



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

Monday, April 1, 2019

4:30 pm

Council Chambers

Civic Centre

	Pages
1. Adoption of Minutes	15 - 32
Mover Councillor C. Gardi Seconder Councillor L. Dufour Resolved that the Minutes of the Regular Council Meeting of 2019 03 18 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 C. Gardi Seconder Councillor L. Vezeau-Allen Resolved that the Agenda for 2019 04 01 City Council Meeting as presented be approved.	
5. Proclamations/Delegations	
5.1 World Autism Awareness Day	
Lindsay Collins, President and Awareness Coordinator, Autism Ontario, Sault Ste. Marie Chapter	
5.2 National Volunteer Week	

6. Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

Mover Councillor M. Scott

Seconder Councillor L. Dufour

Resolved that all the items listed under date 2019 04 01 – Agenda item 6 – Consent Agenda be approved as recommended.

6.1 Queenstown Board of Management 2018 Audit Report and 2019 Budget 33 - 48

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

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that the report of the Chief Financial Officer and Treasurer dated 2019 04 01 concerning the Queenstown Board of Management (O/A The Downtown Association) Audited Financial Statements for the year 2018 be received and that the Downtown Association Budget for the year 2019 be approved.

6.2 Bondar Marina Dock Replacement – Single Source Poralu Marine Inc. 49 - 58

A report of the Deputy CAO, Community Development and Enterprise Services is attached for the information of Council.

Mover Councillor M. Scott

Seconder Councillor L. Dufour

Resolved that the report of the Deputy CAO of Community Development and Enterprise Services dated 2019 04 01 concerning Bondar Marina Dock Replacement – Single Source Poralu Marine Inc. be received as information. A report from Purchasing appears elsewhere on the agenda for Council approval.

6.3 RFP – Finger Dock Replacement – Roberta Bondar Marina – Second Phase 59 - 60

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

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen

Resolved that the report of the Manager of Purchasing dated 2019 04 01 be received and that the proposal submitted by Poralu Marine Inc. be approved on a single source basis at a proposed cost of \$738,583.34 plus HST.

A By-law authorizing signature of the Agreement with Poralu Marine Inc for provision of the finger dock replacement will appear on a future Council Agenda.

6.4 GFL Memorial Gardens Entertainment Partnership 61 - 64

A report of the Director of Community Services is attached for the consideration of

Council.

Mover Councillor C. Gardi

Secondar Councillor L. Vezeau-Allen

Resolved that the report of the Director of Community Services dated 2019 04 01 be received as information.

6.5 RFP – Promotion Agreement – Live Entertainment Expertise and Services 65 - 66

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

The relevant By-law 2019-58 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.6 On Demand Transit Service Pilot 67 - 71

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

Mover Councillor M. Scott

Secondar Councillor L. Dufour

Resolved that the report of the Director of Community Services dated 2019 04 01 be received and that staff be directed to issue a request for proposal to enter into a one (1) year pilot for On Demand Transit Service.

6.7 2018 Building Division Annual Fee Report 72 - 74

A report of the Chief Building Official is attached for the information of Council.

Mover Councillor M. Scott

Secondar Councillor L. Vezeau-Allen

Resolved that the report of the Chief Building Official dated 2019 04 12 regarding 2019 Annual Fee Report be received as information.

6.8 Financial Assistance Policy for Miscellaneous National and International Competitions 75 - 78

A report of the Manager of Recreation and Culture is attached for the consideration of Council.

Mover Councillor C. Gardi

Secondar Councillor L. Dufour

Resolved that the report of the Manager of Recreation and Culture dated 2019 04 01 concerning Financial Assistance Policy for Miscellaneous National and International Competitions – Policy D-IV-11 be approved.

6.9 Sault Ste. Marie Professional Firefighters' Association Local 529 Collective Agreement 79 - 83

A report of the Director of Human Resources is attached for the consideration of Council.

The relevant by-law 2019-75 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.10 Conveyance for Road Widening Purposes – 531 Trunk Road 84 - 86

A report of the Secretary-Treasurer of the Committee of Adjustment is attached for the consideration of Council.

The relevant By-law 2019-60 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.11 Municipal Law Enforcement Officers 87 - 90

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

The relevant By-law 2019-64 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.12 Acquisition of 969 Peoples Road 91 - 93

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

The relevant By-law 2019-68 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.13 Status Update on ATV By-law (Changes to Highway Traffic Act) 94 - 96

A report of the Solicitor/Prosecutor is attached for the information of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen

Resolved that the report of the Solicitor/Prosecutor dated 2019 04 01 concerning Status Update on ATV By-law be received as information.

6.14 Waste Management – Household Hazardous Waste Services 97 - 99

A report of the Director of Public Works is attached for the consideration of Council.

Mover Councillor M. Scott

Seconder Councillor L. Dufour

Resolved that the report of the Director of Public Works dated 2019 04 01 concerning the accessibility of household hazardous waste services be received as information.

6.15 Waste Management – Holiday Waste Collection 100 - 101

A report of the Director of Public Works is attached for the information of Council.

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen

Resolved that the report of the Director of Public Works dated 2019 04 01 concerning the provision of holiday waste collection for comparator municipalities be received as information.

6.16 Waste Management By-law Update

102 - 104

A report of the Director of Public Works is attached for the consideration of Council.

The relevant By-law 2019-62 is listed under item 11 of the Agenda and will be read with all by-laws listed under that item.

6.17 W.J. McMeeken Centre Replacement Steering Committee

A report of the Deputy CAO Community Development and Enterprise Services was approved at the March 18, 2019 Council meeting.

Mover Councillor M. Scott

Seconder Councillor L. Dufour

Resolved that the following individuals be appointed to the W.J. McMeeken Centre Replacement Steering Committee: Councillor C. Gardi, Councillor M. Shoemaker, the Chief Administrative Officer, the Deputy CAO – Community Development and Enterprise Services, the Chief Financial Officer/City Treasurer, the Director of Community Services, the Director of Planning, the Manager of Community Arenas, the Manager of Recreation and Culture and the Manager of Facilities and Maintenance.

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.7.1 A-2-19-Z – 85 Johnson Avenue (Fremlin)

105 - 118

A report of the Planner is attached for the consideration of Council.

Mover Councillor M. Scott

Seconder Councillor L. Dufour

Resolved that the report of the Planner dated 2019 04 01 concerning Application A-

2-19-Z be received and that Council approve the application to rezone the subject property from Institutional Zone (I) to Low Density Residential Zone (R3.S) with a special exception to permit four semi-detached dwellings on the subject property;

And that the Legal Department be directed to prepare the necessary by-law to effect this approval.

7.7.1.1 A-2-19-Z 85 Johnson Avenue (Fremlin) Update from Public Input Session 119 - 123

A report of the Planner is attached for the information of Council.

Mover Councillor M. Scott

Seconder Councillor L. Dufour

Resolved that the report of the Planner dated 2019 04 01 concerning the update from the public input session be received as information. A report to Council concerning the rezoning application A-2-19-Z appears elsewhere on the Agenda and is recommended for approval.

7.7.2 A-7-19-Z - 728 Wellington Street West (Nicastro) 124 - 134

A report of the Planner is attached for the consideration of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that the report of the Planner dated 2019 04 01 concerning rezoning Application A-7-19-Z be received and that Council approve the application to rezone the subject property from Low Density Residential Zone (R3.S.330) with a special exception to permit a duplex and a reduced frontage, to Low Density Residential Zone (R3.S.330) with an amended special exception to permit a triplex and 3 parking spaces in the exterior side yard;

And that the Legal Department be directed to prepare the necessary by-law to effect this approval.

7.7.2.1 Additional Correspondence 135 - 135

7.7.3 A-8-19-Z 22 MacDonald Avenue (Ruscio & Martella) 136 - 160

A report of the Senior Planner is attached for the consideration of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen

Resolved that the report of the Senior Planner dated 2019 04 01 concerning rezoning Application A-8-19-Z be received and that Council approve the application to rezone the subject property from Parks and Recreation Zone (PR) to High Density Residential Zone (R5.S) subject to the following special exception:

1. That the proposed apartment building not exceed 12 storeys.
2. That the maximum required lot coverage for the apartment building be reduced from 35% to 33%.

Further that the subject property be deemed subject to Site Plan Control, pursuant to Section 41 of the *Planning Act*;

And that the Legal Department be directed to prepare the necessary by-law to effect this approval.

7.7.3.1 *Additional Correspondence* 161 - 186

7.7.4 *A-9-19-Z.OP Second Units* 187 - 202

A report of the Senior Planner is attached for the consideration of Council.

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen

Resolved that the report of the Senior Planner dated 2019 04 01 concerning application A-9-19-Z.OP be received and that both Official Plan Amendment No. 223 as attached and the amendment to Zoning By-law 2005-150 as attached be approved;

And that the Legal Department be directed to prepare the necessary by-laws to effect this approval.

7.8 *Boards and Committees*

8. *Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council*

8.1 *Disable Advanced Traffic Signals Between 9 p.m.. and 6 a.m.*

Mover Councillor M. Shoemaker

Seconder Councillor M. Scott

Whereas many traffic signals in Sault Ste. Marie have advanced signals for the better movement of traffic during peak traffic hours; and

Whereas many drivers have experienced the situation where no other vehicles are at the intersection and the advanced traffic signal is illuminated; and

Whereas during off-peak traffic hours, advanced traffic signals serve only to delay vehicles for a longer period of time at intersections; and

Whereas delaying vehicles at intersections when such a delay is unwarranted adds to carbon emissions;

Now Therefore Be It Resolved that staff be requested to report on the feasibility of disabling advanced traffic signals at all (or mostly all) of the intersections in the City with advanced signals from 9 p.m. nightly until 6 a.m. the following morning.

8.2 *Traffic Signal Intersection Changes*

Mover Councillor M. Shoemaker

Seconder Councillor P. Christian

Whereas Sault Ste. Marie's policy during capital road works projects is to remove unwarranted traffic signals during the reconstruction; and

Whereas the removal of a traffic signal generally leads to an adjustment period for motorists who frequently travel the area to familiarize themselves with the new traffic control pattern; and

Whereas when traffic signals are removed that control all four corners of an intersection, they are typically replaced by a stop sign that only controls traffic at two of the four corners of an intersection; and

Whereas it is not currently Sault Ste. Marie's policy to include a flashing red light above the traffic signal as a default at the time of the change from a traffic signal-controlled intersection to a stop sign-controlled intersection; and

Whereas a flashing red light above a stop sign could be an effective way to assist motorists who frequently travel an area where there has been a change in the traffic control pattern to familiarize themselves with the new traffic control pattern;

Now Therefore Be It Resolved that the Public Works and Engineering Services be requested to amend the current policy for major capital works to provide that when unwarranted traffic signals are removed from an intersection, the stop signs that are installed at the intersection shall have flashing red lights above them for a period of not less than one (1) year.

8.3

Safeguard Measures for Canadian Steel Industry

Mover Councillor M. Shoemaker

Seconder Councillor R. Niro

Whereas the steel supply industry employs more than 3,000 employees and represents billions of dollars of economic activity in our community; and

Whereas across Canada the steel industry employs more than 25,000 middle-class workers, and supports an additional 100,000 high quality jobs from coast-to-coast-to-coast; and

Whereas these jobs and future economic growth are being threatened by a surge of off-shore imports resulting from excess global capacity, and the diversion of imports resulting from changes in trade policy around the globe, including section 232 measures in the United States; and

Whereas the federal government recognized the potential injury caused by these imports to the steel industry and implemented provisional safeguard measures in October 2018 with the intent of stabilizing the Canadian steel market; and

Whereas these provisional safeguard measures are in place for a 200-day period and are set to expire on May 13, 2019; and

Whereas these provisional safeguard measures have had the effect of preventing a continued surge of off-shore imports from damaging the domestic steel industry; and

Whereas the Canadian steel industry, including both Algoma Steel Inc. and Tenaris

Algoma Tubes, recently participated in hearings at the Canadian International Trade Tribunal (CITT), and presented the need for continued safeguard measures beyond May 13, 2019; and

Whereas continued safeguard measures are vital, affording the domestic steel industry the necessary market stability to continue to grow and create high quality, middle-class jobs in our community;

Now Therefore Be It Resolved that Sault Ste. Marie City Council support the request of the Canadian steel industry to the federal Minister of Finance to impose final safeguard measures for all seven steel products subject to provisional safeguard measures;

Further Be It Resolved that Sault Ste. Marie City Council support the request that the final safeguard measures be reflective of the remedies requested by the Canadian steel industry during the safeguard hearings held by the CITT in January 2019.

8.4 Performance Bonds

Mover Councillor L. Dufour

Seconder Councillor S. Hollingsworth

Whereas the City requires residential developers to provide a letter of credit when they begin a development; and

Whereas it can be challenging for a smaller residential developer to provide a letter of credit prior to beginning a development; and

Whereas the City has accepted performance bonds but does not generally do so for residential developments; and

Whereas smaller developers who may not be able to offer a line of credit may be able to post a performance bond; and

Whereas the City wants to make every reasonable effort to be development-friendly;

Now Therefore Be It Resolved that City Council requests staff to consider accepting performance bonds in lieu of letters of credit and report back to City Council on the appropriateness and advisability of doing so.

8.5 Municipal Autism Strategy

Mover Councillor L. Vezeau-Allen

Seconder Councillor C. Gardi

Whereas in March of 2018, Autism Ontario released the latest statistics regarding autism spectrum disorder and reported that the rate of the disorder is 1 of 66 live births. Autism is a pervasive spectrum disorder, marked by difficulty in social interactions, which does not discriminate between race, culture, socio-economic status or religion. The rate of autism is higher among males (5 times more likely) than females. Children with autism become adults with autism and there is no cure; and

Whereas as a Northern community we recognize that the number of children and

adults who have been diagnosed on the spectrum or who are awaiting a diagnosis has greatly increased. The initial pathway to services is through the Ministry of Child and Youth Services, whose offices are in regional areas that provide mainly administrative services, not actual early intervention; and

Whereas early diagnosis can lead to early programming and success for individuals and families affected by autism disorders; and

Whereas neither the Provincial nor Federal governments have specific autism strategies, leaving many families and individuals without access to the services they require; and

Whereas the City of Sault Ste. Marie values all citizens and wants everyone to have equal opportunities for success;

Now Therefore Be It Resolved that the Ontarians with Disabilities Accessibility Advisory Committee be requested to strike a sub-committee dedicated to working with community partners to develop a municipal autism strategy to assist families, caregivers and individuals dealing with an autism diagnosis and to create a roadmap for the autism community in shaping the future development of our community.

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 C. Gardi

Seconder Councillor L. Dufour

Resolved that all By-laws under item 11 of the Agenda under date 2019 04 01 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 2018-58 (Agreement) Venue Coalition

203 - 208

A report from the Manager of Purchasing is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-58 being a by-law to authorize the execution of the Agreement between the City and Venue Coalition Inc. for the provision of expertise, outreach, and talent buying services in the live entertainment industry be passed in open Council this 1st day of April, 2019.

11.1.2 By-law 2019-60 (Property Acquisition) Part 531 Trunk Rd (Silver Birch Developments (Sault) Ltd.

209 - 210

A report from the Secretary-Treasurer - Committee of Adjustment is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-60 being a by-law to authorize the acquisition of a portion of property located at civic 531 Trunk Road (Silver Birch Developments (Sault) Ltd.) be passed in open Council this 1st day of April, 2019.

11.1.3 By-law 2019-62 (Regulations) Control & Management of Waste & Recycling 211 - 229

A report from the Director of Public Works is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-62 being a by-law for the management of waste and recycling in the City of Sault Ste. Marie be passed in open Council this 1st day of April, 2019.

11.1.4 By-law 2019-63 (Zoning) 267 Cathcart Street (David Ellis Architecture Inc.) 230 - 232

Council Report was passed by Council resolution on March 18, 2019.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-63 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 267 Cathcart Street (David Ellis Architecture Inc.) be passed in open Council this 1st day of April, 2019.

11.1.5 By-law 2019-64 (Parking) Municipal Law Enforcement Officers 233 - 235

A report from the Manager of Transit and Parking is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-64 being a By-law to appoint Municipal Law Enforcement Officers and to amend Schedule "A" to By-law 90-305 be passed in open Council this 1st day of April 2019.

11.1.6 By-law 2019-65 (Tax) 2019 Rates 236 - 237

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-65 being a by-law to provide for the adoption of property tax rates for 2019 be passed in open Council this 1st day of April, 2019.

11.1.7 By-law 2019-66 (Tax) Tax Ratios 238 - 239

Mover Councillor C. Gardi

Secondar Councillor L. Dufour
Resolved that By-law 2019-66 being a by-law to provide for the adoption of tax ratios be passed in open Council this 1st day of April, 2019.

11.1.8 By-law 2019-67 (Tax) Final Tax Billing 240 - 241

Mover Councillor C. Gardi
Secondar Councillor L. Dufour
Resolved that By-law 2019-67 being a by-law to provide for 2019 final tax billing be passed in open Council this 1st day of April, 2019.

11.1.9 By-law 2019-68 (Purchase Acquisition) 969 Peoples Road 242 - 243

A report from the City Solicitor is on the Agenda.

