The Corporation of the City of Sault Ste. Marie
Regular Meeting of City Council
Revised Agenda

Monday, June 12, 2017
4:30 pm
Council Chambers
Civic Centre

Pages

1. ADOPTION OF MINUTES 14 - 35

Mover Councillor F. Fata
Seconder Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2017 05 29 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 F. Fata
Seconder Councillor S. Hollingsworth

Resolved that the Agenda for 2017 06 12 City Council Meeting as presented be approved.

5. PROCLAMATIONS/DELEGATIONS

5.1 Queen Street Cruise Committee

Joseph Bisceglia and Gary Trembinski, Committee Chairs

5.2 Canada 150 Update

Susan Myers, Chair, Mayor's Committee, Canada 150

5.3 Why Do You Love Canada Elementary School Contest

Maya Odber

5.4 Create a Logo and Market Your Thoughts

Ashlee Gerard, Program Co-ordinator, Community Development Corporation of Sault Ste. Marie and Area

5.5 Head Start in Business 36 - 49

Ashlee Gerard, Program Co-ordinator, Community Development Corporation of Sault Ste. Marie and Area

5.6 Elder Abuse Awareness Day – June 15, 2017

Evelyn Theriault, Member of Senior Rights Protection Council

5.7 World Refugee Day – June 20, 2017

Danny Krmpotich, Co-ordinator, Sault Ste. Marie and Area Local Immigration Partnership

5.8 Multiculturalism Day – June 27, 2017

Helena Huopalainen

5.9 Recreation and Parks Month

Virginia McLeod, Manager of Recreation and Culture

5.10 60th Reunion – Plummer Memorial Public Hospital School of Nursing

Karen Bishop, graduate

5.11 Steel Industry Synopsis

Peter Warrian, PhD, University of Toronto

5.11.1 Soo Bio *50 - 74*

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

Mover Councillor M. Bruni
Seconder Councillor S. Myers

Resolved that all the items listed under date 2017 06 12 – Agenda item 6 – Consent Agenda be approved as recommended.

6.1 Council Travel

Mover Councillor M. Bruni

Seconder Councillor S. Myers

Resolved that Councillor Turco be authorized to travel to Barrie for 2 days in June to attend the AMO Board of Director's Meeting at an estimated cost to the City of $800.

6.2 Street Closure Request 75 - 91

Letters of request for temporary street closings are attached for the consideration of Council.

Queen Street Cruise

- Queen Street East from East Street to Pim Street – Saturday, June 17, 2017 – 8 a.m. to 5 p.m.

Gore Street Neighbourhood Party

- Gore Street from Queen Street West to Wellington Street East; Albert Street West from Gore Street to Andrew Street (Andrew Street and Albert Street stays open); Andrew Street from South of Albert Street West to Queen Street West; Local Traffic Only Central Park Avenue from Andrew Street to John Street; John Street from Albert Street West to Queen Street West; Regulated Flow Eastbound Albert Street to Andrew Street – Thursday, July 6, 2017 from 11:30 a.m. to 3 p.m.

The relevant By-law 2017-124 and 2017-130 are listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.3 Tender for Lease of One (1) Motor Grader 92 - 94

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

Mover Councillor F. Fata
Seconder Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2017 06 12 be received and the recommendation that the tender for the Lease of One (1) Grader c/w Snow Wing and Front Blade, as required by the Public Works Department, be awarded to Toromont CAT at their tendered price including Maintenance Agreement and Extended Warranty of $7,501.81 plus HST, per unit for each periodic payment, be approved.

6.4 Vacant Unit Rebate Review 95 - 144

A report of the Chief Financial Officer and Treasurer is attached for the consideration of Council.

Mover Councillor M. Bruni
Seconder Councillor S. Hollingsworth

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 06 12 concerning the Vacant Unit Rebate Review be received and that City Council approve the attached vacancy rebate guidelines effective July 1, 2017 with the following recommended amendments:

- End industrial and shopping centre eligibility
- Limit the eligibility period to three years in a ten-year cycle for all other commercial uses
- Temporary uses as defined in the guidelines will not impact eligibility for a rebate

6.5 Audited Financial Statements – 2016 145 - 182

A report of the Manager of Audits and Capital Planning is attached for the consideration of Council.

Mover Councillor M. Bruni
Seconder Councillor S. Hollingsworth

Resolved that the report of the Manager of Audits and Capital Planning dated 2017 06 12 concerning 2016 Financial Statements be received and the recommendation that the audited Consolidated Financial Statements for 2016 be approved.

6.6 Agreement with the Soo Thunderbirds Hockey Club Inc. 183 - 184

A report of the Manager of Community Centres is attached for the consideration of Council.

The relevant By-law 2017-123 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.7 Gore Street Neighbourhood Party 185 - 188

A report of the Community Development and Enterprise Services is attached for the consideration of Council.

Mover Councillor M. Bruni
Seconder Councillor S. Hollingsworth

Resolved that the report of the Community Development and Enterprise Services Division dated 2017 06 12 concerning Gore Street Neighbourhood Party be received as information and that Council approve the road closure request which appears elsewhere in the agenda.

6.8 Landfill Site Operations and Monitoring 2016 – Environmental Monitoring Committee 189 - 192

A report of the Land Development and Environmental Engineer is attached for the consideration of Council.

Mover Councillor F. Fata

Seconder Councillor S. Hollingsworth

Resolved that the report of the Land Development and Environmental Engineer dated 2017 06 12 concerning the annual operations and monitoring reports for the municipal landfill be received as information.

6.9 Miscellaneous Construction/Paving – Contract 2017-7E 193 - 195

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

The relevant By-law 2017-125 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.10 Second Line East Resurfacing – Contract 2017-8E 196 - 198

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

The relevant By-law 2017-126 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

Mover Councillor F. Fata
Seconder Councillor S. Myers

Resolved that the report of the Design and Construction Engineer dated 2017 06 12 concerning the resurfacing of Second Line East be received and the recommendation that contract 2017-8E be awarded to Pioneer Construction Inc. conditional on the Provincial Government entering into a Connecting Link funding agreement with the City, be approved.

6.11 Surface Treatment – Contract 2017-9E 199 - 201

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

The relevant By-law 2017-127 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.12 Licence to Occupy City Property Agreement and Noise By-law Exemption request for the Queen Street Cruise Event 202 - 204

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

The relevant By-laws 2017-128 and 2017-129 are listed under item 11 of the Agenda and will be read with all by-laws under that item.

6.13 Review of Municipal Parking Operations 205 - 215

A report of the Manager of Transit and Parking is attached for the consideration of Council.

Mover Councillor M. Bruni

Seconder Councillor S. Myers

Resolved that the report of the Manager of Transit and Parking dated 2017 06 12 concerning the following recommendations from the committee of council regarding the review of parking operations in Sault Ste. Marie's downtown be received as information and that City Council:

1. Maintain the current 2 hour free parking in municipal lots;
2. Discuss the concept of lease to own thirteen (13) pay and display machines at the capital priority setting workshop with City Council for the 2018 budget; customers will then be able to purchase $1.25 per hour up to a $5 maximum if parking in any of the 10 municipal parking lots for longer than 2 hours.
    1. If necessary, implement the $1.25 per hour up to a $5 maximum in municipal parking lots when parking in those lots for longer than 2 hours as the pay and display machines are installed on a yearly basis.
3. All future user fee rate increases to parking fines for municipal parking will be included in the recommendations from HEMSON Consulting Ltd. current Comprehensive User Fee Review for the City of Sault Ste. Marie;
4. Implement in 2017, a mobile payment solution whereby customers can pay for municipal parking with the use of a mobile phone, tablet, or computer;
5. Continue to support the downtown merchants and residents by:
    1. Reconfigure the parking layout in the Bingham Lot to create an improved flow for traffic and pedestrians.
    2. Repurpose the north-east corner of the Brock/Albert parking lot to include a 4,250 square foot multi use court for the local community.
    3. Reconvene the Parking Review committee once annually to:
    4. Explore the possibility for a pilot project to include gates to control entry and access to one or any of the existing municipal parking lots.
    5. Review current enhancements to parking enforcement.

6.14 Kiwanis Community Theatre Centre Appointment *216 - 217*

A report of the Deputy CAO / City Clerk – Corporate Services is attached for the consideration of Council.

Mover Councillor F. Fata
Seconder Councillor S. Myers

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2017 06 12 concerning Kiwanis Community Theatre Centre Appointment be received and the recommendation of the Board and Committee Nominating Committee to appoint Dr. Richard Anderson to the Kiwanis Community Theatre Centre Board of Directors for a two year term

effective June 20, 2017 be approved.

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Council Vacancy 218 - 220

A report of the Deputy CAO / City Clerk Corporate Services is attached for the consideration of Council.

Mover Councillor M. Bruni
Seconder Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO / City Clerk Corporate Services dated 2017 06 12 be received; and

Further that Council accept the resignation of Ross Romano and declare the seat of Councillor - Ward 6 vacant.

The direction of Council is requested as to whether to proceed by way of appointment or by-election.

7.1.2 Additional Information *221 - 221*

7.2 COMMUNITY SERVICES DEPARTMENT

7.3 ENGINEERING

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

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

Mover Councillor R. Niro
Seconder Councillor M. Shoemaker

WHEREAS on March 17, 2003 the Corporation of the City of Sault Ste. Marie enacted a Peddler By-law to license, govern, and regulate peddlers operating within the City; and,

WHEREAS over the past several years there have been repeated complaints made by local businesses to the City, the Sault Ste. Marie Police Service, and Algoma Public Health regarding the operations of an out-of-town peddler who

frequents the City and sells a variety of foodstuffs from a truck without license; and,

WHEREAS the actions of this peddler have had a negative effect on local businesses and are potentially putting residents who consume the peddler's products at an elevated risk of obtaining food-borne illnesses; and,

WHEREAS despite the actions of this peddler being well-known and informally advertised, the party has yet to be charged or otherwise sanctioned for breaching the peddler by-law;

THEREFORE BE IT RESOLVED that the City Legal Department be directed to review the Peddler By-Law and report back on how its compliance and enforcement provisions could be strengthened so as to deter peddlers from operating illegally within the City and thereby ensure greater fairness for local businesses.

8.1 Congratulate Ross Romano

Mover Councillor M. Shoemaker
Seconder Councillor M. Bruni

Whereas Ross Romano was elected as the City's Member of Provincial Parliament on June 1, 2017; and

Whereas Ross Romano has served as Ward 6 Sault Ste. Marie City Councillor since 2014; and

Whereas Ross Romano is the first Progressive Conservative elected provincially in Sault Ste. Marie since 1981;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie express to Ross Romano their immense gratitude for his commitment to Council over the course of his term and wish him all the best in his service to our community and Province as our Member of Provincial Parliament.

8.2 Charging for Civic Centre Parking

Mover Councillor M. Shoemaker
Seconder Councillor F. Fata

Whereas the Parking Review Committee has studied downtown parking and recommended changes to modernize our downtown parking system; and

Whereas during the community input portion of their investigations, the Parking Review Committee received significant feedback from residents; and

Whereas many residents noted that Algoma University, Sault College, the Sault Area Hospital, Ontario Lottery and Gaming, Group Health Centre and many other entities within the City charge employees for parking; and

Whereas the City must collect revenue wherever possible to offset tax increases;

Now Therefore Be It Resolved that staff bring forward to City Council a

proposal to charge municipal employees for parking at all City-owned buildings including the Civic Centre.

8.3 Animal Exhibitions and Performances

Mover Councillor J. Hupponen
Seconder Councillor M. Shoemaker

Whereas a by-law to prohibit wild or exotic animal exhibitions and performances in the City of Sault Ste. Marie was passed November 19, 2012; and

Whereas not included in the list of animals in Schedule “A” to by-law 2012-2013, are domestic animals such has horses and dogs; and

Whereas travelling circuses claim that “positive reinforcement” is the method of training the animals used to entertain an audience; and

Whereas “positive reinforcement” for animals being trained in a circus endure varying levels of punishment, neglect and deprivation, with limited access to food and water; and

Whereas touring circuses cover thousands of miles a year, carrying animals from site to site in transports and cages with their only respite being rehearsals or performing; and

Whereas an animal is an animal regardless of whether it is classified as domestic or exotic;

Now Therefore Be It Resolved that the existing by-law be amended to include wild, exotic or domestic animals.

8.3.1 Correspondence *222 - 222*

8.4 Fire Services Reserve List

Mover Councillor P. Christian
Seconder Councillor M. Bruni

Whereas Sault Ste. Marie fire services routinely maintained an active reserve list of qualified candidates to fill vacant positions within the department and;

Whereas the department recently eliminated the active reserve list and;

Whereas the current make up and demographic profile of the department indicates that there will likely be more retirements within the next few years and;

Whereas it may be prudent for the city to reestablish a reserve list of qualified candidates to fill the anticipated openings and;

Whereas the establishment of such a list will make the process of filling these positions more efficient and timely.

Now therefore be it resolved that council ask appropriate city staff to report on

the feasibility of reestablishing a qualified reserve list to meet the anticipated needs within fire services and to identify measures that will ensure that any potential list and its implementation will be fair and equitable to all potential candidates.

8.5 Notice of Motion – Tax Ratio and Tax Policy Budgeting Session

Mover Mayor C. Provenzano
Seconder _____

Whereas tax ratios are used to establish the municipal tax rates to be paid annually by multi-residential, commercial, and industrial class properties; and,

Whereas the legislated regulations governing the use of tax ratios and associated changes in tax payments from property owners are complex; and,

Whereas it is desirable for Council to have as detailed an understanding as possible of how its decisions will impact local ratepayers in all property classes;

Now Therefore Be It Resolved that the Finance and Tax Department staff be directed to set aside one meeting during the 2018 budget schedule to explain the following:

- Current tax policy and how it distributes the tax levy across property classes;
- Provincial thresholds, ranges of fairness, and levy restrictions and how these affect the use of tax ratios for different classes;
- The financial impact of hypothetical changes to the tax ratios for commercial and industrial classes and how such changes might affect the taxes levied from other property classes; and,
- How capping and clawback regulations and policies affect the taxes owing for individual properties when there are substantial shifts in assessment or tax rate changes within a class.

8.6 Notice of Motion - Peddler Licencing By-law

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

Mover Councillor M. Bruni
Seconder Councillor S. Hollingsworth

Resolved that all By-laws under item 11 of the Agenda under date 2017 06 12 be approved.

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

11.1.1 By-law 2017-123 (Agreement) Soo Thunderbirds Hockey Club Incorporated 223 - 230

A report from the Manager of Community Centres is on the Agenda.

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-123 being a by-law to authorize the execution of the Agreement between the City and Soo Thunderbirds Hockey Club Incorporated for the use of the John Rhodes Community Centre be passed in open Council this 12th day of June, 2017.

11.1.2 By-law 2017-124 (Temporary Street Closing) Queen Street Cruise 231 - 235

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-124 being a by-law to permit the temporary closing of various City streets in the downtown core of Sault Ste. Marie on June 16th and June 17th, 2017 to facilitate the Queen Street Cruise event be passed in open Council this 12th day of June, 2017.

11.1.3 By-law 2017-125 (Agreement) Miscellaneous Construction/Paving - Contract 2017-7E 236 - 238

A report from the Design & Construction Engineer is on the Agenda.

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-125 being a by-law to authorize the execution of the Contract between the City and Ellwood Robinson Limited for Miscellaneous Construction/Paving (Contract 2017-7E) be passed in open Council this 12th day of June, 2017.

11.1.4 By-law 2017-126 (Agreement) Second Line East Resurfacing - Contract 2017-8E 239 - 241

A report from the Design & Construction Engineer is on the Agenda.

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-126 being a by-law to authorize the execution of the Contract between the City and Pioneer Construction Inc. for Second Line East Repaving (Contract 2017-8E) be passed in open Council this 12th day of June, 2017.

11.1.5 By-law 2017-127 (Agreement) Surface Treatment - Contract 2017-9E 242 - 244

A report from the Design & Construction Engineer is on the Agenda.

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-127 being a by-law to authorize the execution of the Contract between the City and MSO Construction Limited for Surface Treatment (Contract 2017-9E) be passed in open Council this 12th day of June, 2017.

11.1.6 By-law 2017-128 (Agreement) Downtown Association Queen Street Cruise Event 245 - 262

A report from the Assistant City Solicitor/Senior Litigation Counsel is on the Agenda.

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-128 being a by-law to authorize the execution of an agreement between the City and the Downtown Association for the use of the March Street Stage at March Street and Queen Street East, Sault Ste. Marie, the Essar Centre parking lot at Queen Street East and Dennis Street, Sault Ste. Marie, and Queen Street East from Pim Street to Bruce Street, Sault Ste. Marie for the Queen Street Cruise Programming be passed in open Council this 12th day of June, 2017.

11.1.7 By-law 2017-129 (Regulations) Noise Exemption Queen Street Cruise Event 263 - 263

A report from the Assistant City Solicitor/Senior Litigation Counsel is on the Agenda.

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-129 being a by-law to amend Noise Control By-law 80-200, to exempt from the By-law the Queen Street Cruise event on June 16th, 2017 and June 17th, 2017 be passed in open Council on this 12th day of June, 2017.

11.1.8 By-law 2017-130 (Temporary Street Closings) Gore Street Neighbourhood Party 264 - 265

Mover Councillor R. Romano
Seconder Councillor S. Butland

Resolved that By-law 2017-130 being a by-law to permit the temporary closing of various streets on July 6, 2017 to facilitate the Gore Street Neighbourhood Party be passed in open Council this 12th day of June, 2017.

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

14. ADJOURNMENT

Mover Councillor M. Bruni
Seconder Councillor S. Myers

Resolved that this Council now adjourn.

REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, May 29, 2017
4:30 pm
Council Chambers
Civic Centre

Present:	Mayor C. Provenzano, Councillor S. Butland, Councillor P. Christian, Councillor S. Myers, Councillor S. Hollingsworth, Councillor J. Hupponen, Councillor L. Turco, Councillor M. Shoemaker, Councillor R. Niro, Councillor M. Bruni, Councillor F. Fata
Absent:	Councillor J. Krmpotich, Councillor R. Romano
Officials:	A. Horsman, M. White, L. Girardi, T. Vair, P. Milosevich, S. Schell, N. Kenny, P. Niro, D. McConnell, F. Coccimiglio, D. Elliott, V. McLeod, T. Vecchio, M. Blanchard

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1. ADOPTION OF MINUTES

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that the Minutes of the Regular Council Meeting of 2017 05 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 – Police Contingency Reserve

Spouse employed by the Police Service.

3.2 Councillor L. Turco – Municipal Law Enforcement Officers

Spouse employed by the Police Service.

3.3 Councillor L. Turco – By-law 2017-105 (Parking) Municipal Law Enforcement Officers By-law 90-305

Spouse employed by the Police Service.

3.4 Councillor M. Shoemaker – Reconstruction of Grace Street – Bruce Street to Elgin Street

Proponent is a client of law firm.

3.5 Councillor M. Shoemaker – By-law 2017-116 (Agreement) Avery Construction Limited – Grace Street (Contract 2017-4E)

Proponent is a client of law firm.

4. APPROVE AGENDA AS PRESENTED

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that the Agenda and Addendum for the 2017 05 29 City Council Meeting as presented be approved.

Carried

5. PROCLAMATIONS/DELEGATIONS

5.1 Spina Bifida and Hydrocephalus Awareness Month

Troy and Annette Chandler were in attendance.

5.2 Why Do You Love Canada Elementary School Contest

Alexander Webb was in attendance.

5.3 Downtown Association Strategic Plan

Bryan Hayes, Chair, Downtown Association was in attendance.

5.4 Historic Sites Board Annual Report

Kathy Fisher, Curator, Old Stone House, was in attendance.

5.5 Sault Cycling Club

André Riopel was in attendance regarding Agenda item 6.16.

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

Moved by: Councillor F. Fata
Seconded by: Councillor S. Hollingsworth

Resolved that all the items listed under date 2017 05 29 – Agenda item 6 – Consent Agenda be approved as recommended.

Carried

6.1 Correspondence

6.2 Street Closing Requests

Henry Street Block Party / Canned Food Drive

- 455 Henry Street to 460 Henry Street and 468 Henry Street to 476 Henry Street – Saturday, July 15 – 4 p.m. to 11 p.m.

96th Rotary Community Day Parade

- Queen Street East from Elizabeth Street to Church Street – July 15, 2017 – 9:30 a.m. to 1 p.m.
- Simpson Street from Queen Street East to Wellington Street East – July 15, 2017 – 9:30 a.m. to 1 p.m.
- Queen Street East from Pim Street to Gore Street – July 15, 2017 from 10:30 a.m. to 1 p.m.

Run the Great Lakes

- St. Mary's River Drive from Railroad Tracks to Foster Drive – Sunday, June 11, 2017 – 9 a.m. to 10:30 a.m.

The relevant By-laws 2017-106, 2017-107 and 2017-114 are listed under item 11 of the Minutes.

6.3 Tender for Ready-Mix Concrete (2017PWE-PWT-10-T)

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

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Purchasing dated 2017 05 29 be received and that the tender submitted by Lafarge for the supply of Ready-Mix Concrete for the 2017 construction season commencing June 1, 2017 at the tendered pricing, HST extra, be approved.

Carried

6.4 Tender for Four (4) Para-Transit Mini Buses

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

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Purchasing dated 2017 05 29 be received and that the tender for the supply and delivery of Four (4) Para-Transit Mini Buses, as required by the Transit and Parking Division, be awarded to Star Bus Sales Inc. at the total tendered price of $342,000.00 plus HST, be approved.

Carried

6.5 RFP – Finger Dock Replacement at Marinas

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

The relevant By-law 2017-113 is listed under item 11 of the Minutes.

6.6 Property Tax Appeals

The report of the Manager of Accounting/City Tax Collector was received by Council.

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Accounting/City Tax Collector dated 2017 05 29 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.

Carried

6.7 Police Contingency Reserve

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

The report of the Chief Financial Officer and Treasurer was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers

Resolved that the report of the Chief Financial Officer and Treasurer dated 2017 05 29 regarding the establishment of a new Police Contingency Reserve be received and that :

- A Police Contingency Reserve with a target level of $300,000 be approved
- $93,422 be transferred from the Police Capital Reserve to the Police Contingency Reserve for 2016
- Ongoing year end transfers from the Police Capital Reserve for amounts in excess of the target level of $750,000 to the Police Contingency Reserve, until its target level of $300,000 is achieved

are approved.

Carried

6.8 New Multi-Residential Property Class

The report of the Chief Financial Officer and Treasurer was received by Council.

The relevant By-laws 2017-102 and 2017-103 are listed under item 11 of the Minutes.

6.9 Council Composition – Ward Boundary Review

The report of the Deputy CAO / City Clerk – Corporate Services was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services dated 2017 05 29 regarding Council Composition – Ward Boundaries be received as information.

Carried

6.10 Community Development Award Committee

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Senior Planner dated 2017 05 29 concerning the Community Development Award Committee be received and that the terms of reference be approved.

Carried

6.11 2017 Downtown Community Improvement Plan

The report of the Project Co-ordinator, Downtown Development Initiative was received by Council.

The relevant By-law 2017-101 is listed under item 11 of the Minutes.

6.12 Designated Heritage Property Grant – Ermatinger•Clergue National Historic Site

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

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Recreation and Culture dated 2017 05 29 concerning a designated heritage property grant received from the Historic Sites Board and the recommendation of the Sault Ste. Marie Municipal Heritage Committee that a grant of $3,000 be provided toward the restoration of the shutters on the Ermatinger Old Stone House and the Clergue blockhouse door and side panels;

Further that payment be rendered upon submission of the paid contractor's invoices and final approval of the project by the Sault Ste. Marie Municipal Heritage Committee;

Further that the funds come from the Designated Heritage Property Grant budget,

be approved.

Carried

6.13 Reconstruction of Grace Street – Bruce Street to Elgin Street

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

The report of the Design and Construction Engineer was received by Council.

The relevant By-laws 2017-116 and 2017-117 are listed under item 11 of the Minutes.

6.14 Reconstruction of Franklin Street – Henrietta Avenue to Laura Street

The report of the Design and Construction Engineer was received by Council.

The relevant By-laws 2017-120 and 2017-121 are listed under item 11 of the Minutes.

6.15 McNabb Street to Pim Street Drainage Improvements

The report of the Design and Construction Engineer was received by Council.

The relevant By-laws 2017-118 and 2017-119 are listed under item 11 of the Minutes.

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers

Resolved that the report of the Design and Construction Engineer dated 2017 05 29 concerning the Revised McNabb Street to Pim Street Drainage Improvements, be received and that Contract 2017-3E be awarded to Boyer Construction Ltd., conditional on the Provincial and Federal Governments announcing the City is to receive its formula-based share of the CWWF funding of $3,296,751.

Carried

6.16 East End Sewage Treatment Plant Primary Clarifiers and Bioreactor Engineering Agreement

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

The relevant By-law 2017-115 is listed under item 11 of the Minutes.

6.17 Catalina Motel Gazebo Licence of Occupation

The report of the Solicitor/Prosecutor was received by Council.

The relevant By-law 2017-110 listed under item 11 of the Minutes.

6.18 POA Wawa Satellite Court Licence of Occupation

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

The relevant By-law 2017-111 is listed under item 11 of the Minutes.

6.19 CP Limited Welcome Sign Agreement

The report of the City Solicitor was received by Council.

The relevant By-law 2017-109 is listed under item 11 of the Minutes.

6.20 Scent Policy

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

Moved by: Councillor F. Fata
Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Director of Human Resources dated 2017 05 29 concerning Scent Policy be received as information.

Carried

6.21 Millennium Fountain

The report of the Manager of Equipment and Building Maintenance was received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers

Resolved that the report of the Manager of Equipment and Building Maintenance dated 2017 05 29 regarding costs for the millennium fountain be received, and that all further effort be directed into planning a land-based water fountain due to technical issues, corporate risk, maintenance costs, and electrical costs.

Carried

6.22 Municipal Law Enforcement Officers

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

The report of the Manager of Transit and Parking was received by Council.

The relevant By-law 2017-105 is listed under item 11 of the Minutes.

7. REPORTS OF CITY DEPARTMENTS, BOARDS AND COMMITTEES

7.1 ADMINISTRATION

7.1.1 Fire Chief Recruitment Process

Moved by: Councillor F. Fata
Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Chief Administrative Officer dated 2017 05 29 concerning Fire Chief Recruitment Process be received and that Council authorize the filling of the vacancy by selection process (in accordance with the City's Policy and Guidelines for the Recruitment of Senior Staff) and appoint Councillor Paul Christian to the selection committee.

Carried

7.2 COMMUNITY SERVICES DEPARTMENT

7.2.1 Annual Report 2016 Ermatinger•Clergue National Historic Site

The report of the Curator, Old Stone House was received by Council.

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that the report of the Curator, Old Stone House dated 2017 05 29 concerning

the Annual Report 2016 for the Ermatinger•Clergue National Historic Site be received as information.

Carried

7.3 ENGINEERING

7.3.1 Bike Path on Second Line

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

Moved by: Councillor F. Fata
Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Director of Engineering dated 2017 05 29 concerning the bike path on Second Line be received as information.

Carried

Moved by: Councillor M. Shoemaker
Seconded by: Councillor J. Hupponen

Resolved that staff examine funding options to update the Cycling Master Plan with a specific view to improving active transportation in the area of Second Line from Great Northern to Old Garden River Road, on Great Northern Road from Second Line to Terrance Avenue.

Carried

7.4 FIRE

7.5 LEGAL

7.6 PLANNING

7.6.1 A-2-17-Z - 413, 417, 421 Old Garden River Road

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that the report of the Senior Planner dated 2017 05 29 concerning Rezoning Application A-2-17-Z be received and that Council postpone this matter indefinitely.

Carried

7.7 PUBLIC WORKS AND TRANSPORTATION

7.8 BOARDS AND COMMITTEES

7.8.1 PUC Inc. and PUC Services Inc. Shareholder Meeting

The PUC Inc. and PUC Services Inc. Annual Report to Shareholders and financial statements were received by Council.

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Myers

Resolved that City Council is now authorized to meet in open session as the sole shareholder of PUC Inc. and PUC Services Inc.; and

Further Be It Resolved that City Council appoints Mayor Christian Provenzano as Council's proxy to vote on the resolutions of the shareholder of PUC Inc. and PUC Services Inc.

Carried

7.8.1.1 PUC Recruitment

Moved by: Councillor M. Shoemaker
Seconded by: Councillor R. Niro

Whereas the PUC President and CEO has announced his intention to retire; and

Whereas the Board of Directors of PUC has announced that they will commence their search for a new President and CEO immediately; and

Whereas the PUC is wholly owned by the City of Sault Ste. Marie; and

Whereas a new hire allows for new terms of employment to be part of any new hire;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie, as the shareholder, request that the Board of PUC include within their posting and conditions of employment for a new President and CEO, a public salary disclosure provision if said salary is $100,000 annually or more.

Recorded	**For**	**Against**	**Absent**
Mayor C. Provenzano		X	
Councillor S. Butland		X	
Councillor P. Christian		X	
Councillor S. Myers		X	
Councillor S. Hollingsworth		X	
Councillor J. Hupponen		X	
Councillor L. Turco		X	
Councillor M. Shoemaker	X		

Councillor R. Niro	X		
Councillor M. Bruni		X	
Councillor F. Fata	X		
Councillor J. Krmpotich			X
Councillor R. Romano			X
Results	**3**	**8**	**2**
Defeated			

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

8.1 Construction Labour Cost-Benefit Report

Moved by: Councillor M. Shoemaker
Seconded by: Councillor R. Niro

Whereas since 1987, the City of Sault Ste. Marie has been limited by the Ontario Labour Relations Board to accepting bids for City infrastructure from only two unions; and

Whereas such restrictive practices limit fair competition; and

Whereas such restrictive practices unfairly prohibit Sault Ste. Marie businesses, both union and non-union, who are not associated with those two unions from bidding and working on City infrastructure; and

Whereas on April 24, 2017 a report before City Council advised that there would be an up-front cost associated with any effort by the City of Sault Ste. Marie to achieve a non-construction employer designation under *Ontario's Labour Relations Act, 1995*, so that this unfair restriction might be lifted;

Whereas a number of sizable infrastructure projects are projected in the City in the next several years, including but not limited to, a major refurbishing of the west end sewage-treatment plant and a potential biosolids plant; and

Whereas it is in the City's best interest to have competitive bids from qualified contractors for the prospective work, and so that all qualified businesses, both union and non-union, are eligible to submit bids and work on such projects;

Now Therefore Be It Resolved That staff be requested to report to Council with:

1. The estimated cost of any upcoming City infrastructure projects that would require that the City only accept bids from the two unions currently allowed to submit bids;

2. The anticipated cost of making an application to the Ontario Labour Relations Board to be granted a non-construction employer designation;
3. A report outlining actions the City would have to take to achieve a non-construction employer designation at the Labour Relations Board;
4. The timeframe within which the City would be able to achieve a non-construction employer designation;
5. If known or determinable, the time it would take to recover the costs associated with acquiring a non-construction employer designation from the savings that would be achieved by allowing bidding from all qualified contractors for City infrastructure projects;
6. Any other relevant information.

Recorded	**For**	**Against**	**Absent**
Mayor C. Provenzano	X		
Councillor S. Butland	X		
Councillor P. Christian	X		
Councillor S. Myers	X		
Councillor S. Hollingsworth	X		
Councillor J. Hupponen	X		
Councillor L. Turco	X		
Councillor M. Shoemaker	X		
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich			X
Councillor R. Romano			X
Results	**11**	**0**	**2**
Carried			

8.2 Splash Pad

Moved by: Councillor S. Myers
Seconded by: Councillor P. Christian

Whereas on August 22, 2016 City Council passed a resolution brought forward on behalf of the Mayor's Committee on Canada 150 asking staff to look at various means of funding to build a Splash pad as the City's community legacy project for Canada 150; and

Whereas in the staff report to Council dated March 20, 2017 it was indicated that the project cost is approximately $575,000 and the timeline for construction of a splash pad would be dependent upon fund-raising and submitting applications to various funding opportunities; and

Whereas to date there is about $60,000 committed to this project including $25,000 of City funds previously approved and with applications underway for additional funding; however, timelines of all funding possibilities are such that it would take at least one year to align the total funding envelope and thus no longer be a Canada 150 legacy project

Now Therefore Be It Resolved that should Council wish to proceed with building a splash pad in 2017, staff be directed to report back within one month and identify all possible sources of City funds including Parks reserves and include identifying any City assets that could be liquidated with funds used to support the splash pad project;

Further be it resolved that all fund-raising efforts and applications for funding continue as planned.

Carried

8.3 Cost Recovery for Fire Services

Moved by: Councillor M. Shoemaker
Seconded by: Councillor P. Christian

Whereas fire departments across Ontario have cost recovery by-laws that charge the end user of the fire department's service for the cost of said service; and

Whereas such cost recovery model typically applies to fire service attendance at motor vehicle collisions, fire investigations, among others; and

Whereas to varying degrees, the following municipalities all have fire services cost recovery by-laws: Thunder Bay, Mississauga, Oshawa, Barrie, Niagara Falls, London; and

Whereas in many cases, the responsible party's insurance company is responsible for the payment of the fire services invoice;

Now Therefore Be It Resolved that appropriate staff report to Council outlining:

1. A list of cities in Ontario that have cost-recovery fire services by-laws;

2. A compilation of what services are charged for in which cities and how much each service is charged out at;
3. An analysis of what percentage of calls from those municipalities with cost-recovery by-laws that are chargeable calls versus non-chargeable calls;
4. What the revenue has been for municipalities who charge for such services, broken down by service;
5. Any limitations imposed by law on what types of services can be cost-recovered by the municipality and the amounts that may be charged;
6. An estimate of the potential revenue the City of Sault Ste. Marie could expect if it imposes a by-law similar to those in other municipalities in Ontario that have cost-recovery fire services by-laws in effect.

Carried

8.4 NorOnt Resources Visit

Moved by: Councillor M. Shoemaker
Seconded by: Councillor S. Butland

Whereas on May 10, 2017, executive from NorOnt Resources were in Sault Ste. Marie to discuss development of the Ring of Fire mineral deposits and their desire to build a smelter in Northern Ontario; and

Whereas Sault Ste. Marie is grateful that NorOnt is considering it as a potential location for the ferrochrome plant; and

Whereas the Council of the City of Sault Ste. Marie thanks the Economic Development Corporation for their pursuit of this project;

Now Therefore Be It Resolved that the Council of the City of Sault Ste. Marie thanks NorOnt Resources for their interest in our community;

Further Be It Resolved that the Council of the City of Sault Ste. Marie looks forward to working with NorOnt to ensure that Sault Ste. Marie is their location of choice for their smelter.

Recorded	**For**	**Against**	**Absent**
Mayor C. Provenzano	X		
Councillor S. Butland	X		
Councillor P. Christian	X		
Councillor S. Myers	X		
Councillor S. Hollingsworth	X		

Councillor J. Hupponen	X		
Councillor L. Turco	X		
Councillor M. Shoemaker	X		
Councillor R. Niro	X		
Councillor M. Bruni	X		
Councillor F. Fata	X		
Councillor J. Krmpotich			X
Councillor R. Romano			X
Results	**11**	**0**	**2**

Carried

8.5 Tax Incentives

Moved by: Councillor P. Christian
Seconded by: Councillor S. Butland

Whereas the population of Northern Ontario continues to decline; and

Whereas the net out-migration of young people and skilled labour will negatively impact the long term economic viability and general social conditions of the north; and

Whereas areas within Southern Ontario, particularly in and around the Greater Toronto area, continue to experience unprecedented growth and sky-rocketing real estate values; and

Whereas it has become very expensive and virtually impossible for many to live and work in these areas of explosive growth; and

Whereas Northern Ontario has surplus infrastructure and represents an affordable alternative for residents, business, and, governments;

Now Therefore Be It Resolved that City Council propose that the Provincial Government undertake appropriate actions through tax reductions, tax exemptions, and relocation initiatives to stop the continuing population decline in Northern Ontario by creating incentives for business, institutions, and government departments to operate in Northern Ontario;

Further that staff be directed to forward this resolution to the Premier's office, all the local provincial by-election candidates, FONOM, and NOLUM representatives.

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 M. Bruni
Seconded by: Councillor S. Myers

Resolved that all By-laws under item 11 of the Agenda under date 2017 05 29 be approved, save and except 2017-105 and 2017-116.

Carried

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

11.1.1 By-law 2017-100 (Street Assumption)

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-100 being a by-law to assume for public use and establish as public streets various parcels of land conveyed to the City be passed in open Council this 29th day of May, 2017.

Carried

11.1.2 By-law 2017-101 (Planning) Downtown Community Improvement Plan

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-101 being a by-law to designate the Downtown area of the City of Sault Ste. Marie as a Community Improvement Project Area and to implement and adopt the Sault Ste. Marie Downtown Community Improvement Plan be passed in open Council this 29th day of May, 2017.

Carried

11.1.3 By-law 2017-102 (Taxes) Property Tax Rates for 2017

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-102 being a by-law to provide for the adoption of property tax rates for 2017 be passed in open Council this 29th day of May, 2017.

Carried

11.1.4 By-law 2017-103 (Taxes) Adoption of Tax Ratios

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-103 being a by-law to provide for the adoption of tax ratios be passed in open Council this 29th day of May, 2017.

Carried

11.1.5 By-law 2017-104 (Development Control) 1025 McNabb Street Dick's Garage Limited

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-104 being a by-law to designate the lands located at 1025 McNabb Street an area of site plan control (Dick's Garage Limited) be passed in open Council this 29th day of May, 2017.

Carried

11.1.7 By-law 2017-106 (Temporary Street Closing) Henry Street Block Party/Canned Food Drive

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-106 being a by-law to permit the temporary closing of Henry Street from 455 Henry Street to 460 Henry Street and from 468 Henry Street to 476 Henry Street on July 15, 2017 to facilitate a Block Party/Canned Food Drive be passed in open Council this 29th day of May, 2017.

Carried

11.1.8 By-law 2017-107 (Temporary Street Closing) Rotaryfest 2017

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-107 being a by-law to permit the temporary closing of various streets to facilitate Rotaryfest 2017 from July 8th until July 16th, 2017 be passed in open Council this 29th day of May, 2017.

Carried

11.1.9 By-law 2017-108 (Licencing) Rotaryfest 2017

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-108 being a by-law to prohibit vendors from locating on or near the grounds of Rotaryfest 2017 be passed in open Council this 29th day of May, 2017.

Carried

11.1.1 By-law 2017-109 (Agreement) Canadian Pacific Railway Welcome Sign

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-109 being a by-law to authorize the execution of the Agreement between the City and Canadian Pacific Railway Company to permit the City to maintain a welcome sign on Canadian Pacific Railway's property be passed in open Council this 29th day of May, 2017.

Carried

11.1.1 By-law 2017-110 (Agreement) Elmer Kars – Catalina Motel Gazebo

Moved by: Councillor S. Myers
Seconded by: Councillor F. Fata

Resolved that By-law 2017-110 being a by-law to authorize the execution of the Licence of Occupation between the City and Elmer Kars, owner of Catalina Motel, to permit a gazebo on a portion of City owned property be passed in open Council this 29th day of May, 2017.

Carried

11.1.12By-law 2017-111 (Agreement) POA Wawa Satellite Court

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-111 being a by-law to authorize the execution of the Agreement between the City and The Corporation of the Municipality of Wawa for the City's use of office space to conduct Provincial Offences Court be passed in open Council this 29th day of May, 2017.

Carried

11.1.13 By-law 2017-112 (Agreement) Sault Ste. Marie Museum Grant

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-112 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie Museum for a grant for up to One Hundred Eighty-One Thousand and Ninety-One ($181,091.00) Dollars to assist with the collection, preservation, study and exhibits of the history of the people and the development of Sault Ste. Marie and immediate surrounding area be passed in open Council this 29th day of May, 2017.

Carried

11.1.14 By-law 2017-113 (Agreement) Stem Engineering Finger Dock Replacement

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-113 being a by-law to authorize the execution of the Agreement between the City and Stem Engineering Group Incorporated to provide Engineering services for Finger Dock Replacement at the City's Marinas be passed in open Council this 29th day of May, 2017.

Carried

11.1.15 By-law 2017-114 (Temporary Street Closing) St. Mary's River Drive – Run the Great Lakes Running Event

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-114 being a by-law to permit the temporary street closing of St. Mary's River Drive from the railroad crossing to Foster Drive on June 11, 2017 to facilitate the Run the Great Lakes running event be passed in open Council this 29th day of May, 2017.

Carried

11.1.16 By-law 2017-115 (Agreement) East End Sewage Treatment Plant

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-115 being a by-law to authorize the execution of the Agreement between the City and Tulloch Engineering Inc. for the East End Sewage Treatment Plant Primary Clarifiers and Bioreactor engineering services be passed in open Council this 29th day of May, 2017.

Carried

11.1.18 By-law 2017-117 (Temporary Street Closing) Grace Street

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that By-law 2017-117 being a by-law to permit the temporary closing of Grace Street from Bruce Street to Elgin Street from May 30, 2017 until October 31, 2017 to facilitate the Grace Street reconstruction be passed in open Council this 28th day of May, 2017.

Carried

11.1.19 By-law 2017-118 (Agreement) Boyer Construction McNabb to Pim Street Drainage Improvements (Contract 2017-3E)

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that By-law 2017-118 being a by-law to authorize the execution of the contract between the City and 1531161 Ontario Inc., operating as Boyer Construction, for the McNabb Street to Pim Street drainage improvements (Contract 2017-3E) be approved in open Council this 28th day of May, 2017.

Carried

11.1.20 By-law 2017-119 (Temporary Street Closing) Gladstone Avenue and Pim Street

Moved by: Councillor F. Fata
Seconded by: Councillor S. Myers

Resolved that By-law 2017-119 being a by-law to permit the temporary closing of Gladstone Avenue at approximately 100m north of MacDonald Avenue and Pim Street at approximately 200m north of MacDonald Avenue from May 30, 2017 until October 31, 2017 to facilitate the McNabb Street to Pim Street drainage improvements be passed in open Council this 28th day of May, 2017.

Carried

11.1.21 By-law 2017-120 (Agreement) Palmer Construction Franklin Street (Contract 2017-5E)

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-120 being a by-law to authorize the execution of the Contract between the City and Palmer Construction Group Inc. for the reconstruction of Franklin Street from Henrietta Avenue to Laura Street (Contract 2017-5E) be passed in open Council this 29th day of May, 2017.

Carried

11.1.22 By-law 2017-121 (Temporary Street Closing) Franklin Street

Moved by: Councillor M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that By-law 2017-121 being a by-law to permit the temporary closing of Franklin Street from Henrietta Avenue to Laura Street from May 30, 2017 until October 31, 2017 to facilitate the Reconstruction of Franklin Street be passed in open Council this 29th day of May, 2017.

Carried

11.1.6 By-law 2017-105 (Parking) Municipal Law Enforcement Officers By-law 90-305

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

Moved by: Councillor S. Myers
Seconded by: Councillor F. Fata

Resolved that By-law 2017-105 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 29th day of May, 2017.

Carried

11.1.17 By-law 2017-116 (Agreement) Avery Construction Limited – Grace Street (Contract 2017-4E)

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

Moved by: Councillor S. Myers
Seconded by: Councillor F. Fata

Resolved that By-law 2017-116 being a by-law to authorize the execution of the Contract between the City and Avery Construction Limited for the reconstruction of Grace Street from Bruce Street to Elgin Street (Contract 2017-4E) be passed in open Council this 29th day of May, 2017.

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 M. Bruni
Seconded by: Councillor S. Hollingsworth

Resolved that this Council proceed into closed session to discuss n issue under the *Companies' Creditors Arrangement Act*

Municipal Act R.S.O. 2002 – section 239(2)(f) – advice that is subject to solicitor/client privilege

Further Be It Resolved that should the said closed session be adjourned, the Council may reconvene in closed session to continue to discuss the same matter(s) without the need for a further authorizing resolution.

Carried

14. ADJOURNMENT

Moved by: Councillor F. Fata
Seconded by: Councillor S. Hollingsworth

Resolved that this Council shall now adjourn.

