more than normal.

If the City proceeds with the closure, they will offer the full width of the lane to an abutting owner where the owner on the opposite side has not responded within 30 days of receiving a request to pay his proportionate share of the survey.

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Attached is a copy of the petition and the surveyor's fees for you to review. The original petition will be brought to you personally by Rob Spina or Nancy Leindecker for your signature.

Sincerely

Rob and Connie Spina
Nancy and Scott Leindecker

61 Borron Ave
65 Borron Ave.

From: Donald Walimaki [dwalimaki@gmail.com]

Sent: Thu 9/9/2010 8:14 PM

To: Susan Myers

Cc:

Subject: Re: Lane closure

Attachments:

[View As Web Page](#)

Further to our telephone discussion on Sept. 8 re the closure of the lane running from Borron to MacDonald streets I confirm my interest in seeing the laneway closed. I have sold my property at 71 Summit Ave. with a closing date of Sept. 15 and would like to see all loose ends tied up at that time with regard to the laneway. I have over the recent past years kept the grass cut in the portion of the lane behind my property and can say that I have not noticed anyone using the lane as a thoroughfare or for accessing properties adjacent to it. Your support in this matter is appreciated.

Donald Walimaki

From: Chuck Toplis [ctoplis@sympatico.ca]

Sent: Tue 9/7/2010 8:48 AM

To: Susan Myers; Terry Sheehan

Cc:

Subject: Lane closure

Attachments:

[View As Web Page](#)

6(5)(b)

Good morning,

I live at 44 Laird St. and am in favour of closing the laneway between Laird & Summit Sts.

Back in November 2009, Rob Spina began the process of contacting everyone who lives on the three streets that would be affected with the closure. Once everyone was notified and signed the necessary documents, the petition was presented to the city and a surveyor was hired in the summer of 2010 to complete the necessary work to outline which parcels would be available to those who were interested in acquiring their part of the laneway and adding it to their property.

We just recently returned from holidays to be informed that not only after everyone had agreed to the closure but had also paid in full for their respective obligations, that there is now one person who had also agreed to the closure and paid for their portion of the survey who is now saying they are against the closure of the laneway.

This is absolutely ludicrous that *someone who had over eight months to raise any concerns, agreed in writing to the closure and even paid their portion of their obligation to do so is now contesting this.*

Everyone involved proceeded in good faith with this process knowing that all of their neighbours were on board with what the area was doing. Some have even filled in large ruts in the laneway and planted grass to enhance the property.

My opinion is that everyone had more than ample time to raise any concerns about this during the last eight months and for someone to try and scuttle the project now is vindictive, irresponsible and is acting with extreme prejudice for some personal gain.

Please do not allow this travesty to happen!

Sincerely,

Chuck Toplis,
44 Laird St.
Sault Ste. Marie, Ont.
P6B 2R9

From: Dan Tremblay [dktremblay@hotmail.com]

Sent: Wed 9/8/2010 4:34 PM

To: Susan Myers

Cc:

Subject: Lane closure

Attachments:

[View As Web Page](#)

6(5)(b)

Hello! I'm sending this e-mail to show support for the closure of the Summit/Laird laneway as I will not be able to attend City Council. Thank you!

Dan Tremblay

From: Susan [susanmyers@shaw.ca]

Sent: Mon 8/30/2010 4:41 PM

To: Susan Myers

Cc:

Subject: Supporting the laneway between Laird and Summit

Attachments:

[View As Web Page](#)

Shirley Armstrong 949-0188 40 Laird Street

I support the laneway being closed.

From: D Jurko [jurko.fam@sympatico.ca]

Sent: Fri 9/10/2010 3:32 PM

To: Susan Myers

Cc:

Subject: Fw: Lane closure 3rd reading on Sept 13

Attachments:

[View As Web Page](#)

Re: Foot lane abutting lots 49 - 68 Summit Ave.

As homeowners residing at 91 Summit Ave.,(lot 56) we fully support the closing of the laneway that runs behind our house.

Sincerely

D. Jurko

M. Jurko

6(5)(b)

From: Nancy and Brent Riggs [rbnjriggs@shaw.ca]
To: Susan Myers
Cc:
Subject: 3rd Reading of the Laneway Closure for Summit Ave/Laird St.
Attachments:

Sent: Sat 9/11/2010 11:58 AM

[View As Web Page](#)

To Ms. Susan Myers,

I am the homeowner of 99 Summit Ave. I had recently purchased the laneway and the neighbours behind me in August, 2010 for \$400. Mr. Rob Spina had come to me back in November of 2009 to have the processe started with the other neighbours to have the laneway closed. All the neighbours had signed the petition to purchase thier share of the laneway and have it closed. There was a set date for the neighbours to oppose to not have the laneway closed. Everyone on Summit Ave and Laird St had purchased thier share of the laneway and agreed to have it closed. Until recently, Mr. Spina had approached me and mentioned that one neighbour who had purchased the laneway decided that they did not want to have it closed. This neighbour decided months after the deadline to wish that the laneway not be closed. I strongly agree to have the laneway closed since I've purchased both piecies of property. If it has been decided to keep the laneway open than I would like my \$400 dollars returned to me.
Thank you for your time and understanding.

Mrs. Nancy Riggs
254-2931

From: Ciotti, Richard [Richard.Ciotti@td.com]
To: Susan Myers; Terry Sheehan
Cc: 'Krista Ciotti'
Subject: Lane way closure
Attachments:

Sent: Fri 9/10/2010 3:24 PM

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Good day Susan and Terry... I hope all is well!