Mover Councillor C. Gardi
Secondar Councillor L. Dufour
Resolved that By-law 2019-68 being a by-law to authorize the acquisition of property located at civic 969 Peoples Road be passed in open Council this 1st day of April, 2019.

11.1.10 By-law 2019-69 (Zoning) Accessible Parking Requirements 244 - 246

Council Report was passed by Council resolution on March 18, 2019.

Mover Councillor C. Gardi
Secondar Councillor L. Dufour
Resolved that By-law 2019-69 being a By-law to revise accessible parking requirements in the City's Zoning By-law for new developments be passed in open Council this 1st day of April, 2019.

11.1.11 By-law 2019-70 (Zoning) 1805 Queen Street East Sault Ste. Marie Golf Club 247 - 248

Council Report was passed by Council resolution on March 18, 2019.

Mover Councillor C. Gardi
Secondar Councillor L. Dufour
Resolved that By-law 2019-70 being a By-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 1805 Queen Street East (Sault Ste. Marie Golf Club) be passed in open Council this 1st day of April, 2019.

11.1.12 By-law 2019-71 (Development Control) 1805 Queen Street East Sault Ste. Marie Golf Club 249 - 250

Council Report was passed by Council resolution on March 18, 2019.

Mover Councillor C. Gardi
Secondar Councillor L. Dufour
Resolved that By-law 2019-71 being a By-law to designate the lands located at 1805

Queen Street East an area of site plan control (Sault Ste. Marie Golf Club) be passed in open Council this 1st day of April, 2019.

11.1.13 By-law 2019-72 (Official Plan Amendment) 84 Ruth Street (1972667 Ontario Inc. c/o Gervasi/Stubbs) 251 - 253

Council Report was passed by Council resolution on March 18, 2019.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-72 being a by-law to adopt Amendment No. 222 to the Official Plan for the City of Sault Ste. Marie (1972667 Ontario Inc. c/o Carlo Gervasi & Brandon Stubbs 84 Ruth Street) be passed in open Council this 1st day of April, 2019.

11.1.14 By-law 2019-73 (Zoning) 84 Ruth Street (1972667 Ontario Inc. c/o Gervasi/Stubbs) 254 - 256

Council Report was passed by Council resolution on March 18, 2019.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-73 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 84 Ruth Street (1972667 Ontario Inc. c/o Carlo Gervasi & Brandon Stubbs) be passed in open Council this 1st day of April, 2019.

11.1.15 By-law 2019-74 (Delegation to Director of Community Services) 257 - 266

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-74 being a by-law to authorize the Director of Community Services, or his/her designate, to enter into standard agreements between the City and users of City facilities be passed in open Council this 1st day of April, 2019.

11.1.16 By-law 2019-75 (Agreement) Firefighters Association (Local 529) 267 - 292

A report from the Director of Human Resources is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-75 being a by-law to authorize an agreement between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529) be passed in open Council this 1st day of April, 2019.

11.1.17 By-law 2019-76 (Zoning) 85 Johnson Avenue Fremlin 293 - 295

A report from the Planner is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour

Resolved that By-law 2019-76 being a by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 85 Johnson Avenue (Daniel Fremlin) be passed in open Council this 1st day of April, 2019.

- 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 C. Gardi

Seconder Councillor L. Vezeau-Allen

Resolved that this Council now adjourn.



REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, March 18, 2019

4:30 pm

Council Chambers

Civic Centre

Present: Mayor C. Provenzano, Councillor P. Christian, Councillor S. Hollingsworth, Councillor L. Dufour, Councillor L. Vezeau-Allen, Councillor M. Shoemaker, Councillor M. Bruni, Councillor R. Niro, Councillor C. Gardi, Councillor M. Scott

Absent: Councillor D. Hilsinger

Officials: A. Horsman, M. White, L. Girardi, T. Vair, P. Johnson, K. Fields, S. Schell, P. Niro, F. Coccimiglio, B. Lamming, C. Rumeil, P. Tonazzo, C. Pascall, I. Bruno, R. Borean

1. Adoption of Minutes

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the Minutes of the Regular Council Meeting of 2019 03 04 and the budget meetings of 2019 01 14, 2019 01 28 and 2019 02 04 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 Mayor C. Provenzano – A-3-19-Z – 1805 Queen Street East (Sault Ste. Marie Golf Club)

Client of law firm is representing on the item.

3.2 Mayor C. Provenzano – By-law 2019-53 (Agreement) Roberta Bondar Park Lease

Client of law firm is a party to the contract.

3.3 Councillor M. Shoemaker – A-5-19-Z – 267 Cathcart Street (David Ellis Architects Inc.)

Client of law firm.

3.4 Councillor S. Hollingsworth – A-3-19-Z – 1805 Queen Street East (Sault Ste. Marie Golf Club)

Owner of property abutting subject property.

4. Approve Agenda as Presented

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the Agenda and Addendum for the 2019 03 18 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 World Lymphedema Day

Steve Kelland was in attendance.

5.2 International Day for the Elimination of Racial Discrimination

Sean Halliday, Local Immigration Partnership Researcher was in attendance.

5.3 Coalition of Algoma Passenger Trains

Al Errington was in attendance.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that City Council refer the presentation regarding restoration of Algoma passenger train service to the Sault Ste. Marie Economic Development Corporation and appropriate City staff for review and report back to Council.

Carried

5.4 Algoma University School of Business and Economics – Economic Development Fund Request

Asima Vezina, President and Colin Wilson, Director of Strategic Management, Algoma University, were in attendance concerning Agenda item 7.3.1

5.5 A-3-19-Z – 1805 Queen Street East (Sault Ste. Marie Golf Club)

Mark Lepore was in attendance on behalf of the applicant.

Janice Willett, Doug Woolner, John van Bakel, Mark Brown and Monique Gravelle were in attendance.

5.6 A-4-19-Z.OP – 84 Ruth Street (Gervasi and Stubbs)

Peter Bortolussi was in attendance on behalf of the applicants.

5.7 A-5-19-Z – 267 Cathcart Street (David Ellis Architects Inc.)

Councillor M. Shoemaker declared a conflict on this item. (Client of law firm.)

Claudia Daniels was in attendance on behalf of the applicant.

Irma Giovanatti-Bre was in attendance.

6. Communications and Routine Reports of City Departments, Boards and Committees – Consent Agenda

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that all the items listed under date 2019 03 18 – Agenda item 6 – Consent Agenda be approved as recommended, save and except item 6.4.

Carried

6.1 Mayor's Correspondence

6.1.1 Withdrawal of NOHFC Funding for FutureSSM

6.1.2 US Tariffs on Canadian Steel and Aluminum

6.1.3 Sault Area Hospital Level III Withdrawal Management Proposal

6.1.4 Algoma Steel Inc. – Michael McQuade

6.2 Council Travel

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that Mayor C. Provenzano and Councillors C. Gardi, S. Hollingsworth and L. Vezeau-Allen be authorized to travel to Ottawa for four days in August for the Association of Municipalities of Ontario Conference at an estimated cost to the City of \$2,500 each.

Carried

6.3 Physician Recruitment Committee – Renewal of Operating Service Agreement

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

The relevant By-law 2019-41 is listed under item 11 of the Minutes.

6.5 2019 Tax Rates

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Chief Financial Officer and Treasurer dated 2019 03 18 concerning the 2019 Tax Rates be received and that the Alternate Ratios be approved as follows:

- Starting ratios adjusted to reflect a tax ratio of 1.08200 for the Multi-residential property tax class

Carried

6.6 2018 Honoraria and Expenses-Mayor & Council and Board & Committee Members

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

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the report of the Chief Financial Officer and Treasurer dated 2019 03 18 concerning 2018 Honoraria and Expenses (Mayor, Council, Board and Committee Members) be received as information.

Carried

6.7 Rolling Pictures Company Economic Diversification Fund (EDF) Agreement

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

The relevant By-law 2019-59 is listed under item 11 of the Minutes.

6.8 Conferences and Major Special Events – World Martial Arts

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy City Clerk dated 2019 13 18 concerning 2019 World Martial Arts MooMooKwan Canadian Open Championships be received and that Council approve the recommendation of the Committee to fund the event in the amount of \$10,000 from the Conferences and Major Special Events fund.

Carried

6.9 Ratification of Local 2251 – Memorandum of Settlement

The report of the Labour Relations Coordinator is attached for the consideration of Council.

The relevant By-law 2019-55 is listed under item 11 of the Minutes.

6.10 Discover Ability Network Support

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

The relevant By-law 2019-49 is listed under item 11 of the Minutes.

6.11 Public Transit Infrastructure Fund Phase One Project Extension

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

The relevant By-law 2019-61 is listed under item 11 of the Minutes.

6.12 Conveyance for Road Widening Purposes

The report of the Secretary-Treasurer of the Committee of Adjustment was received by Council.

The relevant By-law 2019-50 is listed under item 11 of the Minutes.

6.13 The Sault Ste. Marie and 49th Field Regiment R.C.A., Historical Society – Amendment to Agreement

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

The relevant By-law 2019-56 is listed under item 11 of the Minutes.

6.14 Central and East Davignon Creek Aqueduct Repairs – Engineering Fees

The report of the Manager, Design and Transportation Engineering was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager, Design and Transportation Engineering dated 2019 03 18 be received and the recommendation to raise the engineering fee limit for the Central and East Davignon Creek Aqueduct Repairs by \$17,000 to \$112,000 be approved.

Carried

6.15 Bay Street Improvements – Revised Engineering Agreement

The report of the Manager, Design and Transportation Engineering was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the report of the Manager, Design and Transportation Engineering dated 2019 03 18 be accepted and that Council authorize the engineering fee limit in Kresin Engineering's agreement for the Bay Street Improvements be increased by \$240,000 to include traffic engineering, traffic signal reconfiguration and landscape and urban design for a revised total engineering limit of \$543,500.

Carried

6.16 Bruce Street Reconstruction – Engineering Fees

The report of the Manager, Design and Transportation Engineering was received by Council.

Moved by: Councillor D. Hilsinger

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Manager of Design and Transportation Engineering dated 2019 03 18 be accepted and that Council authorize the engineering fee limit in WSP's agreement for the reconstruction of Bruce Street be increased by \$85,273 for a revised total of \$303,132.

Carried

6.17 Fire Protection Agreement with the Township of Prince

The report of the Fire Chief was received by Council.

The relevant By-law 2019-57 is listed under item 11 of the Minutes.

6.18 Deeming By-law – Harris and Buckley Subdivision, Plan M30 (Sault Marine Services Inc.)

The report of the City Solicitor was received by Council.

The relevant By-law 2019-48 is listed under item 11 of the Minutes.

6.19 Housekeeping – Amendments to By-law 2019-32 (Parking)

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

The relevant By-law 2019-52 is listed under item 11 of the Minutes.

6.20 Court Security and Prisoner Transportation Agreement

The report of the City Solicitor was received by Council.

The relevant By-law 2019-51 is listed under item 11 of the Minutes.

6.4 Police Services Contract for Prince Township

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

The relevant By-law 2019-54 is listed under item 11 of the Minutes.

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.3.1 Algoma University School of Business and Economics – Economic Development Fund Request

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the report of the Deputy CAO, Community Development and Enterprise Services dated 2018 03 18 concerning the EDF application from Algoma University for the School of Business and Economics in the amount of \$400,000, be approved, with the allocation of \$117,000 from the 2018 EDF, \$141,500 from the 2019 EDF, and \$141,500 from the 2020 EDF; contingent upon confirmation of all external funding.

Carried

7.3.2 W. J. McMeeken Centre Replacement Facility

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the report of the Deputy CAO Community Development and Enterprise Services dated 2019 03 18 concerning ice capacity expansion be accepted and that Council:

- Approve the establishment of a steering committee responsible for driving the process and reporting back to Council to provide updates on significant matters.
- Proceed in a request for proposal process for “Construction Management Services” and “Architectural and Engineering Services” for a new twin pad arena to be located at 616 Goulais Avenue with a guaranteed maximum price of \$25 million.
- Approve City Staff to apply for Infrastructure Funding when available in support of the project.
- Authorize the Finance Department to internally fund in the short term the architectural and engineering design services up to \$1.1 million in 2019 to advance the project.
- Authorize staff to investigate options and costs to decommission the W.J. McMeeken arena and report back to Council.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor P. Christian	X		
Councillor S. Hollingsworth		X	
Councillor L. Dufour		X	
Councillor L. Vezeau-Allen	X		
Councillor D. Hilsinger			X
Councillor M. Shoemaker	X		
Councillor M. Bruni		X	
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	7	3	1

Carried

7.3.3 M.S. Norgoma – Update

The report of the Deputy CAO, Community Development and Enterprise Services was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the report of the Deputy CAO of Community Development and Enterprise Services dated 2019 03 18 concerning the M.S. Norgoma be received and staff be directed to notify the St. Mary's River Marine Heritage Centre that a temporary location has been secured for the M.S. Norgoma;

Further, that unless the St. Mary's River Marine Heritage Centre can secure a new location permitting the vessel to be moved by April 15th (or as soon as weather/ice conditions permit – whichever is sooner), the St. Mary's River Marine Heritage Centre should relocate the vessel to the location obtained by City staff behind Algoma Steel section of dock made available by Purvis Marine;

Further, that the cost and liability of this move shall be borne entirely by the St. Mary's River Marine Heritage Centre as the owner of the vessel;

Further, if the St. Mary's River Marine Heritage Centre is unable to relocate the vessel to the location obtained by City staff, that staff be authorized to arrange the relocation of the vessel at a cost not to exceed \$50,000 and be authorized to seek repaying of those costs from the St. Mary's River Marine Heritage Centre;

Further, that staff collaborate with the St. Mary's River Marine Heritage Centre to coordinate the removal of the Bondar Marina docks to permit the exit of the M.S. Norgoma.

Recorded	For	Against	Absent
Mayor C. Provenzano	X		
Councillor P. Christian	X		
Councillor S. Hollingsworth		X	
Councillor L. Dufour		X	
Councillor L. Vezeau-Allen		X	
Councillor D. Hilsinger			X
Councillor M. Shoemaker	X		
Councillor M. Bruni	X		
Councillor R. Niro	X		
Councillor C. Gardi	X		
Councillor M. Scott	X		
Results	7	3	1

Carried

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.7.1 A-2-19-Z – 85 Johnson Avenue (Fremlin)

The report of the Planner was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the Report of the Planner dated 2019 03 18 concerning Rezoning Application A-2-19-Z be received and that Council postpone this Application to April 1, 2019 but encourage the developer to hold a public input session in the interim.

Carried

7.7.2 A-3-19-Z – 1805 Queen Street East (Sault Ste. Marie Golf Club)

Mayor C. Provenzano declared a conflict on this item. (Client of law firm is representing on the item.)

Councillor S. Hollingsworth declared a conflict on this item. (Owner of property abutting subject property.)

The report of the Planner was received by Council.

Moved by: Councillor P. Christian

Seconded by: Councillor M. Bruni

Resolved that agenda item 7.7.2 be postponed to the April 15, 2019 Council meeting.

Tied, Defeated

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that the Report of the Planner, dated 2019 03 18 concerning Rezoning Application A-03-19-Z be received and that the application to rezone the south west portion of the property from Parks and Recreation Zone (PR) to Low Density Residential Zone (R3) be approved, and

Further that Council deem the portion of the property proposed to be rezoned as subject to Site Plan Control, pursuant to Section 41 of the Planning Act.

And that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.7.3 A-4-19-Z.OP – 84 Ruth Street (Gervasi and Stubbs)

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that the Report of the Senior Planner dated 2019 03 18 concerning rezoning application A-4-19-Z.OP be received and that Council approve the application by redesignating and rezoning the subject property in the following manner:

1. Northern +/- 48m of Subject Property
 - a. Redesignate by way of a notwithstanding clause to the Residential Policies and Commercial Policy C.4 of the Official Plan to permit the offices of a private security firm with private training facilities.
 - b. Rezone from Institutional Zone (I) to Institutional Zone (I.S) with a special exception to permit the offices of a private security firm and private training facilities, in addition to the uses permitted in the Institutional Zone (I).
 - i. For the purposes of this by-law, a private security firm shall be defined as an establishment primarily engaged in providing a full range of security services, including dispatch and investigation, as well as any business administration and support for the security company.
 - ii. For the purposes of this by-law, a private training facility shall be defined as an establishment primarily engaged in providing a full range of training classes on-site, which may be available to Norpro employees and the general public.
 - c. That the frontage requirement be reduced to 0m.
 - d. That the eastern parking aisle width be reduced from 6.71m to 6.685m.
2. Southern +/- 60.5m of the Subject Property be rezoned from Institutional Zone (I) to Low Density Residential Zone (R3.S) with a special exception to reduce the required frontage to 0m.

And that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.7.4 A-5-19-Z – 267 Cathcart Street (David Ellis Architects Inc.)

Councillor M. Shoemaker declared a conflict on this item. (Client of law firm.)

The report of the Senior Planner was received by Council.

Moved by: Councillor M. Bruni

Seconded by: Councillor P. Christian

Resolved that the Report of the Senior Planner dated 2019 03 18 concerning the Rezoning Application A-5-19-Z be received and that Council approve the application to rezone the subject property from Low Density Residential Zone (R3.S365) to Low Density Residential Zone (R3.S365 Amended) with an amended Special Exception 365 in the following manner:

1. To repeal #2 and replace with:

To permit the existing building to be utilized for the offices of an architect and marketing firm only, in addition to the uses currently permitted by the current R3 zoning and special exception 365.