Carried

_____

Mayor

_____

City Clerk

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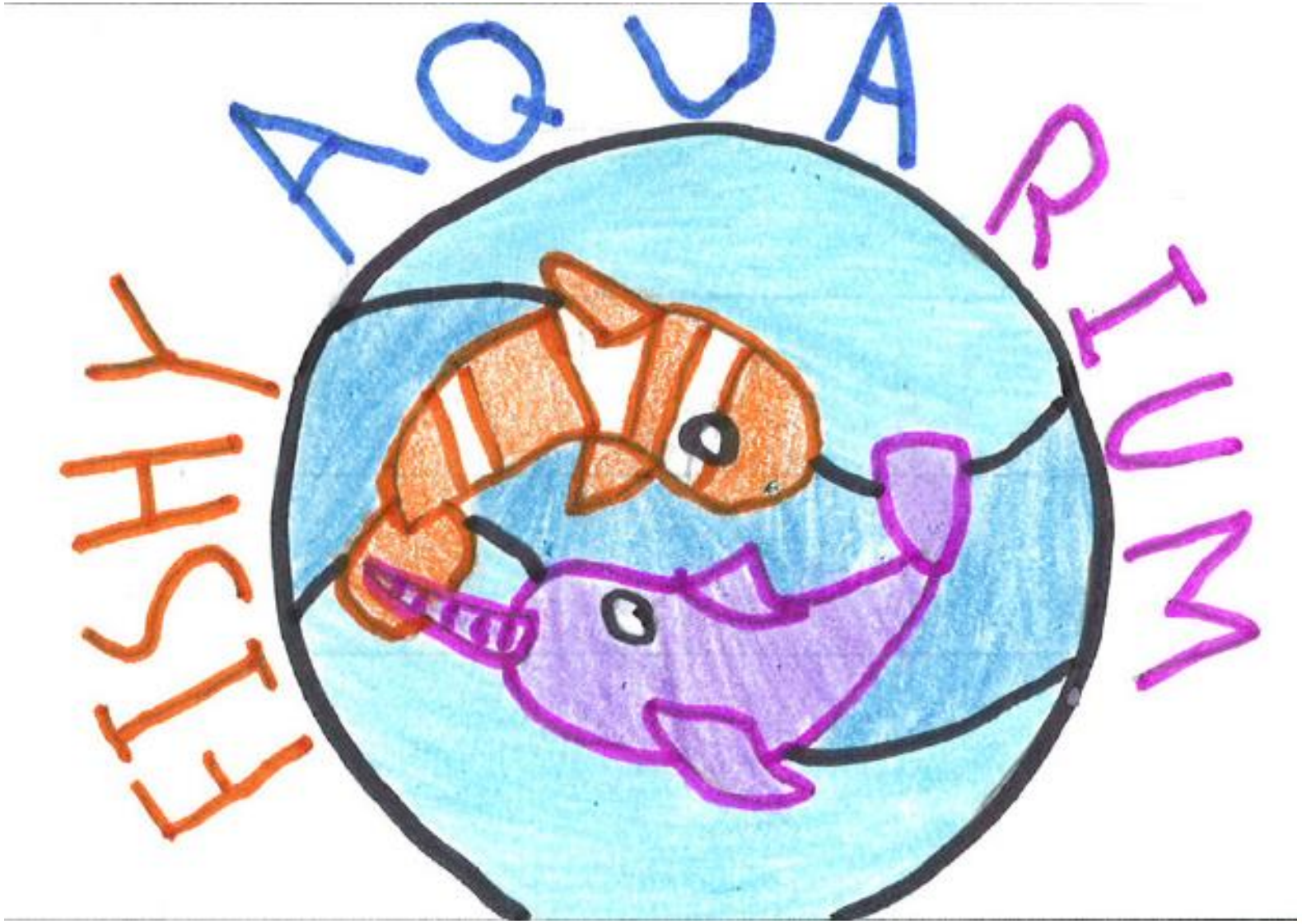

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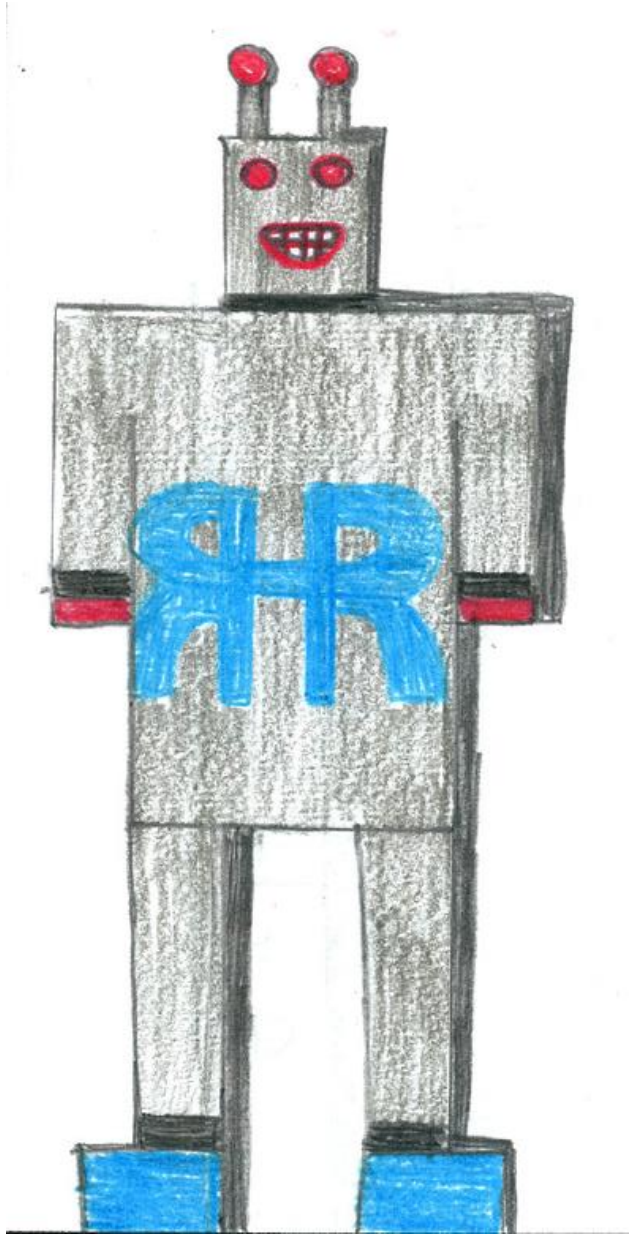

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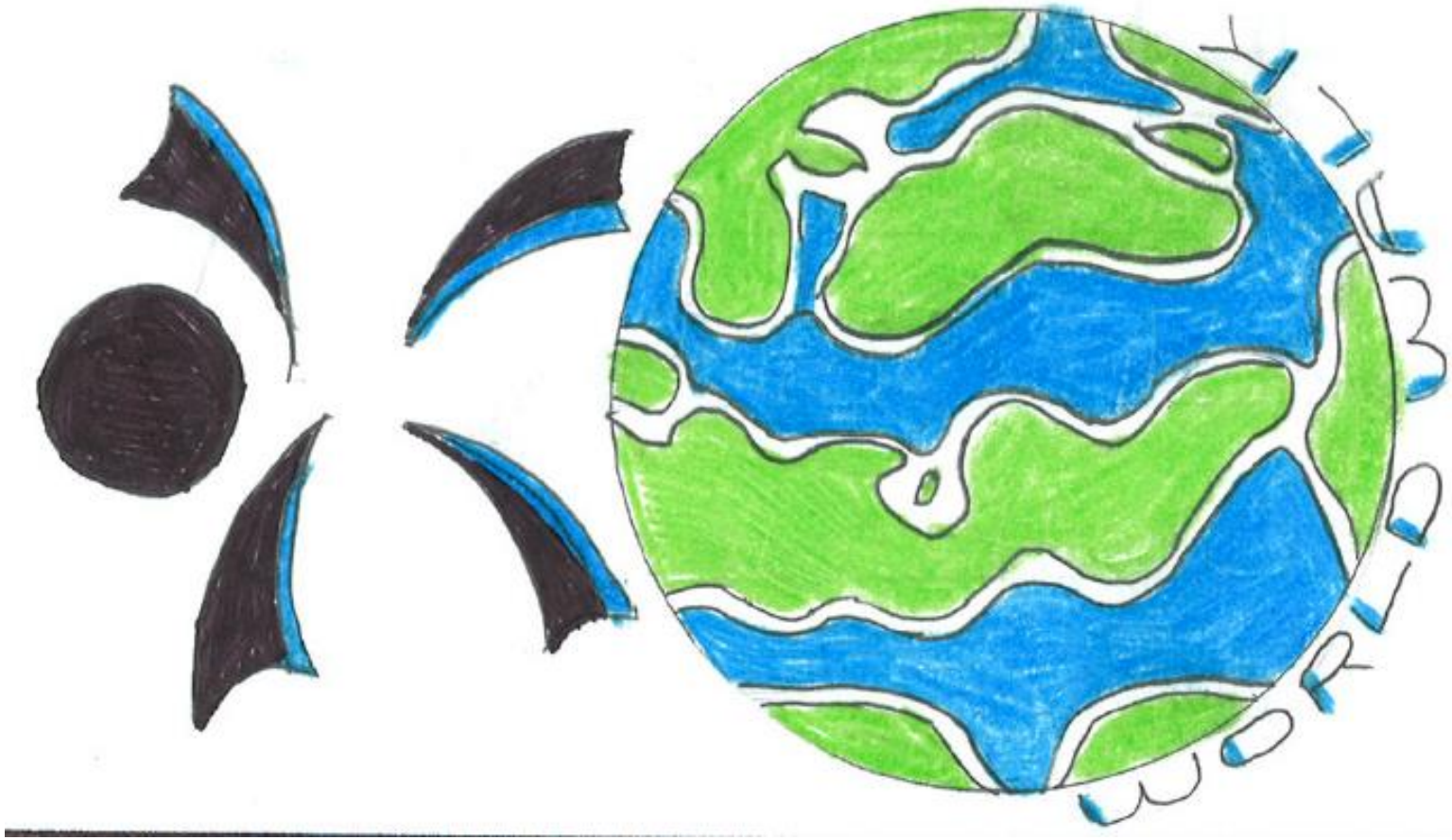

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Introduction

Dr. Peter Warrian is a Distinguished Research Fellow, Munk School of Global Affairs, University of Toronto. He is widely recognized as Canada's leading academic authority on the steel industry.

In 2016 he published *A Profile of the Global Steel Industry* (2nd Edition) and in 2017 he published, with Mike Smitka, *A Profile of the Global Auto Industry*. Both books are available from Amazon.

He was formerly Research Director of the United Steelworkers of America and Chief Economist of the Province of Ontario.

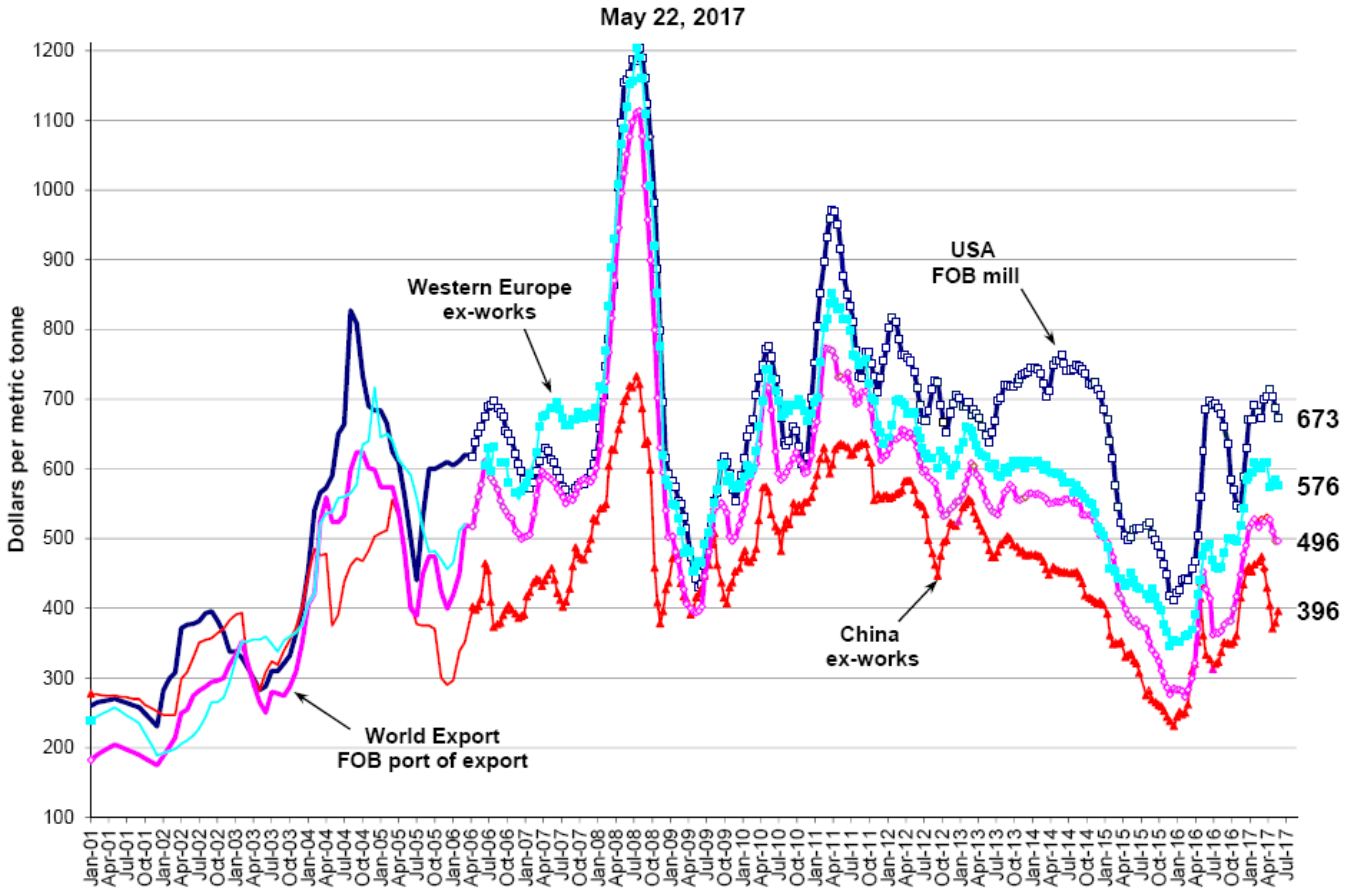
Current State of the Steel Industry

Peter Warrian, PhD
University of Toronto

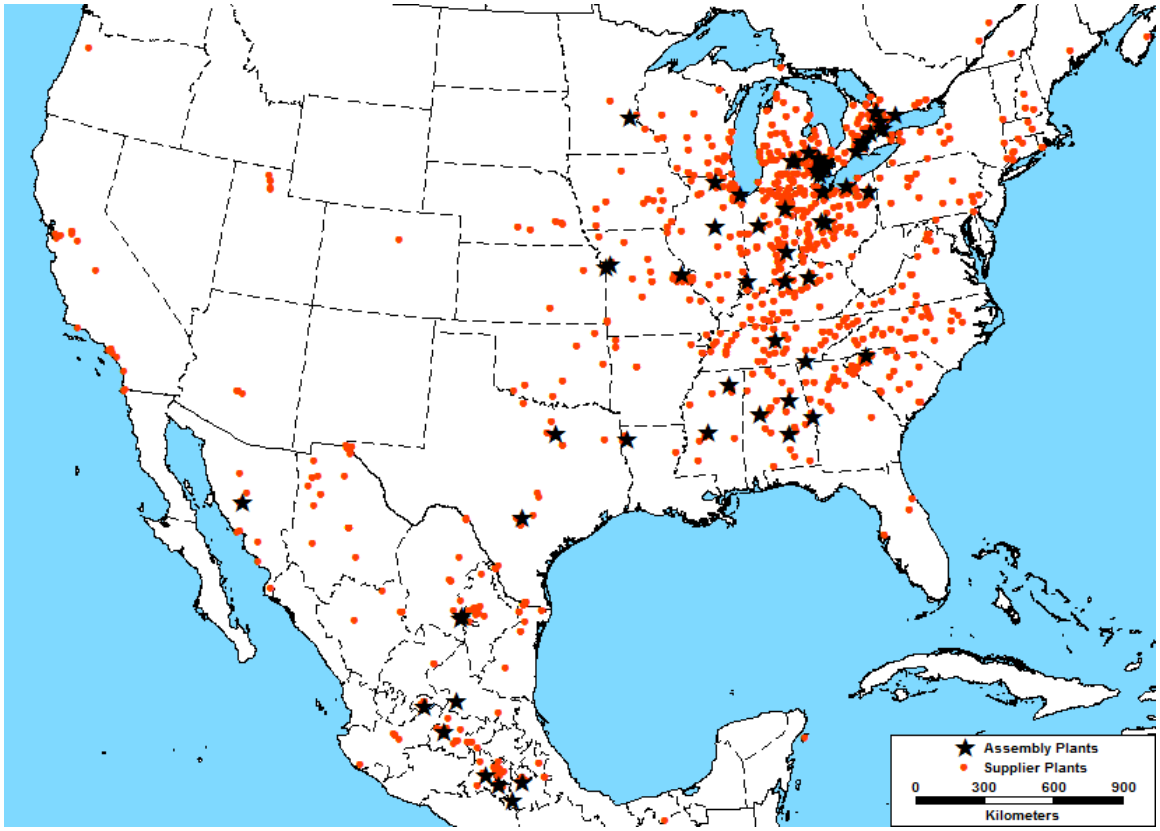
Background: Understanding Steel

- Cyclicality and Volatility
- Leadership in Auto Steel
- New Materials Competition

Steel Prices

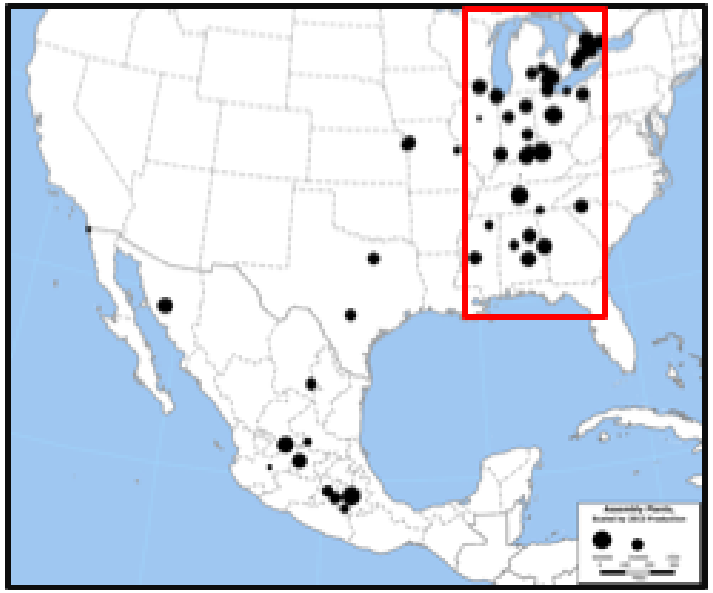


NA Automotive Alley



Auto Corridors

North America, 2013



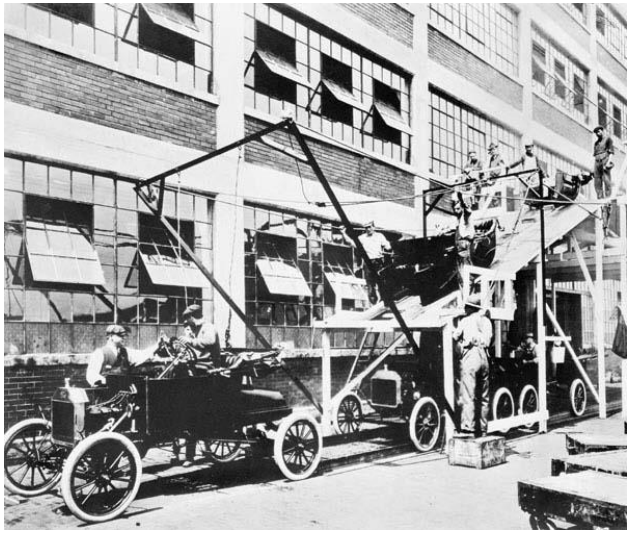
73% of region's assembly

Europe, 2013

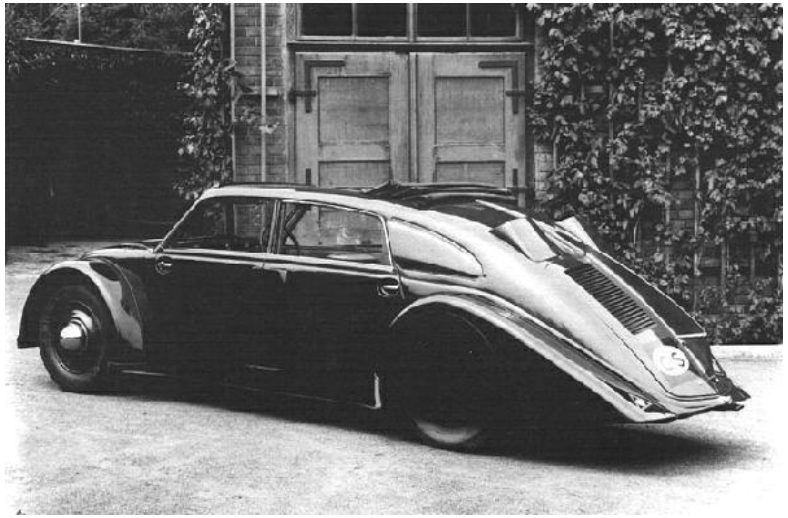
78% of region's assembly

Power Trains: EVs

Auto Manufacturing & Design

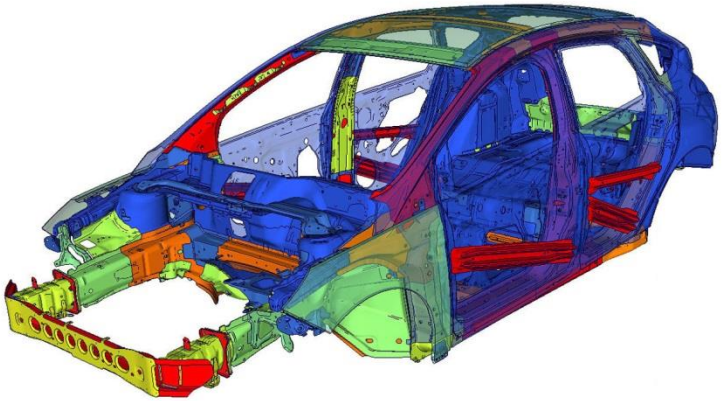


Auto Manufacturing and Design

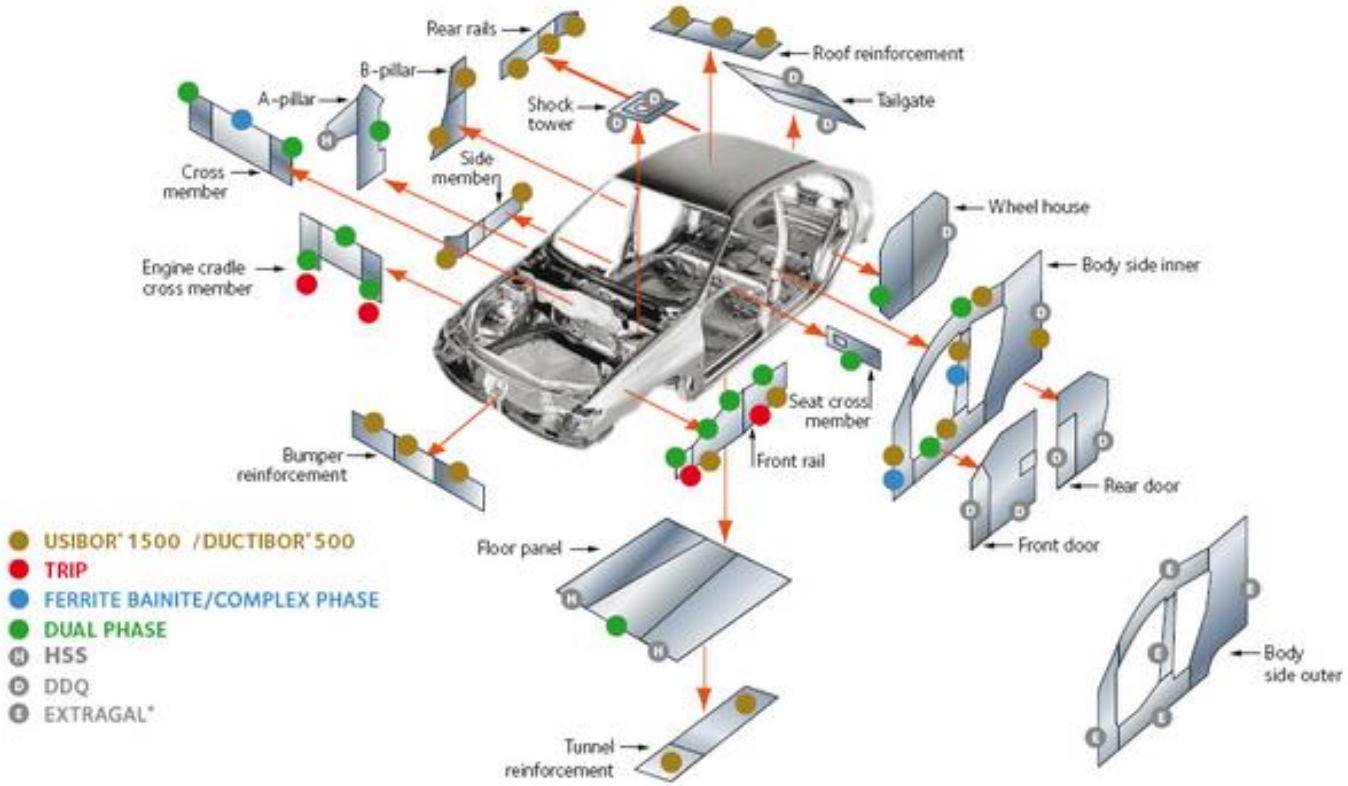


The New Materials Competition

- Drivers of Autosteel
  - CAFÉ Standards
  - Lightweighting
  - Design
  - Automotive Manufacturing
- Other steel apps
  - Construction
  - Energy



Body-in-White Open Source Parts



Question 1

- What is the longer-term outlook for the Canadian/North American steel industry generally?

How Steel Competes

- Lightweighting Factor
  - Strength/Weight: Tensile Strength Mega Pascals
    - 900 MPA: tipping point
- New Materials
  - Light & Strong: Microstructures
  - Boundaries of Design & Manufacturing
- New Materials: UHSS, Composites
  - NOT: Aluminum, Manganese

Question 2

- What do you expect the near-term outlook for steel prices to look like?

Steel Prices

- Market has gotten ahead of itself
- Good: Cash flow positive
- Bad: Not sustainable for pensions, maintenance & re-investment
- Lower prices for second half of the year.
  - HRC $600?

Question 3

- How concerned should we be about American protectionism and threats to renegotiate NAFTA?

Canadian Steel and NAFTA

"NAFTA Partners are not the problem when it comes to unfair trade and are unlikely to be targets of sanctions from a Section 232 Investigation." AMM May 25, 2017

- Rule-of-origin & regional value content rules 60+%
- Currency Manipulation
- State-Owned Enterprises

Question 4

- How big are the problems of steel dumping and unfair trade practices for the Canadian steel industry? Is enough being done to address these issues?

Dumping is not the Biggest Problem

- Overhang of China: 50% of Global Capacity
  - China ships 6X more to Korea than to NA
  - **Prices**. China sets the margin steel price for the world.
    - WSA Committee to manage down excess capacity
- The Aussies did it?
  - Collapse of Australian coal and iron ore keeping uncompetitive Chinese mills alive

Question 5

- How important is it for Canada to have a healthy domestic steel industry?

Do We Need Steel?

- Does Manufacturing Matter?
  - If it does, steel is the materials backbone.
- Economists perspective: Computer Chips or Potato Chips
  - Manufacturing Matters: Still an Economy of "Stuff"
  - 85% of innovation takes place in Manufacturing
    - Patents, R&D
  - Decent Work

Question 6

- Why has Dofasco been able to remain consistently profitable while Algoma and Stelco haven't?

The Dofasco Advantage

- Tipping Point: 1953 Basic Oxygen Furnace
  - Customer interface
  - Tin mill: from Tin Cans to Automotive
  - Licensed technology, Lab in the Plant
  - HR practices. Training, engagement culture
- Global Steel
  - Arcelor Mittal: Global steel producer. Scale matters. Capital investment.
  - Hamilton benchmark mill, NA autosteel

Question 7

- What can we (the Council or the municipality in general) reasonably do to assist Algoma and help ensure its future viability?

Next Steps

- Successful companies have a Stakeholder philosophy. Community as stakeholder.
- Canada needs a steel mayors voice.
- Support the proposed CSTEC training consortium.
- Look at how steel consuming companies in the region are looking to the future.

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Megan Parlowe **TELEPHONE:** 7055417820

ORGANIZATION (if applicable) Queen Street Cruise

ADDRESS: 99 FOSTER DRIVE **POSTAL CODE:** P6A 5X6

The above person hereby makes application for the closing of

Queen

(Name of street to be closed)

from East **to** PIM

(reference points - street numbers, cross streets, etc.)

from _____ **to** _____

(reference points - street numbers, cross streets, etc.)

on the 17 **day of** June**, 20** 17 **from** 8 **am/pm to** 5 **am/pm**

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

for the purpose of Queen St Cruise

APPROVAL SECTION:

1. **Police Services, Traffic Dept.**
Telephone 949-6300 ext 348
Fax 759-7820
580 Second Line East
Sgt R. Magnan #599
Signature of Official
MAY 30 2017

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

7. **Community Services Department**
Telephone 759-5310
Fax 759-6605
99 Foster Drive
(CLOSINGS AFFECTING CITY PARKS/FACILITIES)

Signature of Official

CITY CLERK SECTION:

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

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East - PM

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See attached sheet
Signature of Official

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(date) (By-law No.)

TEMPORARY STREET CLOSURE - APPLICATION FORM

CONTACT NAME: Victoria Prouse **TELEPHONE:** 705 759 5373

ORGANIZATION (if applicable) CITY OF SSM

ADDRESS: 99 Foster Drive **POSTAL CODE:** P6A 5X6

The above person hereby makes application for the closing of

SEE ATTACHMENT A & B

(Name of street to be closed)

from _____ **to** _____

(reference points - street numbers, cross streets, etc.)

from _____ **to** _____

(reference points - street numbers, cross streets, etc.)

on the 6 **day of** JULY, **20** 17 **from** 11:30 **am/pm to** 3:00 **am/pm**

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

for the purpose of GORE STREET NEIGHBOURHOOD PARTY

Gore Street Neighbourhood Party – Road Closures

1. Gore Street from Queen Street West to Wellington Street East
2. Albert Street West from Gore Street to Andrew Street
    a. Andrew Street and Albert Street stays open
3. Andrew Street from south of Albert Street West to Queen Street West
4. LOCAL TRAFFIC ONLY – Central Park Avenue from Andrew Street to John Street
5. John Street from Albert Street West to Queen Street West
6. REGULATED FLOW EASTBOUND – Albert Street to Andrew Street

APPROVAL SECTION:

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

Sgt. R. Wegnan #209
JUN 01 2017

Signature of Official

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

Signature of Official

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GORE STREET/ETIENNE BRULE BLOCK OVERVIEW

CAR FREE THURSDAY (JULY 6, 2017) DRAFT REVIEW, ACTIVITY/ROAD CLOSURE PLAN

- Activity HUB
- Required Signage
- Activity Cooridors
- Required Barrier
- Required Half Barrier

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Tim Gowans, Manager of Purchasing**

DEPARTMENT: **Finance Department**

RE: **Tender for Lease of One (1) Motor Grader**

PURPOSE

Attached hereto for your information and consideration is a summary of the tenders received for the supply and delivery of One (1) Grader c/w Snow Wing and Front Blade as required by the Public Works Department. Staff is seeking Council approval of the tender recommendation.

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 May 24, 2017 with the Deputy City Clerk in attendance.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed by the Manager of Equipment & Building Maintenance – PWT and the low tendered price, meeting specifications, has been identified on the attached summary.

Tendered pricing was requested for both leasing and purchase of this equipment. Finance has reviewed the pricing tendered and recommends the lease option for this procurement.

FINANCIAL IMPLICATIONS

During 2017 Budget deliberations, Council approved the allocation of $55,000.00 for the lease of this equipment for the initial winter control season; funding allocated from PWT's Hired Equipment Operating Budget.

The total lease costs for the initial winter season will be $45,803.05 including the non-refundable portion of HST. The lease will be for a fifty-four (54) month term commencing October 15, 2017 with thirty (30) periodic payments; and include extended warranty and maintenance agreement.

STRATEGIC PLAN / POLICY IMPACT
This is an operational matter not articulated in the Corporate Strategic Plan.

RECOMMENDATION
Resolved that the report of the Manager of Purchasing dated 2017 06 12 be received and the recommendation that the tender for the Lease of One (1) Grader c/w Snow Wing and Front Blade, as required by the Public Works Department, be awarded to Toromont CAT at their tendered price including Maintenance Agreement and Extended Warranty of $7,501.81 plus HST, per unit for each periodic payment, be approved.

Respectfully submitted,

Tim Gowans
Manager of Purchasing
705.759.5298
t.gowans@cityssm.on.ca

FINANCE DEPARTMENT
PURCHASING DIVISION

Received: May 24, 2017
File: 2017PWE-PWT-23-T

SUMMARY OF TENDERS
LEASE OF ONE (1) MOTOR GRADER c/w SNOW WING & FRONT BLADE

Firm	Make & Model	Warranty	Periodic Lease Rate/Unit (including mtce.) (H.S.T. extra)	Total Annual Cost/Unit (6 payments) (H.S.T. extra)	Remarks
Nortrax Canada Inc. Lively, ON	2017 John Deere 772G (AWD)	for length of lease	$7,688.22	$46,129.32	Meets specifications Extra hours billed at $85.00/hour
Toromont Cat Sault Ste. Marie, ON	2017 Caterpillar 140M AWD	for length of lease	$7,501.81	$45,010.86	Meets specifications Extra hours billed at $41.16/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 $45,803.05 annually including the non-refundable portion of the H.S.T.
It is my recommendation that the tendered price, submitted by Toromont CAT, be accepted.

Tim Gowans
Manager of Purchasing

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Shelley J. Schell, CPA, CA Chief Financial Officer and Treasurer**

DEPARTMENT: **Corporate Services**

RE: **Vacant Unit Rebate Review**

PURPOSE

This report provides a recommendation concerning proposed amendments to the current Vacant Unit Rebate Program. It includes background information, a description of the community and stakeholder engagement process and rationale for proposed amendments.

BACKGROUND

Beginning in 2017, the Province of Ontario is allowing municipalities to amend the vacant unit rebate program to best respond to local needs and priorities. These amendments only apply to existing buildings as vacant commercial and industrial land is a separate tax class.

The City currently provides tax relief to vacant building owners in accordance with the previous provincial requirements. Vacant commercial buildings receive a rebate of 30% of total property taxes calculated on a monthly basis provided that the space has been vacant for a minimum of three consecutive months. Vacant industrial buildings receive a rebate of 35% of property taxes subject to the same requirements. The cost of paying these rebates is included in the overall tax levy of which approximately 70% is paid for by the residential sector.

The City currently budgets $375,000 annually for the municipal portion of vacancy rebates. Approximately 120 properties currently receive a rebate.

On March 6, 2017 City Council approved the following resolution:

Resolved that the report of the CFO and Treasurer dated 2017 03 06 concerning Vacancy Rebate Provincial Changes be received and that staff be directed to begin consultation with local business regarding the potential elimination of the

vacancy rebate and report back to Council thereafter on the outcome of said consultation and a recommendation on the next steps.

This report has been prepared with the assistance of the Planning Division.

ANALYSIS

The following community engagement process was undertaken to provide opportunities for comment from both the business community and residents.

- Online survey
- Stakeholder meetings with the Chamber of Commerce and Downtown Association
- Open house
- Email correspondence

The online survey received 149 responses. Survey respondents identified themselves as being either residents, commercial / industrial property owners or business owners.

Most residents were in favour of eliminating the rebate. Comments included that the rebate acts as a barrier to revitalization, artificially raises rents and provides a disincentive to filling vacant spaces.

Most business and commercial property owners were in favour of maintaining the rebate. They note that the City's current economic state makes business extremely difficult and any program that helps to assist the business community is beneficial.

Overall there was a general consensus that the current version of the rebate was not maximizing benefits to the community. In particular, the community and stakeholders generally agreed on the following principles:

- The vacancy rebate is a valuable form of assistance for individuals who acquire property and must make upgrades before it is leasable
- The rebate should be incentive based and not reward inactivity
- The rebate should not be issued in perpetuity
- There should be stricter regulations established for rebate recipients
- There is a strong appetite for partnerships with start-ups and social enterprises encouraging vacant properties to allow short-term rentals (pop-ups)
- Different approaches should be adopted for different types of properties (e.g., malls vs. main street buildings, industrial properties)

The Chamber of Commerce has provided comments as described in the attached letter dated May 26, 2017. The Chamber suggests that the City review

commercial and industrial property tax rate competitiveness before implementing significant changes to the vacancy rebate policy.

In addition, the Chamber has three recommendations. The first is to adopt a phased-in approach whereas the allowable amount of the vacancy rebate would decrease from 100% in the first year to 0% in the fifth year. This option was considered but the recommended approach would provide a greater total rebate over a shorter timeframe and requires less administration. The other recommendations concern the proposed use of the funds that will be available as a result of these changes. The Chamber recommends the savings accrued from within the downtown boundaries be allocated to a special fund for improvements to encourage entrepreneurship, business start-ups and investment in the downtown. Savings accrued from outside the downtown area should be allocated to the Economic Development Fund for the purposes defined by that fund. Staff has not provided any recommendations for the anticipated savings as City Council will determine this as part of their budget deliberations.

The Downtown Association has provided comments as per the attached email dated March 20, 2017. They are supporting a recommendation from the Ontario Business Improvement Area Association recommending that the vacant unit rebate not be eliminated but instead be augmented as an economic development tool in the form of an attraction rebate. OBIAA describes this tool (report attached) as a declining rebate over four years and subject to stricter guidelines. In this scenario, the attraction rebate would be phased out from 100% in the first year to 0% in the fourth year. This is similar to the recommendation from the Chamber of Commerce. Again, the staff recommendation would provide for a greater rebate and simplify the administration process.

Approximately ten people attended the open house and were in favour of maintaining the rebate. Some of these individuals indicated a willingness to consider modifications to the existing program. Most of these individuals were downtown business owners.

The City has received 5 emails that strongly advocated for maintaining the rebate (Attached).

Based on the above, the following is recommended:

Industrial – End this program immediately. Approximately 4 industrial property have received this rebate in recent years, which total less than $10,000 annually. This rebate will be replaced by a new Community Improvement Plan that will provide tax rebates to encourage new industrial development as identified as part of the 2017 budget approval.

Shopping Centers – End this program effective immediately. Shopping centers (defined as greater than 25,000 square feet with at least three rental properties) will have vacancies from time to time as part of their business model.

Other Commercial Space – It is proposed that the program be continued for other vacant commercial building space throughout the community subject to the following amendments.

Duration – At present, the vacancy rebate can be continued in perpetuity. This may create a disincentive for owners to renovate their buildings. It is recommended that applications for a rebate be restricted to a maximum of 3 taxation years for each ten-year period. The existing 30% rate will continue to apply. It should be noted that the Downtown Community Improvement Plan includes a grant program of up to $20,000 specifically to renovate existing vacant spaces.

Temporary Uses – Current regulations require commercial space to be vacant for three consecutive months in order to be eligible for a vacant unit rebate. This tends to discourage the building from being available for charitable or other uses even when no rent is received. It is proposed that uses of any type that do not pay rent not be considered as a break in the three consecutive month requirement. It is hoped that this will encourage new start-up business, temporary uses, and window displays.

IMPLEMENTATION

The proposed effective date is July 1, 2017 subject to regulatory approval. As per the Ministry of Finance requirements, the City will be submitting the details of the proposed changes to the Ministry subject to City Council's approval. The Ministry of Finance will notify the City when the regulations have been amended.

FINANCIAL IMPLICATIONS

The proposed changes to the program would result in approximate savings of $150,000 annually once the program is fully implemented.

STRATEGIC PLAN / POLICY IMPACT

The recommendations of this report are consistent with the fiscal responsibility, accountability and transparency values of the Corporate Strategic Plan. In addition, "Vibrant Downtown Areas" is an identified theme in the "Quality of Life" focus area in the Corporate Strategic Plan. Both the City's Downtown Strategy and the Downtown Association's Strategic Plan identify activating downtown spaces as a strategic objective.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Chief Financial Officer and Treasurer concerning the Vacant Unit Rebate Review be received and that City Council approve the attached vacancy rebate guidelines effective July 1, 2017, with the following recommended amendments:

- End Industrial and Shopping Centre eligibility
- Limit the eligibility period to three years in a ten-year cycle for all other commercial uses
- Temporary uses as defined in the guidelines will not impact eligibility for a rebate

Respectfully submitted,

Shelley J. Schell, CPA, CA
Chief Financial Officer/Treasurer
705.759.5355
s.schell@cityssm.on.ca

Dr. Grace Tridico
32-B Queen Street East
Sault Ste. Marie, Ontario
P6A 1Y3

City of Sault Ste. Marie
c/o City Councillors
99 Foster Drive
Sault Ste. Marie, Ontario
P6A 5X6

March 28, 2017

Dear City Councillors,

RE: VACANCY TAX REBATE

Please be advised that I am opposed to the removal of the Vacancy Tax Rebate. I own a number of buildings in our City and was privileged to have been a recipient of the Vacancy Tax Rebate on a few occasions.

The building which received the Tax Rebate is located in the heart of our downtown, 20-24 Queen Street East. It has been very difficult to attract commercial tenants in this area for a variety of reasons which are of no surprise, ranging from vicinity to Gore Street, prostitution, drug use, high crime levels and poverty. A building owner can lower his or her rent only to a certain level before it becomes cost prohibitive.

A tax rebate, in my case, has allowed me to further invest those funds into my building for a number of upgrades to attract long-term tenants, for example, wheelchair accessible entrances and wheelchair accessible washrooms.

My concern with removal of the Vacancy Tax Rebate is that it will force building owners to continue paying their taxes to keep their buildings while having no other alternative but to let their buildings fall into disrepair. There is only so much money to go around. In many cases, vacant commercial building owners struggle to make ends meet, especially downtown where many low-income tenants fail to pay their residential rent and jump from pillar to post between landlords doing the same. Unfortunately, this is the reality in Sault Ste. Marie.

We should keep in mind that Sault Ste. Marie's downtown area has some of the lowest rental rates compared to other commercial areas within this city and compared to many other Ontario communities. And yet, downtown building owners contribute one of the highest amounts to the City's revenue in commercial taxes. Sault Ste. Marie is in a class of its own when we look at

our economy. We are not Southern Ontario and never will be. Likewise, in a declining economy, real estate prices decline and outside investors may look favourably on Sault Ste. Marie. However, removal of the Vacancy Tax Rebate would not help "sell our City" to those potential investors.

The debate to remove the Vacancy Tax Rebate is likely the City's way of increasing revenue as a result of increasing delinquent accounts, for example, Essar Steel. This is clearly a situation of the "rich getting richer". Big companies know how to "play the game" and the "little guys" get stuck with paying the bills. City Councillors need to direct staff to collect on the accounts receivables in order to increase City revenue.

Why was the Vacancy Tax Rebate initiated in the first place? One would learn that the reasons for its application are still in existence today. I strongly believe that a Vacancy Tax Rebate (and perhaps an increase in the percentage allotted) is warranted to help STIMULATE our declining economy. I believe that removing the Vacancy Rebate will cause unfavourable negative effects in our community. In fact, removal of the Vacancy Tax Rebate will force building owners to appeal their property assessments through MPAC, which in the end will cause a decline in City revenue. It will be a no-win situation. Vacancy Tax Rebates are intended to give taxpayers a break when times are tough.

I trust that City Councillors will make decisions which will improve the growth of our City, not impede it. I ask that City Councillors put themselves in the shoes of a building owner with a commercial vacancy. Would you want to pay full taxes when there isn't any rental revenue?

Sincerely,

Dr. Grace Tridico
Building Owner

Mayor Provenzano & City Council
April 11th 2017
Re: Elimination of Vacancy Rebate

My name is Jane McGoldrick, and my partner Jordan House and I own and manage the property located at 756 Queen St. East. The building is a combined residential commercial property, formerly Showstoppers Party Supply, which now consists of 5 new and completely renovated residential rental units on the upper level, and a commercial space in the lower unit, currently leased by Riverwalk Condo Developments.

I write to you today to share our experience as young people currently living in in Sault Ste Marie who have invested tremendous time, energy, and capital into the struggling downtown to build a secure future in a hometown we are dearly attached to and very proud of.

Over the last several years, and, as mentioned in other letters submitted here, city and council have stressed the need for young entrepreneurship and investment in the city in a bid to stop youth out-migration and further stagnation of the economy. As such, this letter will outline our experience in this regard, and it is my hope that it will demonstrate how continued burocratic claw backs, including the intended termination of the vacancy rebate, exuberant property taxes entirely out of proportion to property values, and the continuous failure of city and council to support small business owners will lead to the final collapse of the downtown business area.

I moved home to Sault Ste Marie in 2012, having lived in Vancouver and abroad for several years in Australia. I am a certified Red Seal Chef, and have a business degree from the University of Victoria in Melbourne. After watching property values in Vancouver skyrocket, and the gentrification of Melbourne's mid-level business districts, I knew I was priced out of business ownership there so I began to consider moving. As such, the affordability of property in Sault Ste Marie, low cost of living, and easy access to nature and the leisure lifestyle I desired led me to believe that returning home to open my own business would be the best way for me to achieve a work life balance that was simply unavailable elsewhere and remains elusive for many people my age.

In 2012 with my partner Jordan, who is a professional carpenter, we purchased the Queen Street property. When we took possession of the building it was entirely uninhabitable, did not meet fire code regulations, and hadn't been occupied since 2002. Aside from a slightly functional commercial space, it had fallen into great disrepair. Nonetheless, the condition did not deter us from purchasing it since it was reflected in the purchase price. However, we were not prepared for the inflated property assessment which, in turn, commanded a disproportionate property tax of nearly 1000.00$ per month including the BIA levy.

As you can imagine, in addition to the challenges we faced with renovations, incurring such large monthly expenses on a property that was generating zero income meant the we struggled to make ends meet. Unlike many young people in Sault Ste Marie we had good savings to cushion our finances; we brought our capital into the city directly to invest. However, without the vacancy rebate and the minimal savings it offered, we would not have made it.

Finally, after 5 years of work, we have completed all our renovations and are happy to report that currently all units are rented. We are tremendously proud of what we have done for several reasons.

First, we have saved a piece of Sault Ste Marie's heritage since our building was initially constructed in 1910 and is now masterfully restored. Second, we provide much needed, new, and affordable rental housing in the downtown core. And finally, our investment in the property has increased the value and esthetic appeal of the neighbourhood and adjacent businesses.

Thus, we truly feel that our commitment, time, and money, has brought to fruition the exact changes and desired impacts which have been consistently encouraged by city and council, members of the Downtown Association, and citizens of Sault Ste Marie more broadly.

