

REGULAR MEETING OF CITY COUNCIL AGENDA

Monday, July 13, 2015

4:30 p.m.

Council Chambers

Civic Centre

	Pages
1. ADOPTION OF MINUTES	13 - 27
Mover Councillor S. Butland Seconder Councillor J. Krmpotich	
Resolved that the Minutes of the Regular Council Meeting of 2015 06 22 be approved.	
2. QUESTIONS AND INFORMATION ARISING OUT OF THE MINUTES AND NOT OTHERWISE ON THE AGENDA	
3. DECLARATION OF PECUNIARY INTEREST	
4. APPROVE AGENDA AS PRESENTED	
Mover Councillor P. Christian Seconder Councillor J. Krmpotich	
Resolved that the Agenda for 2015 07 13 City Council Meeting as presented be approved.	
5. PROCLAMATIONS/DELEGATIONS	
5.1 Kiwanis International Year	
Vicky Roy, President of the Sault Ste. Marie Kiwanis Club and Ford Upton, President of the Kiwanis Club of Lakeshore	
6. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES	
Mover Councillor S. Butland	

Seconder Councillor J. Krmpotich

Resolved that all the items listed under date 2015 07 13 – Part One – Consent Agenda be approved, save and except item 6.17.

6.1 Street Closing – Back to School Carnival 28 - 34

A letter of request for a temporary street closing in conjunction with The Summit Community Church – Back to School Carnival is attached for the consideration of Council.

- Queen Street East from Elgin Street to Bruce Street – August 29, 2015 from 10:30 a.m. to 1:30 p.m.

The relevant By-law 2015-132 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.2 Tenders for Equipment 35 - 40

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

Mover Councillor P. Christian
Seconder Councillor J. Krmpotich

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- One (1) Diesel Riding Mower – Northshore Tractor Ltd. \$21,678.53 c/w Front Mower Deck
- One (1) 15000 GVW Diesel – Allan Fyfe Equipment Ltd. \$153,782.00 Signalier Platform Lift
- One (1) Municipal Tractor – Work Equipment Ltd. \$162,055.0 c/w Snowblower, Plows & Sweeper
- Two (2) 58000 GVW Tandem Trucks – TMS Truck Centre Ltd. \$378,820.12 c/w Plow, Wing, Harness & Dump Box

for a total amount of \$716,335.65 (H.S.T. extra) be approved.

6.3 Tender for Municipal Mausoleum Phase XIV (2015CI01T) 41 - 45

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

A by-law authorizing signature of a formal contract will appear on a future Council Agenda.

Mover Councillor P. Christian
Seconder Councillor R. Romano

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tender for the Municipal Mausoleum Phase XIV be awarded to Gough Masonry Ltd. at their low tendered price, meeting specifications, of \$783,600.00 plus HST, be approved; and further that the City's Consultant, EPOH Inc., be authorized to provide a Letter of Intent formally authorizing Gough Masonry Ltd. to proceed with this project.

6.4 Tenders for Equipment – Leases

46 - 49

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

A by-law authorizing signature of the required leases will appear on a future Council Agenda.

Mover Councillor S. Butland
Seconder Councillor R. Romano

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- Lease of Four (4) Front End Loaders – Tracks & Wheels Equipment
\$3,008.80 (periodic payment per unit – HST extra)
- Lease of Three (3) Graders c/w Snow Wing and Front Blades – Nortrax
Canada Inc. \$7,522.75 (periodic payment per unit – HST extra)

for a total amount of \$207,620.70 (HST extra) for the initial Winter Control Season be approved.

6.5 Vacancy Management Plan

50 - 52

A report of the Commissioner of Finance and Treasurer is attached for the consideration of Council.

Mover Councillor S. Butland
Seconder Councillor J. Krmpotich

Resolved that the report of the Commissioner of Finance and Treasurer dated 2015 07 13 concerning the Vacancy Management Plan be received as information.

Mover Councillor M. Shoemaker
Seconder Councillor S. Myers

WHEREAS the Commissioner of Finance has conducted a review of vacant positions within the Finance Department; and

WHEREAS that review has resulted in internal savings of nearly \$100,000 and a beneficial realignment of staffing resources; and

WHEREAS it is in the City's interests to operate efficiently, to find cost savings and to optimize staffing levels wherever possible; and

WHEREAS the City's current vacancy management policy is more than 25 years old and is in need of review to ensure that its provisions are adequate, appropriate and consistently applied;

Now Therefore Be It Resolved that the Commissioner of Human Resources and the CAO be directed to conduct a review of vacancy management policies across other municipalities or large organizations and report back to Council on ways to improve and implement an effective and consistently-used vacancy management policy in Sault Ste. Marie.

6.6 Property Tax Appeals 53 - 54

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

Mover Councillor S. Butland
Seconder Councillor J. Krmpotich

Resolved that the report of the City Tax Collector dated 2015 07 13 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Section 357 of the *Municipal Act* be approved.

6.7 Miscellaneous Sewer Contract – 2015-8E 55 - 56

A report of the Design and Construction Engineer is attached for the consideration of Council.

Mover Councillor S. Butland
Seconder Councillor J. Krmpotich

Resolved that the report of the Design and Construction Engineer dated 2015 07 13 concerning Miscellaneous Sewer Contract be received and that the work be deferred until 2016 when the City can re-tender within a larger contract in order to receive a more competitive bid; the Engineering Department also to explore the option of Public Works constructing portions of this contract.

6.8 Northern Community Centre Rooftop Solar Photovoltaic Project Update 57 - 58

A report of the Environmental Initiatives Co-ordinator is attached for the consideration of Council.

The relevant By-law 2015-127 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.9 Solar Photovoltaic Municipal Council Support Resolutions 59 - 93

A report of the Environmental Initiatives Co-ordinator is attached for the consideration of Council.

The relevant By-law 2015-128 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

- 6.10 Deeming By-law Huron Subdivision – Lots 77 to 83, Plan 12983 St. Mary’s (Blessed Sacrament)** 94 - 96
- A report of the Assistant City Solicitor is attached for the consideration of Council.
- The relevant By-law 2015-129 is listed under item 11 of the Agenda and will be read with all by-laws under that item.
- 6.11 Lease – 363 Wellington Street West** 97 - 98
- A report of the City Solicitor is attached for the consideration of Council.
- The relevant By-law 2015-133 is listed under item 11 of the Agenda and will be read with all by-laws under that item.
- 6.12 Licence to Occupy for The Art Gallery of Algoma** 99 - 100
- A report of the City Solicitor is attached for the consideration of Council.
- The relevant By-law 2015-130 is listed under item 11 of the Agenda and will be read with all by-laws under that item.
- 6.13 Downtown Community Improvement Plan – Financial Incentive Grant Applications – July 2015** 101 - 105
- A report of the Planning Division is attached for the consideration of Council.
- Mover Councillor P. Christian
Seconder Councillor J. Krmpotich
- Resolved that the report of the Planning Division dated 2015 07 13 concerning the Downtown Community Improvement Plan Financial Incentive applications be received and that the grant applications listed in this report be approved.
- 6.14 Surveillance System for Transit Buses** 106 - 107
- A report of the Manager of Transit and Parking is attached for the consideration of Council.
- Mover Councillor P. Christian
Seconder Councillor R. Romano
- Resolved that the report of the Manager of Transit and Parking concerning the purchase and installation of on-board surveillance cameras on the fleet of conventional buses be approved; further that Council direct staff to proceed with the Request for Proposal following the City’s purchasing policy.
- 6.15 Additional Service to Industrial Park and New School** 108 - 110
- A report of the Manager of Transit and Parking is attached for the consideration of Council.
- Mover Councillor P. Christian

Seconder Councillor J. Krmpotich

Resolved that the report of the Manager of Transit and Parking dated 2015 07 13 concerning Additional Service to Industrial Park and New School be received as information.

6.16 CAO Recruitment 111 - 117

A report from Mayor Christian Provenzano is attached for the information of Council.

Mover Councillor S. Butland
Seconder Councillor R. Romano

Resolved that the report of Mayor Provenzano dated 2015 07 13 concerning CAO Recruitment be received as information.

6.17 Recognition of Sir William H. Hearst 118 - 124

A report of Councillor M. Shoemaker, Chair, Committee to Honour Sir William H. Hearst and correspondence from the Town of Hearst is attached for the consideration of Council.

Mover Councillor P. Christian
Seconder Councillor J. Krmpotich

Resolved that the report of the Committee to Honour William H. Hearst dated 2015 07 13 be accepted and that Council approve the recommendation to henceforth rename the Civic Holiday in Sault Ste. Marie as Sir William H. Hearst Day; and

Further that the Committee report to Council at a future date concerning the possible establishment of academic scholarships at Algoma University and Sault College as further recognition of the legacy of Sir William H. Hearst.

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-12-15-Z – 342/346 John Street 125 - 159

A report of the Planner is attached for the consideration of Council as well as a supplementary report regarding open house held July 2, 2015.

Mover Councillor S. Butland
Seconder Councillor J. Krmpotich

Resolved that the report of the Planner dated 2015 06 22 concerning A-12-15-Z – 342-346 John Street be accepted as information and that Council rezones the subject property from R.3 (Low Density Residential Zone) to R3.S (Low Density Residential Zone) with a Special Exception outlining the following provisions:

1. That in addition to the uses permitted in an R.3 zone, that an apartment building be permitted, consisting of not more than 25 dwelling units.
2. That the existing building footprint and height not be expanded in any way.
3. That additional landscaping be provided within the northwestern portion of the subject property, adjacent to John Street, as shown on the applicants' site plan.
4. That a fence be erected and maintained along the northern portion of the landscaped area adjacent to John Street, in accordance with the provisions of Zoning By-law 2005-150.
5. That a landscaped strip be provided along the Bush Street frontage to the satisfaction of the Planning Director.
6. That the front yard setback (John Street) be reduced to 0.5m.
7. That the exterior side yard setback (St. George's Avenue) be reduced to 1.2m.
8. That the interior side yard setback (north lot line) be reduced to 1.8m.
9. That required parking be permitted in the required exterior side yard.
10. That the property be deemed subject to Site Plan Control, pursuant to Section 41 of the Planning Act.

7.6.2

A-13-15-Z – 207 Dacey Road

160 - 178

A report of the Planner is attached for the consideration of Council as well as correspondence from the Batchewana First Nation of Ojibways.

Mover Councillor P. Christian
Seconder Councillor J. Krmpotich

Resolved that the report of the Planner dated July 13, 2015 concerning A-13-15-Z – St. Hubert's Postponement be accepted as information and that Council postpones this application to allow the current landowner to discuss the concerns raised with Batchewana First Nations.

7.7

PUBLIC WORKS AND TRANSPORTATION

7.8

BOARDS AND COMMITTEES

8.

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

8.1 Canada 150

Mover Councillor S. Myers
Seconder Councillor J. Hupponen

Whereas the country of Canada will be celebrating our 150th anniversary in 2017; and

Whereas Sault Ste. Marie is a city that recognizes and celebrates our rich heritage within Canada;

Now Therefore Be It Resolved that a Committee of Council be established known as Mayor's Committee on Celebrate Canada 150 to develop a Celebrate Canada 150 plan; and

Further Be It Resolved that appropriate staff from the City Clerk's Department, Community Services Department and the Finance Department along with members of City Council be part of the committee to be chaired by a member of City Council on behalf of the Mayor.

8.2 Wood Burning Stoves

Mover Councillor F. Fata
Seconder Councillor M. Bruni

Whereas there are many residents in Sault Ste. Marie who use wood burning stoves to heat their homes; and

Whereas it is the opinion of most people that this is a good and efficient way to save on heating costs; and

Whereas concerns have been raised by some home owners that their neighbours are burning certain materials that are causing discomfort, poor air quality and potentially unsafe health conditions;

Now Therefore Be It Resolved that appropriate City staff be requested to research this matter and report to Council.

8.3 Utilization Survey

Mover Councillor S. Butland
Seconder Councillor P. Christian

Be It Resolved that Council request appropriate staff to conduct a utilization survey on the new bicycle lanes on Queen Street East and report back to Council.

8.4 Littner Park

179 - 180

Mover Councillor S. Butland
Seconder Councillor P. Christian

Whereas the structure (rink shack) at Littner Park has been vacant for several

years and is in a state of deterioration and attracting night-time loitering and graffiti; and

Whereas it will not serve any short-term or long-term purpose for the city;

Now Therefore Be It Resolved that the City dismantle and remove the structure from its present site.

8.5 Employee Innovation Program Report

Mover Councillor J. Krmpotich

Seconder Councillor J. Hupponen

Whereas the employees of the Corporation of the City of Sault Ste. Marie possess a wealth of knowledge, experience and a diversity of abilities and talents; and

Whereas municipal employees are a potential source of new ideas, creative approaches and process improvements that can in turn lead to cost-savings, better service delivery and improved value for taxpayers; and

Whereas many public sector employers have now instituted formal Employee Innovation Programs to encourage workers to identify and champion ideas that can yield such beneficial outcomes; and

Whereas having an Employee Innovation Program in place can also encourage creative thinking, a proactive approach to solving problems and lead to increased employee morale and engagement,

Now Therefore Be It Resolved that City staff be requested to prepare a report explaining how Employee Innovation Programs have been implemented by other public sector employers, said report to include comments on how such a program might be initiated at the City of Sault Ste. Marie.

8.6 Community Festival – United Steelworkers

181 - 181

Mover Councillor M. Shoemaker

Seconder Councillor T. Sheehan

Resolved that appropriate staff review the costs and potential funding that would be associated with offering free transit services for community attendees to the United Steelworkers Community Festival on August 19, 2015.

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

10. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

11. CONSIDERATION AND PASSING OF BY- LAWS

11.1 By-laws before Council TO BE PASSED which do not require more than a simple majority

- 11.1.1 By-law 2015-127 (Agreement) PUC and Simcoe County Community Energy Co-Operative Inc.** 182 - 186
- A report from the Environmental Initiatives Co-ordinator is on the Agenda.
- Mover Councillor P. Christian
Seconder Councillor R. Romano
- Resolved that By-law 2015-127 being a by-law to authorize the execution of a Surrender of Sublease and Consent to Sublease Agreement between the City and PUC Services Inc. and Simcoe County Community Energy Co-Operative Inc. be passed in open Council this 13th day of July, 2015.
- 11.1.2 By-law 2015-128 (Resolutions) Solar Photovoltaic FIT Applications** 187 - 209
- A report from the Environmental Initiatives Co-ordinator is on the Agenda.
- Mover Councillor P. Christian
Seconder Councillor R. Romano
- Resolved that By-law 2015-128 being a by-law to authorize the execution of four (4) Municipal Council Support Resolutions and nine (9) Municipal Council Confirmation Resolutions to support the solar photovoltaic applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program be passed in open Council this 13th day of July, 2015.
- 11.1.3 By-law 2015-129 (Subdivision Control) Deeming Lots 77 to 83 Huron Subdivision** 210 - 212
- A report from the Assistant City Solicitor is on the Agenda.
- Mover Councillor S. Butland
Seconder Councillor R. Romano
- Resolved that By-law 2015-129 being a by-law to deem not registered for purposes of subdivision control certain lots in the Huron Subdivision, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 13th day of July, 2015.
- 11.1.4 By-law 2015-130 (Agreement) The Art Gallery of Algoma** 213 - 221
- A report from the City Solicitor is on the Agenda.
- Mover Councillor S. Butland
Seconder Councillor J. Krmpotich
- Resolved that By-law 2015-130 being a by-law to authorize the execution of an agreement between the City and The Art Gallery of Algoma to permit The Art Gallery of Algoma to occupy the property of the City identified as part of PIN 31540-0094 (LT), being lands to the southwest of Ken Danby Way at civic no. 651 Bay Street be passed in open Council this 13th day of July, 2015.

- 11.1.5 By-law 2015-131 (Exemption Certificate) 995 Queen Street East 222 - 226**
Passed by Council Resolution on June 22, 2015.
Mover Councillor S. Butland
Seconder Councillor R. Romano
Resolved that By-law 2015-131 being a by-law pursuant to Section 9(10) of the *Condominium Act, 1998*, S.O. 1998, c.19 exempting a portion of lands having civic address 995 Queen Street East, Sault Ste. Marie, Ontario, former Plummer Hospital Building [east wing] and consisting solely of the two-storey building on the aforesaid lands from Sections 51 and 51.1 of the *Planning Act*, R.S.O. 1990, c. P.13 and pursuant to Section 9(7) of the *Condominium Act, 1998*, authorizing the Mayor and City Clerk to execute an Exemption Certificate be passed in open Council this 13th day of July, 2015.
- 11.1.6 By-law 2015-132 (Temporary Street Closing) Queen St. E. 227 - 227**
Mover Councillor S. Butland
Seconder Councillor J. Krmpotich
Resolved that By-law 2015-132 being a by-law to permit the temporary closing of Queen Street East from Elgin Street to Bruce Street to facilitate the Back to School Carnival hosted by The Summit Community Church be passed in open Council this 13th day of July, 2015.
- 11.1.7 By-law 2015-133 (Agreement) Belsito 228 - 235**
A report from the City Solicitor is on the Agenda.
Mover Councillor S. Butland
Seconder Councillor J. Krmpotich
Resolved that By-law 2015-133 being a by-law to authorize the execution of an agreement between the City and Kevin Belsito to permit Mr. Belsito to lease the property of the City at 363 Wellington Street West, being part of PIN 31572-0242 (LT) for the purpose of parking be passed in open Council this 13th day of July, 2015.
- 11.2 By-laws before Council for FIRST and SECOND reading which do not require more than a simple majority**
- 11.3 By-laws before Council for THIRD reading which do not require more than a simple majority**
- 12. QUESTIONS BY, NEW BUSINESS FROM, OR ADDRESSES BY MEMBERS OF COUNCIL CONCERNING MATTERS NOT OTHERWISE ON THE AGENDA**
- 13. CLOSED SESSION**
Mover Councillor S. Butland

Seconder Councillor R. Romano

Resolved that this Council proceed into closed session to discuss one tax item involving solicitor-client privilege, Further be it resolved that should the said closed session be adjourned, Council may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution (*Solicitor-Client privilege – section 239 (b)*).

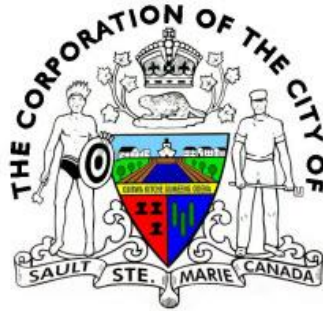
14.

ADJOURNMENT

Mover Councillor P. Christian

Seconder Councillor R. Romano

Resolved that this Council now adjourn.



REGULAR MEETING OF CITY COUNCIL MINUTES

Monday, June 22, 2015

4:30 p.m.

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor S. Butland, Councillor S. Myers, Councillor T. Sheehan, Councillor J. Hupponen, Councillor M. Shoemaker, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata, Councillor J. Krmpotich

Absent: Councillor P. Christian, Councillor R. Romano

Officials: N. Apostle, J. Dolcetti, N. Kenny, P. Niro, M. White, D. Elliott, D. McConnell, S. Hamilton Beach, F. Coccimiglio, T. Dodds, S. Schell, M. Figliola

1. ADOPTION OF MINUTES

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Minutes of the Regular Council Meeting of 2015 06 08 be approved.

Carried

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

3. DECLARATION OF PECUNIARY INTEREST

3.1 Councillor L. Turco – Changes to Highway Traffic Act

Spouse employed by the Police Service.

3.2 Councillor L. Turco – By-law 2015-126 (Parking) Municipal Law Enforcement Officers

Spouse employed by Police Services.

3.3 Councillor M. Shoemaker – Tender for Hot and Chilled Water Systems Glycol Replacement Project – Essar Centre (2015CB03T)

A proponent is a client of law firm.

3.4 Councillor M. Shoemaker – Municipal Council Support Resolutions

Certain applicants are clients of law firm.

3.5 Councillor M. Shoemaker – By-law 2015-124 (Resolutions) Solar Photovoltaic Feed-In-Tariff (FIT)

Certain applicants are clients are clients of law firm.

3.6 Councillor M. Shoemaker – Sault Ste. Marie EDC – Passenger Rail Service

Law firm acts for one of the parties involved in the potential agreement.

3.7 Councillor R. Niro – Update on the New Fire Chief's First 90 Days

Brother employed by the Fire Service.

3.8 Councillor R. Niro – Condominium Approval 1-15 (Former Riverwalk Phase 2)

Daughter 's employer provides services to applicant

3.9 Councillor S. Butland – Municipal Council Support Resolutions

Son-in-law employed by one of the applicants.

3.10 Councillor S. Butland – By-law 2015-124 (Resolutions) Solar Photovoltaic Feed-In-Tariff (FIT)

Son-in-law employed by one of the applicants.

3.11 Mayor C. Provenzano – Heritage Property Tax Rebate Program

Owner of property subject to the provisions of the program.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Agenda and Addendum for 2015 06 22 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Steelworker Days

Joe Krmpotich, United Steelworkers Union Co-ordinator was in attendance.

5.2 Canadian Multiculturalism Day

Danny Krmpotich – Local Immigration Program Co-ordinator was in attendance.

5.3 A-12-15-Z – 342-346 John Street

Patty Bellerive (368 Bush Street) was in attendance.

5.4 Old Garden River Road Technology Park Project

Tom Vair, Executive Director, Sault Ste. Marie Innovation Centre was in attendance.

5.5 Condominium Approval 1-15 (Former Riverwalk Phase 2)

Councillor R. Niro declared a conflict on this item. (Daughter 's employer provides services to applicant)

Amit Sofer was in attendance.

6. COMMUNICATIONS AND ROUTINE REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all the items listed under date 2015 06 22 – Part One – Consent Agenda and Addendum, save and except 6.9 and 6.10 be approved.

Carried

6.1 Correspondence

6.1.1 Federation of Northern Ontario Municipalities (FONOM)

Electoral Reform Legislation

6.1.2 Truth and Reconciliation Commission Report

Letter to Chief Dean Sayers and Chief Lyle Sayers from Mayor Provenzano was received by Council.

6.1.3 Habitat for Humanity Request

Correspondence from the Executive Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the request from Habitat for Humanity be referred to appropriate staff for review and report back to Council.

Carried

6.2 Private Property Liquor Licence Extensions

Correspondence requesting permission for private property liquor licence extension were received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that City Council has no objection to the proposed extended licenced area as detailed in the written requests for a liquor licence extension on private property for an outdoor event on the following dates and times:

- Lauzon Wedding – Canadian Bushplane Heritage Centre – July 4, 2015 – 4 p.m. – 1 a.m.
- G. Marconi Society Italian Festival – July 12, 2015 – noon – 1 a.m.
- Great Northern Retirement Home Family Fun Day – August 14, 2015 – 3 p.m. – 7 p.m.
- Royal Canadian Legion Car Show – July 4, 2015 – 11:00 a.m. – 11:00 p.m.
- Royal Canadian Legion Annual Horseshoe Tournament – August 15, 2015 – 11:00 a.m. – 11:00 p.m.

Carried

6.3 Street Closing – Annual Flower Bomb Street Clean-up

The letter of request for a temporary street closing in conjunction with Annual Flower Bomb Street Clean-up for Neighbourhood is attached for the consideration of Council.

- Gore Street from Queen Street East to Albert Street East – June 27, 2015 – 10:00 a.m. to 3:00 p.m.

The relevant By-law 2015-125 is listed under item 11 of the Minutes.

6.4 Council Travel

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that Mayor Provenzano be authorized to travel to Thunder Bay for three days in July to attend the Northern Ontario Large Urban Mayors (NOLUM) meeting at a cost to the City of approximately \$1,100.

Carried

6.5 Tender for Hot and Chilled Water Systems Glycol Replacement Project – Essar Centre (2015CB03T)

Councillor M. Shoemaker declared a conflict on this item. (A proponent is a client of law firm.)

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Purchasing dated 2015 06 22 be received and the recommendation that the tender for the Hot and Chilled Water Systems Glycol Replacement Project at the Essar Centre be awarded to S & T Electrical Contractors Ltd. at their low tendered price, meeting specifications, of \$71,600.00 plus HST be approved.

Carried

6.6 Algoma Public Health Appointments

The report of the City Clerk was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the City Clerk dated 2015 06 22 concerning Algoma Public Health Appointments be accepted and that the City Clerk be authorized to communicate and liaise with the Ministry of Health and district municipalities concerning the appointments process for the Board of Health of the District of Algoma Health Unit.

Carried

6.7 Memorandum of Settlement – ATU Local 1767, 2015-2019

The report of the Commissioner of Human Resources was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Human Resources dated 2015 06 22 concerning the Transit (ATU Local 1767) Memorandum of Settlement be received and the recommendation that City Council ratify the Memorandum of Settlement be approved.

Carried

6.8 John Rhodes Community Centre – Restaurant – Renovation Costs

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Commissioner of Community Services dated 2015 06 22 concerning the JRCC Restaurant Renovation Costs be received and that Council authorize up to \$100,000 from the Parks Reserve Fund for the City's share of the renovation costs.

Carried

6.11 Municipal Council Support Resolutions

Councillor M. Shoemaker declared a conflict on this item. (Certain applicants are clients of law firm.)

Councillor S. Butland declared a conflict on this item. (Son-in-law employed by one of the applicants.)

The report of the Environmental Initiatives Co-ordinator was received by Council.

The relevant By-law 2015-124 is listed under item 11 of the Minutes.

6.12 2016 Capital Road Reconstruction Plan and Update on 2015 Plan

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Director of Engineering Services dated 2015 06 22 concerning the 2016 capital construction program be received and that the following be approved:

The attached 2016 capital works program;

The Engineering Department proceed with any remaining local improvement rolls and notices for 2016 works;

The Engineering Division report back to Council with a recommendation for retaining consulting engineers for the projects that will not be completed in house in order to ensure a timely construction start;

The Engineering Division report back to Council when more information is known about the Bay Street resurfacing project, and Gore Street reconstruction.

Carried

6.13 Queen Street Streetscape Project

The report of the Planning Division was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Division dated 2015 06 22 concerning Queen Street Streetscape Project be accepted and that City Council authorize the tendering of the Queen Street streetscape project.

Officially Read and Not Dealt With

6.13.1 Supplementary Report

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated June 22, 2015 be received and that City Council authorize the tendering of the Queen Street Streetscape Project for the Bruce – Dennis block subject to removal of the pedestrian scale lighting.

Carried

6.14 Etienne Brulé School Community Partnership Project

The report of the Planning Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2015 06 22 concerning Etienne Brulé School Community Partnership Project be received and that City Council approve in principle the Etienne Brulé School Community Partnership Project and

1. Request the Legal Department to prepare an appropriate agreement with the Algoma District School Board for those items identified as the City's responsibility;
2. Approve funds from the unallocated capital surplus for the construction of the Hub Trail spoke from Huron Street to John Street through the Etienne Brulé property at a cost not to exceed \$160,000;
3. Approve an increase in the operating budget of \$10,000 to the PWT Parks Division ongoing maintenance budget once this project is complete;

4. Request City staff and appropriate community partners to explore all possible funding initiatives for this project and report to City Council no later than October 2015.

Carried

6.15 Old Garden River Road Technology Park Project

The report of the Planning Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2015 06 22 concerning Old Garden River Road Technology Park Project be accepted and that City Council authorize funding applications to FedNor and NOHFC for the extension of services for the Old Garden River Road Technology Park with the municipal funding share to be taken from the Serviced Industrial Land Reserve not to exceed \$350,000.

Carried

6.16 Update on the New Fire Chief's First 90 Days

Councillor R. Niro declared a conflict on this item. (Brother employed by the Fire Service.)

The report of the Fire Chief was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Report of the Fire Chief dated 2105 06 22 concerning Update of the New Fire Chief's First 90 Days be received as information.

Carried

6.17 2015 Curb and Sidewalk Program

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Deputy Commissioner of Public Works and Transportation dated 2015 06 22 concerning the proposed 2015 curb and sidewalk program be received as information.

Carried

6.9 Heritage Property Tax Rebate Program

Mayor C. Provenzano declared a conflict on this item. (Owner of property subject to the provisions of the program.)

The report of the Manager of Recreation and Culture was received by Council.
The relevant By-laws 2015-121 and 2015-122 are listed under item 11 of the Minutes.

6.10 Designated Heritage Property Grant 1164 Queen Street East

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Manager of Recreation and Culture dated 2015 06 22 concerning Designated Property Grant application from Cindy Parniak, owner of 1164 Queen Street East be received and the recommendation of the Sault Ste. Marie Municipal Heritage Committee that a grant of \$6,000 be provided toward the replacement cost of fifteen (15) windows as outlined in the application; and further that payment be rendered upon submission of the paid contractor's invoices and upon final approval of the project by the Sault Ste. Marie Municipal Heritage Committee; and further that the funds come from the Designated Heritage Property Grant budget be approved.

Carried

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-12-15-Z – 342-346 John Street

The report of the Planner was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the Report of the Planner dated 2015 06 22 concerning A-12-15- Z – 342-346 John Street be accepted as information and that Council rezones the subject property from R.3

(Low Density Residential Zone) to R3.S (Low Density Residential Zone) with a Special Exception outlining the following provisions:

1. That in addition to the uses permitted in an R.3 zone, that an apartment building be permitted, consisting of not more than 25 dwelling units.
2. That the existing building footprint and height not be expanded in any way.
3. That additional landscaping be provided within the northwestern portion of the subject property, adjacent to John Street, as shown on the applicants site plan.
4. That a fence be erected and maintained along the northern portion of the landscaped area adjacent to John Street, in accordance with the provisions of Zoning By-law 2005-150.
5. That a landscaped strip be provided along the Bush Street frontage, to the satisfaction of the Planning Director.
6. That the Front Yard Setback (John St.) be reduced to 0.5m.
7. That the exterior side yard setback (St. Georges) be reduced to 1.2m.
8. That the interior side yard setback (north lot line) be reduced to 1.8m.
9. That required parking be permitted in the required exterior side yard.
10. That the property be deemed subject to Site Plan Control, pursuant to Section 41 of the Planning Act.

Postponed

Moved by: Councillor R. Niro

Seconded by: Councillor L. Turco

Resolved that agenda item 7.6.1 - A-12-15-Z - 342-346 John Street be postponed to the July 13, 2015 Council meeting.

Carried

7.6.2 Condominium Approval 1-15 (Former Riverwalk Phase 2)

Councillor R. Niro declared a conflict on this item. (Daughter 's employer provides services to applicant)

The report of the Planning Director was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the Planning Director dated 2015 06 22 concerning Condominium Approval 1-15 (Former Riverwalk Phase 2) be accepted and that the Legal Department be requested to bring the appropriate by-law forward for passage at a subsequent Council meeting.

Carried

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.8.1 Sault Ste. Marie EDC- Passenger Rail Service

Councillor M. Shoemaker declared a conflict on this item. (Law firm acts for one of the parties involved in the potential agreement.)

The report of the CEO, Sault Ste. Marie Economic Development Corporation and Interim Chair, ACR Passenger Service Stakeholder Working Group was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the CEO, Sault Ste. Marie Economic Development Corporation and Interim Chair, ACR Passenger Service Stakeholder Working Group dated 2015 06 22 concerning Sault Ste. Marie to Hearst Passenger Rail Service Contribution Agreements be received and the recommendations contained therein be approved.

Recorded	For	Against
Mayor C. Provenzano	X	
Councillor S. Butland	X	
Councillor S. Myers	X	
Councillor T. Sheehan	X	
Councillor J. Hupponen	X	
Councillor L. Turco	X	
Councillor R. Niro	X	
Councillor M. Bruni	X	
Councillor F. Fata	X	
Councillor J. Krmpotich	X	
Results	10	0

In Favour Mayor C. Provenzano, Councillor S. Butland, Councillor S. Myers, Councillor T. Sheehan, Councillor J. Hupponen, Councillor L. Turco, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata and Councillor J. Krmpotich

Carried

7.8.2 Kiwanis Community Theatre Centre Appointments

The report of the City Clerk was received by Council.

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that the report of the City Clerk dated 2015 06 22 concerning Kiwanis Community Theatre Centre Appointments be accepted and that citizens Robert Cooper, Karen Montgomery-Jones and Ben Pritchard be appointed to the Kiwanis Community Theatre Centre board of directors for a two year term.

Carried

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

8.1 Changes to Highway Traffic Act

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

Moved by: Councillor T. Sheehan

Seconded by: Councillor M. Shoemaker

Whereas there have been significant changes to laws regarding ATVs, distracted driving, school bus safety and bicycling;

Now Therefore Be It Resolved that appropriate City staff and City police report back at a future Council meeting regarding the impact of these changes on our community.

Carried

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

10. ADOPTION OF REPORT OF THE COMMITTEE OF THE WHOLE

11. CONSIDERATION AND PASSING OF BY- LAWS

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that all By-laws under item 11 of the Agenda under date 2015 06 22 be approved, save and except 2015-121, 2015-122, 2015-124 and 2015-126.

Carried

11.1 By-laws before Council TO BE PASSED which do not require more than a simple majority

11.1.3 By-law 2015-123 (Agreement) EOS Canada Inc. Collections

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-123 being a by-law to authorize the execution of an agreement between the City and EOS Canada Inc. for the collection of fines, fees, costs and surcharges on behalf of the Municipality from June 15, 2015 to June 14, 2017 be passed in open Council this 22nd day of June, 2015.

Carried

11.1.5 By-law 2015-125 (Temporary Street Closing) Gore Street (Queen to Albert)

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-125 being a by-law to permit the temporary closing of Gore Street from Queen Street to Albert Street to facilitate the Annual "Flower Bomb" Street Clean-Up for Neighbourhood be passed in open Council this 22nd day of June, 2015.

Carried

11.1.1 By-law 2015-121 (Agreement) Heritage Property – 36 Herrick Street

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-121 being a by-law to authorize the execution of an agreement between the City and the owner of 36 Herrick Street for the conservation of the present historical, architectural, contextual, aesthetic, scenic and heritage characteristics and conditions of the property be passed in open council this 22nd day of June, 2015.