2. To repeal #4 and replace with:
That the required parking for the permitted offices uses be calculated at 3.4 spaces per 100m² Gross Floor Area.
 3. To add the following new clauses to Special Exception 365:
 - a. That existing building setbacks be recognized, more specifically:
 - i. The required building setback from Cathcart Street be reduced to 3.5m.
 - ii. The required building setback from Alexandra Street be reduced to 3.5m.
 - iii. The required building setback from the east lot line be reduced to 0m
 - b. That the existing parking lot layout be recognized, more specifically:
That required parking be permitted in required yards.
 - c. That the buffering requirements outlined in Section 4.9 of Zoning By-law 2005-150 be waived.
- And that the Legal Department be directed to prepare the necessary by-law to effect this approval.

Carried

7.7.5 A-6-19-Z – Accessible Parking Requirements in Zoning By-law

The report of the Director of Planning and Enterprise Services was received by Council.

Moved by: Councillor R. Niro

Seconded by: Councillor P. Christian

Resolved that the report of the Director of Planning and Enterprise Services dated 2019 03 18 concerning revised accessible parking requirements be accepted and that Zoning By-law 2005-150 be amended according to the changes outlined in Appendix A of this report.

Carried

7.8 Boards and Committees

7.8.1 Sault Ste. Marie Innovation Centre

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that Lori Naccarato be nominated to the Sault Ste. Marie Innovation Centre Board of Directors.

Carried

8. Unfinished Business, Notice of Motions and Resolutions Placed on Agenda by Members of Council

8.1 Green Laneways

Moved by: Councillor M. Shoemaker

Seconded by: Councillor L. Dufour

Whereas Sault Ste Marie has many laneways in various states of repair; and

Whereas each year, the City is doing more construction and road maintenance with a relatively stagnant construction budget; and

Whereas laneways are not typically the highest priority for limited maintenance dollars; and

Whereas green laneways have proven to be an effective way to counter the urban heat-island effect, enhance biodiversity, reduce stormwater runoff and give aesthetic pleasure to residents;

Now Therefore Be It Resolved that staff be requested to investigate the success of green laneways across other Canadian cities and report back on the feasibility of a green laneway pilot project for Sault Ste. Marie.

Carried

8.2 Review of City of Sault Ste. Marie Procurement Policy

Moved by: Councillor M. Shoemaker

Seconded by: Councillor C. Gardi

Whereas climate change is a challenge that requires attention from everyone and every level of government; and

Whereas the environmental impacts of the City of Sault Ste. Marie procuring a good or service should factor into any decision the City of Sault Ste. Marie procures a good or service; and

Whereas considering the environmental impact of a procurement of goods or services could provide an edge to local businesses when competing for an award from the City of Sault Ste. Marie;

Now Therefore Be It Resolved that staff review the City of Sault Ste. Marie Procurement Policy to ensure that one of the criteria that is considered when procuring goods or services is the environmental impact of said procurement and report back to Council with a recommended policy.

Carried

8.3 Public Input Sessions in Rezoning Application Process

Moved by: Councillor P. Christian

Seconded by: Councillor M. Shoemaker

Whereas Council is responsible for considering all rezoning applications as recommended by planning staff and;

Whereas part of the rezoning application process requires that notice is provided to neighbours in the immediate area of the property in question and;

Whereas these notices provide very limited information which often raises many questions and concerns from the affected neighbours and;

Whereas planning staff routinely encourage developers to hold at least one public information session to address concerns and answer questions in an attempt to foster better understanding and transparency; and

Whereas in the great majority of cases, developers are already willingly undertaking these public information sessions; and

Whereas in the absence of such information sessions, planning staff and councillors often spend a great deal of time trying to address questions and concerns of affected constituents and;

Whereas there have been instances where Council has postponed rezoning decisions to allow for neighbourhood input which delays the entire process and;

Whereas Council continues to advocate for more public input and transparency;

Now Therefore Be It Resolved that Council request that planning staff prepare a report on the feasibility of making public input sessions part of the rezoning application process.

Further that staff seek input from local developers and include this in the final report to Council.

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. Shoemaker

Seconded by: Councillor P. Christian

Resolved that all By-laws under item 11 of the Agenda under date 2019 03 18 be approved, save and except 2019-53 and 2019-54.

11.1 By-laws before Council to be passed which do not require more than a simple majority

11.1.1 By-law 2019-41 (Agreement) Physician Recruitment

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-41 being a by-law to authorize the execution of an Operating Service Agreement between the City, Group Health Association, Sault Area Hospital and Algoma West Academy of Medicine for Physician Recruitment Funding be passed in open Council this 18th day of March, 2019

11.1.2 By-law 2019-48 (Subdivision Control) 295 & 299 Farwell Terrace

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-48 being a by-law to deem not registered for purposes of subdivision control certain lots in the Harris and Buckley Subdivision, pursuant to section 50(4) of the *Planning Act* be passed in open Council this 18th day of March, 2019.

11.1.3 By-law 2019-49 (Agreement) Memorandum of Understanding Chamber of Commerce

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-49 being a by-law to authorize the execution of the Memorandum of Understanding between the City and Ontario Chamber of Commerce for the purpose of hiring people with disabilities be passed in open Council this 18th day of March, 2019.

11.1.4 By-law 2019-50 (Property Acquisition) Part 595 Old Goulais Bay Road

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-50 being a by-law to authorize the acquisition of a portion of property located at civic 595 Old Goulais Bay Road (Donnelly) be passed in open Council this 18th day of March, 2019.

11.1.5 By-law 2019-51 (Agreement) Court Security and Prisoner Transport

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-51 being a by-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister of Community

Safety and Correctional Services for funding for court security and prisoner transport until December 31, 2019 be passed in open Council this 18th day of March, 2019.

11.1.6 By-law 2019-52 (Parking) Amend By-law 2019-32 (Housekeeping)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-52 being a by-law to amend By-law 2019-32 (Parking) be passed in open Council this 18th day of March, 2019.

11.1.9 By-law 2019-55 (Agreement) Collective Agreement for Steelworkers Local 2251

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-55 being a by-law to authorize the execution of the Collective Agreement between the City and Steelworkers Local 2251 be passed in open Council this 18th day of March, 2019.

11.1.10 By-law 2019-56 (Agreement) Museum Amendment

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-56 being a by-law to authorize the execution of the Amended Agreement between the City and The Sault Ste. Marie and 49th Field Regiment R.C.A., Historical Society to amend the maintenance and operating agreement be passed in open Council this 18th day of March, 2019.

11.1.11 By-law 2019-57 (Agreement) Township of Prince Fire Protection

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-57 being a by-law to authorize the execution of the Agreement between the City and The Corporation of the Township of Prince for a Fire Protection Agreement for a period of one (1) year be passed in open Council this 18th day of March, 2019.

11.1.12 By-law 2019-59 (Agreement) The Rolling Picture Company

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-59 being a By-law to authorize the execution of the Agreement between the City and The Rolling Picture Company outlining the City's Economic Diversification Fund (EDF) contribution to the project to construct a high-end post-production facility that will provide non-client services to clients in large urban areas be passed in open Council this 18th day of March, 2019.

11.1.13 By-law 2019-61 (Agreement) Public Transit Infrastructure Fund

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-61 being a By-law to authorize the execution of the Agreement between the City and Her Majesty the Queen in right of Ontario as represented by the Minister of Transportation for the Province of Ontario for the Public Transit Infrastructure Fund Phase One Project Extension be passed in open Council this 18th day of March, 2019.

11.1.7 By-law 2019-53 (Agreement) Roberta Bondar Park Lease

Mayor C. Provenzano declared a conflict on this item. (Client of law firm is a party to the contract.)

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-53 being a by-law to authorize the execution of the Agreement between the City and 1972703 Ontario Inc. to lease and operate the restaurant/lounge/retail space at Roberta Bondar Park be passed in open Council this 18th day of March, 2019.

Carried

11.1.8 By-law 2019-54 (Agreement) Township of Prince Police Protection Services

Moved by: Councillor S. Hollingsworth

Seconded by: Councillor P. Christian

Resolved that By-law 2019-54 being a by-law to authorize the execution of the Agreement between the City and The Corporation of the Township of Prince for the provision of police protection services be passed in open Council this 18th day of March, 2019.

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

11.3.1 By-law 2019-25 (Local Improvement) McNabb Street from Gladstone Avenue to Great Northern Road

Moved by: Councillor M. Shoemaker

Seconded by: Councillor P. Christian

Resolved that By-law 2019-25 being a by-law to authorize the construction of sanitary sewer, private drain connection and Class "A" pavement on McNabb Street from Gladstone Avenue to Great Northern Road under Section 3 of the *Municipal Act, 2001*, Ontario Regulation 586/06 be read the THIRD time and passed in open Council this 18th day of March, 2019.

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. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that this Council proceed into closed session to discuss two items concerning solicitor-client privilege and one item concerning instructions for negotiations.

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 without the need for a further authorizing resolution.

Municipal Act section 239(2)(f) advice that is subject to solicitor-client privilege, including communications necessary for that purpose;k) a position, plan, procedure, criteria or instruction to be applied to any negotiations carried on or to be carried on by or on behalf of the municipality or local board. 2001, c. 25, s. 239 (2); 2017, c. 10, Sched. 1, s. 26

Carried

14. Adjournment

Moved by: Councillor M. Shoemaker

Seconded by: Councillor S. Hollingsworth

Resolved that this Council shall now adjourn.

Carried

Mayor

City Clerk



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

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

DEPARTMENT: Corporate Services

RE: Queenstown Board of Management (O/A The Downtown Association) 2018 Audit Report and 2019 Budget

PURPOSE

The Queenstown Board of Management (O/A The Downtown Association) Budget for 2019 is included for the approval of Council. The Audited Financial Statements of the Queenstown Board of Management for 2018 are provided for information.

BACKGROUND

The Downtown Association Board of directors approved their 2019 operating budget at their March 19, 2019 Annual General Meeting. As per the Municipal Act, Section 205(2), the budget is to be submitted to the municipality who may approve it in whole or in part but may not add expenditures to it.

ANALYSIS

Not applicable.

FINANCIAL IMPLICATIONS

The 2019 budget estimates of the Downtown Association are not part of the City budget estimates and are only added to the tax bills as a special levy to properties within the Downtown Association's boundaries for collection purposes.

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 Chief Financial Officer and Treasurer dated 2019 04 01 concerning the Queenstown Board of Management (O/A The Downtown Association) Audited Financial Statements for the year 2018 be received and the recommendation that the Downtown Association Budget for the year 2019 be approved.

Downtown Association Audit/Budget
2019 04 01
Page 2.

Respectfully submitted,

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

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

	2017 Budget	2018 Budget	2018 Actual	2019 Budget
Income				
Assessments	\$ 185,000	\$ 185,000	\$ 186,197.17	\$ 188,000
Assessment Write-offs and rebates	\$ (20,000)	\$ (20,000)	\$ (14,874.91)	\$ (20,000)
Total Assessments Total	\$ 165,000	\$ 165,000	\$ 171,322.26	\$ 168,000
Other Income				
Associate Membership				
Moonlight Magic Sponsorship	\$ 1,975.00	\$ 1,975.00	\$ 2,398.65	\$ 2,000
Banner Program			\$ 1,900.00	
Billboard/Promotional Signage				
Street Party Sponsorship	\$ 3,000.00	\$ 3,000.00	\$ 14,365.00	\$ 5,000
Rental Income	\$ 1,500.00	\$ 1,500.00	\$ 2,250.00	\$ 1,750
Street Party Income			\$ 905.00	\$ 350
Miscellaneous Income			\$ 1,350.14	\$ 500
Interest Income			\$ 162.34	
Total Other Income	\$ -	\$ 6,575.00	\$ 21,431.13	\$ 9,600.00
Total Income	\$ 165,000	\$ 171,575.00	\$ 192,753.39	\$ 177,600.00
Expenses				
Salaries & Benefits				
Payroll	\$ 87,500	\$ 79,785.71	\$ 63,614.00	\$ 76,000
Subsidized Salaries		\$ 19,600.00	\$ 40,227.80	\$ 42,952.00
Vehicle Costs		\$ 240.00	\$ 240.00	\$ 240
Cellular Allowance			\$ 120.00	\$ 489
Employer Share of CPP	\$ 4,331	\$ 6,821.34	\$ 4,673.45	\$ 5,532
Employer share of EI	\$ 1,997	\$ 2,639.92	\$ 2,488.08	\$ 2,064
CRA Penalties			\$ 113.31	\$ -
Commission			\$ 2,214.66	\$ 650
WSIB	\$ 681	\$ 800.00	\$ 803.00	\$ 615
Payroll Subsidy	\$ (4,500)	\$ (17,640.00)	\$ (19,579.00)	\$ (22,624.00)
Grants and Other				
Total Salaries & Benefits	\$ 90,009	\$ 92,246.97	\$ 94,915.30	\$ 105,909.50
Office Expenses				
Rent	\$ 19,050	\$ 19,050.00	\$ 19,049.52	\$ 19,050
Office Cleaning	\$ 300	\$ 200.00	\$ 171.66	\$ 200
Supplies	\$ 800	\$ 1,300.00	\$ 1,441.70	\$ 1,000
Equipment Repairs & Maintenance	\$ 1,000	\$ 200.00	\$ 130.60	\$ 200
Telephone/Internet	\$ 2,250	\$ 2,000.00	\$ 1,750.90	\$ 1,751
Insurance	\$ 3,340	\$ 2,750.00	\$ 2,703.24	\$ 2,710
Postage & Courier	\$ 250	\$ 50.00	\$ 28.31	\$ 75
Photocopies	\$ 275	\$ 700.00	\$ 607.93	\$ 650
Recruiting	\$ 200	\$ 400.00	\$ 387.12	\$ 375
Total Office Expenses	\$ 27,465	\$ 26,650.00	\$ 26,270.98	\$ 26,010.90
Office Furniture & Equip				\$ 3,000.00
Memberships/Publications	\$ 375	\$ 560.00	\$ 938.44	\$ 600
Marketing & Communication				
Advertising				
Radio	\$ 1,198	\$ 1,198.00	\$ 1,184.24	\$ 1,200.00
Billoard	\$ 1,700	\$ 1,700.00	\$ 1,283.82	\$ 900.00
On-Line	\$ 1,405	\$ 1,405.00	\$ 1,297.44	\$ -
Social Media	\$ 298	\$ 500.00	\$ 131.75	\$ 500.00
Television		\$ 500.00	\$ -	\$ -
Misc (Bus ads./Tshirts , etc)		\$ 326.00	\$ 537.46	\$ 1,000.00
Print	\$ 2,268	\$ 2,268.00	\$ 1,780.80	\$ 1,800.00
Total Advertising	\$ 6,869	\$ 7,897.00	\$ 6,215.51	\$ 5,400.00
Downtown Newsletters/Member publication	\$ 1,000	\$ 500.00	\$ -	\$ 400
Outreach/Promotions		\$ 100.00	\$ 33.09	\$ -
Greyhound Promotions			\$ 156.00	\$ 200
Board Elections		\$ 300.00	\$ 270.68	\$ -
Total Communications	\$ 1,000	\$ 900.00	\$ 459.77	\$ 600.00
Total Marketing & Communications	\$ 2,000	\$ 8,797.00	\$ 919.54	\$ 1,200.00
Events & Activities				
Downtown Street Party	\$ 9,350	\$ 9,350	\$ 24,505.22	\$ 8,000
Shadows of the Mind Film Festival				\$ 329
Moonlight Magic	\$ 4,120	\$ 4,120	\$ 7,598.95	\$ 4,000
Greyhounds Season Opener				\$ 200
Greyhounds Playoff Party			\$ 172.99	\$ -
New Initiatives	\$ 500	\$ 1,500	\$ 1,906.35	\$ 1,000
Queen Street Cruise	\$ 1,000			
Walk of Fame			\$ 678.49	
Service Sector Events/Initiatives				\$ 1,750.00
Promotions				
Maintenance and Beautification			\$ 2,251.04	\$ -
Total Events & Activities	\$ 14,970	\$ 14,970.00	\$ 34,862.00	\$ 15,279.00
Meetings & Seminars				
Board Meetings	\$ 500	\$ 500	\$ 299.46	\$ 400
Other	\$ 450	\$ 450.00	\$ 254.82	\$ 275
Conferences and Training	\$ 2,000	\$ 1,450.53	\$ 1,267.79	\$ 1,350
AGM	\$ 600	\$ 600.00	\$ 450.00	\$ 450
Total Meetings & Seminars	\$ 3,550.00	\$ 3,000.53	\$ 2,272.07	\$ 2,475.00
Professional Fees				
Accounting/Audit	\$ 4,250	\$ 4,250.00	\$ 3,592.13	\$ 3,651
Bookkeeping	\$ 2,000	\$ 3,625.50	\$ 4,528.32	\$ 4,000
Total Professional Fees	\$ 6,250	\$ 7,875.50	\$ 8,120.45	\$ 7,650.60
Streetscaping & Beautification				
Security	\$ 1,045	\$ 1,100.00	\$ 1,299.27	\$ 1,350
Lights/PUC	\$ 1,800	\$ 1,800.00	\$ 1,095.47	\$ 1,100
Street Unity Beautification	\$ 8,000	\$ 8,000.00	\$ 7,694.96	\$ 6,150
Initiatives	\$ 2,500	\$ 3,000.00	\$ 823.69	\$ 800
Total Streetscaping & Beautification	\$ 13,345	\$ 13,900.00	\$ 10,913.39	\$ 9,400.00
Miscellaneous				
Downtown Development Initiative				
Amortization			\$ -	\$ -
Grant/Consultant Leverage		\$ 2,500.00	\$ -	\$ -
Software and Licencing	\$ 992	\$ 800.00	\$ 344.00	\$ 500
Miscellaneous		\$ 100.00	\$ 116.27	\$ -
Bank Service Charge	\$ 175	\$ 175.00	\$ 360.37	\$ 175
Total Miscellaneous	\$ 1,167	\$ 3,575.00	\$ 820.64	\$ 675.00
Total Expenses	\$ 160,131	\$ 171,575.00	\$ 186,248.32	\$ 177,600.00
Net income/loss prior to capital	\$ -	\$ -	\$ 6,504.57	\$ -

Financial Statements of

**BOARD OF MANAGEMENT OF QUEENSTOWN,
THE SAULT STE. MARIE CENTRAL BUSINESS
DISTRICT IMPROVEMENT AREA**

Year ended December 31, 2018



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 Board of Management of Queenstown, The Sault Ste. Marie Central Business District Improvement Area and Members of Council, Inhabitants and Ratepayers of The Corporation of the City of Sault Ste. Marie

Opinion

We have audited the financial statements of Board of Management of Queenstown, The Sault Ste. Marie Central Business District Improvement Area (the "Board"), which comprise:

- the statement of financial position as at December 31, 2018
- the statement of operations and accumulated surplus for the year then ended
- the statement of changes in net financial assets for the year then ended
- the statement of cash flows for the year then ended
- and notes to the financial statements, including a summary of significant accounting policies

(Hereinafter referred to as the "financial statements").