That said, it has been an uphill battle with little commitment from city and council to provide any support now or in future. Despite all we have done, the city continues to show a complete disregard for common sense economic incentives which could help the struggling downtown. High property taxes are simply passed on by owners to potential tenants in the form of increased rent for commercial space. Further, the removal of free parking and relocation of essential services such as the PUC and Sault Area Hospital, which were vital in drawing people into the area, provides zero incentive for new entrepreneurs to set up shop. These developments, in addition to indicating the apathetic attitude of city and council toward it's citizens, means that opportunities for success are growing increasingly limited, not only for young people who genuinely want to build a livelihood in their home community, but business investors in general.

Further, and most importantly, even though we are currently in a revenue generating position, continued financial pressure and the lack of any safety net in the form of a vacancy rebate means we are still in a precarious position. For example, our profit margins are such that in the likely event we lose tenants for an extended period (due to the depressed nature of the area) it will be difficult to keep the property without assistance. Further, trying to re-sell the property with minimal revenue incentive for buyers complicates the situation further and deepens our worry. Evidently, eliminating the vacancy rebate, although it seems like a quick and straightforward way for the city to retain tax funds, will have devastating long term consequences for business owners and future development.

Mayor and City Council, as young investors in this town we were exactly what you were asking for. We, came back to the city we love and did exactly what you wanted us to do. We have created real, tangible, change for the better in our community and now we expect you to hold up your end of the bargain. Please support us and others like us in future. Lower our taxes, continue the vacancy rebate, and please stop the hemorrhage of people, money, business, and prosperity from the downtown core before it's too late.

Sincerely,
Jane McGoldrick
Jordan House

Owners, 756 Queen street East
Sault Ste Marie Ontario

To The Mayor
And Councillors Of Sault Ste. Marie

I wish to take this opportunity to address the Issue which has been recently reported in the media namely the consideration by the City to potentially eliminate Tax Rebates to reflect vacancies in commercial properties. I do so because I believe this issue is of the utmost importance. In my opinion if the Tax Rebates are eliminated it will have a tremendous negative impact . It is a regressive move. It will not in any way help Downtown Sault Ste. Marie. It will help kill the Downtown.

I would hope that City staff and Council will involve the interested parties early on in the process and not after the fact and after a decision and recommendation has been made. I urge you to get feedback from individuals with knowledge and experience in the field.

I am also hopeful that Council of the our City and City Staff not approach this matter as was done with the issue of eliminating the two hour of free parking in the downtown.

Our downtown needs revitalization not impediments in achieving that end. The downtown will be adversely impacted and thus our city by eliminating either the two hour free parking and or the tax rebates.

With respect to the matter of the free two hour parking, my position has been well expressed by the Downtown Association and I will not say anything more other than the idea of having discussions with The merchants, public and the Downtown Association after the Consultants Report and after the site plan was prepared for the Bingham would suggest a lack of good faith. Why not involve the impacted parties from the outset of the discussion? Get their impute before you appear to be breaking ground and paying consultants.

On the issue of the tax rebates for vacancies in commercial properties, do not look at the matter or subject solely as a source of raising revenue. Consider all facets of the matter with those most knowledgeable.

While the City has the statutory power to eliminate rebates,the Province of Ontario gives the municipality the discretion whether or not to exercise that power. It leaves to the Municipality to determine whether the circumstances exist or justify the elimination of the Tax Rebates . The Province does so because the Municipality can best assess the conditions within its borders to determine if property owners need that relief. The economic realities within a municipality differ greatly from one region of our Province to another. In short the Province acknowledges that there exist situations in our cities and through our province where tax relief is needed. Otherwise the Province would have done away with the Municipalities discretion in the matter.

For example: If Sault Ste. Marie was economically robust and vibrant as Barrie, Vaughn, Woodbridge, New Market, or most southern Ontario cities it would make some sense to consider the elimination of the Tax Rebate . The vacancy rate for commercial properties in those cities is low. The rental rate in in in those cities is high. A diligent and reasonable property owner maintaining and managing a property can weather a vacancy of limited duration.

Property owners in Sault Ste. Marie do not have that situation. Most are lucky to keep tenants in their buildings because of the tough economic situation we have. Buildings or the property owners outside of the downtown core of our city fair somewhat better than those in the downtown core . They to however have considerable challenges in finding and keeping tenants. Not every landlord has a Big Box Tenant.

Consider the vacancies in our city and downtown in particular. Take a count of the empty ground floor and second floor spaces. Confirm the period of time the spaces have been vacant. Look at the number of

buildings that appear to be in disrepair. What buildings have been upgraded in the recent past or been given a facelift? I suggest not many.

Ask the property owners with vacancies their fixed costs of maintaining their property. All I suggest have little or no returns and some operate at a loss. The property owners of vacant or partially rented properties especially in the downtown do need relief.

Consider what is likely to happen if a property owner has a building(especially in the downtown), which is not occupied in whole or in part, earning no or marginal income. More often than not the condition of the building will suffer. The tax rebate is designed to give relief to the property owner who does not earn a full rental income due to a depressed economic situation. I am certain all property owners in our city want to be fully rented and work hard to achieve that goal. The reality is though that is not possible in our city and downtown in particular.Where will the money come from to maintain and keep the building up if that owner does not get tax relief for the vacant area? Many property owners do not have the ability to meet the expenses.

The City realizes that we need incentives to help our downtown property owners and that is one reason it has provided grants and funding to the downtown to assist the property owners upgrade and rehabilitate their properties

Our City also recognize that in most cases the income generated from the rentals in our downtown is barely covering expenses. The downtown does not attract top rents.

My concern is that if we down load more expense on the vacant or partially vacant building owners we will be self defeating. Most landlords will let buildings further deteriorate. If the money is not there a property owner will pay the property tax but not keep up or maintain the property.Ultimately we will have a situation where our Queen Street and surrounding area will look more like our Gore Street.

Times like this requires an appreciation of our unique situation in our City and consider the broader impact as to how Staff and Council decisions will affect us.

Consider the Tax rebates as a necessary means of helping a property owner maintain a rental property when it is vacant in whole or in part.

The Tax Rebate fills a much needed gap in our property assessment and taxing legislation. Under current procedure a property is assessed. Based on that assessment the mill rate is applied and a tax bill is issued to the property owner. It may be assessed on the basis of a full rental income. The higher the income of the building the higher the assessment and the property taxes. How does a property owner get relief if the tenant leaves? The only way is the Tax Rebate. That reflects the economic realities in our city

Unfortunately I do not have the email address of all Councillors and I will forward a copy of this email to Malcolm White /City Clerk to forward to The City Administrator and All Councillors of the City.

Regards

Joseph A Bisceglia

SAR-GIN DEVELOPMENTS (SAULT) LTD.

218 Industrial Court Cres. • Sault Ste. Marie, Ontario • P6B 5P2 • Bus: 705-942-7141 • Fax: 705-942-1826 • www.sar-gin.com

February 24, 2017

The Corporation of the City of Sault Ste. Marie
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6

Attention: Members of City Council

Re: Response to Provincial Government Proposed Changes to the Municipal Act

We read with interest and dismay a Soo Today article of February 3, 2017, copy attached. Reportedly, City Staff are looking into new provincial regulations allowing municipalities the option to cease giving tax rebates to owners of commercial buildings with vacant space. As it is already our considered opinion the rebate should be 40%, versus 30%, we find it difficult to imagine 0%.

The majority of vacancies are in the downtown core, an area already suffering from slow financial growth. The City's decision to relocate the hospital and PUC essentially put the last nail in the downtown coffins. The current proposal to remove all 2 hour free parking by 2022 would only serve to decorate the graves.

Taxes in the downtown area should be reduced immediately in order to attract new businesses. This could easily be accomplished by creating a special "reduced" mill rate for the area designated as a Downtown Improvement Zone. One would only have to drive down Queen Street to see the effects of misdirected planning policies based on inaccurate population and employment projections upon which the Official Plan was developed. I refer to population projections found in a report tabled to the Mayor entitled the "2013 Official Plan Review". In that report to Mayor Amaroso, the population was predicted to reach about 78,000 in 2016 when in fact, it decreased to 73,000.

We're not accusing the Planners or City Administrators at that time of mismanagement. After all, no one can predict the future. But for the current Council and staff to even suggest that downtown businesses should be deprived of free two hour parking and… if that were not enough, consider the elimination of the vacancy rebate, is clearly a message that our leaders are blindly ignoring every basic economic principle. This will only create severe financial hardship for a segment of the economy (small business), result in lost opportunity for young entrepreneurs and a further outward migration of our youth.

On the surface, removing vacancy rebates would appear to be low-hanging fruit and a quick means of improving budget numbers and filling coffers. However, if the City takes away the Vacancy Rebate and does not reduce Downtown Taxes it will have a major, negative effect on its own finances. Landlords and Business Owners may be forced to close their doors and/or not pay their taxes; both actions resulting in more tax sales and more debt to the community. Let's remember that the current downtown disaster is not the fault of building owners and business owners. To this point, in the not too distant future there will be the relocation or expansion of the Group Health Centre, an opportunity we truly hope will not repeat history.

We are not writing because we have vacancies in the downtown core. We do not. Rather, we write as concerned building owners, business owners and engaged private citizens who have chosen to make Sault Ste. Marie our home and workplace for over 52 years. We sincerely hope we have earned the right to comment on these proposals, and to share our concerns of the negative effect they will have on commerce and on the community at large.

We trust City Staff will look deeply into the facts at hand and present a macro position for City Council to consider for the betterment of Sault Ste. Marie and its important downtown core.

Sincerely,

Sar-Gin Developments (Sault) Ltd.

SOOTODAY.com

Will city stop giving tax rebates for vacant buildings?

Jan 21, 2017 8:00 AM by: Kenneth Armstrong

Two vacant storefronts seen today on Queen Street East. The city may consider ceasing to offer a 30 per cent tax rebate on vacant properties. Kenneth Armstrong/SooToday

City staff will look into new provincial regulations allowing municipalities the option to cease giving tax rebates to owners of commercial buildings with vacant areas, but the decision whether to cut the rebate or not will be up to city council.

Shelley Schell, chief financial officer for the city, said typically about 120 properties are granted the 30 per cent tax rebate every year, with $375,000 allotted in the 2017 budget for the municipal portion.

Schell said the rebates are not automatically granted and that properties must meet certain criteria to be eligible for the rebate.

"The individual organizations that do get it have to apply for it," said Schell.

Recently, changes proposed to the Municipal Act by the provincial government allow the municipality to discontinue offering tax rebates to owners of vacant buildings.

Schell said city staff will be looking into the changes, but the decision whether to revoke the tax rebate or to stay the course will ultimately be up to council.

"Once we have information, we will bring a report to council and we may have a recommendation or we may leave it to (city council) how they want to proceed," said Schell.

Among other requirements, properties under consideration for the rebate must have areas vacant for at least 90 consecutive days and separate from any used portions of the building.

Josh Ingram, manager of the Downtown Association, said he doesn't want to see the rebate vanish entirely, but feels it could be put to better use.

"Instead of being a rebate for vacant properties, we are hoping to see those business or building owners who have vacant properties to allow tourism or education to use those storefronts for a very minimal amount of time throughout the year to edify and assist the community with engagement," said Ingram.

He proposes, "you can help your community out with your property in exchange (for the rebate), as opposed to the land just being vacant."

Comments

9 Comments Sort by Oldest

Add a comment...

Derek Lawrence · Agent retailer at Canadian Tire Gas

Josh Ingram's statement makes some sense.

Like · Reply · 2 · Jan 21, 2017 6:07am

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Andrea Gagne

March 10, 2017

Dear Board of Directors of the Downtown Association, Sault Ste. Marie City Councillors, & Mayor Provenzano,

On behalf of the Sault Ste. Marie Real Estate Board and its members, I would like to take this opportunity to discuss Tax Rebates for Vacant Commercial Properties and the effects that we feel it will have in the community.

The potential elimination of the Tax Rebate was presented to the Sault Ste Marie Real Estate Board of Directors by one of our very active Commercial Realtors®. The Real Estate Board and its Realtors® are and will always be advocates for the consumer and recently are becoming a voice on affordability, not just for residential home owners but commercial property owners as well.

The Downtown Association and the City of Sault Ste. Marie have worked together tirelessly to help with the revitalization of the downtown core. The improvements so far have shown to have had a positive impact. However, overall there is still a long way to go. Several vacant commercial storefronts along Queen Street, carry local Realtors® For Sale or For Lease signage in the hopes that they can help either sell or lease a vacant commercial space out.

With business growth moving to the north end of the city, the downtown core is suffering. That, combined with high property tax rates, makes it difficult to sell or lease out space affordably.

This is not to say that commercial vacancy is not an issue throughout other parts of the city as well. However, it is very evident that the downtown core holds the highest commercial vacancy rate.

Removing the Tax Rebate would be devastating to the commercial community and would have a very negative impact on the

Sault Ste. Marie Real Estate Board – An Association of Realtors®
372 Albert Street East, Sault Ste. Marie, ON
Office: (705) 949.4560 Fax: (705) 949-5935

revitalization of the downtown core. Although we appreciate the reasons that City Council is looking to approve the Tax Rebate Elimination, we would like to have an opportunity to further discuss and work alongside the Downtown Association and City Council before it the decision is finalized.

Our Commercial Realtors® are extremely knowledgeable and are willing to prepare a presentation on the effects that this proposal would have on the commercial community and downtown core. Alternative recommendations will be presented that could benefit all parties involved.

Our Realtors® want to see the downtown core thrive again. On behalf of The Sault Ste. Marie Real Estate Board, we would like to thank you for your consideration on this matter and we look forward to working together in the very near future!

Sincerely,

Kim Clouthier, President on behalf of
The Board of the Directors and Political Affairs Committee
for the Sault Ste. Marie Real Estate Board

Sault Ste. Marie Real Estate Board – An Association of Realtors®
372 Albert Street East, Sault Ste. Marie, ON
Office: (705) 949.4560 Fax: (705) 949-5935

Presentation to

Planning, Environment, Resources and Land Deputies Committee (PERL)

with the

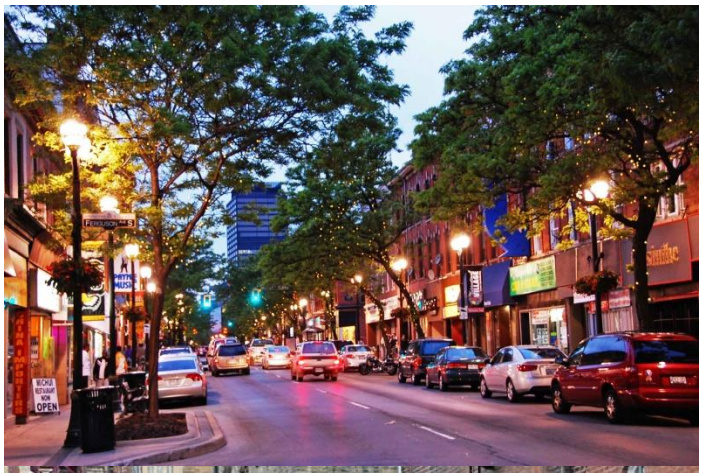
Ontario Business Improvement Area Association (OBIAA)

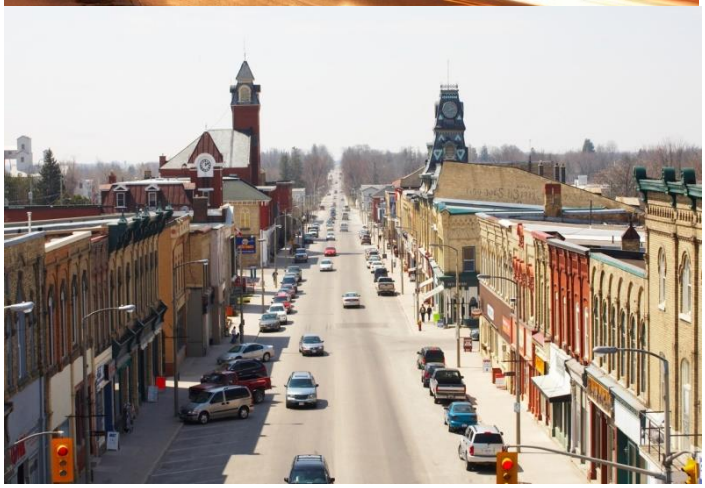
March 2017

OBIAA Board of Directors
3/8/2017

SECTION ONE

INTRODUCTION





ONTARIO BUSINESS IMPROVEMENT AREA ASSOCIATION

Presentation to PERL Deputies Committee – March 2017

BACKGROUND ON THE ONTARIO BUSINESS IMPROVEMENT AREA ASSOCIATION

OBIAA strives to be a catalyst for positive community and economic change, enabling growth in Ontario BIAs. Formed in 2001, OBIAA has focused on building the capacity of our BIAs through advocacy, networking and education.

OBIAA's 2016 membership boasts a combined BIA levy exceeding **$68,000,000**, with almost **100%** being invested back into keeping Ontario's communities vital. There are almost **83,000** businesses and property owners that are represented within Ontario's more than **300** BIAs. In 2016, **232** BIAs were members of OBIAA, approximately 75% of all BIAs in the province.

BIA Boards collectively employ more than **130** part-time staff, approximately **175** full-time staff. Further our volunteer Boards of Directors donate their time to build their local Communities. A conservative estimate puts the number of volunteers in excess of 3,000, with a combined 60,000 volunteer hours.

The Ontario Business Improvement Area Association (OBIAA) Board of Directors works closely with liaison representatives from the Ministry of Municipal Affairs and Housing (MMAH), the Ministry of Agriculture, Food and Rural Affairs (OMAFRA), the Ministry of Economic Development and Growth (MEDG) and the Ministry of Tourism, Culture and Sport (MTCS). The Board welcomes these liaisons as invaluable members to enhance sharing and understanding the concerns of local business in our BIAs across Ontario.

THE STATE OF MAIN STREET ONTARIO

RESILIENCE…this is a word that embodies Ontario's main streets, downtowns and uptowns. No matter what you call them; Ontario's history is based on the formation of towns, cities and villages who all have a central business district. These areas have survived and thrived through many industry changes, from the early day mills…lumber, grist and wool, to mining and manufacturing. Our downtowns have continued to be the backbone of our economy. The time is now to support, educate, communicate and invest back into our BIAs.

Business Improvement Areas, in most cases, represent 'Main Street Ontario', the economic backbone of the province. In the 1950's and 1960's planning departments in municipalities across the province were encouraging the growth of regional malls. As growth in strip malls, regional malls and suburbs developed in the 1950's and 1960's interests moved away from the traditional main street. As a result the heart of our communities began to crumble. Several leaders of the main street community approached the province and the *innovative*, *cutting edge* and supportive BIA legislation was added to the Municipal Act.

Through the BIA legislation, property owners and their tenants come together to create vibrant community cores. By providing the tools to position themselves for the new economy, BIAs continue to adapt themselves to the changing world, including digital marketing and other challenges and opportunities.

Working together, alongside and at the table with our Provincial Deputy Ministries encourages understanding and recognition of the paradigms facing 'Main Street' Ontario.

BACKGROUND ON BUSINESS IMPROVEMENT AREAS (BIAs)

The first BIA legislation, in the world, was created in 1970 in a partnership with the Ministry of Municipal Affairs and Housing (MMAH), Bloor West Village and the City of Toronto. This legislation builds partnerships between the municipalities and the businesses in that community.

In the 2010 Ministry of Municipal Affairs and Housing's BIA Handbook it states:

> *Once a traditional BIA is approved by municipal council, businesses within its boundaries become members and pay the BIA levy along with their property taxes. A traditional BIA view is that this structure reflects the principle that all who benefit should be required to bear their fair share of the cost of the program. In addition, the arrangement provides a secure source of funding for BIA activities.*

BIAs are deemed a local board of a municipal council and are required to follow the provisions in the Municipal Act, 2001 that pertains to local boards. BIAs also have specific sections in the Municipal Act, 2001 pertaining only to these municipal organizations. While it is unfortunate there is no mandatory mechanism for tracking the BIAs formed by the municipality in Ontario, OBIAA has a current database of more than 300 BIAs in the province of Ontario.

This forward thinking Legislation has been utilized and modified by other governments to create BIA type organizations all over the world. BIAs, BIDs (districts) and BIZs (zones) are all successful off-springs of Ontario's original legislation.

OBIAA'S 2016-2019 STRATEGIC PLAN

Vision Statement: OBIAA is renowned and respected across Ontario and beyond, as a dynamic and sustainable, highly-functioning organization, providing leadership, advocacy and world-class resources. OBIAA is a catalyst for positive community and economic change, enabling growth in Ontario BIAs.

Mission Statement: OBIAA is the network that represents unique and vibrant BIAs across Ontario. It supports and advocates on behalf of its members through the building and nurturing of strong relationships and partnerships.

2016 TO 2019 STRATEGIC PRIORITIES	
Strategic Objective	**Strategic Objective Statements**
Advocacy	Identify and represent common issues affecting BIAs to all levels of government and be recognized by all as the 'go to' organization.
Communications	Create awareness of the importance of BIAs and increase the awareness of the organization by internal and external communications through a clear, well-defined strategy(ies).
Education	Increase the capacity of individuals and key stakeholders by providing continuous professional resources through best practices and training.
Governance	Be exemplary in setting the standard and best practices as an organization.

OPENING REMARKS

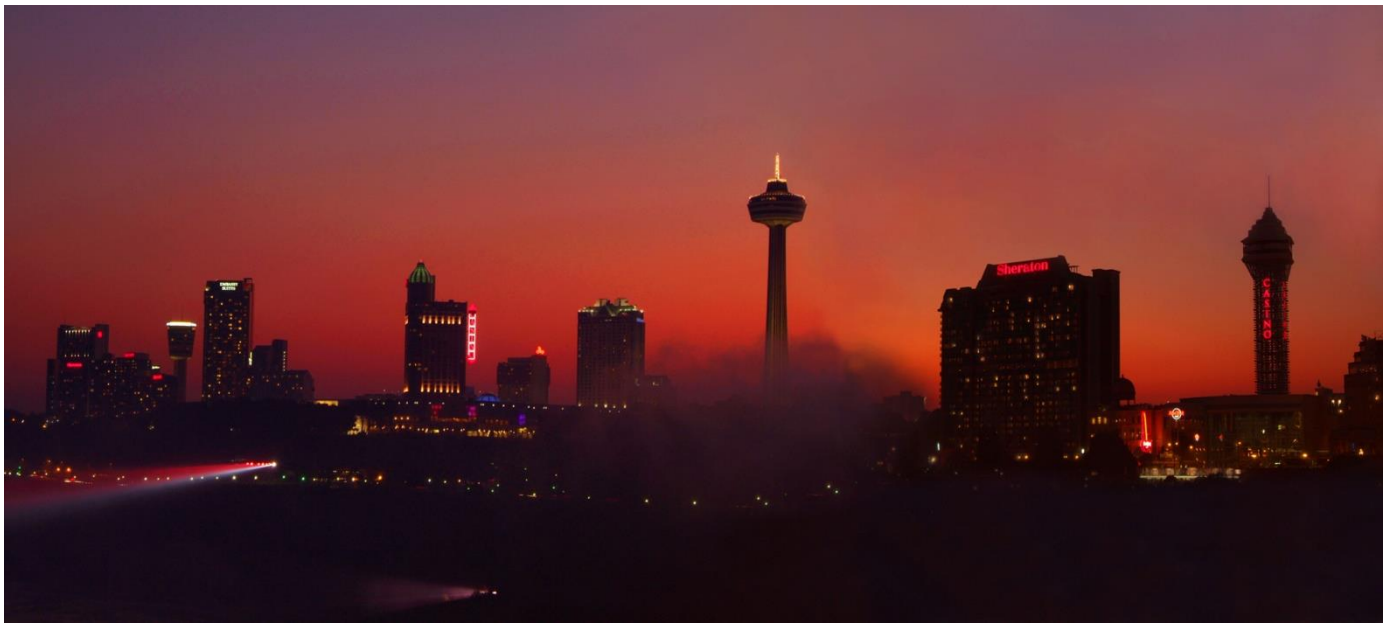
This annual opportunity to address the PERL Deputy Ministers, and through the working relationships we have with our ministry liaisons at our Board of Directors table, our board and membership are excited by the positive results related to these issues, such as:

- **Return on Investment of BIAs Project:** Funded by a provincial transfer payment agreement, this initiative is providing us with vital information which identifies data to support the value and return on investment of BIAs, while identifying key data gaps for future efforts.
- **Vacant Unit Rebate:** OBIAA participated in a stakeholder consultation on Business Tax Capping and Vacancy Rebates. The outcome of which resulted in legislative change and options for municipalities related to vacancy rebates.
- **AODA:** Working with the Accessibility Directorate to be a successful applicant for two EnAbling Change grants that allowed us to advance accessibility education, understanding and improve compliance in small businesses in BIAs.

These accomplishments reinforce the value this annual dialogue has for furthering our relationship, identifying issues and working collaboratively to make progress or understand barriers. *Thank you again for this opportunity.*

SECTION TWO

OBIAA 2017 PRIORITIES



ONTARIO BUSINESS IMPROVEMENT AREA ASSOCIATION

Presentation to PERL Deputies Committee – March 2017

2017 PRIORITIES

The Board of Directors of the Ontario BIA Association are grateful to have the opportunity to represent the BIAs and the members of the individual BIAs to this PERL Deputy Ministers' meeting. We have achieved so much this past year, on behalf of BIAs and OBIAA's membership. While we still have concerns with issues previously presented and discussed, we thank you for this continued opportunity to dialogue. Below are the items we bring to the table for discussion this year:

2017 PRIORITY 1: MUNICIPAL ACT

2017 PRIORITY 2: VACANT UNIT REBATE

2017 PRIORITY 3: ACCESSIBILITY

PARTNERSHIP OPPORTUNITIES:

- **Red Tape Taskforce**
- **Return on Investment on BIAs – Project Analysis**
- **Return on Investment on BIAs – Next Steps**

2017 PERL PRIORITIES: MUNICIPAL ACT

Issues:	Challenges:	Possible Solutions:
In October 2015, OBIAA submitted a positioning paper regarding the Municipal Act Review that was underway. We took the opportunity to present our recommendations to the PERL Deputy Ministers' Committee in 2015 to gain insight and understanding in order to garner support and inform our recommendations. Three areas of importance to our BIAs, they are: 1. Definition of BIAs 2. BIAs as Local Boards 3. Interpretation of the Municipal Act (204-216)	In defining the challenges with the Municipal Act, we broke the Municipal Act into three areas which we determined create the greatest challenges: 1. **Definition of BIAs** The Municipal Act gives BIAs an incomplete definition and BIAs are hampered by this definition. OBIAA believes that a clearer statement of our mission, one that reflects what organizations across the province are actually working on, is appropriate at this time. BIAs have been in Ontario since 1970, and in that time have evolved and developed. It is now recognized that, in addition to promoting business and shopping, they play an important role in: • economic development • community and place-making • living space • attracting tourists • employment hubs 2. **BIAs as Local Boards** As it currently stands, the Municipal Act creates some confusion about BIAs as they are incorporated in the Municipal Act and are considered to be Local Boards of Council. This continues to create confusion as, unlike other Boards, BIAs are self-funded, created by a unique process, and usually have staff who are not municipal employees. Further Challenges: • Disqualification of BIAs from many funding resources • Understanding of which taxes or publicly administered programs apply • Memorandums of Understanding (MOU) between Municipalities and BIAs	1. **Definition of BIAs** We ask that definition of a BIA be expanded and amended to include 204. (1) (b) as follows: to promote the area as: • economic development • community and place-making • living space • attracting tourists • employment hubs 2. **BIAs as Local Boards** A clear statement on the ways in which BIAs differ (diverge) from other local boards. **3. Interpretation of the Act** A clear statement that Section 216 does apply to BIAs, suggested wording change would then be 216. (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to dissolve or change a local board, *including BIAs*. 2006, c. 32, Sched. A, s. 90.

	3. Interpretation of the Act There are parts of the MA that are confusing, contradictory, vague and inconsistently applied by Municipalities. As an example Section 214 indicates one way that BIAs are dissolved, where Section 216 indicates another. In this example, Section 216 it is not clear that both apply:	

214. (1) Upon the repeal of a by-law under subsection 204 (1), the board of management is dissolved and the assets and liabilities of the board become the assets and liabilities of the municipality. 2001, c. 25, s. 214 (1).	**VS/OR?**	DISSOLUTION AND CHANGE OF LOCAL BOARDS Power to dissolve or change local boards 216. (1) Without limiting sections 9, 10 and 11, those sections authorize a municipality to dissolve or change a local board. 2006, c. 32, Sched. A, s. 90.

Results

The Ministry of Municipal Affairs released their changes to the Municipal Act in the fall of 2016. No changes were included in the Municipal Act Review pertaining to Sections 204 to 216 which provides oversight to BIAs.

Outcome/Ramifications

Given that no changes were made to the Municipal Act pertaining to BIAs (Sections 204-216), there have been no updates, revisions or changes to the above-noted challenges. BIAs, through our submission, had an opportunity to strengthen and clarify their role in their municipalities and communities, therefore creating full understanding of their structure/role.

Possible Solutions

OBIAA understands the status quo has caused confusion for clerks, councils and BIA boards of management. The Return on Investment project has proved that BIAs *are* playing a role in street appeal, economic development, supporting local business and community building and therefore they require support, partnerships and policy changes and/or clarifications. With the Municipal Act review behind us, another election year approaches and a further 5 years before another review is considered. **What advice or interim recommendations could the PERL Deputy Ministers provide?**

There are two possible scenarios to partner with like organizations (AMO, AMCTO) and the Province to develop one of two strategies in the interim, they are:

- To develop case studies and best practices which provide Clerks, Councils and BIA Boards of Management some possible solutions and/or direction that provides scenarios they could choose to follow.

OR

- To seek a legal standing on the status of a BIA as a local board, therefore resulting in clarity for Clerks, Council and BIA Board of Management.

2017 PERL PRIORITIES ASSESSMENT: VACANT UNIT REBATE

Issues:	Challenges:	Possible Solutions:
Assessment is arguably one, if not, the most critical component of a BIA. It is the foundation and essence of who we are as a BIA. It is the main ingredient of our 'downtown product development'; our bricks and mortar. This allows us to create a market-ready product; which is the great Downtown businesses and public spaces that make up our urban and rural centres. It is the means by which we determine how well we are doing and how and where we need to improve. It is very important to understand, in depth and detail, the elements that directly impact our assessment, and second; measure the impacts associated with those elements and third; make the appropriate decisions to move forward. Assessment anchors our self-levy funding process. Years ago at the initial development of a BIA, many different sources of funding were considered. It was determined that the best way to establish consistency and reliability was to connect our funding model to the commercial assessment through the Municipal property tax process as a special levy. It is so important that it is a mandatory and a non-negotiable element of creating a BIA. Assessment is a complex and broad topic. It has many different elements to consider that can have a profound effect on a BIA's operation and ultimate success. The following related issues, as identified by local BIA Boards and/or their members, are considered very important: 1. Vacant Unit Rebate 2. Municipal Property Assessment Corporation (MPAC) 3. Business Education TAX (BET)	• Vacant and deteriorating buildings deter from the beautification of a Downtown and promotes the 'broken-window theory'; which can result in a decrease in the marketable lease rates or the overall 'lease-ability' of a BIA area. • Contradicting strategies between BIAs and Provincial vacancy rebate: BIAs build programs and invest funds to promote vacant property to prospective lessees and focus on achieving full occupancy, whereas the provincial incentives assist property owners with remaining vacant. • Once a property owner is accepted, to our knowledge there is no mechanism in place to ensure that the property owner is actively seeking tenant occupancy. • Property owners purchasing property for purely financial reasons (tax write offs) and not for positive investment. • This is a challenge for both large and small Downtowns	OBIAA identified an Attraction Rebate as a possible solution in 2014. MMAH asked OBIAA how an 'Attraction Rebate' could be implemented. This year we are presenting an overview of a new class which would provide relief to our main streets, without impacting the office towers of our urban centres. The Attraction Rebate would include a declining rebate over four years as well as stricter guidelines to be used as a tool by Municipalities. Regarding the Vacant Unit Rebate, there are examples of rebates being tied to property standards, such as the case in the Town of Collingwood's Heritage Tax Relief[1]. In this example the Town of Collingwood holds an annual inspection to determine the work required for compliance with the Heritage Preservations and Maintenance Agreement and if it is found that the owner is not in compliance with the Heritage Preservation and Maintenance Agreement, the Heritage Tax Refund will not be granted. This is a living example of the MTCS's Heritage Property Tax Relief[2]. We would like to underscore that just because a building is not designated or listed, if it is heritage in nature its placement in the street may impact the heritage integrity of the whole area, which in many cases gives the area its unique identity. Clearly assessment continues to be problematic to OBIAA and its business and property owner members. Recently OBIAA, participated in Business

[1] http://www.heritagecollingwood.com/heritage-tax-refund/
[2] http://www.mtc.gov.on.ca/en/publications/taxguide-e.pdf

4. Government Building Exemptions		Reference Group for Property Tax meetings to discuss the Vacant Unit Rebate and other concerns. Through participation OBIAA has gained insight which has informed our 'possible solutions' to this priority.

Attraction Rebate for Main Street Class: (non-office towers) • Year One - 100% of the 30% or 35% • Year Two - 50 % of the 30% or 35% • Year Three - 25 % of the 30% or 35% • Year Four - 0% of the 30% or 35%	**Attraction Guidelines for Main Street Class:** (non-office towers) • Property Standards as set by the Municipalities. Validation of state of the building(s) • Market Value Rental Value as set by the local marketplace • Education of local Economic Development Tools stimulus, as provided by the Municipalities (CIPs, Heritage etc.). • Pop Up vs Incubator – to allow a property owner to have either of these without losing the Vacant Unit Rebate.

Results

The Ministry of Finance is now moving forward with providing municipalities' broad flexibility for 2017 and future years. This change was announced in November 2016 and is intended to allow municipalities to tailor the vacant rebate and reduction programs to reflect community needs and circumstances. Municipalities will be required to submit a response to a Ministry of Finance Checklist and a Council Resolution indicating how they will be implementing the changes to the Vacant Rebate and Reduction Programs. OBIAA supports these updated changes and has, in response to the checklist provided to Municipalities, decided to provide responses in this report to echo the questions asked on the checklist.

OBIAA has been consulting and engaging the business community since 2014 on the Vacant Unit Rebate issue. We have held discussions and/or communicated with the Ministry of Finance, our BIA members and Municipalities. We have reported on these consultations to the province through our submissions to Open For Business and previous PERL submissions.

OBIAA has worked through various communication channels to encourage dialogue regarding the Vacant Unit Rebate. These include, but are not limited to: internal communications, various speaking engagements, surveys, OBIAA newsletters, OBIAA/OMAFRA Community of Practices meetings around the province, webinars, OBIAA's AGMs, Annual BIA National Conference (and other conferences attended), Ministry of Finance meetings (4 to date) as well as emails from BIA members and municipalities.

The meetings with the Ministry of Finance have brought a number of stakeholders together from Municipalities and property owners and major property developers. These discussions, and discussions we have held with our BIAs, encouraged us to request that the Vacant Unit Rebate only affect at the "main street level" and not the office towers.

With the consultation that we have undertaken, we are proposing that instead of a Vacant Unit Rebate, this become an economic development tool for local communities, calling it an "Attraction Rebate" (see above chart). We have spoken with many BIAs and Municipalities and, through consultation, developed an outline for this program as a tool, which would include receiving a rebate only if specifically defined property standards were upheld and even then only for a limited number of years. It was felt vacancies, where no property standards were in effect, are a disincentive to lease and that if the Vacant Unit Rebate could be applied as a tool to leverage property standards that properties that are vacant would/could be moved from a 'derelict' look to one where there was a prospect of rental. The ability to receive a 30% rebate on taxes (and BIA levy) has been shown to allow derelict properties to flourish and have a

negative effect on surrounding properties – a spiraling downward trend that is disturbing to our main streets.

Finally, we see this tool as a way to provide financial support to the BIA area. As it stands now, the vacant land under the Vacant Unit Rebate receives up to a 30% rebate. If the "Attraction Rebate" was put into practice as an Economic Development Tool, once the rebate is removed, the 30% gain by the municipality and the BIA could be put back into the community to aid revitalization efforts. When a BIA creates its budget and one property receives a 30% rebate, the levy requirements of the BIA Assessment must be placed onto the other properties. Removing the Vacant Unit rebate would, therefore, allow for a fairer, more equitable distribution of the levy.

In the sample below, you see that in the Vacant Land Class, the BIA only receives $6,662 and if the Vacant Unit Rebate was not available, the BIA would receive $8,660; a difference of almost $2,000 that other tenanted properties, within the BIA, are presently paying.

Amount to levy:	$	1,156,105

Class	RTC	RTQ	Total	Ratio	Vacancy Factor	Rate	Levy
Commercial - Payment in Lieu - Federal	C	F	10,832,000	1.98	1.00	0.00293488	$ 31,791
Commercial - Payment in Lieu - Province	C	G	2,023,000	1.98	1.00	0.00293488	$ 5,937
Commercial, taxable at full rate	C	T	285,428,448	1.98	1.00	0.00293488	$ 837,698
Excess Land, taxable at excess land rate	C	U	1,055,937	1.98	0.70	0.00205442	$ 2,169
Vacant Land, taxable at vacant land rate	C	X	3,242,900	1.98	0.70	0.00205442	$ 6,662
Large Office, taxable at full rate	D	T	39,008,780	1.98	1.00	0.00293488	$ 114,486
Parking Lot - PIL - Full Taxable	G	F	11,686,230	1.98	1.00	0.00293488	$ 34,298
Parking Lot, taxable at full rate	G	T	10,614,063	1.98	1.00	0.00293488	$ 31,151
Industrial - Full Taxable former PIL asmt	I	H	85,770	2.63	1.00	0.00389835	$ 334
New Construction Commercial, taxable at full rate	X	T	23,659,750	1.98	1.00	0.00293488	$ 69,439
New Con. Office, taxable at full rate	Y	T	7,543,520	1.98	1.00	0.00293488	$ 22,139
			395,180,398				**$ 1,156,105**

OBIAA understands its members. In the Municipal Act, it clearly states that a member of a BIA is both the property owner (commercially assessed) and the tenant. In weighting our decisions and our suggestions, we understand we must consult with both and have done so.

- Created and disseminated media releases to members (440), partner organizations (AMCTO, AMO, EDCO, etc.) (60), municipal representatives (Heads of Council - 385)
- Engaged conversation through Social Media

Through our consultations and the information received through our Return on Investment project, we have kept Councils informed of our stand on the Vacant Unit Rebate. Via the above-noted vehicles we are informing Councils of our multi-year economic development tool "*Attraction Rebate".

*(see above: **Attraction Rebate for Main Street Class)**.

Possible Solutions

We applaud the suggested changes by the Ministry of Finance in their Vacancy Rebate and Reduction Program Changes. In this partnership between the province and OBIAA, we want to be able to provide education, training and sample materials to municipalities and BIAs on how they might choose to use this new legislation. We propose striking a working committee that would include provincial stakeholders, such as representatives from MMAH, AMCTO, BIA representatives and municipal staff, with the objective to create communications materials, sample bylaws (in clear terms) and best practices.

Testimonial:

Before purchasing a commercial property in heritage district of Collingwood my personal opinion on the vacant commercial space tax rebate program was that it was ridiculous and favoured speculators over communities.

After purchasing 78 Hurontario which was in a dilapidated and vacant state, we immediately began a restoration process. This process included a timely application for building permit and project execution within 12 months. During this short term period/experience I would say the rebate is entirely helpful to me as a redeveloper and to the community in supporting reinvestment (I am investing over $400K in the restorations). In fact I would support a larger rebate (50%?). However, if I was not actively trying to lease/rent (at fair market value) or actively renovating (I recommend a max 2-3 year total time frame) then a rebate would not be appropriate. In fact such a speculation on unused land should be penalized not supported by the tax structure.

I might also recommend the Vacant Unit Rebate title be changed to "Development Incentive Rebate".

Best regards,

Andrew Conway P.Eng.
Vice President | CHEMFIL

SUCCESSES: ACCESSIBILITY

Issues:	Accessibility Project 1: EnAbling Change	Accessibility Project 2: Accessibility Smart Businesses
Our basic downtown infrastructure has not changed radically since the 1960's, although many outside influences have changed. Limited accessibility has always been there. New awareness, changing demographics, an aging population and new legislation, which has been introduced to break down the barriers, has changed this landscape. OBIAA, therefore, is presenting some challenges and recommendations that will align with these changes and help to make our 'Main Streets' more accessible. **Challenges:** 1. **Physical Barriers at street level:** • Buildings that don't align with sidewalks 'Stop Gap' resistance: many municipalities consider the ramp an unacceptable encroachment, a trip hazard. *See Success/Challenge Story #1* 2. **Access to upper stories and basements:** • Intensification and better use of built form: vacant second stories renovated to apartments, offices, retail. For example Zoning, Official Plan, Development Plan, CIPs • Commercial demand: street level rents prohibit some uses which could either go to upper stories or basements in the same building, or move out of the BIA to cheaper street level alternatives. • Mixed use: "Places to Grow" promotes live/work	In 2014/2015, OBIAA set out to educate BIAs and their local businesses throughout Ontario about the AODA through a broad and comprehensive provincial outreach and engagement strategy. OBIAA's project involved sharing tools, resources, and best practices, as well as offering workshops, webinars and other various methodologies to ensure that local businesses (and BIAs by extension) understood and met their obligations under the AODA. Below is a list of highlights of Phase 1 of that project: • Hired a Project Manager who was an industry and subject matter expert • Established 13 member Advisory Committee and held 5 meetings • Established 4 member Steering Committee to guide the project and provide input, direction and expertise. This group held monthly conference calls. • Created a work plan, implementation plan and critical path to ensure optimum project success • Developed and implemented a pre project survey to ensure we met the needs of BIAs • Organized, implemented and hosted 20 workshops across Ontario with 1000 participants • Delivered 4 webinars on the following topics; Accessibility and the Built Environment, AODA Guidelines – an Overview, Best Practices for Accessible Tourism and Tips for Hosting Accessible Events. 120 participants. All webinars were recorded and are regularly referenced.	Phase II of our project aimed to increase awareness and education amongst the BIA business members of the value of employing people with disabilities and provide businesses with additional resources to do so. We wanted to make AODA compliance information more easily accessible. Below is a list of the highlights of that project: • Created 12 person Advisory Committee. 4 meetings representing 10 organizations • Developed critical path to follow and plan project benchmarks and ensure optimal success • Developed curated Information Kits for all Ontario BIAs. These kits were themed; The AODA, Employment Myths, Hiring Fears, Barriers, Business Benefits, Employment Supports, and Funding • Published 4 AODA Case studies to identify and exemplify accessibility champions • Updated AODA BIA Handbook • Published 7 Newsletters • Developed Branding for the information Kits including; a banner, a logo and an icon • Created an Employers Engagement Campaign to inspire and educate employers about hiring employees with disabilities - primarily used social media platforms • Delivered 3 Employer Forums; Hamilton, Collingwood, Peterborough totaling 110 participants • Hosted 2 Open Calls for 19 BIA Staff and board members • Delivered 5 Accessibility Community of Practice conference calls totaling 60 participants and 21 organizations

	• Developed, produced and distributed an AODA Handbook for BIAs full of guidelines, tips, FAQs, best practices and applicable legislation • Published 4 issues of a project newsletter for distribution to all BIA's in Ontario • Enhanced website presence with a dedicated series of AODA guidelines and other relevant information • Created and implemented a communications and marketing plan to ensure maximum awareness and participation in all programs • Creation of a Main Street Accessibility Award, which is presented annually at the OBIAA Conference. The award is intended to highlight best practices and innovative solutions. 294 attendees • Created a sustainability plan to ensure future success and continuance of projects • Created evaluation framework to determine impact of the project including a post project survey Through the project, our message directly reached **643,705** individuals and organizations and we indirectly reached **431,256**.	• BIA Governance Training enhanced to include accessibility as one of the training topics • Enhanced BIA AODA website pages totaling 1040 page views • Hosted workshop and plenary session at Annual BIA Conference • Developed BIA e-newsletter content for 12 BIA newsletter issues • Created evaluation framework to determine impact of the project

Results

These Accessibility projects were deemed so successful that our Advisory Committee recommended that OBIAA consider passing a resolution for the BIAs to include accessibility as part of their strategic plans. With full support, the OBIAA Board resolved that:

"BIAS WILL INCORPORATE ACCESSIBILITY FOR PERSONS WITH DISABILITIES AS A STRATEGIC FOCUS IN THEIR ANNUAL PLANNING"

This was done to encourage the embedding of accessibility in the practices, policies and procedures of Ontario BIAs and to empower BIA staff to increase their engagement with the work of accessibility. We thank the Accessibility Directorate for our past partnership opportunities and look forward to continuing our advances of accessibility issues and opportunities in BIAs.

2017 PERL OPPORTUNITIES: RED TAPE TASKFORCE

Issues:	Challenges:	Possible Solutions:
Red Tape continues to be identified by our membership as one of the top three hardships in their ability to compete, sustain themselves and create jobs and wealth for Ontarians.	While many of these types of regulations can be effective and even protect public interests, they can also stifle economic growth, impose high costs on businesses and impede private sector investment. We understand that this government, through the Ministry of Economic Development and Growth, has established a Task Force to deal with Red Tape, but in review of the consultations, which include automotive parts manufacturing, food processing, financial services, mining, chemical manufacturing and forestry, we note small business is not included.	Our objective is to be included in this Task Force initiative with the end goal being to allow businesses across Ontario to operate in a modernized regulatory system that provides them with the flexibility they need to serve their customers. We are recommending OBIAA be a voice for reducing red tape for small businesses and Ontario “Main Streets” (BIAs).