Carried

11.1.2 By-law 2015-122 (Agreement) Heritage Property – 1164 Queen Street East

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-122 being a by-law to authorize the execution of an agreement between the City and the owner of 1164 Queen Street East for the conservation of the present historical, architectural, contextual, aesthetic, scenic and heritage characteristics and conditions of the property be passed in open Council this 22nd day of June, 2015.

Carried

11.1.4 By-law 2015-124 (Resolutions) Solar Photovoltaic Feed-In-Tariff (FIT)

Councillor M. Shoemaker declared a conflict on this item. (Certain applicants are clients are clients of law firm.)

Councillor S. Butland declared a conflict on this item. (Son-in-law employed by one of the applicants.)

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Myers

Resolved that By-law 2015-124 being a by-law to authorize the execution of twelve (12) Municipal Council Support Resolutions to support twelve (12) solar photovoltaic Feed-In-Tariff (FIT) applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program be passed in open Council this 22nd day of June, 2015.

Carried

11.1.6 By-law 2015-126 (Parking) Municipal Law Enforcement Officers

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

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that By-law 2015-126 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule "A" to By-law 90-305 be passed in open Council this 22nd day of June, 2015.

Carried

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

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

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

13. CLOSED SESSION

Moved by: Councillor J. Krmpotich

Seconded by: Councillor S. Butland

Resolved that this Council proceed into closed session to discuss human resource issues; further be it resolved that should the said closed session be adjourned, Council may reconvene in closed session to continue to discuss the same matter without the need for a further authorizing resolution (*Personal matters about identifiable individuals – section 239 (b)*).

Carried

14. ADJOURNMENT

Moved by: Councillor J. Krmpotich

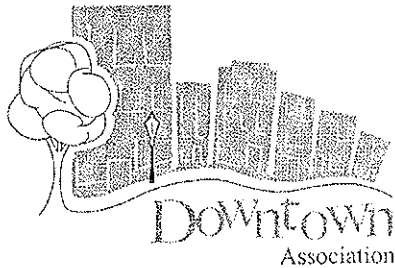
Seconded by: Councillor S. Butland

Resolved that this Council now adjourn.

Carried

Mayor

City Clerk



Downtown Association
Sault Ste. Marie, Ontario

To: City Clerk Dept
City Legal Dept

From: Downtown Association / Summit Church

Date: June 30, 2015

RE: Temporary Street Closure for Back to School Carnival – hosted by The Summit Community Church

Saturday, August 29, 2015 The Summit Community Church will host a **Back to School Carnival** on Queen Street from Elgin to Bruce Street from 10:30a.m. to 1:30pm.

On Queen Street, there will be:

- BBQ (see attached APH Temp Food Permit)
- Live Music
- Arts & Crafts
- Lawn Games
- Mini Sticks
- Race Car on display
- Photo booth area
- Face painting
- Balloon animals
- Bouncy house (informed by City no permit is required)
- Ball pit
- Bicycle display
- Alpacas (tentatively booked; waiting for reply from APH re: if any additional hand washing stations are necessary as there are washrooms available inside the Church.)

See attached map for details/layout.

Please see attached documents for your review. Please advise if you need any other backup information.

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Wade Lodge @ The Summit Community Church TELEPHONE: 705 251 1079
 ADDRESS: 302 Queen St. East POSTAL CODE: P6A 1Z1

The above person hereby makes application for the closing of

Queen St (between Elgin and Bruce)
 (Name of street to be closed)

from Elgin to Bruce
 (reference points - street numbers, cross streets, etc.)

on the 29th day of August, 2015 from 10:30 am/pm to 1:30 am/pm

for the purpose of a city Back to School Carnival (hosted by The Summit church)

APPROVALS SECTION:

1. Police Services, Traffic Dept.
 Telephone 949-6300 ext 348
 Fax 759-7880 Det. R. Magnan #209
580 Second Line East
JUN 11 2015

Signature of Official

2. Fire Services/Emergency Medical Services (EMS)
 Telephone 949-3335/949-3387
 Fax 949-2341
 72 Tancred 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 759-5320
 Fax 759-5834
 111 Huron Street

Signature of Official

5. Central Ambulance Communication
 Centre (C.A.C.C.)
 Telephone 946-1227
 Fax 945-6883
 65 Old Garden River Road

Signature of Official

6. Downtown Association
 Telephone 942-2919
 Fax 942-6368
 496 Queen Street East
 (QUEEN STREET CLOSINGS ONLY)

Signature of Official

CITY CLERK SECTION:

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

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Wade Lodge @ The Summit Community Church TELEPHONE: 705 251 1079
ADDRESS: 302 Queen St. East POSTAL CODE: Platt 121

The above person hereby makes application for the closing of
Queen ST (between Elgin and Bruce)
(Name of street to be closed)

from Elgin to Bruce
(reference points - street numbers, cross streets, etc.)

on the 29th day of August, 2015 from 10:30 am/pm to 1:30 am/pm
for the purpose of a city Back to School Carnival (hosted by The Summit Church)

APPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 949-6300 ext 348
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 ~~Tancet~~ 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 759-5320
Fax 759-5834
111 Huron Street

Signature of Official

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Centre (C.A.C.C.)
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Fax 945-6883
65 Old Garden River Road

Signature of Official

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Telephone 942-2919
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496 Queen Street East
(QUEEN STREET CLOSINGS ONLY)

Signature of Official

CITY CLERK SECTION:

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

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Wade Lodge @ The Summit Community Church TELEPHONE: 705 251 1079
 ADDRESS: 302 Queen St. East POSTAL CODE: M6H 1Z1

The above person hereby makes application for the closing of

Queen St (between Elgin and Bruce)
 (Name of street to be closed)

from Elgin to Bruce
 (reference points - street numbers, cross streets, etc.)

on the 29th day of August, 2015 from 10:30 am to 1:30 pm

for the purpose of a city Back to School Carnival (hosted by The Summit Church)

APPROVALS SECTION:

1. Police Services, Traffic Dept.
 Telephone 949-6300 ext 348
 Fax 759-7820
 580 Second Line East

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

Signature of Official

Signature of Official

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 Telephone 541-7000
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CITY CLERK SECTION:

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

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Wade Lodge @ The Summit Community Church TELEPHONE: 705 251 1079ADDRESS: 302 Queen St East POSTAL CODE: P6A 1Z1

The above person hereby makes application for the closing of

Queen St (between Elgin and Bruce)
(Name of street to be closed)from Elgin to Bruce
(reference points - street numbers, cross streets, etc.)on the 29th day of August, 2015 from 10:30 ampm to 1:30 ampmfor the purpose of a City Back to School Carnival (hosted by The Summit Church)

APPROVALS SECTION:

1. Police Services, Traffic Dept.
Telephone 949-6300 ext 348
Fax 759-7820
580 Second Line East

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

Signature of Official_____
Signature of Official

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Fax 541-7010
128 Sackville Road

4. Transit/Parking
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Fax 759-5834
111 Huron Street

Signature of Official_____
Signature of Official

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65 Old Garden River Road

6. Downtown Association
Telephone 942-2919
Fax 942-6368
496 Queen Street East
(QUEEN STREET CLOSINGS ONLY)

Signature of Official_____
Signature of Official

CITY CLERK SECTION:

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

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Wade Lodge @ The Summit Community Church TELEPHONE: 705 251 1079

ADDRESS: 302 Queen St. East POSTAL CODE: P6A 1Z1

The above person hereby makes application for the closing of
Queen ST (between Elgin and Bruce)
(Name of street to be closed)

from Elgin to Bruce
(reference points - street numbers, cross streets, etc.)

on the 29th day of August, 2015 from 10:30 am/pm to 1:30 am/pm
for the purpose of a city Back to School Carnival (hosted by The Summit Church)

APPROVALS SECTION:

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Telephone 949-6300 ext 348
Fax 759-7820
580 Second Line East

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Telephone 949-3335/949-3387
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Signature of Official

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Telephone 541-7000
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Signature of Official

Signature of Official

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Fax 945-6883
65 Old Garden River Road

6. Downtown Association
Telephone 942-2919
Fax 942-6368
496 Queen Street East
(QUEEN STREET CLOSINGS ONLY)

Signature of Official

Signature of Official

CITY CLERK SECTION:

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

[illegible]

100-443887-100

[illegible]

1000



The figure contains two separate line graphs. The left graph plots 'Rate of reaction' on the y-axis against 'Temperature / °C' on the x-axis. The x-axis has markings at 10, 20, 30, and 40. The curve starts at a low rate at 10°C, rises to a peak at 30°C, and then begins to decline at 40°C. The right graph also plots 'Rate of reaction' on the y-axis against 'Temperature / °C' on the x-axis. The x-axis has markings at 10, 20, 30, and 40. This curve starts at a low rate at 10°C and shows a steep, exponential increase as the temperature rises to 40°C.

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0123456789

[illegible]

Trial	Control (%)	MCI (%)	AD (%)
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2	85	75	65
3	85	70	60
4	85	70	55
5	85	65	55

[illegible]

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1. *Phragmites australis* (Cav.) Trin. ex Steud.

10



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tim Gowans, Manager of Purchasing

DEPARTMENT: Finance Department

RE: Tenders for Equipment

PURPOSE

Attached hereto for your information and consideration are the summaries of the tenders received for the supply and delivery of various pieces of equipment required by the Public Works & Transportation Department.

BACKGROUND

The tender was publicly advertised and tender documents forwarded to all firms on our bidders lists. A public opening of the tenders was held June 18, 2015 with Councillor Marchy Bruni representing City Council.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed by Mr. Mike Blanchard, Manager of Equipment & Building Maintenance, and the low tendered prices, meeting specifications, have been indicated on their respective summaries.

IMPACT

On May 11, 2015, Council approved the PWT New Equipment Needs Report for 2015 with an allocation of \$789,000.00 for the purchase of the equipment contained in this report.

The total purchase price for this equipment replacement is \$716,335.65; H.S.T. extra.

STRATEGIC PLAN

This equipment replacement is not an activity listed in the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

One (1) Diesel Riding Mower c/w Front Mower Deck	Northshore Tractor Ltd.	\$ 21,678.53
One (1) 15000 GVW Diesel Signalier Platform Lift	Allan Fyfe Equipment Ltd.	\$153,782.00
One (1) Municipal Tractor c/w Snowblower, Plows & Sweeper	Work Equipment Ltd.	\$162,055.00
Two (2) 58000 GVW Tandem Trucks c/w Plow, Wing, Harness & Dump Box	TMS Truck Centre Ltd.	\$378,820.12

for a total amount of \$716,335.65; H.S.T. extra, be approved.

Respectfully submitted,



Tim Gowans
Manager of Purchasing

Recommended for approval,



Shelley J. Schell, CPA, CA
Commissioner of Finance & Treasurer

TG:nt

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$24,000.00

Received: June 18, 2015
File: 2015WA13T

SUMMARY OF TENDERS
ONE (1) DIESEL RIDING MOWER W/FRONT MOWER DECK

<u>Firm</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(H.S.T. extra)</u>	<u>Remarks</u>
Northshore Tractor Ltd. Echo Bay, ON	2015 Kubota F2690E	10 w/days	2 years	\$21,678.53	Meets Specifications
Turf Care Products Canada Limited Newmarket, ON	2015 Toro Groundsmaster 3280	35 w/days	2 yrs/1500 hrs	\$21,200.00	Does not meet Specifications Not equipped with Cruise Control as spec'd

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

The total cost to the City will be \$22,060.07 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price, submitted by Northshore Tractor Ltd., be accepted.

Tim Gowans
Manager of Purchasing

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$175,000.00

Received: June 18, 2015
File: 2015WA14T

SUMMARY OF TENDERS
ONE (1) 15,000 GVW DIESEL SIGNALIER PLATFORM LIFT

<u>Firm</u>	<u>Opt.</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(including trade-in</u> <u>H.S.T. extra)</u>	<u>Remarks</u>
Allan Fyfe Equipment Ltd. Concord, ON		2016 Ford F-550 Chassis Stamm T-529 Lift Brand FX 56LS Service Body	120-140 w/days	3 year/60,000 km Vehicle 1 year Equipment	\$153,782.00	Meets Specifications
Rocwin Sales & Service Ltd. Mississauga, ON	1	2016 Ford F-550 Chassis Stamm T-529 Lift Brand FX 56LS Service Body	120-140 w/days	3 year/60,000 km Vehicle 1 year Equipment	\$159,180.00	Meets Specifications
	2	2016 Ford F-550 Chassis Stamm T-529 Lift Wilcox WAB110D54 Service Body	120-140 w/days	3 year/60,000 km Vehicle 1 year Equipment	\$155,675.00	Does not meet Specifications Service Body not as spec'd

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

The total cost to the City will be \$156,488.56 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price which includes the Trade-In Allowance, submitted by Allan Fyfe Equipment Ltd. be accepted.

Tim Gowans
Manager of Purchasing

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$180,000.00

Received: June 18, 2015
File: 2015WA15T

SUMMARY OF TENDERS
ONE (1) 4WD MUNICIPAL TRACTOR C/W 3 SNOWBLOWERS, 2 PLOWS, & SWEEPER ATTACHMENTS

<u>Firm</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price (Including trade-in; H.S.T. extra)</u>	<u>Remarks</u>
CUBEX Ltd. Brantford, ON	2015 MacLean MV2	45-60 w/days	12 months/600 hrs.	\$199,972.49	Does not meet Specifications not equipped with Deep Reduction Gearbox will not operate all City-owned attachments fuel tank smaller than spec'd controls not as spec'd not equipped with sliding rear window
Equipement VTC Mfg. Inc. St-Paul D'Abbotsforf, QC	2015 VTC 900-U	120 w/days		\$209,350.00	Does not meet Specifications will not operate all City-owned attachments engine horsepower less than spec'd not equipped with Deep Reduction Gearbox controls not as spec'd fuel tank smaller than spec'd
Joe Johnson Equipment Inc. Innisfil, ON	2015 Trackless MT6	60 w/days	12 months/600 hrs. 24 mon. engine	\$172,900.00	Meets Specifications
Work Equipment Ltd. Courtland, ON	2015 Trackless MT6	45 w/days	12 months/600 hrs. 24 mon. engine	\$162,055.00	Meets Specifications

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

The total cost to the City will be \$164,907.17 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price which includes the Trade-In Allowance, submitted by Work Equipment Ltd., be accepted.

Tim Gowans
Manager of Purchasing

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$410,000.00

Received: June 18, 2015
File: 2015WA16T

SUMMARY OF TENDERS
TWO (2) 58000 GVW TANDEM TRUCKS C/W PLOWS, WINGS, HARNESES & 14' CONTRACTOR TYPE DUMP BOXES

<u>Firm</u>	<u>Opt.</u>	<u>Make & Model</u>	<u>Delivery</u>	<u>Warranty</u>	<u>Total Tendered Price</u> <u>(for 2; including</u> <u>trade-ins, H.S.T.Extra)</u>	<u>Remarks</u>
Kenworth Sudbury Lively, ON		2016 Kenworth T470 TENCO Equipment Pkg	130 w/days	1 yr/unlimited Basic 7 yr/250,000 km Ext. Eng. 1 yr. Equip. Pkg.	\$433,000.00	Meets Specifications
Nickel City International Sudbury, ON		2016 International 7500 SBA 6X4 Gin-Cor Equipment Pkg	180 w/days	1 yr/unlimited Basic 7 yr/250,000 km Ext. Eng. 1 yr. Equip. Pkg.	\$450,451.96	Meets Specifications
TMS Truck Centre Ltd. Sault Ste. Marie, ON	1	2016 Freightliner 108 SD Gin-Cor Equipment Pkg	110-120 w/days	2 yr/unlimited Basic 7 yr/400,000 km Ext. Eng. 1 yr. Equip. Pkg.	\$380,576.00	Meets Specifications Registration Extra
	2	2016 Freightliner 108 SD TENCO Equipment Pkg	110-120 w/days	2 yr/unlimited Basic 7 yr/400,000 km Ext. Eng. 1 yr. Equip. Pkg.	\$378,820.12	Meets Specifications Registration Extra
	3	2016 Freightliner 108 SD Northern Powertrain Equipment Pkg	110-120 w/days	2 yr/unlimited Basic 7 yr/400,000 km Ext. Eng. 1 yr. Equip. Pkg.	\$403,000.26	Meets Specifications Registration Extra

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

The total cost to the City will be \$385,487.35 including the non-refundable portion of the H.S.T.

It is my recommendation that the tendered price which includes the Trade-In Allowances, submitted by TMS Truck Centre Ltd., for Option 2, be accepted.

Tim Gowans
Manager of Purchasing



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tim Gowans, Manager of Purchasing

DEPARTMENT: Finance Department

RE: Tender for Municipal Mausoleum Phase XIV (2015CI01T)

PURPOSE

Attached hereto for your information and consideration is a summary of the tenders received for the Construction of the Municipal Mausoleum Phase XIV as required by the Cemeteries Division of the Public Works & Transportation Department.

BACKGROUND

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. A public opening of the tenders was held June 23, 2015 with Councillor Steve Butland representing City Council.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed with the City's Consultant for the project, EPOH Inc. (Mr. Franco Pastore) and Mr. Roger Nenonen, Manager of Cemeteries – PWT, and Ms. Susan Hamilton Beach, Deputy Commissioner of the Public Works and Transportation Department. Mr. Pastore's report concerning the tenders received is attached for your reference.

IMPACT

The tendered amount exceeds the pre-tender estimate but is within the total project budget allocation, as approved in the 2015 Capital from Current Budget, of \$1,050,804.00, including the non-rebatable portion of the H.S.T.

STRATEGIC PLAN

Past Phases of Municipal Mausoleum Construction have been included as part of Strategic Direction 1: Developing Solid Infrastructure; Objective 1C – Property Management and Development.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tender for the Municipal Mausoleum Phase XIV be awarded to Gough Masonry Ltd. at their low tendered price, meeting specifications, of \$783,600.00 plus HST, be approved; and further that the City's Consultant, EPOH Inc., be authorized to provide a Letter of Intent formally authorizing Gough Masonry Ltd. to proceed with this project. A By-law authorizing signature of a formal contract for the project will appear on a future Council Agenda.

Respectfully submitted,



Tim Gowans
Manager of Purchasing

Recommended for approval,



Shelley J. Schell, CPA, CA
Commissioner of Finance & Treasurer

TG:nt

June 23, 2015

1467

The Corporation of the City of Sault Ste. Marie
c/o Greenwood Cemetery
27 Fourth Line East
Sault Ste. Marie, ON P6A 5K8

Attention: Roger Nenonen, Manager

**RE: Municipal Mausoleum, Phase XIV (2011CI01)
Tender Recommendation**

Dear Sir:

Tenders submissions for the above-noted project were received by the City Clerk's office at the City of Sault Ste. Marie on the 23rd of June 2015. Three submissions were received prior to the tender deadline and were opened in a public meeting at the Civic Centre at 3:00 p.m. the same day. The following is a summary of the tenders submitted:

Gough Masonry Ltd.	\$ 783,600.00 plus HST
George Stone & Sons Ltd.	\$ 836,721.00 plus HST
Swan and Associates Ltd.	\$ 1,022,000.00 plus HST

As your consultants, we have reviewed the tender submissions (tender forms and supplementary information), in accordance with the requirements of the Tender Documents, Industry Standards, and have determined that the low bid received from **Gough Masonry Ltd.** meets the requirements of the Tender Call. **We can therefore recommend that this tender be accepted.**

All tenders were asked to provide a price, to be deducted from the base bid, (Separate Price Number 1) which reduces the quantity of crypts from 152 to 132. This was a strategy to provide cost saving measures in case the project tendered above the established budget. Given that the full project falls within the approved budget, we recommend that Separate Price Number 1 – not be accepted, and that the contract be awarded based on constructing the full project.

Gough Masonry Ltd. has indicated in their tender submission that the project will be complete within **48 weeks** from date of tender award and indicated a date of Substantial Performance to be in June 30, 2016.

Attention: Roger Nenonen
Cemeteries Division
City of Sault Ste. Marie
June 23, 2015
Page 2

RE: Municipal Mausoleum, Phase XIV (2011CI01)

If you are in agreement with the above recommendation, please countersign this document in the space provided and return to our office. Upon receipt of the countersigned letter, we will issue the **"Letter of Intent"** to the contractor on your behalf. This letter indicates your intent to enter into a contract for the project, and allows them to notify their sub trades and begin securing contracts with their suppliers. With the receipt of the countersigned letter we will begin the preparation of the formal contract documents on your behalf.

Should you have any questions, comments or require any additional information, please do not hesitate to contact the writer.

Yours truly,

EPOH Inc.



Franco Pastore, Principal
B.Arch., MOAA, NCARB, AIA

cc: Tim Gowans, Manager of Purchasing

Owner's Authorized Representative

Signature

Print Name

Date

Enclosed – Tender Results Form



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tim Gowans, Manager of Purchasing

DEPARTMENT: Finance Department

RE: Tenders for Equipment - Leases

PURPOSE

Attached hereto for your information and consideration are the summaries of the tenders received for the supply and delivery of various pieces of equipment required by the Public Works & Transportation Department.

BACKGROUND

The tender was publicly advertised and tender documents forwarded to all firms on our bidders lists. A public opening of the tenders was held June 24, 2015 with City Clerk Malcolm White in attendance.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed by Mr. Mike Blanchard, Manager of Equipment & Building Maintenance, and the low tendered prices, meeting specifications, have been indicated on their respective summaries

IMPACT

On May 11, 2015, Council approved the PWT New Equipment Needs Report for 2015 with an allocation of \$305,000.00 for the lease of this equipment for the initial Winter Control Season.

The total lease costs for the initial Winter Control Season will be \$207,620.70, HST extra. Leases will be for a fifty-four (54) month term commencing October 15, 2015, with thirty (30) periodic payments; and include extended warranties and maintenance agreements.

STRATEGIC PLAN

This equipment replacement is not an activity listed in the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated 2015 07 13 be received and the recommendation that the tenders for the supply and delivery of various pieces of equipment be awarded as follows:

		Periodic Payment Per Unit (HST Extra)
Lease of Four (4) Front End Loaders	Tracks & Wheels Equipment	\$3,008.80
Lease of Three (3) Graders c/w Snow Wing & Front Blades	Nortrax Canada Inc.	\$7,522.75

for a total amount of \$207,620.70, HST extra, for the initial Winter Control Season, be approved. A By-law authorizing signature of the required Leases will appear on a future Council Agenda.

Respectfully submitted,



Tim Gowans
Manager of Purchasing

Recommended for approval,



Shelley J. Schell, CPA, CA
Commissioner of Finance & Treasurer

TG:nt

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$61,666.66 (for 2015) - per unit

Received: June 24, 2015
File: 2015WA19T

SUMMARY OF TENDERS
LEASE OF THREE (3) MOTOR GRADERS c/w SNOW WING & FRONT BLADE

<u>Firm</u>	<u>Make & Model</u>	<u>Warranty</u>	<u>Periodic Lease Rate/Unit</u> <u>(including mtce.)</u> <u>(H.S.T. extra)</u>	<u>Total Annual Cost/Unit</u> <u>(6 payments)</u> <u>(H.S.T. extra)</u>	<u>Remarks</u>
Nortrax Canada Inc. Lively, ON	2015 John Deere 772G (AWD)	12 months	\$7,522.75	\$45,136.50	Meets specifications with Minor Variance (Wing Controls) Extra hours billed at \$35.00/hour
Toromont Cat Sault Ste. Marie, ON	2015 CAT 140M3 AWD	12 months plus 5000 hrs Ext. Powertrain Warranty	\$9,285.79	\$55,714.74	Meets specifications Extra hours billed at \$51.50/hour
Tracks & Wheels Equipment Sault Ste. Marie, ON	2015 Case 885B AWD	12 months	\$10,317.99	\$61,907.94	Does not meet specifications No automatic shift Interior noise level higher than specified Extra hours billed at \$37.00/hour

Note: The low tendered price, meeting specifications, is boxed above; leasing will be for a 54 month period - 30 periodic payments.
The actual cost to the City will be \$45,930.90 annually including the non-refundable portion of the H.S.T.
It is my recommendation that the tendered price, submitted by Nortrax Canada Inc., be accepted.

Tim Gowans
Manager of Purchasing

FINANCE DEPARTMENT
PURCHASING DIVISION
Budget Amount: \$30,000.00 (for 2015) - per unit

Received: June 24, 2015
File: 2015WA18T

SUMMARY OF TENDERS
LEASE OF FOUR (4) FRONT END WHEEL LOADERS

<u>Firm</u>	<u>Make & Model</u>	<u>Warranty</u>	<u>Periodic Lease Rate/Unit</u> <u>(including mtce.)</u> <u>(H.S.T. extra)</u>	<u>Total Annual Cost/Unit</u> <u>(6 payments)</u> <u>(H.S.T. extra)</u>	<u>Remarks</u>
Nortrax Canada Inc. Lively, ON	2015 John Deere 524K	12 months	\$4,577.52	\$27,465.12	Meets specifications Extra hours billed at \$25.00/hour
ReadyQuip Sales and Service Ltd. Timmins, ON					Tender Irregular - Incomplete Pricing Cannot be considered
Toromont Cat Sault Ste. Marie, ON	2015 CAT 924K	12 months plus 5000 hrs Ext. Powertrain Warranty	\$4,021.93	\$24,131.58	Meets specifications Extra hours billed at \$24.34/hour
Tracks & Wheels Equipment Sault Ste. Marie, ON	2015 Case 621F Z-Bar	12 months	\$3,008.80	\$18,052.80	Meets specifications Extra hours billed at \$25.00/hour

Note: The low tendered price, meeting specifications, is boxed above; leasing will be for a 54 month period - 30 periodic payments.
The actual cost to the City will be \$18,370.53 annually including the non-refundable portion of the H.S.T.
It is my recommendation that the tendered price, submitted by Tracks & Wheels Equipment, be accepted.

Tim Gowans
Manager of Purchasing



COUNCIL REPORT

2015 07 13

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Shelley J. Schell, CPA, CA Commissioner of Finance and Treasurer

DEPARTMENT: Finance Department

RE: Vacancy Management Plan

PURPOSE

This report is in response to the following Council Resolution dated April 13, 2015:

Whereas the Mayor has stated he would like to commence a vacancy management plan for the Corporation of the City of Sault Ste. Marie; and

Whereas a vacancy management plan would review every employment position that becomes vacant by any means before re-hiring that employment position; and

Whereas such a policy has yet to be fully developed; and

Whereas the position of Manager of Finance and Budgets is currently vacant; and

Whereas it is in the interest of the City to undertake such a review of the position of Manager of Finance and Budgets by the incoming Commissioner of Finance, Commissioner of Human Resources and Interim CAO;

Now Therefore Be It Resolved that said staff undertake a review and assessment of the position of Manager of Finance and Budgets within 30 days of the Commissioner of Finance commencing her position and report their findings to Council thereafter.

BACKGROUND

The retirement of the Commissioner of Finance and Treasurer and the promotion from within the department created a vacancy in the Manager of Finance and Budgets position in May, 2015. Every empty position should be looked upon as

an occasion to restructure jobs and reassess the type of individual the organization requires to meet its needs. It is an opportunity to look at a better way to get the work done.

ANALYSIS

A review of the tasks in the Finance Administration Division and the Accounting Division was conducted with the division managers. Part of the review looked at how the new financial information system implemented in 2008 has enabled efficiencies, including better financial reporting and the ease at which to accomplish it. Tasks completed at the managerial level were reviewed also to determine what type of employee was required to meet our needs.

The structure that was proposed and then approved by the Interim CAO was as follows:

- Downgrade the Manager of Finance and Budgets to a Financial Analyst
 - Duties requiring managerial-level responsibility were transferred to the Manager of Audits and Capital Planning
 - Budget data gathering and financial reporting analysis would be performed by the Financial Analyst
 - Budget review, analysis, tax recommendations, tax assessment impacts and budget presentation would be done by the Commissioner of Finance and Treasurer
 - Financial Analyst would provide additional resource for internal and external audits and financial analysis, areas which require more resources attached to them
- Transfer the Financial Analyst position, currently unfilled, in Finance Administration to Accounting
 - Additional resources were required to assist in the current payroll system conversion and other payroll related duties, and, implementing process improvements
 - Provides Manager of Accounting more time to concentrate on process improvements and divisional management
- Elimination of Finance Administration Senior Accounts Clerk upon the retirement of the employee.
 - Duties were reassigned to other Finance union staff.

IMPACT

The annual budget savings of the restructuring is estimated at approximately \$100,000

STRATEGIC PLAN

In accordance with Strategic Direction 2: Delivering Excellent Services, Objective 2 B: Process Management.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Commissioner of Finance and Treasurer dated 2015 07 13 concerning the vacancy management plan be received as information.

Respectfully submitted,

A handwritten signature in cursive script, reading "Shelley Schell".

Shelley J. Schell, CPA, CMA
Commissioner of Finance & Treasurer



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Peter Liepa, Tax Collector
DEPARTMENT: Finance Department
RE: Property Tax Appeals

PURPOSE

Council approval is required pursuant to Section 357 of the Municipal Act.

BACKGROUND

Listing of applications received for adjustment of realty taxes pursuant to Section 357 of the Municipal Act.

ANALYSIS

The Municipal Property Assessment Corporation has recommended the amount of the assessment to be adjusted.

IMPACT

There is an annual budget allocation for tax write-offs.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the City Tax Collector dated 2015 07 13 concerning Property Tax Appeals be received and the recommendation that the tax records be amended pursuant to Section 357 of the Municipal Act be approved.

Respectfully submitted,

Peter A. Liepa
City Tax Collector

Recommended for approval,

Shelley J. Schell, CPA, CA
Commissioner of Finance & Treasurer

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
2014

DATE: 2015 07 13
PAGE: 1 of 1

ROLL NUMBER	PROPERTY ADDRESS		PERSON ASSESSED		TAX CLASS	REASON	APPEAL NO.	CANCELLATIONS TAXES	INTEREST	TOTAL ADJUSTMENT
060-012-050	00407	Doncaster Road	Pino Vince	Pino Mary	RT	C	14-031	2,302.55		2,302.55
2015										
030-092-043-01	00680	Fifth Line East	Marceau Andre		RT	C	15-001	4,406.60	13.53	4,420.13
040-012-012	00412	North Street	Eusebi Antonietta		CT/RT	A	15-002	CONFIRMED		
060-012-050	00407	Doncaster Road	Pino Vince	Pino Mary	RT	C	15-003	3,149.30		3,149.30
060-016-084	00870	Pozzebon Crescent	Pozzebon Frank	Pozzebon Pollyann	RT	D	15-004	916.79	11.54	928.33
060-040-314	00037	Paradee Avenue	City of Sault Ste. Marie		RT	B	15-005	159.23	3.12	162.35

Certified Correct:

REPORT TOTAL 10,934.47 28.19 10,962.66

Peter A. Liepa
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



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Carl Rumiel, P. Eng., Design & Construction Engineer

DEPARTMENT: Engineering and Planning Department

RE: Miscellaneous Sewer Contract – 2015-8E

PURPOSE

The purpose of this report is to provide an information report to Council on the status of the above Contract 2015-8E which was tendered in June.

BACKGROUND

On June 13, 2015 the Miscellaneous Sewer Contract was advertised for tender. The proposed work generally consisted of the installation of sanitary main and appurtenances on Haviland Crescent from Civic 8 to the dead end, installation of storm main and appurtenances on Summit Avenue from Pim Street to Bellevue Avenue, and re-grading/resurfacing of the walkway on Millcreek Drive between Civic 160 and Civic 156.

Tenders received for Contract 2015-8E were opened at a public meeting Thursday, July 2nd, 2015 in the Steelton Room of the Civic Centre. Present at the opening was Councilor Frank Fata as well as City staff and contractor representatives.

ANALYSIS

Only one (1) tender was received. It was from Palmer Construction Group Inc. and found to be complete and accurate. The tender value of **\$988,843** (including HST) is well above the pre-tender estimate of \$593,250.

The Engineering Department has compared this with other contract values and finds it to be extremely high. This is likely due to the time of year and lack of competitive bids. It would be wise to consider doing some of this work in-house with Public Works staff and/or re-tendering next year when it could be included within a larger contract earlier in the season.

IMPACT

When recoverable HST is removed, the City's cost to complete this work would be projected at **\$890,483.75**. This is over the budget allowance of \$635,000 for this project.

STRATEGIC PLAN

The reconstruction of sewers is related to Objective 1A, Environmental Leadership under the Developing Solid Infrastructure strategic direction.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Design & Construction Engineer dated 2015 07 13 concerning the Miscellaneous Sewer Contract be received and that the work be deferred until 2016 when the City can re-tender within a larger contract in order to receive a more competitive bid. The Engineering Department will also explore the option of Public Works constructing portions of this contract.

Respectfully submitted,



Carl Rumiel, P. Eng.
Design & Construction Engineer

Recommended for approval



Jerry Dolcetti, RPP
Commissioner

/bb



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Madison Zuppa, Environmental Initiatives Coordinator

DEPARTMENT: Engineering and Planning Department

RE: Northern Community Centre Rooftop Solar Photovoltaic Project Update

PURPOSE

The purpose of this report is to: update Council on the status of the rooftop solar photovoltaic project for the Northern Community Centre (NCC), formerly the West End Community Centre; to request Council's approval for PUC Services Inc. to resubmit an application to the Independent Electricity System Operator's (IESO) FIT 4 Program; to request Council's approval for the Surrender of Sublease & Consent to Sublease Agreement.

BACKGROUND

On December 2, 2013, City Council approved a Sublease & Consent to Sublease Agreement with the Simcoe County Community Energy Cooperative Inc. (SCCEC) and PUC Services Inc. respectively.