In our opinion, the accompanying financial statements present fairly, in all material respects, the financial position of the Board as at December 31, 2018, and its results of operations, changes in net assets and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

Basis for Opinion

We conducted our audit in accordance with Canadian generally accepted auditing standards. Our responsibilities under those standards are further described in the "Auditors' Responsibilities for the Audit of the Financial Statements" section of our auditors' report.

We are independent of the Board in accordance with the ethical requirements that are relevant to our audit of the financial statements in Canada and we have fulfilled our other responsibilities in accordance with these requirements.

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

Other Information

Management is responsible for the other information. Other information comprises:

- the information, other than the financial statements and the auditors' report thereon, included in a document likely to be entitled the "Annual Report".

Our opinion on the financial statements does not cover the other information and we do not and will not express any form of assurance conclusion thereon.

In connection with our audit of the financial statements, our responsibility is to read the other information identified above and, in doing so, consider whether the other information is materially inconsistent with the financial statements or our knowledge obtained in the audit and remain alert for indications that the other information appears to be materially misstated.

The information, other than the financial statements and the auditors' report thereon, included in a document likely to be entitled the "Annual Report" is expected to be made available to us after the date of this auditors' report. If, based on the work we will perform on this other information, we conclude that there is a material misstatement of this other information, we are required to report that fact to those charged with governance.

Responsibilities of Management and Those Charged with Governance for the Financial Statements

Management is responsible for the preparation and fair presentation of the 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 financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the financial statements, management is responsible for assessing the Board's ability to continue as a going concern, disclosing as applicable, matters related to going concern and using the going concern basis of accounting unless management either intends to liquidate the Board or to cease operations, or has no realistic alternative but to do so.

Those charged with governance are responsible for overseeing the Board's financial reporting process.



Auditors' Responsibilities for the Audit of the Financial Statements

Our objectives are to obtain reasonable assurance about whether the financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditors' report that includes our opinion.

Reasonable assurance is a high level of assurance, but is not a guarantee that an audit conducted in accordance with Canadian generally accepted auditing standards will always detect a material misstatement when it exists.

Misstatements can arise from fraud or error and are considered material if, individually or in the aggregate, they could reasonably be expected to influence the economic decisions of users taken on the basis of the financial statements.

As part of an audit in accordance with Canadian generally accepted auditing standards, we exercise professional judgment and maintain professional skepticism throughout the audit.

We also:

- Identify and assess the risks of material misstatement of the financial statements, whether due to fraud or error, design and perform audit procedures responsive to those risks, and obtain audit evidence that is sufficient and appropriate to provide a basis for our opinion.

The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control.

- Obtain an understanding of internal control relevant to the audit 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 Board's internal control.
- Evaluate the appropriateness of accounting policies used and the reasonableness of accounting estimates and related disclosures made by management.
- Conclude on the appropriateness of management's use of the going concern basis of accounting and, based on the audit evidence obtained, whether a material uncertainty exists related to events or conditions that may cast significant doubt on the Board's ability to continue as a going concern. If we conclude that a material uncertainty exists, we are required to draw attention in our auditors' report to the related disclosures in the financial statements or, if such disclosures are inadequate, to modify our opinion. Our conclusion is based on the audit evidence obtained up to the date of our auditors report. However, future events or conditions may cause the Board to cease to continue as a going concern.



Page 4

- Evaluate the overall presentation, structure and content of the financial statements, including the disclosures, and whether the financial statements represent the underlying transactions and events in a manner that achieves fair presentation.
- Communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit and significant audit findings, including any significant deficiencies in internal control that we identify during our audit.

A handwritten signature in black ink that reads 'KPMG LLP'. The signature is written in a cursive, stylized font and is underlined with a single horizontal stroke.

Chartered Professional Accountants, Licensed Public Accountants

Sault Ste. Marie, Canada
February 19, 2019

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Statement of Financial Position

December 31, 2018, with comparative information for 2017

	2018	2017
Financial assets		
Cash	\$ 19,265	\$ 90,907
Term deposit	80,354	27,282
Accounts receivable	11,963	13,152
Total financial assets	111,582	131,341
Financial liabilities		
Accounts payable and accrued liabilities	7,490	17,002
Due to the City of Sault Ste. Marie	–	724
Total financial liabilities	7,490	17,726
Net financial assets	104,092	113,615
Non-financial assets		
Tangible capital assets (note 2)	21,511	22,550
Prepaid expenses	185	2,016
Total financial assets	21,696	24,566
Commitment (note 7)		
Accumulated surplus (note 6)	\$ 125,788	\$ 138,181

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

On behalf of the Board:

Director

Director

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Statement of Operations and Accumulated Surplus

Year ended December 31, 2018, with comparative information for 2017

	Budget (note 5)	2018	2017
Revenue:			
Assessments	\$ 185,000	\$ 186,197	\$ 184,986
Grants and other (note 3)	17,640	42,079	18,875
Events	4,975	19,019	9,074
Rental Income	1,500	2,250	1,850
Interest	–	387	143
Total revenue	209,115	249,932	214,928
Expenses:			
Wages and benefits (note 4)	109,877	114,255	96,405
Consulting and tourism research	27,500	34,559	–
Rent	19,050	19,050	19,050
Assessments written-off and rebates	20,000	14,875	19,892
Events and activities	14,970	34,862	15,482
On street costs	13,900	11,865	8,411
Professional fees	7,876	8,120	6,865
Promotion and marketing	8,797	6,675	8,854
Office	4,210	6,829	4,997
Telephone and internet	2,000	1,751	1,780
Insurance	2,750	2,687	1,830
Meetings and seminars	3,000	2,372	1,690
Amortization of tangible capital assets	4,065	4,065	3,616
Miscellaneous	275	360	181
Total expenses	238,270	262,325	189,053
Annual (deficit) surplus	(29,155)	(12,393)	25,875
Accumulated surplus, beginning of year	138,181	138,181	112,306
Accumulated surplus, end of year	\$ 109,026	\$ 125,788	\$ 138,181

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

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Statement of Changes in Net Financial Assets

Year ended December 31, 2018, with comparative information for 2017

	Budget (note 5)	2018	2017
Annual (deficit) surplus	\$ (29,155)	\$ (12,393)	\$ 25,875
Acquisition of tangible capital assets	(3,500)	(3,026)	(11,886)
Amortization of tangible capital assets	4,065	4,065	3,616
	(28,590)	(11,354)	17,605
Change in prepaid expenses	—	1,831	(630)
Change in net financial assets	(28,590)	(9,523)	16,975
Net financial assets, beginning of year	113,615	113,615	96,640
Net financial assets, end of year	\$ 85,025	\$ 104,092	\$ 113,615

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

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Statement of Cash Flows

Year ended December 31, 2018, with comparative information for 2017

	2018	2017
Cash provided by (used in):		
Operating activities:		
Annual (deficit) surplus	\$ (12,393)	\$ 25,875
Item not involving cash:		
Amortization of tangible capital assets	4,065	3,616
	(8,328)	29,491
Change in non-cash assets and liabilities:		
Decrease (increase) in accounts receivable	1,189	(7,221)
Decrease (increase) in prepaid expenses	1,831	(630)
(Decrease) increase in accounts payable and accrued liabilities	(9,512)	7,917
(Decrease) increase in due to the City of Sault Ste. Marie	(724)	33
	(15,544)	29,590
Investing activities:		
Increase in term deposit	(53,072)	(143)
Capital activities:		
Cash used to acquire tangible capital assets	(3,026)	(11,886)
Net change in cash	(71,642)	17,561
Cash, beginning of year	90,907	73,346
Cash, end of year	\$ 19,265	\$ 90,907

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

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2018

The Board of Management of Queenstown, The Sault Ste. Marie Central Business District Improvement Area (the "Board") was established on September 28, 1976 to foster and enhance commercial interests in the downtown business improvement area of Sault Ste. Marie, Ontario.

1. Significant accounting policies:

The financial statements of the Board are the representation of management prepared in accordance with Canadian generally accepted accounting principles for government organizations, as recommended by the Public Sector Accounting Board of the Chartered Professional Accountants of Canada. Significant aspects of the accounting policies adopted by the Board are as follows:

(a) 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.

(b) 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 residual value of the tangible capital assets is amortized on the following annual rates and methods:

Asset	Method used	Rate
Furniture and equipment	Declining-balance	20%
Computer equipment	Declining-balance	30%
Signage	Straight-line	5 years
Leasehold improvements	Straight-line	10 years

(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 dates of the financial statements and the reported amounts of revenue and expenses during the reporting periods. Actual results could differ from those estimates.

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2018

1. Significant accounting policies (continued):

(d) Revenue recognition:

Government transfers are recognized in the financial statements as revenues in the period in which events giving rise to the transfer occur providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made.

Assessments are recognized as revenue when received or receivable if the amount to be received can be reasonably estimated and collection is reasonably assured.

Events and rent revenues are recognized when the services are performed, 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.

2. Tangible capital assets:

Cost	Balance at December 31, 2017	Additions	Disposals	Balance at December 31, 2018
Furniture and equipment	\$ 5,252	\$ 1,113	\$ —	\$ 6,365
Computer equipment	9,523	—	—	9,523
Signage	14,788	290	—	15,078
Leasehold improvements	12,581	—	—	12,581
Work in process	8,344	1,623	—	9,967
Total	\$ 50,488	\$ 3,026	\$ —	\$ 53,514

Accumulated Amortization	Balance at December 31, 2017	Disposals	Amortization expense	Balance at December 31, 2018
Furniture and equipment	\$ 3,066	\$ —	\$ 548	\$ 3,614
Computer equipment	7,856	—	501	8,357
Signage	4,435	—	3,016	7,451
Leasehold improvements	12,581	—	—	12,581
Total	\$ 27,938	\$ —	\$ 4,065	\$ 32,003
Net book value	\$ 22,550			\$ 21,511

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2018

3. Grants and other:

	2018	2017
Municipal grant	\$ 22,500	\$ —
Wage subsidies	19,579	18,875
	<u>\$ 42,079</u>	<u>\$ 18,875</u>

4. Wages and benefits:

	2018	2017
Regular wages and benefits	\$ 79,945	\$ 65,803
Subsidized wages and benefits	34,310	30,602
	<u>\$ 114,255</u>	<u>\$ 96,405</u>

5. Budget figures:

The operating budget approved by the Board for 2018 was prepared for the purpose of establishing the estimated revenues and expenses for fiscal 2018. The budget established does not include a budget for the amortization of tangible capital assets. The Board also does not budget activity within reserves.

The budget figures presented in the Statement of Operations and the Statement of Changes in Net Financial Assets have been restated to be comparable with the Public Sector Accounting Standards. A reconciliation of the Board approved budget and the budget presented in these financial statements is presented below:

Adopted budget:	
Budgeted deficit for the year	\$ (28,590)
Adjustments to adopted budget:	
Acquisition of tangible capital assets	3,500
Amortization of tangible capital assets	(4,065)
Restated budgeted annual deficit	<u>\$ (29,155)</u>

BOARD OF MANAGEMENT OF QUEENSTOWN, THE SAULT STE. MARIE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA

Notes to Financial Statements

Year ended December 31, 2018

6. Accumulated surplus:

Accumulated surplus is comprised of:

	2018	2017
Invested in tangible capital assets	\$ 21,511	\$ 22,550
Operating fund surplus	104,277	115,631
	<u>\$ 125,788</u>	<u>\$ 138,181</u>

7. Commitment:

The Board leases its premises with a minimum annual lease payment of \$18,720 plus applicable taxes. The lease expires January 31, 2020.

8. Segmented reporting:

The Chartered Professional Accountants of Canada Public Sector Accounting Handbook Section PS2700 – Segmented Disclosures establishes standards on defining and disclosing segments in a government's financial statements. Government organizations that apply these standards are encouraged to provide the disclosures established by this section when their operations are diverse enough to warrant such disclosures. The Board has only one identifiable segment, considered to be fostering and enhancing commercial interests in the downtown business improvement area of Sault Ste. Marie, Ontario as presented in these financial statements.



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tom Vair, Deputy CAO of Community Development and Enterprise Services

DEPARTMENT: Community Development and Enterprise Services

RE: Bondar Marina Dock Replacement – Single Source Poralu Marine Inc.

PURPOSE

The purpose of this report is to provide information to Council regarding the single sourcing of the Bondar Marina Dock replacement to Poralu Marine Inc.

BACKGROUND

The Bondar Marina dock replacement was approved as part of the 2019 capital allocation.

In 2017 capital funds were allocated to replace the fuel dock at Bondar Marina, as well as E dock and B dock at the Bellevue Marina. The tender was publically advertised and tender documents were forwarded to all firms on the City's bidders list. A public opening of the tenders was held September 6, 2017. The tenders were reviewed and evaluated with the City's Consultant for the project, Stem Engineering Group (R. Beltramin/K. Gagne) and the Manager of Culture & Recreation – CSD. Poralu Marine was the successful proponent as they met all of the requirements outlined in the tender and were the lowest bid received. A copy of the Council report and Letter of Recommendation from STEM Engineering have been included as attachment A.

In 2018 an emergency repair was required to the docks at Bondar Marina. The main access point to B, C and D dock was sinking and was beyond repair. Two main sections of the dock for a total of 75 feet including a new ramp and 2 serviced pedestals were installed using the Poralu docking system. The total cost of this replacement was \$49,669.

ANALYSIS

Staff is recommending that the dock replacement project be single sourced to Poralu Marina Inc. for the following reasons:

1. Single Sourcing would allow for one type of dock system at the Bondar Marina. The fuel dock and 75 feet of dock has already been replaced at Bondar Marina with Poralu Marine docking system.
2. One system allows for consistency in maintenance and future repairs versus two types of docking systems. The sections that have been replaced can be integrated into the new design with ease. If a different supplier was selected integration of a new docking system to these sections is not guaranteed.
3. The timing to receive the docks and install them would be greatly accelerated by moving to sole source procurement for this project. This will enable the docks to be installed before the busy portion of the boating season and avoid waiting until Fall for installation. A delayed installation also presents issues related to the condition of the Roberta Marina docks and potential failure of dock sections.
4. Poralu already has working knowledge of the marina and municipal requirements.
5. The Poralu Dock system is an eco-friendly system that is well known around the world and can withstand harsh winter freeze up and ice up.

For budgeting purposes, a conceptual design of the Roberta Bondar Marina is provided in Attachment B which demonstrates the proposed layout and features to be included in the docking system.

Therefore, in accordance with the Procurement Policies and Procedures By-Law section 22 (3) (a) the standardization or compatibility of a Purchase with an existing service relates to the recommendation to single sourcing this work to Poralu Marine.

FINANCIAL IMPLICATIONS

The 2019 capital budget approved the replacement of the Roberta Bondar Marina at an amount of \$800,000. This replacement project will be accomplished within this budget amount.

STRATEGIC PLAN / POLICY IMPACT

Upgrading of existing infrastructure is included in the Infrastructure focus area of the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

“Resolved that the report of the Deputy CAO of Community Development and Enterprise Services dated 2019 04 01 concerning Bondar Marina Dock Replacement – Single Source Poralu Marine Inc. be received as information. A report from Purchasing appears elsewhere on the agenda for Council approval.”

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tom Vair', with a stylized flourish at the end.