2017 PERL OPPORTUNITIES: DATA COLLECTION

Return on Investment of **BIAs**

Issues:	Challenges:	Possible Solutions:
OBIAA is seeking critical research and needs the support of the Province to 'make the business case for BIAs' in a community, and province-wide. Partnering to define project objectives from a business perspective, to convert this knowledge into a data mining strategy and complete a preliminary project plan. The strategic goal is to quantify the 'return on investment' for the support and economic impact of BIAs. We understand the Province, through various reports and surveys, such as the MMAH's Financial Information Report (FIR), has resources and capabilities to assist in gathering this data. Together we could: • Identify the type of information required • Identify the information gaps • Aggregate the various data (Economic Impact of BIAs, Return on Investment, Community Development Initiatives (CIPs) • Produce reports that are easily interpreted through a BIA lens to support our community development efforts	OBIAA does not have data to support youth employment; we can cite many examples of youth's first jobs being in their local community/BIA, whether in the local market or ice cream parlour. Our BIAs employ many students through programs such as the Summer Experience Program. This type of data can only be collected by the Province.	Through the PERL Secretariat, we are advocating for a multi-ministry partnership with OBIAA to launch a research project to gather available data to understand and quantify the economic impact of BIA's and their stakeholders. *This partnership could involve:* • University Research • Identifying Potential Grants • Adding questions to MMAH's FIR • Aggregating all appropriate data available throughout various Ministries • Identifying Data Sets and gaps

Results

Based on our submission to PERL in 2015, the Ministry of Municipal Affairs worked with OBIAA to create a Transfer Payment Agreement (TPA) for a Return on Investment Project.

The goal of the project includes four (4) phases to determine the return on investment and to 'quantify and qualify' the economic and community impact of provincial Business Improvement Areas (BIA). The project will ultimately provide the success factors of the current and future state of BIAs. It is intended that the information will assist the

Province, OBIAA and municipalities in guiding future economic development and community planning decision-making in a changing economy. The project did identify the need for success benchmarks for future trending and tools that would be implemented by BIAs and their municipalities to assist in determining the state and needs of local economies as well as future data collection.

The ROI on BIAs Final Report will address the importance of gathering current data and to understanding and addressing gaps in the required data. This work will help with identifying the need to provide tools, templates and possibly training to BIAs and to allow BIAs to gather socio-economic data easily.

The ROI on BIAs Project four (4) phases are:

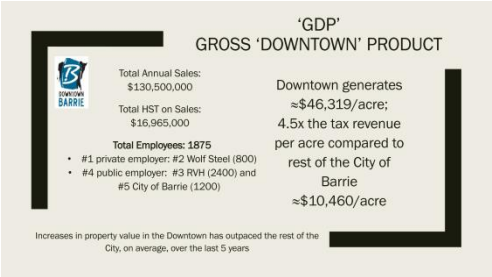
PHASE I – Background Research
PHASE II – Establishing the Indicators
PHASE III – Data Analysis and Monitoring Implementation
PHASE IV – Knowledge Sharing

The project has just concluded Phase III and as it launches Phase IV, we are taking the opportunity to begin our sharing of the key findings with you, the PERL Deputy Ministers (See Appendix D). The ROI Project Team anticipates submitting our Final Report to the Ministry of Municipal Affairs at the end of this month.

It is our intention to present the Executive Summary and Key Findings and share with you an overview of the project at the PERL Meeting on March 8, 2017.

As we approach the completion of the ROI on BIAs Final Report, gaps and further issues are emerging. Many data sets could not be accessed, due to lack of time and resources under the existing parameters of the TPA, resulting in a further Partnership Opportunity request.

2017 PERL OPPORTUNITIES: DATA COLLECTION – PART TWO

Issues:	Challenges:	Possible Solutions:
OBIAA submitted our proposal to the Ministry of Municipal Affairs, subsequent to our PERL 2015 submission. In that submission, OBIAA clearly identified we would be identifying data gaps as well as undertaking a jurisdictional review of how municipalities track and evaluate the role of BIAs. The Return on Investment of BIAs is focused on capacity building and, as such, is not a report card on our BIAs. OBIAA's goal is to be a catalyst for positive community and economic change, enabling growth in Ontario BIAs. So this project, we hope, will help BIAs around the province increase their capacity and understanding in order to position themselves as historically rooted, recognized and respected community and business hubs. We were challenged, as a team, to determine the indicators of success to find the data we required and to create an informative and useful Final Report. We knew from the beginning that it would be a difficult task; that there would be data gaps and that this Final Report could not or should not be final. We recognize the need for ongoing data collection, a repository for the data and for ongoing reporting.	The challenges were many; such as determining the indicators, as well as accessing the data that was available. The Project Team approached MPAC and Stats Canada in order to gather available data to discover obtaining the data was outside of the financial scope of the project. Additionally, municipalities reported being overburdened with work and therefore receiving their data sets based on the GIS files was difficult. While we found that each municipality had different and varying data sets and collections, we commend those municipalities who understood the value of the work we were doing and assisted us. Finally, we realized the project, in order to have future relevance, had to become a baseline for our information. To determine growth in capacity, OBIAA has to continue to measure and analyze the economic and social impact of our BIAs. The "Gross District Product" or "Gross Downtown Product" (GDP) was identified as a tangible calculation, as defined by sales data, land area denominators and employment (see Barrie BIA diagram below).  	OBIAA would like to submit a second proposal to continue this work to determine: 1. How to close the data gaps 2. Creation or identification of a centralized data portal (who and where) 3. Funding to reach data that was previously financially unobtainable 4. French translation of the Final Report 5. Changes to MMAH's Financial Information Report (FIR) and understanding of ongoing analysis of the FIR 6. Collaboration in capacity building for OBIAA and BIAs in order to continue to support small business and community development 7. Tool development for BIAs to use to track their GDP as well as education of BIAs in the use and importance of data collection

SECTION THREE

APPENDIX

APPENDIX A: Open For Business Consultation 2014

Open For Business Priority 1

Provide Clarity and Improve Awareness of Compliance Obligations under the Accessibility

Background:

BIAs and their members have two primary concerns with regard to compliance:
1) Physical upgrades to their buildings; especially heritage buildings
2) Awareness about accessibility standards for customer service.

Results:

- OBIAA submitted two (2) EnAbling Change grant applications. As a result OBIAA has held 25 workshops across the province with business and BIAs.
- Four (4) Webinars and have posted many templates on our website - http://obiaa.com/accessibility/
- OBIAA has been proactive in engaging and communicating with their members by distributing information, templates, best practices, training, etc.

OUTCOME: This continued to be a strong priority and was brought forward to PERL 2015 and 2017. OBIAA continues to champion Accessibility on behalf of our members. See PERL Reports 2015 and 2017.

Open For Business Priority 2 & 3

Priority 2 – Tourism Oriented Directional Signs (TODS) Program

Background:

This priority focuses on working with the province to make the application process, including availability of signs, and criteria related to sign locations, more accessible and applicable. To address:

- BIAs frustration about the application process
- Restrictions on # of TODS signs permitted in an area

Results:

- More rural downtown, trail access points, museums and cultural centres to qualify for signage
- Strengthening program awareness and service delivery
- Introducing new generic icons for a wide range of sign categories to be made available in late 2015 (including a rural downtown icon

OUTCOME: The Ministry of Tourism, Culture and Sport changed the criteria for rural downtowns, raising the threshold from populations of 10,000 to populations of 20,000 and introduced a Rural Downtowns Logo with OBIAA consultation

Priority 3 – Regional Tourism Organizations (RTOs)

Background:

BIAs have indicated that there is no "one access point" for them to engage with all the RTOs. BIAs would like to have a more direct connection and recognition when working with Regional Tourism Organizations to help brand and market downtown shopping areas and bring attention to BIA features and events.

Results:

The results are ongoing as OBIAA has met with the RTO's, in a face-to-face meeting and has begun dialogue with this important sector and are currently engaged in finding ways for the RTOs to participate in our 2016 BIA Conference in London, ON – April 10 to 13, 2016. Working ongoing.

OUTCOMES:

- The OBIAA met to present its priorities at a RTO executive directors meeting and RTO executive directors were advised of National BIA Conference.
- Another outcome of the OFB Roundtable process was confirming the appointment of a MTCS Ministry Liaison to OBIAA's Board.

Open For Business Priority 4

Streamline and Simplify Information related to Festivals and Events Permitting

Background:

OBIAA, with the assistance of Service Ontario was/is

Results:

We targeted Municipalities to begin a test pilot tool for an All-In-

looking for a way to Streamline and Simplify Information related to Festivals and Events Permitting	One online application in ONe-Source for Business, we have yet to have more than one Municipality express interest in working with OBIAA and Service Ontario to provide a test pilot. Identifying and confirming Municipalities is still ongoing. **OUTCOME:** OBIAA brought in Festival and Events Ontario (FEO) to partner on this specific project. Together ServiceOntario, FEO and OBIAA have continued to champion this priority and are in the process of working with a pilot Municipality to launch a test.
Open For Business Priority 5 **Establishment of an OBIAA Forum for Working Across Provincial Government**	
Background: Businesses on Ontario's main streets, through BIAs and OBIAA, need to deal with multiple ministries on multiple issues. OBIAA asked for the establishment of a multi-ministry forum to help address long-term and strategic priorities.	**Results:** The MMAH aligned this priority with the Planning, Environment, Resources and Land Deputy Ministers committee, where OBIAA presented for the first time in October of 2014. **OUTCOME:** OBIAA met with PERL Deputy Ministers in 2014, 2015 and again in 2017, and is successfully completing our first joint project on the Return of Investments of BIAs (ROI on BIAs).

APPENDIX B: PERL Deputy Ministers' Meeting 2014

Priority 1: Vacant Unit Rebate

Background: Vacant properties exist within our BIAs. Owners of these vacant properties are entitled to apply for a Vacant Unit Rebate 364. (1). Without the incentive to develop or seek a lease, often these vacant properties deteriorate reducing the assessment value of the area and negatively impacting the visual appearance of our main streets.

Possible Solution(s):	Results:
• Adopt a property standards policy to coincide with the rebate • A joint strategy between BIAs and the province should be established to promote tenantable property within a Downtown • Update policy to include a sunset clause so it ends at a pre-determined time or graduated rebate • Adopt a strategy that aligns Vacant Unit Rebate with tenancy incentives • "Attraction Rebate" rather than Vacant Unit Rebate	• OBIAA has begun to develop an "Attraction Rebate" for consideration and will be submitting this in the PERL 2015 Report, under Priority Three (3) - Assessment

Priority 2: Importance of Government Agencies' location to BIAs

Background: In many places Government Agencies are a large employer and they also attract people seeking the services they offer. Decisions to relocate outside of a BIA can have a significant negative economic impact on the BIA area.

Possible Solution(s):	Results:

• Government institutions add shoppers (government employees) to the community
• Attract residents/customer base to these institutions.
• Often an un-tenantable building.
• OBIAA suggested a Policy Statement be developed for communication to all government assets/agencies that addresses:
  ○ Social, economic and environmental impact of relocation outside of a 'downtown/core historical area'
  ○ Engagement of the local BIA
  ○ Encourage conscious decision to locate in their downtowns to support their vibrancy
	As a follow up to this concern, we note that the Ministry of Finance has been tasked with looking at ways to maximize the value of Government assets and we request that the our BIAs (and their Business Members) are brought into consideration in making the decisions, over the future of these assets and specifically, how they may benefit downtowns. This Priority is still pending and OBIAA is addressing these buildings further with Priority Three (3) – Assessment
	
	OUTCOME: This issue continues to be a major priority to OBIAA and we echoed these concerns again at PERL 2015.

Priority 3: Funding for BIAs beyond the Levy

Background: BIAs are restricted by regulations that prevent them from applying solely to programs that would allow them to initiate projects that would have broad community benefit – such as Ontario Trillium Fund and programs that focus on arts and culture. As well, BIA should have the opportunity to make application for small scale infrastructure projects without the need to partner with the municipality

Possible Solution(s):	Results:
• Review status of BIAs as potential funding applicants • Separate stream for BIAs for small infrastructure projects • Access to funding as a primary applicant • OBIAA become a granting body and/or a resource of funding programs for BIAs	• OBIAA will be making a submission to the MMAH on the status and definition of a BIA as a part of their Legislative Review • Priority One (1) of the 2015 PERL Report will focus on the Legislative Review of the Municipal Act **OUTCOME:** In 2015, OBIAA submitted recommended changes to the Municipal Act, section 204 regarding the status of BIAs. Unfortunately for our BIAs, Section 204 remains unchanged.

	See PERL 2015 and 2017, Municipal Act Submission.
Priority 4: Employee Health Tax (EHT) – BIAs **Background: BIAs are ABCs (Agencies, Boards or Commissions) of Ontario Municipalities. The BIA's Municipality claims the $475,000 EHT exemption and applies it to their payroll. Therefore no allowable exemption remain for BIA payrolls, or to any of the other ABCs of the Municipality. BIAs are Local Boards of the Municipality, and are non-profit and often small employers. This places undue hardship on the BIA and their business members who pay an additional levy to the BIA (BIAs are self-funded).**	
Possible Solution(s): • Exemption should apply separately to BIA payrolls not be shared with the Municipality payroll • Amnesty period should be applied to back assessments • Starting in 2014, EHT payments should be required • Past years should not be requested • Penalty charges should be waived	**Results:** • OBIAA will be making a submission to the MMAH on the status and definition of a BIA as a part of their Legislative Review • Priority One (1) of the 2015 PERL Report will focus on the Legislative Review of the Municipal Act **OUTCOME:** In 2015, OBIAA submitted recommended changes to the Municipal Act, section 204 regarding the status of BIAs. Unfortunately for our BIAs, Section 204 remains unchanged.
Priority 5: Definition of Small Business **Background: Small business is the engine of the economy, however the 'definition of small business' is not clearly defined, with different levels of government definitions varying. A unified definition of small business is critical for government in order to capture the economic contribution and value of small business.**	
Possible Solution(s): • "Main Street" businesses are unique in industry standards and should be defined separately/differently • Development of consistent definition for small business • Create a class/definition that clearly defines "Main Street" type businesses • Measure the economic and employment impact of local Small Business	**Results:** • MMAH indicated the MEDEI will review its Business Enterprise Centres to identify additional data concerning downtowns as important indicators of prosperity. Still Pending • OBIAA to continue to work on defining and reclassifying BIA member businesses with the goal of highlighting the value-added by vibrant downtowns and Main Streets • OBIAA continues this discussion in the 2015 PERL Report under the Data Collection section **OUTCOME:** No definition of Small Business has been determined. OBIAA and MMA are working in partnership to determine the ROI on BIAs. See PERL 2015 and 2017.

APPENDIX C: 2015 PERL PRIORITIES EXECUTIVE SUMMARY

PRIORITY #1: MUNICIPAL ACT

Background: In October, OBIAA will be submitting a positioning paper regarding the Municipal Act Review.

Possible Solutions:	Results:
• **Definition of BIAs:** We ask that the definition of a BIA be expanded and amended to include 204. (1) (b) as follows: *"to promote the area as: economic development, community and place-making, living space, attracting tourists, employment hubs"* • **BIAs as Local Boards:** A clear statement on the ways in which BIAs differ (diverge) from other local boards. • **Interpretation of the Municipal Act (204-216):** A clear statement that Section 216 does not apply to BIAs.	We are taking this opportunity to present our recommendations to the PERL Deputy Minister's Committee to gain insight and your understanding in order to garner support and inform our recommendations. **OUTCOME:** In 2015, OBIAA submitted recommended changes to the Municipal Act, section 204 regarding the status of BIAs. Unfortunately for our BIAs, Section 204 remains unchanged. See PERL 2017.

PRIORITY #2: HISTORIC BUILT FORM ACCESSIBILITY

Background: Our basic downtown infrastructure has not changed radically since the 1960's, although many outside influences have changed. Limited accessibility has always been there. New awareness, changing demographics, an aging population and new legislation, which has been introduced to break down the barriers, has changed this landscape.

Possible Solutions:	Results:
• **Physical Barriers at Street Level:** Encourage municipalities to find ways to make temporary solutions like 'Stop Gap' work. When helping with infrastructure programs include improving accessibility at street level as a condition. • **Access to Upper Storeys and Basements:** Clarify accessibility requirements for festivals, events, and agencies receiving Provincial funding; establish support through direct funding or tax incentives (CIPs) to renovate for accessibility in upper floors and basements.	We are taking this opportunity to present our recommendations to the PERL Deputy Minister's Committee to encourage the Province to aid municipalities for improved accessibility guidance in Historic Built Form. **OUTCOME:** Review of successes to date at PERL 2017.

PRIORITY #3: ASSESSMENT

Background: Assessment is a complex and broad topic. It has many different elements to consider that can have a profound effect on a BIA's operation and ultimate success. The following related issues, as identified by local BIA Boards and/or their members, are considered very important:

1. Vacant Unit Rebate
2. Municipal Property Assessment Corporation (MPAC)
3. Government Building Exemptions

1. **Attraction Rebate for Main Street Class** (non-office towers): Year One - 100% of the 30% (Commercial) or 35% (Industrial); Year Two - 50 % of the 30% or 35%; Year Three - 25 % of the 30% or 35%; Year Four - 0% of the 30% or 35%. 2. **MPAC Methodology:** We recommend and request that property assessment in/on Ontario Main Streets/BIAs be reflective of 'current use' versus future potential valuation. 3. **Government Building Exemptions:** We submit that the province should lead by recognizing that where their operations are located within BIA designated zones, the for-profit enterprise should contribute to the local BIA levy.	We are taking this opportunity to present our recommendations to the PERL Deputy Minister's Committee to encourage appropriate Ministries to assist OBIAA with the implementation of our recommendations. **OUTCOMES:** 1. **Attraction Rebate for Main Street Class** (Vacant Unit Rebate): OBIAA has participated in the Ministry of Finance Business Tax Capping & Vacancy Review. A repeal of the Vacant Unit Rebate is in second reading at the Provincial Legislature. 2. **MPAC Methodology:** OBIAA has been invited to participate in MPAC's new Industry Liaison Group (ILG) 3. **Government Building Exemptions:** Nothing to report.

Return on Investment of **BIAs**

PARTNERSHIP OPPORTUNITY: DATA COLLECTION

Background: The current challenge is the inability to quantify the 'return on investment' for the community vitality and economic impact of BIAs.

Background: Through the PERL Secretariat, we are advocating for a multi-ministry partnership with OBIAA to launch a research project with the objective of gathering available data to understand and quantify the economic impact of BIA's and their stakeholders. This requires partnering to define project objectives from a business perspective, to convert this knowledge into a data mining strategy and complete a preliminary project plan. *This partnership could involve University research, identifying potential Grants, adding questions to MMAH's FIR, aggregating all appropriate data available throughout various Ministries*	**Results:** OBIAA is seeking ways and means to increase our capacity, understanding that this type of research is critical. OBIAA needs the support of the Province to 'make the business case for BIAs' in a community, and province-wide data collection initiative. **OUTCOMES:** See 2017 PERL Submission and results of the Transfer Payment Agreement between MMA and OBIAA – Return on Investment of BIAs Project.

APPENDIX D: Return on Investment Status Report – December 23, 2016

The summary includes:

- Activities completed to date
- Key findings
- Variances from the Transfer Payment Agreements (TPA)
- Review of the project schedule and anticipated completion dates

Key Milestones Achieved	
PHASE 1	/ All tasks in Phase 1 of the project have been completed. / The background research report has been updated and released to the membership and public through a media release.
PHASE 2	/ All tasks in Phase 2 have been completed. / Please note Task 2.6a Request for additional funding sits outside the scope of the TPA.
PHASE 3	/ Work on Task 3.1 underway and extensive. / Key interviews proposed in Task 3.2 held off until Feb 2017 as municipal outreach best served to help identify how to address gaps in data capture. / Weekly survey question implemented to gain feedback from membership as part of Task 3.2.
PHASE 4	/ Final report structure finalized. / Communications plan not commenced.

Key Findings and Outcomes to Date	
Consultation	/ Response rates are consistent across the weeks completed to date. Although numbers aren't high enough to provide significant sample. / Some glitches in the feedback through the survey / Summaries of consultation activities to date can be prepared for input into final report, including Webinar #1, Survey #1, Summary of Weekly Questions Survey to date, AC Meetings. / Webinar #2 scheduled for Jan 17/17: o Add a question to the membership – "How do you want to be engaged?" o Quick discussion on Dec 19th at 10AM to check in before break
Data Analysis	/ Feedback from municipalities on the data sheet has been patchy. Extended the deadline until mid January 2017. o 7 Data Agreements back. o 41 shape files received. o 0 data sheets completed…….although approximately 30 muncipalities have work underway. / MPAC data is cost prohibitive under the terms of the TPA. Assessment indicator will need to be identified as a future ask, and existing gap. / Real Estate Board sales values will be beneficial to demonstrate uplift vs decline. / City of Toronto data access and BIA engagement to be encouraged and explored in the new year. / Final Cut Off Date for receiving data for final report is JANUARY 15th, 2017.
Communication	/ Evite for Webinar #2 sent to membership. / Social media content generated for early January 2017. / Release of consultation summary report scheduled for Early February 2017.

The Advisory Committee committed to the following BIA Story to provide a basis for the report:

A BIA is integral to advancing a distinct, livable, vibrant and resilient business district within their local community.

The Advisory Committee agreed on the following Audiences that this report will speak to:

- Government (Municipal, Provincial, and Federal)
- BIA Membership (Property Owners, Business Owners)
- Community/Broader Public (Neighbourhood Associations, Institutions, Industry outside of the BIA)

The Advisory Committee agreed on the final indicator set for the project.

- *4 major themes*
  - *Street appeal*
  - *Economic Development*
  - *Supporting Local Business*
  - Community Building
- 45 indicators, grouped to a collective set of 30 indicators.
- Attached list for reference.

Project Schedule

The project schedule is attached for reference. To date, the project has completed work up to task 2.2. *Notes when reviewing:*

- The light grey timeline reflects the schedule initially outlined the Transfer Payment Agreement with MMAH
- The dark grey timeline reflects the schedule proposed at the start of the project on April 19, 2016
- The *italic tasks* have been added to the schedule as part of the project program, but were not considered in the original TPA.
- Key Milestones:
  - Webinar #2 – January 17th
  - AC Meeting #6 (Last one, in person) – February 23rd
  - PERL Committee Meeting – March 8th
  - Final report deliverable – end of March 2017
  - OBIAA Conference – April 3rd, 2017

Variances from Transfer Payment Agreement (TPA)

Start Up:	/ Project Kick Off meeting 5 weeks after scheduled start in TPA; / Additional time and effort spent on retaining Advisory Committee members that represented a broad spectrum of expertise and BIA and Municipal leaders, and also reflected the regions of the province. (urban vs rural, central/eastern/western/northern representation, a variety of areas of specialization etc.) / Communications and consultation plan completed delayed until consultant appointed to finalize / Overall phase completed in line with preliminary project timeline
PHASE 1:	/ Background Report draft issue on target with circulation on August 26, 2016. Final completion delayed until Mid-September while we await results of Survey and Interview Findings. Does not affect timeline for deliverables / Overall phase completed 12 weeks after TPA target, but in line with preliminary timeline / Phase 2 and 3 tasks initiated early/ overlapped to make up time.
PHASE 2:	/ Survey issue delayed by one (1) week while questions reviewed and finalized / Advisory Committee Meeting #4 shifted by 2 weeks, to allow the final indicators to be selected post – feedback from Webinar #1 / Confirmation of indicators and hierarchy brought forward to November 1, 2016 – to allow for the entire month of November to be focused on indicator tracking/data capture / Overall phase tracking for completion early December 2016, 12 weeks after TPA target, but in line with preliminary timeline
PHASE 3:	/ Data findings and gap identification well underway. / Work commenced in September, brought forward by 12 weeks to overlap on schedule and make up time. / Note: Tasks 2.5 and 3.1 overlap, allowing for time in the schedule to be consolidated

	/ In place of key municipal contact interviews, the project team decided to reach out via weekly survey question to membership. The "Wednesday Weekly Question" survey has run for the past 7 weeks. Results are currently being tabulated. / Overall phase tracking for completion late February 2016, 8 weeks after TPA timeline but in line with preliminary timeline
PHASE 4:	/ Final report structure discussed. Work to commence in January 2017. / Communications plan not initiated as yet. / Final report deliverable on track for completion end of March 2017.

Appendix D – ROI ON BIAS - Financials

	Phase 1	Phase 2	Phase 3	Phase 4	Budget Total	Actuals Total
OBIAA Expenses	$ 10,500.00	$ 3,750.00	$ 6,000.00	$ 2,250.00	$ 22,500.00	$ 3,911.63
Project Management	$ 17,500.00	$ 3,750.00	$ 6,000.00	$ 2,250.00	$ 29,500.00	$ 25,937.75
Advisory Committee	$ 3,500.00	$ 1,250.00	$ 2,000.00	$ 750.00	$ 7,500.00	$ 5,869.11
Consultants						
Preliminary Background Research	$ 14,000.00	$ -	$ -		$ 14,000.00	$ 10,829.00
Jurisdictional Scan	$ 14,000.00	$ -	$ -		$ 14,000.00	$ 20,421.00
Consultation Plan	$ 3,500.00	$ -	$ -		$ 3,500.00	$ 10,000.00
Research - Survey Interviews, Determining Ind	$ -	$ 12,500.00	$ -	$ -	$ 12,500.00	$ 6,948.00
Gap Analysis	$ -	$ -	$ 6,000.00	$ -	$ 6,000.00	$ 10,000.00
Data Mining	$ -	$ -	$ 20,000.00	$ -	$ 20,000.00	$ -
Final Report	$ -	$ -	$ -	$ 4,500.00	$ 4,500.00	$ -
Graphic Design, Printing & Distribution	$ 7,000.00	$ 2,500.00	$ -	$ 3,750.00	$ 13,250.00	$ 4,650.00
Translation	$ 1,250.00	$ -	$ -	$ 750.00	$ 2,000.00	$ -
Knowledge Sharing and Communications (Plan)	$ -	$ -	$ -	$ 750.00	$ 750.00	$ -
	$ 71,250.00	$ 23,750.00	$ 40,000.00	$ 15,000.00	$ 150,000.00	$ 98,566.49
Received from MMAH	$ 70,000.00	$ 25,000.00			*$ 95,000.00*	

Appendix 2 – ROI ON BIAS – Workplan

ONTARIO BUSINESS IMPROVEMENT AREA ASSOCIATION PROJECT WORK PROGRAM		TPA DATE	TARGET DATE
START-UP			
1.1	Start Up and Kick-off Meeting with MMAH	March 15, 2016	April 19, 2016
1.1a	*Preliminary Project Meeting - Introduction of committee and decision process*	*N/A*	*April 26, 2016*
1.1b	*Applications for Advisory Committee Members*	*N/A*	*May 6-24, 2016*
1.1c	*Expressions of Interest for Project Work + Appointment of Project Team*	*N/A*	*Mid May-June 14, 2016*
1.2	Consultation + Communication Plan	April 1, 2016	July 15, 2016
1.2a	*Project Brand*	*N/A*	*June 17, 2016*
1.2b	*Media Release to Mayors across Province*	*N/A*	*July 26, 2016*
PHASE 1 - BACKGROUND RESEARCH			
1.3	Preliminary Background Research	April 15, 2016	Late July 2016
1.3a	*OBIAA Advisory Committee Meeting #1 - Kick Off*	*N/A*	*June 30, 2016*
1.4	Jurisdictional Scan	April 30, 2016	Late July 2016
1.5	Final Background Research and Best Practices Report	May 31, 2016	Early August 2016
1.6	OBIAA Advisory Committee Meeting #2 - Presenting background research	Late May 2016	August 11, 2016
1.7	MMAH Report Back	Late May 2016	Late August 2016

PHASE 2 - ESTABLISHING THE INDICATORS			
2.1	Outreach Digital Survey	N/A	July 25, 2016 - August 29, 2016
2.2	Key Interviews - with BIAs and Stakeholders	N/A	Early July-Late August 2016
2.2a	*OBIAA Advisory Committee Meeting # 3- What We Heard + Evaluation Matrix*	*N/A*	*'September 15, 2016*
2.2b	*Webinar #1: Best Practice Overview, Discussion on Indicators*	*N/A*	*October 5, 2016*
2.3	OBIAA Advisory CommitteeMeeting # 4 - Determining Agreed Indicators	Late July 2016	September 29 2016
2.4	Confirmation of Agreed Collective Indicators + Hierarchy	August 31, 2016	Late October-Late Nov 2016
2.5	Preliminary Indicator Tracking	August 31, 2016	Late October-Late Nov 2016
2.6	OBIAA Advisory Committee Meeting #5 - Preliminary Data Analysis Findings	Late August 2016	December 1, 2016
2.6a	*Application Request for Additional Funding Submitted*	*N/A*	*Early December 2016*
2.6b	*OBIAA Board of Directors Meeting*	*N/A*	*October 18-19, 2016*
PHASE 3 - IMPLEMENTING THE MONITORING TOOLS			
3.1	Data Finding + Gap Identification	Late June-Early August 2016	Late Nov 2016-Early Jan 2017
3.1a	*Key Interviews - with municipal staff and BIA executive*	*N/A*	*Late Nov-Late Dec 2016*
3.1b	*Webinar #2: Presenting Selected Indicators, Gaining Feedback*	*N/A*	*January 17, 2017*
3.2	Data Mining	December 30, 2016	Late Nov 2016-Late Feb 2017
3.2b	*OBIAA Board of Directors Meeting*	*N/A*	*January 18-20, 2017*
PHASE 4 - KNOWLEDGE SHARING			
4.1	Development of Phase IV Communication Plan	Late March 2017	Early Jan-Late Feb 2017
4.2	OBIAA Advisory Committee Meeting #6 - Recommendations / Final Report	February 23, 2017	February 23, 2017
4.2a	*OBIAA Board of Directors Meeting*	*N/A*	*March 8-9, 2017*
4.2b	*MMAH Report Back*	*N/A*	*Late March 2017*
4.2c	*Media Release to Mayors across Province*	*N/A*	*Late March 2017*

Vacancy Rebate Review
Frequently Asked Questions

What is a vacancy rebate?

In Ontario, municipalities have been required to provide tax relief to property owners with vacancies in commercial and industrial buildings. A property owner may apply to the rebate program to receive 30% (commercial properties) and 35% (industrial properties) of total property taxes back from the municipality, including the educational portion. A property becomes eligible for a vacancy rebate once it has been declared vacant for 90 consecutive days, and may collect a rebate in perpetuity.

Who benefits from the vacancy rebate?

Only the owners of commercial or industrial-zoned properties that are entirely or partially vacant are eligible for a rebate. It is not a requirement that the property be capable of being leased for immediate occupation. Seasonal and leased properties are not eligible for the rebate. A map of rebate recipients is available at saultstemarie.ca/vacancyrebatereview.

120 properties receive the rebate in Sault Ste. Marie

12 properties receive a rebate of over **$10,000**

3 of these 12 properties are located **downtown**

Shopping centres collect **72%** of SSM's overall rebate funding

Is there a problem with the current system?

Ontario is the only province where commercial and industrial property owners are eligible for a vacant tax unit rebate. Critics of the Vacant Unit Rebate argue it is unfair for taxpayers to compensate other taxpayers for keeping their properties vacant. Currently, it is not mandatory for the property receiving the rebate to be in a condition for immediate leasing. This means properties currently in disrepair are eligible for the rebate.

While proponents of the program argue its value in reducing costs for long-term vacant properties, the program may discourage some property owners from leasing their vacant property, or facilitating renovations and repairs to make the property fit for lease. The rebate also creates a negative incentive for property owners to entertain short-term leases, or rent to ‘pop-up’ or seasonal tenants, which has significant ramifications for people’s perceptions of the vibrancy of downtowns and other commercial corridors. Since MPAC already accounts for chronic vacancies as a factor in identifying assessment values, property owners with long-term vacancies can be viewed as ‘double-dipping’ – receiving a vacancy adjustment on both the assessment value and property taxes.

Furthermore, the current administration of the program is labour intensive. Staff must conduct due diligence on each application, including verifying the duration of the stated vacancy and ensuring applicants satisfy all eligibility criteria.

How does the vacancy rebate impact my taxes?

68% of this tax levy is funded by residential property taxes – for both single and multi-household dwellings. Though residential property owners also experience vacancies, residential-zoned properties are not eligible for the rebate. The City currently budgets $375,000 annually for vacant unit rebates – approximately $10 per taxpayer (excluding administrative costs). When the education portion is included, the total rebate amount is over $500,000.

Vacancy Rebate Review
Frequently Asked Questions

What was the rationale for instituting vacancy rebates in the first place?
The Province of Ontario initiated the Vacancy Rebate Program in 1998. The policy emerged as a tradeoff from landlords' expanded property tax liability resulting from the abolishment of charging business occupancy taxes directly to tenants.

What has the Province proposed?
The Province reviewed the Vacant Unit Rebate and the Vacant/Excess Land Subclasses and is providing municipalities flexibility concerning the implementation of these programs starting in 2017. This change will allow municipalities to tailor the rebate and reduction programs to reflect community needs and priorities and allow local property owners input in the resultant strategy moving forward.

What are some alternative options?

- Keep the program as is.
- Maintain the program but require more stringent eligibility standards – e.g., a property must be vacant for six consecutive months, not three.
- Reduce the rebate from 30% to a lesser amount such as 10%.
- Amend the program to reduce the vacancy rebate over time (e.g., 30% year 1, 20% year 2, 10% year 3 and thereafter).
- Limit the number of years a property is eligible for rebate (e.g., a maximum of three years within a ten year period).
- Limit the geographic area within which properties are eligible for a vacancy rebate.
- Add an administration fee to cover the municipal costs of administering the program.
- Increasing the evidentiary documentation required with the application process to reduce administration costs and enhance the reliability of the applications.
- Incorporate a combination of above alternatives.
- Phase out the program entirely over three years.
- Eliminate the rebate program effective immediately.

What are my comments being used for?
Public input is being sought to inform City staff and Council about the community's opinion – especially local business stakeholders – towards the rebate and potential alternatives. City staff's final recommendation to Council concerning future iterations of the program will be informed by public input, precedent across Northern Ontario municipalities, and an analysis of the program's fiscal ramifications in the context of the overall budget.

For more information, visit saultstemarie.ca/vacancyrebatereview

ELIGIBILITY REQUIREMENTS FORM

THIS FORM MUST ACCOMPANY EVERY COMPLETED APPLICATION FOR REBATE OF PROPERTY TAXES FOR VACANT UNITS – SEE ATTACHED

(PLEASE CHECK ☑ TO CONFIRM ELIGIBILITY)

CATEGORY 1 –COMMERCIAL BUILDINGS THAT ARE ENTIRELY VACANT

A WHOLE COMMERCIAL BUILDING WILL BE ELIGIBLE FOR A REBATE IF:

☐ THE ENTIRE BUILDING WAS UNUSED FOR AT LEAST 90 CONSECUTIVE DAYS. (EXCLUDING TEMPORARY USES) **SEE DESCRIPTION BELOW**

☐ YES ☐ NO HAVE YOU APPLIED IN THE LAST 10 YEARS. (BEGINNING JULY 1, 2017)

IF YES WHAT YEARS _____

CATEGORY 2 – COMMERCIAL BUILDINGS THAT ARE PARTIALLY VACANT

A SUITE OR UNIT WITHIN A **COMMERCIAL BUILDING** WILL BE ELIGIBLE FOR A REBATE IF, FOR AT LEAST 90 CONSECUTIVE DAYS, IT WAS:

☐ UNUSED (EXCLUDING TEMPORARY USES) **SEE DESCRIPTION BELOW**, AND

☐ CLEARLY DELINEATED OR PHYSICALLY SEPARATED FROM THE USED PORTIONS OF THE BUILDING; AND

☐ EITHER ☐ CAPABLE OF BEING LEASED FOR IMMEDIATE OCCUPATION, OR

☐ UNDERGOING OR IN NEED OF REPAIRS OR RENOVATIONS THAT PREVENTED IT FROM BEING AVAILABLE FOR LEASE OR IMMEDIATE OCCUPATION, OR

☐ UNFIT FOR OCCUPATION.

☐ YES ☐ NO HAVE YOU APPLIED IN THE LAST 10 YEARS. (BEGINNING JULY 1, 2017)

IF YES WHEN_____

****TEMPORARY USE WOULD INCLUDE MAKING THE SPACE AVAILABLE FOR CHARITABLE USES, NEW START-UP BUSINESSES AND WINDOW DISPLAYS WHERE NO RENT IS CHARGED ****

EXCLUSIONS

A BUILDING OR PORTION OF A BUILDING WILL NOT BE ELIGIBLE FOR A REBATE IF;

- IT IS USED FOR COMMERCIAL ACTIVITY ON A SEASONAL BASIS;
- IT IS A SHOPPING CENTRE
- DURING THE PERIOD OF VACANCY IT WAS SUBJECT TO A LEASE, THE TERM OF WHICH HAD COMMENCED; OR
- DURING THE PERIOD OF VACANCY IT WAS INCLUDED IN A SUB-CLASS FOR VACANT LAND.

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Jacob Bruzas, CPA, CA, Manager of Audits and Capital Planning**

DEPARTMENT: **Corporate Services**

RE: **Audited Financial Statements - 2016**

PURPOSE
The purpose of this report is to approve the attached draft audited Consolidated Financial Statements for 2016.

BACKGROUND
The Finance Committee met on June 7, 2017 with the City's auditor KPMG LLP, Chartered Professional Accountants, to review the 2016 City financial audit and the following resolution was approved:

Moved by: Councillor, Marchy Bruni

Seconded by: Councillor, Frank Fata

Resolved that the Finance Committee approve the 2016 Financial Statements as presented and recommend to City Council for approval.

CARRIED

ANALYSIS
Not applicable.

FINANCIAL IMPLICATIONS
Not applicable.

STRATEGIC PLAN / POLICY IMPACT
This is not an activity directly related to the Strategic Plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Manager of Audits and Capital Planning dated 2017 06 12 concerning 2016 Financial Statements be received and the recommendation that the audited Consolidated Financial Statements for 2016 be approved.

Respectfully submitted,

Jacob Bruzas
Manager of Audits and Capital Planning
705.759.5356
j.bruzas@cityssm.on

Consolidated Financial Statements of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Year ended December 31, 2016

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Consolidated Financial Statements

Year ended December 31, 2016

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Management's Responsibility for the Consolidated Financial Statements

The accompanying consolidated financial statements of The Corporation of The City of Sault Ste. Marie (the "City") are the responsibility of the City's management and have been prepared in compliance with legislation, and in accordance with Canadian public sector accounting standards. A summary of the significant accounting policies are described in Note 1 to the consolidated financial statements. The preparation of the consolidated financial statements necessarily involves the use of estimates based on management's judgment, particularly when transactions affecting the current accounting period cannot be finalized with certainty until future periods.

The City's management maintains a system of internal controls designed to provide reasonable assurance that assets are safeguarded, transactions are properly authorized and recorded in compliance with legislative and regulatory requirements, and reliable financial information is available on a timely basis for preparation of the consolidated financial statements. These systems are monitored and evaluated by management.

The finance committee meets with management and the external auditors to review the consolidated financial statements and discuss any significant financial reporting or internal control matters prior to their approval of the consolidated financial statements.

The consolidated financial statements have been audited by KPMG LLP, independent external auditors appointed by the City. The accompanying Independent Auditors' Report outlines their responsibilities, the scope of their examination and their opinion on the City's consolidated financial statements.

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Chief Administrative Officer	Commissioner of Finance & Treasurer

KPMG LLP
111 Elgin Street, Suite 200
Sault Ste. Marie ON P6A 6L6
Canada
Telephone (705) 949-5811
Fax (705) 949-0911

INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of The Corporation of The City of Sault Ste. Marie.

We have audited the accompanying consolidated financial statements of The Corporation of The City of Sault Ste. Marie (the "City"), which comprise the consolidated statement of financial position as at December 31, 2016, the consolidated statements of operations and accumulated surplus, changes in net financial assets and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of these consolidated financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these consolidated financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the consolidated financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the consolidated financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the consolidated financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the consolidated financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the consolidated financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

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KPMG LLP is a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. KPMG Canada provides services to KPMG LLP.

Opinion

In our opinion, the consolidated financial statements present fairly, in all material respects, the consolidated financial position of the City as at December 31, 2016, and its consolidated results of operations and its consolidated cash flows for the year then ended in accordance with Canadian public sector accounting standards**.**

Chartered Professional Accountants, Licensed Public Accountants

June 12, 2017
Sault Ste. Marie, Canada

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Consolidated Statement of Financial Position

December 31, 2016, with comparative information for 2015

		2016		2015
Financial assets:				
Cash and cash equivalents	$	52,398,532	$	58,315,087
Taxes receivable		19,040,809		13,578,699
Accounts receivable		15,272,158		15,040,553
Other current assets		178,048		218,785
Investment in government business enterprises (note 5)		69,156,118		70,489,793
		156,045,665		157,642,917
Financial liabilities:				
Accounts payable and accrued liabilities		35,063,054		27,621,824
Future employee benefit obligations (note 11)		36,962,251		38,764,890
Deferred revenue (note 3)		827,137		1,486,053
Landfill closure and post closure liability (note 12)		22,125,572		21,158,423
Net long-term liabilities (note 4)		7,711,972		8,994,008
		102,689,986		98,025,198
Net financial assets		53,355,679		59,617,719
Non-financial assets:				
Tangible capital assets (note 13)		457,899,510		447,901,861
Prepaid expenses		362,004		384,393
Inventories		2,343,970		2,701,443
		460,605,484		450,987,697
Contingent liabilities (note 10)				
Accumulated surplus (note 14)	$	513,961,163	$	510,605,416

The accompanying notes are an integral part of these consolidated financial statements.

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Consolidated Statement of Operations and Accumulated Surplus

Year ended December 31, 2016, with comparative information for 2015

	Budget (note 6)	2016	2015
Revenue:			
Property taxation	$ 107,001,876	$ 107,045,942	$ 104,989,252
Taxation from other governments	4,445,020	4,372,432	4,363,764
Fees and user charges	57,371,497	56,461,495	62,304,702
Government grants (note 15)	19,800,229	30,205,612	32,593,849
Investment and interest income	5,665,000	5,824,166	7,112,405
Other	993,370	4,335,593	3,462,341
Gain on disposal of tangible capital assets	-	-	69,229
Net (loss) income of government business enterprise (note 5)	-	(113,515)	722,780
Total revenue	195,276,992	208,131,725	215,618,322
Expenses:			
General government	16,091,239	17,635,089	19,208,972
Protection services	41,611,860	42,196,438	41,133,464
Transportation services	34,425,513	42,189,118	43,560,011
Environmental services	27,038,311	26,722,771	26,220,615
Health services	7,384,646	9,719,895	8,147,629
Social and family services	24,927,408	24,346,235	25,088,667
Social housing	1,596,870	1,565,668	2,204,265
Planning and development	3,122,976	4,046,041	3,744,968
Recreation and cultural services	16,003,211	17,175,595	16,339,221
Amortization of tangible capital assets	-	19,128,999	18,719,658
Loss on disposal of tangible capital assets	-	50,129	-
Total expenses	172,202,034	204,775,978	204,367,470
Annual surplus	23,074,958	3,355,747	11,250,852
Accumulated surplus, beginning of year	510,605,416	510,605,416	499,354,564
Accumulated surplus, end of year	$ 533,680,374	$ 513,961,163	$ 510,605,416

The accompanying notes are an integral part of these consolidated financial statements.

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Consolidated Statement of Changes in Net Financial Assets

Year ended December 31, 2016, with comparative information for 2015

	Budget (note 6)	2016	2015
Annual surplus	$ 23,074,958	$ 3,355,747	$ 11,250,852
Acquisition of tangible capital assets	(29,619,412)	(29,993,167)	(23,286,107)
Amortization of tangible capital assets		19,128,999	18,719,658
(Loss) gain on sale of tangible capital assets	-	50,129	(69,228)
Proceeds on sale of tangible capital assets	-	816,393	72,300
	(6,544,454)	(6,641,899)	6,687,475
Change in prepaid supplies	-	22,390	234,442
Change in inventories of supplies	-	357,469	(308,982)
Change in net financial assets	(6,544,454)	(6,262,040)	6,612,935
Net financial assets, beginning of year	59,617,719	59,617,719	53,004,784
Net financial assets, end of year	$ 53,073,265	$ 53,355,679	$ 59,617,719

The accompanying notes are an integral part of these consolidated financial statements

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Consolidated Statement of Cash Flows

Year ended December 31, 2016, with comparative information for 2015

	2016	2015
Cash provided by (used in):		
Operating activities:		
Annual surplus	$ 3,355,747	$ 11,250,852
Items not involving cash:		
Amortization of tangible capital assets	19,128,999	18,719,658
Loss (gain) on sale of tangible capital assets	50,129	(69,229)
Developers contributions of tangible capital assets	(1,776,729)	(662,991)
Change in future employee benefit obligations	(1,802,639)	1,415,756
Change in landfill closure and post-closure liability	967,149	290,356
Net loss (income) of government business enterprise (note 5)	113,515	(722,780)
	20,036,171	30,221,622
Change in non-cash assets and liabilities:		
Taxes receivable	(5,462,110)	578,003
Accounts receivable	(247,337)	(3,033,159)
Other current assets	40,740	49,502
Prepaid expenses	22,390	234,442
Inventories	357,469	(308,982)
Accounts payable and accrued liabilities	7,456,965	4,288,857
Deferred revenue	(658,917)	(129,759)
	21,545,371	31,900,526
Capital activities:		
Proceeds on sale of tangible capital assets	816,393	72,300
Cash used to acquire tangible capital assets	(28,216,443)	(22,623,116)
	(27,400,050)	(22,550,816)
Investing activities:		
Dividends received from PUC Inc.	1,220,160	-
Financing activities:		
Repayment of long-term liabilities	(1,282,036)	(1,211,137)
Net change in cash	(5,916,555)	8,138,573
Cash and cash equivalents, beginning of year	58,315,087	50,176,514
Cash and cash equivalents, end of year	$ 52,398,532	$ 58,315,087

The accompanying notes are an integral part of these consolidated financial statements.