This partnership with the SCCEC was developed to assist proponents with claiming eligible priority points under the "Community Participation Project" category. Priority points assisted in the ranking of projects submitted through FIT 3 and would therefore increase the potential for the IESO (formerly the Ontario Power Authority or OPA) to award a FIT Contract. Unfortunately the SCCEC's submission to FIT 3 and the extended FIT 3 programs were unsuccessful.

ANALYSIS

On June 11, 2015, City Staff met with PUC Services to discuss a submission to the upcoming FIT 4 window anticipated on July 13, 2015. PUC Services advised that they are interested in re-applying to the FIT 4, but would no longer be applying under the SCCEC umbrella. In order to apply independently of SCCEC a Surrender Sublease & Consent to Sublease Agreement is required to prove that PUC Services Inc. have access rights to the NCC property. This Agreement has been prepared by the City's Legal Department and appears elsewhere on the agenda for approval.

IMPACT

PUC Services Inc. previously negotiated payments for the lease of the Northern Community Centre and was established through an extensive RFP process. The pricing was negotiated and approved by Council in 2011. PUC Services Inc. has advised City staff that the business case may require revision once the updated pricing system is released by the IESO. Given the competitive nature of this project and the extensive negotiations that took place, Council's direction would be required if an amendment is requested.

STRATEGIC PLAN

The Corporate Strategic Plan contains numerous references to environmental awareness and a reduction in CO2 emissions; however, renewable energy projects are not included.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Environmental Initiatives Coordinator dated 2015 07 13 concerning the Northern Community Centre Rooftop Solar Photovoltaic Update be received as information. By-Law 2015-127 appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,



Madison Zuppa, MES
Environmental Initiatives Coordinator

Recommended for approval



Jerry Dolcetti, RPP
Commissioner, Engineering & Planning



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Madison Zuppa, Environmental Initiatives Coordinator

DEPARTMENT: Engineering and Planning Department

RE: Solar Photovoltaic Municipal Council Support Resolutions

PURPOSE

The purpose of this report is to request Council support for seven (7) rooftop solar photovoltaic and two (2) non-rooftop solar photovoltaic applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program.

BACKGROUND

The Feed-In-Tariff (FIT) is a provincial program administered by the Independent Electricity System Operator (IESO), which provides a pre-determined rate per kWh generated depending on the project type (i.e. rooftop solar, ground mounted solar, etc.). The IESO initiated another FIT review in the Spring of 2015 and released draft rules on May 22, 2015 for FIT 4. Applications that did not receive FIT 3 or extended FIT 3 and new applications will be apply to the IESO (formerly known as the OPA) between July 13 through July 30, 2015, but will be subject to the FIT 4 rules.

Under the FIT 4 rules, priority points could be awarded to projects that receive municipal Council endorsement in the form of an IESO prescribed "Municipal Council Support Resolution" and "Municipal Council Resolution Confirmation" forms. PUC Services Inc. is requesting Council support for two rooftop and two non-rooftop solar photovoltaic systems at the following locations:

1. PUC Administration Building, 500 Second Line West, Sault Ste. Marie, Ontario, approximately 250 kW rooftop;
2. Northern Community Centre (previously the West End Community Centre) 556 Goulais Avenue, Sault Ste. Marie, Ontario, approximately 250 kW rooftop;
3. 2059 Second Line West, Sault Ste. Marie, Ontario, approximately 250 kW non-rooftop;

4. 540 Second Line West, Sault Ste. Marie, Ontario, approximately 250 kW non-rooftop.

Green Energy Cooperative of Ontario (GECO) is requesting Municipal Council Resolution Confirmation for five (5) rooftop solar photovoltaic systems that previously received Municipal Council Support Resolutions at the regular Council meeting dated 2015 06 22 for the following locations:

5. 589 Second Line East, Sault Ste. Marie, Ontario;
6. 352 Dacey Road, Sault Ste. Marie, Ontario;
7. 27 Terry Fox Place, Sault Ste. Marie, Ontario (2 projects)
8. 26 Terry Fox Place, Sault Ste. Marie, Ontario (2 projects)
9. 23 Terry Fox Place, Sault Ste. Marie, Ontario (2 projects)

These projects support the Alternative Energy Capital of North America declaration carried at the regular Council meeting dated 2008 09 08:

Moved by Councillor S. Butland; Seconded by Councillor T. Sheehan: Resolved that Council adopt the mantle of being the “Alternative Energy Capital of North America”.

These projects are also important to the development and maintenance of the community’s role in the alternative energy sector. The presence of solar energy generation and manufacturing has positively influenced the economic and environmental landscape of the community.

ANALYSIS

Information and documentation was provided by Ted Curry, Superior Energy Solutions, and John Aird Spark, GECO.

IMPACT

There is no budgetary impact. Building permits will be required for the rooftop solar photovoltaic projects proposed, but local zoning and by-laws do not apply.

STRATEGIC PLAN

The Corporate Strategic Plan contains numerous references to environmental awareness and a reduction in CO2 emissions; however, renewable energy projects are not included.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That the report of the Environmental Initiatives Coordinator dated 2015 07 13 concerning the solar photovoltaic FIT applications be received. By-law 2015-128 appears elsewhere on the agenda authorizing four (4) Municipal Council Support Resolutions and nine (9) Municipal Council Confirmation Resolutions and is recommended for approval.

Solar Photovoltaic Municipal Council Support Resolutions

2015 07 13

Page 3

Respectfully submitted,

A handwritten signature in blue ink that reads "Madison Zuppa".

Madison Zuppa, MES
Environmental initiatives Coordinator

Recommended for approval

A handwritten signature in blue ink that reads "Jerry Dolcetti".

Jerry Dolcetti, RPP
Commissioner, Engineering & Planning

INSTRUCTIONS: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

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Section 5.1(g)(i) of the FIT Rules, Version 4.0

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IESOMRD/f-FIT-010r2

Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: July 13, 2015

(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by The Local Municipality.)

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] PUC Services Inc. (the “Applicant”) proposes to construct and operate a Roof Top Solar Project (the “Project”) on 500 Second Line East (the “Lands”) in Sault Ste. Marie under the Province’s FIT Program;

[AND WHEREAS] the Applicant has requested that Council of the City of Sault Ste. Marie indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]:

Council of the City of Sault Ste. Marie supports the construction and operation of Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Signed:

Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

Date: July 13, 2015

(Signature lines for elected representatives. At least one signature is required.)

Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1	Apr 2015	IESOMRD/f-FIT-010r2
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Title: Malcolm White, City Clerk

Date: July 13, 2015

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Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1

Apr 2015

IESOMRD/f-FIT-010r2

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[AND WHEREAS] PUC Services Inc. (the “Applicant”) proposes to construct and operate a Roof Top Solar Project (the “Project”) on 556 Goulais Avenue (the “Lands”) in Sault Ste. Marie under the Province’s FIT Program;

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Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

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(Signature lines for elected representatives. At least one signature is required.)

Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

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Apr 2015

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[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] PUC Services Inc. (the “Applicant”) proposes to construct and operate a Non Roof Top Solar Project (the “Project”) on 2059 Second Line West (the “Lands”) in Sault Ste. Marie under the Province’s FIT Program;

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Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

Date: July 13, 2015

(Signature lines for elected representatives. At least one signature is required.)



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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/f-FIT-012r2

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--	--

5 Name: _____ Christian Provenzano / Malcolm White _____ Title: _____ Mayor / City Clerk _____	Signed: _____ Date: _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
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Page 2 of 2

Apr 2015

IESOMRD/f-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)



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Page 1 of 2 Apr 2015 IESOMRD/f-FIT-012r2

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I am the/an _____ Mayor/City Clerk _____ of the _____ City of Sault Ste. Marie _____
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b) ☐ A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Christian Provenzano / Malcolm White _____ Signed: _____

Title: _____ Mayor / City Clerk _____ Date: _____

(Signature block for authorized signee. Must be an original ink signature)



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Page 1 of 2 | Apr 2015 | IESOMRD/f-FIT-012r2

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COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Melanie Borowicz-Sibenik, Assistant City Solicitor

DEPARTMENT: Legal Department

RE: Deeming By-law Huron Subdivision – Lots 77 to 83, Plan 12983 St. Mary's (Blessed Sacrament)

PURPOSE

The purpose of this report is to bring to Council a request received from the owner of Lots 77 to 83, Plan 12983 St. Mary's, Huron Subdivision.

BACKGROUND

The Solicitor for the owner of Lots 77 to 83, Plan 12983 St. Mary's, Huron Subdivision has requested that the City pass a deeming by-law under Section 50(4) of the *Planning Act* for Lots 77 to 83, Plan 12983 St. Mary's, Huron Subdivision. The effect of the Deeming By-law, once it is registered on title, would be that this property would be treated as one block of land and could no longer be sold as individual lots without the by-law being repealed or by a Committee of Adjustment severance approval.

I have attached a portion of Map 16 showing the property as "Subject Property".

ANALYSIS

The request has been circulated to Don McConnell, Planning, Freddie Pozzebon, Building, Dan Perri, Engineering and Michelle Kelly, Committee of Adjustment, none of whom have an objection to the request that a deeming by-law be passed for Lots 77 to 83, Plan 12983, St. Mary's, Huron Subdivision.

IMPACT

Not applicable.

STRATEGIC PLAN

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

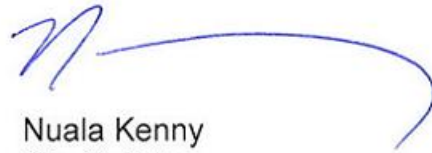
Resolved that By-law 2015-129 which has the effect of deeming Lots 77 to 83, Plan 12983 St. Mary's, Huron Subdivision as not being part of a plan of subdivision be recommended for approval. By-law 2015-129 appears elsewhere on the agenda.

Respectfully submitted,



Melanie Borowicz-Sibenik
Assistant City Solicitor

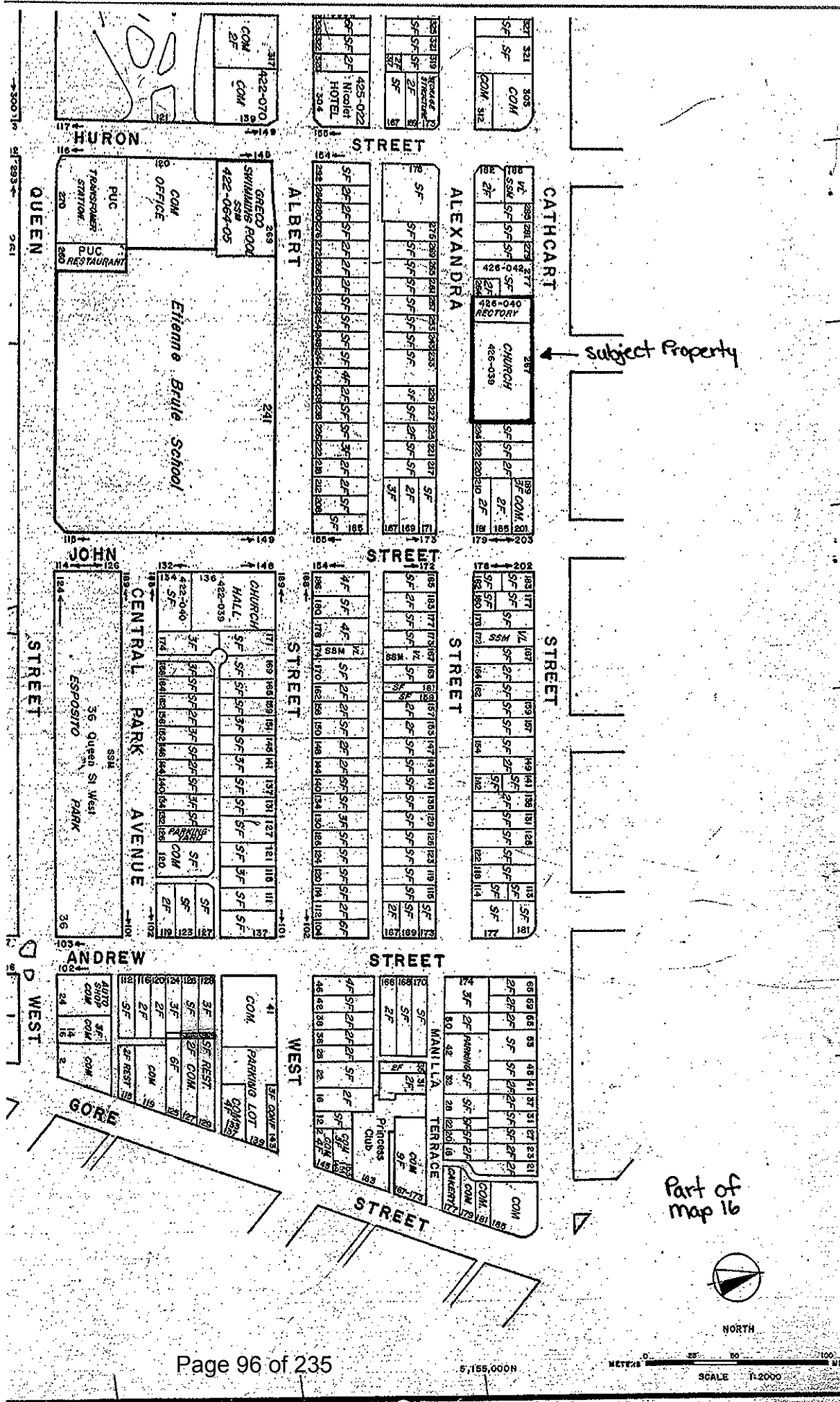
Recommended for approval,



Nuala Kenny
City Solicitor

MBS/lz

LEGAL\STAFF\COUNCIL REPORTS\2015\DEEMING BY-LAW REQUEST HURON SUBDIVISION.DOCX





COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Nuala Kenny, City Solicitor

DEPARTMENT: Legal Department

RE: Lease – 363 Wellington Street West

PURPOSE

The purpose of this report is to request Council's approval for a Lease Agreement (the "Lease") between the City and Kevin Belsito (the "Tenant") to permit the Tenant to use City property located at 363 Wellington Street West (the "City Property") for the purpose of additional parking.

BACKGROUND

In the winter of 2015, the Tenant expressed interest in leasing the City property adjacent to his property at 355 Wellington Street West. The Tenant has plans to renovate his property for use as multi-residential and requires the lands for additional parking. A meeting was held and it was decided that a Lease would be entered into between the City and the Tenant.

ANALYSIS

The Lease confirms that the Tenant has permission to use the City property for the purpose of additional parking. The Lease will be for a term of three (3) years commencing September 1, 2015 and expiring September 1, 2018 with rent at an annual rate of five hundred dollars (\$500.00). The Lease contains indemnification clauses such that the Tenant shall be responsible for any costs, expenses and liabilities associated with the use of the City Property. The Lease also requires the Tenant to maintain insurance over the City Property.

IMPACT

There is no significant financial impact associated with this matter.

STRATEGIC PLAN

No impact on strategic plan.

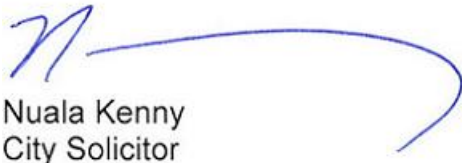
RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the City Solicitor dated 2015 07 13 concerning the Lease Agreement between the City and Kevin Belsito be received and the recommendation that Council authorize the execution of the Lease Agreement be approved.

By-law 2015-133 authorizing the execution of the Lease Agreement appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,



Nuala Kenny
City Solicitor

NK/wl



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Nuala Kenny

DEPARTMENT: Legal Department

RE: Licence to Occupy for The Art Gallery of Algoma

PURPOSE

The purpose of this report is to authorize the execution of a Licence to Occupy City Property Agreement (the "Agreement") between the City and The Art Gallery of Algoma (the "Art Gallery") to permit the Art Gallery to install and maintain an interpretive sign and stool on a portion of City property located at 651 Bay Street to the southwest of Ken Danby Way, being part of PIN 31540-0094 (LT).

BACKGROUND

In May of 2015, the Art Gallery approached the City Legal Department to request permission to install and maintain an interpretive sign and stool on City property near the Art Gallery. It was decided that a Licence to Occupy City Property Agreement would be entered into between the City and the Art Gallery.

ANALYSIS

The Agreement confirms the relationship between the parties and gives the Art Gallery permission to install and maintain an interpretive sign and stool on the City Property. The Agreement further contains indemnification clauses such that the Art Gallery shall be responsible for any costs, expenses and liabilities that in any way result from their use of City property. The Art Gallery is also required to maintain insurance over the City property identified in Schedule "A" to the Agreement.

IMPACT

There is no significant financial impact associated with this matter.

STRATEGIC PLAN

No impact on strategic plan.

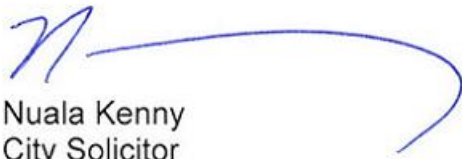
RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the City Solicitor dated 2015 07 13 concerning the Licence to Occupy City Property Agreement between the City and The Art Gallery of Algoma be received and the recommendation that Council authorize the execution of the Licence to Occupy City Property Agreement be approved.

By-law 2015-130 authorizing the execution of the Licence to Occupy City Property Agreement appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,



Nuala Kenny
City Solicitor

Legal\Staff\COUNCIL REPORTS\2015\AG151 Licence to Occupy for The Art Gallery of Algoma



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Stephen Turco, MCIP, RPP, Planner

DEPARTMENT: Engineering and Planning Department

RE: DCIP – Financial Incentive Grant Applications – July 2015

PURPOSE

As part of the City's Downtown Community Improvement Plan (DCIP), a series of financial incentive grant programs have been implemented. The purpose of this report is to recommend a number of grant applications for Council's approval.

BACKGROUND

In February 2014, City Council approved a Downtown Community Improvement Plan. The DCIP is a collaborative initiative which seeks to encourage new, private sector investment into the downtown, and help restore or repurpose the existing built form, in an effort to make downtown Sault Ste. Marie a viable and competitive commercial neighbourhood.

As part of the implementation, the DCIP has two key elements. The first is a public realm improvement strategy, which looks at improving areas such as streets, sidewalks, as well as park space in the downtown. The second element is a series of financial incentive grant programs which are meant to encourage direct new investment into downtown Sault Ste. Marie.

With respect to the financial incentive grant programs, four programs have been put into effect. A description of each program is outlined below:

Municipal Tax Increment Rebate (MTIR): For large development or redevelopment projects, the MTIR program is grant rebating the incremental increase in assessment associated with new construction. With this program, the owner is responsible for the up-front remediation and redevelopment costs. Each year after development, the owner must pay the property taxes in full. Once taxes are paid, grants equal to a percentage of the municipal tax increment is provided back to the developer.

Professional Design Grant (PDG): The PDG is a \$2,500 grant provided to eligible applicants investigating redevelopment options for their buildings. Generally, the grant is used to develop initial concept renderings associated with interior or exterior renovations and cost estimation. The PDG can also be coupled with the below mentioned programs, on a matching basis, to cover items such as building permit drawings, construction management, etc.

Building Improvement Grant (BIG): The BIG is a matching grant program that provides up to 50% to a maximum of \$15,000 towards interior renovation projects. This program is generally used to repurpose an existing commercial unit, or to convert vacant upper floor spaces to residential. As well, major building systems, such as HVAC systems, or roof repairs can also be eligible for this program.

Façade Improvement Grant (FIG): The FIG is a matching grant program that provides up to 50% to a maximum of \$10,000 towards exterior improvements to building facades. This program is commonly used to upgrade exterior building materials, such as stone or masonry, upgrade windows and entrances, or to establish a brand new look for the façade. As part of the FIG program, projects must be compatible with established urban design guidelines. Although innovative designs are encouraged, for buildings that exhibit heritage qualities or details (i.e. masonry facades, cornice lines, etc.), the purpose is to preserve and enhance those heritage features.

Additional details, as well as the eligibility criteria for each of these programs are outlined in the approved Downtown Community Improvement Plan and can be found on the City's website.

ANALYSIS

On April 30, 2015, City staff concluded a second intake of applications for the above-mentioned grant programs. A committee of staff from the City's Planning, Building and Finance (including Tax) Divisions review the applications to ensure compliance with eligibility criteria of the programs, and to determine if there are any outstanding work orders, by-law infractions or tax arrears.

Intake periods occur periodically during the course of the DCIP time period. At this time, six properties are recommended for grants. A description of each application is below:

Building and Façade Improvement Grant Applicants: The following applicant has applied for grants associated with both interior and exterior renovations.

7 Queen Street East: Applicant: Jason Naccarato	The applicant is proposing to restore a number of architectural details as well as restore the historic colour palette of the ground level façade. In addition,
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	brick cleaning and re-pointing is proposed. The applicant is also proposing a number of interior improvements including interior painting and new flooring. The applicant is requesting \$15,000 in grants out of a total project cost of \$82,000.
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Building Improvement Grant Applicants: The following applicant has applied for a building renovations grant.

485 Queen Street East: Applicant: Joe Martella	The applicant is seeking a grant to upgrade the roof to prevent water leakage and improve the building's energy efficiency. The applicant is seeking a \$10,000 grant out of a total \$20,000 project.
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Facade Improvement Grant Applicants: The following applicants have applied for a grant associated with exterior improvements.

495 Queen Street East Applicant: Jen Ruscio Business: Laser Advantage	The applicant is looking at upgrading a number of façade windows and a new entrance door for both aesthetic and energy efficiency improvements. The applicant has applied for a grant of \$5,100, with a project cost of \$10,200.
169 East Street Applicant: Terri Lutes Business: Synergy Naturopathic Clinic	The applicant is upgrading the existing façade to address the overall building aesthetics, and to support the relocation of a medical practitioner office. The applicant's project cost is \$33,000, and is seeking a grant of \$10,000.

Professional Design Grant and Building Improvement Grant: The following applicant is seeking a grant for both professional design and interior renovations. Design grants associated with proposed improvements can total up to \$2,500, on a matching basis.

212 Queen Street East Applicant: Richard Silvano	Proposed are complete renovations to an existing dental office. The applicant will also be utilizing the services of an architectural firm to oversee mechanical and electrical engineering services. The applicant is seeking \$17,500 in grants, out of total project costs of \$200,000.
---	--

Professional Design Grant, Building and Façade Improvement Grant: The applicant below is seeking both interior and exterior matching grants, as well as a design grant associated with the proposed works.

898 Queen Street East Applicant: Kim McComb	For the proposed improvements, the façade will be upgraded with new windows, overhang trim, and ground level panelling. The applicant will also be using a designer to facilitate the implementation of the project. The total project cost is \$36,000, and the applicant is requesting \$14,500 in grants.
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IMPACT

The total budget to implement the Downtown CIP is \$2,260,000. Funding for this program is being provided through FedNor, NOHFC, the City, as well as a small contribution from the Downtown Association. The funding allocation for the financial incentive grant programs is \$600,000. The amount of grants from the applications outlined in this report will total approximately \$72,000. To date, including the grants outlined in this report, approximately \$290,000 of grant funding has been committed.

STRATEGIC PLAN

Under the City of Sault Ste. Marie Corporate Strategic Plan, Strategic Direction 1: Developing Solid Infrastructure, Objective 1-C, Property Management and Development, the implementation of the Downtown Development Initiative (DCIP) is identified.

SUMMARY

The applications received to date are a positive indication of the determination of downtown property owners to reinvest in their buildings to support businesses and to attract people to this important area of the community.

Applications received during this intake represents approximately \$381,000 in new investment in the downtown. Staff will continue to receive applications during the course of the DCIP. Intermittent intake dates will be set by staff (generally every 4 to 6 months, depending on the number of interested applicants). These applications will be accepted until the budget allocation for the financial incentive programs has been exhausted.

With respect to the administration of approved applications, grant applicants must complete the work and pay all contractors, consultants, labourers, materials, etc. in full. As well, for all construction related projects, building permits must be obtained to ensure work is done in accordance with the standards prescribed by the Ontario Building Code.

Once the work is completed, paid for, and inspected, the grants are then provided to the applicant. If there are any outstanding work orders, fire code violations, or zoning or other municipal by-law infractions, staff will not issue the grants.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Planning Division dated 2015 07 13, concerning the Downtown Community Improvement Plan Financial Incentive applications be accepted as information, and, that the grant applications listed in this report be approved.

Respectfully submitted,



Stephen Turco, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

ST:ps



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Don Scott, Manager of Transit and Parking

DEPARTMENT: Public Works and Transportation Department

RE: Surveillance System for Transit Buses

PURPOSE

The purpose of this report is to request Council's approval for staff to release a Request for Proposal for the purchase and installation of on-board surveillance cameras for the Transit Services' fleet of conventional buses.

BACKGROUND

Since 2011, there have been eight incidents where Sault Transit employees were assaulted while performing their duties operating city buses. When these incidents occur, they are investigated by Transit staff, Police Services and the City's insurance adjuster to determine what happened on the bus. This involves locating and speaking to witnesses who can assist staff in determining what occurred.

In Ontario, 21 transit properties are now equipped with surveillance systems on their respective fleets. Not only do these surveillance systems act as a deterrent to criminal activity and inappropriate behaviour, they also provide passengers and operators with an added sense of security and supply valuable evidence during accident investigations or claims against the City.

ANALYSIS

Transit staff has monitored the effectiveness of surveillance cameras in other cities such as Thunder Bay, Sudbury, and Timmins. All three Northern Ontario properties have reported many positive results in the areas of customer complaint resolution, accident reconstruction, deterrence to bullying, fraudulent claims against the City, vandalism to the interior of the bus, and protection for the operator when a verbal altercation develops (as the video will also provide audio). The cameras serve to deter and reduce the frequency of assaults or crimes on the bus, which ultimately improves safety for all who choose to ride public transit.

Sault Ste. Marie Transit Services will work with the Legal Department to develop a Video Surveillance Policy to ensure the use of video surveillance cameras does not infringe upon the privacy rights of the individual.

Sault Ste. Marie Transit Services will work with the IT Department to ensure the system is maintained and used optimally to serve the community.

IMPACT

The total cost for the purchase and installation of the surveillance cameras will not exceed \$100,000. Funding for the cameras would occur from the Transit Equipment Reserve.

STRATEGIC PLAN

The recommendation to purchase the surveillance cameras is not contained within the current Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Manager of Transit and Parking concerning the purchase and installation of on-board surveillance cameras on the fleet of conventional buses be approved and; furthermore that Council approve staff to proceed with the Request for Proposal following the City's purchasing policy.

Respectfully submitted,



Don Scott
Manager of Transit and Parking

Recommended for approval



Larry Girardi
Commissioner of Public Works and
Transportation



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Don Scott, Manager of Transit and Parking

DEPARTMENT: Public Works and Transportation Department

RE: Additional Service to Industrial Park and New School

PURPOSE

The purpose of this report is to inform Council of adjustments to the North St. Bus route to enhance public transit service to Industrial Park Crescent and the new St. Mary's high school.

BACKGROUND

In March 2015, Councillors Frank Fata and Marchy Bruni requested that Transit Services consider adding service to Industrial Park Crescent. Employers in this area were finding it difficult to keep good employees, as some did not own vehicles or were unable to secure reliable transportation. The nearest bus stops to Industrial Park Crescent are located on Great Northern Rd., which would require employees to walk the distance to their place of work.

Transit Staff were also contacted by officials from the Huron-Superior Catholic District School Board, who were looking for enhanced transit service to the new St. Mary's high school from the terminal. Currently, service would have provided a 20 minute commute to the school; however, the return trip to the terminal would be 40 minutes. The ideal transit schedule would see 20 minutes travel to the school and 20 minutes return travel to the bus terminal.

ANALYSIS

Transit staff reviewed all possibilities with our current route system and concluded that the North St. bus route had enough time in its existing schedule to accommodate the request for transit service into the Industrial Park Crescent and to the new St. Mary's high school (Figure 1).

Effective September 8, 2015, Industrial Park Crescent will see transit service arrive at 6:15 a.m. and every half hour thereafter to 6:45 p.m. when hourly service begins until last run at 11:15 p.m.

The new St. Mary's high school will see arrivals from downtown drop off on Second line at 6:00 a.m., and every half hour until 7:00 p.m. when hourly service begins until last run at 11:00 p.m. The return trip from Old Garden River Rd. will occur at 18 and 48 minutes after the hour until 6:18 p.m. when hourly service begins until 11:18 p.m. Travel time from the new St. Mary's high school and the city bus terminal will 20 minutes both ways.

Hourly service will occur on weekends and after 6:45 p.m., Monday thru Friday.

IMPACT

There is no additional cost to provide the service to the new St. Mary's high school and Industrial Park Crescent.

STRATEGIC PLAN

The topic of this report is not linked to any activity of the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that the information in this report be received as information by City Council.

Respectfully submitted,



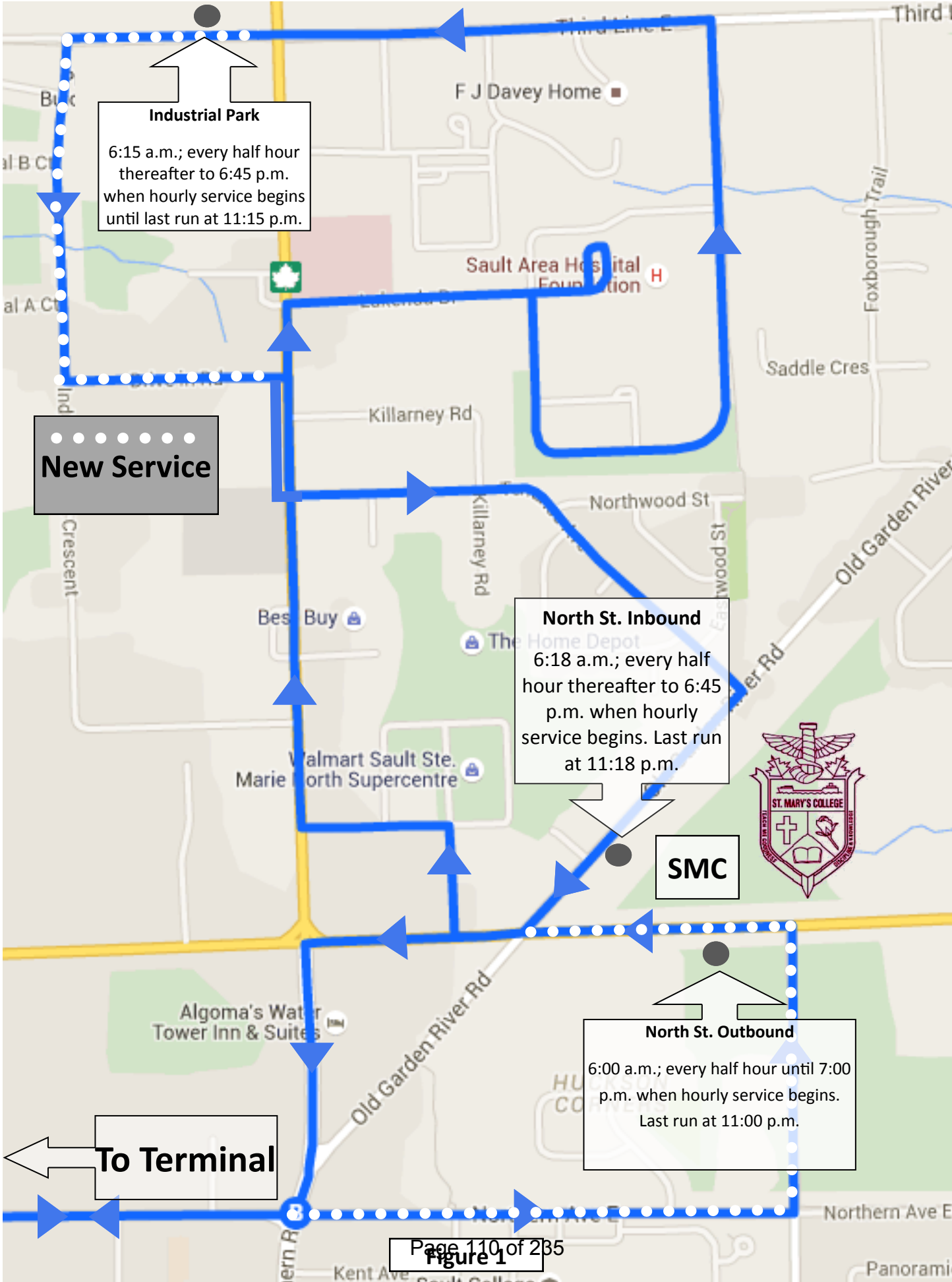
Don Scott
Manager of Transit and Parking

Recommended for approval



Larry Girardi
Commissioner of Public Works and
Transportation

Additional Service to New School & Industrial Park





COUNCIL REPORT

2015 07 13

TO: Members of City Council
AUTHOR: Christian Provenzano, Mayor
RE: CAO Recruitment

Purpose

The purpose of this report is to update Council on the progress of the CAO Recruitment Committee.

Background

As you are aware, Robert Johnston attended in Sault Ste. Marie on June 29th, 2015, to meet with the CAO Selection Committee.

All of you were made aware of the meeting and the agenda provided for a Council Question & Answer session with Mr. Johnston and the Committee. A number of you attended and the CAO Selection Committee appreciated both your attendance and your questions.

This report is meant to provide an outline of the process on a going forward basis. Of course, as the Chair of the Committee, I will be glad to answer any further questions that you may either as a result of the most recent meeting or anything within this report.

Charter of Expectations

You will find attached hereto a Charter of Expectations as approved by the Committee at its most recent meeting and executed by each of its members since.

The Charter was circulated to all of the Committee members in advance of the meeting so that each member could review the document prior to the meeting. The Charter outlines the expectations of each of the committee members as we approach what will be the most important part of this process: paring down the applicant list, deciding as a group who we will interview and then coming to a decision about the successful applicant.

Ideal Candidate Profile

Organizational Consulting is completing the Ideal Candidate Profile based upon its review of our corporate structure, job descriptions and community outreach.