Tom Vair

Deputy CAO of Community Development and
Enterprise Services

705.759.5264

t.vair@cityssm.on.ca

13 September 2017

Project #17069

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

Attention: Tim Gowans
Manager of Purchasing

Subject: Bondar and Bellevue Marinas Finger Dock Replacements - Tender Results

On September 6th, 2017, four sealed envelopes containing the bid tenders for the proposed project were submitted to the City Clerk's Department. All four bid tenders were accompanied by complete tender forms, acceptable tender and contract securities, acknowledgement of Addenda 1 to 3, and Schedules 1 to 4 (as applicable). Upon review of the tenders, we can provide the following summary:

Kehoe Marine Construction Ltd.

\$384,375.00 Location #1 + \$86,395.00 Location #2 = **\$470,770.00 total base bid**
Alternate #1 - Kehoe Standard Dock: Deduct \$36,041.00

Kropf Industrial Inc.

\$508,944.00 Location #1 + \$94,124.00 Location #2 = **\$603,068.00 total base bid**
Alternate #1 - Highland Plastic Float Pipes: Add \$28,130.00

Poralu Marine Inc.

\$356,700.00 Location #1 + \$85,165.00 Location #2 = **\$441,865.00 total base bid**
Alternate #1 - Length of Bondar Gangway Reduction: Deduct \$3,000.00
Alternate #2 - Length of Bellevue 'B' Gangway Reduction: Deduct \$4,125.00
Alternate #3 - Length of Bellevue 'E' Gangway Reduction: Deduct \$23,000.00
Alternate #4 - Use of Existing H- Beams: Deduct \$16,000.00
Alternate #5 - EcoStyle Decking: Deduct \$20,000.00
Alternate #6 - Pressure Treated Wood Decking (5/4"): Deduct \$4,000.00
Alternate #7 - Pressure Treated Wood Decking (2"x6"): Deduct \$5,500.00

Avery Construction Ltd.

\$537,485.25 Location #1 + \$128,469.08 Location #2 = **\$665,954.33 total base bid**
Alternate #1 - Floating Dock Systems Inc.: Deduct \$220,428.07
Alternate #2 - NY Dock: Deduct \$176,117.96

All tender prices exclude HST.



The City's budget for the entire project (including engineering costs) is \$381,000.00 + HST. It is understood that the City has access to a contingency fund that may allow for extra funding for this project in order to afford the lowest possible bid. We recommend awarding the contract to Poralu Marine Inc. (including Alternates #1, #2, #3, #4, and #5) for the tender amount of **\$375,740.00 + HST**.

If you should have any questions regarding these matters or require any additional information, please contact us at your convenience. We look forward to working with you on this project.

Regards,

Karina Gagné, E.I.T.
Designer

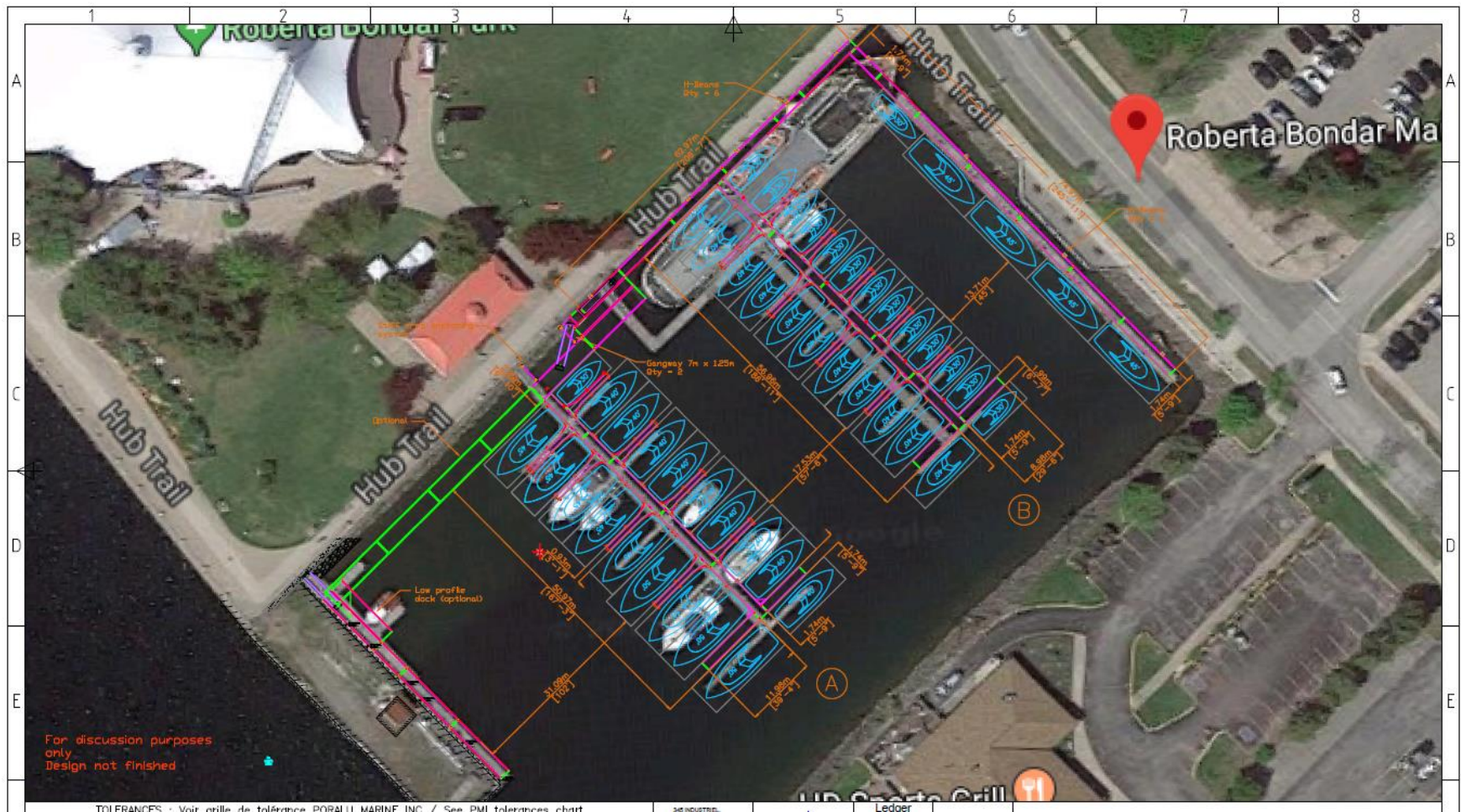


Figure 1 – Marina configuration- larger vessel accommodation throughout the whole marina. Emergency ccess ladders strategicallyplaced throughout the docks. 4 currently on fuel dock

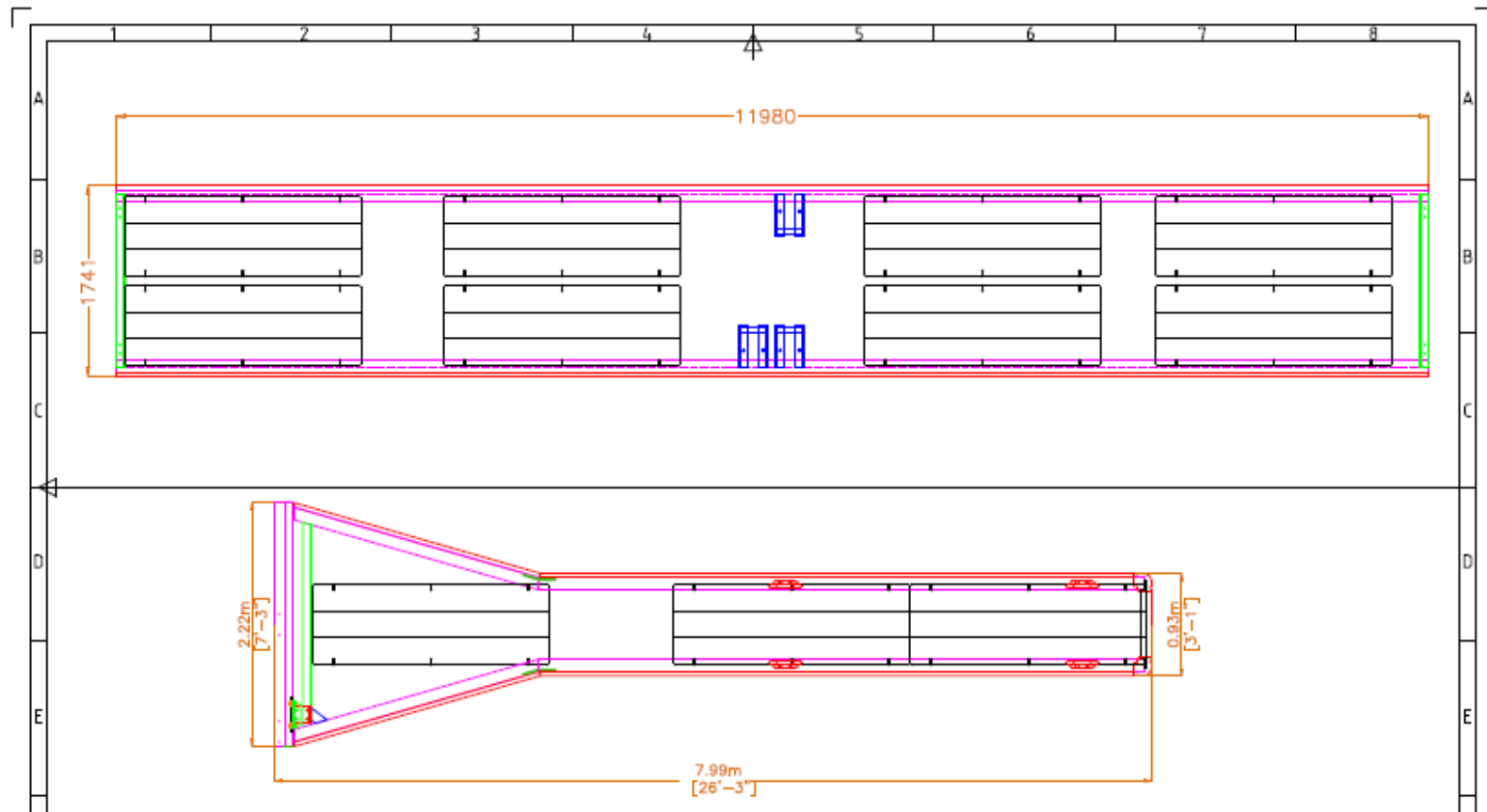


Figure 2. Sample dock sections, specifics to be determined.



Figure 3 - Example of a low-profile dock – one section of dock is planned to be low profile in the marina to enable easier access for canoe/kayaks, etc.

Fire Station Safety Pedestal



KEY STANDARD FEATURES
Photocell-controlled 5W LED lighting fixture
15-Amp rated single phase terminal block
Unmistakable backlit fire extinguisher symbol laser-cut into the spring-loaded hinged cabinet door with red polycarbonate window
Durable polycarbonate mounting base to isolate the housing from the dock surface
24" life ring
Dual-function alarm and strobe which activates with the removal of the life ring or opening of the fire extinguisher door
10 pound, Type ABC fire extinguisher

Fig 4.- new emergency cabinets with life ring.



HARBOR LIGHT

The “Harbor Light” power pedestal has been developed as a polycarbonate sister to the “Harbor Light SS” and sets a new standard for durability and ease-of-use. Built to withstand the harshest environmental conditions, the “Harbor Light” keeps with the Marina Electrical Equipment philosophy of being incredibly simple to install, maintain and operate for many years.

Fig 5.- Pedestals (23) – 30 amp double sided (2 reused) – electrical supply in existing panels assumed to be sufficient for current layout



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tim Gowans, Manager of Purchasing

DEPARTMENT: Finance Department

RE: RFP – Finger Dock Replacement - Roberta Bondar Marina – Second Phase

PURPOSE

This report has been prepared for your information and consideration concerning the proposal received for second phase of Finger Dock Replacement at the Roberta Bondar Marina, as required by Community Services – Community Development & Enterprise Services. City Staff is seeking Council approval of the recommendation contained in this report.

BACKGROUND

The finger docks located in the Roberta Bondar Marina have been identified as needing replacement. They are of wooden construction and may include electrical and water connections for the use of boaters. Subsequent to relocation of the Norgoma, CDES plans to reconfigure the Marina and replace several docks to enhance services available to boaters at the Marina. Some of the affected docks have already failed. In addition, several of the existing docks need to be moved out of the way to allow the relocation. Completion of this replacement project must be expedited in order to allow the City to meet existing booking for marina space during the 2019 boating season.

In 2017, several docks at the Roberta Bondar Marina and at the Bellevue Marina were replaced. The STEM Engineering Group provided the Engineering Services and Poralu Marine Inc. provided supply and installation.

ANALYSIS

City Council Approval of single sourcing of supply and installation of the finger dock replacements to Poralu Marine Inc. is recommended based upon the urgent requirement for completion of the Project and their familiarity with the Project requirements based on past experience with the previous installation (Purchasing

By-law Paragraph 22.(3)(a) Standardization and Compatibility). Poralu Marine Inc. has proposed a cost of \$738,583.34 plus HST for supply and installation.

FINANCIAL IMPLICATIONS

During 2019 Budget deliberation, City Council approved \$800,000 for completion of this Finger Dock Replacement. The proposed pricing for the Dock Replacement and Engineering fees can be accommodated within the amount approved.

STRATEGIC PLAN / POLICY IMPACT

This service is not contemplated in the Strategic Plan but does align with the City's commitment to Delivering Excellent Customer Service.

RECOMMENDATION

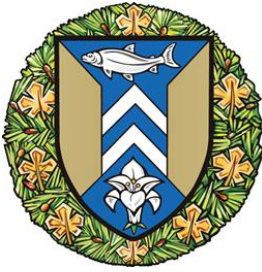
Resolved that the report of the Manager of Purchasing dated 2019 04 01 be received and the recommendation that the proposal submitted by Poralu Marine Inc. be approved, on a single source basis; at a proposed cost of \$738,583.34 plus HST.

A By-law authorizing signature of the Agreement with Poralu Marine Inc for provision of the finger dock replacement will appear on a future Council Agenda.

Respectfully submitted,



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



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Brent Lamming, Director of Community Services

DEPARTMENT: Community Development and Enterprise Services

RE: GFL Memorial Gardens Entertainment Partnership

PURPOSE

This report has been prepared as information for Council. A supporting report from Purchasing can be found elsewhere on the agenda.

BACKGROUND

City staff continues to work at sourcing quality entertainment to the GFL Memorial Gardens (GFLMG) and have close relationships with over a dozen promoters to source shows and events.

During 2018 eight (8) events including five (5) shows were held drawing in excess of 20,000 in attendance on a combined basis. A history of events since our opening in 2006 can be found on the GFLMG website accessed here:

<http://gflgardens.ca/Events-Ticketing/Event-History.aspx>

Over that timespan there have been close to 200 events/shows that have taken place at the GFLMG excluding Greyhound Games.

The Manager of the GFL Memorial Gardens is responsible for marketing to prospective shows to attract events and continues to initiate contact with promoters, presenters, producers, and planners on an ongoing basis to keep a close pulse on show availability. The Manager is also responsible for completing break-even analysis on all events to ensure the City is not hosting events at a deficit position.

Furthermore, the Event Development Fund was established on September 11, 2017 where Council authorized staff to transfer up to one (1) dollar from the Facility Fee per show up to a maximum of \$50,000 to be utilized for a more proactive selection of future events. This fund may be utilized upon the completion of event analysis and support of the Deputy CAO of Community

Development & Enterprise Services, the Chief Financial Officer/City Treasurer and CAO (if spending levels require) for review and the final approval to produce/purchase an event. This fund has not been used to date.

ANALYSIS

City staff has reviewed the options to increase events and have found that Venue Coalition provides a unique service and is an industry leader in the field who works closely with the venue and promoter.

Venue Coalition is a live entertainment consulting company focused on booking artists, attractions, and touring productions in arena and theater venues. They book entertainment in 70 arenas in North America (see Appendix A).

As stated on their website they “deliver valuable information, advocacy and keep our members top of mind for routing and booking opportunities.”

Specifically, in Ontario, Venue Coalition has partnerships with the City of Sudbury, Kitchener, Ottawa and Peterborough. If the City agrees to enter into this partnership, it would create a unique buying opportunity to leverage as a group of municipalities in Ontario. Essentially the partnership would contribute to a higher success rate when acts are touring in Ontario.

Venue Coalition has recently worked with City Staff to attract the Thank You Canada Tour – held this past October 25, 2018 (Skating Show) and have also assisted with the Theresa Caputo-The Long Island Medium show on June 15th, 2016 (2778 tickets sold). Staff is now recommending that the City enter into a formal agreement. For 2019, Venue Coalition is in talks currently for two (2) shows for 2019.

The goal of this partnership is for Venue Coalition to identify as many bookings and opportunities as possible. Staff has looked into other consultant providers and at this time, Venue Coalition has the biggest market awareness and presence in our geographic area.

This will not limit staff's ongoing efforts to attract events independently or in conjunction with promoters. The new partnership is meant to augment efforts to ensure that we are continuing to attract the best shows available to the GFLMG.