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The City of Sault Ste. Marie (the "City") is a municipality that was created on April 16, 1912 pursuant to the Municipal Act. The City provides municipal services such as police, fire, public works, planning, parks and recreation, library and other general government operations.

1. Significant accounting policies:

The consolidated financial statements of the City are prepared by management in accordance with Canadian generally accepted accounting principles for governments as recommended by the Public Sector Accounting Board ("PSAB") of the Chartered Professional Accountants of Canada. Significant accounting policies adopted by the City are as follows:

(a) Basis of consolidation:

(i) Consolidated entities

The consolidated financial statements reflect the assets, liabilities, revenues and expenses of the reporting entity. The reporting entity is comprised of all organizations, committees and local boards accountable for the administration of their financial affairs and resources to the City and which are owned or controlled by the City except for the City's government business enterprises which are accounted for on the modified equity basis of accounting.

These entities and organizations include:

Sault Ste. Marie Police Services Board
City of Sault Ste. Marie Public Utilities Commission
Sault Ste. Marie Public Library

Interdepartmental and inter-organizational transactions and balances between these entities and organizations have been eliminated.

(ii) Investment in Government Business Enterprises

The City's investment in PUC Inc. and PUC Services Inc. is accounted for on a modified equity basis, consistent with Canadian generally accounting principles as recommended by PSAB for investments in government business enterprises. On December 31, 2010 PUC Inc. was restructured creating two separate companies: PUC Inc and PUC Services Inc. Previous to the restructuring, PUC Services Inc. was owned by PUC Inc. and thus included in the consolidated financial statements of PUC Inc. Under the modified equity basis, PUC Inc.'s and PUC Services Inc.'s accounting policies are not adjusted to conform with those of the municipality and inter-organizational transactions and balances are not eliminated. The City recognizes its equity interest in the annual income or loss of PUC Inc. and PUC Services Inc. in its consolidated statement of operations with a corresponding increase or decrease in its investment asset account. Any dividends that the City may receive from PUC Inc. and PUC Services Inc. will be reflected as reductions in the investment asset account.

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1. Significant accounting policies (continued):

(iii) Related entities:

The consolidated financial statements do not reflect the assets, liabilities, sources of financing, expenses and the activities of the following Boards and enterprises which are not under the control of Council.

Algoma Health Unit
District of Sault Ste. Marie Social Services Administration Board
Board of Management of Queenstown
Sault Ste. Marie Public Region Conservation Authority

(iv) Trust funds:

Trust funds and their related operations administered by the City are not included in the consolidated financial statements.

(b) Basis of accounting:

The City follows the accrual method of accounting for revenues and expenses. Revenues are normally recognized in the year in which they are earned and measurable. Expenses are recognized as they are incurred and measurable as a result of receipt of goods or services and/or the creation of a legal obligation to pay.

(c) Revenue recognition:

The City prepared tax billings based on assessment rolls issued by the Municipal Property Assessment Corporation, in accordance with rates established and approved annually by Council and the Province of Ontario. Taxation revenue is recognized in the period in which the taxes are levied.

Government transfers are recognized in the period in which the events giving rise to the transfer occurred, provided that the transfer is authorized and the amount can be reasonably estimated. Government grants are recognized when approved to the extent the related expenditures have been incurred and collection can be reasonably assured.

User fees and other revenues are recognized when the services are performed or goods are delivered, collection of the relevant receivable is probable, persuasive evidence of an arrangement exists and fees are fixed or determinable. Amounts received for future services are deferred until the service is provided.

(d) Temporary investments:

Temporary investments are recorded at the lower of cost and market value.

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1. Significant accounting policies (continued):

(e) Inventories:

Inventories held for resale are stated at the lower of cost and net realizable value, while inventories of supplies are stated at lower of cost and replacement value.

(f) Deferred revenue:

Deferred revenues represent licenses, permits and other fees which have been collected, but for which the related services or inspections have yet to be performed. These amounts will be recognized as revenues in the fiscal year the services are performed.

(g) Non-financial assets:

Non-financial assets are not available to discharge existing liabilities and are held for use in the provision of services. They have useful lives extending beyond the current year and are not intended for sale in the ordinary course of operations.

i. Tangible capital assets:

Tangible capital assets are recorded at cost which includes amounts that are directly attributable to acquisition, construction, development or betterment of the asset. The cost, less (if applicable) residual value of the tangible capital assets excluding land, are amortized on a straight-line basis over their estimated useful lives as follows:

Asset	Useful Life - Years
Landfill and land improvements	10 - 30 years
Buildings and building improvements	10 - 60 years
Vehicles	3 - 15 years
Machinery and equipment	5 - 25 years
Infrastructure	15 - 100 years

Half year amortization is charged in the year of acquisition and in the year of disposal. Assets under construction are not amortized until the asset is available for productive use.

ii. Contributions for tangible capital assets

Tangible capital assets received as contributions are recorded at their fair value at the date of receipt and also recorded as revenue.

iii. Leased tangible capital assets

Leases which transfer substantially all of the benefits and risks incidental to ownership of property are accounted for as leased tangible capital assets. All other leases are accounted for as operating leases and the related payments are charged to expenses as incurred.

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1. Significant accounting policies (continued):

(h) Use of estimates:

The preparation of consolidated financial statements in conformity with Canadian public sector accounting standards requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenses during the reporting period. Significant estimates include assumptions used in estimating provisions for accrued liabilities, landfill liability and in performing actuarial valuations of employee future benefits.

In addition, the City's implementation of the Public Sector Accounting Handbook PS3150 has required management to make estimates of historical cost and useful lives of tangible capital assets.

Actual results could differ from these estimates.

(i) Employee future benefits:

i. The City provides certain benefits which will require funding in future periods. These benefits include sick leave, benefits under the Workplace Safety and Insurance Board ("WSIB") Act, and life insurance, extended health and dental benefits for early retirees.

The costs of sick leave, benefits under the Workplace Safety and Insurance Board Act and life insurance, extended health and dental benefits are actuarially determined using management's best estimate of salary escalation, accumulated sick days at retirement, insurance and health care cost trends, long-term inflation rates and discount rates.

For self-insured retirement and other employee future benefits that vest or accumulated over the periods of service provided by employees, such as retirement gratuities, compensated absences and health, dental and life insurance benefits for retirees, the cost is actuarially determined using the projected benefits method prorated on service. Under this method, the benefit costs are recognized over the expected average service life of the employee group. Any actuarial gains and losses related to the past service of employees are amortized over the expected average remaining service life of the employee group.

For those self-insured benefit obligations that arise from specific events that occur from time to time, such as obligations for workers' compensation and life insurance and health care benefits for those on disability leave, the cost is recognized immediately in the period the events occur. Any actuarial gains and losses that are related to these benefits are recognized immediately in the period they arise.

ii. The costs of multi-employer defined contribution pension plan benefits, such as the Ontario Municipal Employees Retirement System ("OMERS") pensions, are the employer's contributions due to the plan in the period.

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1. Significant accounting policies (continued):

(j) Landfill liability:

The liability for closure of operational sites and post-closure care has been recognized based on estimated future expenses, estimated inflation and the usage of the site's capacity during the year.

2. Tax revenues:

Property tax billings are prepared by the City based on an assessment roll prepared by the Municipal Property Assessment Corporation ("MPAC"), an agency of the Ontario government. All assessed property values in the City were reviewed and new values established based on a common valuation date which was used by the City in computing the property tax bills for 2016. However, the property tax revenue and tax receivables of the City are subject to measurement uncertainty as a number of significant appeals submitted by ratepayers have yet to be heard.

The City has established an allowance for tax appeals and other items in the amount of $9,121,298 (2015 - $6,736,670). Any supplementary billing adjustments made necessary by the determination of such changes will be recognized in the fiscal year they are determined.

3. Deferred revenue:

The balances in the deferred revenue of the City consist of:

	2016	2015
Development charges act	$ 5,800	$ 378,236
Provincial Gas Tax	35,869	20,508
Parkland	508,375	644,181
Building permits Bill 124	277,093	443,128
	$ 827,137	$ 1,486,053

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3. Deferred revenue (continued):

Continuity of deferred revenue is as follows:

	2016	2015
Balance, beginning of year:		
Development charges act	$ 378,236	$ 371,923
Provincial Gas Tax	20,508	52,612
Parkland	644,181	512,029
Building permits Bill 124	433,128	679,248
	1,486,053	1,615,812
Other revenue	53,189	178,779
Interest earned	36,858	39,966
Total revenue	90,047	218,745
Contributions used	(748,963)	(348,504)
Balance, end of year	$ 827,137	$ 1,486,053

4. Net long-term liabilities:

	2016	2015
Total long-term liabilities incurred by the City	$ 7,711,972	$ 8,994,008

Principal repayments recoverable over the next five years are as follows:

2017	$ 1,357,307
2018	1,437,236
2019	1,522,124
2020	1,612,297
2021	636,337

The annual principal and interest payments required to service the long-term obligations of the City are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing.

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4. Net long-term liabilities (continued):

The long-term obligations issued in the name of the City have received approval of the Ontario Municipal board for those approved on or before December 31, 1992. Those approved after January 1, 1993 have been approved by by-law.

The above long-term debt has various maturity dates and interest rates ranging from due on demand to 2021 and 0% to 7.74% respectively. Interest paid in the year and included in current expenses is $442,671 (2015 - $513,570).

5. Investment in government business enterprises:

PUC Inc. is incorporated under the laws of the Province of Ontario and provides municipal electrical distribution and other services to the residents of Sault Ste. Marie. The City owns 100% of the outstanding shares of PUC Inc. PUC Services Inc. is incorporated under the laws of the Province of Ontario and provides management, operations and maintenance services related to water, wastewater and electrical services to its related entities and other organizations. The City owns 100% of the outstanding shares of PUC Services Inc.

The following schedule reflects the combined financial information of PUC Inc. and PUC Services Inc. as at December 31:

	2016	2015
Financial Position:		
Current assets	$ 46,687,707	$ 47,898,065
Notes receivable	8,315,331	8,315,331
Future income tax assets	2,121,000	2,018,000
Capital assets	105,340,837	98,440,803
Regulatory assets	698,439	49,643
Total assets	$ 163,163,314	$ 156,721,842
Current liabilities	$ 26,759,114	$ 22,547,136
Employee future benefit obligations	2,005,450	1,846,728
Notes payable	79,744,733	80,837,675
Deferred revenue	10,716,759	4,894,229
Regulatory liabilities	6,504,140	7,826,281
Total liabilities	125,727,196	117,952,049
Shareholder's equity	37,436,118	38,769,793
Total liabilities and equity	$ 163,163,314	$ 156,721,842

The note payable to the City of $6,720,000 is unsecured, bears interest at 6.1% per annum, and is payable one year after demand. The note payable to the City of $25,000,000 is unsecured, bears interest at rates negotiated periodically, currently 6.1%, and is payable one year after demand.

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5. Investment in government business enterprises (continued):

	2016	2015
Results of operations:		
Revenues	$ 117,775,800	$ 110,465,278
Expenses	(117,958,287)	(109,589,529)
Provision for payment in lieu of taxes	(100,066)	(197,381)
Other comprehensive (loss) income	(31,094)	44,412
Net (loss) income for the year	$ (113,515)	$ 722,780
The City's investment in government business enterprises is comprised of:		
Common shares	$ 15,668,248	$ 15,668,248
Special shares	15,513,300	15,513,300
Accumulated other comprehensive income	87,835	118,929
Retained earnings	6,166,735	7,469,316
Equity, end of year	37,436,118	38,769,793
Notes receivable	31,720,000	31,720,000
Investment in government business enterprises	$ 69,156,118	$ 70,489,793

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6. Budget figures:

The Budget By-law adopted by Council for the 2016 year was not prepared on a basis consistent with that used to report actual results (Public Sector Accounting Standards). The budget was prepared on a modified accrual basis while Public Sector Accounting Standards now require a full accrual basis. The budget figures anticipated use of surpluses accumulated in previous years to reduce current year expenses in excess of current year revenues to $Nil. In addition, the budget expensed all tangible capital expenditures rather than including amortization expense. As a result, the budget figures presented in the consolidated statements of operations and accumulated surplus and change in net financial assets represent the financial plan adopted by Council with adjustments as follows:

	2016	2015
Adopted budget by-law for the year	$ –	$ –
Adjustments to adopted budget:		
Debt principal repayments	1,980,330	2,230,331
Investment in tangible capital assets	25,487,179	27,300,988
Amortization of tangible capital assets	(19,128,999)	(18,719,658)
Net transfer to/from reserves and other	14,736,448	2,103,079
Budget surplus per consolidated statement of operations and accumulated surplus	$ 23,074,958	$ 12,914,740

7. Pension agreements:

The City makes contributions to the Ontario Municipal Employees Retirement Fund ("OMERS"), which is a multi-employer plan, on behalf of all permanent, full-time members of its staff. This plan is a defined benefit plan which specifies the amount of the retirement to be received by the employees based on the length of service and rates of pay.

The amount contributed to OMERS for 2016 was $6,909,989 (2015 - $6,664,171) is included as an expense on the consolidated statement of operations and accumulated surplus.

8. Operations of school boards:

During 2016, the City collected and transferred property taxes totaling $20,870,257 (2015- $20,323,603) on behalf of area school boards.

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9. Trust funds:

The trust funds administered by the City amounting to $7,745,700 (2015 - $7,573,028) are presented in a separate financial statement of trust fund balances and operations. As such balances are held in trust by the City for the benefit of others; they are not presented as part of the City's financial position or financial activities. At December 31, 2016, the trust fund balances are comprised of:

	2016	2015
Cemetery Care and Maintenance funds	$ 5,380,266	$ 5,222,156
Pre-need assurance	2,210,973	2,197,954
Transit employees' pension	75,593	74,912
Historic Sites	29,324	28,370
Heritage Sault Ste. Marie	27,415	26,862
Ontario Home Renewal Program	8,914	9,704
Cultural Endowment	13,215	13,070
	$ 7,745,700	$ 7,573,028

10. Contingent liabilities:

The City has been named in litigation matters, the outcome of which is not determinable and accordingly, no provision has been made for them in these consolidated financial statements. Should any loss result from these claims, such loss would be charged to operations in the year of resolution.

11. Employee future benefit obligations:

Employee future benefits are liabilities of the City to its employees and early retirees for the following benefits earned but not taken as at December 31 are as follows:

	2016	2015
Future payments required to W.S.I.B.	$ 13,101,168	$ 14,099,116
Post-employment and post-retirement benefits	14,802,487	15,077,442
Vacation pay	7,432,995	7,871,218
Non-vesting sick leave benefits	1,625,601	1,717,114
Employee future benefit obligations	$ 36,962,251	$ 38,764,890

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11. Employee future benefit obligations (continued):

Post employment and post retirement benefits

The City provides non-pension benefits to employees and retirees until they reach 65 years of age. The values that follow have been estimated based upon employee data available during the actuarial review which was completed as at December 31, 2016.

The benefit liability continuity is as follows:

	2016	2015
Accrued benefit liability, January 1	$ 15,077,442	$ 14,162,693
Expense	1,476,308	1,488,594
Payments	(961,706)	(573,845)
Transfer Payments	(789,557)	–
Accrued benefit liability, December 31	$ 14,802,487	$ 15,077,442

Significant assumptions

Discount rate	3.5%
Health cost increase	5.0% - 7.0%

Non-vesting sick leave benefits

Sick leave benefits accrue to City employees at a rate of one and a half days per month. Unused sick days are banked and may be used in the future if sick leave is beyond yearly allocation. No cash payments are made for unused sick time upon termination or retirement.

Accrued vacation pay

Accrued vacation pay represents the liability for vacation entitlements earned by employees but not taken as at December 31, 2016.

Future payments for Worker's Safety and Insurance Board (WSIB)

Under the provisions of the Workplace Safety and Insurance Board Act, the City has elected to be treated as a Schedule 2 employer and remits payments to the WSIB as required, to fund current disability payments. An actuarial estimate of future liabilities has been completed and forms the basis for the estimated liability.

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12. Landfill closure and post-closure liability:

The Environmental Protection Act sets out the regulatory requirements to properly close and maintain all active and inactive landfill sites. Under environmental law, there is a requirement for closure and post-closure care of solid waste landfill sites. This requirement is to be provided for over the estimated life of the landfill site based on usage.

Landfill closure and post-closure care requirements have been defined in accordance with industry standards and include final covering and landscaping of the landfill, pumping of ground water and leachates from the site, and ongoing environmental monitoring, site inspection and maintenance. The reported liability is based on estimates and assumptions with respect to events extending over a sixty year period using the best information available to management. Future events may result in significant changes to the estimated total expenditures capacity used or total capacity and the estimated liability, and would be recognized prospectively, as a change in estimate, when applicable.

The City operates one primary landfill site, the 5th Line Landfill. The site has capacity of approximately 3,000,000 metric tons with approximately 375,000 metric tons of remaining capacity. At current average fill rates, the site has a remaining operating life of approximately 6.3 years.

It is estimated that the total net present value of the cost to close and maintain the 5th Line Landfill site is approximately $25,667,717 (2015 - $24,181,000). At December 31, 2016, an amount of $22,125,572 (2015 - $21,158,423) with respect to landfill closure and post-closure liability has been accrued and will be funded from future taxation revenues. The City has established a reserve to contribute to the cost of closing and maintaining the landfill site of $12,317,708 (2015 - $12,385,541).

The City will be undertaking a full Environmental Assessment of the landfill site to determine future options which may extend the operating life of the landfill.

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13. Tangible capital assets

									2016
		Land	Landfill and Land Improvements	Buildings and Building Improvements	Infrastructure	Machinery and Equipment	Vehicles	Assets under Construction	Total
Cost									
Balance, beginning of the year	$	24,956,957	11,893,318	96,309,669	536,409,073	26,969,237	29,044,191	8,483,083	$ 734,065,528
Additions		568,974	523,822	1,536,719	22,514,378	2,244,835	2,082,411	5,204,876	34,676,015
Disposals		(52,885)	-	(1,511,468)	(2,214,625)	(1,275,557)	(885,380)	(4,682,844)	(10,622,759)
Balance, end of year		25,473,046	12,417,140	96,334,920	556,708,826	27,938,515	30,241,222	9,005,115	758,118,784
Accumulated Amortization									
Balance, beginning of the year		-	(7,214,710)	(35,015,507)	(213,106,059)	(15,419,649)	(15,407,742)	-	(286,163,667)
Disposals/transfers		-	-	935,620	2,214,626	1,039,516	883,630	-	5,073,392
Amortization expense		-	(653,774)	(2,147,120)	(12,283,022)	(1,986,796)	(2,058,287)	-	(19,128,999)
Balance, end of year		-	(7,868,484)	(36,227,007)	(223,174,455)	(16,366,929)	(16,582,399)	-	(300,219,274)
Net book value, end of year	$	25,473,046	4,548,656	60,107,913	333,534,371	11,571,586	13,658,823	9,005,115	$ 457,899,510
Net book value, beginning of year	$	24,956,957	4,678,608	61,294,162	323,303,014	11,549,588	13,636,449	8,483,083	$ 447,901,861

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13. Tangible capital assets

									2015
		Land	Landfill and Land Improvements	Buildings and Building Improvements	Infrastructure	Machinery and Equipment	Vehicles	Assets under Construction	Total
Cost									
Balance, beginning of the year	$	24,793,677	11,860,167	96,309,669	518,656,429	25,856,452	27,882,514	7,947,054	$ 713,305,962
Additions		166,156	33,151		19,155,916	1,609,369	1,998,356	7,867,065	30,830,013
Disposals		(2,876)	-	-	(1,403,272)	(496,584)	(836,679)	(7,331,036)	(10,070,447)
Balance, end of year		24,956,957	11,893,318	96,309,669	536,409,073	26,969,237	29,044,191	8,483,083	734,065,528
Accumulated Amortization									
Balance, beginning of the year		-	(6,565,318)	(32,867,391)	(202,593,665)	(13,733,268)	(14,207,836)	-	(269,967,478)
Disposals/transfers		-	-	-	1,403,272	283,713	836,679	-	2,523,664
Amortization expense		-	(649,392)	(2,148,116)	(11,915,666)	(1,970,094)	(2,036,585)	-	(18,719,853)
Balance, end of year		-	(7,214,710)	(35,015,507)	(213,106,059)	(15,419,649)	(15,407,742)	-	(286,163,667)
Net book value, end of year	$	24,956,957	4,678,608	61,294,162	323,303,014	11,549,588	13,636,449	8,483,083	$ 447,901,861
Net book value, beginning of year	$	24,793,677	5,294,849	63,442,278	316,418,205	12,123,184	13,674,678	7,591,613	$ 443,338,484

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13. Tangible capital assets (continued):

a) Assets under construction:

Assets under construction having a value of $9,005,115 (2015 - $8,483,083) have not been amortized. Amortization of these assets will commence when the asset is put into service.

b) Contributed tangible capital assets:

Contributed capital assets have been recognized at fair market value at the date of contribution. The value of contributed assets received during the year was $1,776,729 (2015 - $651,964) comprised of water infrastructure, land and roads infrastructure.

c) Tangible capital assets disclosed at nominal values:

Where an estimate of fair value could not be made, the tangible capital asset was recognized at a nominal value.

d) Works of art and historical treasures:

The City manages and controls various works of art and non-operational historical cultural assets including buildings, artifacts, paintings and sculptures located at City sites and public display areas. These assets are not recorded as tangible capital assets and are not amortized.

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14. Accumulated surplus:

Accumulated surplus consists of individual fund surplus and reserves and reserve funds as follows:

	2016	2015
Surplus:		
Invested in tangible capital assets	$ 457,899,510	$ 447,901,861
Invested in government business enterprises	69,156,118	70,489,793
Sanitary sewer	31,406,421	29,005,777
Operating fund	(8,434,489)	(653,600)
Unfunded		
Net long-term liabilities	(7,711,972)	(8,994,008)
Landfill closure costs	(22,125,572)	(21,158,423)
Employee benefits	(36,962,251)	(38,764,890)
Total surplus	483,227,765	477,826,510
Reserves set aside for specific purpose by Council:		
Working capital	–	1,081,007
Acquisition of tangible capital assets	3,374,225	3,621,657
Planning and development	213,799	626,634
Other programs	12,683,138	11,862,577
Waste disposal site	12,317,708	12,385,541
Total reserves	28,588,870	29,577,416
Reserve funds set aside for specific purpose by Council:		
Sewage plants	11,193	522,606
Cemetery development	525,763	825,953
Industrial land	537,514	46,138
Property purchases	716,343	1,211,112
Hospital development	344,514	414,521
Other programs	9,201	181,160
Total reserve funds	2,144,528	3,201,490
	$ 513,961,163	$ 510,605,416

15. Government grants:

The City recognizes the transfer of government funding as expenses or revenues in the period that the events giving rise to the transfer occurred. The transfers reported on the consolidated statement of operations and accumulated surplus are:

	2016	2015
Revenue:		
Provincial grants	$ 23,354,729	$ 26,027,679
Federal grants	6,850,883	6,566,170
Total revenues	$ 30,205,612	$ 32,593,849

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16. Segmented information:

The City is a diversified municipal government institution that provides a wide range of services to its citizens. City services are provided by departments and certain departments have been separately disclosed in the segmented information, along with the services they provide. These departments are:

General Government

General Government is comprised of City Council, the Chief Administrators' Office (CAO), Clerks Department, Legal Department, Human Resources Department and the Finance Department. Each of these departments provides program support to various other areas.

The Chief Administrators' Office is charged with the responsibility of coordinating the work of all municipal departments and ensuring that those departments carry out the policies and directions given by City Council.

The Clerks Departments' primary task is to function as the corporate secretary to City Council, ensuring that all Council Agendas, Minutes of proceedings, resolutions, decisions, voting, records, and accounts are recorded, documented and certified.

The Legal Department is responsible for the preparation of by-laws, deeds, leases, agreements and other legal documents, as well as property management for the City in regards to purchases, sales, leasing, easements and related agreements. Prosecutions and administration of Provincial Offences Act is also part of their responsibility.
The Human Resources Department is charged with negotiation and administration of all collective agreements as well as all facets of employment and employee benefits.

The Finance Department is responsible for the City's general financial management and budget preparation. The department is comprised of financial administration, accounting, tax and licensing, purchasing and information technology.

Fire Services

Fire Services is responsible to provide fire suppression service; fire prevention programs; training and education related to prevention, detection or extinguishment of fires. It is also responsible, through its Emergency Medical Services, for pre-hospital emergency paramedical care and the transport of the sick and injured.

Police Services

The mandate of the Police Services is to ensure the safety of the lives and property of citizens; preserve the peace and good order; prevent crimes from occurring; detect offenders; and enforce the law.

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16. Segmented information (continued):

Engineering and Planning

The Engineering and Planning Department provides diverse services. It manages urban development for business interests, environmental concerns, local neighborhoods and the downtown through city planning and community development. It ensures the quality of building construction and maintenance of properties through enforcement of construction codes, building standards and by-law for the protection of occupants. It facilitates economic development by providing services for the approval of all land development plans, the application of enforcement of zoning by-laws and the processing of building permit applications

Public Works and Transportation

The Public Works and Transportation Department is responsible for maintenance of municipal infrastructure, such as streets, sewers, transit, parks and cemeteries. The department provides solid waste management through refuse collection, recycling programs, and sanitary landfill management. The department is also responsible for traffic control, including signage, signals and pavement markings.

Community Services

The Community Services Department provides public services in the area of recreation and culture. In addition, it is responsible for the operations of the City-run Day Nurseries and Community Centres.

Social Services

The Social Services Department provides administration support to the Sault Ste. Marie District Social Services Administration Board. This includes assisting in the development of client action plans designed to facilitate financial independence; providing employment resources to assist consumers in the transition to self-sufficiency; coordination of community child care services; administering and managing the Rent-Geared-to-Income Public Housing Portfolio and central administration and coordination for the Rent Supplement Program and the Non-Profit and Cooperative Housing Developments.

For each reported segment, revenues and expenses include both amounts that are directly attributable to the segment and amounts that are allocation on a reasonable basis. Therefore, certain allocation methodologies are employed in the preparation of segmented financial information.

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16. Segmented disclosure (continued):

									2016
	General Government	Fire Services	Police Services	Engineering and Planning	Public Works and Transportation	Community Services	Social Services	Government Business Enterprises	Total
Revenue:									
Taxation	$ 8,079,360	12,723,051	22,430,497	13,688,632	29,156,414	10,367,073	14,973,347	-	$ 111,418,374
Fees and user charges	2,449,517	6,576,436	448,946	28,436,117	6,400,135	5,663,368	6,486,976	-	56,461,495
Government grants	2,261,678	1,793,285	4,051,169	11,831,157	5,316,364	2,398,644	2,553,315	-	30,205,612
Investment income	5,680,888	-	91	38,134	26,794	78,259	-	-	5,824,166
Other	459,650	42,831	303,170	2,831,461	77,581	619,900	1,000	-	4,335,593
Net loss of government business enterprise (note 5)	-	-	-	-	-	-	-	(113,515)	(113,515)
	18,931,093	21,135,603	27,233,873	56,825,501	40,977,288	19,127,244	24,014,638	(113,515)	208,131,725
Expenses:									
Salaries, wages and employee benefits	7,765,525	19,196,540	22,616,346	8,456,411	24,345,693	9,417,967	5,784,090	-	97,582,572
Materials	2,681,154	578,088	1,409,026	23,704,856	9,792,725	3,189,564	477,417	-	41,832,830
Contracted services	-	396,915	999,227	8,341,106	3,773,653	2,166,859	85,918	-	15,763,678
Rents and financial	5,456,850	4,861	137,979	85,466	11,033	623,592	28,071	-	6,347,852
Grants to others	864	-	-	3,835,152	-	2,848,346	17,385,556	-	24,069,918
Amortization of tangible capital assets	442,627	417,058	641,381	13,027,682	2,488,208	2,017,153	94,890	-	19,128,999
Loss (gain) on disposal of tangible capital assets	-	(33,194)	(1,500)	262	90,561	(6,000)	-	-	50,129
	16,347,020	20,560,268	25,802,459	57,450,935	40,501,873	20,257,481	23,855,942	-	204,775,978
Annual surplus (deficit)	$ 2,584,073	575,335	1,431,414	(625,434)	475,415	(1,130,237)	158,696	(113,515)	$ 3,355,747

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16. Segmented disclosure (continued):

									2015
	General Government	Fire Services	Police Services	Engineering and Planning	Public Works and Transportation	Community Services	Social Services	Government Business Enterprises	Total
Revenue:									
Taxation	$ 15,338,159	11,331,497	21,295,967	8,117,751	29,501,535	10,119,801	13,648,306	-	$ 109,353,016
Fees and user charges	2,535,256	4,970,483	418,560	33,661,778	6,530,369	5,522,337	8,665,919	-	62,304,702
Government grants	2,000,399	1,632,073	3,873,324	14,497,888	5,655,456	2,308,355	2,626,354	-	32,593,849
Investment income	6,858,009	94	-	19,224	28,863	206,215	-	-	7,112,405
Other	693,452	1,118	351,674	1,625,810	154,902	634,385	1,000	-	3,462,341
Gain (loss) on disposal of tangible capital assets	(2,577)	-	-	(152)	71,958	-	-	-	69,229
Net income of government business enterprise (note 5)	-	-	-	-	-	-	-	722,780	722,780
	27,422,698	17,935,265	25,939,525	57,922,299	41,943,083	18,791,093	24,941,579	722,780	215,618,322
Expenses:									
Salaries, wages and employee benefits	7,798,168	16,591,562	22,208,345	8,998,724	25,798,607	9,341,060	7,757,741	-	98,494,207
Materials	2,592,868	906,484	2,152,169	17,454,270	10,583,144	2,917,754	423,402	-	37,030,091
Contracted services	-	406,717	898,821	11,439,396	3,756,954	2,234,882	88,027	-	18,824,797
Rents and financial	7,437,575	4,760	97,982	100,621	10,373	678,822	209,549	-	8,539,682
Grants to others	33,790	-	-	3,480,839	-	2,743,680	16,500,726	-	22,759,035
Amortization of tangible capital assets	445,601	392,219	615,971	12,673,590	2,456,363	2,031,388	104,526	-	18,719,658
	18,308,002	18,301,742	25,973,288	54,147,440	42,605,441	19,947,586	25,083,971	-	204,367,470
Annual surplus (deficit)	$ 9,114,696	(366,477)	(33,763)	3,774,859	(662,358)	(1,156,493)	(142,392)	722,780	$ 11,250,852

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Financial Statements of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Trust Funds

Year ended December 31, 2016

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INDEPENDENT AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of The Corporation of The City of Sault Ste. Marie

We have audited the accompanying financial statements of the trust funds of The Corporation of The City of Sault Ste. Marie (the "Trust"), which comprise the statement of financial position as at December 31, 2016 and the statement of continuity of the trust funds for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian accounting standards for not-for-profit organizations, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditors' Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

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KPMG LLP is a Canadian limited liability partnership and a member firm of the KPMG network of independent member firms affiliated with KPMG International Cooperative ("KPMG International"), a Swiss entity. KPMG Canada provides services to KPMG LLP.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of the trust funds of the Trust as at December 31, 2016, and the continuity of the trust funds for the year then ended in accordance with Canadian accounting standards for not-for-profit organizations.

Chartered Professional Accountants, Licensed Public Accountants

June 12, 2017
Sault Ste. Marie, Canada

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Trust Funds

Statement of Financial Position

December 31, 2016, with comparative information for 2015

	Care and Maintenance	Pre-need Assurance	Ontario Home Renewal Plan	Historic Sites	Heritage SSM	Transit Employees Pension	Cultural Endowment	2016 Total	2015 Total
Assets									
Cash and investments (note 3)	$ 5,449,754	$ 2,232,162	$ 24,491	$ 45,439	$ 61,572	$ 75,599	$ 13,224	$ 7,902,241	$ 7,769,626
Loans receivable (note 2)	-	-	21,794	-	-	-	-	21,794	22,478
	$ 5,449,754	$ 2,232,162	$ 46,285	$ 45,439	$ 61,572	$ 75,599	$ 13,224	$ 7,924,035	$ 7,792,104
Liabilities and Fund Balance									
Payable to other funds	$ 69,488	$ 21,189	$ 37,371	$ 16,115	$ 34,157	$ 6	$ 9	$ 178,335	$ 219,076
Fund balance	5,380,266	2,210,973	8,914	29,324	27,415	75,593	13,215	7,745,700	7,573,028
	$ 5,449,754	$ 2,232,162	$ 46,285	$ 45,439	$ 61,572	$ 75,599	$ 13,224	$ 7,924,035	$ 7,792,104

The accompanying notes are an integral part of these financial statements.

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Trust Funds

Statement of Continuity

Year ended December 31, 2016, with comparative information for 2015

	Care and Maintenance	Pre-need Assurance	Ontario Home Renewal Plan	Historic Sites	Heritage SSM	Transit Employees Pension	Cultural Endowment	2016 Total	2015 Total
Fund balance, beginning of the year	$ 5,222,156	$ 2,197,954	$ 9,704	$ 28,370	$ 26,862	$ 74,912	$ 13,070	$ 7,573,028	$ 7,436,235
Revenue:									
Capital receipts	158,110	145,807	-	550	-	-	-	304,467	254,225
Contributions from revenue fund								-	6,619
Interest earned	110,100	20,046	199	404	553	681	145	132,128	93,167
	268,210	165,853	199	954	553	681	145	436,595	354,011
Expenditures:									
Contributions to revenue fund	110,100	152,834	199	-	-	-	-	263,133	211,107
Transfer to Province of Ontario	-	-	756	-	-	-	-	756	6,071
Administration charges	-	-	34	-	-	-	-	34	40
	110,100	152,834	989	-	-	-	-	263,923	217,218
Fund balance, end of year	$ 5,380,266	$ 2,210,973	$ 8,914	$ 29,324	$ 27,415	$ 75,593	$ 13,215	$ 7,745,700	$ 7,573,028

The accompanying notes are an integral part of these financial statements.

DRAFT

The Corporation of the City of Sault Ste. Marie Trust Funds (the "Trust") consist of various trust funds administered by the Corporation of the City of Sault Ste. Marie. The Funds are not subject to income taxes under Section 149(1) of the Income Tax Act (Canada).

1. Summary of Significant Accounting Policies:

These financial statements are prepared in accordance with Canadian Accounting Standards for Not-For-Profit Organizations in Part III of the Chartered Professional Accountants of Canada Handbook.

(a) Basis of accounting:

The financial statements are prepared by management and are reported on the accrual basis of accounting. The accrual basis of accounting recognizes revenues as they become available and measurable. Expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and the creation of a legal obligation to pay.

(b) Financial instruments:

Financial instruments are recorded at fair value on initial recognition. Freestanding derivative instruments that are not in a qualifying hedging relationship and equity instruments that are quoted in an active market are subsequently measured at fair value. All other financial instruments are subsequently recorded at cost or amortized cost, unless management has elected to carry the instruments at fair value. The Trust has not elected to carry any such financial instruments at fair value.

Transaction costs incurred on the acquisition of financial instruments measured subsequently at fair value are expensed as incurred. All other financial instruments are adjusted by transaction costs incurred on acquisition and financing costs, which are amortized using the effective interest rate method.

Financial assets are assessed for impairment on an annual basis at the end of the fiscal year if there are indicators of impairment. If there is an indicator or impairment, the Trust determines if there is a significant adverse change in the expected amount or timing of future cash flows from the financial asset. If there is a significant adverse change in the expected cash flows, the carrying value of the financial assets is reduced to the highest of the present value of the expected cash flows, the amount that could be realized from selling the financial asset or the amount the Trust expects to realize by exercising its right to any collateral. If events and circumstances reverse in a future period, an impairment loss will be reversed to the extent of the improvement, not exceeding the initial carrying value.

DRAFT

1. Summary of Significant Accounting Policies (continued):

(c) Use of estimates

The preparation of the financial statements requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements and the reported amounts of revenue and expenses during the year. Significant items subject to such estimates and assumptions include the carrying amount of capital assets and assets and obligations related to employee future benefits. Actual results could differ from those estimates.

2. Ontario Home Renewal Program:

The Ontario Home Renewal Program ("OHRP") was established by the Ontario Ministry of Housing in 1973 to provide grants for municipalities to make loans to assist owner occupants to repair, rehabilitate and improve their homes to local property standards. Individual loans were limited to $7,500, of which the maximum deferred portion was $4,000.

Ontario Home Renewal Program loans receivable at December 31, 2016 comprise repayable loans of $8,795 (2015 - $8,795) and deferred loans of $12,999 (2015 - $13,683). Loan forgiveness is earned and recorded at a rate of up to $600 per year of continuous ownership and occupancy. The deferred portion of the loan is deferred for a five year period. In the event of the sale or lease of the home or in the event of the homeowner ceasing to occupy the home, the balance of the loans immediately become due and payable by the homeowner.

The Province of Ontario legislated an end to the OHRP program in 1993. As of July 16, 1993, no new loans were issued. All funds collected on outstanding OHRP loans are remitted to the Province by March 1 of the following year. However, municipalities are provided an administration fee of five per cent of the balances collected after December 31, 1993 and are permitted to retain the interest earned on unremitted OHRP trust account balances.

3. Cash and investments:

Total investments by the trust funds of $3,675,969 (2015 - $3,670,991) included in cash and investments on the Statement of Financial Position at cost, have a market value of $3,915,197 (2015 - $3,846,579).

DRAFT

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Norm Fera, Manager of Community Centres**

DEPARTMENT: **Community Development and Enterprise Services**

RE: **Agreement with the Soo Thunderbirds Hockey Club Inc.**

PURPOSE

The purpose of this report is to seek Council's approval to enter into a new agreement between The Corporation of the City of Sault Ste. Marie ("City") and the Soo Thunderbirds Hockey Club Inc. ("Club")

BACKGROUND

On June 15th of 2010, the City and the Club entered into an agreement pertaining to ice time and rink board advertising at the John Rhodes Centre, and ice time at the Essar Centre. Following a transfer of a controlling interest of shares in the Club a new agreement was entered into on September 12th of 2016, purely as a matter of housekeeping, and with City Council's consent.

ANALYSIS

Change of ownership is common among lower tier hockey clubs. Since the execution of the most recent agreement, controlling interest of the Club has once again been transferred, therefore a new agreement between the City and the Club is required. Discussions have taken place between, the new owner and Community Development and Enterprise Services staff, and reviewed by the City's Legal department. Changes have been made to the agreement primarily to expand on revenue sharing advertising opportunities.

The parties are satisfied with the new terms and conditions as set out in the new Agreement and for the above reasons, elsewhere on the agenda Council will find a new agreement, By-law number 2017-123.

FINANCIAL IMPLICATIONS

There are no significant financial impacts associated with this matter however there is the potential to increase the city share of advertising revenue, derived from the sale of additional advertising space.

STRATEGIC PLAN / POLICY IMPACT
This is an operational matter not articulated in the Corporate Strategic Plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

"Resolved that the report of the Manager of Community Centres be received and further that By-law number 2017-123 authorizing the execution of the Agreement be approved."

Respectfully submitted,

Norm Fera
Manager of Community Centres
705.759.5259
n.fera@cityssm.on.ca

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Victoria Prouse, Planner**

DEPARTMENT: **Community Development and Enterprise Services**

RE: **Gore Street Neighbourhood Party**

PURPOSE

This report describes the Gore Street Neighbourhood Party and associated road closure request elsewhere on Council's agenda, occurring on Thursday July 6 from 12-3pm.

BACKGROUND

Over the past few years, the Gore Street neighbourhood has benefited from the following social and physical infrastructural investments:

- Reconstruction and streetscaping of Gore Street
- Development of Kina Awiiya Secondary School and Alternative Daycare at the former Etienne Brule School
- Establishment of the Neighbourhood Resource Centre
- Development of the Esposito Park Pump Track
- Development of the Canal District Community Garden
- Extending the John Rowswell Hub Trail through the Etienne Brule School Grounds
- Development of the Etienne Brule Community Orchard

Cities across Canada are increasingly thinking about streets as flexible public spaces or "paved parks". Programming events on streets increases social cohesion and community pride, cultivates a vibrant street culture, allows people to explore alternative modes of transportation in a comfortable and safe fashion, promotes healthy active living, and provides a marketing opportunity for local businesses.

ANALYSIS

To commemorate these exciting transformations and promote activity throughout this area, the Planning Division is partnering with Social Services, the

Neighbourhood Resource Centre, #activesault, and the Sault Trails Advocacy Committee to organize a Gore Street Neighbourhood Party. A map of the event area is attached, which will link key destinations in the neighbourhood. The event will feature activities led by various community organizations throughout route including Big Brothers Big Sisters, Childcare Algoma, and Algoma Public Health. Activities will include crafts and games for children, active living demonstrations, and a bicycle rodeo. There will also be an official “street opening” ceremony.

FINANCIAL IMPLICATIONS
There is no direct cost to the City associated with this initiative. Algoma Public Health has provided funding for this event.

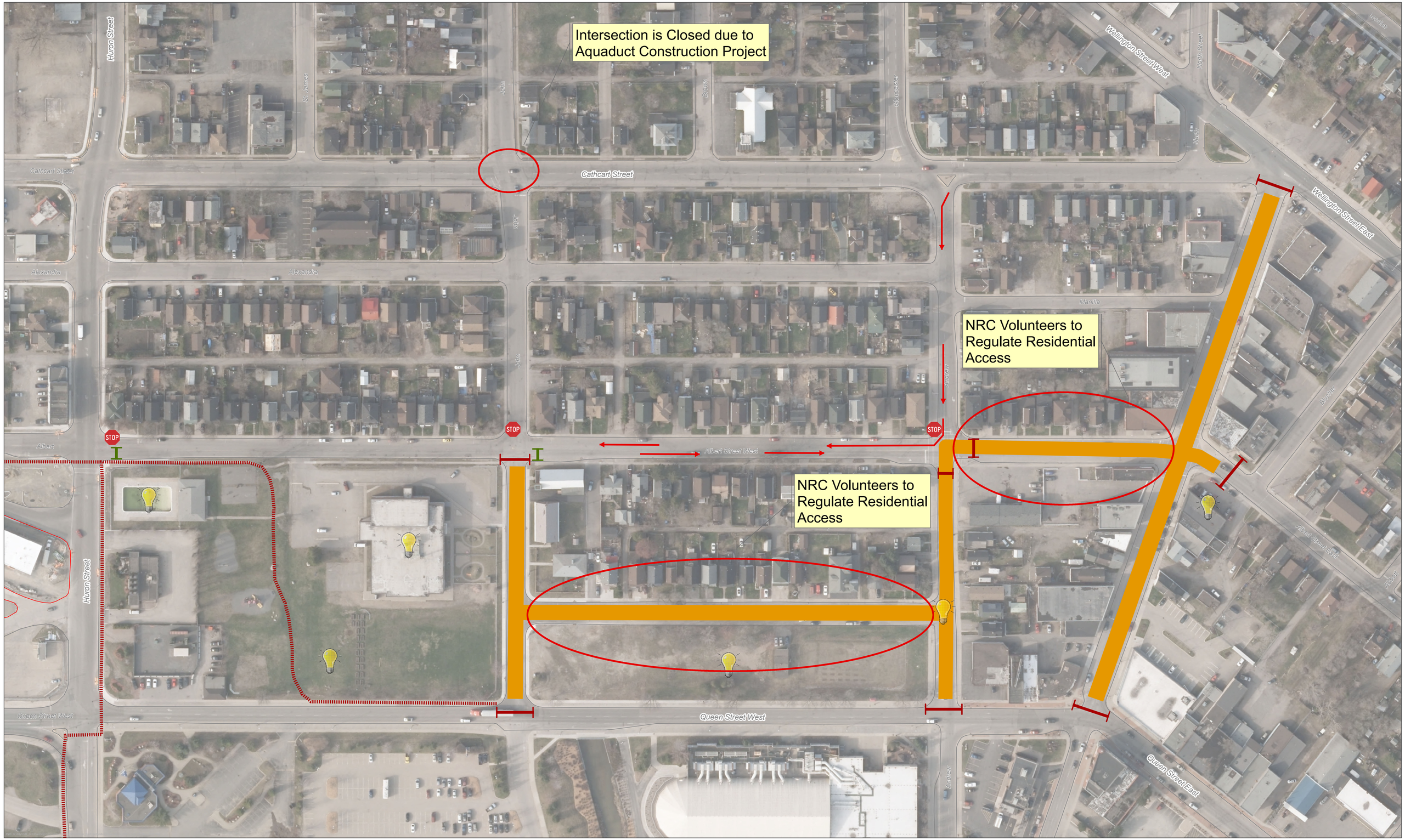
STRATEGIC PLAN / POLICY IMPACT
The Downtown Strategy identifies “Encourage active use of downtown spaces” as a key priority with increasing the City’s role in programming as a strategic action. “Vibrant Downtown Areas” is an identified theme in the “Quality of Life” focus area in City’s Corporate Strategic Plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Community Development and Enterprise Services Division dated 2017 06 12 be received as information and that Council approve the road closure request which appears elsewhere in the agenda.