On Monday, September 13th, City Council will be hearing the 3rd reading for " the closure of a Laneway " that stretches through the rear of residential properties from Mac Donald Avenue to Borrton Avenue. (Parallel to Laird Street and Summit Avenue).

I am writing this letter on behalf of my daughter Krista Ciotti who is the owner of Lot 54 - 83 Summit Avenue. Krista resides in Australia and I have her Power of Attorney to represent her on this matter.

The purpose of this letter is to garner support from the both of you to consider approving the application for closure when the vote request is before Council.

It is my understanding that the City does want to close existing laneways as they are a burden and costly to maintain.

It is also my understanding that in the beginning of the application process, all residents (19) were in favour of this application. However, there may be an objection heard at the Council meeting on September 13th.

Krista has maintained (free of charge) the parcel of city laneway since she has owned the property and now has committed to purchasing her portion of the laneway parcel once the City has authorization to sell off.

It certainly makes perfect sense to follow through with the City plan to close lanes within the City holdings

6(5)(b)

unless there is a strong and majority objection by the affected residents.. which in this case is not apparent.

Thank you for your leadership in the past and I trust and accept your decision on Monday.

Yours truly, Richard

Richard Ciotti, Branch Manager

TD Canada Trust 44 Great Northern Road

Sault Ste. Marie P6B 4Y5 Office: 705-254-7355 Ext. 250 Fax: 705-254-4600

Email: Richard.Ciotti@TD.Com

6(5)(b)

Malcolm White

From: Susan Myers
Sent: September 13, 2010 1:03 PM
To: Malcolm White; Rachel Tyczinski
Subject: Another one re lane closure

Diane Thomas 32 Laird Street 942-8722 very supportive of the lane closure, they have purchased the property offered to them by the lane closure.

J. Susan Myers
City Councillor Ward Two
313 MacDonald Ave. Apt. 505
Sault Ste. Marie, ON P6B5Y9
705.256-6128

6(5)(b)

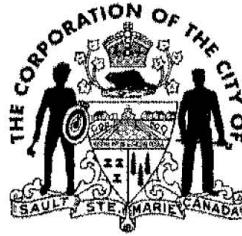
Malcolm White

From: Susan Myers
Sent: September 13, 2010 12:15 PM
To: Malcolm White; Rachel Tyczinski
Cc: RSpina@olg.ca
Subject: One more support e-mail re Lane Closure

Dear Malcom/Rachel,

I received a phone call this morning from the son of Mrs. Lucy Pintaric who resides at 75 Summit Ave. Due to a language issue, he made the call while at his Mother's home to express her very strong support FOR the lane closure. Please include this with the others for City Council's awareness.

J. Susan Myers
City Councillor Ward Two
313 MacDonald Ave. Apt. 505
Sault Ste. Marie, ON P6B5Y9
705.256-6128



2010 09 13

REPORT OF THE ENGINEERING & PLANNING DEPARTMENT

PLANNING DIVISION

TO:

Acting Mayor Lorena Tridico
and Members of City Council

SUBJECT:

Application No. A-15-10-Z.OP – filed by
2252927 Ontario Inc.

SUBJECT PROPERTY:

Location – Rear lands located on the east side of Great Northern Road, approximately 0.62 km north of Second Line (adjacent to Home Depot), civic no. 50 Linda Road (Block 'B'), a portion of Linda Road (un-opened) (Block 'A'), and the rear portion of 622 Great Northern Road (Block 'C').

Size – Block 'A' – approximately 94m (308') x 21m (69'); Block 'B' – approximately 85.8m (281.39') frontage x 84.9m (278.50') depth; 0.72 ha (1.79 acres); Block 'C' – approximately 94m (308') x 61.0m (200')

Present Use – Vacant

Owner – Block 'A' – The City of Sault Ste. Marie; Block 'B' and 'C' – Donna Gail Christie

REQUEST:

The applicant, 2252927 Ontario Inc., is requesting to amend the City's Official Plan to designate the subject properties from Residential to Commercial, and to rezone Blocks 'A' and 'B' from "R.2" (Single Detached Residential) zone to "C.4" (General Commercial) zone with a Special Exception limiting the number of permitted uses, to facilitate future commercial development.

6(6)(f)

Comments

The applicant's representative has indicated that the applicant will be unable to attend the Council meeting and has requested the application be deferred to a later date. The applicant has advised that they wish to defer the application to September 27th, 2010.

Planning Director's Recommendation

That City Council defer this application to September 27th, 2010.

ST/pms

PUBLIC NOTICE – 2010 09 13, Council Chambers, Civic Centre

RECOMMENDED FOR APPROVAL

Joseph M. Fratesi
Chief Administrative Officer

6(6)(f)

Steve Turco

From: Alba Bourdages [abourdages@wishartlaw.com]
Sent: September 13, 2010 11:20 AM
To: Steve Turco; Gordon Acton
Subject: Hearing

Hi Steve

Further to our telephone attendance this is to confirm our instructions to defer the Hearing on the Great Northern Road property for the next scheduled hearing, September 27, 2010.

Thank you for your assistance with this matter.

Alba Bourdages

Legal Assistant
Wishart Law Firm, LLP
390 Bay Street, 5th Floor
Sault Ste. Marie, On P6A 1X2
Phone: 705-949-6700
Fax: 705-949-2465

09/13/10