As part of the agreement, it is suggested that if the service is deemed successful based upon shows sourced and service provided, that the Director of Community Services will report back to Council to obtain approval to extend the agreement for a further three (3) year timeframe.

Furthermore, Bylaw 2019-74 appears elsewhere on the agenda and authorizes the Director Community Services or his/her designate to execute standard facility use agreements in the form of Schedule A to that Bylaw on behalf of the Corporation.

A separate report authored by Manager of Purchasing also appears on the agenda and recommends the authorization of the agreement between Venue Coalition Inc. and the City.

FINANCIAL IMPLICATIONS

The projected cost will be supported by the GFLMG Marketing budget of \$20,000 for 2019.

Venue Coalition's normal membership rate is \$15,000 USD for new clients. They have advised staff that they will honour their old rate of \$13,500 USD per annum to cover May 1 2019 to April 30, 2020.

STRATEGIC PLAN / POLICY IMPACT

The recommendation supports the focus area of the Community Strategic Plan for 2016-2020 in a number of ways.

- Within the Service Delivery focus area, it continues to assist in delivering excellent customer service to citizens.
- Promotes and supports Arts & Culture through the Quality of Life Pillar. It will allow greater flexibility in obtaining events as the current model relies heavily on the Manager and Promoters in bringing events to the venue.
- Additionally it supports the focus area of infrastructure, as it will assist in Maintaining Existing Infrastructure.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Director, Community Services – Community Development & Enterprise Services dated 2019 04 01 be received as information.

Respectfully submitted,



Brent Lamming, PFP, CPA, CMA
Director, Community Services
Community Development &
Enterprise Services
(705)759-5314

Appendix A

Venue Coalition is a live entertainment consulting company focused on booking Artists, Attractions, and Touring Productions in Arena and Theater Venues.
To put it simply,
We Book Shows.

VIEW VC ARENAS

city	venue	capacity
CANADA		
Brandon, MB	Westoba Place at Keystone Centre	6,000
Calgary, AB	Scotiabank Saddledome	17,100
Grande Prairie, AB	Revolution Place	4,684
Kelowna, BC	Prospera Place	6,000
Kitchener, ON	Kitchener Memorial Auditorium	7,241
Lethbridge, AB	Enmax Centre	6,525
Ottawa, ON	Canadian Tire Centre	18,500
Peterborough, ON	Peterborough Memorial Centre	5,400
Prince George, BC	CN Centre	6,800
Red Deer, AB	Enmax Centrium	7,800
Regina, SK	Brandt Centre	7,268
Saskatoon, SK	SaskTel Centre	16,500
Sudbury, ON	Sudbury Community Arena	6,686
Vancouver, BC	Thunderbird Arena	7,000
Victoria, BC	Save-On-Foods Memorial Centre	7,000
Winnipeg, MB	Bell MTS Place	15,000



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Tim Gowans, Manager of Purchasing

DEPARTMENT: Finance Department

RE: RFP – Promotion Agreement - Live Entertainment Expertise & Services

PURPOSE

This report has been prepared for your information and consideration concerning the proposal received for the provision of expertise, outreach, and talent buying services in the live entertainment industry for the City of Sault Ste. Marie as a pilot program for the 1-year period commencing May 1, 2019, as required by Community Services – Community Development & Enterprise Services. City Staff is seeking Council approval of the recommendation contained in this report.

BACKGROUND

City Staff work on an ongoing basis to source quality live entertainment for shows at the GFL Memorial Gardens. Since the opening of the Sault Ste. Marie Entertainment Centre – now the GFL Memorial Gardens – approximately 200 events/shows have taken place. To supplement the City's internal efforts, the value of seeking outside expertise in this area has been identified.

ANALYSIS

The Venue Coalition Inc. is a leading proprietor of this service and has a unique presence and exposure in the Canadian Market. They book entertainment in 70 arenas in North America including several partnerships in Ontario – Sudbury, Kitchener, Ottawa, and Peterborough. City Staff have investigated other options finding that any major competitors are focused mainly on the United States without a major Canadian presence. City Council Approval of single sourcing of these services from the Venue Coalition Inc. for a 1-year pilot program is recommended on this basis; allowing for the Agreement to be extended for up to three additional years subject to the success of the pilot program.

A report of the Director of Community Services appears elsewhere on the Council Agenda.

FINANCIAL IMPLICATIONS

The annual membership fee for the first year period commencing May 1, 2019 will be \$13,500 USD (approximately \$18,495 CDN); with applicable membership fees of \$15,000 USD (approximately \$20,550 CDN) annually for subsequent years. These membership fees can be accommodated within GFL Memorial Gardens Marketing Budget.

Any additional fees that arise from Talent Buying Services, etc. will be accommodated within the ticket prices for each event.

STRATEGIC PLAN / POLICY IMPACT

This service is not contemplated in the Strategic Plan but does align with the City's commitment to Delivering Excellent Customer Service.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated 2019 04 01 be received and the recommendation that the Agreement with the Venue Coalition Inc. for provision of expertise, outreach, and talent buying services in the live entertainment industry for 1-year, commencing May 1, 2019, be approved, on a single source basis; allowing for extension for up to three additional years based upon success of the pilot program

By-law 2019-58 authorizing signature of the Agreement appears elsewhere on the Council Agenda.

Respectfully submitted,



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



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Brent Lamming, Director of Community Services

DEPARTMENT: Community Development and Enterprise Services

RE: On Demand Transit Service Pilot

PURPOSE

This report has been prepared to seek Council's approval to support the issuance of a request for proposal to enter into a one (1) year pilot for On Demand Transit Service. The pilot focus will be specifically to improve Sunday evening service. If deemed successful a three (3) year extension is recommended.

BACKGROUND

At the Council meeting dated September 24, 2018 the following report of the Director of Community Services was approved by Council.

Resolved that the report of the Director, Community Services, Community Development and Enterprise Services dated 2018 09 24 concerning On-Demand Transit Service be approved and that staff be authorized to issue an Expression of Interest to explore on-demand transit options.

At the close of the Expression of Interest (EOI) period, nine (9) firms made submissions meeting the criteria. The firms now have been included as Vendors of Record to be utilized in the Request for Proposal process.

The EOI process gave staff insight into the benefits of the service options, model types, estimated cost and experience of the Vendors.

ANALYSIS

In addition to the EOI, City staff has since completed a tracking exercise to confirm service utilization between the timeframe of 7:00 pm and midnight on Sunday evenings (see table below). Over a four (4) week period running from

January 13, 2019 until February 10, 2019 it was determined that there were only 445 passengers per evening using this service on average. With the highest utilization being the Sault College Route #4 with ninety-eight (98) passengers on average for the evening and a low of twenty-two (22) passengers on the City's North Street route.

The majority of stops were not being utilized and most service needs were concentrated into specific geographic regions. This presents an excellent opportunity to run a pilot for On-Demand Service to redeploy resources in a more efficient fashion using technology available.

Currently nine (9) Conventional buses are servicing seven (7) established routes along with required Para Bus operations (one to three dependent on demand).

	<u>Average Amount of Passengers - Sunday Evenings (7PM - 12AM)</u>								
	Eastside	Great Northern	Korah Road	Sault College	RM (Term to SAH)	RM (SAH to Term)	North Street	SS (Term to SAH)	SS (SAH to Term)
13-Jan-19	60	41	33	-	58	-	-	46	-
20-Jan-19	40	42	56	-	36	-	-	37	-
27-Jan-19	-	-	-	88	-	47	21	-	41
10-Feb-19	-	-	-	108	-	68	23	-	44
Average	50	41.5	44.5	98	47	57.5	22	41.5	42.5
							Total Average Riders		49.39

The following themes were presented during the EOI process:

- Client Management Approach:
 - Trip Booking
 - Real-Time Scheduling
 - Real-Time Dispatching
 - Easy set up
 - Ride Selection
 - Real Time Arrival
 - Multiple Payment Options
 - Google Map & Tracking
 - Push Notifications
- Opportunity to use Smaller Vehicles from a third party service provider
- Co-branded Mobile App

It is recommended that the Transit optimization study data be made available as part of the RFP process in addition to Sunday evening survey data to allow the provider to present the best service options for On-Demand Transit. The aim is to further enhance the City's traditional system and routes that have been implemented through the optimization process. The RFP will ask the potential proponents to provide options to address the following items:

1. Solution to provide on-demand service for Sunday evenings taking survey data into consideration, specifically:
 - a. Number of optimal buses required

- b. Coverage Plan
 - c. Implementation Plan
2. Smart App technology for true on-demand and real time information
 - a. Smart Card and website
 - b. SMS/text and phone
3. Dispatch options for those that do not have a home computer, tablet or phone
4. Costing analysis for proposed solutions to include:
 - a. Hosting the Service
 - b. Hardware Equipment for Service Delivery and Monitoring
5. In addition, as part of the RFP process, options can be provided to address:
 - a. Alternative for ambulatory care service
 - b. Difficult areas to service
 - c. Weekday evening service for low route utilization

The items listed in point five (5) would likely be phased in if the Sunday evening trial is deemed successful.

City Transit currently offers on demand for our paratransit service (at a budgeted cost of \$226,540 annually) and to the McQueen Subdivision area to a transfer point at the corner of People's Road and fourth Line through our current service provider.

From discussions with Belleville Transit (General Manager Transportation and Public Works as well as their Transit Manager), they are in the middle of their pilot, which is focused on replacing a traditional route (Route #11) service from on-demand (running from 10:30 pm until 1 am). All other routes end between 6:30 pm and 10:30 pm. The results are as follows to date:

- Ridership has increased from 1,500 to 4,300 passengers monthly for the timeframe indicated (highest use is for their industrial park area); 46 per night prior to 250-300/night during the pilot
- Passenger Satisfaction has increased
- Started using two (2) 40-foot buses for pilot (future goal to move to smaller buses). Now using three (3) 40-foot buses as excess capacity. One (1) bus is dispatched at all times
- They maintain a call in line for after hours through a contracted service to handle inbound calls for those that do not have a home computer tablet or phone (receive a couple of calls per evening)
- Pricing based on number of buses and number of customer hosts
- Approximate cost of \$125,000 allocated to the project. Equipment costs consists of Tablet with a Map and phone

Belleville's next phase is to explore ways to expand the technology to address other service areas.

Staff are recommending moving forward with the RFP for Sunday Evening here in SSM for On-Demand Service with the results being brought back to Council for review and approval. If a proponent is approved, success criteria will be implemented to include major metrics such as ridership growth, customer satisfaction, cost efficiency and utilization of technology to determine success of the pilot.

FINANCIAL IMPLICATIONS

New models and costing will be presented to Council at a future meeting.

It is anticipated that the redeployment of resources on Sunday evenings will result in savings that will cover the one (1) year pilot for Sunday evening service as supported by table below:

Category	Eastside	Great Northern	Korah Road	Sault College	RM (Term to SAH)	RM (SAH to Term)	North Street	SS (Term to SAH)	SS (SAH to Term)	Total
Existing Fixed Route Cost										
Cost Per Hour of Service	\$ 115									
Hours (7:00pm-12AM)	5									
	\$ 576	\$ 576	\$ 576	\$ 576	\$ 576	\$ 576	\$ 576	\$ 576	\$ 576	
Sundays in Year	52	52	52	52	52	52	52	52	52	
9 buses servicing 7 routes	\$ 29,941	\$ 29,941	\$ 29,941	\$ 29,941	\$ 29,941	\$ 29,941	\$ 29,941	\$ 29,941	\$ 29,941	\$ 269,471
Existing Cost Per Above	\$ 269,471	\$ 269,471	\$ 269,471	\$ 269,471						
On-Demand - New Cost:										
6 buses	\$ 179,647									
5 buses		\$ 149,706								
4 buses			\$ 119,765							
3 buses				\$ 89,824						
Savings to use for Pilot	\$ 89,824	\$ 119,765	\$ 149,706	\$ 179,647						
2 buses service RM and SS on Sunday Evenings (these are the 2 hour routes)										
Assume we can reduce to 6,5,4,3 buses										
No Community Bus on Sunday Evening										

If the RFP cost comes in higher than anticipated, it is recommended that staff defer the Budget amount to 2020 deliberations.

STRATEGIC PLAN / POLICY IMPACT

The recommendation supports the focus area of the Community Strategic Plan for 2016-2020 in a number of ways.

- Within the Service Delivery focus area, it continues to assist in delivering excellent customer service to citizens.
- It supports the Community Development and Partnership focus of Maximizing Economic Development & Investment with the commitment to maintain financial viability.
- Additionally, it supports the focus area of infrastructure, as it will assist in Maintaining Existing Infrastructure.

RECOMMENDATION

It is therefore recommended that Council take the following action:

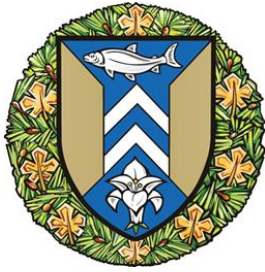
Resolved that the report of the Director, Community Services – Community Development & Enterprise Services dated 2019 04 01 be received; and staff be directed to issue a request for proposal to enter into a one (1) year pilot for On Demand Transit Service.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'B. Lamming', with a long horizontal stroke extending to the right.

Brent Lamming, PFP, CPA, CMA
Director, Community Services
Community Development & Enterprise Services
(705)759-5314
b.lamming@cityssm.on.ca

cc: Tim Gowans, Manager - Purchasing



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Freddie Pozzebon, Chief Building Official

DEPARTMENT: Public Works and Engineering Services

RE: 2018 Building Division Annual Fee Report

PURPOSE

The purpose of the report is to inform Council of the annual revenue and expenditures of the Building Division governed under the Ontario Building Code Act for the 2018 construction year. The report also details the total remaining reserves as of the end of December 31, 2018.

BACKGROUND

As required under section 7(4) of the Ontario Building Code Act, an annual fee report must be made outlining revenue, expenditures and direct or indirect costs. There must also be a report for any Reserve Fund held for the necessary expenditures. The Reserve Fund is to ensure staffing levels are not detrimentally affected during times when construction activity has been reduced.

ANALYSIS

The 2018 budget estimated that the reserve fund would not be required. Due to a decrease in construction projects this did not occur. Based on the anticipated proposed increase in construction projects for 2019 use of the reserve fund is not forecasted to be required for this budget year.

FINANCIAL IMPLICATIONS

The attached report details the fees and expenditures for the Building Division. Local economic concerns uncertainties due to a major industry being in Companies' Creditors Arrangement Act (CCAA) proceedings stalled construction projects during 2018. Permit revenue was \$174,685 lower than budget. A \$34,036 positive budget variance for total costs (direct and indirect) helped offset the revenue decrease resulting in a net required use of the reserve fund of \$82,304 (2017-\$85,368). The 2018 budget had estimated a transfer to the reserve fund of \$58,344 with permit revenues exceeding expenditures.

STRATEGIC PLAN / POLICY IMPACT

This report is not linked to the Strategic Plan, but rather a requirement of the Ontario Building Code Act.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Chief Building Official dated 2019 04 12 regarding the 2019 Annual Fee Report be received as information.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'F. Pozzebon', with a stylized flourish at the end.

Freddie P. Pozzebon
Chief Building Official
705.541-7151
f.pozzebon@cityssm.on.ca



2018 Annual Report – Building Permit Fees

Total permit fees (Revenues) collected for the period of January 1 to December 31, 2018 under Building By-Law 2008-148 of the City of Sault Ste. Marie 1,000,786.04

Cost of Delivering Services:

Direct Costs:

Direct Costs are deemed to include any costs from the Building Division of the City of Sault Ste. Marie for the processing of building permits applications, the review of building plans, conducting inspections and other building related enforcement duties, not including By-Law Enforcement.

Total Direct Costs 980,580.98

Indirect Costs:

Indirect Costs are deemed to include the costs for support & overhead services to the Building Division of the City of Sault Ste. Marie using a ratio of 0.10453934

Total Direct Costs 980,580.98

Total Direct Costs X Indirect Cost Ratio 0.10453934 0.10453934

Total Indirect Costs 102,509.29

Total Costs:

Total Direct Costs 980,580.98

Plus Indirect Costs 102,509.29

Total Direct and Indirect Costs 1,083,090.27

Total Direct and Indirect Costs 1,083,090.27

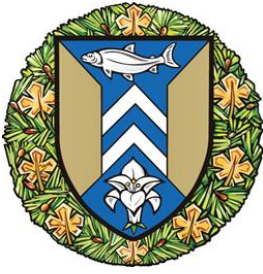
Less Total Permit Fee Revenues (1,000,786.04)

Differences 82,304.23

Building Permit Reserve Fund as of January 1, 2018 191,725.02

2018 Transfer to Operations as per above (82,304.23)

Remaining Reserve Fund at December 31, 2018 109,420.79



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Virginia McLeod, Manager of Recreation and Culture

DEPARTMENT: Community Development and Enterprise Services

RE: Financial Assistance Policy for Miscellaneous National and International Competitions

PURPOSE

The purpose of this report is to seek Council's approval of the Financial Assistance Policy for Miscellaneous National and International Competitions – Policy D-IV-11.

BACKGROUND

The City currently provides two different programs which provide financial assistance to individuals/teams/non-profit groups attending competitions.