Respectfully submitted,

Victoria Prouse, MPI
Planner
705.759.5373
v.prouse@cityssm.on.ca



GORE STREET/ETIENNE BRULE BLOCK OVERVIEW

CAR FREE THURSDAY (JULY 6, 2017) DRAFT REVIEW, ACTIVITY/ROAD CLOSURE PLAN

Activity HUB
Required Signage
Activity Cooridors
Required Barrier
Required Half Barrier

The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
May 05, 2017
Revised: May 26, 2017

This map is for general reference only.
For official mapping, see the
Engineering and Planning Department.
Orthophoto: Spring 2016, 20cm

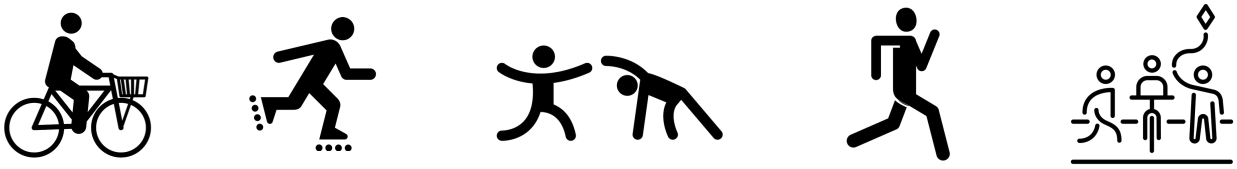
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

JRHT Multi-Use Path

0 5 10 20 Meters
1:800

GORE STREET NEIGHBOURHOOD PARTY

Free and fun activities for kids and adults!



THURSDAY JULY 6 | 12-3PM
GORE STREET | PUMP TRACK | ETIENNE BRULE SCHOOL GROUNDS

SOO MOVES

City of Sault Ste. Marie

Questions? Call 705-759-5368

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO:	**Mayor Christian Provenzano and Members of City Council**
AUTHOR:	**Catherine Taddo, P. Eng., Land Development and Environmental Engineer**
DEPARTMENT:	**Public Works and Engineering Services**
RE:	**Landfill Site Operations and Monitoring 2016 – Environmental Monitoring Committee**

PURPOSE

The purpose of this report is to fulfill Condition 6(b) of By-law 2004-215 related to the Landfill Environmental Monitoring Committee (EMC) which requires an annual Council report following the submission of the Landfill Operations and Monitoring reports to the Ministry of Environment and Climate Change (MOECC).

BACKGROUND

The EMC is the formal point of contact with the public for the landfill operations. The Committee was originally established under by-law 89-174, and is a mandated requirement under the City landfill Certificate of Approval. This by-law was repealed and revised through by-law 2004-215 which updated the duties of the committee. The 2016 Committee consists of five members of the public, Councillor Romano, as well as representatives from Public Works and Engineering, and the MOECC.

The report to Council will summarize the conclusions and recommendations of the annual 2016 operations and monitoring reports. Information in the reports includes but is not limited to, waste quantities and site capacity, leachate collection system information, and monitoring details related to ground water quality, surface water quality, and methane gas. Copies of the MOECC submission which is due on the 30th day of April each year are available at the Engineering Department if any Councillor wishes to review them in detail.

ANALYSIS

Site Development and Operations Report 2016 Municipal Landfill
Waste Quantities and Site Capacity

Approximately 55,226 tonnes of waste was received at the landfill in 2016. Of this value 77% or 42,647 tonnes were landfilled, 19% was used as daily cover material or stockpiled for future use, and 4% was exported for recycling or reuse. This year's report indicates that based on the 5-year average disposal rate (51,718 t/yr.) there is capacity for approximately 6.9 years.

Leachate Collection System

A leachate collection system has been operating at the landfill since November 1992. It consists of a gravity collection system along the south boundary of the landfill and a purge well system on the western boundary. As part of the Canon Creek relocation project that was completed in 2006, the gravity leachate collector system was expanded in a northerly direction in the southeast corner of the landfill along the old creek alignment. The system is designed to intercept leachate before it leaves the site and it is pumped to the City's sanitary sewer collection system.

A western contaminant plume was detected several years back, which prompted increased emphasis on purge well maintenance to ensure continuous operation and additional purge well construction. Presently there are nine purge wells in operation, namely PW-2 to PW-10. The purge well system continues to be effective, however, it has limitations.

In 2008 a westerly contaminant attenuation zone (CAZ) was approved through the MOECC. While the CAZ does not expand the landfill footprint, it does move the compliance boundary further to the west. However, the purge well system continues to be maintained, operated and monitored with vigilance.

Odour Control

Council approved the construction of 24 passive landfill gas vent flares in 2004 with an additional six (6) passive flares installed and approved in 2007. Due to a landfill gas regulation that was implemented in 2008, a system was then constructed to collect landfill gas as per the requirements. The system was operational by December 2010.

During 2016, seven odour complaints were received. Since 2007 the annual complaints have ranged from five to eighteen. It is believed that the landfill gas system has been effective at mitigating off-site odours, however, as disposal quantities decline, sludge disposal becomes more challenging. The proposed biosolids management facility is expected to have a positive impact on odours.

Municipal Landfill Site Monitoring Report 2016
The monitoring report is a detailed, lengthy document providing all the results of the groundwater, surface water and landfill gas monitoring program undertaken in 2016. The purpose of the monitoring program is fivefold:

- To monitor the quality of groundwater and surface water;
- Assess the ability of the engineered controls and natural environment to attenuate contamination from the landfill site;
- Establish whether concentrations of targeted chemical parameters in the groundwater and surface water exceed MOECC boundary criteria;
- Predict future movement of contaminants and compliance; and
- Ensure safety within any of the buildings at the site related to landfill gas.

Conclusions and Recommendations of Monitoring Report
Ground Water Quality
A system of monitoring wells is sampled regularly to determine the quality of groundwater on and off site in the vicinity of the landfill. The groundwater sampling program for 2016 consisted of 40 wells. Due to dry conditions in two wells, sampling at only 38 groundwater monitoring wells was completed.

A letter was submitted to the MOECC on December 23, 2015 requesting approval for a revised sampling program based on recommendations in the annual report. The response was received on April 19, 2016. The reduction in sampling was implemented in May 2016.

The groundwater monitoring program continues based on the revised plan. Engineered controls and natural attenuation processes including dilution by infiltrating precipitation are either reducing or keeping the leachate plume stationary along the eastern and southern property boundaries of the landfill. Prior to 2001, results along the western boundary showed exceedances for several parameters in both on site and off site monitoring wells. In 2016 the water quality in most of the western wells generally improved or had levelled off when compared with the water quality from recent years, with the exception of wells 62-I and 63-I. Off-site impacts have been isolated to a narrow band around wells 58-I, 62-I, 63-I, and 65-I. Chloride concentrations at well 50-I south of the leachate collection systems is far below levels seen in recent years. There were exceedances at well 68 in 2016 for organic nitrogen, TOC, and TDS, however, well 69 had no exceedances. Groundwater monitoring assists in tracking the effectiveness of the leachate management system.

Surface Water Quality
The relocation of Canon Creek away from the landfill in the fall of 2006 appears to have reduced leachate impacts on Canon Creek and the Root River. There have been general improvements to the surface water quality since 2007, and no

exceedances of unionized ammonia since 2008. High levels of unionized ammonia can be detrimental to aquatic life forms. The benthic sampling/analysis and fish toxicity testing was discontinued in 2011 based on favourable and consistent results.

Methane Gas
Since 2008, methane gas concentrations have been in the explosive range at one of the City's methane gas monitors. The monitor is located east of the Maintenance Building. A methane mitigation project was completed by S&T Electrical Contractors in 2010. The system was installed in order to monitor, control ventilation and provide warning to those within all facilities at the landfill if there is a problem. Signage is in place as an additional mitigative measure.

M6 and M7 near the former Elementa building were removed due to construction in 2014. These wells will be reinstalled at an alternate location. The Elementa pilot plant building was repurposed as the household hazardous waste depot, and a new landfill gas monitoring system was installed.

FINANCIAL IMPLICATIONS
There is no financial impact.

STRATEGIC PLAN / POLICY IMPACT
This report is linked to maintaining existing infrastructure.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Land Development and Environmental Engineer dated 2017 06 12 concerning the annual operations and monitoring reports for the municipal landfill be received as information.

Respectfully submitted,

C. Taddo

Catherine Taddo, P. Eng.
Land Development and Environmental Engineer
705.759-5380
c.taddo@cityssm.on.ca

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

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

DEPARTMENT: **Public Works and Engineering Services**

RE: **Miscellaneous Construction/Paving – Contract 2017-7E**

PURPOSE
The purpose of this report is to obtain approval to award the Miscellaneous Construction/Paving Contract 2017-7E.

BACKGROUND
At the April 24th, 2017 meeting of Council, the 2017 road resurfacing program was approved. The 2017 program included the following road sections to be resurfaced:

- Korah Road from Wallace Terrace to Second Line
- Willoughby Street from Willow Avenue to Pine Street
- Asphalt patches as budget allows

In anticipation of potentially favorable prices for resurfacing, staff included a provisional section in the contract to resurface St. Mary's River Drive from Bay Street to Foster Drive. While not part of the approved program, it fits well within the 2017 budget and is recommended.

Tenders received for Contract 2017-7E were opened at a public meeting Thursday, May 31, 2017 in the Thompson Room of the Civic Centre. Present at the opening was Deputy City Clerk Rachel Tyczinski as well as City staff and contractor representatives.

ANALYSIS
A total of two (2) tenders were received. All tenders submitted were found to be complete and are listed on the attached summary. The low tender of $1,690,677.89 (including HST) was received from Ellwood Robinson Limited. This is below the City's pre-tender estimate of $1,900,000.

FINANCIAL IMPLICATIONS
The City had budgeted $2,220,000 in 2017 for asphalt resurfacing and surface treatment of various City streets.

When recoverable HST is removed, the total project costs are anticipated to be $1,522,508. When combined with the surface treatment cost of $137,063, the total resurfacing program is anticipated to cost **$1,659,571** which is below the 2017 capital resurfacing allocation of $2,220,000. A separate report on the Surface Treatment Contract can be found elsewhere on the agenda.

STRATEGIC PLAN / POLICY IMPACT
This report is linked to the new infrastructure focus area of the strategic plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Design & Construction Engineer dated 2017 06 12 concerning the Miscellaneous Construction/Paving Contract, be received and the recommendation that Contract 2017-7E be awarded to Ellwood Robinson Limited and adding St. Mary's River Drive to the 2017 resurfacing program, be approved.

By-law 2017-125 authorizing execution of Contract appears elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

Carl Rumiel, P. Eng.
Design & Construction Engineer
705.759.5379
c.rumiel@cityssm.on.ca

Attach.

The Corporation of the City of Sault Ste. Marie

Public Works & Engineering Services

2017 06 01
Our File: Contract 2017-7E

CONTRACT 2017-7E

MISCELLANEOUS CONSTRUCTION\PAVING

SUMMARY OF BIDS

CONTRACTOR	TOTAL BID PRICE
Ellwood Robinson Limited.	$1,690,677.89
Pioneer Construction Inc.	$1,739,109.71
Pre-Tender City Estimate	$1,900,000.00

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO:	**Mayor Christian Provenzano and Members of City Council**
AUTHOR:	**Carl Rumiel, P. Eng., Design & Construction Engineer**
DEPARTMENT:	**Public Works and Engineering Services**
RE:	**Second Line East Resurfacing – Contract 2017-8E**

PURPOSE

The purpose of this report is to obtain approval to award Contract 2017-8E. The project includes the resurfacing of Second Line East from Carmen's Way to North Street and Second Line East from Great Northern Road to Old Garden River Road.

BACKGROUND

The City's application for 2017 Connecting Link funding included the resurfacing of Second Line East from Carmen's Way to North Street and Second Line East from Great Northern Road to Old Garden River Road. On Friday, March 31, 2017, while in Sault Ste. Marie, Minister of Transportation Steven Del Duca announced that the City's application for 2017 Connecting Link funding was successful. The 2017 Connecting Link grant is the lesser of $2,309,750 or 90% of eligible costs for the project.

Tenders received for Contract 2017-8E were opened at a public meeting Wednesday, May 31, 2017 in the Thompson Room of the Civic Centre. Present at the opening was Deputy City Clerk Rachel Tyczinski as well as City staff and contractor representatives.

ANALYSIS

A total of two (2) tenders were received. All tenders submitted were found to be complete and are listed on the attached summary. The low tender of $1,926,214.95 (including HST) was received from Pioneer Construction Inc. This is below the City's pre-tender estimate of $2,400,000.

FINANCIAL IMPLICATIONS

As part of the 2017 Capital Road Construction Plan the City had budgeted $345,200 to cover its share of the project, including ineligible costs (i.e. sidewalk construction).

When non-recoverable HST and allowances for utility relocations are added, the total project costs are anticipated to be $1,790,787. Removing ineligible costs, the MTO share of the costs are expected to be $1,312,403, leaving a City share of $478,384. The Finance Department has confirmed that the overage can be accommodated within the 2017 Capital Road Construction Budget.

STRATEGIC PLAN / POLICY IMPACT
This report is linked to the new infrastructure focus area of the strategic plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Design & Construction Engineer dated 2017 06 12 concerning the resurfacing of Second Line East, be received and the recommendation that Contract 2017-8E be awarded to Pioneer Construction Inc. conditional on the Provincial Government entering into a Connecting Link funding agreement with the City, be approved.

By-law 2017-126 authorizing execution of the Contract appears elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

Carl Rumiel, P. Eng.
Design & Construction Engineer
705.759.5379
c.rumiel@cityssm.on.ca

Attach.

The Corporation of the City of Sault Ste. Marie

Public Works & Engineering Services

2017 05 31
Our File: Contract 2017-8E

CONTRACT 2017-8E

SECOND LINE EAST RESURFACING

SUMMARY OF BIDS

CONTRACTOR	TOTAL BID PRICE
Pioneer Construction Inc.	$1,926,214.95
Ellwood Robinson Limited.	$2,019,159.07
Pre-Tender City Estimate	$2,400,000.00

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

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

DEPARTMENT: **Public Works and Engineering Services**

RE: **Surface Treatment – Contract 2017-9E**

PURPOSE
The purpose of this report is to obtain approval to award the Surface Treatment Contract 2017-9E. .

BACKGROUND
At the April 24th, 2017 meeting of Council, the 2017 road resurfacing program was approved. The 2017 program included the following road sections to be newly surface treatment:

- Whitney Avenue from Second Line to East Balfour
- Anderson Road from Second Line to Wilks Road
- York Street from North Street to Elmwood Avenue

Tenders received for Contract 2017-9E were opened at a public meeting Thursday, May 31, 2017 in the Thompson Room of the Civic Centre. Present at the opening was the Deputy City Clerk as well as City staff and contractor representatives.

ANALYSIS
A total of two (2) tenders were received. All tenders submitted were found to be complete and are listed on the attached summary. The low tender of $282,161.17 (including HST) was received from MSO Construction Limited. This is above the City's pre-tender estimate of $250,000.

FINANCIAL IMPLICATIONS
The City had budgeted $2,220,000 in 2017 for asphalt resurfacing and surface treatment of various City streets.

When Prince Township's portion of the contract and recoverable HST are removed, the total project costs are anticipated to be $137,063. When combined

with the Miscellaneous Paving Contract cost of $1,522,508, the total resurfacing program is anticipated to cost $1,659,571 which is below the 2017 capital allocation of $2,220,000. A separate report on the Miscellaneous Construction/Paving Contract can be found elsewhere on the agenda.

STRATEGIC PLAN / POLICY IMPACT
This report is linked to the new infrastructure focus area of the strategic plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Design & Construction Engineer dated 2017 06 12 concerning the Surface Treatment Contract, be received and the recommendation that Contract 2017-9E be awarded to MSO Construction Limited., be approved.

By-law 2017-127 authorizing execution of Contract appears elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

Carl Rumiel, P. Eng.
Design & Construction Engineer
705.759.5379
c.rumiel@cityssm.on.ca

Attach.

The Corporation of the City of Sault Ste. Marie

Public Works & Engineering Services

2017 06 01
Our File: Contract 2017-9E

CONTRACT 2017-9E

SURFACE TREATMENT

SUMMARY OF BIDS

CONTRACTOR	TOTAL BID PRICE
MSO Construction	$282,161.17
Ellwood Robinson Limited.	$295,927.98
Pre-Tender City Estimate	$250,000.00

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO:	**Mayor Christian Provenzano and Members of City Council**
AUTHOR:	**Melanie Borowicz-Sibenik, Assistant City Solicitor/Senior Litigation Counsel**
DEPARTMENT:	**Legal Department**
RE:	**Licence to Occupy City Property Agreement and Noise By-law Exemption request for the Queen Street Cruise Event**

PURPOSE

The purpose of this report is twofold:

(a) to request Council's approval of a Licence to Occupy City Property Agreement (the "Licence Agreement") between the City and the Downtown Association (the "Licencee"), to permit the programming described below to take place on the March Street Stage located at March Street and Queen Street East, the Essar Centre parking lot, and on the portion of Queen Street East between Pim Street and Bruce Street for the Queen Street Cruise Event (the "Event"), scheduled for June 16, 2017 and June 17, 2017; and

(b) to request Council's approval for an exemption from the City's Noise By-law for activities related to the Event.

BACKGROUND

The Licencee, in conjunction with the Queen Street Cruise Committee, contacted the City Legal Department to request permission to hold the Event on the March Street Stage at March Street and Queen Street East (the "Stage"), the Essar Centre parking lot (the "Parking Lot"), and a portion of Queen Street East between Pim Street and Bruce Street. The Event will be held over the span of two (2) consecutive days and will involve an outdoor car show and live music performances.

Day one of the Event will occur on June 16, 2017 and will begin with a live performance on the Stage, beginning at 4:00 p.m. and ending at 11:00 p.m. Setup for the Event's programming in the Parking Lot will occur between the hours of 3:00 p.m. and 4:00 p.m. and will consist of structures as outlined in

"Schedule A" to the Licence Agreement. Attendees will have the opportunity to view cars, listen to live musicians, and enjoy a licensed outdoor patio while in the Parking Lot. The live performances on the Stage and the programming in the Parking Lot will conclude by 11:00 p.m.

Day two of the Event will occur on June 17, 2017 and will be hosted exclusively on the closed portion of Queen Street East between Pim Street and Bruce Street. Again, the Event's programming will consist of temporary structures as outlined in "Schedule A" to the Licence Agreement. The Event is set to commence at 10:00 a.m. and will conclude by 5:00 p.m., inclusive of clean-up.

ANALYSIS

The Event requires a Licence Agreement for insurance purposes and to confirm the agreement between the City and the Licencee. The Licence Agreement confirms that the Licencee has permission to set up and conduct the programming at their sole cost, expense and liability at the locations identified in "Schedule A" to the Licence Agreement. The Licence Agreement confirms the times for the Event, including set up and clean-up.

The Licence Agreement further contains indemnification clauses such that the Licencee shall be responsible for any costs, expenses and liabilities that in any way result from the Event. Furthermore, the Licence Agreement requires the Licencee to maintain insurance, naming the City as "Additional Insured".

Lastly, the Licence Agreement contains a provision that permits the City and/or Emergency Personnel to remove any portion or the entirety of the Event, including structures and Programming if, at the sole discretion of the City and/or Emergency Personnel, access to any portion of Queen Street East or the Essar Centre parking lot is required for same.

Given the Event's festivities, the Licencee has prudently requested an exemption from the City's Noise By-law.

FINANCIAL IMPLICATIONS

There is no significant financial impact associated with this matter.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2017-128 which authorizes a Licence of Occupation agreement between the City and the Downtown Association, appears elsewhere on the agenda and is recommended for approval; and

By-law 2017-129, being a by-law to amend Noise Control By-law 80-200 to exempt from the By-law the Queen Street Cruise Event on June 16, 2017 and June 17, 2017 also appears elsewhere on the agenda and is recommended for approval.

Respectfully Submitted,

Assistant City Solicitor/
Senior Litigation Counsel

Recommended for approval,

Nuala Kenny
City Solicitor

MBS/ac

citydata\Legal\Staff\COUNCIL REPORTS\2017\Licence to Occupy City Property Agreement and Noise By-law Exemption Request for the Queen Street Cruise Event 2017.docx

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO:	**Mayor Christian Provenzano and Members of City Council**
AUTHOR:	**Don Scott, Manager of Transit & Parking**
DEPARTMENT:	**Community Development and Enterprise Services**
RE:	**Review of Municipal Parking Operations**

PURPOSE

This report is in response to a council resolution dated 2015 11 09:

> *"Whereas the Sault Ste. Marie municipal parking operation resulted in a cost to the City of $229,000 in 2014: and*
>
> *Whereas downtown businesses have an interest in maintaining the availability of parking on downtown streets and in the downtown municipally-owned parking lots; and*
>
> *Whereas it is prudent for the city to review the operations of all of its services on a regular basis;*
>
> *Now Therefore Be It Resolved that a committee of council be struck consisting of a City Councillor, a member of the Downtown Association, the Manager of Transit and Parking and the Director of Planning in order to review parking operations in Sault Ste. Marie's downtown.*
>
> *Further Be It Resolved that the committee make recommendations to Council as to what changes, if any, should be implemented by Council with respect to parking operations in Sault Ste. Marie's downtown."*

BACKGROUND

The City of Sault Ste. Marie's parking enforcement operations currently maintains 974 parking spaces in a total of ten municipal lots, in addition to the 346 metered on-street parking spaces.

Each of the ten municipal lots is located to provide municipal parking on each Queen Street block.

ANALYSIS

The Parking Review Committee initially met for the first time in January of 2016 to establish the overall objective of the committee, which was to reduce the net cost of the City's parking operations; therefore, operate parking as a potentially self-sustaining entity while continuing to support downtown businesses.

The committee also agreed that the City's role is not to provide employee parking, but rather to assist with providing sufficient customer parking.

The committee utilized the services of Vince Mauceri, from The Transforward Consulting Group from Burlington, Ontario on an as-needed basis to facilitate data collection and financial analysis (Please see Appendices 1, 2, & 3).

Data collection was generated by:

A) Parking Demand

Parking occupancy for the City's ten municipal lots and on- street parking was determined by:

i) Survey of all ten municipal parking lot monthly counts from the last three years;

ii) Survey of on-street parking in July 2016.

The results of the surveys indicated the following:

i) All ten municipal lots averaged 36% occupancy over the last three years;

ii) Queenstown (east of Dennis St.) had an average occupancy rate of 27% for the 248 on-street parking spaces;

iii) City Centre (west of Dennis St.) had an average occupancy rate of 8% for the 98 on-street parking spaces.

The Parking Review Committee agreed that there is sufficient parking in the downtown to meet the current needs of the business community.

B) Public Input was developed from:

i) Online Parking Survey

Staff issued an online parking survey during the month of January 2017. In total, 1,700 people responded to the survey regarding parking in the

downtown business district of Sault Ste. Marie. Some of the results of the survey indicated:

- 90% of the respondents are aware there is a cost to parking;
- 82% of the respondents were against ending 2 hour free parking;
- Free 2 hour parking is used more than other City funded programs;
- Downtown is struggling and needs City support.

ii) Public Information Sessions

On February 8th, 2017, two public information sessions were held at 4 p.m. and 7 p.m. with a total attendance of approximately 60 people primarily downtown business owners and managers. During the sessions there was overwhelming strong support for:

- Retaining the 2-hour free parking;
- Downtown businesses are competing against malls with free parking;
- The 2 hour free parking is critically important for the vitality of the downtown.

ii) Public E-mails and Correspondence from Councillor Myers

- Received several emails from the public and one from Councillor Myers in advance of the recommendations in this report.

The Parking Review Committee agreed that the existing two-hour free parking should be retained but that pay and display machines should be installed at all municipal lots.

By using pay and display machines, customers will be able to purchase additional parking (beyond the initial two free hours) at the rate of a $1.25 per hour or $5.00 for the entire day. This will assist with those customers that require more than two hours of parking while ensuring that there continues to be a reasonable turnover of parking spaces for other downtown customers.

C) Bingham Parking Lot

In an effort to promote and design a safer flow of traffic proceeding through the Bingham parking lot, staff arranged for a traffic volume report from July 29 to August 5th, 2016, to record the total number of vehicles entering the Bingham St. parking lot. During said time, a total of 5,252 vehicles proceeded through the parking lot in a northbound direction and 6,084 vehicles proceeded through the parking lot in a southbound direction. In total, a high volume of 11,336 vehicles travelled through the Bingham parking lot over 8 days.

The current Bingham parking lot layout is confusing for both vehicles and pedestrians. It is recommended that the guardrail which effectively divides the parking into two areas be removed. This would allow for Bingham Street to be reopened to vehicle traffic with clearly delineated pedestrian connections between the existing sidewalks leading to both Queen Street and Bay Street. As proposed in Appendix 4, this new configuration also provides for increased landscaping opportunities and the provision of barrier free parking spaces.

D) Repurpose Parking Spaces in Brock/Albert Parking Lot For a Multiuse Activity Court

The Parks and Recreation Master Plan supports accessible and inclusive opportunities to participate in parks and recreation activities. By repurposing an underutilized section of this parking area into a multi-sport court it would enable the City to develop a free, accessible recreational opportunity in the downtown core.

Based upon 3 years of vehicle counts, the Brock/Albert parking lot never exceeds 70% occupancy throughout the day. In total, 13 of the total 144 parking spaces would be repurposed for the multi-use court, or, stated as a percentage, less than 10% of the available parking spaces will be removed (Please see Appendix #5).

FINANCIAL IMPLICATIONS

The original City Council Resolution from November 09, 2015 had indicated that there was an annual budget cost of $229,000 to operate parking enforcement in 2014. The actual cost to the City to operate parking enforcement in 2014 was finalized at $193,117.00, which was then reduced in to $132,428 in 2015 and $109,478 in 2016.

Staffing

The cost reduction from 2014 to 2016 was due primarily to employees retiring without being replaced. After the position of Supervisor for Parking was eliminated, all administrative duties are performed by the Manager of Transit and Parking, and the Area Coordinator of Transit and Parking. One administrative clerk remains on payroll for parking enforcement.

Operational Costs

For existing City parking operations there are ongoing maintenance costs such as by-law enforcement, snow removal, line painting, signage, power sweeping, lighting, pothole repair, litter removal and grass cutting. All operational activities are contracted out to the private sector, except for pot hole repair, sweeping, and grass cutting which is done by the City's Public Works Department on an as-needed basis.

Operational costs for the last five years were reviewed. The total for contracted and purchased services has remained relatively consistent from year to year as this item primarily represents contracts for snow removal and by-law enforcement. Fluctuations in costs varied from year to year dependent upon snow fall and unexpected costs such as replacement of damaged guard rails or parking lot lights, and expense increases from private sector companies.

User fees and Fines
Sault Ste. Marie's parking rates and fines are lower than other cities in Northern Ontario (with the exception of Timmins). Moving forward, new rates for parking and fines will be set based upon the results of the current User Fee report currently underway from HEMSON Consulting Ltd. Allowing customers the opportunity to purchase additional parking in excess of the two free hours in municipal lots is estimated to generate an additional $57,000 per year in new revenue.

Cost to Subsidize 2 Hour Free Parking
During our financial analysis of the fees and costs to operate parking, it became apparent that the 2 hour free parking represented $175,000 in new revenue (400 unpaid compliant parkers x 1.4 hours avg. stay x 250 days x $1.25 per hour). This information regarding the cost to maintain the two hour free parking was then presented to the public for their input via the online survey and public open house. As mentioned earlier in this report, there was strong resistance from the public to eliminate the 2 hour free parking.

The standard practice to accommodate the price for free parking at i.e. malls is passed along to the user. For example, all capital and operating costs are reflected in the store owner's rent, which is then passed along to the customer through the price of goods and services.

The cost for free parking in the City's municipal lots is currently absorbed by all City taxpayers, regardless of whether they use downtown parking or not.

STRATEGIC PLAN / POLICY IMPACT
The recommendations of this report are consistent with the Vibrant Downtown Areas emphasis in the Quality of Life Focus Area as well as the fiscal responsibility values of the Corporate Strategic Plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

That the report of the Manager of Transit and Parking concerning the following recommendations from the committee of council regarding the review of parking operations in Sault Ste. Marie's downtown be received as information and that City Council:

1) Maintain the current 2 hour “free parking” in municipal lots;
2) Discuss the concept of lease to own thirteen (13) pay & display machines at the capital priority setting workshop with City Council for the 2018 budget; customers will then be able to purchase $1.25 per hour up to a $5 maximum if parking in any of the 10 municipal parking lots for longer than 2 hours.
    a. If necessary, implement the $1.25 per hour up to a $5 maximum in municipal parking lots when parking in those lots for longer than 2 hours as the pay & display machines are installed on a yearly basis.
3) All future user fee rate increases to parking fines for municipal parking will be included in the recommendations from HEMSON Consulting Ltd. current Comprehensive User Fee Review for the City of Sault Ste. Marie;
4) Implement in 2017, a mobile payment solution whereby customers can pay for municipal parking with the use of a mobile phone, tablet, or computer;
5) Continue to support the downtown merchants and residents by:
    a) Reconfigure the parking layout in the Bingham Lot to create an improved flow for traffic and pedestrians.
    b) Repurpose the north-east corner of the Brock/Albert parking lot to include a 4,250 square foot multi use court for the local community.
6) Reconvene the Parking Review committee once annually to:
    a) Explore the possibility for a pilot project to include gates to control entry and access to one or any of the existing municipal parking lots.
    b) Review current enhancements to parking enforcement.

Respectfully submitted,

Don Scott
Manager of Transit and Parking
705.759.5848
d.scott@cityssm.on.ca

APPENDIX 1

Cost of Parking:

- No such thing as "free" parking
- Costs of:
  - Snow plowing
  - Litter removal
  - Lighting
  - Line painting
  - Signs
  - Enforcement (to achieve compliance)
  - Repairs
  - Pavement resurfacing

Parking Fees:

- Parking fees should cover costs of parking
- Most municipalities have adopted "user-pay"
  - Non-tax supported
  - Thunder Bay, Sudbury, North Bay
- SSM Airport charges much higher hourly & daily max.
- Encourages vehicle turnover to ensure spaces are available
- Promotes other travel by bicycle, transit and walking

Sault Ste. Marie - Length of Stay at Parking Lots (Aug. 2016 Survey)

UNPAID	
Lot	Average Stay of Unpaid (Aug. 2016)
Bingham Lot	1.3 hours
Brock Albert Lot	1.5 hours
Bruce Street Lot	1.3 hours
Dennis Street Lot (formerly Terminal)	1.0 hours
Heritage Square Lot (Queen St. E. at Pilgrim St.)	1.1 hours
King Albert Lot	1.4 hours
Spring March Lot	1.4 hours
Grand Total	**1.4 hours**

- Unpaid parkers average stay of 1.4 hours

APPENDIX 2

Sault Ste. Marie - Revenue Impact of Retaining 2 Hour Free Parking & After 2 Hours,

PAID	
Lot	t Motorists
Bingham Lot	4.6 hours
Brock Albert Lot	4.4 hours
Bruce Street Lot	4.5 hours
Dennis Street Lot (formerly Ter	3.9 hours
Heritage Square Lot (Queen St.	5.0 hours
King Albert Lot	3.2 hours
Spring March Lot	1.0 hours
Grand Total	**4.0 hours**

- Paid parkers average stay of 4.0 hours
- Likely understated as survey done between 9 am & 3 pm (6 hours) and not between 8 am and 6 pm (10 hours)

Charge $1.25 per hour in the Lots

Total Additional Annual Revenue	
Retain 2 hour free parking but, after 2 hours charge $1.25/hr & $5 daily maximum	**$57,000**
Increase on-street meter hourly rate to $1.25 (previously approved)	**$ 40,000**
Increase monthly & annual permits 10%/yr. over 5 yrs (previously approved)	**$ 10,000**
Total	**$107,000**

- *Capital cost of 20* Pay & Display machines = $200,000*
  - *4 machines per year@ $10k/machine = $ 40,000*
- *Revenue (lots):*
  - *4 machines per year will contribute = $ 17,500*
  - *13 machines in Year 1 will contribute = $ 57,000*
- *Put clause in RFP to allow innovative proposals:*
  - *<u>Example:</u> vendor provides 20 machines in Year 1 knowing City will pay $40k per year over 5 years*

**Includes 13 machines in the lots & 7 machines on-street to replace remaining single space meters.*

APPENDIX 3

Sault Ste. Marie – 2015 Financial Performance of Municipal Parking Lots

Parking Lot	No. of Spaces	2015 Occupancy	Actual Annual Revenue	Actual Annual Expenses	Net Revenue	Revenue/Cost Ratio	Revenue Per Space Per Year	Low Performer
Bell	45	na	$ 11,264	$ 7,893	$ 3,371	**143%**	**$ 250.31**	
Bingham	84	27%	$ 8,195	$ 27,200	$ (19,005)	30%	$ 97.56	
Brock Albert	142	52%	$ 40,775	$ 24,494	$ 16,281	166%	$ 287.15	
Bruce	22	**23%**	$ 352	$ 7,610	$ (7,258)	**5%**	**$ 16.00**	✓
Essar/Steelback Centre	212	27%	$ 1,900	$ 50,287	$ (48,387)	**4%**	**$ 8.96**	✓
Heritage Square	35	41%	$ 5,594	$ 9,591	$ (3,997)	**58%**	**$ 159.83**	
International	68	na	$ 18,929	$ 8,995	$ 9,934	**210%**	**$ 278.37**	
King Albert	132	50%	$ 36,797	$ 32,226	$ 4,571	**114%**	**$ 278.77**	
Spring March	157	57%	$ 2,215	$ 31,535	$ (29,320)	**7%**	**$ 14.11**	✓
Dennis (formerly Terminal)	77	**14%**	$ 446	$ 18,752	$ (18,306)	**2%**	**$ 5.79**	✓
On-street Meters	346	23%	$ 176,000	$ 116,751	$ 59,249	**151%**	**$ 508.67**	
Administration	na	na	$ 89,200	$ 182,417	$ (93,217)	49%	$ 67.58	
Youth	na	na	na	na	na	na	na	
Sub-total	1320		$ 391,667	$ 517,751	$ (126,084)	**76%**	$ 296.72	

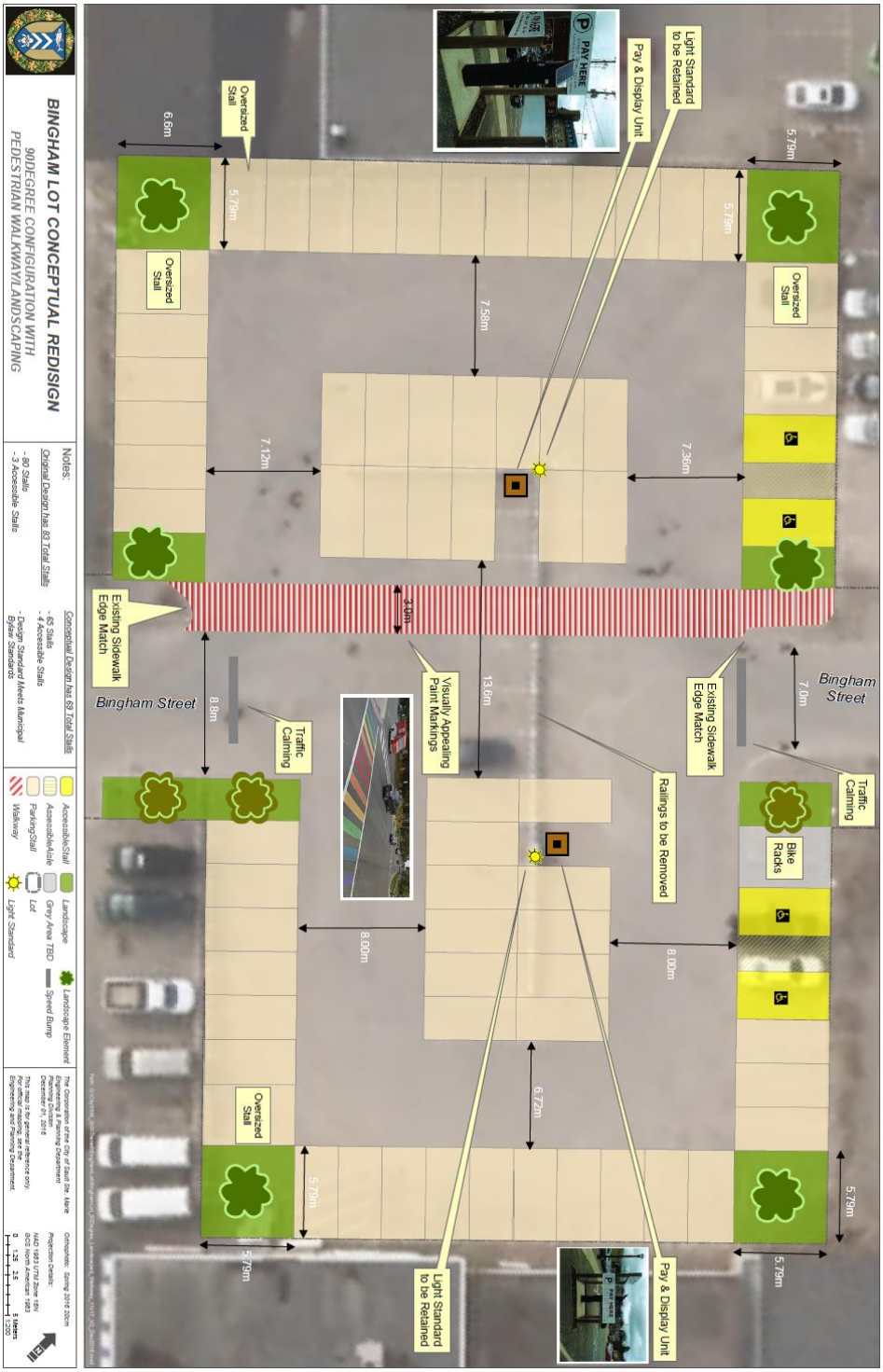
NOTES: ✓ ***Checkmark denotes a lot with R/C ratio of less than 10% and should be reviewed for possible sale or reduction in size.***

Recommendation: ***Re-evaluate lot performance after 1 year of operation with continued 2 hour free parking, new rates and pay & display machines in the lots ($1.25 hourly rate & $5 daily max. rate)***

- 4 municipal lots (Bruce, Essar/Steelback Centre, Spring March and Dennis) are recovering less than 10% of their operating costs (i.e. have a Revenue to Cost ratio of less than 10%)
- These lots should be evaluated after 1 year of operation with continued 2 hour free parking, new rates ($1.25 per hour after 2 hours and daily maximum rate of $5.00) and pay & display *machines in the lots.*

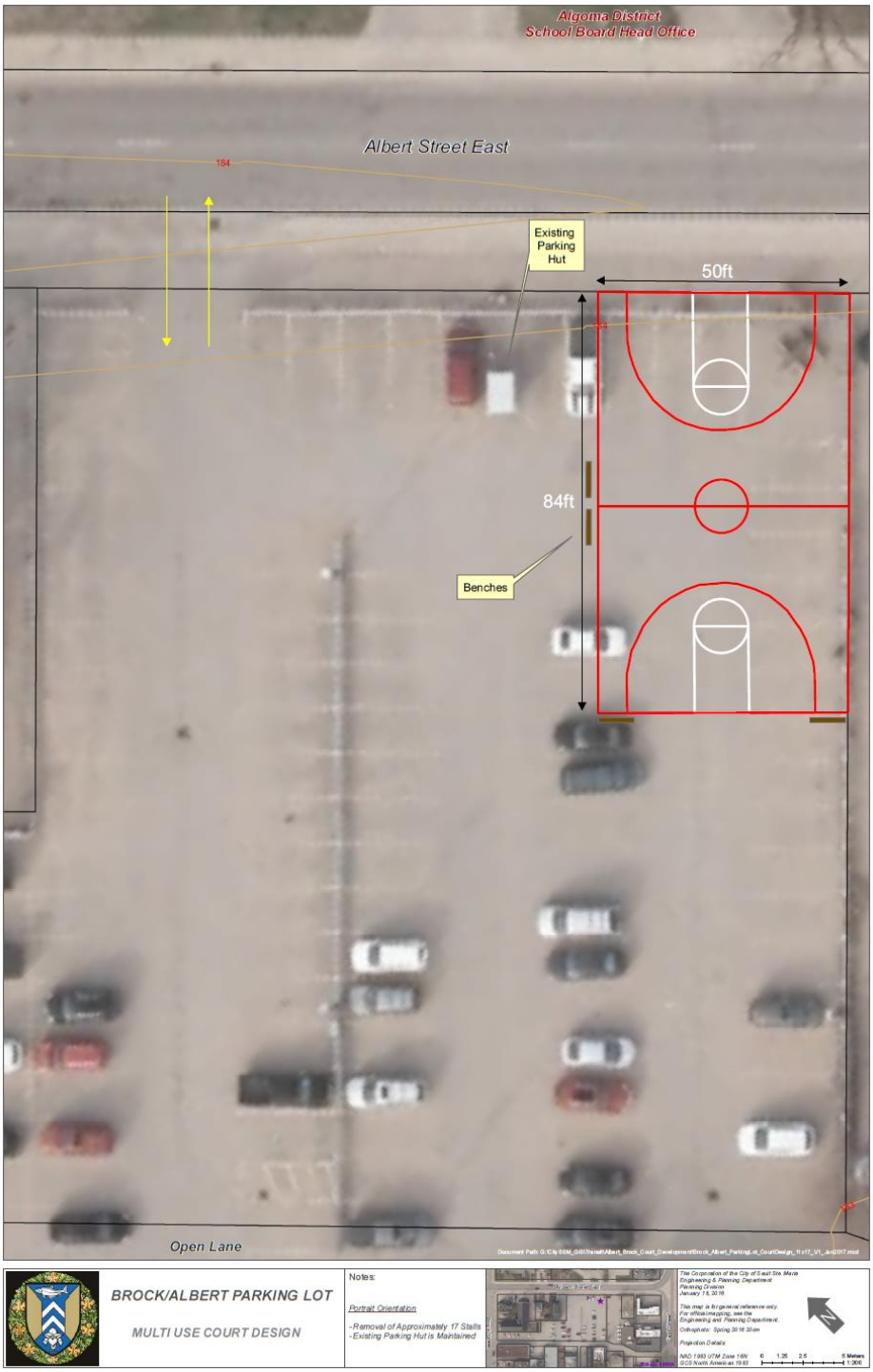
APPENDIX 4

Bingham Street Lot Conceptual Redesign


BINGHAM LOT CONCEPTUAL REDISIGN
90DEGREE CONFIGURATION WITH
PEDESTRIAN WALKWAY/LANDSCAPING
Notes:
Original Design has 83 Total Stalls
- 80 Stalls
- 3 Accessible Stalls
Conceptual Design has 69 Total Stalls
- 65 Stalls
- 4 Accessible Stalls
- Design Standard Meets Municipal Bylaw Standards
AccessibleStall
AccessibleAisle
ParkingStall
Walkway
Landscape
Grey Area TBD
Lot
Light Standard
Landscape Element
Speed Bump
Bingham Street
Bingham Street
Traffic Calming
Traffic Calming
Bike Racks
Railings to be Removed
Existing Sidewalk Edge Match
Existing Sidewalk Edge Match
Visually Appealing Paint Markings
Light Standard to be Retained
Light Standard to be Retained
Pay & Display Unit
Pay & Display Unit
Oversized Stall
Oversized Stall
Oversized Stall
Oversized Stall
5.79m
5.79m
5.79m
5.79m
5.79m
5.79m
7.0m
7.36m
8.00m
6.72m
13.6m
7.58m
3.0m
8.00m
7.12m
8.8m
6.6m
PAY HERE
PAY HERE

APPENDIX 5

Brock & Albert Street Lot Conceptual Redesign



The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Malcolm White, Deputy CAO / City Clerk – Corporate Services**

DEPARTMENT: **Corporate Services**

RE: **Kiwanis Community Theatre Centre Appointment**

PURPOSE
The purpose of this report is to provide information to Council and the recommendation of the Board and Committee Nominating Committee for Council's approval of the appointment to the Board of the Kiwanis Community Theatre Centre (KCTC).

BACKGROUND
The KCTC is a charitable corporation that oversees the operation of the theatre centre located at White Pines Collegiate and Vocational School. The Corporation of the City of Sault Ste. Marie is responsible for appointing 1/6 of the board directors (3 in total). One of the directors appointed by Council previously has reached the end of their term limit, therefore a new appointment is required.

ANALYSIS
The Board and Committee Nominating Committee met on June 12, 2017 and recommends that Dr. Richard Anderson be appointed to fill the vacancy.

FINANCIAL IMPLICATIONS
There is no financial impact to this appointment.

STRATEGIC PLAN / POLICY IMPACT
This is an operational matter not articulated in the Strategic Plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Deputy CAO / City Clerk – Corporate Services be received and the recommendation of the Board and Committee Nominating Committee to appoint Dr. Richard Anderson to the Kiwanis Community Theatre

Centre Board of Directors for a two year term effective June 20, 2017 be approved.

Respectfully submitted,

Malcolm White
Deputy CAO / City Clerk
Corporate Services
705.759-5391
m.white@cityssm.on.ca

The Corporation of the
City of Sault Ste. Marie

C O U N C I L R E P O R T

June 12, 2017

TO: **Mayor Christian Provenzano and Members of City Council**

AUTHOR: **Malcolm White, Deputy CAO / City Clerk Corporate Services**

DEPARTMENT: **Corporate Services**

RE: **Council Vacancy**

PURPOSE
The purpose of this report is to advise Council as to options to fill the Ward 6 Council seat left vacant following the June 1, 2017 provincial by-election

BACKGROUND
Ward 6 Councillor R. Romano was elected as Sault Ste. Marie's Member of Provincial Parliament on June 1, 2017. A letter from Councillor Romano resigning his Council seat is expected prior to the June 12th Council meeting.

ANALYSIS
In the event that a municipal Council seat becomes vacant, Council must declare the council seat vacant at its next meeting.

Section 263 (5)1 of the *Municipal Act* states that within 60 days of declaring the Council seat vacant, Council must decide whether to fill the vacancy through a by-election or by appointment for the remainder of the Council term.