Organizational Consulting conducted interviews with city councillors and community leaders from both the public and private sector to solicit feedback about candidate recruitment specifically relating to the qualities and skills that the City should be looking for in its next CAO. Based on this process, the consultant has put together an ideal candidate profile that will be applied to the applicant field to sort out which applicants should be given further consideration.

The Committee has been provided with a draft of the profile. Each of the committee members can communicate with the consultant to provide feedback on the profile.

Applicants

As of the date of our most recent meeting (June 29th, 2015), the consultant had received 40 applications. The consultant was also speaking with a number of interested parties who may have provided their applications since. The Committee has not been provided with any information relating to any of the applicants. The Committee will receive that information at its next meeting which is currently scheduled for July 15th, 2015.

The Committee expects that the consultant will rank the applicants into groups with those fitting the ideal candidate profile being separated from those who may have applied but who do not have the apparent qualifications or experience.

The Committee will assess the applications and decide how many applicants the Committee is interested in interviewing in an initial round of interviews. Two days have been tentatively set aside for first round interviews in late July. The Committee does not yet know if it will need two days or if the parties it chooses to interview will be available on those days but it has set aside the time hoping that there are a number of qualified applicants to interview and that those applicants will be able to make themselves available during the time currently blocked.

The Committee will assess the first round interviews and determine how many, if any, second round interviews need to be completed. In the event that the Committee determines that second round interviews are either advisable or necessary, the Committee will complete second round interviews and it has set aside one day in early August to do so.

The Committee may also decide to ask applicants who make this stage to undertake psychological profile testing which the City has from time to time used when filling senior positions within its ranks.

Interviews

The Consultant will be available for all interviews and will assist the Committee with developing and framing the interview questions. Each candidate interviewed will be subject to the same set of questions. Additionally, each interview may also allow time for candidate specific questions.

At the end of each day of interviews, the Consultant will lead a debriefing with the Committee whereby the Committee will discuss and assess each of the candidates interviewed.

Result

This process can yield three potential results:

1. The Committee recommends an applicant to Council that has the support of the entire committee; or,
2. The Committee recommends an applicant to Council that has the support of the majority of the committee; or,
3. The Committee does not make a recommendation to Council.

I am hopeful that the Committee will be able to make a recommendation to Council that is the result of a consensus and I fully expect that the Committee will work towards that goal. In any event, Council will be fully advised as to the circumstances of the recommendation. The Consultant will also be available to Council at the time the recommendation is made. It is possible that the Committee may be prepared to make a recommendation to Council at its August meeting but the Committee will not rush the process simply to make that meeting.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Christian Provenzano". The signature is fluid and cursive, with a large initial "C" and a stylized "P".

Christian Provenzano, Mayor



CAO SEARCH COMMITTEE CHARTER OF EXPECTATIONS

Each member of the CAO Search Committee was selected, not only for the constituency he/she represents but also for the excellence she/he will bring. Regardless of the constituency each Councillor represents, each member's duty is to consider the best interests of the City as a whole.

Being a member of the CAO Search Committee (which will recommend the selection of the CAO) entails significant responsibility and accountability. We are being entrusted individually and collectively to contribute a broad range of skills and attributes which will enable the best outcome – an outcome which is executed smoothly and professionally, and which can be benchmarked as a model for others.

Among the many familiar expectations of each member, ten principles require careful emphasis when one considers the successes and potential pitfalls that have characterized other search experiences both at the City and elsewhere.

EXPECTATIONS

1. Absolute Confidentiality

Confidentiality is critical. Search Committee members need to fully understand what this means, and if there is any doubt at any time about what is permissible, members must speak with the Chair before acting. All Search Committee business must be kept strictly confidential. External discussion with anyone, at any time, about candidates' names or any other aspects of the Search Committee's deliberations would constitute a breach of confidentiality.

2. Timely Internal and External Progress Updates

Timely and appropriate communication with the City community (Council and Corporation staff) and external stakeholders (as / if required) on progress will be considered a priority.

The Chair will be the **official** and **only** spokesperson for the Search Committee.

3. Avoiding Commentary in External Settings

In social settings and otherwise, people will be aware that you are a member of this Search Committee, and they will likely have heard of, or will speculate on, the names of potential or actual candidates who might be before the Search Committee for consideration. While listening to external advice and/or recommendations, it is critical that members do not provide their own commentary, assessment or reflections.

4. Due Diligence and Reference-Checking

Members are to refrain from unauthorized or informal reference-checking/due diligence, unless the Search Committee specifically assigns them the task.

Reference-checking and complete and thorough due diligence can and will be planned and executed systematically and professionally at the appropriate time.

5. Value-Added Constructive Interventions

Members will be expected to add value to the Search Committee deliberations through constructive interventions and clarification, while taking care not to exert undue influence and/or dominate proceedings.

6. Early Declaration of Personal Biases and Assumptions

It is normal that as candidates' names are put forward, Committee members might have their own personal biases and/or assumptions based on their familiarity with candidates. Early acknowledgement and declaration to the Search Committee of any personal bias will be well received and considered professional.

7. Full Engagement by each member at all stages

It is proven that the ultimate success of selection committees depends a great deal on the degree to which individual members are engaged in each stage of the process. Therefore, it is very important that each member be fully engaged in the fair, objective, and comprehensive assessment of each candidate during the short-listing process.

8. Constant Focus on Position Specifications and Role Profile

When assessing candidates, members will be expected to constantly focus on the skills, relevant experiences and other key attributes identified in the Position Profile as developed from consultations with stakeholders.

Experience demonstrates that committees responsible for the selection of leaders are more successful in deciding on the best candidate when, they **first** concentrate on/ and agree to the needs of the organization for the next three to five years, and **second** on matching the candidates to those specifications.

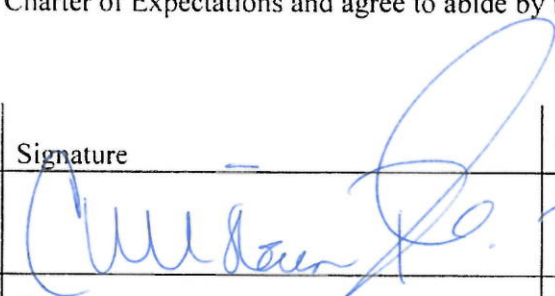
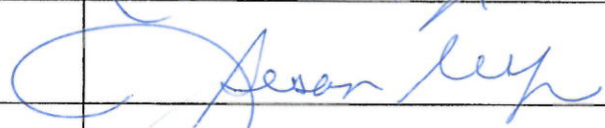
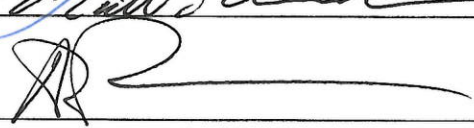
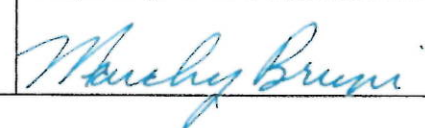
9. Role of the Search Consultant

During this CAO search process, Organization Consulting Limited will play the role of advisor and provide support to the Search Committee, but will not diffuse the responsibility and accountability of the Committee members, which is to recommend the very best and most appropriate CAO. OCL will have their own specific mandate, but will also be subject to this *Charter of Expectations*.

10. Meeting Attendance

Attendance at all meetings is expected, unless circumstances prevent it. The possibility of missing just one meeting would be the most that would be acceptable or expected.

I have read and understood the Charter of Expectations and agree to abide by its terms:

Name	Signature	Date
Mayor Christian Provenzano		June 30/15
Councillor Susan Myers		June 30/15
Councillor Matthew Shoemaker		June 30/15
Councillor Ross Romano		July 8, 2015.
Councillor Marchy Bruni		June 30/15



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Councillor Matthew Shoemaker, Chair – Committee to Honour Sir William H. Hearst

RE: Recognition of Sir William H. Hearst

PURPOSE

This committee was authorized by the following resolution passed at the 2015 02 09 Council meeting and considered the matters outlined in the resolution:

Whereas Sir William H. Hearst served as the Member of Provincial Parliament for Sault Ste. Marie from 1909 to 1919; and

Whereas April 16th marks the 103rd birthday of the incorporation of the City of Sault Ste. Marie, an objective achieved during Sir William H. Hearst's term as the City's MPP; and

Whereas from 1914-1919 Sir William H. Hearst served as Premier of Ontario; and

Whereas Sir William H. Hearst was the first Premier of Ontario from Northern Ontario; and

Whereas Sir William H. Hearst served as Premier of Ontario during the First World War; and

Whereas during his term as Premier, Sir William H. Hearst passed ground-breaking legislation giving women the right to vote in Ontario;

Now Therefore Be It Resolved that a committee be struck to determine the appropriate recognition for the former Premier of Ontario, Sir William H. Hearst; and

Further Be It Resolved that the committee consist of Councillors Shoemaker and Myers, a member of the Municipal Heritage Committee as recommended by the Municipal Heritage Committee, and three high school students, being one student from each local school board, as recommended by the Director of Education of each board.

BACKGROUND

The committee was constituted with the following members in addition to myself and Councillor Myers; Chris Tossell (Municipal Heritage Committee), Megan Spooner (Conseil scolaire catholique du Nouvel-Ontario), Lauren Hunter (Huron-Superior Catholic District School Board) and Madison MacLachlan (Algoma District School Board). As has been mentioned previously, one of Sir William H. Hearst's most significant accomplishments was granting women the right to vote Provincially and municipally in Ontario. Given this achievement, it was notable that three of the committee members (forming a majority of the voting members on the committee) were women.

The committee met on two occasions to consider the matters referred to it and develop recommendations for Council.

A list of potential naming opportunities was drafted and public input was sought through our municipal website for an indication of the most appropriate naming recognition for Premier Hearst. There were 10 responses to the request for public input, and while the suggestions varied, the option that received the most support was the naming of the August Civic Holiday.

ANALYSIS

There are several municipalities in Ontario that have named the August Civic Holiday after a notable historical figure. A sampling (though by no means a complete list) of municipalities that have named their August Civic Holiday after historical figures follows: Simcoe Day in Toronto, Colonel By Day in Ottawa, Joseph Brandt Day in Burlington, John Galt Day in Guelph and Alexander Mackenzie Day in Sarnia.

The committee agreed that the naming of the August Civic Holiday as Sir William H. Hearst Day represents a suitable form of recognition for the considerable accomplishments of Sault Ste. Marie's highest achieving political figure. The following resolution was passed unanimously by the committee.

Resolved that the Committee to Honour Sir William H. Hearst recommend to City Council that, commencing in 2015, the August Civic Holiday in Sault Ste. Marie be named Sir William H. Hearst Day.

In addition to the above recognition the committee discussed ways of ensuring that Hearst's accomplishments remain relevant for future leaders from our community. To that end the concept of providing post-secondary scholarships, one each for Algoma University and Sault College, was deemed worthy of further consideration. The committee will continue to meet to consider this option and report further to Council at a later date.

It is hoped that renaming our August Civic Holiday to Sir William H. Hearst Day will provide the community with an opportunity to learn more about Sault Ste.

Marie's MPP and the first Premier of Ontario from Northern Ontario. As has been mentioned previously, but is certainly worth reiterating, some highlights of Hearst's term as Premier, which overlapped with all the years of the First World War included: granting women the right to vote, strongly supporting Canada's war effort and conscription, creating Ontario's first workers' compensation regime, creating a mothers allowance regime, passing the first Forest Fire Prevention Act, providing government loans to returning soldiers to establish agricultural settlements, and proposing a minimum wage, which was later passed by the successor to Hearst's government.

Hearst is the only Premier of Ontario from Sault Ste. Marie, and remained the only Premier of Ontario from Northern Ontario for 76 years, until Mike Harris was elected in 1995.

IMPACT

There are no significant budget or resource impacts incurred by adopting the recommendations of this report.

STRATEGIC PLAN

This report is not linked to current items in the strategic plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Committee to Honour William H. Hearst dated 2015 07 13 be accepted and that Council approve the recommendation to henceforth rename the Civic Holiday in Sault Ste. Marie as Sir William H. Hearst Day, and

Further that the committee report to Council at a future date concerning the possible establishment of academic scholarships at Algoma University and Sault College as further recognition of the legacy of Sir William H. Hearst.

Respectfully submitted,

Councillor Matthew Shoemaker,
Chair, Committee to Honour
Sir William H. Hearst



June 26, 2015

Mattheu Shoemaker
City Councillor
Sault Ste. Marie ON
m.shoemaker@cityssm.on.ca

Dear Mr. Shoemaker,

Further to your request for the Town of Hearst to support Sault Ste. Marie in its plan to rename its Civic Holiday the Sir William H. Hearst Day, please find attached Council resolution 267-15 to that effect.

Although members of Council were not around when our community was named Hearst, we understand why our forefathers chose the name of such an eminent politician who hailed from Northern Ontario. We are confident that the City of Sault Ste. Marie will honour him with respect and admiration.

Yours truly,

Monique Lafrance
Chief Administrative Officer

Corporation de la Ville de Hearst/Corporation of the Town of Hearst



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e-mail : townofhearst@hearst.ca / web : www.hearst.ca

COPIE CERTIFIÉE – CERTIFIED COPY

Résolution No. 267-15

Proposée par: Conseiller Conrad Morin

Appuyée par: Conseiller Raymond Vermette

CONSIDÉRANT que la Ville de Hearst a été nommée d'après William H. Hearst, ministre des Terres, des Forêts et des Mines de 1911 à 1914 et Premier ministre de l'Ontario de 1914 à 1919

CONSIDÉRANT que la Ville de Sault Ste. Marie propose de déclarer son jour fériée du mois d'août "Jour de Sir William H. Hearst" en l'honneur de M. Hearst,

QU'IL SOIT RÉSOLU que le Conseil municipal appuie par la présente les efforts de la Ville de Sault Ste. Marie pour déclarer son jour férié du mois d'août "Jour de Sir William H. Hearst".

ADOPTÉE

Proposed by: Councillor Conrad Morin

Seconded by: Councillor Raymond Vermette

WHEREAS the Town of Hearst was named after William H. Hearst, Minister of Lands, Forests and Mines from 1911 to 1914 and Premier of Ontario from 1914 to 1919, and WHEREAS the City of Sault Ste. Marie proposes to declare its August Civic Holiday "Sir William H. Hearst Day" in honor of Mr. Hearst,

BE IT RESOLVED that Municipal Council hereby supports the City of Sault Ste. Marie in its efforts to declare its August Civic Holiday "Sir William H. Hearst Day".

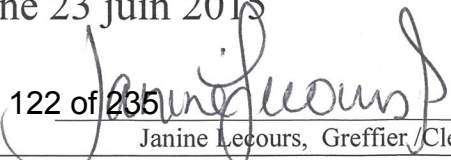
CARRIED

Adoptée lors de l'assemblée du Conseil tenue le

Adopted by Council during a meeting held on

June 23 juin 2015

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Janine Lecours, Greffier/Clerk

July 9, 2015

Council of the City of Sault Ste. Marie
Attn: Matthew Shoemaker
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

Dear Sault Ste. Marie City Council,

Re: Proposal to rename the August Civic Holiday the Sir William H. Hearst Day

It is with great pleasure that I offer my strong support and endorsement to the proposal, put forward by the Committee to Honour Sir William H. Hearst, to name the August Civic Holiday the Sir William H. Hearst Day. Sir William H. Hearst was a great pioneer of the Ontario society in which we live today.

Locally, Sir William H. Hearst was engaged in many aspects of his Sault Ste. Marie community. Prior to being elected MPP for Sault Ste. Marie in 1908, he was the Chief of the volunteer fire department in Sault Ste. Marie. Sir William, a faithful Methodist, was integral to the efforts of the local Methodist community to build a church at the corner of Spring Street and Albert Street, and chaired the building committee for a new church. The church that was eventually raised at Spring and Albert Streets still stands today and is now known as Central United Church. Hearst, a lawyer by training, also had a law office on Queen Street. The house known locally as Eastbourne, at the corner of Queen Street and Upton Road, was built by William Hearst when he was MPP for Sault Ste. Marie

On the provincial scene, Premier Hearst is best known of having granted women the right to vote provincially and municipally in Ontario in 1917, which is undoubtedly his greatest achievement. Other significant provincial achievements of Hearst's include doubling the size of Ontario by successfully negotiating adding the District of Keewatin to Ontario, approving the world's largest hydro-electric generating station at Niagara Falls, known as the Chippewa Project, and starting a job-placement bureau, which put more than 24,000 men back to work after World War I. One of the issues that dominated Hearst's tenure as Premier was, of course, prohibition, which was enacted by the Hearst government in 1916.

Nationally and internationally, Hearst played a major role in Canada's war effort during World War I. Hearst was a great supporter of the Empire in World War I, and spoke loudly in favour of conscription, which was being imposed by the federal government. Hearst's support of conscription, and efforts to provide Ontario's support to the Empire's war effort led to him being knighted by King George V.

More than any of his achievements locally, provincially, nationally or internally, Sir William H. Hearst was first and foremost, my great-grandfather, and I am extremely grateful to the City of Sault Ste. Marie for proposing to bestow such an historic recognition on great-grandpa Hearst.

Sincerely,



Peter DeGuerre



LEGISLATIVE ASSEMBLY

DAVID ORAZIETTI, M.P.P.
SAULT STE. MARIE

July 8, 2015

Councillor Matthew Shoemaker
Chair, Committee to Honour William H. Hearst
99 Foster Drive, Civic Centre
Sault Ste. Marie, ON

Dear Councillor Shoemaker:

Thank you for the information regarding recognition of Sir William H. Hearst. I am pleased to support your resolution being brought forward to Council that the August Civic Holiday in Sault Ste. Marie be named Sir William H. Hearst Day.

This recognition would capture and highlight one of our community's most important leaders.

I would like to take this opportunity to commend your committee's hard work and determination in proposing a day to formally recognize Sir William H. Hearst in our community.

Sincerely,

David Oraziotti MPP
Sault Ste. Marie



COUNCIL REPORT

June 22, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Tonazzo, MCIP, RPP, Planner

DEPARTMENT: Engineering and Planning Department

RE: A-12-15-Z – 342-346 John Street

PURPOSE

The applicant, 1890798 Ontario Inc. (c/o Carlo Bumbacco and Jim Brogno) is requesting a rezoning to facilitate the conversion of the existing building from a church to an apartment building consisting of 25 units.

PROPOSED CHANGE

The applicant is requesting a rezoning from “R3” (Low Density Residential Zone) to “R4” (Medium Density Residential Zone) in order to permit the existing building to be converted to an apartment building consisting of twenty five (25) dwelling units.

Subject Property:

- Location – The subject property is located on the northeast corner of John Street and St. George’s Avenue West, civic no. 342/346 John Street.
- Size – The irregularly shaped ‘through lot’ has approximately 38.5m (126’) frontage on John Street, 81m (266’) along St. Georges Ave. West, and 38m (124.7’) along Bush Street, totalling 0.28ha (0.7acres)
- Present Use – Vacant – Formerly John Wesley United Church
- Owner – 1890798 Ontario Inc. (c/o Carlo Bumbacco & Jim Brogno)

BACKGROUND

In 1997 Council approved a rezoning by way of a special exception to permit a daycare facility in addition to the church use. With the passing of a new zoning by-law in 2005, the special exception was removed as the current Low Density Residential Zoning permits among other things, a church and daycare facility.

At the request of the applicants, this application was deferred by Council on May 25, 2015. The applicants initially applied to develop approximately 20 dwelling units within the existing building. Since filing the application, the applicants hired a qualified designer who estimated that 25 dwelling units could be located within the existing building. As such, the original request of 20-units was amended to 25-units and new public notices were distributed in accordance with the Planning Act.

ANALYSIS

Conformity with the Official Plan (OP)

The subject property is designated 'Residential' on Land Use Schedule 'C' of the Official Plan. There exist a number of Residential Policies within the Official Plan which support the applicants' proposal to repurpose the former John Wesley United Church to accommodate 25 self-contained dwelling units:

R.2 Low and high density development should be integrated and compatible in density, height and building setbacks. Generally, high density development shall be restricted to major arterial streets and areas abutting the downtown core.

The aforementioned policy contains two (2) principles which apply to and support this application.

First, there must be regard for ensuring that this development is integrated and compatible with the surrounding area, in terms of density, height and building setbacks. The applicants are proposing no change to the building envelope. Therefore the existing footprint and height of the building will be unaltered. Not only is the building within the character of the surrounding area, built in 1960 and then expanded in 1966, this building is in fact part of the character of this older, mixed use neighbourhood.

Second, high density development should generally be restricted to major arterial streets and areas abutting the downtown core. This portion of St. George's Avenue West is identified on Transportation Schedule D as an Arterial Street. This portion of John Street is identified as a Collector Street. Finally, the subject property is located in close proximity to the downtown core of the community.

R.4 Small scale intensification may be permitted in all residential areas unless adequate supporting infrastructure is not available or significant physical constraints exist.

R.5 Small scale residential intensification may include, but not be limited to, rooming, boarding and lodging houses, apartments in houses, infill development and redevelopment.

The aforementioned Official Plan Policies R.4 and R.5 speak to the concept of 'residential intensification.' R.5 defines 'small scale residential intensification' as including, but not being limited to boarding and lodging houses, apartments in houses, infill development and redevelopment. In this particular case, the applicants' proposal represents an 'infill development' and 'redevelopment' of an existing building. Policy R.4 clearly supports small scale residential intensification in all areas unless adequate supporting infrastructure is not available or significant physical constraints exists. Based on a preliminary review, the trunk sewer system appears to have adequate capacity, however the private laterals servicing the subject property may need to be upgraded, which is often the case in redevelopment proposals of this nature. The 'adequate supporting infrastructure' noted in Policy R4 refers to the public or trunk services located within the public right of way, rather than private laterals which tie into buildings.

Policy R.4 also requires a review of any significant physical constraints on the subject property. A western portion of the subject property adjacent to John Street consisting of +/-15m (+/-49') is identified as the 'Steelton Specific Flood Area'. As per Section 4.4 of the OP *"the nature of the flooding in these areas is similar to that experienced in the Flood Fringe or can be made to reflect these conditions when certain improvements are completed."* Official Plan Policy SA.3 speaks specifically to the 'Steelton Flood Area', noting *"the improvements which resolve the flooding problem are identified by the municipality, with the technical advice of the Conservation Authority and the Ministry of Natural Resources and are proposed as a public project and provided when possible. Further, there are no openings to buildings below the elevations established in the Conservation Authority's Fort Creek Watershed Appraisal."* The attached correspondence from the Conservation Authority notes that in this case no openings may be located below 183m C.G.D., which is the current elevation at the corner of John Street and St. George's Avenue West. There are existing basement windows and the applicants are planning to include basement dwelling units. Based on site visits and discussions with the Conservation Authority, it appears that the bottoms of the windows are above the elevation of the roadways (183m C.G.D.).

The ongoing Fort Creek Aqueduct project has mitigated part of the flooding threat. Further phases to the Fort Creek Aqueduct project are intended to eventually eliminate the flooding risk to the Steelton Area. According to the Corporate Strategic Plan, the Fort Creek Aqueduct project is anticipated to be completed in 2021.

Notwithstanding the Fort Creek Aqueduct project, the applicants will be required to hire a qualified professional to incorporate flood proof protection measures, such as 'window wells' around any effected basement windows, to the satisfaction of the Sault Ste. Marie Region Conservation Authority, prior to the issuance of a building permit.

Although potential flooding is a significant physical constraint, there are a variety of solutions available to overcome the immediate risk. Work to-date on the Fort Creek Aqueduct project has reduced some of the risk, and will eventually eliminate the risk upon completion.

To conclude, it is Planning staff's opinion that this application is supported by a variety of policies contained within the current Official Plan. It is also Planning's opinion that this application meets the Provincial Policy Statement 2014, especially as it relates to appropriate residential intensification, infill development and redevelopment.

Comments

The applicants Carl Bumbacco and Jim Brogno, are seeking Council's approval to rezone the subject property to accommodate 25 self-contained dwelling units within the existing building. Formerly the John Wesley United Church, the subject property is a 'through lot', with frontage on John Street, St. George's Avenue and Bush Street. The character of the surrounding area is mixed, consisting of primarily residential to the north and east, and commercial to the south and west. Although the majority of the residences to the north and east are single detached residential, based on current assessment data, many have converted or intensified to include second and third dwelling units. In recognizing this trend, when Zoning By-law 2005-150 was passed in 2005, the Low Density Residential Zone (R3) was applied to these traditional neighbourhoods, thereby permitting, without the need for rezoning, duplex dwellings, triplex dwellings, and multiple attached dwellings.

The subject property is ideally located at the interface between the residential areas to the north and the primarily commercial areas to the south.

Referring to the applicants' site plan attached, the current building footprint, height and lot layout will remain largely unchanged. Vehicular access to the site will remain the same, with one access onto St. Georges Avenue and two accesses onto Bush Street. The parking area currently accommodates 38 parking spaces. The Zoning By-law requires 1.25 spaces per dwelling unit. Based upon 25 dwelling units, the required parking for the site is 31 spaces, 6 of which must be barrier free. The applicants are proposing to locate a total of 38 parking spaces, with 6 barrier free parking spaces. Overall, the parking provided will exceed minimum requirements.

At this point in time there is no outdoor amenity space on the subject property. In discussions with staff, the applicant has agreed to transform a portion of the property along John Street (shown on the attached site plan) to accommodate an outdoor amenity area. The area will be approximately 25.3m x 14m (83'x46') totalling approximately 354.2m² (3818ft²), representing approximately 12.5% of the total site area. The on-site amenity area will be geared toward passive forms

of recreation. Morin Street Park is located relatively close to the subject property, (approximately 400m) and is easily accessible via Bush Street and York Street, which are relatively quiet local residential streets with sidewalks on one side.

Currently, the eastern portion of the parking area, adjacent to the Bush Street frontage, is paved right to the curb. This paving gives the parking area more of a commercial look from the east. It is recommended that as a condition of approval, the applicants be required to create a landscaped strip along the Bush Street frontage, as shown on the attached site plan labelled “Recommended Landscaping”. The landscaped area would require the removal of 4 parking spaces, which are surplus. The result would be a landscaped buffer which would be much more in character with the surrounding area, and a residential use.

The additional landscaping along John Street and Bush Street will increase the landscaped open space to over 30%, which is the minimum required for apartment buildings.

There is an existing fence along the northern lot line between the parking area and the abutting single detached residence to the north. This fence will provide an adequate buffer between both uses.

There was a laneway traversing the parking lot from St. George’s to Cornwall Street. Based upon city records, the portion of the laneway traversing the parking lot was closed and transferred, however the remainder of the laneway between the north lot line of the subject property and Cornwall Street remains open.

Given the existing building and site layout dates back to the 60’s, there are a number of variances required to legalize the current layout of the property. More specifically:

1. Front Yard Setback (John St.) – From 7.5m to 0.5m
2. Exterior Side Yard Setback (St. Georges Ave.) – From 6m to 1.2m
3. Interior Side Yard (north lot line) – From 3m to 1.8m

A variance is also required to permit required parking to be located within a required exterior side yard.

Consultation

The following departments/agencies commented on the application as part of the consultation process:

- See attached letters – Building Division, Engineering Dept., PUC Services, Sault Ste. Marie Region Conservation Authority
- No objections/comments – Municipal Heritage Committee, EDC, PWT, Fire Services, Accessibility Advisory Committee

Correspondence from the Building Division notes that a Record of Site Condition will be required as part of the Building Permit process.

The Engineering Division notes that the existing lateral and interior plumbing within the building should be reviewed by a Professional Engineer in regards to capacity and feasibility for the intended use. Such requirements will be part of the building permit process.

PUC Services Inc. notes further review is required to determine whether or not the current 19mm water service lateral is adequate to support the intended use. Such a review will also be part of the building permit process.

Up to the drafting of this report, nine (9) letters from neighbours (attached) have been received, including one (1) letter of support, (2) letters simply requesting a Notice of Decision, and six (6) letters of objection. Comments received from both the original and amended request have been attached.

Generally, neighbour concerns can be summarized as follows:

Increased Noise

Increased noise in association with the proposed apartment building is cited by many as a major concern. The former church use was intermittent, with the heaviest usage generally restricted to weekends. During the majority of the week, the church was largely vacant, with the exception of smaller groups such as Boy Scouts utilizing a portion of the building. Although the proposed residential use of the property will be regular and ongoing, the residential use will be generally less intensive than that of the church during services. Furthermore, off-site impacts such as noise from the apartment building will be of a residential nature.

Increased Traffic/Traffic Flow/Parking

Neighbours also expressed concerns associated with increased traffic to and from the subject property. In most cases neighbours indicate that St. Georges Avenue and John Street are already very busy, yet the neighbourhood streets to the north are very quiet. The main concern is that tenants and visitors will begin utilizing Bush Street as an alternative route north.

This portion of St. George's Avenue is classified as an Arterial Street on Transportation Schedule D of the Official Plan. According to the Official Plan, 'Arterial Streets are designed to facilitate the safe movement of large volumes of traffic at a moderate rate of speed over extended distances.'

This portion of John Street is classified as a Collector Street. According to the Official Plan, 'Collector Streets are designed to facilitate the safe movement of

traffic from residential, commercial and industrial areas to or from the arterial street network.'

According to PWT traffic counts; this portion of John Street accommodates approximately 3,000 vehicles per day, and St. George's Avenue accommodates approximately 10,000 vehicles per day. Both of these streets can accommodate the traffic generated from the proposed apartments. Furthermore, accessing St. George's via either the parking lot or Bush Street does not appear to be an issue. The nearby lights at John Street have the effect of creating gaps in the traffic flow that will allow for access opportunities.

It is recognized that the neighbourhood to the north and east is fairly quiet with minimal traffic. These streets are classified in the Official Plan as 'Local Streets', 'designed to facilitate the safe movement of traffic within a residential area...' Some may choose to utilize Bush Street as an alternative route north, however the total traffic generated from a 25-unit apartment building will be minimal. Furthermore, it is anticipated that the majority of traffic coming to and from the site will utilize St. George's Avenue and John Street.

Finally, Public Works and Traffic, have commented that they have no concerns with this application.

Concerns Associated with the Laneway

There were also concerns associated with the laneway, which commences at the north lot line adjacent to where the barrier free parking spaces are proposed, and runs north several blocks. Concerns are based upon an increase in foot traffic through the laneway, and the types of people that may frequent the laneway. Although the applicants may choose to erect a fence across the southern end of the laneway, from a 'pedestrianism' perspective, this is not recommended as a condition of approval. The laneway should continue to offer an alternative north/south walking route for the neighbourhood.

Impacts to Water and Sewer Systems on Bush Street

Several neighbours indicated concerns with the 'aging infrastructure' along Bush Street, and what impacts the 25-unit apartment building could have upon existing water and sewer services in this area. The building is currently tied into water and sewer services on St. George's Avenue. Engineering staff has conducted a preliminary review and there appears to be adequate sewer capacity to handle the proposed 25-unit apartment building. The applicants will be required to verify water and sewer capacity prior to the issuance of a building permit.

IMPACT

If approved, this development is eligible to receive tax rebates under the Rental Housing Community Improvement Plan. It is also recognized that higher development densities are more efficiently serviced by the municipality.

STRATEGIC PLAN

Approval of this application is not directly linked to any policies contained within the Corporate Strategic Plan.

SUMMARY

This application represents an appropriate reuse of an existing building, which has a number of interesting architectural features not found in new construction. The current layout of the site and building dates back to the 60's and forms an integral part of the character of this well established area. For this reason, it is recommended that conditions of approval be such that development shall occur within the existing building envelope. Although it is recognized that exterior alterations (such as new windows) may be required to meet the Ontario Building Code, it is recommended that provisions be put in place to restrict expanding the building's footprint or height. Rather than rezone the subject property from R3 to R4, it is recommended that the underlying zoning remain R3, which will help to alleviate some neighbour concerns related to the uses permitted in an R4 zone, namely apartment buildings up to five (5) storeys.

The subject property is located at the interface between the well-established, primarily single detached residential area to the north and west, and the Steeltown commercial area to the south and west. From a land use perspective, the proposed repurposing of the building to include 25 dwelling units is appropriate; however it is recommended that by way of a special exception, the total number of units be limited to not more than 25.

It is also recommended that as a condition of approval the applicants be required to increase the existing green space and landscaping upon the subject property. The northwest portion of the property fronting onto John Street should be developed as a passive outdoor amenity area, and a fence should be installed along the northern portion of the green space, in accordance with the fencing provisions outlined in the Zoning By-law. This fence will create a buffer between the green space and the abutting neighbour to the north. It is also recommended that the applicants create a landscaped strip along the Bush Street frontage, which will create a streetscape that is more in character with the well-established neighbourhood. It is recommended that Council deem the property subject to Site Plan Control in order to facilitate the implementation of these features.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the Report of the Planner, dated 2015 06 22 be accepted as information and that Council rezones the subject property from R.3 (Low Density Residential Zone) to R3.S (Low Density Residential Zone) with a Special Exception outlining the following provisions:

1. That in addition to the uses permitted in an R.3 zone, that an apartment building be permitted, consisting of not more than 25 dwelling units.
2. That the existing building footprint and height not be expanded in any way.
3. That additional landscaping be provided within the northwestern portion of the subject property, adjacent to John Street, as shown on the applicants site plan.
4. That a fence be erected and maintained along the northern portion of the landscaped area adjacent to John Street, in accordance with the provisions of Zoning By-law 2005-150.
5. That a landscaped strip be provided along the Bush Street frontage, to the satisfaction of the Planning Director.
6. That the Front Yard Setback (John St.) be reduced to 0.5m.
7. That the exterior side yard setback (St. Georges) be reduced to 1.2m.
8. That the interior side yard setback (north lot line) be reduced to 1.8m.
9. That required parking be permitted in the required exterior side yard.
10. That the property be deemed subject to Site Plan Control, pursuant to Section 41 of the Planning Act.