1. Financial Assistance Policy for Provincial/National/International Cultural Competitions – Policy D-IV-18 which regulates the provision of financial assistance to individuals or not-for-profit cultural groups involved in Provincial/National/International cultural competitions.
2. Financial Assistance Policy for National/International Sport Competitions – Policy D-IV-17 which regulates the provision of financial assistance to individuals or not-for-profit cultural groups involved in Provincial/National/International cultural competitions.

ANALYSIS

The City currently does not have a policy in place to address requests that fall outside of the current Financial Assistance Policy for Provincial/National/International Cultural Competitions and the Financial Assistance Policy for National/International Sport Competitions.

City staff have received requests to support local teams attending national or international competitions such as robotics or chess. Staff recently received a request for a local team who has qualified to attend the VEX World Robotics Championships.

In order to support local teams that qualify to attend a national or international event a new policy has been prepared which will regulate the provision of financial assistance to

individuals or not-for-profit groups involved in miscellaneous national/international competitions (Policy is attached as appendix A). The new policy is consistent with the above mentioned policies. Grant amounts that are recommended are consistent the Financial Assistance Policy for National/International Sport Competitions and provided the following maximum limits per category:

Individual	\$200.00
2 to 6 Participants	\$400.00
7 to 15 Participants	\$750.00
16+ Participants	\$1,000.00

FINANCIAL IMPLICATIONS

The Miscellaneous Grants/Other Sports account which provides funding for National/International sporting competitions has consistently been under budget. It is anticipated that there will be minimal requests received for miscellaneous competitions and that funding of these requests can be accommodated with in the \$5,000 annual allocation in the Miscellaneous Grants/Other Sports account.

STRATEGIC PLAN / POLICY IMPACT

This matter is referenced in the Corporate Strategic Plans, Focus Area: and Quality of Life.

RECOMMENDATION

It is therefore recommended that Council take the following action:

“Resolved that the report of the Manager of Recreation and Culture dated 2019 04 01 concerning the Financial Assistance Policy for Miscellaneous National and International Competitions – Policy D-IV-11 be approved.”

Respectfully submitted,



Virginia McLeod
Manager of Recreation and Culture
705.759-5311
v.mcleod@cityssm.on.ca

Subject: Financial Assistance Policy for Miscellaneous National/International Competitions

Service Area: Community Services – Recreation and Culture

Source: Manager Recreation and Culture

Date: 2019 04 01

Purpose:

The following regulates the provision of financial assistance to individuals or not-for-profit groups involved in miscellaneous national/international competitions except cultural or sporting competitions which are regulated under separate policies.

Requests:

Those individuals or not-for-profit teams involved in national/international competitions wishing to apply for financial assistance may obtain a request for Miscellaneous National/International Competition Financial Assistance Form from the Recreation and Culture Division.

Deadline:

Completed requests for financial assistance will be accepted year round, due to the various dates of qualifying competitions.

Requests per Year:

Only one request per applicant will be considered in a calendar year for each level of competition. Individual team members' applications will not be accepted when a group has qualified to attend a competition.

Other Assistance:

The applicant shall show evidence that they have explored fully various other sources of financial support. The City should not be the sole contributor to any application but rather supplement financial assistance from other sources including the participants.

Recreation and Culture Division:

The Manager of Recreation and Culture or designate will recommend to City Council those applications most deserving of the financial assistance and the extent of financial assistance based on the policy criteria.

Review and Recommendations:

Requests for financial assistance shall be considered from individuals or not-for-profit teams who are residents of Sault Ste. Marie and/or who have qualified to represent Sault Ste. Marie, Northern Ontario, Ontario, or Canada at a national or international competition

Qualification must be through one or more previous local, regional, provincial or national competitions. Therefore, invitational events do not qualify for funding. Coaching and management staff will not be considered among the team complement.

Types of Grants:

Grants may be provided to applicants to assist in the direct cost of attending national/international competitions.

Approvals Process:

The Community Services Department, Recreation and Culture Division, will confirm the information on the application form and verify additional documents for eligibility. Applicants who meet the eligibility criteria will be recommended to City Council for approval of financial assistance to attend a national or international competition. Grants will be approved by City Council based on the following maximum limits per category:

Individual	\$200.00
2 to 6 Participants	\$400.00
7 to 15 Participants	\$750.00
16+ Participants	\$1,000.00

The above amounts are applicable to an organization regardless whether the participants are competing individually or as a team.

Staff may wish to meet with the applicant requesting financial assistance to clarify any omissions or problems with the submission.

General Considerations:

- a) The applicant must demonstrate that they have researched other avenues of funding.
- b) Successful applicants are requested to acknowledge, in any media communications, local or otherwise, the support of the City of Sault Ste. Marie. Applicants may be asked to provide general feedback from the competition.
- c) Individual team member applications will not be accepted when a team has qualified to attend a competition.
- d) Requests for City pins, brochures, etc. are to be submitted to the Economic Development Corporation office located in the Civic Centre.

Exceptions:

Individuals or teams that qualify for funding under either, Financial Assistance Policies for National/International Sports Competitions or Provincial, National, International Cultural Competitions, will not be eligible for funding under this program.

Notification of Council's Review and Decision:

All applicants will be notified following City Council's decision. If an application is approved, a cheque will be forwarded by mail. Funds may be received at the Community Services Department office if prior arrangements have been made.

Policy and Application Form:

The Financial Assistance Policy and Application Form are available from the Recreation & Culture Division and on the City's website.



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Niro, Director of Human Resources

DEPARTMENT: Corporate Services

RE: Corporation of the City of Sault Ste. Marie and Sault Ste. Marie Professional Firefighters' Association Local 529 Collective Agreement for February 1, 2014 – January 31, 2015

PURPOSE

To obtain Council approval for the Mayor and City Clerk to formally sign the referenced collective agreement.

BACKGROUND

Based on an Arbitrator's Award and subsequent negotiations for outstanding items, the City and the SSM Professional Firefighters' Association have finalized a Collective Agreement for the February 1, 2014 – January 31, 2015 term. An arbitrator awarded the conditions in 2016, mainly consisting of wages (2.59%) and an order to enter into a trial period of 24-hour shifts. Please see report to Council dated May 30, 2016 (attached).

ANALYSIS

Some outstanding items required going back into negotiations, mainly with regard to the implementation of the 24-hour shift trial.

FINANCIAL IMPLICATIONS

There are no financial implications associated with this report. The financial implications of the agreement itself were reported to Council previously (see attached report).

STRATEGIC PLAN / POLICY IMPACT

The matter is linked to the Corporate Strategic Plan Value: to respect, engage and value employees.

RECOMMENDATION

It is therefore recommended that Council take the following action:

The relevant by-law 2019-75 is listed elsewhere on this agenda and is recommended for approval.

Respectfully submitted,



Peter Niro
Director, Human Resources
705.759-5366
p.niro@cityssm.on.ca



COUNCIL REPORT

May 30, 2016

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Niro, Commissioner

DEPARTMENT: Human Resources Department

RE: Fire Interest Arbitration Award Costs_2016.docx

PURPOSE

The purpose of this report is to inform Council of the actual and projected costs as a result of the Interest Arbitration award for the Fire Services Division (February 1, 2014 to January 31, 2015) Collective Bargaining Agreement.

BACKGROUND

The City and Sault Ste. Marie Professional Fire Association Local 529, through the collective bargaining process, met with a conciliator on July 16, 2014 which resulted in a No Board report. The renewal collective agreement issues were arbitrated on January 15th, 2016 and the Award was issued on April 15th, 2016.

ANALYSIS

The highlights of the award are as follows:

- 24-hour shift trial period (36 month trial)
- Fire Prevention four (4) day work week schedule to be implemented within 120 days of the award
- WSIB Top Ups granted
- Wage Increase of 2.6% to maintain parity with Police in 2014
- Recognition Pay (3/6/9) for Mechanical & Training Division granted
- Boot Allowance of \$180.00 per Firefighter
- City required to provide a copy of the *Master Policy* detailing all GreenShield benefits to the Association
-

IMPACT

See attached table detailing financial impact.

Cost Implications of Interest Arbitration Award SSMPFA Local 529 (February 1, 2014 to January 31, 2015)
2015 05 30
Page 2.

STRATEGIC PLAN

This is not currently linked to an item in the Strategic Plan

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Commissioner of Human Resources dated 2016 05 30 concerning the Interest Arbitration Award 2014-2015, SSMPFA Local 529 be received as information.

Respectfully submitted,

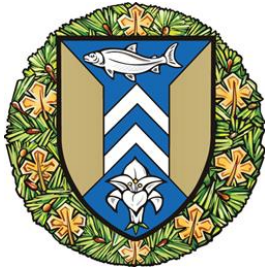
Peter Niro
Commissioner, Human Resources

Increase costs as per the Interest Arbitration Fire Award

Paragraph	Article	Information/Assumption	Cost
#9	5 - Hours of Work (24 hour shifts)	Projected increase in overtime due to 24 hour shifts	\$ 17,378.67
#10	5 - Hours of Work (Fire Prevention Sch.)	No projected increase in costs	\$ -
#11	11 - Welfare	WSIB top up - we are already doing this however increase in WSIB costs moving forward	\$ -
	11 - Sick Time	Sick Time is projected to rise	\$ 19,493.70
#12	15 - Wages	2.6% increase (same as Police) Retro on wages only from 2014 (\$221964.08) + OMERS contributions (\$32363) + Employer Health Tax (\$3983)	\$ 258,310.08
#13	15 - Wages	Recognition Pay for Mechanics & Training Division -- Retro to the date of the award (\$133.29) plus the annual increase(\$2696 +\$5392).	\$ 8,221.29
#14	14 - Clothing and Turn Out Gear	Boot Allowance for 2014 & 2016	\$ 29,520.00

Total Cost of the Fire Arbitration Award **\$ 332,923.74**

Total Compensation Costs as a Percentage of Salaries **4%**



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Michelle Kelly, Secretary Treasurer – Committee of Adjustment

DEPARTMENT: Community Development and Enterprise Services

RE: Conveyance for Road Widening Purposes – 531 Trunk Road

PURPOSE

The owners of Civic No. 531 Trunk Road are seeking to convey to the City Corporation, a portion of their property being Parts 21 & 22 of 1R8258 for street assumption purposes.

BACKGROUND

A survey plan commissioned in conjunction with recent consent approvals revealed that the property boundary for Civic No. 531 Trunk Road extends into the Trunk Road street right-of-way, specifically Parts 21 & 22, 1R8258. The owners of Civic No. 531 Trunk Road have agreed to convey Parts 21 & 22, 1R8258 to the City Corporation.

ANALYSIS

Conveyance of Parts 21 & 22, 1R8258 will transfer ownership of a portion of the maintained Trunk Road street right-of-way from a privately owned land holding to the City Corporation. It will also assist in the merging of Civic No. 531 Trunk Road and 537 Trunk Road required as a condition of consent application B8/18 and intended to facilitate semi-detached development on the proposed merged site.

FINANCIAL IMPLICATIONS

Approval of this request will not impact municipal finances.

STRATEGIC PLAN / POLICY IMPACT

This request is not articulated in the Corporate Strategic Plan.

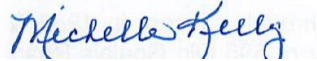
RECOMMENDATION

It is therefore recommended that Council take the following action:

“Resolved that the report of the Secretary-Treasurer of the Committee of Adjustment concerning the conveyance to the City of a Parts 21 & 22 of 1R8258 be received and that Council accept the conveyance.”

The relevant By-law 2019-60 is listed elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,



Michelle Kelly, ACST
Secretary-Treasurer
Committee of Adjustment
705.759.5411
m.kelly@cityssm.on.ca

I REQUIRE THIS PLAN TO BE DEPOSITED
UNDER THE LAND TITLES ACT.

DATE MAY 22 2013

[Signature]
DEPUTY LAND SURVEYOR

PLAN 1R-12343

RECEIVED AND DEPOSITED

DATE MAY 22, 2013

"Lorise Pekar"
REPRESENTATIVE FOR THE LAND REGISTAR
FOR THE LAND TITLES DIVISION OF ALBERTA

SCHEDULE			PROPERTY IDENTIFICATION NUMBER
PART	LOT	PLAN	
1	PART OF 14	PART OF 31502-0757	
2	PART OF 14	PART OF 31502-0757	
3	PART OF 15 AND 16	PART OF 31502-0807	
4	PART OF 14	PART OF 31502-0757	
5	PART OF 14	PART OF 31502-0757	
6	PART OF 15 AND 16	PART OF 31502-0807	
7	PART OF 14	PART OF 31502-0757	
8	PART OF 15 AND 16	PART OF 31502-0807	
9	PART OF 14	PART OF 31502-0757	

PARTS 1, 2, 4, 5, 7 AND 9 TOGETHER COMPRISE ALL OF PIN 31502-0757
PARTS 3, 6 AND 8 TOGETHER COMPRISE ALL OF PIN 31502-0607
PARTS 2 AND 5 ARE SUBJECT TO T-188027
PART 6 IS SUBJECT TO T-333262 AND T-333263
PART 7 IS SUBJECT TO T-333260 AND T-333261
PARTS 2 AND 5 ARE SUBJECT TO FACMENT A435672

PLAN OF SURVEY OF
LOT 14 AND PART OF LOTS 15 AND 16
REGISTRAR'S COMPILED PLAN H-724
CITY OF SAULT STE MARIE
DISTRICT OF ALGOMA

SCALE: 1 : 500

10 20 30 METRES

TULLOCH GEOMATICS INC.

POINT ID	THE 95% CONFIDENCE LEVEL	
	NORTHING	EASTING
00810010520	515752.32	707070.381
00810010521	515774.359	707072.945
A	515595.86	707074.11
B	515540.55	707072.77

BEARINGS ARE UTM GRID, DERIVED BY REAL TIME KINEMATIC OBSERVATIONS AND REFERRED TO THE CENTRAL MERIDIAN OF ZONE 18, (87° WEST LONGITUDE)

FOR BEARING COMPARISONS, A ROTATION OF 20015°
WAS APPLIED TO BEARINGS ON
UNDERLYING PLAN 18-8259.

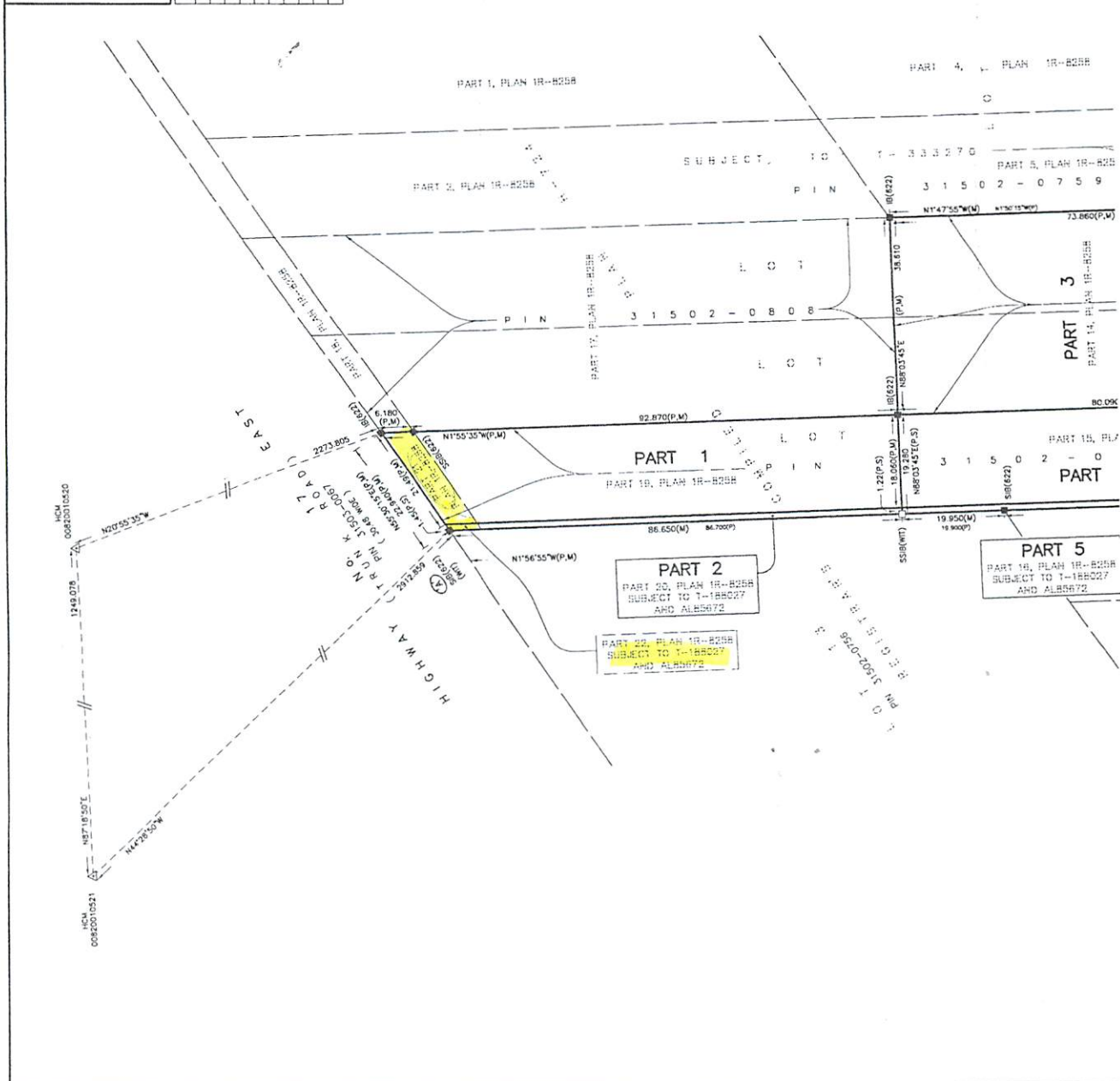
DISTANCES ARE GROUND AND CAN BE CONVERTED TO GRID BY
MULTIPLYING BY THE COMBINED SCALE FACTOR OF 1.00010445

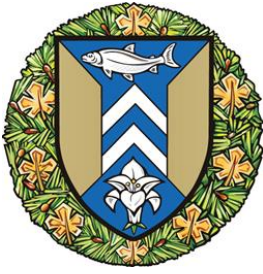
0035-0311

- | | | |
|------|---------|-------------------------|
| ■ | DENOTES | FOUND EVIDENCE |
| □ | DENOTES | PLANTED MONUMENT |
| ○ | DENOTES | IRON BAR |
| S/B | DENOTES | STANDARD IRON BAR |
| S/SB | DENOTES | SHORT STANDARD IRON SET |
| S | DENOTES | MEASURED |
| P | DENOTES | DEPOSITED PLAN 19 |
| WIT | DENOTES | WITNESS |
| 6/22 | DENOTES | J.B. CHAMBERS, OLS |
| (A) | DENOTES | OBSERVED REFERENCE |
| HCM | DENOTES | HORIZONTAL CONTROL |

vestibular

DISTANCES AND COORDINATES SHOWN HEREON ARE IN METRES
AND CAN BE CONVERTED TO FEET BY DIVING BY 0.3048.