A vacancy must be filled unless it occurs within 90 days before voting day of a regular election.

Council has the following options to fill a vacant Council seat:

1. By-election

2. Appointment

If Council decides to hold a by-election instead of appointing a person to fill a vacancy, council must pass a bylaw to have a by-election. Such a by-law would be submitted to the June 26th Council meeting for approval, resulting in a proposed voting day of Monday, September 11, 2017. The cost of the by-

election would be very similar to the cost of the Ward 2 by-election ($48,000). As this would be an unbudgeted activity, the funds would need to be allocated from the Contingency reserve.

If Council decides to appoint a person to a vacant Council seat, the appointee must consent to the appointment and must be eligible to hold office. The appointee need not have been a candidate in the previous election. Neither need the appointee reside or own or rent property in Ward 6. Interested persons would be required to submit a form indicating their consent and attesting to their eligibility to hold office. The resulting pool of interested persons would be submitted for Council's consideration at the June 26th Council meeting. Council would use the same appointment process used for appointing members of Council to committees.

The appropriate resolutions for either option have been prepared to effect the direction of Council in this matter.

FINANCIAL IMPLICATIONS
There is no cost to fill the vacancy by appointment. The cost of a by-election is estimated at $48,000, which would be need to be funded from the Contingency reserve.

STRATEGIC PLAN / POLICY IMPACT
This is an administrative matter not articulated in the corporate Strategic Plan.

RECOMMENDATION
It is therefore recommended that Council take the following action:

Resolved that the report of the Deputy CAO / City Clerk Corporate Services dated 2017 06 12 be received and

Further that Council accept the resignation of Ross Romano and declare the seat of Councillor - Ward 6 vacant.

The direction of Council is requested as to whether to proceed by way of appointment or by-election

Respectfully submitted,

Malcolm White
Deputy CAO / City Clerk
Corporate Services
705.759.5391
m.white@cityssm.on.ca

Malcolm White

From: Ross Romano
Sent: Friday, June 09, 2017 8:27 AM
To: Mayor Provenzano
Cc: Malcolm White

Dear Mayor and Council;

With my recent election as our City's newest Member of Provincial Parliament I must ask that you accept this correspondence as my official resignation as Councilor for Ward 6 in the City of Sault Ste. Marie.

I have thoroughly enjoyed our last few years together and I am so thankful for the friendships we have created. While I am saddened to leave you I am excited for this opportunity to continue serving our community both at home and as our voice at Queen's Park. I know that together, with the help of the bonds we have formed, we will further our common goal of making Sault Ste. Marie a better place to live, work and play.

Sincerely,

Ross Romano
Member of Provincial Parliament Elect Sault Ste. Marie

Sent from my iPad

RECEIVED
CITY CLERK
JUN 12 2017
NO.: 53278
DIST:

The City Council of Sault Ste Marie Ontario June 11 2017

Dear Councilors,

I have been informed that on Monday June 12 2017 the Council will consider a motion to ban all dog shows from the city of Sault Ste Marie. I am writing to comment on the undesirably of passing such a motion.

I came to Sault Ste Marie when I was seventy years old to go to Algoma University. I got a B.A. six years later and continued to take classes for the next four years. Then I wrote a couple of books that I had published. Although I have no dogs now I joined the Sault Ste Marie Kennel Club. My past history is as a breeder of dogs, working for veterinarians, running my own dog grooming, boarding business for years and working as a security supervisor for Cadillac Fairview for 17 years.

During my time at university, In the summer my partner and I travelled all over Canada, many times attending dog shows. When asked where we were from we always said Sault Ste Marie and were greeted with the reply, "You mean the city that banned French?" I always explained that it was not true and that Sault Ste Marie was Canada's best kept secret. Whenever I ran into Don Oriezetti he would ask me again if I still felt the same. I always answered "Yes." It has been a wonderful place to live.

Let us consider the motion; The Soo kennel Club runs obedience classes and all are welcome to come and see how they are conducted. It is in a building that they lease from the city that otherwise would remain empty. When the dog show comes to town we rent the curling rink, people come from mostly Ontario but at the last show I spoke to a man from Minnesota that was showing his lead dog from his sled team--a Siberian Husky. I spoke to many other people that while they are here they do keep their dogs in crates but let them out periodically, lead them into a ring to show to judges, the same way they lead them along the hub trail, on a lead. For a number of years I judged dogs in Canada and made trips to Cuba and Mexico. While in the Soo judges and exhibitors stay in motels, buy in stores and eat in restaurants for three days, supporting the local economy. Even the dogs that compete in obedience exercises are treated with care and are trained in a humane manner.

Let us consider; when dogs are brought in for grooming freeing them of mats can be a chore-- they are kept in cages, as are dogs in veterinary hospitals that also board but when they do the dogs are taken out. Should we ban vets or grooming places or pet shops that are known to buy dogs from puppy mills, some known to exist in horrible condition that they then sell. Still pet shops are good for the economy. What about schools? Should we abandon such places that force children to learn, or forbid dogs from the hub trail? NO.

I could go on; the Sault Ste Marie Kennel Club does not put on dog shows to make money, and they are not cruel to dogs. with their obedience classes they barely break even , no one gets paid. They are a service to the community that the council should recognize. Let us not make another decision that will shame the community--a laughing stock-- all over Canada.

Gordon Garrett B.A Apt 304- 700 Bay Ste Sault Ste Marie P6A 7L6

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-123

AGREEMENT: (C3.3) A by-law to authorize the execution of the Agreement between the City and Soo Thunderbirds Hockey Club Incorporated for the use of the John Rhodes Community Centre.

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 the Agreement dated May 24, 2017 between the City and Soo Thunderbirds Hockey Club Incorporated, a copy of which is attached as Schedule "A" hereto. This Agreement is for use of the John Rhodes Community Centre.

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 12th day of June, 2017.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

mw \\citydata\LegalDept\Legal\Staff\BYLAWS\2017\2017-123 Soo Thunderbirds Agreement.doc

Schedule "A"

THIS AGREEMENT made in duplicate this 24 day of May, 2017.

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

- and -

SOO THUNDERBIRDS HOCKEY CLUB INCORPORATED
(hereinafter called the "Club")

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

AND WHEREAS the Club has been sponsored as a Junior "A" hockey team in the Northern Ontario Junior Hockey Association;

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

NOW THEREFORE the parties agree as follows:

1. **TERM OF AGREEMENT**

This Agreement shall be in force for one year from June 1, 2017 to May 31, 2018 (the "Term") provided that the Club has an option to renew this Agreement on a year-to-year basis subject to successful negotiations between the City and the Club on a renewal. The Club shall provide at least two months' written notice to the City of its intent to renew.

2. **PREMISES**

(a) The City agrees to provide for the use of the Club the ice surface at the John Rhodes Community Centre for games (the "Premises"). The City will confirm game dates by way of issuing a permit.

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

(c) Notwithstanding this section, the Club acknowledges and agrees that the Essar Centre, which is owned and operated by the City, is a suitable alternative to the Premises in the event that the Premises are not available for a game or practice, and that the terms contained herein shall apply to the Club's use of the Essar Centre with necessary modifications. The City shall not be responsible for any losses or damages as a result of the Club's use of the Essar Centre as an alternative to the Premises, as required.

3. **ICE CONDITION**

The City agrees to keep the ice surfaces in the Premises in a reasonable playing condition at its expense and to provide attendants to resurface the ice at normal times for games.

4. **GAME TIMES**

Game times are subject to the consent of the City, such consent not to be unreasonably withheld. The City agrees to block out 3.0 hours for games.

5. **PRACTICE TIMES**

The Club shall be allowed to practice at the Premises between 3:30 p.m. and 5:00 p.m. four (4) times per week between Monday and Friday.

6. **STAFFING AND SECURITY**

(a) The Club shall, at its sole responsibility and expense, provide staff for selling and taking tickets, for security and for ushers.

(b) If the City determines, at its sole discretion, that additional security is necessary it shall be provided by the Club at the expense of the Club and shall be arranged between the City and the Club through the Community Centres Division.

(c) The Club shall, at its sole expense, provide Police Officers for security purposes whenever same is recommended or required by the Northern Ontario Junior Hockey League's by-laws.

7. **RENT TO CITY**

(a) **Ice Rental Rate**
The Club agrees to pay to the City rent for games at the normal hourly ice rental rate charged by the City for "organized hockey".

(b) **Payment Terms for Practice Time**
With respect to the costs for practice time the Club agrees to pay for the cost for practice time as follows:

- First $35,000.00 of gate receipts – no charge.
- Next $5,000.00 of gate receipts – 10% to the City and 90% to the Club.
- Next $5,000.00 of gate receipts – 15% to the City and 85% to the Club.
- Remaining gate receipts – 20% to the City and 80% to the Club.

(c) **Payment Terms for Outstanding Debt, Ice Time, and Services**
The Club agrees to pay the City for the game and ice time used, and services (such as security and cashier services) as follows:

- The Club agrees to remain current with regards to their invoices. Specifically, the Club shall pay their invoices, in full, within 30 days of receiving same, as required by the City.
- In the event that the Club does not abide by the Agreement with regards to the payment for its current invoice, staff will report to Council for its consideration.

(d) **Financial Transparency**
The Club agrees that its financial records and accounting statements shall be submitted to the City upon request for the purposes of determining when the costs of the practice time are paid for by the revenues as well as for determining advertising revenue.

8. **ADVERTISING REVENUE**

(a) The Club may sell advertising in John Rhodes Arena 2 on Rink Boards, walls, Ice Logos, and banners.

(b) The Club agrees to remit to the City 10% of any revenue derived from advertising.

(c) The Club may request permission to sell advertising in other areas of the Premises from the Manager of Community Centres. The Club agrees to remit to the City 10% of any revenue derived from same.

(d) All advertising on ice ("Ice Logos") is also subject to the following conditions:

- All costs related to the installation, maintenance and de-installation of Ice Logos will be charged to the Club by the City and the City shall not be responsible for any damage caused to same;
- Ice Logos shall be purchased from Jet Ice; and
- All Ice Logos and a plan for the layout of same shall be submitted to the Manager of Community Centres by June 2, 2017 for approval.

(e) All advertising on hanging banners ("Banners") is also subject to the following condition:

- All installation, maintenance, and de-installation of Banners shall be completed at a time and by a means that are agreeable to the City.

(f) In addition to the aforementioned conditions, all advertising is also subject to the following conditions:

- A mockup of each advertisement must be presented for approval to the Manager of Community Centres prior to the sale of advertising space;

- Each advertisement shall be installed by a contractor that is pre-qualified with the City's Contractor Pre-Qualification Program;
- All equipment required for the safe installation, maintenance, and de-installation of advertisements will be charged to the Club;
- All materials and costs related to the installation, maintenance, and de-installation of advertisements are the sole responsibility of the Club and the City shall not be responsible for any damage caused to same; and
- Advertisements may from time to time be covered by the City to accommodate Regional, Provincial, and National events without compensation to the Club. The City agrees to provide reasonable notice of same to the Club, remove the covering material at its sole expense upon the respective events' conclusion, and to pay for any damage caused to advertisements as a result of the covering and uncovering. The Club shall give notice of the covering to each advertiser affected.

(g) The Club agrees that no advertising will be sold for a period that extends beyond the Term of this Agreement unless the agreement between the advertiser and the Club allows for annual billings and contains a termination provision that is satisfactory to the City.

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

9. **CONCESSION SALES**

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

10. **EQUIPMENT AND DRESSING ROOMS**

(a) The City shall provide the Club with a dressing room at the Premises during games. It shall be the responsibility of the Club to furnish and equip the Premises' dressing room #5 at its expense. The City shall provide the Club a portion of a storage room at the Premises for the Club's exclusive use.

(b) It is understood and agreed that any and all equipment which the Club may store at the Premises shall be stored at the risk of the Club and the City shall not be responsible for any loss of or damage to the equipment.

(c) The Club agrees to maintain all areas provided to the Club by the City under this Agreement in a neat and tidy condition and to be responsible for any maintenance or renovations not ordinarily provided by the City for other groups in the Premises.

11. **BROADCAST AND TELEVISION RIGHTS**

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

12. **CHARITABLE ORGANIZATIONS OPERATING DRAWS AND RAFFLES**

(a) The right of any organization to operate charitable fund raising draws during a Club game shall be at the sole discretion of the Club and shall be negotiated between the Club and the charitable organization in question in accordance with applicable laws, regulations and by-laws.

(b) If the Club wishes to hold any type of lottery scheme such as a raffle it shall obtain the appropriate lottery license and comply with applicable laws, regulations and by-laws. A "raffle" is a lottery scheme where tickets are sold for a chance to win a prize in a draw. The different types of raffle schemes are usually identified by the method of determining the winner. Raffle prizes may consist of merchandise, cash, or a combination of the two. Please refer to the City of Sault Ste. Marie's "Alcohol Risk Management Policy - Section C Lottery License Requirements" for additional details.

13. **UNFORESEEN CAUSES**

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

14. **INSURANCE AND LIABILITY**

(a) Both parties hereto covenant and agree to provide for the protection of each other and the general public, public liability and property damage insurance policies in the amount of at least $5,000,000.00 each at its own expense. Written proof of said insurance shall be provided to the City's Legal Department before the commencement of the Term. The Insurance Certificate shall be the CSIO Form and satisfactory to the City Risk Manager.

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

(c) The City will from time to time and at all times hereafter truly save, defend and keep harmless and fully indemnify the Club from and against all actions, suits, claims, executions and demands of any nature whatsoever which may be brought against or made upon the Club from and against all losses, costs, charges, damages, liens and expenses which may be sustained, incurred, or

paid by the Club by reason, or on account, or in consequence of, or arising out of any act or omission by the City under this Agreement.

15. **TAXES**

(a) The City shall, if engaged by the Club to sell game tickets, pay the Club any money collected pursuant to the Harmonized Sales Tax and it shall be the sole responsibility of the Club to remit that money to the Federal Government.

(b) Any realty taxes that may be assessed against the City as a result of the Club's use the Premises shall be paid by the Club.

(c) The City is licensed to collect and submit music tariffs for the Society of Composers, Authors and Music Publishers of Canada ("SOCAN"), and the cost of SOCAN fees shall be the responsibility of the Club. The Club shall pay all other entertainment tariffs directly to the applicable group or agency and provide the City with confirmation of same upon request. The Club shall accept complete responsibility for any performance of copyright-protected music and agrees that the City will be in no way responsible for any infringement of copyright which may occur on the premises during the Event.

16. **SMOKE-FREE FACILITY**

The Club acknowledges that the Premises is a smoke-free facility. It shall be the responsibility of the Club to assist the City in enforcing this by-law with respect to any employees or personnel associated with the Club.

17. **CANCELLATION**

The City reserves the right to cancel or reschedule any date and time allotted to the Club upon giving the Club reasonable notice. In the event that the Club has to cancel a game or practice, the Club is required to provide at least fourteen (14) days' notice to the City to allow the City to lease the facility to another interested group(s). In the event that the Club fails to give notice as required and the City is unable to lease the facility, regular rental charges set out in this Agreement will apply.

18. **APPLICATION OF LEGISLATION**

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

19. **BINDING EFFECT**

The parties hereto agree that every covenant, proviso and agreement herein shall enure to the benefit of and be binding upon the parties hereto, and their executors, administrators and permitted assigns, that all covenants herein shall be construed as being joint and several, and that, when the contest so requires or permits the singular number shall be read as if the plural were expressed, and

the masculine gender as if the feminine or neutral, as the case may be, were expressed.

20. **ASSIGNMENT OF AGREEMENT**

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

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

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

SOO THUNDERBIRDS HOCKEY CLUB INCORPORATED

Name: Darren Smyl
Title: Pres

I have the authority to bind the corporation.

\\citydata\legal\Staff\LEGAL\CSD\C3.3 Soo Thunderbirds Hockey Club Inc\2017 - New ownership\2017 Soo Thunderbirds.doc

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-124

TEMPORARY STREET CLOSING: (S4.1) A by-law to permit the temporary closing of various City streets in the downtown core of Sault Ste. Marie on June 16th and June 17th, 2017 to facilitate the Queen Street Cruise event.

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 on the following streets, as identified in Schedule "A" attached hereto, on the following dates and times to facilitate the Queen Street Cruise event:

a) **June 16, 2017 from 3:00 p.m. to 11:00 p.m.**

   i. March Street from the north side of Bay Street to the south side of Queen Street East.

b) **June 17, 2017 from 8:00 a.m. to 5:00 p.m.**

   i. Queen Street East from the west side of Church Street to the east side of East Street and from the west side of East Street to the east side of Bruce Street;

   ii. Pilgrim Street from the south side of Towers Street to the north side of Queen Street East;

   iii. Towers Street west of Pilgrim Street and to the north side of Queen Street East;

   iv. A portion of Hynes Street from the midpoint of the street to the north side of Queen Street East (as identified in Schedule "A");

   v. Brock Street from the south side of Albert Street East to the north side of Queen Street East and from the south side of Queen Street East to the north side of Bay Street;

   vi. Spring Street from the south side of Albert Street East to the north side of Queen Street East and from the south side of Queen Street East to the north side of Bay Street;

   vii. March Street from the north side of Bay Street to the south side of Queen Street East; and

viii. Elgin Street from the south side of Albert Street East to the north side of Queen Street East and from the south side of Queen Street East to the north side of Bay Street.

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 12th day of June, 2017.

_____

MAYOR - CHRISTIAN PROVENZANO

_____

CITY CLERK – MALCOLM WHITE

sp\\citydata\LegalDept\Legal\Staff\BYLAWS\2017\2017-124 Temporary Street Closure - Queen Street Cruise.doc

Schedule "A"

Date: 06/16/2017 Author: A. Starzomski Project: Queen Street Cruise

Comments:

Temporary traffic setup for Queen Street Cruise.
Dates: June 16 **& June 17**
Time: 3:00pm - 11:00 pm
March Street and Spring Street will be closed on Friday night.
PWT to provide barricades and road closed signs.
They will be placed at designated locations. It will be the responsibility of the event staff to erect and remove barricades and signs.

Drawing 1 of 3
Drawing Size: 17in x 11in

Approvals:
Public Works and Engineering Services
City of Sault Ste Marie - Legal
City of Sault Ste Marie - Police Services
Queen St Cruise Festival - Administration

Date: 06/17/2017 **Author:** A. Starzomski **Project:** Queen Street Cruise

Comments:

Temporary traffic setup for Queen Street Cruise.
Dates: June 17
Time: 8:00 am - 5:00 pm

PWT to provide barricades and road closed signs.
They will be placed at designated locations. It will be the responsibility of the event staff to erect and remove barricades and signs.

Bruce Street And East Street are to remain open for north/south traffic

Drawing 2 of 3
Drawing Size: 17in x 11in

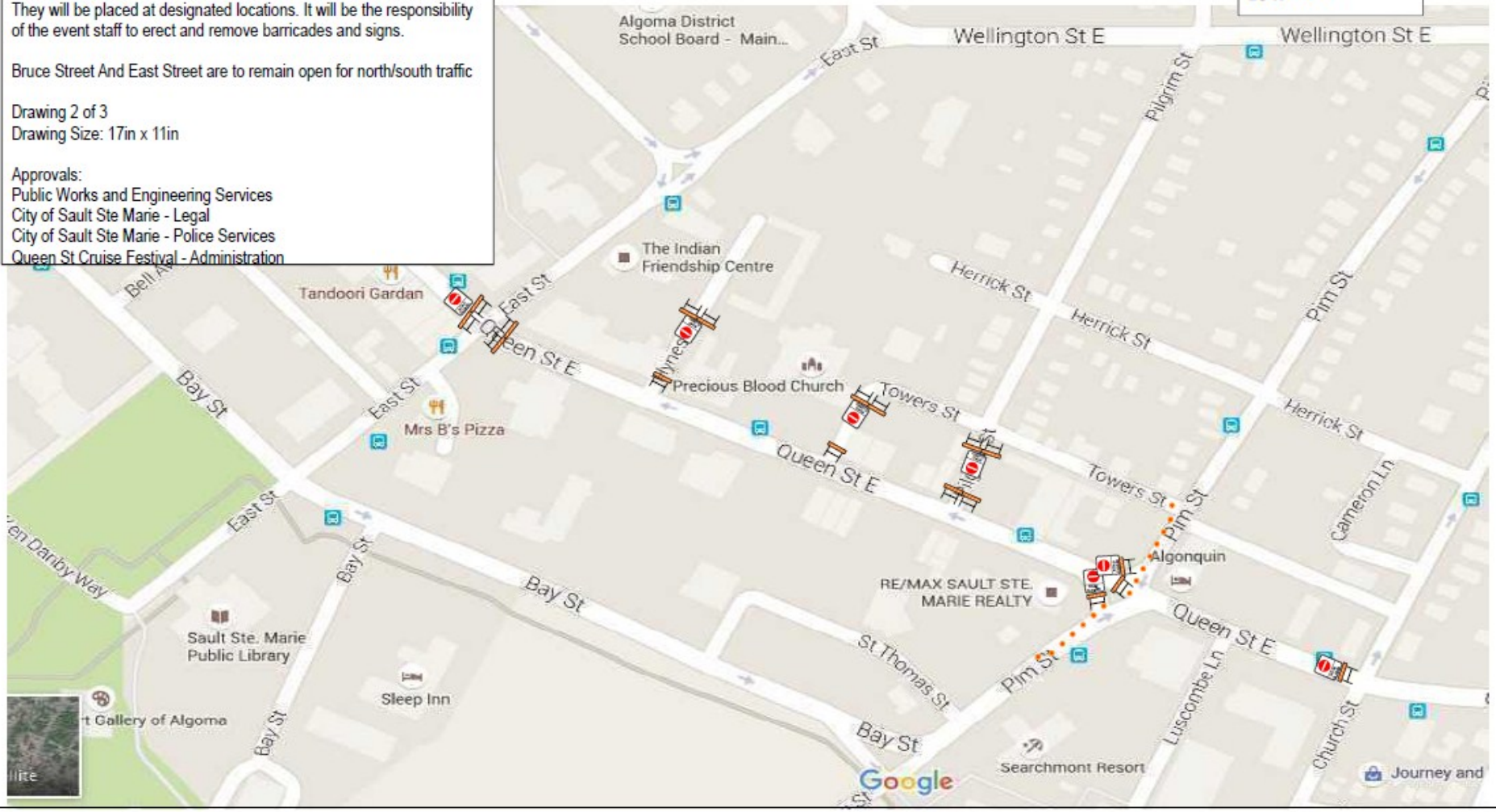
Approvals:
Public Works and Engineering Services
City of Sault Ste Marie - Legal
City of Sault Ste Marie - Police Services
Queen St Cruise Festival - Administration

Manifest

8 x RB-92 RB-92

20 x Barrier

15 x Barrel



Date: 06/17/2017 Author: A. Starzomski Project: Queen Street Cruise

www.invarion.com
Page: 2 of 2

Comments:

Temporary traffic setup for Queen Street Cruise.
Dates: June 17
Time: 8:00 am - 5:00 pm

PWT to provide barricades and road closed signs.
They will be placed at designated locations. It will be the responsibility of the event staff to erect and remove barricades and signs.

Bruce Street And East Street are to remain open for north/south traffic

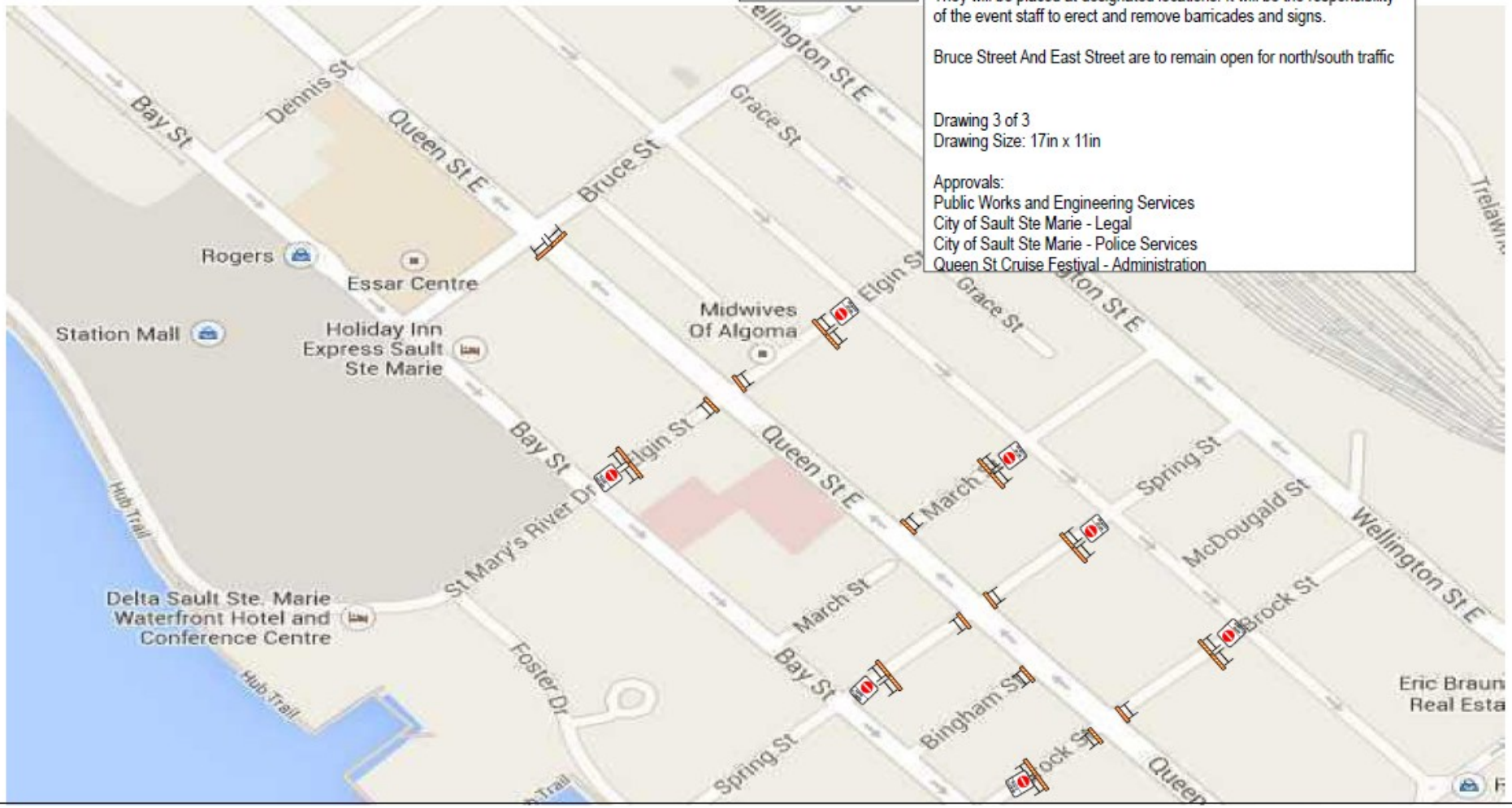
Drawing 3 of 3
Drawing Size: 17in x 11in

Approvals:
Public Works and Engineering Services
City of Sault Ste Marie - Legal
City of Sault Ste Marie - Police Services
Queen St Cruise Festival - Administration

Manifest

24 x Barrier

7 x RB-92 RB-92



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-125

AGREEMENT: (E2.2) A by-law to authorize the execution of the Contract between the City and Ellwood Robinson Limited for Miscellaneous Construction/Paving (Contract 2017-7E).

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 the Contract between the City and Ellwood Robinson Limited for Miscellaneous Construction/Paving (Contract 2017-7E), 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 12th day of June, 2017.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

mw \\citydata\LegalDept\Legal\Staff\BYLAWS\2017\2017-125 - Contract 2017-7E - Ellwood Robinson.doc

Schedule "A"

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

CONTRACT 2017-7E

FORM OF AGREEMENT

This Agreement made (in triplicate) this **12th** day of **June** in the year **2017** by and between **Ellwood Robinson Limited** hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the Contract Documents entitled:

   MISCELLANEOUS CONSTRUCTION/PAVING
   CONTRACT 2017-7E

   Which have been signed in triplicate by both parties and which were prepared under the supervision of Don Elliott, P. Eng., Director of Engineering acting as and herein entitled, the Owner.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.

3. The Contractor will complete all the work to the entire satisfaction of the Owner within the period of time specified.

4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.

5. The Corporation shall pay the Contractor for work that is ordered in writing by the Owner and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.

6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

7. All communications in writing between the Corporation, the Contractor and the Owner shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile as follows:

THE CORPORATION:
The Corporation of the City of Sault Ste. Marie
Civic Centre
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

THE CONTRACTOR:
Ellwood Robinson Limited
2075 Great Northern Road
Sault Ste. Marie, ON P6A 5K7
Facsimile: 705-945-8237

THE OWNER:
Mr. Don Elliott, P. Eng.
Director of Engineering
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
Facsimile: 705-541-7165

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered
in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR - CHRISTIAN PROVENZANO

(seal)

CITY CLERK – MALCOLM WHITE

THE CONTRACTOR

ELLWOOD ROBINSON LIMITED

COMPANY NAME

(seal)

SIGNATURE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-126

AGREEMENT: (E2.2) A by-law to authorize the execution of the Contract between the City and Pioneer Construction Inc. for Second Line East Repaving (Contract 2017-8E).

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 the Contract between the City and Pioneer Construction Inc. for Second Line East Repaving (Contract 2017-8E), 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 12th day of June, 2017.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

mw \\citydata\LegalDept\Legal\Staff\BYLAWS\2017\2017-126 - Contract 2017-8E - Pioneer Construction Inc.doc

Schedule "A"

CORPORATION OF THE CITY OF SAULT STE. MARIE

CONTRACT 2017-8E

FORM OF AGREEMENT

This Agreement made (in triplicate) this **12th** day of **June** in the year **2017** by and between **Pioneer Construction Inc.** hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the contract documents entitled:

SECOND LINE EAST REPAVING
CONTRACT 2017-8E

Which have been signed in triplicate by both parties and which were prepared under the supervision of Don Elliott, P. Eng., Director of Engineering acting as and herein entitled, the Owner.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.

3. The Contractor will complete all the work to the entire satisfaction of the Owner within the period of time specified.

4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.

5. The Corporation shall pay the Contractor for work that is ordered in writing by the Owner and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.

6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

7. All communications in writing between the Corporation, the Contractor and the Owner shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile as follows:

THE CORPORATION:
The Corporation of the City of Sault Ste. Marie
Civic Centre
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

THE CONTRACTOR:
Pioneer Construction Inc.
845 Old Goulais Bay Road
Sault Ste. Marie, ON P6A 0B5
Facsimile: 705-946-0738

THE OWNER:
Mr. Don Elliott, P. Eng.
Director of Engineering
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
Facsimile: 705-541-7165

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered
in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR - CHRISTIAN PROVENZANO

(seal)

CITY CLERK – MALCOLM WHITE

THE CONTRACTOR

PIONEER CONSTRUCTION INC.

COMPANY NAME

(seal)

SIGNATURE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-127

AGREEMENT: (E2.2) A by-law to authorize the execution of the Contract between the City and MSO Construction Limited for Surface Treatment (Contract 2017-9E).

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 the Contract between the City and MSO Construction Limited for Surface Treatment (Contract 2017-9E), 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 12th day of June, 2017.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

mw \\citydata\LegalDept\Legal\Staff\BYLAWS\2017\2017-127 - Contract 2017-9E - MSO Construction Limited.doc

Schedule "A"

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

CONTRACT 2017-9E

FORM OF AGREEMENT

This Agreement made (in triplicate) this **12th** day of **June** in the year **2017** by and between **MSO Construction Limited** hereinafter called the "Contractor"

AND

The Municipal Corporation of the City of Sault Ste. Marie, Ontario hereinafter called the "Corporation".

WITNESSETH: That the Contractor and the Corporation undertake and agree as follows:

1. The Contractor will provide all the materials and all the works shown and described in the Contract Documents entitled:

SURFACE TREATMENT
CONTRACT 2017-9E

Which have been signed in triplicate by both parties and which were prepared under the supervision of Don Elliott, P. Eng., Director of Engineering acting as and herein entitled, the Owner.

2. The Contractor will do and fulfill everything indicated by the Agreement, the General Conditions, the Specifications, the Special Provisions and the Drawings.

3. The Contractor will complete all the work to the entire satisfaction of the Owner within the period of time specified.

4. The Corporation shall pay to the Contractor the contract price as set forth in the Form of Tender in accordance with the provisions as set forth in the General Conditions and the Special Provisions. The quantities contained in the Form of Tender are approximate only and the final payment shall be made for the actual quantities that are incorporated in or made necessary by the work covered by the contract.

5. The Corporation shall pay the Contractor for work that is ordered in writing by the Owner and that cannot be classified as coming under any of the contract units and for which no unit price, lump sum, or other basis can be agreed upon, on a time and material basis as set out in the General Conditions.

6. The Contractor shall indemnify and save harmless the Corporation, its officers, employees and agents, from all loss, damages, costs, charges and expenses of every nature and kind whatsoever which may be made or brought against the Corporation, its officers, employees and agents, by reason or in consequence of the execution and performance or maintenance of the work by the Contractor, its employees, agents or officers.

7. All communications in writing between the Corporation, the Contractor and the Owner shall be deemed to have been received by the Addressee if delivered to the individual, a member of the firm or an officer of the Corporation for whom they are intended or if sent by post or by facsimile as follows:

THE CORPORATION:
The Corporation of the City of Sault Ste. Marie
Civic Centre
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6

THE CONTRACTOR:
MSO Construction Limited
175 Bethridge Road
Etobicoke, ON M9W 1N4
Facsimile: 416-743-6664

THE OWNER:
Mr. Don Elliott, P. Eng.
Director of Engineering
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
Facsimile: 705-541-7165

IN WITNESS WHEREOF the parties hereto have executed this Agreement by the day and year first above written.

Signed, Sealed and Delivered
in the presence of

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR - CHRISTIAN PROVENZANO

(seal)

CITY CLERK – MALCOLM WHITE

THE CONTRACTOR

MSO CONSTRUCTION LIMITED

COMPANY NAME

(seal)

SIGNATURE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-128

AGREEMENT: (AG114) A by-law to authorize the execution of an agreement between the City and the Downtown Association for the use of the March Street Stage at March Street and Queen Street East, Sault Ste. Marie, the Essar Centre parking lot at Queen Street East and Dennis Street, Sault Ste. Marie, and Queen Street East from Pim Street to Bruce Street, Sault Ste. Marie for the Queen Street Cruise Programming.

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 June 12, 2017 between the City and the Downtown Association, a copy of which is attached as Schedule “A” hereto. This agreement is a Licence to Occupy City Property for the use of the March Street Stage at March Street and Queen Street East, Sault Ste. Marie, the Essar Centre parking lot at Queen Street East and Dennis Street, Sault Ste. Marie, and Queen Street East from Pim Street to Bruce Street, Sault Ste. Marie for the Queen Street Cruise Programming.

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 12th day of June, 2017.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

LEGAL\STAFF\BYLAWS\2017\2017-128 EXECUTION AGREEMENT QUEEN STREET CRUISE.DOC

Schedule "A"

AG114

LICENCE TO OCCUPY CITY PROPERTY

THIS LICENCE made in duplicate this 12th day of June, 2017

B E T W E E N:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(herein referred to as the "City")

- and -

DOWNTOWN ASSOCIATION

(herein referred to as the "Licencee")

The City grants to the Licencee the right to occupy the property of the City ("the City Property") identified as: the March Street Stage at March Street and Queen Street East, Sault Ste. Marie; the Essar Centre parking lot at Queen Street East and Dennis Street, Sault Ste. Marie; and a section of Queen Street East from Pim Street to Bruce Street, not including any City Boulevard, Parking Bay, Sidewalk, and/or Laneway that is subject to a Licence to Occupy City Property Agreement between the City and respective Property Owner under the City's Outdoor Patio Program, and specifically as shown and identified in Schedule "A" attached to this Licence to Occupy City Property.

This Licence is subject to the conditions set out in Schedule "B" attached.

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

Date: _____

DOWNTOWN ASSOCIATION

_____

MANAGER, DOWNTOWN ASSOCIATION – JOSH INGRAM

I HAVE THE AUTHORITY TO BIND THE DOWNTOWN ASSOCIATION.

Date: June 12, 2017

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

_____

MAYOR – CHRISTIAN PROVENZANO

_____

CITY CLERK – MALCOLM WHITE

SCHEDULE "A" TO
LICENCE TO OCCUPY CITY PROPERTY

City Property

The following programming is permitted to be set up and/or conducted at the following locations on City Property on Friday, June 16, 2017:

A. The March Street Stage at March Street and Queen Street East.

   1. Live music- instruments and musicians.

B. The Essar Centre parking lot at Queen Street East and Dennis Street ("Essar Centre Parking Lot"). The temporary structures itemized below are permitted to be in and around the Essar Centre Parking Lot in accordance with the layout represented in "Appendix 1", as provided by the Licencee. The City and Licencee acknowledge that Appendix 1 sets out the approximate location(s) of each temporary structure and elements of Programming, and that the actual set up of the temporary structures and Programming may slightly vary from the layout set forth in Appendix 1.

   1. Square one (1) in Essar Centre Parking Lot.
      a) Little Orbitz Doughnut Truck, approximately sixteen (16') feet in length.

   2. Square two (2) in Essar Centre Parking Lot.
      a) A Pop Up Patio setup and hosted by the Essar Centre, which will include barricades, tables, and seating.

   3. Square three (3) in Essar Centre Parking Lot.
      a) Portable stage with dimensions of sixteen (16') feet by sixteen (16') feet for the purpose of providing a platform for live music performances.

   4. Square four (8) in Essar Centre Parking Lot.
      a) Portable tables, each being approximately six (6') feet in length, to serve as a registration area for participants.

   5. Square nine (9) in Essar Centre Parking Lot.
      a) Pop up tent with the dimensions of ten (10') feet by ten (10') feet for the purposes of covering an Ontario Lottery and Gaming Corporation kiosk.

   6. Square ten (10) in Essar Centre Parking Lot.
      a) Portable table, approximately eight (8') feet in length, to serve as an advertising area for We Own It, a local storage company.

   7. Square eleven (11) in Essar Centre Parking Lot.
      a) Two portable tables, each being approximately six (6') feet in length, for a face painting/caricature station.

8. Square twelve (12) in Essar Centre Parking Lot.
    a) A series of portable tables, each being approximately six (6') feet in length, to serve as an advertising area for local businesses.

9. Square thirteen (13) in Essar Centre Parking Lot.
    a) DogHouse Custom Painting trailer, approximately sixteen (16') feet in length.

10. Square fourteen (14) in Essar Centre Parking Lot.
    a) City Meat Market food truck.

11. Yellow rectangles in Essar Centre Parking Lot.
    a) Reserved parking area for Show Cars.

12. Red "X"'s on the Dennis Street and Bay Street entrances to the Essar Centre Parking Lot.
    a) Temporary barricades to prevent the entrance of vehicles.

The following programming is permitted to be set up and/or conducted at the following locations on City Property on Saturday, June 17, 2017:

C. Queen Street East between Pim Street and Bruce Street. The temporary structures and Programming itemized below are permitted to be on the City Property in accordance with the layouts presented in "Appendix 2", as provided by the Licencee. The City and the Licencee acknowledge that Appendix 2 sets out the approximate location(s) of each temporary structure and elements of Programming, and that the actual setup of the temporary structures and Programming may slightly vary from the layouts set forth in Appendix 2.

1. Queen Street East, between Pim Street and East Street, as represented in Appendix 2-1.
    a) Sidewalk sales by retailers;
    b) Live music – without the use of a stage;
    c) A registration area consisting of two (2) portable tables, each eight (8') feet in length;
    d) A car display consisting of Emergency Medical Services vehicles, including an ambulance and fire truck; and
    e) A pancake breakfast station, which will consist of approximately 20 portable tables of varying lengths and temporary seating.

2. Queen Street East, between East Street and Brock Street, as represented in Appendix 2-2.
    a) Sidewalk sales by retailers; and
    b) Live music – without the use of a stage.

3. Queen Street East, between Brock Street and Spring Street, as represented in Appendix 2-3.
    a) Sidewalk sales by retailers;

b) A pop up tent with the dimensions of ten (10') feet by ten (10') feet for the purpose of covering a Mazda car display and vehicle test drive station, with drivers exiting onto Spring Street to complete test drives; and
c) A pop up tent with the dimensions of ten (10') feet by ten (10') feet for the purpose of covering a Realty Executives Algoma Ltd. information booth, where bottled water and packaged snacks (e.g., chips, candy bars, etc.) will be sold.

4. Queen Street East, between Spring Street and Elgin Street, as represented in Appendix 2-4.
   a) Sidewalk sales by retailers;
   b) Live music performances on the March Street Stage;
   c) Portable outdoor washroom stalls in the vicinity behind the March Street Stage;
   d) The City Meat Market food truck; and
   e) Three (3) pop up tents, each with the dimensions of ten (10') feet by ten (10') feet, for the purposes of covering the Doghouse Custom Paint trailer and several parked Show Cars.

5. Queen Street East, between Elgin Street and Bruce Street, as represented in Appendix 2-5.
   a) Sidewalk sales by retailers; and
   b) A face painting/caricature station.

The above programming is referred to as "Queen Street Cruise Programming" in this Licence Agreement.

SCHEDULE "B"
LICENCE TO OCCUPY CITY PROPERTY

This Licence is subject to the following conditions:

1. The City hereby grants permission to the Licencee to set up and conduct the Queen Street Cruise Programming specifically enumerated in Schedule "A" to this Licence Agreement on June 16, 2017 and June 17, 2017, as part of the Queen Street Cruise Programming on the March Street Stage at March Street and Queen Street East, Sault Ste. Marie, the Essar Centre Parking Lot at Queen Street East and Dennis Street, Sault Ste. Marie, and a portion of Queen Street East between Pim Street and Bruce Street, Sault Ste. Marie, as identified in Schedule "A" to this Licence Agreement (the "City Property"), and subject to the following schedule for June 16, 2017 and June 17, 2017:
    a. Between the hours of 3:00 p.m. and 11:00 p.m. on June 16, 2017, the Licencee may set up and conduct the Queen Street Cruise Programming at the March Street Stage at March Street and Queen Street East and at the Essar Centre Parking Lot at Queen Street East and Dennis Street;
    b. By the hour of 11:59 p.m. on June 16, 2017, the Licencee shall have completed the removal of the Queen Street Cruise Programming and all other items related directly or indirectly to the Programming from City Property at their sole cost, liability and expense;
    c. Between the hours of 8:00 a.m. and 10:00 a.m. on June 17, 2017, the Licencee may set up the Queen Street Cruise Programming on the sections of Queen Street East between Pim Street and Bruce Street, Sault Ste. Marie as identified in Schedule "A" to this Licence Agreement;
    d. Between the hours of 10:00 a.m. and 4:00 p.m. on June 17, 2017, the Programming shall carry on; and
    e. By the hour of 5:00 p.m. on June 17, 2017, the Licencee shall have completed the removal of the Queen Street Cruise Programming and all other items related directly or indirectly to the Programming from City Property at their sole cost, liability and expense.

    The above is collectively referred to as the "Event" in this Licence Agreement.

2. The Licencee and the City agree that the City will be providing the following equipment ("City Equipment") to the Licencee to facilitate the Programming on June 16, 2017 in the Essar Centre Parking Lot:
    a. One (1) portable stage with dimensions of sixteen (16') feet by sixteen (16') feet, as specified in Paragraph B(3)(a) of Schedule A to this Licence Agreement;
    b. Several portable tables of varying dimensions, as specified in Paragraph B of Schedule A to this Licence Agreement; and
    c. Several metal and plastic fold-up chairs to seat participants and visitors.

3. Notwithstanding the City Equipment being provided by the City as per Section (2) herein, the Licencee shall indemnify and save harmless the City 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 provision of the City Equipment as set out herein, the intent being that the City shall be at no risk or expense in respect of same.

4. The Licencee shall be responsible for the security of all temporary structures and Show Cars that are setup on City Property and warrants that a private security service will be hired, at the sole cost, liability and expense of the Licencee, to monitor the said structures and Show Cars for the entirety of the Event.

5. Following the completion of the Event, the Essar Centre Manager, or his designate, shall inspect the condition of the City Equipment to determine whether any damage was sustained as a result of the Programming. The Licencee shall be responsible for the Replacement Cost of any City Equipment, as identified in Section (2), which in the sole opinion of the Essar Centre Manager was damaged as a result of the Programming.

6. The Licencee and the City understand the term Replacement Cost, as used in Section (5) herein, to mean the cost of repairing, replacing, or reconstructing (whichever is the least) the City Equipment using new materials of similar kind and quality, without deduction for depreciation.

7. One hundred ten (110V) volts of electrical power will be supplied by the City to provide power to the portable stage in the Essar Centre Parking Lot, as set out in Schedule "A" to this Agreement. Notwithstanding the provision of electrical power by the City, the Licencee shall indemnify and save harmless the City from all costs and expenses caused to 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 provision of electrical power as set out herein, the intent being that the City shall be at no risk or expense in respect of same.

8. The City may, in its sole determination and discretion, provide access to washroom facilities located within the Essar Centre Arena granted that the Licencee provide a private security service, at the sole cost, liability, and expense of the Licencee, to monitor the Essar Centre Arena to the sole satisfaction of the Deputy CAO, Community Development & Enterprise Services, or his designate. To this end, the City's Deputy CAO, Community Development & Enterprise Services, or his designate, shall provide the Licencee with written notice as to the access so permitted to washroom facilities located within the Essar Centre Arena, and the necessary security requirements required to be provided by the Licencee by forwarding same to:

   Downtown Association
   c/o Josh Ingram
   496 Queen Street E.
   Sault Ste. Marie, ON P6A 1Z8
   Tel: (705) 942-2919
   Fax: (705) 942-6368
   Email: jingram@saultdowntown.com

   This notification once served shall form part of this Agreement as Schedule "C". Again, the Licencee shall indemnify and save harmless the City from all costs and expenses caused to 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 provision of washroom facilities as set out herein, the intent being that the City shall be at no risk or expense in respect of same.