Respectfully submitted,



Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval



Jerry Dolcetti, RPP
Commission Engineering & Planning

PT:ps

Attachment(s)



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Don McConnell MCIP, RPP, Planning Director

DEPARTMENT: Engineering and Planning Department

RE: John Wesley Redevelopment Open House

PURPOSE

This report summarizes an open house that was held on Thursday, July 2 to discuss the proposed redevelopment of the former John Wesley United Church at the intersection of St. Georges Avenue and John Street.

BACKGROUND

On June 22, 2015 City Council considered a report recommending approval of a rezoning to permit the former John Wesley United Church to be redeveloped as an apartment building with not more than 25 units.

Given the neighbourhood opposition to the request, Council postponed the application until July 13 to allow for a neighbourhood meeting.

On July 2, a meeting was held at the church that was attended by the applicants, approximately 26 neighbours, Councillors Niro and Turco, and planning staff.

ANALYSIS

The applicants presented a brief summary of the project indicating that the outside of the building would not be expanded. A mix of one and two bedroom apartments is planned although detailed designs have not yet been completed. They stressed that they wished to have a good relationship with the neighbourhood.

The majority of neighbours were opposed to the application. However it was noted by some that this redevelopment is preferable to having the building remain empty and fall into disrepair

The following concerns were raised at the meeting.

Infrastructure Capacity – Neighbours were concerned that flooding would become more of a problem given recent events in the area. It was noted that the amount of storm water leaving the site will not change as a result of this development and that the recently approved Fort Creek aqueduct reconstruction project will assist with reducing flood risk in the area generally. It was also noted that an engineering report to determine the adequacy of water and sewage capacity in the area will be required prior to the issuance of a building permit.

Traffic – There were a number of concerns raised about traffic in the area, specifically the speed of vehicles, the number of transports and the condition of St. George's Avenue. The neighbours suggested that the traffic counts in the staff report may be low as they have noticed an increase since the reconstruction of John Street was completed. The traffic counts referenced in the report are from 2010, therefore they do not reflect post reconstruction conditions. Residents also inquired as to the number of accidents at the St. George's Avenue – Bush Street intersection. In the past four years there has only been one reported collision (2012).

One suggestion was that the access onto Bush Street should be designed to be a right turn only so that all vehicles exiting the parking lot would be directed to St. George's Avenue. Right-in and right-out accesses are normally only used when the development fronts onto a busy road such as McNabb Street (Canadian Tire) or Trunk Road (Churchill Plaza). Public Works has indicated that this type of access is not necessary given the low traffic volumes on Bush Street. PWT also noted that it will make snow removal from the parking lot more difficult.

Parking – Neighbours were concerned that there would not be sufficient parking given the proposed loss of four parking spaces to create additional landscaping along Bush Street. The applicants will be providing 34 spaces. Assuming that the maximum of 25 units is constructed, this exceeds the City's requirement of 32 spaces on site.

Snow Removal – A number of questions were asked concerning how snow removal would occur. The applicants explained that snow removal is done during the day when many of the vehicles are away from the site. The building superintendent is responsible to contact the owners of the remaining vehicles and have them temporarily park either on the road or elsewhere on the lot. This is a common practice throughout the municipality.

Garbage Collection – The applicants noted that garbage collection will be via a commercial contract with pick-up weekly. The exact location of the garbage bin would likely be close to the building but is dependent on truck access.

Laneway - Several residents suggested that the laneway should be fenced to discourage people from walking through the neighbourhood. However others felt the ability to access the rear yards should be maintained. The applicant suggested gating the laneway as a possible solution.

IMPACT

As noted previously, this development is eligible to receive tax rebates under the Rental Housing Community Improvement Plan. It has also been recognized that higher development densities are more efficiently serviced by the municipality.

STRATEGIC PLAN

As noted previously, this application is not directly linked to any policies contained in the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

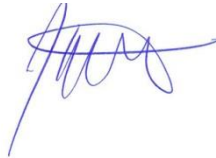
Resolved that the report of the Planning Director dated 2015 07 13 be accepted as information and that the recommendation of the 2015 06 22 report be approved.

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

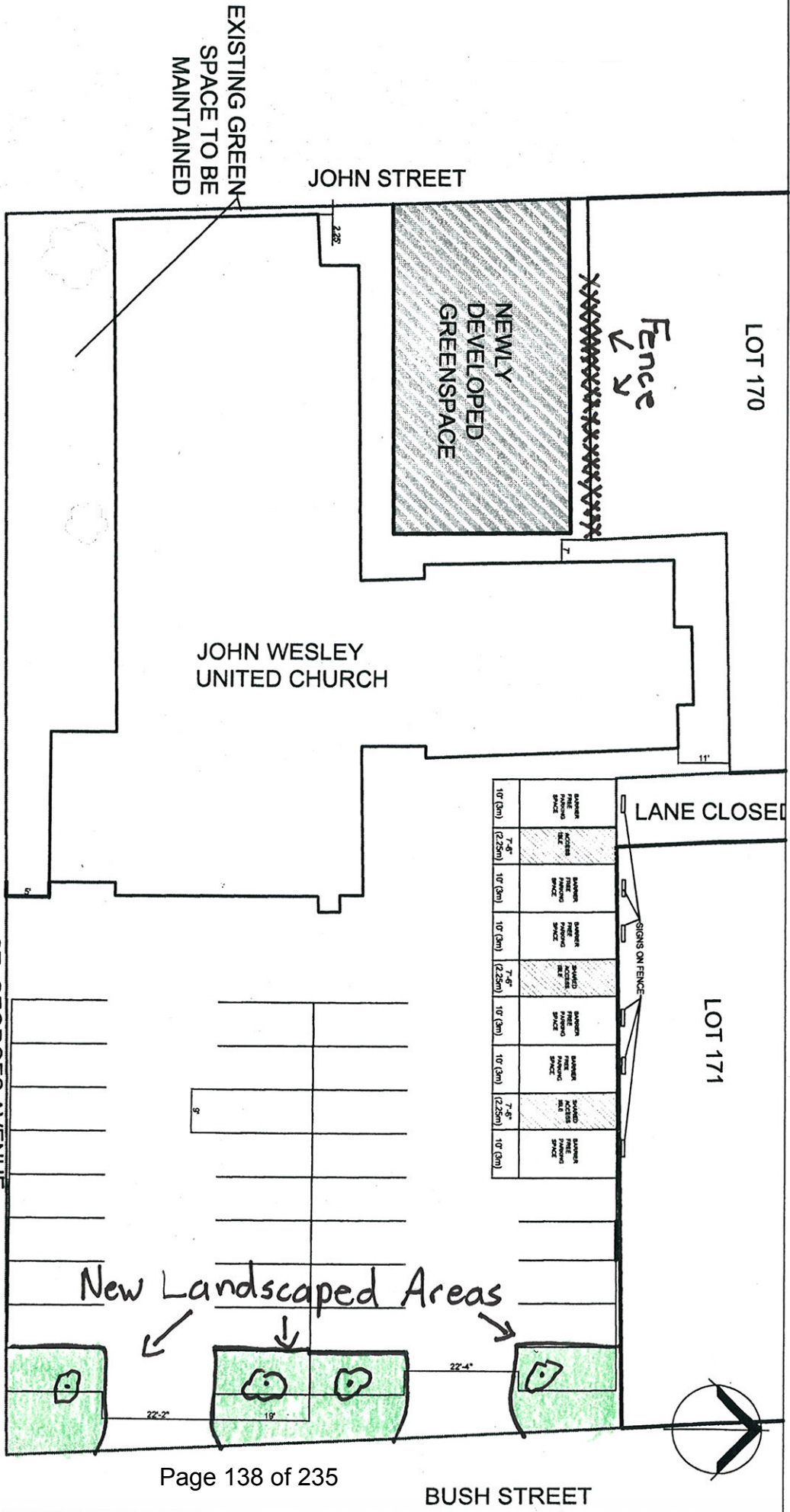
DBM:ps

- NOTES:**
- 1) ALL SETBACKS ARE TO REMAIN THE SAME AS BUILDING ENVELOPE TO REMAIN THE SAME
 - 2) PARKING IS BASED ON 25 ONE BEDROOM UNITS WITH 3 BARRIER FREE UNITS
 - 3) SIDE WALKS AND GREEN AREAS TO REMAIN UNCHANGED
 - 4) MAIN DRIVEWAY FOR COMPLEX IS OFF OF BUSH STREET AND ST GEORGES

Recommended Landscaping



Title		Drawn by	
346 JOHN STREET, INITIAL SITE PLAN		TS	
Drawing Number	Revision	Scale	Date
SITE-1	B	NTS	21 MAY 2015
PROJECT		SILVER LINING ENGINEERS	
1346 Peoples Road		Sault Ste. Marie, Ontario	
346 JOHN STREET - CONVERSION		SAULT STE. MARIE, ONTARIO	





2012 ORTHO PHOTO

342 JOHN STREET

Planning Application: A-12-15-Z



METRIC SCALE
1 : 2000

ROLL NUMBER
040-014-053-00

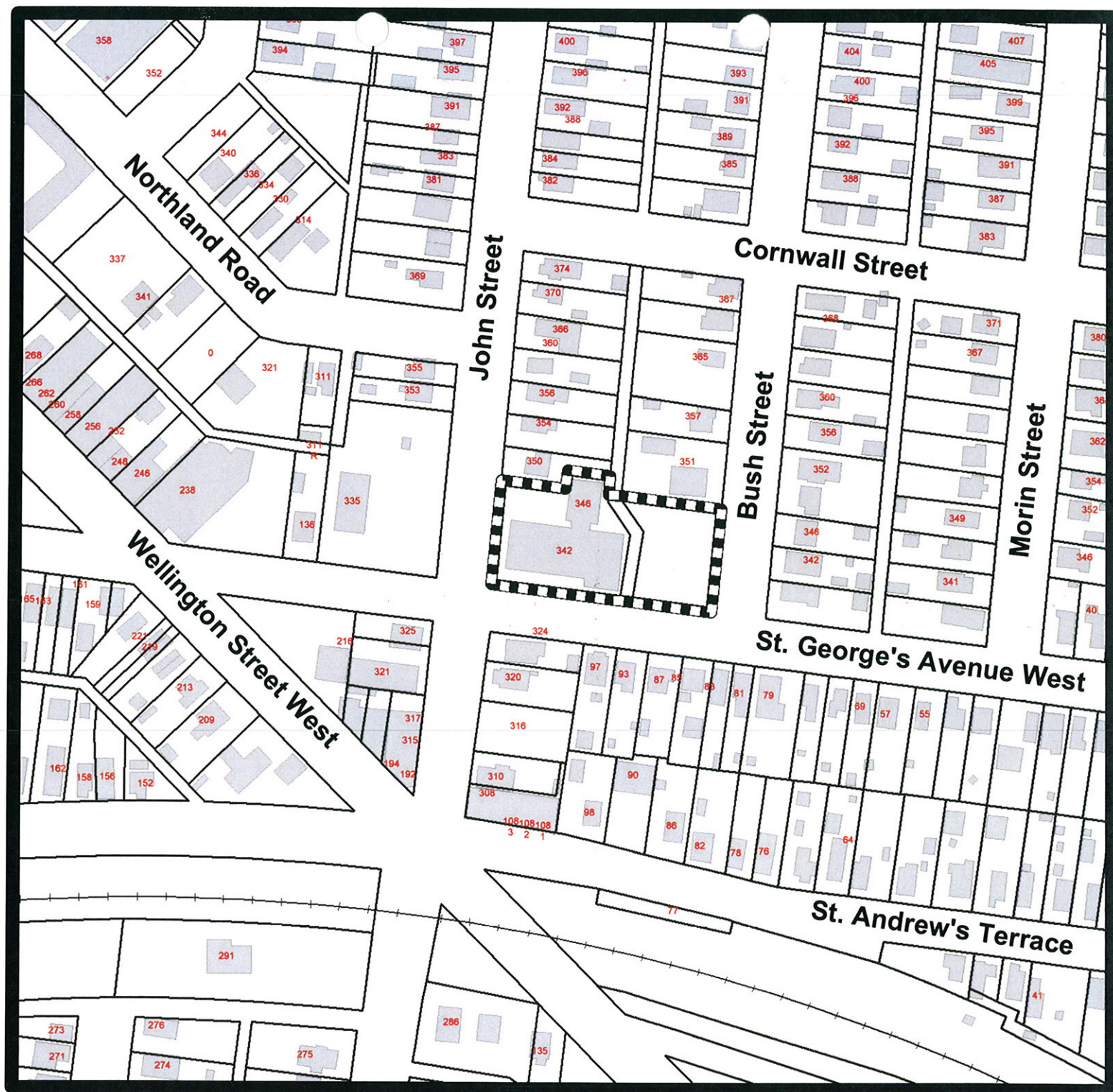
MAIL LABEL ID
A-12-15-Z

MAP NUMBERS
40 & 1-47

Legend



Subject Property = 342 John Street



SUBJECT PROPERTY MAP

342 JOHN STREET

Planning Application: A-12-15-Z



METRIC SCALE
1 : 2000

ROLL NUMBER
040-014-053-00

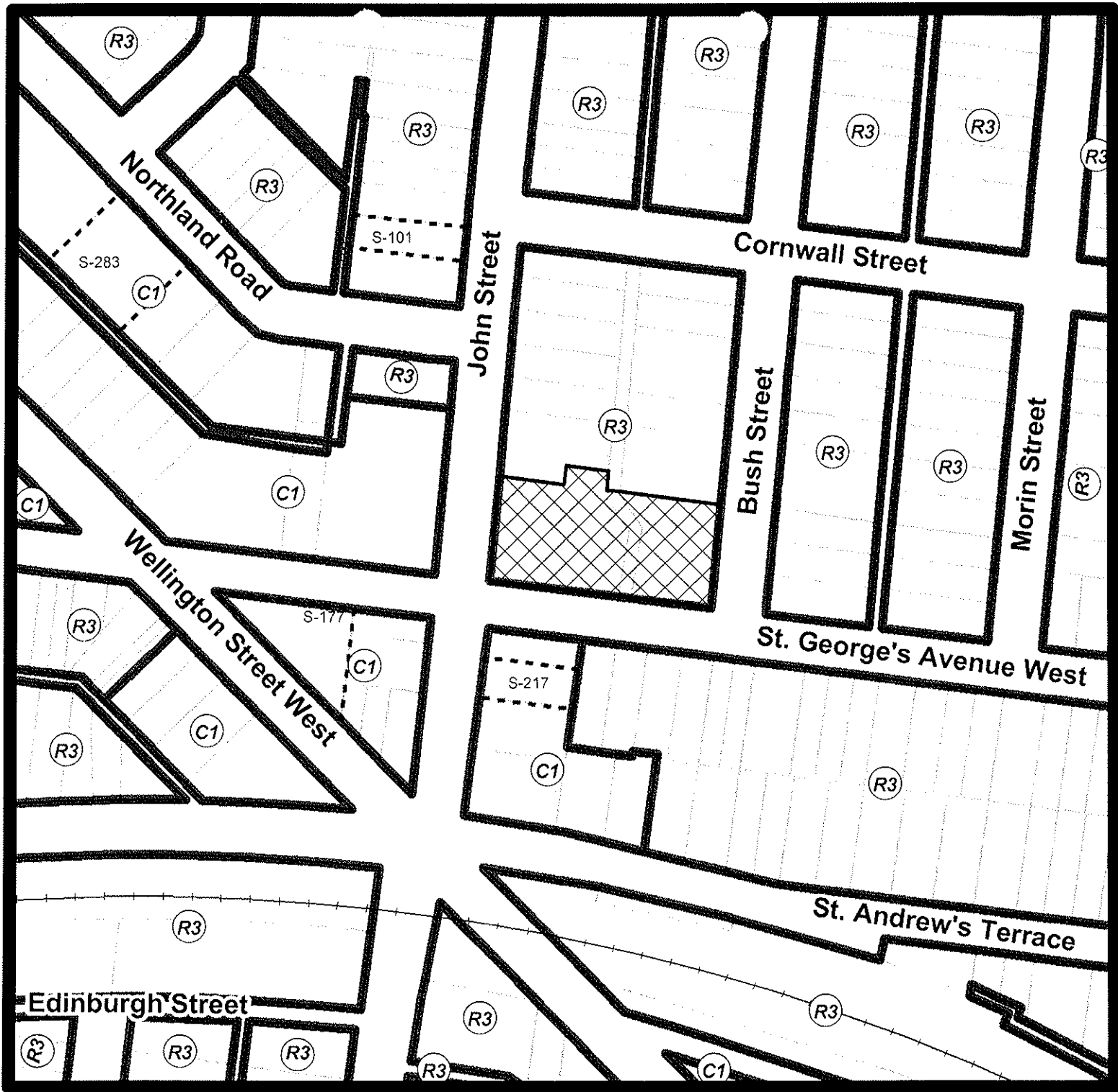
MAIL LABEL ID
A-12-15-Z

MAP NUMBERS
40 & 1-47

Legend



Subject Property = 342 John Street



EXISTING ZONING MAP

342 JOHN STREET

Planning Application: A-12-15-Z

-  Subject Property = 342 John Street
-  R3 - Low Density Residential Zone
-  C1 - Traditional Commercial Zone
-  S-# =Special Zoning Bylaw



METRIC SCALE
1 : 2000

ROLL NUMBER
040-014-053-00

MAIL LABEL ID
A-12-15-Z

MAP NUMBERS
40 & 1-47

Pat Schinners

From: Marlene McKinnon <MMcKinnon@ssmrca.ca>
Sent: Tuesday, May 26, 2015 11:42 AM
To: Pat Schinners
Subject: SSMRCA Reponse - A-12-15-Z - 342-346 John Street

May 26, 2015

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

Conservation Authority Comments:

Application # A-12-15-Z

1890798 Ont. Inc. c/o Carl Bumbacco, Jim Brogno

342/346 John Street

Sault Ste. Marie

The Conservation Authority has reviewed the proposed redevelopment of subject property and we have the following comments.

1. The property is located within the SSMRCA's jurisdiction. A development permit is required before commencing any construction, filling and redevelopment work.
2. The regional flood elevation is observed as **183.00 m C.G.D.** at west side of this property. The associated threat from Fort Creek Channel in this regulated area is primarily flooding. The site may be susceptible to flooding from less than 1/100 year flood. Existing structure must be redeveloped above regional flood level (**183.00 m C.G.D.**) and there should not be any opening below this elevation.
3. Some portion seems located in flood plain and 15 m setbacks. The SSMRCA will either require foundation, footing and wall design or flood proof protection measures and detailed site plan from a qualified professional structural engineer.
4. All electrical panels, circuits, outlets and permanently installed electrical equipment are to be located at least 0.3 metres (1ft) above 183.00 m C.G.D elevation.

Anjum Amin, P.Eng.
Water Resources Engineer

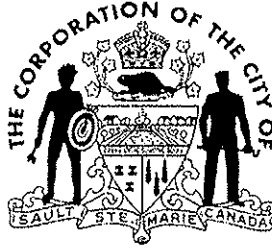
The subject property is not under consideration of the Drinking Water Source Protection Program of the Conservation Authority with regard to Drinking Water Source Protection.

Sincerely,

M. A. McKinnon, CGS

Jerry D. Dolcetti, RPP
Commissioner

Daniel Perri, EIT
Engineering Intern



ENGINEERING & PLANNING
DEPARTMENT

Engineering & Construction Division

2015 04 28

Our File: A-12-15-Z

MEMO TO: Donald B. McConnell, MCIP, RPP
Planning Director

RE: **A-12-15-Z – 342/346 JOHN STREET
REQUEST FOR AN AMENDMENT TO THE ZONING BY-LAW**

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

- The existing lateral and plumbing in the buildings should be reviewed by a Professional Engineer in regards to capacity and feasibility for the intended use.

Yours truly,

Daniel Perri, EIT
Engineering Intern

c: Jerry Dolcetti, Commissioner, Engineering & Planning
Susan Hamilton Beach, P. Eng., Deputy Commissioner, PWT
Pat Schinners, Planning

F:\ENGINEERING DATA\ZONING\John Street - Civic 342 & 346- A-12-15-Z 2015 04 28.docx

The Corporation of the City of Sault Ste. Marie
P.O. Box 580 ~ 99 Foster Drive ~ Sault Ste. Marie, ON P6A 5N1
Telephone: (705) 759-5385 ~ Fax: (705) 541-7165
www.cityssm.on.ca ~ d.perri@cityssm.on.ca



April 27, 2015

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

emailed: p.schinnners@cityssm.on.ca

Dear Sir:

**Re: Application A-12-15-Z
Request for an Amendment to the Zoning By-law
342/346 John Street**

Although we have no objections to the above noted rezoning application, we comment that our current records indicate a 19mm water service lateral to this lot. We therefore cannot speak to the adequacy of the servicing to meet Ontario Building Code and fire flow requirements for the proposed purpose.

The applicant should consult with the City Building Division on those matters. Should water servicing need to be upgraded, rates are in accordance with by-law rates published on our website.

Yours truly,

PUC SERVICES INC.

A handwritten signature in black ink, appearing to be "Rob Harten", written over a horizontal line.

Rob Harten, P. Eng.
Manager of Engineering

RH*rh

Rachel Tyczinski

From: Peter Tonazzo
Sent: Monday, May 25, 2015 9:57 AM
To: Rachel Tyczinski
Subject: FW: A-12-15-Z

From: Sherry Beaton [mailto: [REDACTED]]
Sent: Saturday, May 23, 2015 5:06 PM
To: Peter Tonazzo
Subject: A-12-15-Z

Mr. Tonazzo,
Please accept this as my request to be notified as to the decision made by the city of Sault Ste. Marie with regard to
Application No A-12-15-Z, 324/346 John St.
Kind regards,
Sherry Beaton
342 Bush St.
Sault Ste Marie

Pat Schinners

From: Peter Tonazzo
Sent: Monday, June 01, 2015 10:01 AM
To: Pat Schinners
Subject: FW:

From: Herb Lash [mailto:██████████]
Sent: Monday, June 01, 2015 9:57 AM
To: Peter Tonazzo
Subject:

hi Peter:
please e mail me if proposed application A-12-15-Z
(church convert to apts) is approved or not.
Herbert lash
308 john street
sault ste. marie Ontario
p6c3j4
application #A-12-15-Z meeting is June 22/15.

Angela Speers
367 Bush Street
Sault Ste Marie, ON
P6C 3H1
[REDACTED]

May 14th, 2015-05-14

Peter Tonazzo
99 Foster Drive
Sault Ste Marie, ON
P6A 5X6

RE: Application Number: A-12-15-Z

Dear Mr. Tonazzo,

I am writing you today with concern for the proposed rezoning on John Street, application number A-12-15-Z by applicant: 1890798 Ontario Inc.

I feel this would have a significant, NEGATIVE impact on our neighbourhood. I am concerned with the increased traffic this would cause; the increased load on our sewer systems (this section of Bush Street has not been upgraded); if the building owner builds upwards there will be no privacy in our yards. I am also concerned with where the tenants would park, will they be street parking? How will this impact our property taxes?

As a parent of very young children, I fear for their safety! There are many young children in our neighbourhood and the increased traffic and people are very worrisome. Currently, our street is very quiet and I would love to see it stay that way!

In addition, I would like to be notified of the Council of the City of Sault Ste Marie's decision regarding this application.

Thank you for your time.

Sincerely,
Angela Speers

Pat Schinners

From: Peter Tonazzo
Sent: Monday, June 01, 2015 3:55 PM
To: Pat Schinners
Subject: FW: Application #: A-12-15-Z (Applicant 1890798)

From: m graw [mailto:████████████████████]
Sent: Monday, June 01, 2015 3:27 PM
To: Peter Tonazzo
Subject: RE: Application #: A-12-15-Z (Applicant 1890798)

Monday, June 1, 2015

Peter Tonazzo

Planner, Planning Division

99 Foster Drive

Sault Ste. Marie, ON

P6A 5X6

Re: Application Number A-12-15-Z (Applicant: 1890798 Ontario Inc.)

Dear Mr. Tonazzo:

Please accept this letter as an objection for the conversion of the former John Wesley United Church into an apartment building. As a long time resident of this neighbourhood, one of the main reasons I live here is for the relative quiet of the area. I have recently been more aware of noise (talking, yelling, tires squawking, engines revving) from the Tim Horton's on the corner of John and St. Georges Avenue, and believe an apartment building would only add to the increasing noise and traffic of our once peaceful neighbourhood. We have a lot of older residents on our street, as well as new young families. I personally chose this area because activity at the church was predictable, and their business ended at a reasonable hour, so noise and vehicles were not a concern as we knew when the church services and their other weekly activities were over.

I live 2 doors down on the same side as the proposed apartments. My kitchen and bedroom windows face the parking lot both on the first and second floors. There have been some instances where the church was rented out on a Saturday night, and the talking, laughing and car doors slamming carries into my home. Am I now to live with my windows closed all year round? An apartment building would open up a whole new set of problems. There will not only be the noise of twenty five new resident families with their vehicles, but the

additional noise of visitors slamming car doors, smoking/visiting outside and traffic in and out of the parking lot at all hours of the day and night. As the mother of a four year old who goes to bed quite early, I would not be impressed. With increased vehicle traffic on a street that has had major increase since the Tim Horton's was established, I am also not happy with the speeds people travel down this residential street. I'm sure with an apartment building added to the mix, traffic will increase yet again.

I am already contemplating selling my home, (before any construction even starts) to escape the endless renovation I know will be needed to convert this old building. What about the workers, machinery, hammering, litter and debris this will cause while creating these 25 units. I'm sure asbestos kicked up from the renovations will be freely floating throughout the air during the hot summer months. I am very concerned about my aging water lines. My home was built in 1900. How will my water lines, sewage, etc., hold up to an additional 20 plus families taxing the aging infrastructure in this area?! Who will be held accountable? What about the property value in my neighbourhood? Who will buy my house if I ever do decide to sell, knowing there is a 25 unit apartment building only 2 doors down from the house? There is no barrier to even buffer noise between the church parking lot and my house.

We have an alley that runs from the church parking lot along the rear of our lots. You would have to be foolish to think there will not be increased foot traffic, litter and noise in and around that area. Will fences be provided to those homes who are open to the alley to minimize these concerns? I would be absolutely agreeable with a business or office building proposed for that building, knowing that the hours of operation would dictate a reasonable time for closure and reduction of noise. A 25 unit apartment will not be graciously welcomed in a neighbourhood well established as a more quiet, family friendly area. I cannot in good conscience agree with this proposal. The applicant should rethink the plans for this area. I do not believe an apartment building of this magnitude would be easily accepted here.

Since learning of this proposal I have been having a hard time processing this request. I lived in this house as a child, and 8 years ago reclaimed it in hopes of raising my family here. That is how strongly I feel about this neighbourhood. I have wonderful neighbours, it is a beautiful area, and I would be sorely disappointed to say the least if this project were to proceed. If possible, I would like to be informed of any and all decisions in regard to this matter. I am very concerned with this news, and hope an agreeable solution can be reached.

With sincerity and respect,

Melissa Grawbarger & Chad Vresk

357 Bush Street

Sault Ste. Marie, ON

P6C 3H1

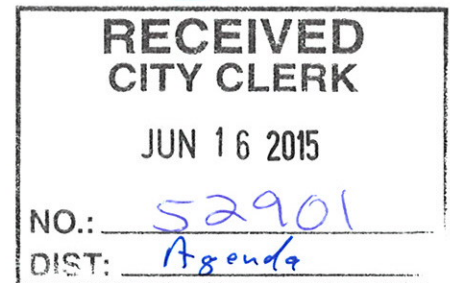
[REDACTED]

Cliff & Judi Halverson
 354 John Street
 Sault Ste. Marie, ON P6C 3J7
 (705-949-6584)

May 16, 2015

Attention: P. Schinners and/or P. Tonazzo
 Planning Division
 Corporation of the City of Sault Ste. Marie
 Civic Centre
 99 Foster Drive
 Sault Ste. Marie, ON P6A 5X6

To P. Schinners and/or P. Tonazzo



Re: Application No. A-12-13-Z (Applicant 1890798 Ontario Inc.)

(Please note I am addressing this to the attention of both Peter Tonazzo and Pat Schinners because the revised mailed out Notice of Application received May 29th indicates that written submissions/inquiries should be directed to Peter Tonazzo whereas the Notice of Application appearing in Saturday, May 30th edition of the Sault Star indicates that written submissions/inquiries should be directed to Pat Schinners.)

Please accept this letter as our opposition to the request from Applicant 1890798 Ontario Inc. (c/o Carlo Bumbacco and Jim Brogno) to **rezone** the area from a "R3 Low Density Residential Zone" to a "R4 Medium Density Residential Zone" for the purpose to permit the conversion of the former John Wesley United Church into an apartment building consisting of approximately twenty-five (25) dwelling units.

Our main objection to this application is regarding the **number of apartment units** proposed. When we heard the building was purchased we naturally assumed the building would be converted into apartment units. We naively assumed something like 10, possibly 15 units, which we could "live" with but when the original Notice of Application dated May 25th was received and we saw that the applicants were requesting the installation of 20 (and now amended to 25) apartments, we were "blown away". **Twenty-five** apartments...we cannot get our mind wrapped around this many apartments to be built into the **existing** building.

Primary Concern

According the information received from Mr. Tonazzo "R4 zoning permits apartment buildings up to five (5) storeys and that the limitations on the total number of units that could be built in an R4 zone are not outlined in the zoning by-law. They are dictated by other factors such as the size of the site and servicing capacity."

Our biggest concern is that, upon gaining an R4 zoning and after further review and inspections, it will be determined by the applicants that to retrofit/convert the existing building, is cost prohibitive versus the cost to demolish it and erect a larger/taller structure with even more apartments. In talking to several residents within the area, that is what they fear as well. I realize in order to do this the applicants would be required to submit for another rezoning, but there it is, our biggest concern and fear. We (my husband & I) feel

anything above and beyond 25 units would be pushing it and would severely alter the character of the surrounding area.

Other Concerns

1. As stated above, the number of units proposed.
2. Increase in Traffic - We foresee an increase in traffic. John Street is already a very busy street and very heavily congested (especially the intersection of John & St. George's) during the peak hours due to Tim Hortons. During these times, getting in or out of our driveway is a chore. Also, when we purchased the house in 1976 there were very few families with young children, however, over time those demographics have changed and now there is a very high percentage of young families with young children and the higher volume of traffic could be dangerous.
3. Increase in Noise - believe it or not, after 7:00 pm in the winter months and 9:30 pm in the summer months, John Street is relatively quiet (subject to the odd motor vehicle driver and motorcyclist who rev up their motors, squeal their tires and use John Street as a race track). However, by adding approximately 40 extra permanent residents to the mix (I arrived at this figure by assuming 15 of these one bedroom apartments will have double occupancy = 30 people and the remaining 10 single occupancy = 10 for a total of 40 residents) and their visitors, there is going to be an increase in the noise level guaranteed. Plus, I'm assuming there will be a laundry facility within the complex, adding more noise and vented dryer debris floating around in the air. (I'm assuming these will be 25 **self-contained one-bedroom** dwelling units but according to Mr. Tonazzo regarding my inquiry about what types of apartments are being proposed, i.e., 1 bedroom, or a mix of 1 bedroom, studio & bachelor as of June 10th the applicants had not "determined the bedroom split that will encompass the apartments" but the revised site plan dated May 21, 2015, under 'Notes' does state that "parking is based on 25 one bedroom units").
4. Garbage - location of garbage dumpster(s), containment of said garbage and smells and flies emitting from the garbage (especially during summer months). Improper containment of garbage = rats! And pick-up of said garbage. Will the garbage be left for pick-up on the regular garbage day or will a metal container be provided that will be covered and picked up on a regular basis by a waste management contractor ... at a decent hour, hopefully. Presently the garbage pick-up for Tim Hortons and, I presume RJ's Market on Wellington Street, is done in the very early morning hours, like between 4:30 am and 6:00 am. Wakes us up every time.
5. Snow Removal - where will they be piling the snow? Not an issue before because the parking lot was virtually vacant except during church services but now there will be permanent vehicles. What about the snow water melt off? Is there a storm water/snow melt diversion plan?
6. Location of Water/Sewage Connection - my question to Mr. Tonazzo, Planner, was "where is the water/sewer connection for the existing building (John Street, St. George's Avenue or Bush Street)? His reply was *"The sewer service is currently from St. Georges Ave. I am still waiting to confirm with PUC, but I believe the water service is also from St. Georges Ave. If approved, the applicants may be required to install new services, depending upon the sizing of the current laterals. They will also be required to confirm there is downstream capacity to handle the new use."* Can the existing water lines & sewage pipes withstand the usage of an added load of 25 new bathrooms/kitchen sinks? As it is, ever since the restructuring of John Street and the installation of the new water lines/sewage pipes, during extremely heavy

rainfall, the intersection of St. Georges Avenue and John Street have flooded to the extent that the manholes have popped off and the street had to be blocked off while emergency crews worked on the situation. In our 36 years residency prior to this restructuring we have never had any flooding, nor did we ever experience water leaking into our basement which we do now.

7. Barriers/Fencing - what kind of barriers/fences will be erected?

The only redeeming grace about this proposed project is that the applicants are considering blocking off the laneway. We already have a great deal of foot traffic in this laneway; we don't need any more.

Be advised that we do wish to be notified of the Council of the City of Sault Ste. Marie's decision to adopt or refuse the approval of this application.

Respectfully submitted

Cliff Halverson

Judi Halverson

E-Mail Copy to: R. Niro, Councillor for Ward 4
L. Turco, Councillor for Ward 4

Letter sent via e-mail and hard copy hand delivered to Civic Centre.