9. At no time shall the City be responsible for setting up, maintaining, removing or otherwise dealing with the Queen Street Cruise Programming. The Licencee shall be responsible for all costs, expenses and liabilities relating to the setup, presence, use and removal of the Queen Street Cruise Programming located on City Property. The Licencee shall indemnify and save harmless the City from any costs and expenses incurred by the City that may result from the Queen Street Cruise Programming.

10. All matters related to the Queen Street Cruise Programming are the responsibility of the Licencee. At no time shall the City be responsible for any matters related to the Queen Street Cruise Programming, and the Licencee shall indemnify and save harmless the City from any costs and expenses incurred by the City that may result from the Queen Street Cruise Programming.

11. The Licencee shall comply with all Laws, By-Laws, Rules and Regulations of any governing body respecting the Queen Street Cruise Programming, 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.

12. The tent structures described in Schedule "A" to this Licence Agreement are to comply with the following conditions:
    a. The tent structures must be no less than three (3m) metres (9.8 feet) away from any building or other tent structure;
    b. The tent structures must be at ground level and must not be raised in any way;
    c. The tent structures and Programming must provide for access and clear passage by persons using mobility aides and strollers; and
    d. The tent structures and Programming must comply with section 2.9 Tents And Air-Supported Structures, O. Reg. 213/07: Fire Code, made under *Fire Protection and Prevention Act,* 1997, S.O. 1997, c. 4.

13. The Licencee warrants that it will ensure that an unobstructed pathway of 1.5 metres in width is maintained at all times on the City's sidewalks utilized for the Programming, as mandated by the *Integrated Accessibility Standards Regulation - Design of Public Spaces Standard.*

14. The Licencee warrants that in carrying out the Programming described in Schedule "A" to this Licence Agreement that it will comply with the following conditions regarding the temporary street closure of the City's streets as identified in the Street Closure Application:
    a. The street closure must conform to the procedures as presented in the Ontario Traffic Manual Book 7 including, but not limited to, all signage and emergency services notification requirements; and
    b. Signage and barricades shall be placed in accordance with the Road Closure Plan designed by the City's Public Works & Engineering Services Department as set forth in "Appendix 3" to this Licence Agreement and comply with any amendments made by the City's Public Works & Engineering Services Department and attached thereto.

15. The Licencee shall be liable for all taxes, permits, licences or assessments of every nature and kind whatsoever, in any way arising from the Queen Street Cruise Programming.

16. The Licencee shall indemnify and save harmless the City from all costs and expenses caused to 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 Queen Street Cruise Programming, the intent being that the City shall be at no risk or expense to which it would not have been put had the Queen Street Cruise Programming not occurred.

17. The Licencee shall not assign, transfer or make any other disposition of this Licence Agreement, or of the rights conferred thereby, without the prior written consent of the City.

18. If, at the sole discretion of the City and/or emergency personnel, the City and/or emergency personnel requires access to any portion of City Property, such that removal of any portion or the entirety of the Queen Street Cruise Programming is required, the Licencee shall in no way restrict such access and the City and/or emergency personnel shall in no way be responsible for restoring the Queen Street Cruise Programming to its condition prior to such access by the City and/or emergency personnel.

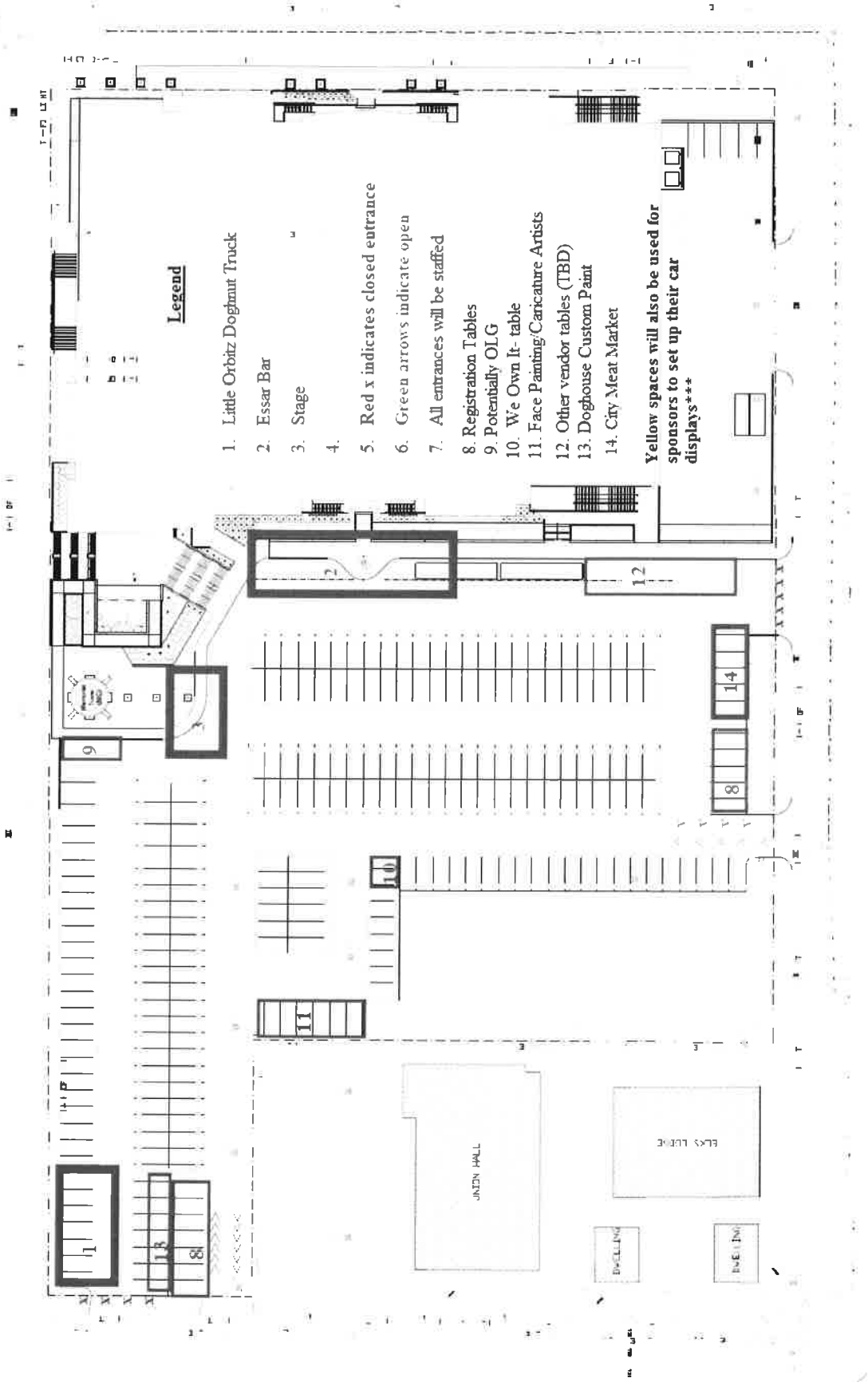
19. The Queen Street Cruise Programming shall terminate at 11:00 p.m. on June 16, 2017 and at 4:00 p.m. on June 17, 2017. The Licencee shall promptly remove the Queen Street Cruise Programming and complete all necessary cleanup activities at their sole cost and expense by the hour of 11:59 p.m. on June 16, 2017, subject to the temporary structures permitted to remain as per Section (2) herein, and 5:00 p.m. on June 17, 2017 and leave the City Property in a condition satisfactory to the City, provided that if the required cleanup activities are not completed and/or the Queen Street Cruise Programming is not removed by the Licencee by 11:59 p.m. on June 16, 2017 and/or 5:00 p.m. on June 17, 2017, the City may complete such cleanup and removal of the Queen Street Cruise Programming as it deems necessary at the expense and risk of the Licencee.

20. The Licencee will not use or permit the use of the City Property for any purpose other than the purpose herein set out, namely the Queen Street Cruise Programming. No buildings, structures or other programming shall be erected or conducted on the City Property by the Licencee unless the City provides its prior express written consent to same.

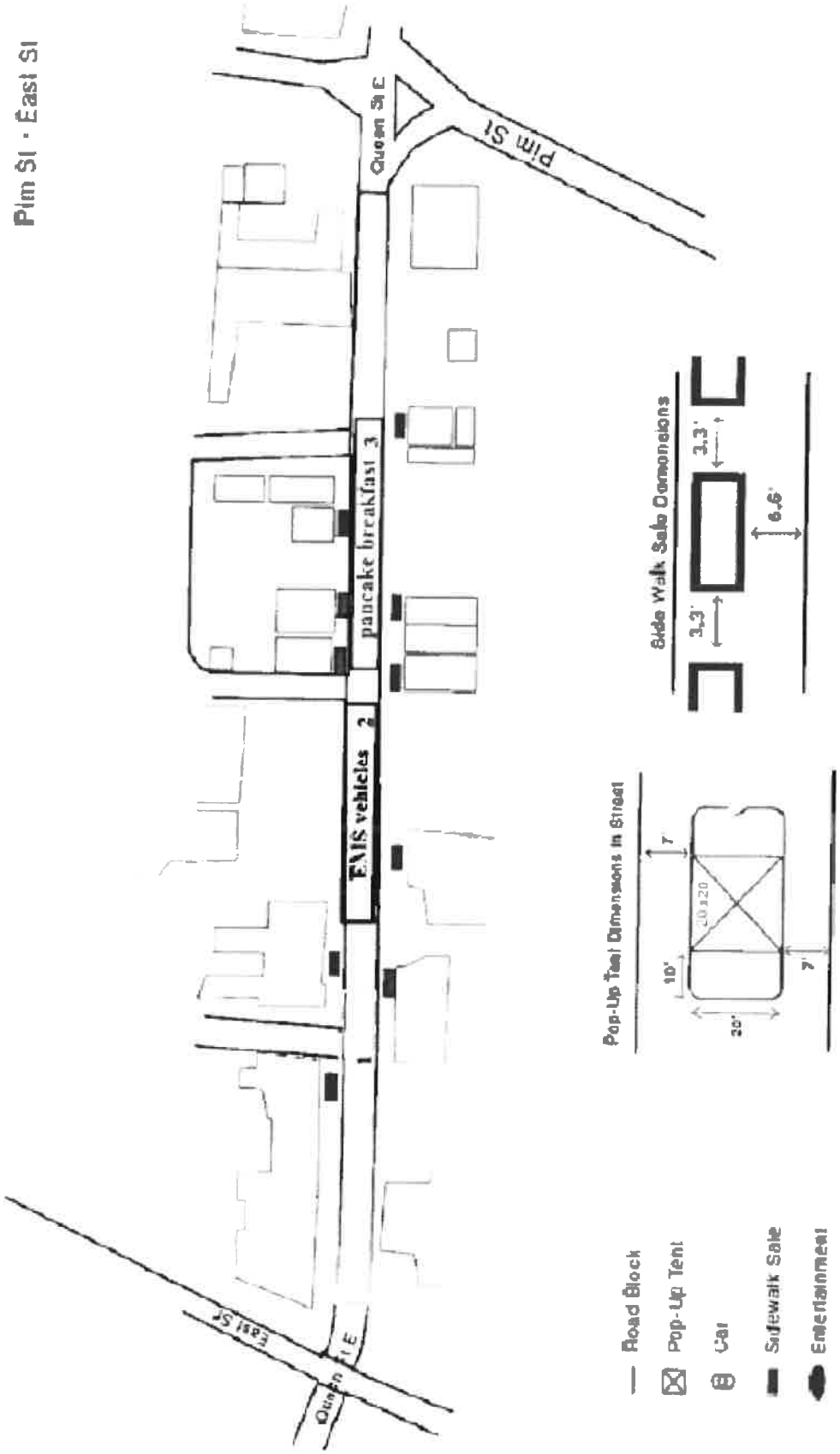
21. The Licencee shall keep in force during the term of this Licence Agreement, property damage insurance and personal injury insurance against claims for bodily injury, death or property damage occurring on the City Property in an amount not less than Two Million ($2,000,000.00) Dollars and name the City as "Additional Insured" to same. Proof of said insurance shall be filed with the Legal Department of the City of Sault Ste. Marie on or before June 12, 2017.

22. This Licence Agreement shall terminate at 5:00 p.m. on June 17, 2017. The provisions of paragraphs 3, 5-11 inclusive, 15-17 inclusive, and paragraph 19 of this Licence Agreement survive the termination of this Licence Agreement

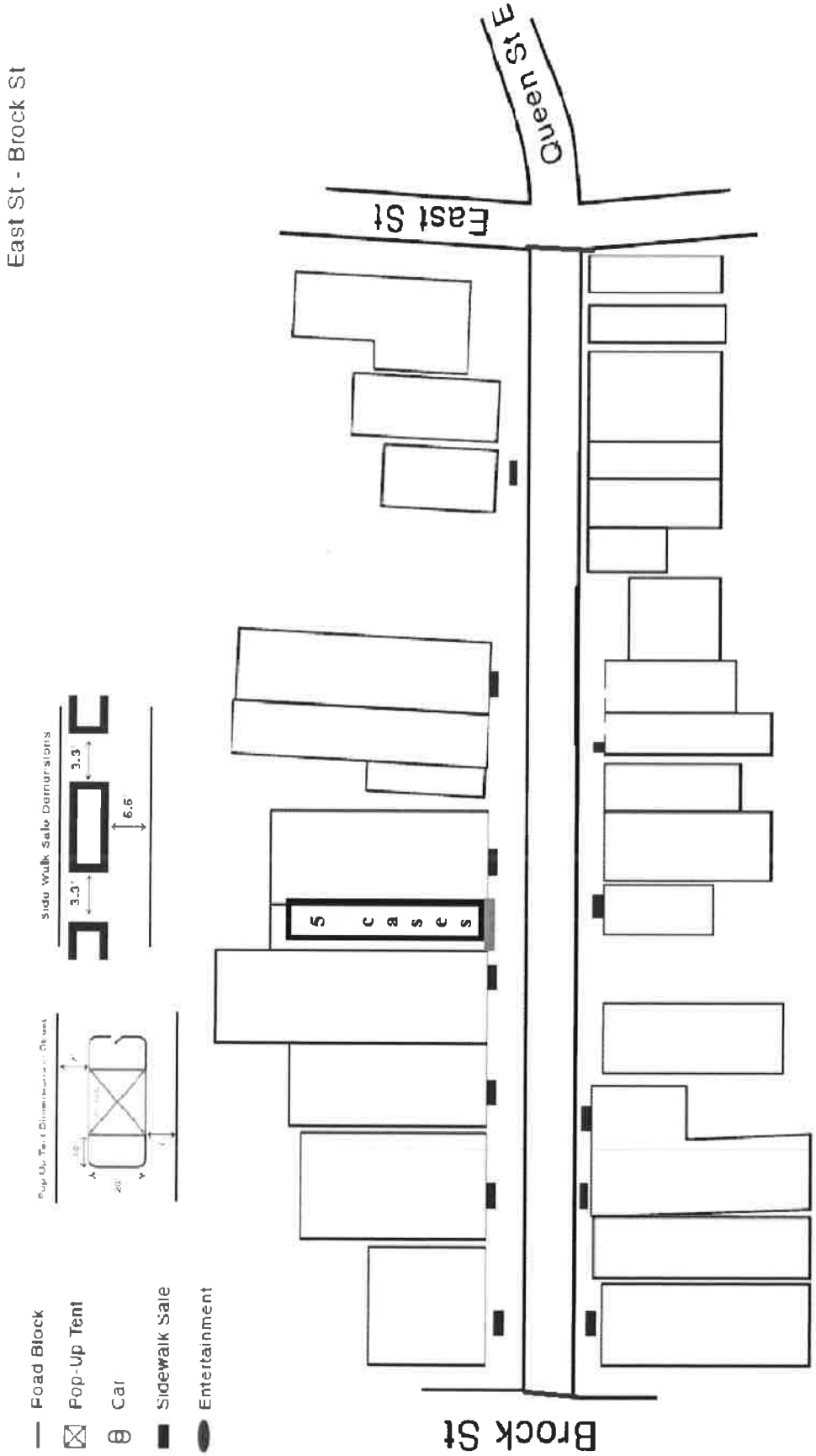
Appendix 1


Legend
1. Little Orbitz Dogmut Truck
2. Essar Bar
3. Stage
4.
5. Red x indicates closed entrance
6. Green arrows indicate open
7. All entrances will be staffed
8. Registration Tables
9. Potentially OLG
10. We Own It- table
11. Face Painting/Caricature Artists
12. Other vendor tables (TBD)
13. Doghouse Custom Paint
14. City Meat Market
Yellow spaces will also be used for sponsors to set up their car displays***
UNION HALL
ELKS LODGE

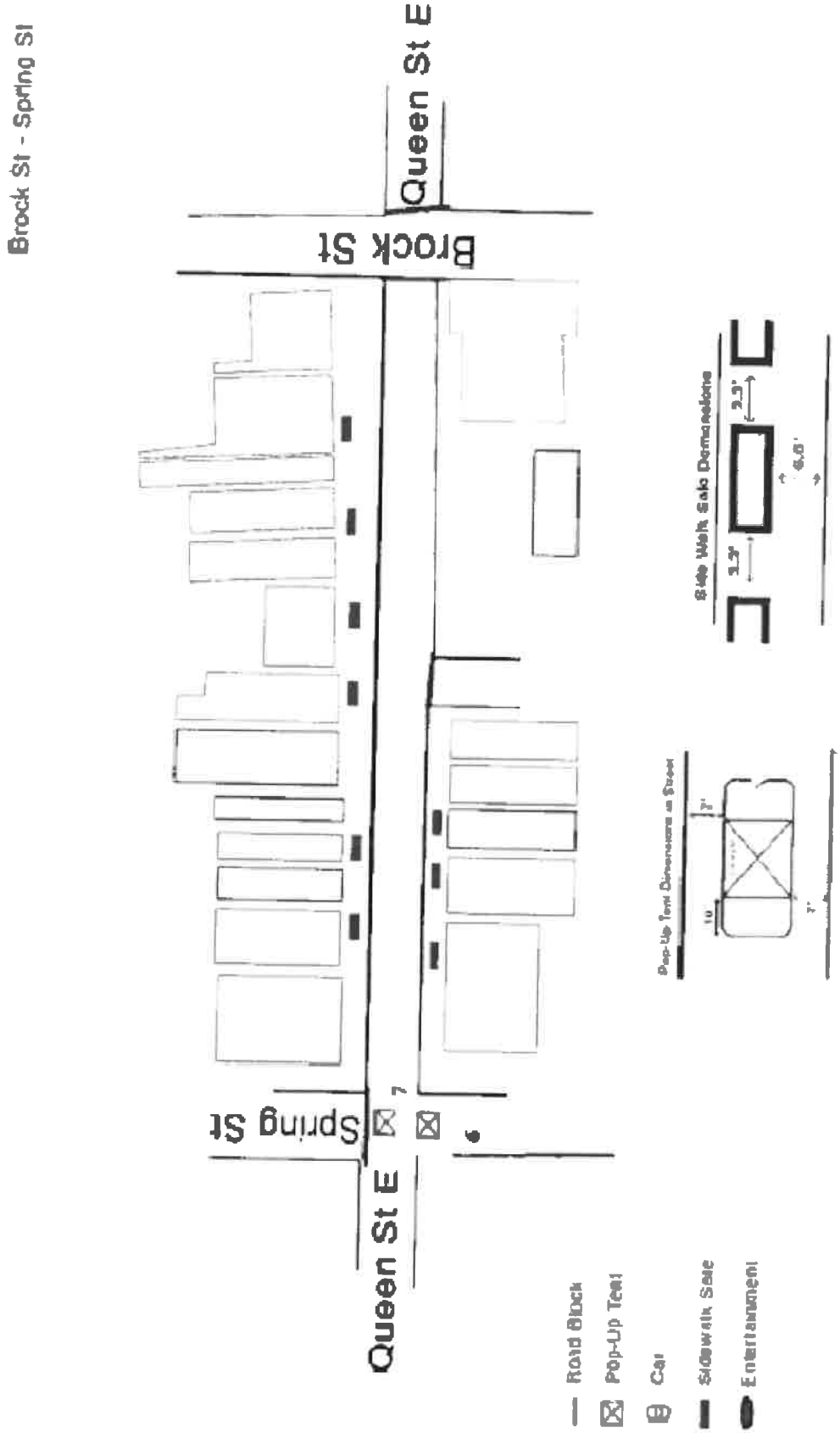
Appendix 2-1


Pim St - East St
Pim St
Queen St E
pancake breakfast 3
EMS vehicles 2
1
East St
Queen St E
Side Walk Sale Dimensions
3.3'
3.3'
6.6'
Pop-Up Tent Dimensions in Street
7'
10'
20'
7'
Road Block
Pop-Up Tent
Car
Sidewalk Sale
Entertainment

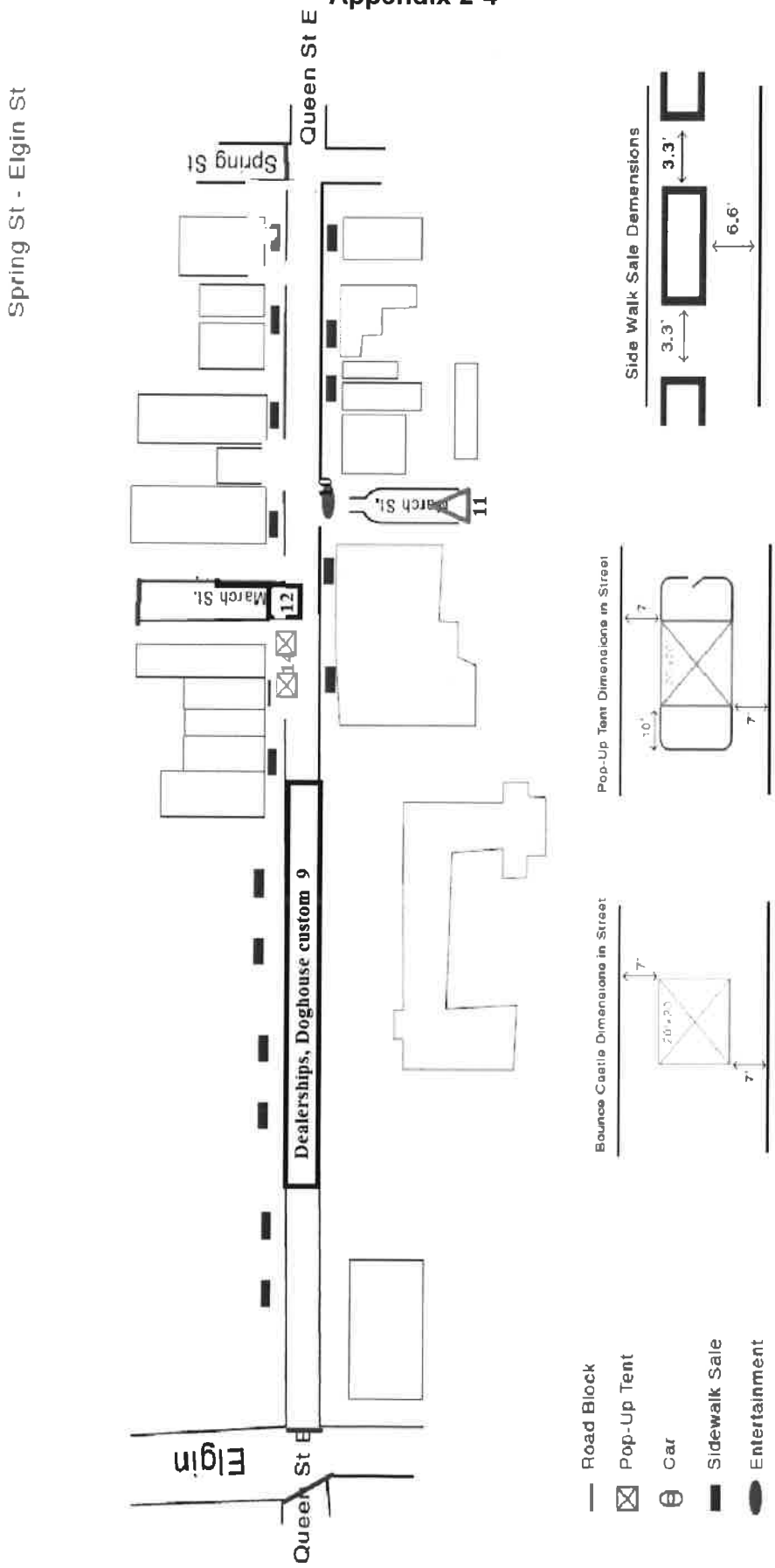
Appendix 2-2


East St - Brock St
Road Block
Pop-Up Tent
Car
Sidewalk Sale
Entertainment
Pop Up Tent Dimensions Sheet
Side Walk Sale Dimensions
3.3
3.3
6.6
5 c a s e s
Brock St
East St
Queen St E

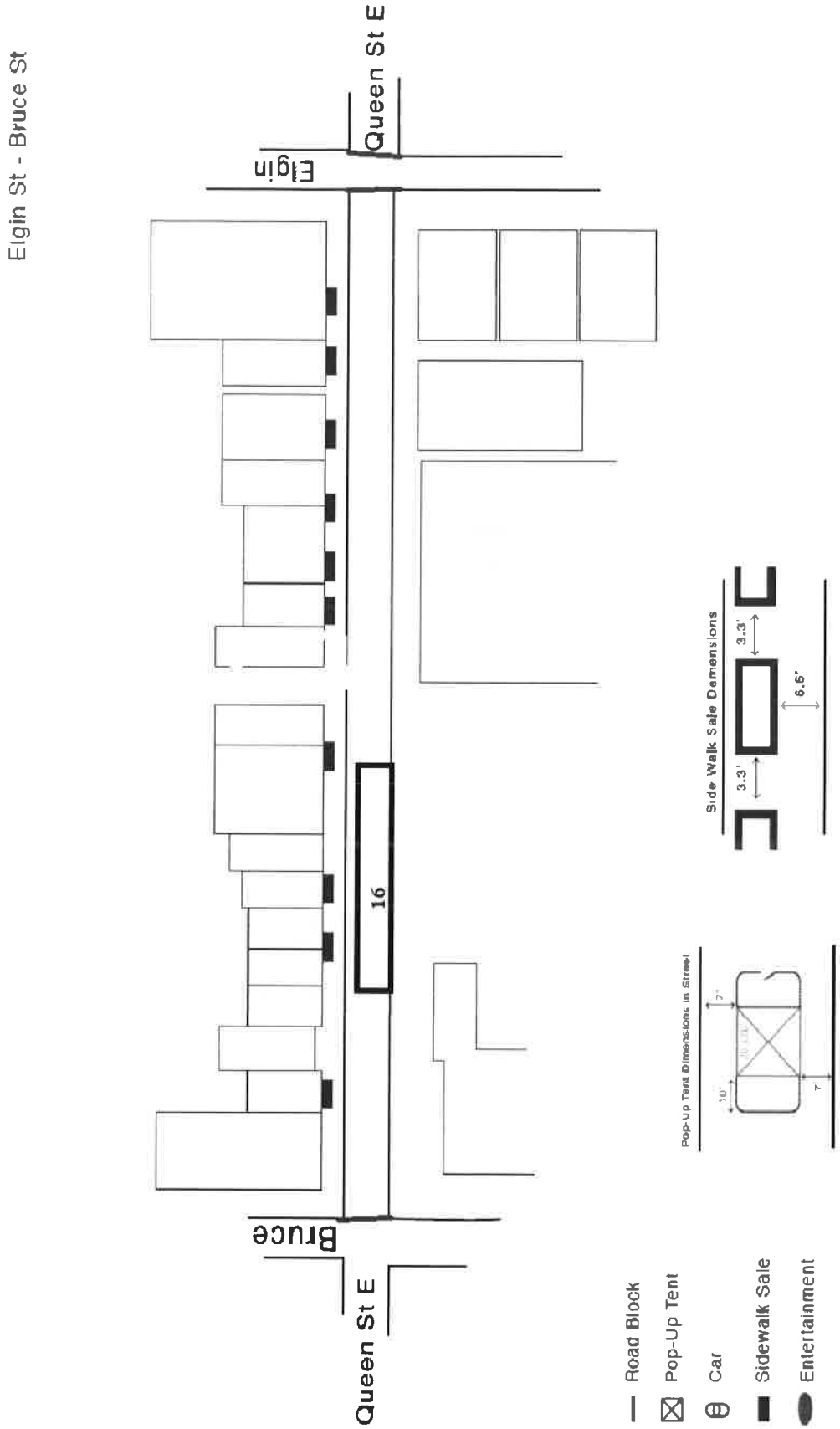
Appendix 2-3


Brock St - Spring St
Queen St E
Brock St
Spring St
Queen St E
Road Block
Pop-Up Tent
Car
Sidewalk Sale
Entertainment
Sidewalk Sale Dimensions
3.5'
2.5'
6.0'
Pop-Up Tent Dimensions on Street
7'
10'
7'

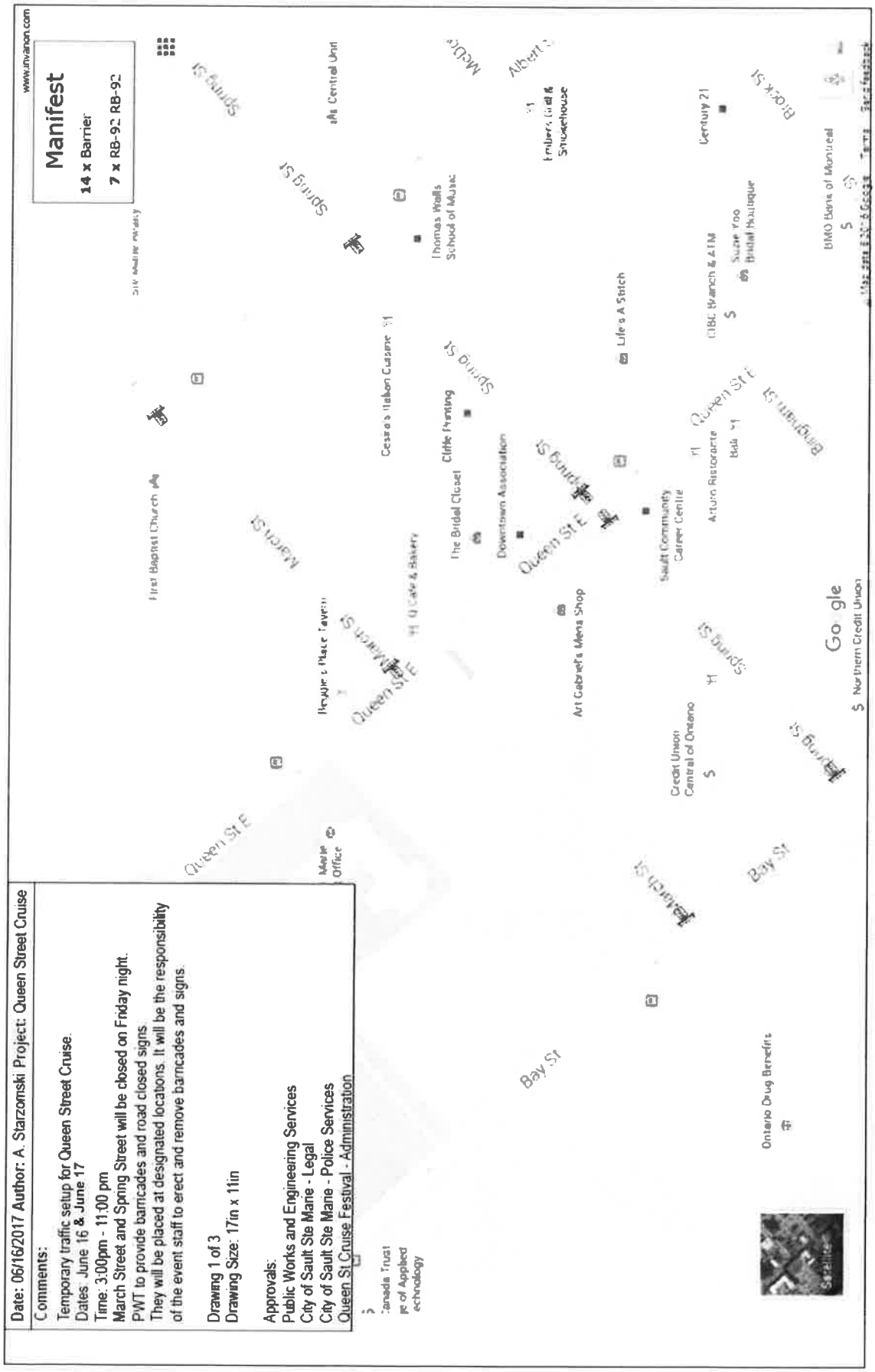
Appendix 2-4


Spring St - Elgin St
Queen St E
Spring St
March St.
March St.
Dealerships, Doghouse custom 9
Elgin
Queen St E
9
10
11
12
14
Side Walk Sale Demensions
3.3'
3.3'
6.6'
Pop-Up Tent Dimensions in Street
7
7
10'
Bounce Castle Dimensions in Street
7'
7'
Road Block
Pop-Up Tent
Car
Sidewalk Sale
Entertainment

Appendix 2-5


Elgin St - Bruce St
Queen St E
Elgin
16
Bruce
Queen St E
Side Walk Sale Demensions
3.3'
3.3'
6.6'
Pop-Up Tent Dimensions in Street
10'
7'
7'
Road Block
Pop-Up Tent
Car
Sidewalk Sale
Entertainment

Appendix 3


Date: 06/16/2017 Author: A. Starzomski Project: Queen Street Cruise
Comments:
Temporary traffic setup for Queen Street Cruise.
Dates: June 16 & June 17
Time: 3:00pm - 11:00 pm
March Street and Spring Street will be closed on Friday night.
PWT to provide barricades and road closed signs.
They will be placed at designated locations. It will be the responsibility of the event staff to erect and remove barricades and signs.
Drawing 1 of 3
Drawing Size: 17in x 11in
Approvals:
Public Works and Engineering Services
City of Sault Ste Marie - Legal
City of Sault Ste Marie - Police Services
Queen St Cruise Festival - Administration
Manifest
14 x Barrier
7 x RB-92 RB-92
www.invanon.com
Queen St E
Bay St
Spring St
Albert St
Brock St
Bangham St
Queen St E
Google

Date: 06/17/2017 Author: A. Starzomski Project: Queen Street Cruise

Comments:

Temporary traffic setup for Queen Street Cruise.
Dates: June 17
Time: 8:00 am - 5:00 pm

PWT to provide barricades and road closed signs.
They will be placed at designated locations. It will be the responsibility of the event staff to erect and remove barricades and signs.

Bruce Street And East Street are to remain open for north/south traffic

Drawing 2 of 3
Drawing Size: 17in x 11in

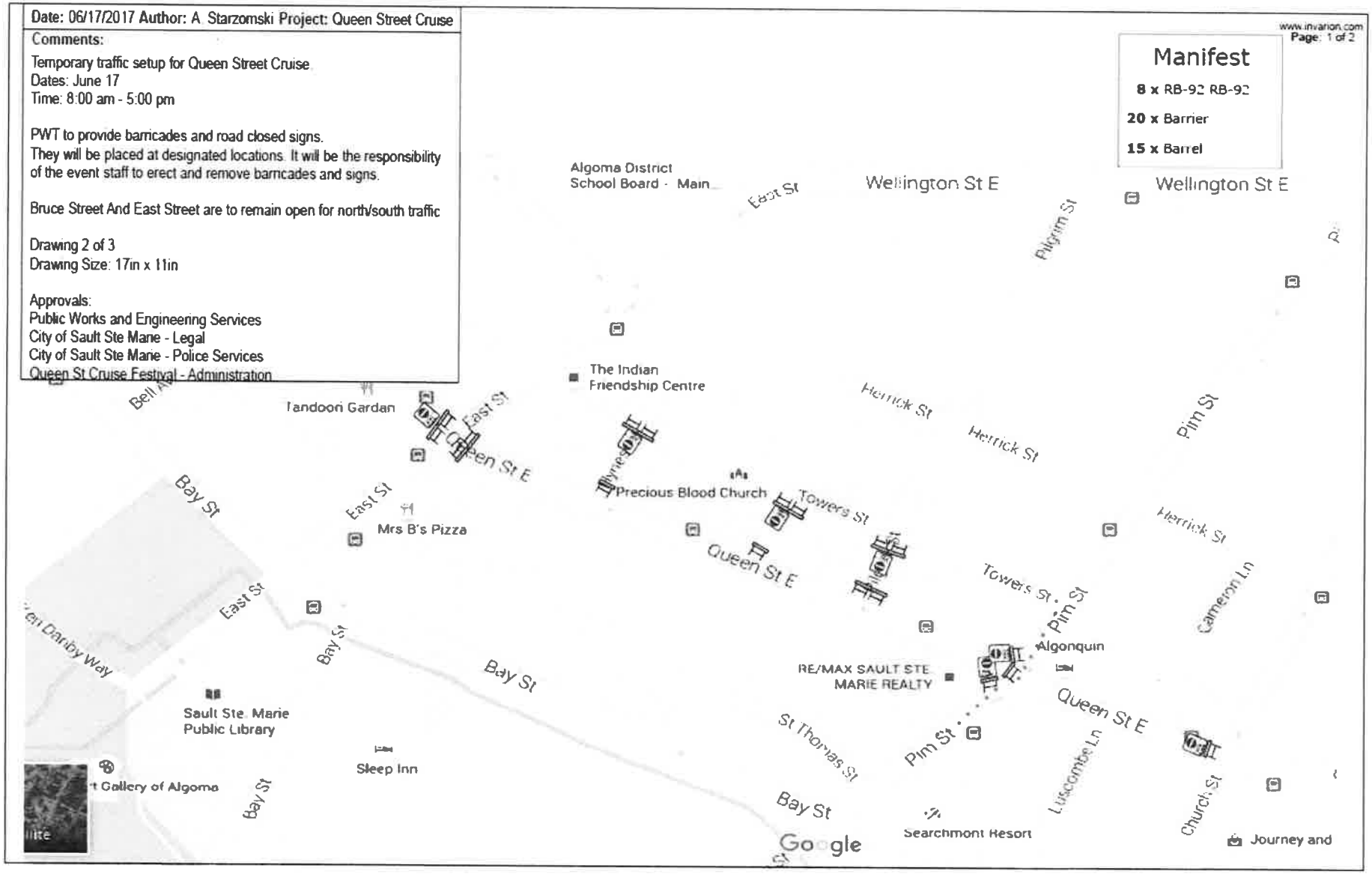
Approvals:
Public Works and Engineering Services
City of Sault Ste Marie - Legal
City of Sault Ste Marie - Police Services
Queen St Cruise Festival - Administration

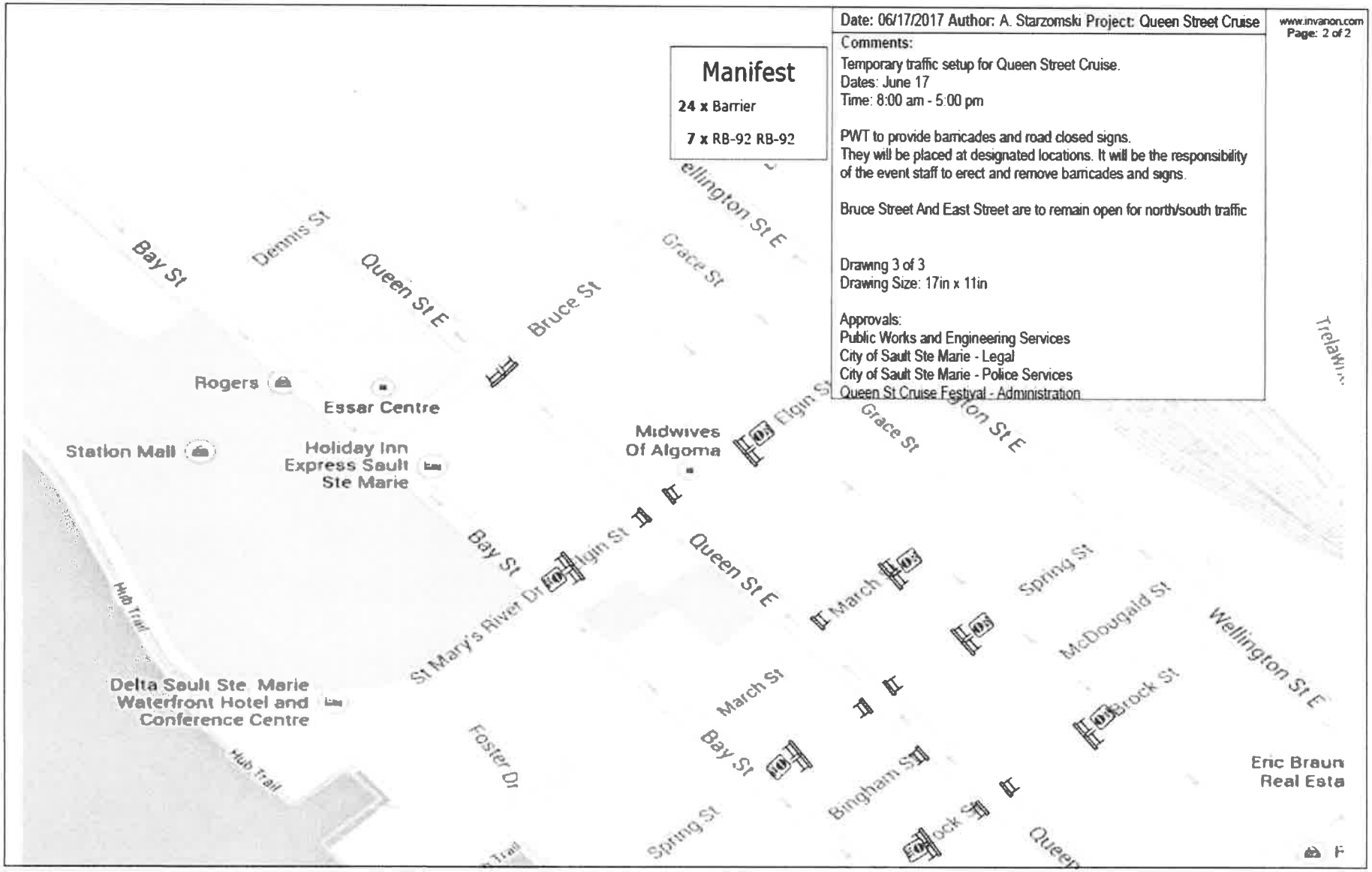
Manifest

8 x RB-92 RB-92

20 x Barrier

15 x Barrel





Manifest

24 x Barrier

7 x RB-92 RB-92

Date: 06/17/2017 Author: A. Starzomski Project: Queen Street Cruise

www.invanon.com
Page: 2 of 2

Comments:

Temporary traffic setup for Queen Street Cruise.
Dates: June 17
Time: 8:00 am - 5:00 pm

PWT to provide barricades and road closed signs.
They will be placed at designated locations. It will be the responsibility of the event staff to erect and remove barricades and signs.

Bruce Street And East Street are to remain open for north/south traffic

Drawing 3 of 3
Drawing Size: 17in x 11in

Approvals:
Public Works and Engineering Services
City of Sault Ste Marie - Legal
City of Sault Ste Marie - Police Services
Queen St Cruise Festival - Administration

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-129

REGULATIONS: (R1.1) A by-law to amend Noise Control By-law 80-200, to exempt from the By-law the Queen Street Cruise event on June 16th, 2017 and June 17th, 2017.

The Council of the Corporation of the City of Sault Ste. Marie, pursuant to Section 129 of the *Municipal Act, 2001* S.O. 2001 c. 25 **ENACTS** as follows:

1. **EXEMPTION FROM NOISE CONTROL BY-LAW**

Despite the provisions of By-law 80-200 the noise associated with the Queen Street Cruise event on Friday, June 16th, 2017 and Saturday, June 17th, 2017 as noted below is deemed not to be in violation of By-law 80-200:

a) June 16th, 2017 from 4:00 p.m. to 11:00 p.m. on the South Side of Queen Street at March Street where the March Street Stage is located;
b) June 16th, 2017 from 4:00 p.m. to 11:00 p.m. at the Essar Centre parking lot located at Queen Street East and Dennis Street; and
c) June 17th, 2017 from 10:00 a.m. to 4:00 p.m. along the closed portion of Queen Street East from Pim Street to Bruce Street.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 12th day of June, 2017.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

LEGAL\STAFF\BYLAWS\2017\2017-129 NOISE EXEMPTION QUEEN STREET CRUISE EVENT.DOC

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2017-130

TEMPORARY STREET CLOSING: (S4.1) A by-law to permit the temporary closing of various streets on July 6, 2017 to facilitate the Gore Street Neighbourhood Party.

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 VARIOUS STREETS**

The Council of the Corporation of the City of Sault Ste. Marie hereby authorizes the closing to vehicular traffic of the following streets on July 6, 2017 from 11:30 a.m. to 3:00 p.m. to facilitate the Gore Street Neighbourhood Party:

a) Gore Street from Queen Street West to Wellington Street East;

b) Albert Street West from Gore Street to Andrew Street (**ANDREW STREET AND ALBERT STREET WILL REMAIN OPEN**);

c) Andrew Street from south of Albert Street West to Queen Street West;

d) Central Park Avenue from Andrew Street to John Street (**LOCAL TRAFFIC OPEN**);

e) John Street from Albert Street West to Queen Street West; and

f) Albert Street to Andrew Street (**REGULATED FLOW EASTBOUND**).

2. **EFFECTIVE DATE**

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

PASSED in open Council this 12th day of June, 2017.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

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