Subject: FW: PLANNING APPLICATION A-12-15-Z – 342/346 JOHN STREET

From: Allison Notte [<mailto:allybebe@hotmail.com>]

Sent: Monday, June 22, 2015 2:13 PM

To: Peter Tonazzo

Cc: Allison Notte; Brad Notte

Subject: RE: PLANNING APPLICATION A-12-15-Z – 342/346 JOHN STREET

June 22, 2015

Peter Tonazzo, Planning Division

Civic Centre, 99 Foster Drive

Sault Ste. Marie, ON

RE: PLANNING APPLICATION A-12-15-Z – 342/346 JOHN STREET

Dear Mr. Tonazzo:

I am sending this letter to let you know that I 100 percent object to the proposed change in zoning to accommodate a 25-unit apartment complex at the end of our street.

Do not put an apartment complex on our street!!!

Although the address states John Street, this without a doubt affects Bush Street. Bush Street is a family-oriented, up-and-coming neighbourhood that has homes that date back over 100 years. Young families have been buying and fixing up houses on this beautiful tree-lined street for years.

There are a lot of young/new families with small children and ours is just one of those. I already don't appreciate the flow of traffic down our street as people drive way too fast. An apartment complex will increase the amount of traffic to our street significantly by at least 25 people and their guests, roommates, etc. We use our street to walk safely, as John Street, although aligned with new sidewalks, does not feel safe as cars race even faster down this street than Bush Street.

The intersection of St. Georges and John is already at capacity, the Tim Horton's line-up traffic significantly adds to that, especially during rush hours.

In the mornings up to five school buses come down my section of Bush Street.

Parking is only allowed on one side of the street on Bush, with no parking on the street allowed on St. Georges or John. Where will the overflow vehicles from the apartment park? What about when snow removal needs to occur in the parking lot and the vehicles need to park somewhere? We see this throughout the year when the church has functions and we accept that because it happens just a few times a year. This is not what we want every day - vehicles lined up and down the street so that barely a car and most certainly not a bus can get through, a bus with my small child on it.. In the middle of a snow storm? No. Not in my neighbourhood, sorry.

Please preserve our historical neighbourhood with many young families/small children. Please do not increase the traffic, keep our street safe. Put the apartment somewhere else, where the increase of traffic won't have potential devastating effects.

Thank you for considering my objections and the objections of everyone else in my neighbourhood.

Allison Notte | 385 Bush Street | 705-257-1209

allybebe@hotmail.com

Rachel Tyczinski

Subject: FW: Proposed apartment building on John street

From: Basiljones [basiljones@shaw.ca]
Sent: June 17, 2015 11:31 AM
To: Lou Turco
Cc: Mayor Provenzano
Subject: Proposed apartment building on John street

Councilman Turco

We are residents on Morin Street and are abjectly opposed to the proposed apartment building on the corner of John Street. With the high volume of traffic, which is all ready insane at times due to Tim Hortons, we have a big concern about increased traffic which will undoubtedly use our side streets Bush, Cornwall and Morin.

There is very little room for car parking on any of the side streets for the local neighbours as it is and then add in more parking from the overflow from the apartment building. It will be a busy and noisy situation.

We live in a quiet residential area and like it that way. Please urge caution when deciding on changing things in our area as it affects the local neighbourhoods and not you.

I would appreciate conformation on receipt of this email. We have called and left our concerns with you as well. We want to make sure they are heard.

Sent from my iPad

Peter Tonazzo

From: Richard Ciotti [REDACTED]
Sent: Wednesday, May 06, 2015 11:54 AM
To: Peter Tonazzo
Subject: Application: A-12-15-Z

Hi Peter,... Hope all is well.

I am writing in regards to the application for rezoning of property located at 342/346 John Street.

I received a notice from the City because of ownership of property across the street from the applicant. (373-375 John Street) I have no problems or worries about this request to rezone from R3 to R4, in order to facilitate the conversion of the church to 20 residential units.

I have the confidence in the Planning Department and Council, regardless of their decision to approve or deny the request.

If there are any changes to the application or recommendations made by City Council to affect further changes, I would appreciate to remain on the mail list for notification.

Thank you and all the best

Richard Ciotti
188 Carlbert Street
[REDACTED]

Sent from my iPad

Peter Tonazzo

From: JOSEPH BANICK [REDACTED]
Sent: Tuesday, May 12, 2015 3:36 PM
To: Peter Tonazzo
Subject: apartment building 1890798 ontario inc

name; joe banick
360 john st

Application file no;A-12-15-Z
Our concern is traffic flow in this already congested area.

Also a concern is removing a stately picturesque building and replacing with a non descript square or rectangular structure.

Plus a back lane exists and we would like it to remain accessible.

Joe Banick

Rachel Tyczinski

From: Peter Tonazzo
Sent: Monday, May 25, 2015 9:58 AM
To: Rachel Tyczinski
Subject: FW: Pretty: file A-12-15-Z

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

From: Laurie Harris [mailto: [REDACTED]]
Sent: Saturday, May 23, 2015 4:14 PM
To: Peter Tonazzo
Subject: Pretty: file A-12-15-Z

Peter Tonazzo

I am writing to with concerns about the proposed changes made to said property in application file A-12-15-Z. I have heard many different plans for this property and it has changed from a low density to medium density, I am opposed to all! I do not wish to live across the street from any apartment dwelling unit regardless of unit size. Not only does this interfere with my residence and what I wish, this is a super busy street/ intersection as is. Just two days ago I has a 3 car pile up in from of my house because people don't slow down, are in a rush and it's too busy, not to mention other areas of concern for this type of dwelling. This would majorly impact the neighbourhood as we know it and we don't want an apartment here! On another not the person who wishes to build has been pretty shady about his dealings and I am not comfortable with this planned proposal! Every one in the neighbourhood should be included and not everyone was.. Only a select few got handouts! It should be everyone!!!! We do not want this to happen! Please don't allow it!!!

Thank you
Laurie and Cliff Harris
71 st George's ave west
[REDACTED]
Sent from my iPad

Peter Tonazzo

From: judy hurley [REDACTED]
Sent: Sunday, May 24, 2015 9:07 AM
To: Peter Tonazzo
Subject: Rezoning A-12-15-Z-342/346 John St.

Frpm Mr. and Mrs. D Hurley
365 Bush St. S.S.Marie, P6C3H1

To Mr. P. Tonazzo,

I want to make it know that we are opposed to the increase in units requested in the rezoning application. We have lived by choice in this area for 34 years. It was chosen by what it offered. A quiet neighborhood of single family homes. Close to downtown yet a quiet residential area. We raised a family of 5 children of which 2 are now raising their families in the immediate neighborhood. They came here because of the area. Over the years things have changed. The people on these streets have not. If there has been a change it has been minor. 25 single units does not reflect this area. My children used to be able to meet with friends, bike and walk. Knowing, everyone knew and had family someplace in this area. Unfortunately my 6 grandchildren (who live in this area) will not know that sense of community. I hear my neighbors saying they want to move if this goes through. What happens to the quality of my life? Of my values? Of my property? As it is now it takes me 10 minutes to get off Bush Street on to St. Georges to go east when I need to go to work. 25+ cars would make it more complicated. There is no sidewalk nor parking on my side of the street. In the winter the streets are narrow with snow. When they clean the parking area where will the cars be parked? When no one obeys the parking signs I am at risk for getting out of my own driveway. Privacy issues for home owners around this area are not considered. An existing lane behind us, transient behavior, short cutting through. Dogs? Garbage? Yes I am happy with how it is here for me... Do I want to loose that? No! I am sure in any area such as ours the cry would be the same. I am not happy to hear that we as a neighborhood have been mislead by the total number of units going in from day 1. Also that not everyone in the area have been contacted by mail. I am a firm believer in growth for all, benefit for all. Yet at the expense of all, no. Thank you, Judy Hurley

June 1,2015.



Dear Mr. Peter Tonazzo;

In reference to 342/346 JOHN STREET

Application No.: A-12-15-Z

Applicant: 1890798 Ontario Inc.

I'M FULLY AGAINST THE REZONING FROM A "R3"(LOW DENSITY ZONE). (period)

I will also notify the aldermen of this ward as to my position.

Thankyou;

Sincerely

John zarechney

356 bush street

Sault ste. Marie,

P6C 3G9

Phone # [REDACTED]



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Tonazzo, MCIP, RPP, Planner

DEPARTMENT: Engineering and Planning Department

RE: A-13-15-Z – St. Hubert's Postponement

PURPOSE

On July 7, 2015 the Planning Division received the attached correspondence from Batchewana First Nations, expressing concern with the impending sale of the former St. Hubert School to a private entity.

BACKGROUND

Planning staff has been in contact with the current land owner (Huron-Superior Catholic District School Board) and it is recommended that Council defer this application so that the School Board can meet with Batchewana First Nations to discuss this issue.

Because no specific postponement date has been set, if and when this application proceeds, new notices will be sent to neighbours in accordance with the Planning Act and current public notice procedures.

IMPACT

Deferring this application will have no significant impacts upon municipal resources.

STRATEGIC PLAN

Deferring this application is not directly linked to any specific policies contained within the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the Report of the Planner dated July 13, 2015 be accepted as information, and that Council postpones this application to allow the current landowner to discuss the concerns raised with Batchewana First Nations.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'PTonazzo'.

Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,

A handwritten signature in blue ink, appearing to read 'D.B. McConnell'.

Donald B. McConnell, MCIP, RPP
Planning Director

Recommended for approval,

A handwritten signature in blue ink, appearing to read 'J. Dolcetti'.

Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT:ps

Attachment(s)



**The Government of
BATCHEWANA FIRST NATION OF OJIBWAYS**

**RANKIN RESERVE 15D
GOULAIS BAY RESERVE 15A
OBADJIWAN RESERVE 15E
WHITEFISH ISLAND 15**

Administration Office 236 Frontenac Street
Rankin Reserve 15D
Batchewana First Nation, Ontario P6A 6Z1
Ph. (705) 759-0914 Fax (705) 759-9171
www.batchewana.ca

July 2, 2015

Donald McConnell
Planning Director
The Corporation Of The City of Sault Ste. Marie
P.O. Box 580
99 Foster Drive
Sault Ste. Marie, On.,
P6A 5X6



RE: Application A-13-15-Z
Request for amendment to the Zoning by-law
Northern Advancement Capital

Dear Mr. McConnell:

Batchewana First Nation Chief and Council had an opportunity to discuss correspondence we received dated June 12, 2015 in regards to the above noted application in particular the St. Hubert School.

I have been instructed by my Council to direct you to cease all transfers or rezoning until we can resolve this issue.

Batchewana First Nation had no awareness from any level of Government that the St. Hubert School and lands were being considered for privatization and sale to anyone prior to Batchewana receiving this notice.

The City needs to be aware that St. Hubert's school was constructed with Indian monies for Indian Children (Batchewana First Nation).

If the School board or any level of Government is considering changing the facility or land use we adamantly oppose any other option other than to transfer the said land and facilities to Batchewana First Nation.



**The Government of
BATCHEWANA FIRST NATION OF OJIBWAYS**

**RANKIN RESERVE 15D
GOULAIS BAY RESERVE 15A
OBADJIWAN RESERVE 15E
WHITEFISH ISLAND 15**

Administration Office 236 Frontenac Street
Rankin Reserve 15D
Batchewana First Nation, Ontario P6A 6Z1
Ph. (705) 759-0914 Fax (705) 759-9171
www.batchewana.ca

Batchewana is open to sit down with the City and representatives of the school board to resolve this issue.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dean Sayers', with a long horizontal flourish extending to the right.

Chief Dean Sayers

Cc: John Stadnyk -Huron Superior Catholic District School Board
Lucia Reece – Algoma District School Board
Chief Lyle Sayers – Garden River First Nation
Batchewana Council
File



COUNCIL REPORT

July 13, 2015

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Tonazzo, MCIP, RPP

DEPARTMENT: Engineering and Planning Department

RE: A-13-15-Z – 207 Dacey Road

PURPOSE

The applicant wishes to rezone a portion of the subject property to permit twenty two (22) self-contained dwelling units within the existing school building.

PROPOSED CHANGE

The applicant, Northern Advancement Capital Inc. (c/o Jason Naccarato) is seeking Council's approval to rezone a portion of the subject property from "R.2" (Single Detached Residential Zone) to "R2.S" (Single Detached Residential Zone with a Special Exception) to permit up to twenty two (22) dwelling units within the existing building. The portion of the subject property to be rezoned includes the school building and the surrounding paved areas.

Subject Property:

- Location – The subject property is located on the west side of Dacey Road, approximately 34m (112') north of its intersection with Hardwood Street.
- Size – The subject property has 199m (654') of frontage and 188m (617') depth totalling 3.75ha (9.26acres). The portion of the subject property proposed to be rezoned includes 79.2m (260') frontage, 93.4m (306') of depth, totalling 0.74ha (1.83acres),
- Present Use – Vacant, formerly St. Hubert's Elementary School
- Owner – Huron Superior Catholic District School Board

BACKGROUND

There have been no previous rezoning applications upon the subject property.

ANALYSIS

Conformity with the Official Plan

The subject property is designated 'Residential' on Land Use Schedule C of the Official Plan. There are a number of Residential Policies within the Official Plan which support the applicant's proposal to repurpose the former St. Huberts Elementary School to accommodate up to 22 self-contained dwelling units.

R3. Medium density residential dwellings may be integrated into low density areas subject to a rezoning.

R.4 Small scale intensification may be permitted in all residential areas unless adequate supporting infrastructure is not available or significant physical constraints exist.

R.5 Small scale residential intensification may include, but not be limited to, rooming, boarding and lodging houses, apartments in houses, infill development and redevelopment.

The overall intent of the aforementioned Residential OP Policies is to facilitate a suitable mix of residential dwellings throughout the community, and where appropriate, within single detached neighbourhoods.

Based upon the applicant's proposal and the area to be rezoned, the resulting development density would be approximately 12-units per acre. Within the local context, this is classified as a medium density residential development.

Policy R.5 defines 'small scale residential intensification' as among other things, infill development and redevelopment. This is an infill redevelopment proposal, and which meets the Official Plan definition of 'small scale residential intensification.' As per Policy R.4, *'small scale residential intensification is permitted in all residential areas unless adequate supporting infrastructure is not available or significant physical constraints exist.'* There is adequate infrastructure to support the proposed 22 dwelling units, and there are no significant physical constraints.

Portions of the subject property are identified as having archaeological potential. Archaeological Policy 2 of the Official Plan notes that *'Archaeological assessments may not be required in areas that have been subject to previous intensive and extensive soil disturbance.'* According to the City's Archaeological Master Plan, local archaeological resources are relatively shallow. Site grading or tilling of the land for agricultural purposes would be considered an extensive soil disturbance. Based upon a review of historic air photos, the subject property was actively tilled in the early 1950's. Consequently, an archaeological assessment is not required in this instance.

Comments

The applicant, Northern Advancement Capital Inc. (c/o Jason Naccarato) is seeking Council's approval to rezone a portion of the subject property from "R.2" (Single Detached Residential Zone) to "R2.S" (Single Detached Residential Zone with a Special Exception) to permit up to twenty two (22) dwelling units within the existing building. The portion of the subject property to be rezoned includes the school building and the surrounding paved areas.

Although the applicant may make exterior alterations such as window and door additions or replacement, or new façade treatments, the existing building footprint and envelope will not be changed. The applicant has indicated that the school is generally at-grade and as such, the target market is seniors. Each unit would be between 800 and 850 square feet.

The applicant also intends sever the former school building and associated parking and amenity areas from the remainder of the property. Therefore, the portion of the property to be rezoned is based upon the proposed severance line, and the review of setbacks, parking and landscaping requirements are also based upon this future severance line. The applicant is also proposing to create 6 new single detached lots along the remainder of the Dacey Road frontage. The severance applications are not part of this rezoning proposal, and must be filed separately to the Committee of Adjustment.

Based upon the applicant's preliminary site plan, the two northern access points will be maintained in their current location, with the third southern access point to be removed and replaced with landscaping. The applicants are also proposing to remove much of the pavement around the building to create greenspace between the building and the proposed parking area. Current zoning standards require 1.25 parking spaces per dwelling unit, resulting in the need for 28 parking spaces, 5 of which must be barrier-free. The applicant's preliminary site plan currently shows 36 parking spaces, 3 of which are barrier free. There is enough room on the site to locate 2 additional barrier free spaces within the proposed parking layout, resulting in a surplus of parking spaces.

The school was originally constructed in 1959, with additions built in 1962, 1967 and 1991. Over that timeframe the area surrounding the subject property has been built up with a variety of housing types, including townhousing on the abutting property to the north, a number of apartment buildings further north on Dacey Road, and a single detached residential subdivision to the west and south of the subject property. Most recently, a local developer purchased the previously draft approved 'Vezeau/Eastside Subdivision' across the Street, phase one of which will consist of approximately 60 multiple attached dwelling units. The character of this area is mixed residential, with single detached homes on the side streets, and the majority of the medium and higher density residential

uses fronting onto Dacey Road. There are also a number of single detached homes along Dacey Road.

Dacey Road is classified on Transportation Schedule 'D' of the Official Plan as a Collector Street, *'designed to facilitate the safe movement of traffic from residential, commercial and industrial areas to or from the arterial street network.'* According to City records, the portion of Dacey Road between Queen St. E and Chambers Avenue accommodates approximately 5750 vehicles over a 24 hour period. Consequently, the roadway is capable of accommodating the additional traffic from the proposed 22-dwelling units. It is anticipated that the additional traffic impacts from this proposal will be negligible to neighbours.

As previously mentioned, the applicant intends to remove a significant amount of asphalt and replace it with landscaped open space/outdoor amenity areas for future occupants. The resulting landscaped open space will be greater than the 30% coverage required by the Zoning By-law.

There are 2 easements upon the subject property which will not be impacted by this current development proposal. 'Easement 1' as shown on the attached plan is a drainage ditch along the rear lot line. 'Easement 2' is a sanitary and storm sewer easement which traverses the property behind the former school site then runs along the south lot line to Dacey Road. The sanitary and storm pipes within this easement service the abutting townhouse development to the north and a catch basin upon the subject property.

Apartment Buildings are currently permitted in R4 and R5 zones, with very similar yard standards. Although it is recommended that approval be conditional upon the existing building footprint and envelope (height) being maintained, the required yard standards set out in Zoning By-law 2005-150 provide a general rule of thumb for assessing the size of the area to be rezoned, and its ability to support the intended use. The table below compares minimum requirements with those currently proposed.

Yard Standard	Required	Provided
Front Yard Setback	7.5m	15.5m
South Interior Side Yard Setback	7.5m	6.1m
North Interior Side Yard Setback	7.5m	17.7m
Rear Yard Setback	10m	13m
Maximum Lot Coverage	30%	29%
Minimum Landscaped Open Space	30%	48%

In terms of achieving appropriate yard standards, the proposed area to be rezoned is large enough to support the intended use. Having said this, the proposed south interior side yard setback is slightly less than the required yard; however, this area is proposed to be comprised of landscaped open space.

Consultation

The following departments/agencies commented on the application as part of the Consultation process:

- See attached letters – PUC Services
- No objections/comments – Municipal Heritage Committee, Fire Services, Conservation Authority, PWT

PUC Services Inc. has no objections with the rezoning application, however it is noted that the proposed new single detached residential lots (not part of this application) will require new water lateral connections from Dacey Road.

Neighbourhood Meeting – May 13th 2015

Prior to filing this application, the applicant's held a public meeting to discuss this proposal with neighbours. Public notice was provided by mail-out, to all property owners within 120m of the subject property. Approximately 12 neighbours attended the meeting and were generally supportive of the applicant's proposal.

A number of concerns were discussed. First, there was a concern of whether there would be enough on-site parking to support the 22-unit apartment building. As previously mentioned, the applicant is proposing to locate 36 on-site parking spaces, a surplus of 8 spaces above the required parking.

The neighbours were also concerned with the loss of greenspace. Neighbours also wondered if they would still be able to utilize the remainder of the property for which the applicant has no immediate development plans. The area around the existing school building will be transformed to increase the overall greenspace. The applicant also indicated to the neighbours that at this point there were no concerns with people continuing to use the undeveloped portion of the property. It is however worth noting that this property is privately held.

Neighbours also questioned whether or not the public walkway from Hardwood Street to the southern boundary of the subject property would remain open. At this point in time the City has no intention of closing this walkway; however Planning, Legal and PWT staff is in the early stages of reviewing the suitability of all public walkways, in light of numerous school closures and property transfers to private landowners.

In terms of overall greenspace, ample outdoor amenity areas will be provided around the former school building. In the future, it may be appropriate to require dedicated park space, depending upon how the remainder of the site develops.

Up to the drafting of this report, no correspondence has been received from neighbours that were provided notice.

IMPACT

If approved, this development is eligible to receive tax rebates under the Rental Housing Community Improvement Plan. It is also recognized that higher residential development densities are more efficiently serviced by the municipality.

STRATEGIC PLAN

Approval of this application is not directly linked to any policies contained within the Corporate Strategic Plan.

SUMMARY

This application represents an appropriate redevelopment and residential intensification opportunity. The proposed area to be rezoned is large enough to support the intended use, and there do not appear to be any significant physical constraints upon the subject property.

The proposed redevelopment will fit into the character of this developing mixed residential area. Off-site impacts such as noise and traffic are anticipated to be less than when the property functioned as an elementary school.

RECOMMENDATION

It is therefore recommended that Council take the following action:

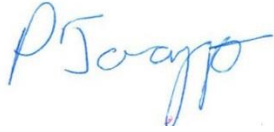
Resolved that the Report of the Planner dated 2015 07 13 concerning Rezoning Application A-13-15-Z be received as information and that Council rezones a portion of the subject property from Single Detached Residential Zone (R2) to Single Detached Residential Zone (R2.S) with a special exception with the following provisions:

1. That an apartment building containing not more than 22 dwelling units may be permitted, in addition to the uses permitted in an R2 zone.
2. That the apartment building use must be located within the existing building and that the existing building footprint and envelope cannot be expanded.
3. That for the purposes of the implementing by-law, the Medium Density Residential (R4) lot standards be applied, and that the south interior side yard requirement be reduced to 6.1m.

That Council deems the portion of the subject property to be rezoned, as subject to Site Plan Control.

For greater clarity, the portion of the subject property proposed to be rezoned, as shown on the maps attached, is the area encompassing the former school, associated parking and greenspace. More specifically, 79.2m (260') across Dacey Road, 93.4m (306') of depth, totalling 0.74ha (1.83acres), within the northeast portion of the subject property.

Respectfully submitted,



Peter Tonazzo, MCIP, RPP
Planner

Recommended for approval,



Donald B. McConnell, MCIP, RPP
Planning Director

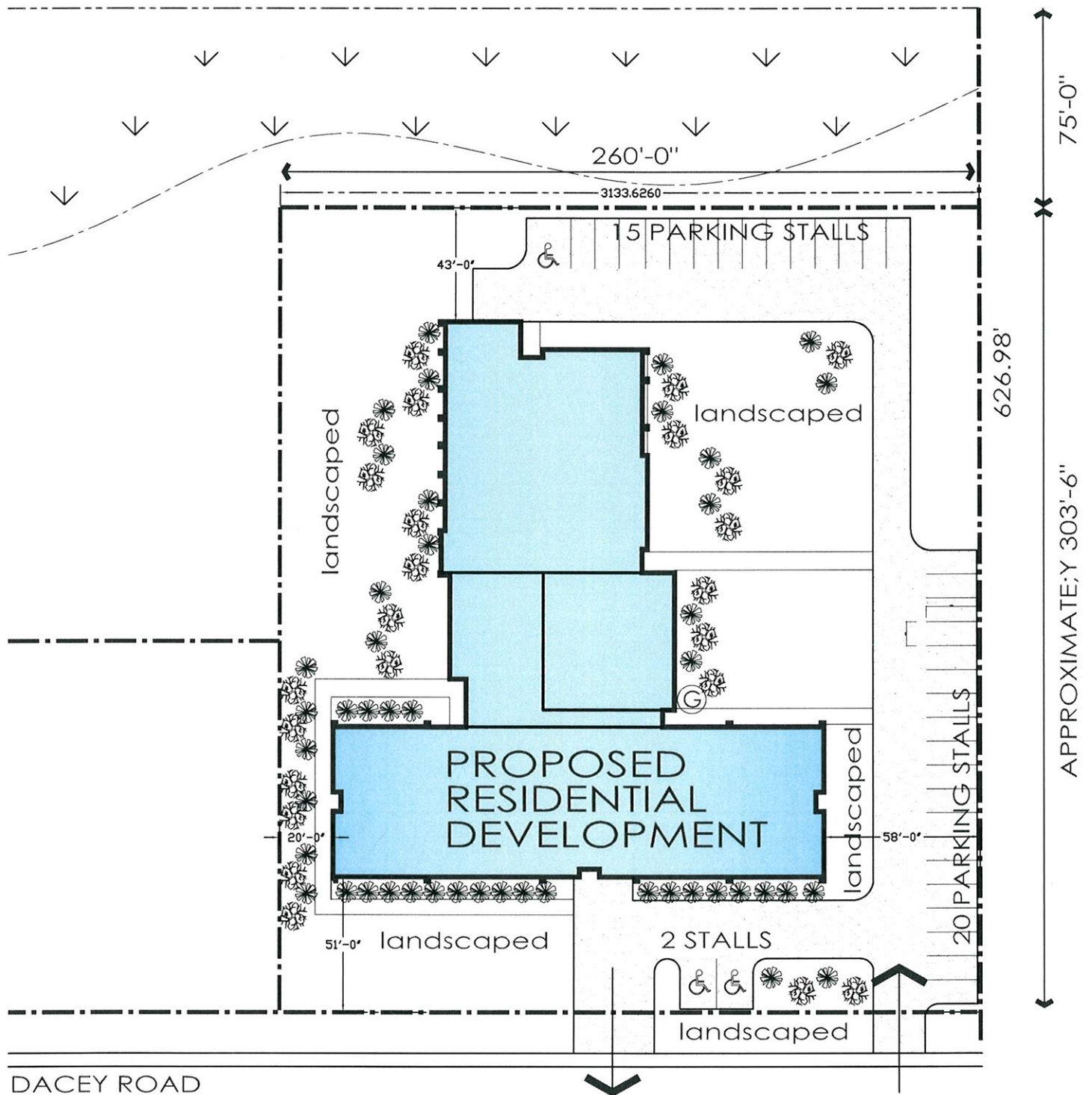
Recommended for approval,



Jerry Dolcetti, RPP
Commissioner Engineering & Planning

PT:ps

Attachment(s)



DACEY ROAD

PROPOSED SITE

SCALE IN FEET



PROJECT
NORTH

SK-4	drawing	scale	revisions	project
	PROPOSED	1/4" = 1'-0"		Conversion of St. Hubert School
	SITE	date		into an Multi-Use
	DEVELOPMENT	2 JUNE 2015		Apartment Complex
	checked by	drawn by		
	d ellis	d ellis		
	project number			
	1509			

david ELLIS architect inc.
477 queen street east suite 210 south oke. marie pda 126 phi 706 283 4333 fax 283 4332 email: ellis@elldesign.co



PUC SERVICES INC.
ENGINEERING DEPARTMENT
500 SECOND LINE EAST, P.O. Box 9000
SAULT STE. MARIE, ONTARIO, P6A 6P2

June 25, 2015

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

Dear Sir:

**Re: Application No. A-13-15-Z
207 Dacey Road**

We have no concerns with the above noted rezoning application proceeding.

We take the opportunity however to comment that water servicing to the 6 proposed lots does not exist and would need to be provided in accordance with published by-law rates at the time of lot development. Furthermore, frontage charges for the interior rear lot created would need to be assessed and would be due at the time of conveyance if owing.

Best Regards,

PUC SERVICES INC.

A handwritten signature in black ink, appearing to be "Rob Harten", written in a cursive style.

Rob Harten, P. Eng.
Manager of Engineering

A-13-15-Z Dacey Rd [207] Response.docx

PUC DISTRIBUTION INC.
Tel. (705) 759-6576

PUC SERVICES INC.
Fax. (705) 949-0083

PUBLIC UTILITIES COMMISSION
Email: Eng-Dept@ssmpuc.com



2012 ORTHO PHOTO

Planning Application A-13-15-Z

207 DACEY ROAD

former St. Huberts School Site



METRIC SCALE
1 : 3000



Subject Property - Land to be Rezoned (approx 79.2m X 93.4m)



Land Also Owned by Applicant

ROLL NUMBER
010-052-002-00

MAIL LABEL ID
ST-HUBERTS



SUBJECT PROPERTY MAP

Planning Application A-13-15-Z

207 DACEY ROAD

former St. Huberts School Site



Subject Property - Land to be Rezoned (approx 79.2m X 93.4m)

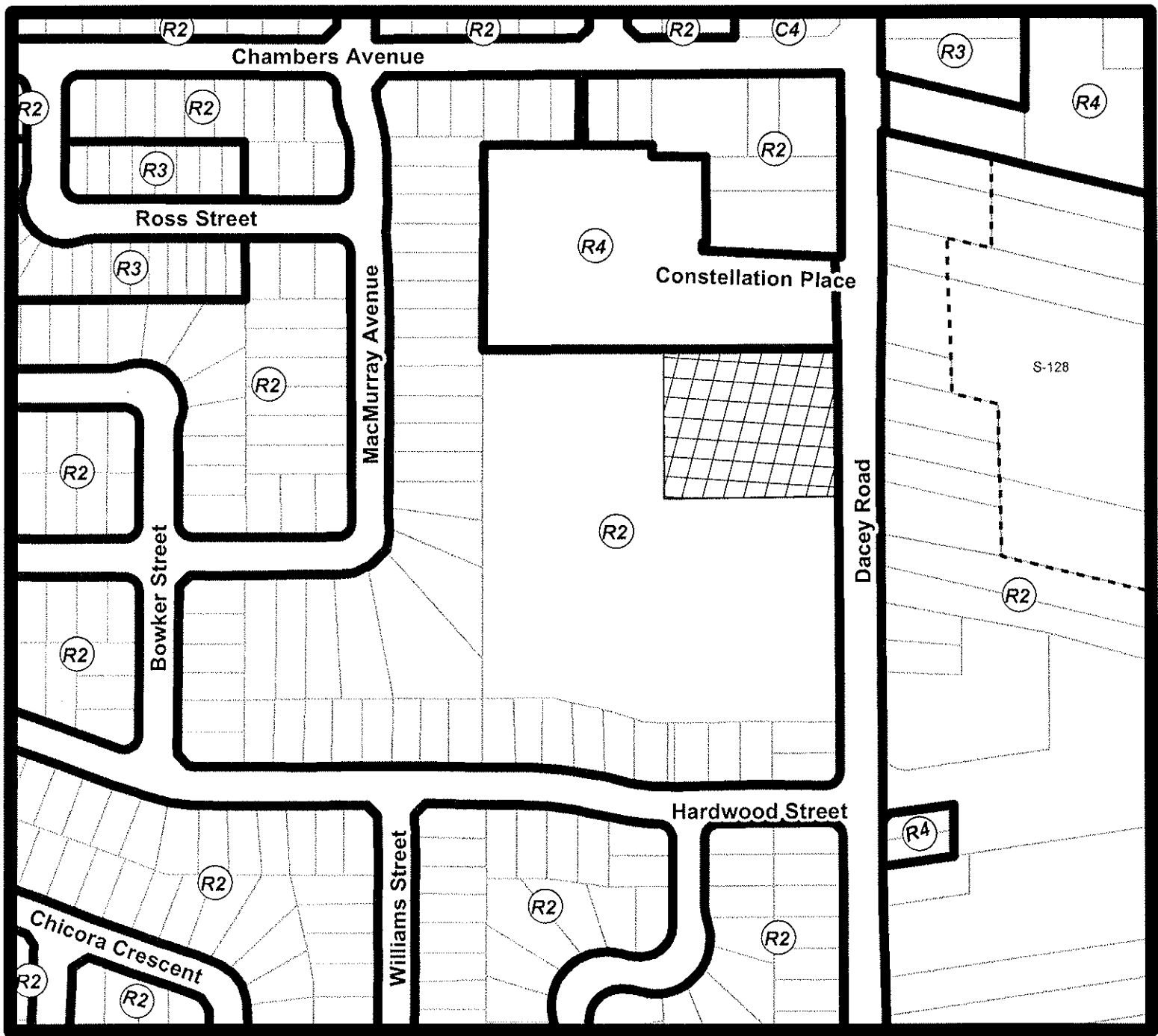
Land Also Owned by Applicant



METRIC SCALE
1 : 3000

ROLL NUMBER
010-052-002-00

MAIL LABEL ID
ST-HUBERTS



SUBJECT PROPERTY MAP

Planning Application A-13-15-Z

207 DACEY ROAD



MAIL LABEL ID METRIC SCALE
ST-HUBERTS 1 : 3000

ROLL NUMBER
010-052-002-00



Subject Property - Land to be Rezoned (approx 79.2m X 93.4m)



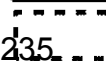
R2 - Single Detached Residential Zone; R2hp



R4 - Medium Density Residential Zone



R3 - Low Density Residential Zone



S-# = Special Exception Zoning

Judy Biocchi

From: Malcolm White
Sent: Tuesday, July 07, 2015 9:27 AM
To: Judy Biocchi
Subject: FW: 207 dacey road

From: Peter Tonazzo
Sent: Tuesday, July 07, 2015 8:43 AM
To: Malcolm White
Subject: FW: 207 dacey road

From: Greg Wochoy [mailto:greg_wochoy@hotmail.com]
Sent: Monday, July 06, 2015 9:08 PM
To: Peter Tonazzo
Subject: 207 dacey road

re 207 dacey road
app. no.a-13-15-z

att. mr. peter tonazzo
from greg wochoy
83 softwood dr
p6a6r7

I object to the re zoning to more multi residential (apartment buildings)

**in 2 1/2 block distance we have 13 apartment buildings.plus town housing,
named constellation place/across the street another 48 town house units to be built.
plus a confectionary store,plus a delli and laundry mat,plus a daycare school.**

i feel enough is enough.

**you know, home buyers paid a premium to back on a school,also the same for
others (home buyers) in the area,so kids didn't have to be bused.**

**also new subdivisions were to have a acessable park.which was at the south end of above
subject property,it vanished after a short time.older areas who pay less taxes have parks,why is
ours gone,keep in mined there is a ball field there as welland time to familiesuse it.**

**i feel we have too much of this type of dvelopemnt on dacey.also you should check vacancy rates for the
aptnent**

building here.if it is higher then west end/central or hill area/maybe should be built in area of more demand,
to build in an area with high vacancy problem,only causes problem for existing multi-residential properties.
there is vacant land off of bruce street (king george school site,and central)

thank you

greg wochoy

please e-mail me that you received this objection





COMMUNITY FESTIVAL

WEDNESDAY, AUGUST 19TH, 2015

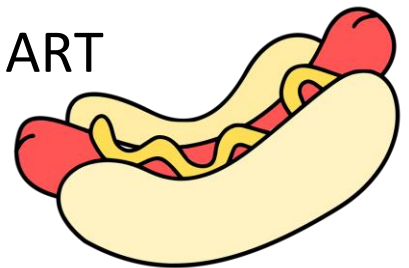
ROBERTA BONDAR TENT

M&M BBQ
5-7 PM

2 LIVE BANDS
5-10 PM



COTTON CANDY, POPCORN
FACE PAINTING & BALLOON ART
5-9 PM

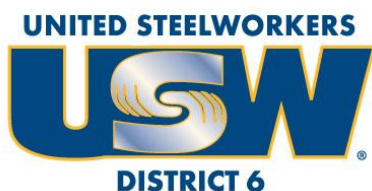


FIREWORKS AT DUSK

WE WILL BE HOLDING A FOOD DRIVE TO BENEFIT THE SOUP
KITCHEN, ST. VINCENT DE PAUL AND SALVATION ARMY

IN CASE OF RAIN THIS EVENT WILL BE HELD THURSDAY, AUGUST 20TH.

THIS EVENT IS PROVIDED FREE OF CHARGE BY



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-127

AGREEMENT: (AG106) A by-law to authorize the execution of a Surrender of Sublease & Consent to Sublease Agreement between the City and PUC Services Inc. and Simcoe County Community Energy Co-Operative Inc.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement dated July 13, 2015 between the City and PUC Services Inc. and Simcoe County Community Energy Co-Operative Inc., a copy of which is attached as Schedule "A" hereto.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

w\ LEGAL\STAFF\BYLAWS\2015\2015-127 Surrender of Sublease & Consent to Sublease

SURRENDER OF SUBLEASE & CONSENT TO SUBLEASE

THIS AGREEMENT made as of this 13th day of July, 2015.

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(the "Landlord")

OF THE FIRST PART

- and -

PUC SERVICES INC.

(the "Tenant")

OF THE SECOND PART

- and -

SIMCOE COUNTY COMMUNITY ENERGY CO-OPERATIVE INC.

(the "Subtenant")

OF THE THIRD PART

WHEREAS by a Lease Agreement made the 24th day of September, 2012 (the "Lease"), the Landlord leased to the Tenant, for a specified term (the "Term") as set out in the Lease, certain premises (the "Leased Premises") as defined in the Lease;

AND WHEREAS the Tenant thereafter advised the Landlord that the Tenant was desirous of applying to the Ontario Power Authority (OPA) now known as the Independent Electricity System Operator (IESO), for a FIT Contract through the Subtenant under the "Community Capacity Set Aside" category, thereby necessitating a sublease of the Leased Premises by the Tenant to the Subtenant;

AND WHEREAS Section 11 of the Lease permitted the Tenant to assign or transfer the Lease with the prior written consent of the Landlord;

AND WHEREAS a Sublease & Consent to Sublease Agreement (the "Sublease") was entered into by the parties herein on December 2, 2013;

AND WHEREAS the Tenant and Subtenant have been unsuccessful in their attempts to obtain a FIT Contract under the "Community Capacity Set Aside" category and therefore the Tenant has provided the Landlord with notice firstly that it no longer intends to continue its relationship or application for a FIT Contract with the Subtenant, and secondly, that it desires to surrender the Sublease and return to the original Lease agreement with the Landlord and the Subtenant is agreeable to same;

NOW THEREFORE IN CONSIDERATION of the covenants and agreements of the Landlord, Tenant, and Subtenant hereinafter contained, the parties hereto covenant and agree with each other as follows:

- I. The Landlord, Tenant and Subtenant (collectively the "Parties") hereby acknowledge and agree that the relationship between the Landlord, Tenant, and Subtenant as created by the Sublease is by way of this Surrender to Sublease & Consent to Sublease (the "Agreement") terminated, extinguished, and final. The Parties hereto further acknowledge and agree that all rights, obligations, liabilities, covenants, indemnities, duties, responsibilities, and warranties under the Sublease are hereby immediately cancelled, terminated, surrendered and fully released, except as expressly set out herein.

- II. The Tenant and Subtenant hereby represent and warrant that their business relationship has been formally terminated, and that they have taken all steps necessary to effect same. To this end, the Tenant and Subtenant further represent and warrant that there are no further rights, obligations, liabilities, covenants, indemnities, duties, responsibilities and warranties as between the Tenant, Subtenant and Landlord, or between any or all of them, except as expressly set out herein.
- III. The Tenant and Subtenant hereby remise, release and forever discharge the Landlord, of and from all manner of actions, causes of action, suits, debts, duties, accounts, covenants, contracts, agreements, claims and demands whatsoever which the Tenant and/or Subtenant individually or collectively now has or can, shall or may hereinafter have against the Landlord arising out of, under or by virtue of the Sublease, the Lease and any matters or contracts related directly or indirectly thereto.
- IV. The Tenant and Subtenant hereby acknowledge and agree that their respective obligations, representations, acknowledgements, covenants and indemnities provided in Sections III-XIII inclusive of the Sublease shall survive the surrender of the Sublease set out in this Agreement. To this end, the Tenant and Subtenant covenant and agree that it shall fully indemnify and save the City harmless, including the City's elected officials, officers, employees, agents and contractors from and against any losses, costs (including without restriction, legal costs on a substantial indemnity scale basis), liabilities and expenses incurred by the Landlord because of any action, cause of action, suit, debt, duty, account, covenant, contract, claim and demand whatsoever brought against the City as a result of any loss or damage, both direct or indirect, including any costs and expenses, howsoever and whatsoever incurred, suffered or sustained in relation to or in connection with the Tenant and/or the Subtenant's business relationship or any matters related directly or indirectly to the Sublease or the Lease.
- V. The relationship between the Tenant and Landlord as created by the Lease dated September 24, 2012 shall hereinafter continue in all respects only between the Landlord and the Tenant, unmodified by this Agreement, except as expressly set out in Section VI herein. To this end, the Subtenant acknowledges and agrees that it has no title, right or interest in any matters set out in the Lease dated September 24, 2012.
- VI. The Landlord and Tenant acknowledge and agree that any reference in the Lease to the "Ontario Power Authority" shall now be deleted and replaced with the "Independent Electricity System Operator". The Landlord and Tenant further acknowledge and agree that any reference in the Lease to the "OPA" shall now be deleted and replaced with the "IESO".
- VII. This Agreement shall in no way release the Tenant or any person or entity claiming by, through or under the Tenant, including the Subtenant, from any of its covenants, obligations, agreements, liabilities, indemnities and duties under the Lease, including, without limitation, the obligation to pay Rent to the Landlord, as defined in the Lease.
- VIII. **NOTICES:** Any notice, request or demand provided for or given under this Agreement or under the Lease shall be in writing and shall be served in the manner specified in the Lease. The addresses for service of notice by registered mail shall be:

To Landlord: The Corporation of the City of Sault Ste. Marie
 Attention: Assistant City Solicitor
 Legal Department, Level 4, Civic Centre
 99 Foster Drive, P.O. Box 580
 Sault Ste. Marie, Ontario P6A 5X6

To Tenant: PUC Services Inc.
 Attention: President & CEO
 765 Queen Street East
 Sault Ste. Marie, Ontario P6A 6P2

with a copy to the Subtenant

To Subtenant: Simcoe County Community Energy Co-operative Inc.
 560 Anne St. N.
 Barrie, Ontario L4M 4S4

IX. GENERAL:

- A. The parties acknowledge and agree that the recitals are true and accurate and form part of this Agreement.
- B. Unless the context otherwise requires, words importing the singular in number only shall include the plural and *vice versa*, words importing the use of gender shall include the masculine, feminine and neuter genders, and words importing persons shall include individuals, corporations, partnerships, associations, trusts, unincorporated organizations, governmental bodies and other legal or business entities.
- C. The Tenant represents and warrants that it has the right, full power and authority to enter into this Agreement and to perform its obligations hereunder, and that, it has not entered into any agreements or executed any other instruments, deeds or other documents pursuant to which the Lease and the Sublease, or the unexpired portion of the term, including any renewals, shall in any way be charged, encumbered, assigned, sublet or otherwise transferred. The Tenant further represents and warrants that it has not assigned or encumbered its interest in the Lease or the Sublease and that no consent from any mortgagee or other party is required.
- D. The Subtenant represents and warrants that it has the right, full power and authority to enter into this Agreement and to perform its obligations hereunder, and that, it has not entered into any agreements or executed any other instruments, deeds or other documents pursuant to which the Lease and the Sublease, or the unexpired portion of the term, including any renewals, shall in any way be charged, encumbered, assigned, sublet or otherwise transferred. The Subtenant further represents and warrants that it has not assigned or encumbered its interest in the Lease or the Sublease and that no consent from any mortgagee or other party is required.
- E. This Agreement shall be binding upon and, to the extent expressly permitted pursuant to the provisions of the Lease, shall enure to the benefit of the parties hereto and their respective heirs, executors, administrators, successors, assigns and other legal representatives.
- F. This Agreement may be executed:
 - (i) by electronic transmission, including facsimile, scanned or email, and scanned electronic or facsimile signatures shall be treated as originals for all purposes; and
 - (ii) in counterparts and all counterparts taken together shall constitute an executed copy of this Agreement.
- G. Delivery of an executed copy of a signature page to this Agreement by facsimile transmission shall be effective as delivery of an original executed copy of this Agreement, and each party hereto undertakes to provide each other party with a copy of the Agreement bearing original signatures forthwith upon demand.
- H. Each party shall promptly do, execute, deliver or cause to be done, executed and delivered all

further acts, documents and things in connection with this Agreement that the other party or parties thereto may reasonably require for the purpose of giving effect to this Agreement and carrying out its provisions and completing the transactions contemplated by this Agreement.

- I. This Agreement shall be interpreted according to the laws of the Province of Ontario.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date written above.

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

Christian Provenzano
Mayor

Malcolm White
City Clerk

We have the authority to bind the
corporation

PUC SERVICES INC.

Kevin D. Bell
Vice-President Customer Engagement &
Business Development

I have the authority to bind PUC Services Inc.

**SIMCOE COUNTY COMMUNITY
ENERGY CO-OPERATIVE INC.**

Kenneth Rounds
Director/Treasurer

I have the authority to bind the
Simcoe County Community Energy
Co-operative Inc.

WL Legal\Staff\AGREEMENTS\PUC and Sublease Simcoe County Community Energy Cooperative
(LE-106)(AG-106)\Surrender of Sublease & Consent to Sublease

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-128

RESOLUTIONS: (E2.1) A by-law to authorize the execution of four (4) Municipal Council Support Resolutions and nine (9) Municipal Council Confirmation Resolutions to support the solar photovoltaic applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to four (4) Municipal Council Support Resolutions and nine (9) Municipal Council Confirmation Resolutions in the form of Schedules "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L" and "M" hereto attached and dated the 13th day of July, 2015, to support the solar photovoltaic applications being submitted to the Independent Electricity System Operator Feed-In-Tariff Program.

2. **SCHEDULES "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L" and "M"**

Schedules "A", "B", "C", "D", "E", "F", "G", "H", "I", "J", "K", "L" and "M" form a part of this by-law.

3. **EFFECTIVE DATE**

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

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\1. 2015\2015-128 SOLAR PHOTOVOLTAIC FIT APPLICATIONS (13).DOC

Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1

Apr 2015

IESOMRD/f-FIT-010r2

Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: July 13, 2015

(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by The Local Municipality.)

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] PUC Services Inc. (the "Applicant") proposes to construct and operate a Non Roof Top Solar Project (the "Project") on 2059 Second Line West (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

[AND WHEREAS] the Applicant has requested that Council of the City of Sault Ste. Marie indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]:

Council of the City of Sault Ste. Marie supports the construction and operation of Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Signed:

Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

Date: July 13, 2015

(Signature lines for elected representatives. At least one signature is required.)

Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1

Apr 2015

IESOMRD/f-FIT-01Or2

Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: July 13, 2015

(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by The Local Municipality.)

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] PUC Services Inc. (the "Applicant") proposes to construct and operate a Roof Top Solar Project (the "Project") on 556 Goulais Avenue (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

[AND WHEREAS] the Applicant has requested that Council of the City of Sault Ste. Marie indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]:

Council of the City of Sault Ste. Marie supports the construction and operation of Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Signed:

Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

Date: July 13, 2015

(Signature lines for elected representatives. At least one signature is required.)

Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1	Apr 2015	IESOMRD/f-FIT-010r2
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Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: July 13, 2015

(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by The Local Municipality.)

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] PUC Services Inc. (the "Applicant") proposes to construct and operate a Non Roof Top Solar Project (the "Project") on 540 Second Line East (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

[AND WHEREAS] the Applicant has requested that Council of the City of Sault Ste. Marie indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]:

Council of the City of Sault Ste. Marie supports the construction and operation of Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Signed:

Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

Date: July 13, 2015

(Signature lines for elected representatives. At least one signature is required.)

Template: Municipal Council Support Resolution

Section 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 1	Apr 2015	IESOMRD/f-FIT-010r2
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Resolution Number: _____

FIT Reference Number: _____

Date Resolution was passed: July 13, 2015

(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules, even where Local Municipality letterhead is used. This is not to be inserted by The Local Municipality.)

[WHEREAS] capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

[AND WHEREAS] PUC Services Inc. (the "Applicant") proposes to construct and operate a Roof Top Solar Project (the "Project") on 500 Second Line East (the "Lands") in Sault Ste. Marie under the Province's FIT Program;

[AND WHEREAS] the Applicant has requested that Council of the City of Sault Ste. Marie indicate by resolution Council's support for the construction and operation of the Project on the Property.

[AND WHEREAS] pursuant to the FIT Rules, Version 4.0, Applications whose Projects receive the formal support of Local Municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other Persons applying for FIT Contracts;

[NOW THEREFORE BE IT RESOLVED THAT]:

Council of the City of Sault Ste. Marie supports the construction and operation of Project on the Lands.

This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project or any other purpose.

Signed:

Signed:

Title: Mayor Christian Provenzano

Title: Malcolm White, City Clerk

Date: July 13, 2015

Date: July 13, 2015

(Signature lines for elected representatives. At least one signature is required.)

PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/F-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____ July 13, 2015	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
---	---

2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

I am the/an _____ Mayor / City Clerk _____ of the _____ Municipality of Sault Ste. Marie _____ (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

_____ SA&G LP _____ (the "Applicant") proposes to construct and operate a _____
(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ Rooftop Solar PV Project _____ (the "Project") on _____
(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ 23 TERRY FOX PLACE, SAULT STE. MARIE, P6A 6M9 _____ (the "Lands") in the Municipality under the province's FIT Program.
(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

4

The resolution(s) provided with this Confirmation is *(check one or both as applicable)*:

a) ☒ A Municipal Council Support Resolution *(if selected, check one of the following)*:

1) ☒ A new FIT 4.0 Municipal Council Support Resolution. *(if selected the resolution must be attached as Exhibit "A")*

2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. *(if selected the resolution must be attached as Exhibit "A")*

ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) ☐ A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Christian Provenzano / Malcolm White _____ Signed: _____

Title: _____ Mayor / City Clerk _____ Date: _____ July 13, 2015 _____

(Signature block for authorized signee. Must be an original ink signature)



Independent Electricity
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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 Apr 2015 IESOMRD/F-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)

PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/f-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____ July 13, 2015 _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
--	---

2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

I am the/an _____ of the _____ Municipality of Sault Ste. Marie
(the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

_____ SR&G LP _____ (the "Applicant") proposes to construct and operate a
(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ Rooftop Solar PV Project _____ (the "Project") on
(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ 26 TERRY FOX PLACE, SAULT STE. MARIE, P6A 6M9 _____ (the "Lands") in the Municipality under the province's FIT Program.
(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

4

The resolution(s) provided with this Confirmation is *(check one or both as applicable)*:

a) ☒ A Municipal Council Support Resolution *(if selected, check one of the following)*:

1) ☒ A new FIT 4.0 Municipal Council Support Resolution. *(if selected the resolution must be attached as Exhibit "A")*

2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. *(if selected the resolution must be attached as Exhibit "A")*

ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) ☐ A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Christian Provenzano / Malcolm White _____	Signed: _____
Title: _____ Mayor / City Clerk _____	Date: _____ July 13, 2015 _____

(Signature block for authorized signee. Must be an original ink signature)



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Page 2 of 2 Apr 2015 IESOMRD/F-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)



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Schedule "G"

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Page 1 of 2 Apr 2015 IESOMRD/F-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____ July 13, 2015	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
---	---

2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

I am the/an _____ Mayor / City Clerk of the _____ Municipality of Sault Ste. Marie (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

_____ SA&G LP (the "Applicant") proposes to construct and operate a
(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ Rooftop Solar PV Project (the "Project") on
(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ 27 TERRY FOX PLACE, SAULT STE. MARIE, P6A 6M9 (the "Lands") in the Municipality under the province's FIT Program.
(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

4

The resolution(s) provided with this Confirmation is *(check one or both as applicable)*:

a) ☒ A Municipal Council Support Resolution *(if selected, check one of the following)*:

1) ☒ A new FIT 4.0 Municipal Council Support Resolution. *(if selected the resolution must be attached as Exhibit "A")*

2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. *(if selected the resolution must be attached as Exhibit "A")*

ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) ☐ A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Christian Provenzano / Malcolm White Signed: _____

Title: _____ Mayor / City Clerk Date: _____ July 13, 2015

(Signature block for authorized signee. Must be an original ink signature)



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Page 2 of 2 Apr 2015 IESOMRD/F-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)



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Schedule "H"

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Page 1 of 2 Apr 2015 IESOMRD/F-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____ July 13, 2015	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
---	---

2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

I am the/an _____ Mayor / City Clerk of the _____ Municipality of Sault Ste. Marie (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

SA&G LP (the "Applicant") proposes to construct and operate a
(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

Rooftop Solar PV Project (the "Project") on
(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

352 DACEY ROAD, SAULT STE. MARIE, P6A 5J7 (the "Lands") in the Municipality under the province's FIT Program.
(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

4

The resolution(s) provided with this Confirmation is *(check one or both as applicable)*:

a) ☒ A Municipal Council Support Resolution *(if selected, check one of the following)*:

1) ☒ A new FIT 4.0 Municipal Council Support Resolution. *(if selected the resolution must be attached as Exhibit "A")*

2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. *(if selected the resolution must be attached as Exhibit "A")*

ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) ☐ A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Christian Provenzano / Malcolm White Signed: _____

Title: _____ Mayor / City Clerk Date: _____ July 13, 2015

(Signature block for authorized signee. Must be an original ink signature)



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Page 2 of 2 Apr 2015 IESOMRD/F-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)



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Schedule "I"

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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/F-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____ July 13, 2015	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
---	---

2 Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0. I am the/an _____ Mayor / City Clerk _____ of the _____ Municipality of Sault Ste. Marie (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.	
---	--

3 _____ SR&G LP _____ (the "Applicant") proposes to construct and operate a <i>(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ Rooftop Solar PV Project _____ (the "Project") on <i>(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ 589 SECOND LINE EAST, SAULT STE. MARIE, P6B 4K2 _____ (the "Lands") in the Municipality under the province's FIT Program. <i>(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)</i>	
---	--

4 The resolution(s) provided with this Confirmation is <i>(check one or both as applicable)</i>: a) ☒ A Municipal Council Support Resolution <i>(if selected, check one of the following)</i>: 1) ☒ A new FIT 4.0 Municipal Council Support Resolution. <i>(if selected the resolution must be attached as Exhibit "A")</i> 2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. <i>(if selected the resolution must be attached as Exhibit "A")</i> ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A". b) ☐ A Land Use Restriction Exemption Resolution <i>(if selected the resolution must be attached as Exhibit "A")</i>.	
--	--

5 Name: _____ Christian Provenzano / Malcolm White _____ Title: _____ Mayor / City Clerk _____	Signed: _____ Date: _____ July 13, 2015 _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
--	--



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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 Apr 2015 IESOMRD/F-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)


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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
--	---

2 Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0. I am the/an _____ Mayor/City Clerk _____ of the _____ City of Sault Ste. Marie _____ (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.	
--	--

3 _____ PUC Services Inc. _____ (the "Applicant") proposes to construct and operate a <i>(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ Non Roof Top Solar _____ (the "Project") on <i>(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ 540 Second Line East _____ (the "Lands") in the Municipality under the province's FIT Program. <i>(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)</i>	
---	--

4 The resolution(s) provided with this Confirmation is <i>(check one or both as applicable)</i>: a) ☒ A Municipal Council Support Resolution <i>(if selected, check one of the following)</i>: 1) ☒ A new FIT 4.0 Municipal Council Support Resolution. <i>(if selected the resolution must be attached as Exhibit "A")</i> 2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. <i>(if selected the resolution must be attached as Exhibit "A")</i> ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A". b) ☒ A Land Use Restriction Exemption Resolution <i>(if selected the resolution must be attached as Exhibit "A")</i>.	
--	--

5 Name: _____ Christian Provenzano / Malcolm White _____ Title: _____ Mayor / City Clerk _____	Signed: _____ Date: _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
---	--



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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 Apr 2015 IESOMRD/FIT-0122

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)

Schedule "K"



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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/FIT-01272

1 Resolution number: _____ Date resolution(s) was passed: _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
---	---

2

Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0.

I am the/an _____ Mayor/City Clerk _____ of the _____ City of Sault Ste. Marie _____ (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.

3

_____ PUC Services Inc. _____ (the "Applicant") proposes to construct and operate a
(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ Non Roof Top Solar _____ (the "Project") on
(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)

_____ 2059 Second Line West _____ (the "Lands") in the Municipality under the province's FIT Program.
(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)

4

The resolution(s) provided with this Confirmation is *(check one or both as applicable)*:

a) ☒ A Municipal Council Support Resolution *(if selected, check one of the following)*:

1) ☒ A new FIT 4.0 Municipal Council Support Resolution. *(if selected the resolution must be attached as Exhibit "A")*

2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. *(if selected the resolution must be attached as Exhibit "A")*

ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A".

b) ☒ A Land Use Restriction Exemption Resolution *(if selected the resolution must be attached as Exhibit "A")*.

5

Name: _____ Christian Provenzano / Malcolm White _____ Signed: _____

Title: _____ Mayor / City Clerk _____ Date: _____

(Signature block for authorized signee. Must be an original ink signature)



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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 Apr 2015 IESOMRD/FIT-012r1

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)



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Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/F-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
--	---

2 Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0. I am the/an _____ Mayor/City Clerk _____ of the _____ City of Sault Ste. Marie _____ (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.	
--	--

3 _____ PUC Services Inc. _____ (the "Applicant") proposes to construct and operate a <i>(This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ Roof Top Solar _____ (the "Project") on <i>(This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached)</i> _____ 556 Goulais Avenue _____ (the "Lands") in the Municipality under the province's FIT Program. <i>(This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)</i>	
---	--

4 The resolution(s) provided with this Confirmation is (check one or both as applicable): a) ☒ A Municipal Council Support Resolution (if selected, check one of the following): 1) ☒ A new FIT 4.0 Municipal Council Support Resolution. (if selected the resolution must be attached as Exhibit "A") 2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. (if selected the resolution must be attached as Exhibit "A") ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A". b) ☐ A Land Use Restriction Exemption Resolution (if selected the resolution must be attached as Exhibit "A").	
--	--

5 Name: _____ Christian Provenzano / Malcolm White _____ Title: _____ Mayor / City Clerk _____	Signed: _____ Date: _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
---	--



Independent Electricity
System Operator

**FEED-IN TARIFF
PROGRAM**

WRITABLE FORM

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Print

120 Adelaide Street West, Suite 1600
Toronto, Ontario M5H 1H1
T 416-967-7434
F 416-967-1947
www.ieso.ca

PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 Apr 2015 IESOMRD/FIT-01272

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)


**FEED-IN TARIFF
PROGRAM**

WRITABLE FORM

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Toronto, Ontario M5H 1V1
T 416 967-7474
F 416-967-1947
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PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 1 of 2 Apr 2015 IESOMRD/F-FIT-012r2

1 Resolution number: _____ Date resolution(s) was passed: _____	FIT Reference Number: _____ <i>(The FIT Reference Number must be inserted by the Applicant in order for the resolution to comply with the FIT Rules.)</i>
--	---

2 Capitalized terms not defined herein have the meanings ascribed to them in the FIT Rules, Version 4.0. I am the/an _____ Mayor/City Clerk _____ of the _____ City of Sault Ste. Marie _____ (the "Municipality"), and have the delegated authority to provide this confirmation on behalf of the Municipality and without personal liability.	
--	--

3 _____ PUC Services Inc. _____ (the "Applicant") proposes to construct and operate a _____ (This must be the same Applicant (i.e., same name) as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached) _____ Roof Top Solar _____ (the "Project") on _____ (This must be the same description as stated in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided as attached) _____ 500 Second Line East _____ (the "Lands") in the Municipality under the province's FIT Program. (This must be the same description as the Lands in the Municipal Council Support Resolution or Land Use Restriction Exemption Resolution provided, as attached)	
--	--

4 The resolution(s) provided with this Confirmation is (check one or both as applicable): a) ☒ A Municipal Council Support Resolution (if selected, check one of the following): 1) ☒ A new FIT 4.0 Municipal Council Support Resolution. (if selected the resolution must be attached as Exhibit "A") 2) ☐ A pre-existing FIT 3.0 Municipal Council Support Resolution which has not been rescinded. (if selected the resolution must be attached as Exhibit "A") ii) I have confirmed that the Project being proposed by the Applicant under the Province's FIT Program is the same Project on the same Lands as the Project that was the subject of the Municipal Council Support Resolution attached as Exhibit "A". b) ☐ A Land Use Restriction Exemption Resolution (if selected the resolution must be attached as Exhibit "A").	
--	--

5 Name: _____ Christian Provenzano / Malcolm White _____ Title: _____ Mayor / City Clerk _____	Signed: _____ Date: _____ <i>(Signature block for authorized signee. Must be an original ink signature)</i>
---	--



Independent Electricity
System Operator

**FEED-IN TARIFF
PROGRAM**

WRITABLE FORM

Save As

Print

120 Adelaide Street West, Suite 1600
Toronto, Ontario M5H 1H1
T 416-967-7474
F 416-967-1367
www.ieso.ca

PRESCRIBED FORM: MUNICIPAL COUNCIL RESOLUTION CONFIRMATION

Section 3.8(g) and 5.1(g)(i) of the FIT Rules, Version 4.0

Page 2 of 2 Apr 2015 IESOMRD/F-FIT-012r2

EXHIBIT "A" RESOLUTION(S)

(Attach one or more of the new FIT 4.0 Municipal Council Support Resolution, the FIT 3.0 Municipal Council Support Resolution previously passed in support of the Project, and the Land Use Restriction Exemption Resolution, as applicable.)

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-129

SUBDIVISION CONTROL: (PR7.1) A by-law to deem not registered for purposes of subdivision control certain lots in the Huron Subdivision, pursuant to section 50(4) of the *Planning Act*.

WHEREAS section 50(4) of the *Planning Act* authorizes the Council of a municipality to designate by a by-law any plan of subdivision or part thereof that has been registered for 8 years or more as not being a plan of subdivision for subdivision control purposes; and

WHEREAS a plan of the Huron Subdivision was registered in the Registry Division on October 5, 1905 as Plan 12983; and

WHEREAS it is deemed expedient that a by-law be enacted pursuant to the said section 50(4) to designate part of the Huron Subdivision as being not a registered plan of subdivision;

NOW THEREFORE THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 50(4) of the *Planning Act*, R.S.O. 1990, Chapter P.13 and amendments thereto, **ENACTS** as follows:

1. **PART OF HURON SUBDIVISION DEEMED NOT REGISTERED**

Lots 77 to 83 Plan 12983, Huron Subdivision, registered in the Land Titles Division for the District of Algoma are hereby designated to be part of a plan of subdivision which shall be deemed not to be a registered plan of subdivision pursuant to section 50(4) of the *Planning Act*. The said lots together are hereby designated an area of subdivision control. A copy of Map 16 showing the above-described property as "Subject Property" is attached as Schedule "A".

2. **EXECUTION OF DOCUMENTS**

The Mayor and City 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.

3. **SCHEDULE "A"**

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

4. **EFFECTIVE DATE**

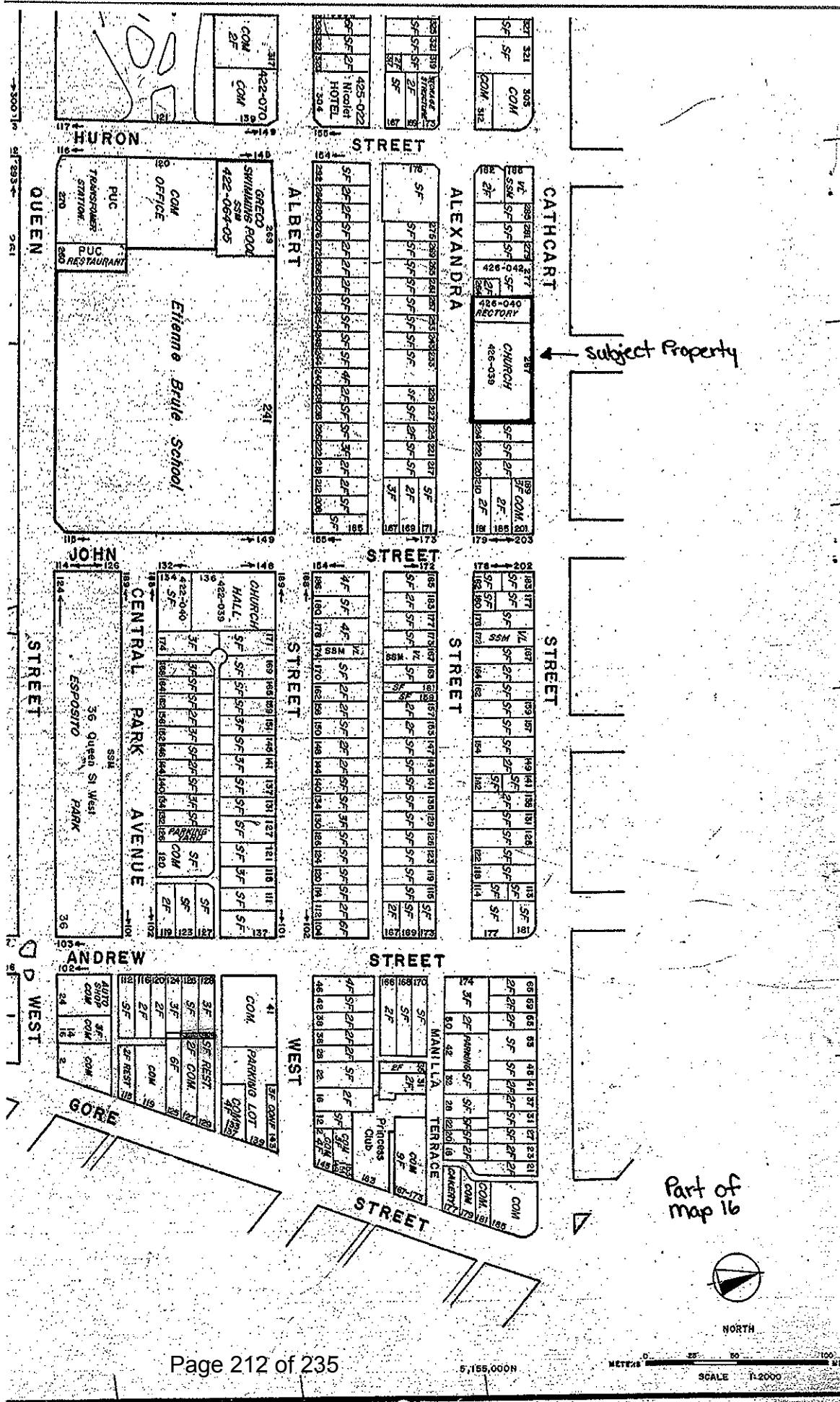
This by-law takes effect on the day that this by-law is registered in the Land Titles system pursuant to section 50(28) of the *Planning Act*.

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\2015\2015-129 DEEMING LOTS 77 to 83 HURON SUBDIVISION.DOC



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-130

AGREEMENT: (AG151) A by-law to authorize the execution of an agreement between the City and The Art Gallery of Algoma to permit The Art Gallery of Algoma to occupy the property of the City identified as part of PIN 31540-0094 (LT), being lands to the southwest of Ken Danby Way at civic no. 651 Bay Street.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement dated July 13, 2015 between the City and The Art Gallery of Algoma, a copy of which is attached as Schedule "A" hereto.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

wf LEGAL\STAFF\BYLAWS\2015\2015-130 Licence to Occupy – Art Gallery of Algoma

AG-151

LICENCE TO OCCUPY CITY PROPERTY

THIS LICENCE made in duplicate this 13th day of July, 2015.

B E T W E E N:

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

(herein referred to as the "City")

- and -

THE ART GALLERY OF ALGOMA

(herein referred to as the "Licencee")

The City grants to the Licencee the right to occupy a portion of City property located at civic 651 Bay Street to the southwest of Ken Danby Way, being part of PIN 31540-0094 (LT), specifically, that portion of the property marked and identified as "Subject Area" on Schedule "A" attached to this Licence to Occupy City Property (herein referred to as the "Licence").

This Licence is subject to the conditions set out in Schedule "B" attached, which to the extent each condition is or becomes applicable, the Licencee covenants to observe for the period of one (1) year commencing on July 13, 2015 and thereafter from year to year until the Licence is terminated in accordance with Schedule "B".

In this Licence, the "City" means the "Council" of the City of Sault Ste. Marie and any person authorized to act on its behalf.

This Licence shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors and assigns.

In witness thereof the parties hereto have affixed their hands and seals on the date written above.

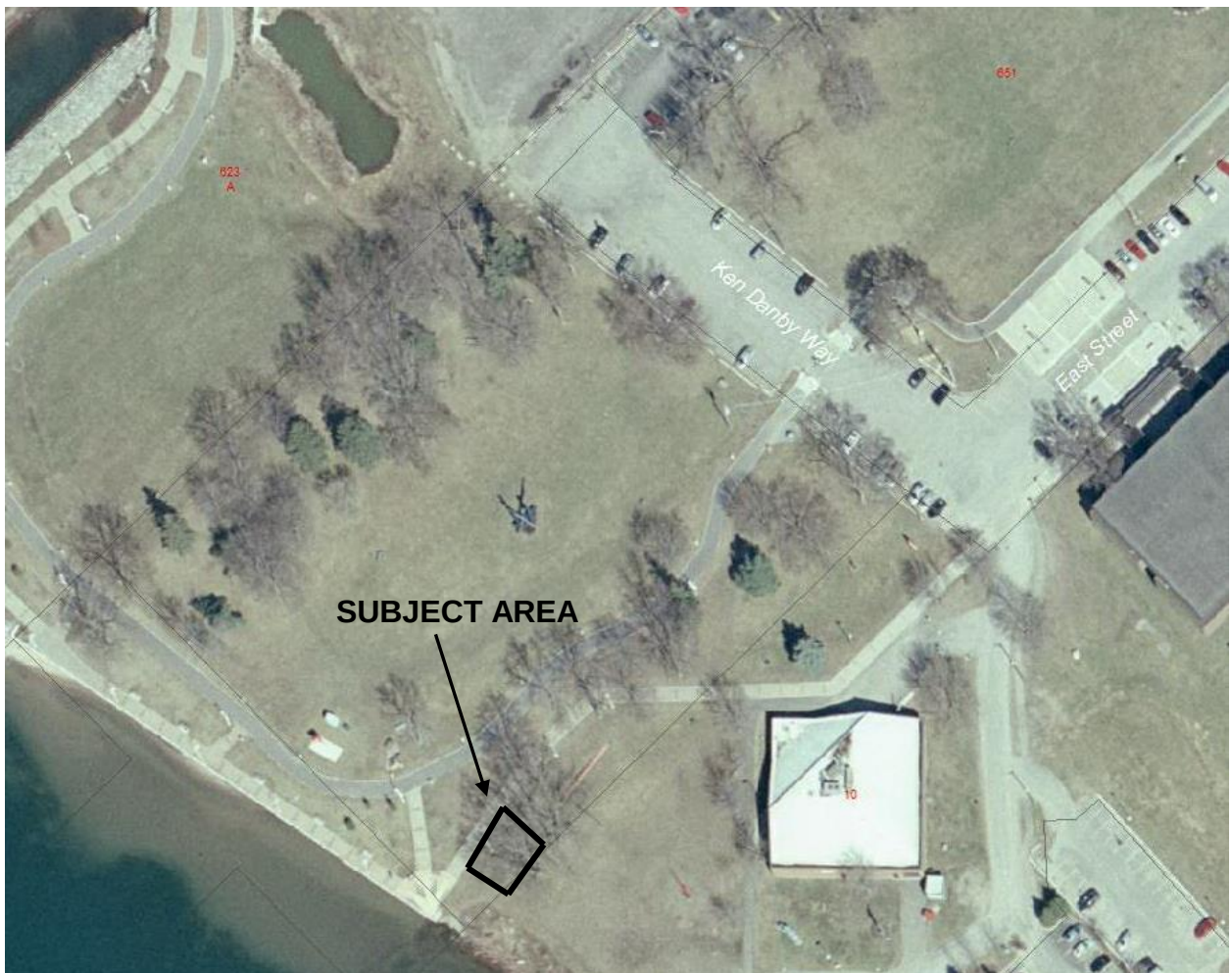
SIGNED, SEALED AND DELIVERED	)	ART GALLERY OF ALGOMA
	)	
	)	
	)	
	)	
	)	_____ EXECUTIVE DIRECTOR –
	)	JASMINA JOVANOVIC
	)	
	)	
	)	THE CORPORATION OF THE CITY
	)	OF SAULT STE. MARIE
	)	
	)	
	)	_____ MAYOR – CHRISTIAN PROVENZANO
	)	
	)	
	)	_____ CITY CLERK – MALCOLM WHITE
	)	
	)	WE HAVE THE AUTHORITY TO BIND
	)	THE CORPORATION

w\\Staff\\AGREEMENTS\\Art Gallery of Algoma Group of Seven Interpretive Sign\\Licence of Occupation

SCHEDULE "A"

City Property

The City grants the Licencee the right to occupy that portion of City property located at civic 651 Bay Street to the southwest of Ken Danby Way, being part of PIN 31540-0094 (LT) in Sault Ste. Marie, Ontario, more specifically the location indicated as the "Subject Area" on the following map, and subject to the conditions outlined in Schedule "B":



SCHEDULE “B”

This Licence is subject to the following conditions:

1. The City hereby grants the Licencee permission to construct, erect, and maintain an interpretive sign (the “Sign”) and stool (the “Stool”) of the approximate dimensions and type shown in Schedule “C” to this Licence, for a period of one (1) year commencing on July 13, 2015 and thereafter from year to year until terminated (the “Term”) in accordance with Schedule “B” herein, on the City Property described, marked and identified as “Subject Area” on Schedule “A” to this Licence (the “City Property”).
2. The City or the Licencee may cancel this Licence on giving three (3) months’ written notice to the other party of their intention to do so. Notices shall be deemed given if deposited in the mail with postage charges prepaid and addressed to the party for whom intended at such party’s address herein specified:

CITY City Solicitor
The Corporation of the City of Sault Ste. Marie
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, Ontario
P6A 5N1

LICENCEE Art Gallery of Algoma
10 East Street
Sault Ste. Marie, Ontario
P6A 3C3

3. At no time shall the City be responsible for constructing, maintaining, inspecting, removing or otherwise dealing with the Sign and/or the Stool, nor shall the City be responsible for any matters relating to the use of the Sign and/or Stool. The Licencee shall be responsible for all costs, expenses and liabilities relating to the construction, presence, use, maintenance and removal of the Sign and/or Stool located on the City Property. The Licencee shall indemnify and save harmless the City from any costs and expenses of any nature or kind incurred by the City that may result from the construction, maintenance, inspection, removal, and use of the Sign and/or Stool and any other matters arising directly or indirectly from this Licence.
4. The Licencee agrees that all construction, maintenance, inspection, removal or otherwise dealing with the Sign and/or Stool shall be done above ground, and that no digging in excess of six (6”) inches for any reason shall take

place without the written consent of the City's Engineering & Planning Department.

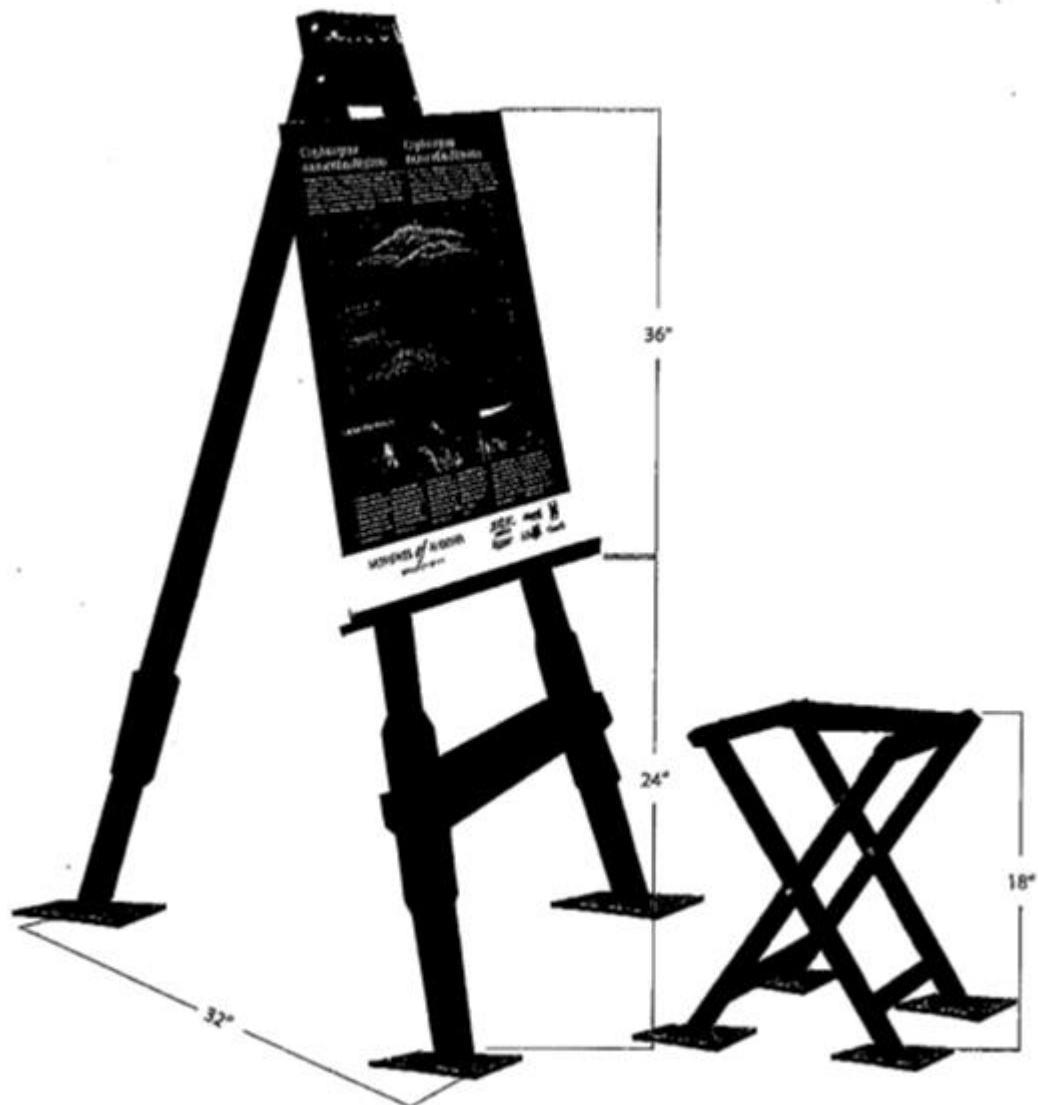
5. The Licencee shall ensure that a four (4') foot buffer zone be extended back from the walkway to the Sign and Stool.
6. The Licencee represents and warrants that they are the owner of the Sign and the Stool.
7. The Licencee hereby acknowledges and agrees that The Art Gallery of Algoma has no proprietary right, title or interest in the City Property, and that same is and shall remain the property, title and right of the City.
8. The Licencee shall comply with all Laws, By-Laws, Rules and Regulations of any governing body respecting the construction of the Sign and/or the Stool and the use of the City Property during the Term, and shall save harmless and fully indemnify the City from and against all losses, costs, damages and expenses, of every kind or nature which the City may suffer, be at or be put to by reason of or in consequence of the noncompliance by the Licencee with such Laws, By-Laws, Rules and Regulations.
9. The Licencee shall be liable for all taxes, permits, licences or assessments of every nature and kind whatsoever, in any way arising from the use of the City Property during the Term.
10. The Licencee shall indemnify and save harmless the City from all costs, liabilities and expenses caused or incurred by the City and from all claims and demands, awards, losses, costs, damages, actions, suits or other proceedings, by whomsoever made, brought or prosecuted, in any manner based upon, arising out of or connected with, the Licencee's construction, maintenance, inspection, removal and use of the Sign and/or Stool on City Property, the intent being that the City shall be at no risk or expense to which it would not have been put had this Licence not been entered into.
11. The Licencee shall not assign, transfer or make any other disposition of the Licence, or of the rights conferred thereby, without the prior written consent of the City.
12. If, at the sole discretion of the City and/or emergency personnel, the City and/or emergency personnel requires access to any portion of the City Property, such that the removal of any portion of the Sign and/or Stool

located on the City Property is required, the Licencee shall in no way restrict such access and/or removal of a portion or the entirety of the Sign and/or Stool, and the City and/or emergency personnel shall in no way be responsible for restoring the Sign and/or Stool to its condition prior to such access and/or removal of the Sign and/or Stool by the City and/or emergency personnel.

13. The Public Utilities Commission, Union Gas, Algoma Power Incorporated, Great Lakes Power, Bell Canada, and/or Shaw Communications Incorporated shall be hereafter referred to as the "Utility Company". If, at the sole discretion of the Utility Company, the Utility Company requires access to any portion of the City Property, such that the removal of any portion of the Sign and/or Stool located on the City Property is required, the Licencee shall in no way restrict such access and/or removal of a portion or the entirety of the Sign and/or Stool, and the Utility Company shall in no way be responsible for restoring the Sign and/or Stool to its condition prior to such access and/or removal of the Sign and/or Stool by the Utility Company.
14. The Licencee shall not use or permit the use of the City Property for any purpose other than the purpose herein set out. The Licencee shall not erect any buildings or structures on the City Property other than those herein set out.
15. The Licencee shall keep in force during the Term, property damage insurance and personal injury insurance against claims for bodily injury, death or property damage occurring on the City Property in an amount not less than Two Million (\$2,000,000.00) Dollars and name the City as "Additional Insured" to same. Proof of said insurance shall be filed with the Legal Department of the City of Sault Ste. Marie.
16. Upon the termination of this Licence, the Licencee shall forthwith remove the Sign and Stool from the City Property at the Licencee's sole liability and expense. In the event that the Sign and/or Stool is not removed from the City Property to the satisfaction of the City within thirty (30) days of the termination of this Licence, the City may do such work to remove the Sign and/or Stool as it deems necessary at the expense and risk of the Licencee.
17. The Licensee shall further be required to make good any damage caused to the City Property by the presence and removal of the Sign and/or Stool during the Term and on termination of this Licence.

18. In the event that this Licence is terminated in accordance with paragraph 2 of Schedule “B” herein, the Licence acknowledges and agrees that paragraphs 3-14 inclusive and paragraphs 16 and 17 of Schedule “B” herein shall survive the termination of this Licence.

SCHEDULE "C"



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-131

EXEMPTION CERTIFICATE: (P1) A by-law pursuant to Section 9(10) of the *Condominium Act, 1998*, S.O. 1998, c.19 exempting a portion of lands having civic address 995 Queen Street East, Sault Ste. Marie, Ontario, former Plummer Hospital Building [east wing] and consisting solely of the two-storey building on the aforesaid lands from Sections 51 and 51.1 of the *Planning Act*, R.S.O. 1990, c. P.13 and pursuant to Section 9(7) of the *Condominium Act, 1998*, authorizing the Mayor and City Clerk to execute an Exemption Certificate.

WHEREAS pursuant to Subsection 9(2) of the *Condominium Act, 1998*, the provisions of Subsections 51 and 51.1 of the *Planning Act* that apply to a plan of subdivision apply with necessary modifications to a description or an amendment to a description for condominiums;

AND WHEREAS pursuant to Subsection 9(6) of the *Condominium Act, 1998*, TVM Sault Inc. has made application to The Corporation of the City of Sault Ste. Marie to have a part of the description for Condo Application 1-15, specifically a portion of the lands having civic address 995 Queen Street East, former Plummer Hospital Building [east wing] and consisting solely of the two-storey building on the aforesaid lands (the "Subject Lands") exempted from the provisions of Sections 51 and 51.1 of the *Planning Act* that would normally apply to the Subject Lands pursuant to Subsection 9(2) of the *Condominium Act, 1998*;

AND WHEREAS pursuant to Subsection 9(3) of the *Condominium Act, 1998*, a description or amendment to a description shall not be registered unless the approval authority has approved it or has exempted it from the provisions of Sections 51 and 51.1 of the *Planning Act* that would normally apply to it under Subsection 9(2) and it is accompanied by a certificate of exemption issued by the approval authority;

AND WHEREAS pursuant to Subsection 9(10) of the *Condominium Act, 1998*, the Council of The Corporation of the City of Sault Ste. Marie may by by-law provide that the provisions of Sections 51 and 51.1 of the *Planning Act* that apply to a plan of subdivision do not apply to a class of description or an amendment to a class of description specified in the by-law;

AND WHEREAS pursuant to Subsection 9(11) of the *Condominium Act, 1998*, the by-law may be restricted to specified geographic areas within the geographic area of the City of Sault Ste. Marie;

AND WHEREAS the Council of the Corporation of the City of Sault Ste. Marie deems it appropriate to enact such a by-law;

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. Subsections 51 and 51.1 of the *Planning Act* hereby do not apply to the Subject Lands described as a portion of the lands having civic address 995 Queen Street East, former Plummer Hospital Building [east wing] and consisting solely of the two-storey building, which Subject Lands are marked and identified as "Subject Property" on Map 1-4 attached as Schedule "A" hereto.
2. Pursuant to subsection 9(7) of the *Condominium Act, 1998*, the Mayor and City Clerk are hereby granted authority to execute an exemption certificate, substantially in the form as attached hereto as Schedule "B" in accordance with Subsection 9(3)(b) of the *Condominium Act, 1998*, for the purpose of exempting the Subject Lands from the requirements of subsections 51 and 51.1 of the *Planning Act*, subject to the Planning Director of The Corporation of the City of Sault Ste. Marie being satisfied as to the following:
 - a. That TVM Sault Inc. has made the appropriate amendments to the condominium description;
 - b. That TVM Sault Inc. has made the appropriate amendments to the condominium declaration to reflect the resulting removal of the Subject Lands from Condo Application 1-15;
 - c. That TVM Sault Inc. provides a structural report prepared by a professional engineer on the structural condition of the two-storey building to confirm that the two-storey building is structurally sound;
 - d. That TVM Sault Inc. satisfies the requirements of the *Ontario Building Code*, namely that new elevators be installed and the common elements be of sound working order;
 - e. That TVM Sault Inc. establishes an appropriate reserve fund in accordance with the requirements of the *Condominium Act, 1998* prior to the sale of any units; and
 - f. That in accordance with Section 8(1)(e) of the *Condominium Act, 1998*, TVM Sault Inc. provides the Planning Director of The Corporation of the City of Sault Ste. Marie with the certificate of an architect that all buildings have been constructed in accordance with the applicable regulations and if there are structural plans, a certificate of an engineer that all buildings have been constructed in accordance with the regulations.

3. **EXECUTION OF DOCUMENT**

The Mayor and City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an Exemption Certificate attached hereto and dated July 13, 2015.

4. **SCHEDULES "A" AND "B"**

Schedules "A" and "B" appended hereto shall form a part of this by-law.

5. **EFFECTIVE DATE**

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

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

w/staff/By-laws/2015/2015-131 Riverwalk Condo Phase II



SUBJECT PROPERTY MAP **APPLICATION 1-15-Condo Conversion**

former PLUMMER HOSPITAL [east wing]

995 QUEEN STREET EAST



Subject Property = 995 Queen E Page 164 of 237



METRIC SCALE
 1 : 2200

MAP REFERENCE
 8 & 9 & 1-4

SCHEDULE “B”

EXEMPTION CERTIFICATE

Pursuant to Section 9(10) of the *Condominium Act, 1998*, S.O. 1998, c.19, a part of the description for Condo Application 1-15, specifically that portion of the lands having civic address 995 Queen Street East, Sault Ste. Marie, Ontario, former Plummer Hospital Building [east wing] and consisting solely of the two-storey building on the aforesaid lands (the “Subject Lands”), which Subject Lands are marked and identified as “Subject Property” on Map 1-4 attached as Schedule “A” hereto is hereby exempt from the provisions of Sections 51 and 51.1 of the *Planning Act*, R.S.O. 1990, c. P.13 that would normally apply to the Subject Lands pursuant to Subsection 9(2) of the *Condominium Act, 1998*, this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-132

TEMPORARY STREET CLOSING: (S4.1) A by-law to permit the temporary closing of Queen Street East from Elgin Street to Bruce Street to facilitate the Back to School Carnival hosted by The Summit Community Church.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 10 of the *Municipal Act, 2001*, S.O. 2001, c. 25 and amendments thereto **ENACTS** as follows:

1. **TEMPORARY STREET CLOSING OF QUEEN STREET EAST**

The Council of the Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of Queen Street East from Elgin Street to Bruce Street to facilitate the Back to School Carnival hosted by The Summit Community Church on August 29, 2015 from 10:30 a.m. to 1:30 p.m.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

da LEGAL\STAFF\BYLAWS\1. 2015\2015-132 TEMPORARY STREET CLOSING QUEEN ST E ELGIN TO BRUCE.DOC

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2015-133

AGREEMENT: (AG150) A by-law to authorize the execution of an agreement between the City and Kevin Belsito to permit Mr. Belsito to lease the property of the City at 363 Wellington Street West, being part of PIN 31572-0242 (LT) for the purpose of parking.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 9 of the *Municipal Act, 2001*, S.O. 2001, c. 25, **ENACTS** as follows:

1. **EXECUTION OF DOCUMENT**

The Mayor and City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement dated July 13, 2015 between the City and Kevin Belsito, a copy of which is attached as Schedule "A" hereto.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 13th day of July, 2015.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

w\ LEGAL\STAFF\BYLAWS\2015\2015-133 Lease 363 Wellington St W

LEASE AGREEMENT

Lease File No. AG150

This Agreement made this 13th day of July, 2015.

IN PURSUANCE OF the Short Forms of Leases Act, R.S.O. 1990, c. S.11.

B E T W E E N: **THE CORPORATION OF THE CITY OF SAULT STE. MARIE**

hereinafter called the "Landlord"

– and –

KEVIN BELSITO

hereinafter called the "Tenant"

WHEREAS the Tenant is the owner of 355 Wellington Street West being land adjacent to the leased property;

AND WHEREAS the Tenant wishes to lease property owned by the Landlord located on Wellington St. West on the west side of the Tenant's property;

AND WHEREAS the Tenant requires the leased property to effect his development plans;

NOW THEREFORE IN CONSIDERATION of the sum of \$2.00 and other valuable consideration now paid by each party to the other, the parties agree as follows:

1. Definitions

"Agreement" shall mean this Lease Agreement.

"Demised Area" shall mean the Landlord property more specifically identified as the "Demised Area" in Schedule "A" attached hereto.

"Term" shall mean the period of the Agreement, including any extensions. If the Agreement ends prematurely for any reason, the Term will end at that time as well.

2. Period of Agreement

The Landlord hereby demises and leases the Demised Area to the Tenant for a Term of three (3) years commencing September 1, 2015 and expiring September 1, 2018 on the terms and conditions set out in this Agreement.

3. Property

The Landlord agrees to lease to the Tenant the property of the Landlord at 363 Wellington Street West, being part of PIN 31572-0242 (LT), specifically identified as the Demised Area in Schedule "A", attached hereto.

4. Rent and Costs

The Tenant shall pay the Landlord rent at an annual rate of five hundred dollars (\$500.00) for the entirety of the Term payable on or before September 1st of each year.

5. Tenant's Responsibilities

(a) The Tenant covenants with the Landlord:

- (i) to pay rent;
- (ii) not to make changes or improvements to the Demised Area except with approval of the Landlord;
- (iii) to keep the Demised Area in a clean and well-ordered condition and not to permit any rubbish, refuse, debris or other material to be stored or to accumulate therein, to the satisfaction of the Landlord;
- (iv) to use the Demised Area only for the purposes of additional parking;
- (v) not to assign or sublet this Agreement without the prior written consent of the Landlord;
- (vi) not to use or occupy the Demised Area without maintaining proper insurance coverage as specified herein and providing proof of the said insurance to the Landlord;
- (vii) to comply with all federal, provincial and municipal laws, by-laws, rules and regulations affecting the Demised Area, including the obtaining of all necessary permits and licenses, and to save the Landlord harmless from any liability or cost suffered by it as a result of failure of the Tenant to do so;
- (viii) upon expiration or termination of the tenancy of this Agreement, the Tenant at its own risk and expense, shall leave the Demised Area neat, clean, level and free of all waste material, debris and rubbish, all to the Landlord's reasonable satisfaction; and
- (ix) that upon failure by the Tenant to comply with any covenant(s) incumbent upon it under this Agreement within thirty (30) days after

written notice requiring such compliance is given by the Landlord to the Tenant, the Landlord may enter the Demised Area and fulfil such covenant(s) at the sole expense of the Tenant, who shall forthwith upon being invoiced therefor reimburse the Landlord who in default of such reimbursement may collect same as rent owing and in arrears.

- (b) The Tenant accepts the Demised Area in the condition existing at the date of the commencement of the Term.

6. Landlord's Responsibilities

- (a) During the Term, the Landlord has no obligation to make any improvements or provide any maintenance to the Demised Area.
- (b) If, at the sole discretion of the Landlord, the Landlord requires access to any portion of the Demised Area to maintain, replace or in any manner deal with City services located on or under the lands comprising the Demised Area, the Landlord shall be permitted unfettered and unrestricted access to the Demised Area and shall further be permitted to complete all work(s) the Landlord deems is necessary. In such an event, the Landlord shall restore the Demised Area to the same condition that existed prior to its access and work at the Demised Area.
- (c) No waiver shall be inferred from or implied by anything done or omitted by the Landlord.
- (d) Any written waiver by the Landlord shall have effect only in accordance with its express terms.
- (e) All rights and remedies of the Landlord under this Agreement shall be cumulative and not alternative.

7. Insurance

- (a) The Tenant shall indemnify and save harmless the Landlord from and against all claims, including claims by the Tenant and including, without limiting the generality of the foregoing, all claims for personal injury or property damages regardless of the cause and from all costs, fees, expenses and liabilities incurred in or about such claim or any action or proceeding brought thereon.
- (b) The Tenant undertakes to refrain from using the Demised Area for the purposes set out herein or any purpose until proof of proper insurance has been provided to the Landlord and shall at all times thereafter during the currency of this Term and any renewal thereof, at its own expense,

maintain in force insurance coverage with respect to the Demised Area and its use, and shall provide the Landlord with certificates of a policy or policies of an insurance company or companies for:

- (i) liability insurance for bodily injury, death or property damage up to two million dollars (\$2,000,000.00).
 - (ii) The insurance policy or policies shall identify the Landlord as an additional insured.
- (c) The Tenant acknowledges and agrees that in the event that the Tenant uses the Demised Area for any purpose without the Tenant having provided the Landlord with proof of proper insurance, the Landlord may, in its sole discretion, immediately terminate this Agreement without any further remedy or recourse by the Tenant.
- (d) The Landlord assumes no responsibility for damage, theft or otherwise whatsoever, to the goods, chattels, fixtures and improvements of the Tenant or of any other person except to the extent caused by the negligence of the Landlord or any person(s) for whom the Landlord is at law responsible.

8. Termination

- (a) The Landlord or the Tenant may terminate the Agreement on giving sixty (60) days written notice to the other party of their intention to do so.
- (b) The termination of this Agreement by expiry or otherwise shall not affect the liability of either party to the other with respect to any obligation under this Agreement which has accrued up to the date of such termination but not been properly satisfied or discharged.
- (c) If, at the expiration of the Term, the Tenant remains in possession with the consent of the Landlord but without any further written agreement, a tenancy from year to year shall not be created by implication of law or otherwise, but the Tenant shall be deemed to be a monthly Tenant only at a rental payable monthly in advance at the rate payable at the expiration of the Term or renewal and otherwise upon and subject to the terms and conditions contained in this Agreement.

9. Entire Agreement

The Tenant acknowledges that there are no covenants, representations, warranties, agreements or conditions expressed or implied, collateral or otherwise forming part of or in any way affecting or relating to this Agreement other than as set out in this Agreement which constitutes the entire agreement

between the parties concerning the Demised Area and which may be modified only by further written agreement under seal.

10. Successors

The provisions of this Agreement shall be binding upon, and endure to the benefit of, the parties and their respective successors and (where applicable) permitted assigns.

11. Notice

Any notice pursuant to any of the provisions of this Agreement shall be deemed to have been properly given if delivered in person, or mailed by prepaid registered post addressed:

in the case of notice to the Landlord to:

City Solicitor
The Corporation of the City of Sault Ste. Marie
Legal Department
99 Foster Drive, P.O. Box 580
Sault Ste. Marie, Ontario P6A 5N1

in the case of notice to the Tenant to:

Kevin Belsito
45 Edgar Ln.
Aweres Twp., Ontario P6A 0E4

or to such other address as either party may notify the other of, and in the case of mailing as aforesaid, such notice shall be deemed to have been received by the addressee, in the absence of a major interruption in postal service affecting the handling or delivery thereof, on the fourth (4th) business day, excluding Saturdays, next following the date of mailing. If the notice is faxed, the notice

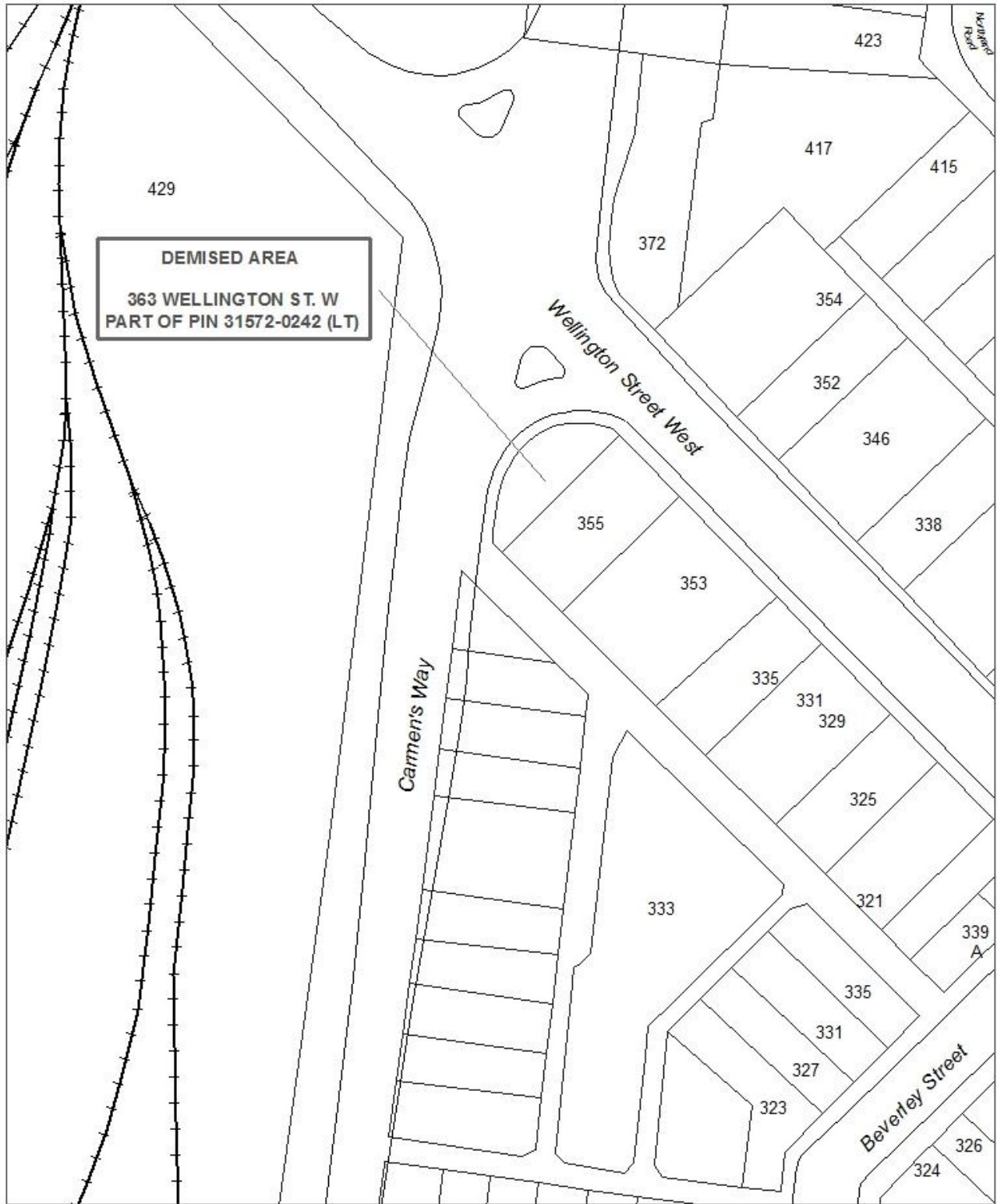
shall be deemed to have been received on the first (1st) day next following the dating of faxing.

IN WITNESS WHEREOF the parties have affixed their corporate seals attested to by the hands of their officers in that behalf duly authorized.

) THE CORPORATION OF THE CITY OF SAULT STE. MARIE
)
)
)
) _____
) MAYOR – CHRISTIAN PROVENZANO
)
)
) _____
) CLERK – MALCOLM WHITE
)
)
)
) _____
) KEVIN BELSITO

Legal\Staff\AGREEMENTS\Kevin Belsito - 355 Wellington West\Lease Agreement-363 Wellington St.W

Schedule "A"



SCHEDULE A

AG150 363 WELLINGTON STREET W

The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
August 10, 2015

This map is for general reference only.
For official mapping, see the
Engineering and Planning Department.
Orthophoto: None

Projection Details:

NAD 1983 UTM Zone 16N
GCS North American 1983

Parcel Fabric