The Corporation of the
City of Sault Ste. Marie
COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Nicole Maione, Manager of Transit & Parking
DEPARTMENT: Community Development and Enterprise Services
RE: Municipal Law Enforcement Officers

PURPOSE

The purpose of this report is to update By-law 90-305, which appoints municipal law enforcement officers.

BACKGROUND

By-Law 90-305 is a By-law appointing municipal law enforcement officers and is amended from time to time.

ANALYSIS

Not applicable.

FINANCIAL IMPLICATIONS

There is no budgetary impact.

STRATEGIC PLAN / POLICY IMPACT

This is an operational activity not articulated in the strategic plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

By-law 2019-64 appears elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

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

Nicole Maione
Manager of Transit and Parking
705.759.5848
n.maione@cityssm.on.ca

The Corporation of the
City of Sault Ste. Marie



Community Development and
Enterprise Services
Nicole Maione
Manager of
Transit & Parking

2019 03 19

Karen Fields, City Solicitor
Legal Department
Civic Centre

RE: MUNICIPAL -LAW ENFORCEMENT OFFICERS

In November 1990 City Council approved By-law 90-305. Please amended Schedule "A" to By-law 90-305, being a by-law to appoint Municipal Law Enforcement officers for the issuing of parking infractions on private property.

Schedule "A" of this by-law lists all officers that are eligible to issue tickets. The following individuals have applied to be a Municipal Law Enforcement Officers in regards to parking and have been approved by the Police Services and the Parking Section for this position.

We request that Schedule "A" be amended to include:

<u>NO.</u>	<u>NAME</u>	<u>EMPLOYER</u>	<u>PROP. LOCATION</u>
744	McLean, Jeff	Skyline Living	Skyline Properties / 621 MacDonald Ave
745	Quesnelle, Timothy	Property One	421 Bay St / 289 Bay St
746	Belanger, Carl	Perzia Group	70 East St / 700 Bay St

Would you please amend By-law 90-305 with the new attached Schedule "A."

Thank you.

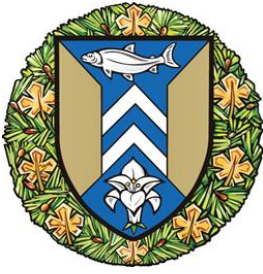
Yours truly,

A handwritten signature in blue ink, appearing to read "Nicole Maione".

Nicole Maione
Manager of Transit and Parking

<u>BADGE</u>	<u>SPECIAL CONSTABLE</u>	<u>EMPLOYER</u>	<u>PROPERTY LOCATION</u>
SCHEDULE "A"			
28	MCLEOD, ROD	FLEMING & SMITH	378 QUEEN ST E & APARTMENTS & 27 KING ST.
30	RENDELL, VERN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
151	PARR, DEREK	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
153	TASSONE, VITO	TASSONE CHIOPRATIC	673 QUEEN ST E
163	BUMBACCO, PHILIP	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
196	MCGRAYNE, LAURA LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
241	COGHILL, ROBIN	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
253	TRAVSON, TERRANCE	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
267	CORBIERE, JOHN(TED)	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
276	SMITH, DENNIS, ROBERT	G4S SECURE SOLUTIONS	SAULT HOSPITAL
321	LORENZO, COREY	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
334	MILLER, BRADLEY	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
344	HARPE, KEN	HOLIDAY INN.	320 BAY ST.
346	HAZLETON, MARGARET	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
366	TROINOW, VICTORIA	G4S SECURE SOLUTIONS	SAULT HOSPITAL
370	HANSEN, LOUIS	ONT FINNISH HOME ASS	725 NORTH ST.
372	BENOIT, ALAIN	ONT FINNISH HOME ASS	725 NORTH ST.
374	TAAVEL, ANDRE	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
391	MCLEOD, HEATHER	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
397	LAFRAMBOISE, YVON	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
410	POYNER, HAROLD	G4S SECURE SOLUTIONS	SAULT HOSPITAL
411	MOORE, ROBERT	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
420	FABIANO, ANTONIO	G4S SECURE SOLUTIONS	SAULT HOSPITAL
435	TRAMBLE, GEORGE	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
441	WILSON, DAVID	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
442	MACCLENAN, MATTHEW	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
443	MARCIL, MARK	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
446	HALLIDAY, DANA	SAULT COLLEGE	443 NORTHERN AVE
456	CONEYBEARE, KEVIN	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
459	SLEEMAN, RAY	G4S SECURE SOLUTIONS	SAULT HOSPITAL
460	BOUGIE, DAN	G4S SECURE SOLUTIONS	SAULT HOSPITAL
463	MORIN, ALEX	CORPS OF COMM	
464	DITOMMASO, RYAN	2220917 ONT. INC.	489 BAY ST/535 QUEEN ST E
465	DELAVALLE, DON	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
484	MCLEOD VIRGINIA	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
486	LONGO, NADIA	GT.NORTH RETIREMENT	760 NORTHERN RD.
487	ROUGEAU, MARISA	GT.NORTH RETIREMENT	760 NORTHERN RD.
488	LEFLEUR, MARILYN	GT.NORTH RETIREMENT	760 NORTHERN RD.
489	MCQUEEN, WANDA	GT.NORTH RETIREMENT	760 NORTHERN RD.
490	LUXTON, JEFF	GT.NORTH RETIREMENT	760 NORTHERN RD.
493	BROWN, FRASER	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
516	GAY, JAMES	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
517	ROY, BRENDA	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
523	MCBRIDE, GUY	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
526	JOHNSTON, CORY	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
537	GRAWBARGER, KYLE	G4S SECURE SOLUTIONS	SAULT HOSPITAL
541	DIMMA, WILLIAM	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
547	LIEPA, MATTHEW	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
548	CARON, ROGER	CITY OF SAULT STE MARIE	99 FOSTER DR. (CIVC CENTRE)
556	ARCAND, SCOTT	G4S SECURE SOLUTIONS	SAULT HOSPITAL
565	LISCUMB, GERALD	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
566	SWEET, WILLARD	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
568	PICK, DENNY	CORPS OF COMM	SAULT AIRPORT
574	BOUCHARD, DARYL	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
587	GIULETTI, MATTHEW	G4S SECURE SOLUTIONS	SAULT AIRPORT / HOSPITAL
599	BUMBACCO, CARL	CB HOME INSTALLATIONS	321 JOHN ST /342,346 ST GEORGE'S AVE.
601	HART, JASON	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
602	GREENWOOD, LESLIE	GREENWOOD HARDWARD	41 ALBERT ST W
603	LAMMING, DAVE	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
607	FROST, CHRISTIAN	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
608	ALISAT, THOMAS	ALISATS RUST PROOFING	24 QUEEN ST W
609	ROBINSON, SHAWN	ALISATS RUST PROOFING	24 QUEEN ST W
611	MIZZI, PRESTON	WENDY'S	1 QUEEN ST W
617	SAVAGE, SAMUEL	G4S SECURITY	SAULT HOSPITAL
619	BERTO, DEBORAH	GATEVIEW REALTY INC.	304-310 ALBERT ST/420A&B MCNABB/715 DOUGLAS/67 ELGIN/47 PRINCESS/18 FERGUSON
622	PROULX, PATRICK	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCMEKKEN CENTRE/NORTHERN COMMUNITY CENTRE
623	AYTON, BENJAMIN	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCMEKKEN CENTRE/NORTHERN COMMUNITY CENTRE
624	MIHALIUK, JASON	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCMEKKEN CENTRE/NORTHERN COMMUNITY CENTRE
626	CHARRON, ROBERT	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
627	BAKER, WILLIAM	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E/BREWERY BLOCK
632	SAVAGE, MATT	G4S SECURITY	SAULT HOSPITAL
633	HILL, MICHAEL	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
634	TIBBLES, COLLEEN	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E/BREWERY BLOCK
637	TOMASONE, LUIGI	LOU'S AUTOMOTIVE	317 ALBERT ST E
638	SICOLY, TERESA	AIRPORT	1-475 AIRPORT RD.
639	PANITILA, KIM	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
643	SHAW, KEVIN	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
644	SANTA MARIE, ROBERT	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCMEKKEN CENTRE/NORTHERN COMMUNITY CENTRE
646	BOOTH, ABBY	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCMEKKEN CENTRE/NORTHERN COMMUNITY CENTRE
647	DAFOE, TRUDY	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
648	ELWREN, STEPHEN	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST. PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
649	GRAHAM, STEVEN	FENGATE PROPERTY	248 NORTHERN AVE
650	LANG, RICHARD	G4S SECURITY	SAULT HOSPITAL
651	HUTCHINSON, HILLARY	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
653	BIOCCHI, CHRISTOPHER	AIRPORT	1-475 AIRPORT RD.

659	MARCIL BONNIE	STRICTLY CONFIDENTIAL INC	RJ'S MARKET
664	HAMMERSTEDT ERIC	STRICTLY CONFIDENTIAL INC	RJ'S MARKET
665	MATTHEWS SUANNE	NORTHLAND ANIMAL HOSP	695 TRUNK RD
666	AITKEN ANDREW	G4S SECURITY	SAULT HOSPITAL
669	BOREAN RICK	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DCG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
670	MCGUIRE STEVE	REGENT PROPERTY	402/302 BAY ST/390 BAY/RIVERWALK CCNDCS
671	MCGUIRE PATRICK	REGENT PROPERTY	402/302 BAY ST/390 BAY/RIVERWALK CCNDCS
674	DERASF RICHARD	CORPS OF COMM	SAULT AIRPORT
675	KELLY MATTHEW	G4S SECURITY	SAULT HOSPITAL
676	THOMPSON JOHN	CORPS OF COMM	SAULT AIRPORT
677	MACMILLAN TYLER	CORPS OF COMM	SAULT AIRPORT
678	PERRON JENNIFER	CORPS OF COMM	SAULT AIRPORT
679	CHATEAUNEUF YVON	CORPS OF COMM	SAULT AIRPORT
681	SCHMIDT KEATON	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX
682	HALFORD KEVIN	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
683	SEMEYI ADAM	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
686	ASH KEITH	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
687	POSSAMAI MIKE	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
688	KING MICHAEL	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
689	SUBRAMANIAM DASA	DAYS INN	332 BAY ST
692	RHEAUME DANIEL	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
693	O'SHAUGHNESSY, CONNOR	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
694	LIPPE ANDREW	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
695	LAURICELLA, DIEGO	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
696	CLARIDA JEFF	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
697	CLAR, GREG	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
698	DEPLONTY, HERBERT	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
700	FORD, BRIAN	G4S SECURITY	SAULT HOSPITAL
701	CHIMFWEMBE, CHILUFYA	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
703	DIAS, CODY	G4S SECURITY	SAULT HOSPITAL
704	GLOVER, LAURA	G4S SECURITY	SAULT HOSPITAL
705	DEGILO, JOEY	G4S SECURITY	SAULT HOSPITAL
706	GAGNON, JACQUES	G4S SECURITY	SAULT HOSPITAL
708	POWLEY, CHAD	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
710	HOTCHKISS, ROBERT	Riversedge Developments	503 BAY ST
711	MASON, STEPHEN	Riversedge Developments	503 BAY ST
712	KOOSTACHIN, ANDREW	Onlaro Finnish Resthome	725 North St
713	Cho, Linda	Jennex Cho Enterprises	129 Second Line West
714	DESANDO, ALEXANDER	G4S SECURITY	SAULT HOSPITAL
715	MITCHELL, SPENCER	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
716	MALINGER, FRANCES	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
717	GUY, AMY	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
718	SCOTLAND, KEVIN	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
719	JENKINSON, MICHAEL	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX
720	LORENZO, COREY	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
721	MACNEIL, ALICIA	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
722	MACTYRE, ANDREW	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
723	ROCCA, ANTHONY	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
724	ROULEAU, MICHAEL	CORPS OF COMM	SAULT AIRPORT
725	PAAT, EMMA LEE	AIRPORT	SAULT AIRPORT
718	DIVECHA, HARRISON	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
727	CLARK, DYLAN	G4S SECURITY	SAULT AREA HOSPITAL
729	DOUCHAMIE, CHELSEY	G4S SECURITY	SAULT AREA HOSPITAL
730	THOMPSON, JOSIAH	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DCG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
731	NOTT, REGINALD	CORPS OF COMM	SAULT AIRPORT
732	MAKI, BRANDON	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
733	GREGORCHUK, CATHERIN	REAL ESTATE STOP INC	2 QUEEN STREET WEST
734	RICHARD, MARK	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
735	KEMP, ROBERT	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
736	BLAIR, BRENT	PROPERTY ONE	421 BAY ST
737	MARTONE, DONATO	PROPERTY ONE	421 BAY ST/COMMUNITY FIRST CREDIT UNION
738	MARTELLA, JOSEPH	PEAK INVESTMENT SERVICES	68 MARCH ST, 485 QUEEN ST E (REAR)
739	GOWAN, MAICIE	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
740	VERMA, ABBISHEK	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /JESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
741	DEGASPARRO, SHERRI	AIRPORT	SAULT AIRPORT
742	VOWELS-WING, LAURIE	NORTH 44 PROPERTY MGT	844 & 880 QUEEN ST E 524,524A,536 & 538A GOULAIS AVE
743	MILNE, GEORGE	CROATIAN VILLAGE	80 SACKVILLE RD
744	MCLEAN, JEFF	SKYLINE LIVING	SKYLINE PROPERTIES/621 MACDONALD AVE
745	QUESNELLE, TIMOTHY	PROPERTY ONE	421 BAY ST/COMMUNITY FIRST CREDIT UNION
746	BELANGER, CARL	PERZIA GROUP	70 EAST ST/ 700 BAY ST



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Karen Fields, City Solicitor

DEPARTMENT: Legal Department

RE: Acquisition of 969 Peoples Road

PURPOSE

The purpose of this report is to obtain Council's approval to acquire 969 Peoples Road.

ATTACHMENT

Attached as Schedule "A" is a map of the Subject Property.

BACKGROUND

There is an existing watercourse located on private property from 993 Peoples Road to 925 Peoples Road. This watercourse conveys a significant amount of storm water, and maintenance of this watercourse is challenging due to the fact that it is located on private property, without an easement or formalized access.

There have been ongoing issues with drainage in this area, with the most severe occurring during the September 2013 storm event where localized ponding caused the Peoples Road/ Elliott Road area to be closed to traffic. Staff from Public Works performs maintenance in this watercourse with permission from private property owners. Maintenance of this system will be an ongoing challenge as access is difficult and not guaranteed.

ANALYSIS

This drainage course is the subject of a recent Council resolution and staff will be recommending an environmental assessment ("EA") be conducted for the entire drainage area. In order to improve the situation, the City acquired properties at 981 and 993 Peoples Road. It is likely the EA will result in stormwater conveyance or temporary storage on the Subject Property at 969 Peoples Road and therefore the purchase is recommended. This land acquisition was circulated to all relevant City departments for comment and the responses were favourable.

The Subject Property is listed for sale for the sum of One Hundred and Four Thousand, Nine Hundred (\$104,900.00) Dollars. MPAC has currently assessed the property at One Hundred Thousand (\$100,000.00) Dollars.

FINANCIAL IMPLICATIONS

An allowance of Four Hundred Thousand (\$400,000.00) Dollars has been included in the 2019 Capital Roads Budget for property purchases.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Authorize the acquisition of 969 People's Road for an amount not to exceed One Hundred Thousand (\$100,000.00) Dollars and all costs related thereto.

By-law 2019-68 authorizing same appears elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

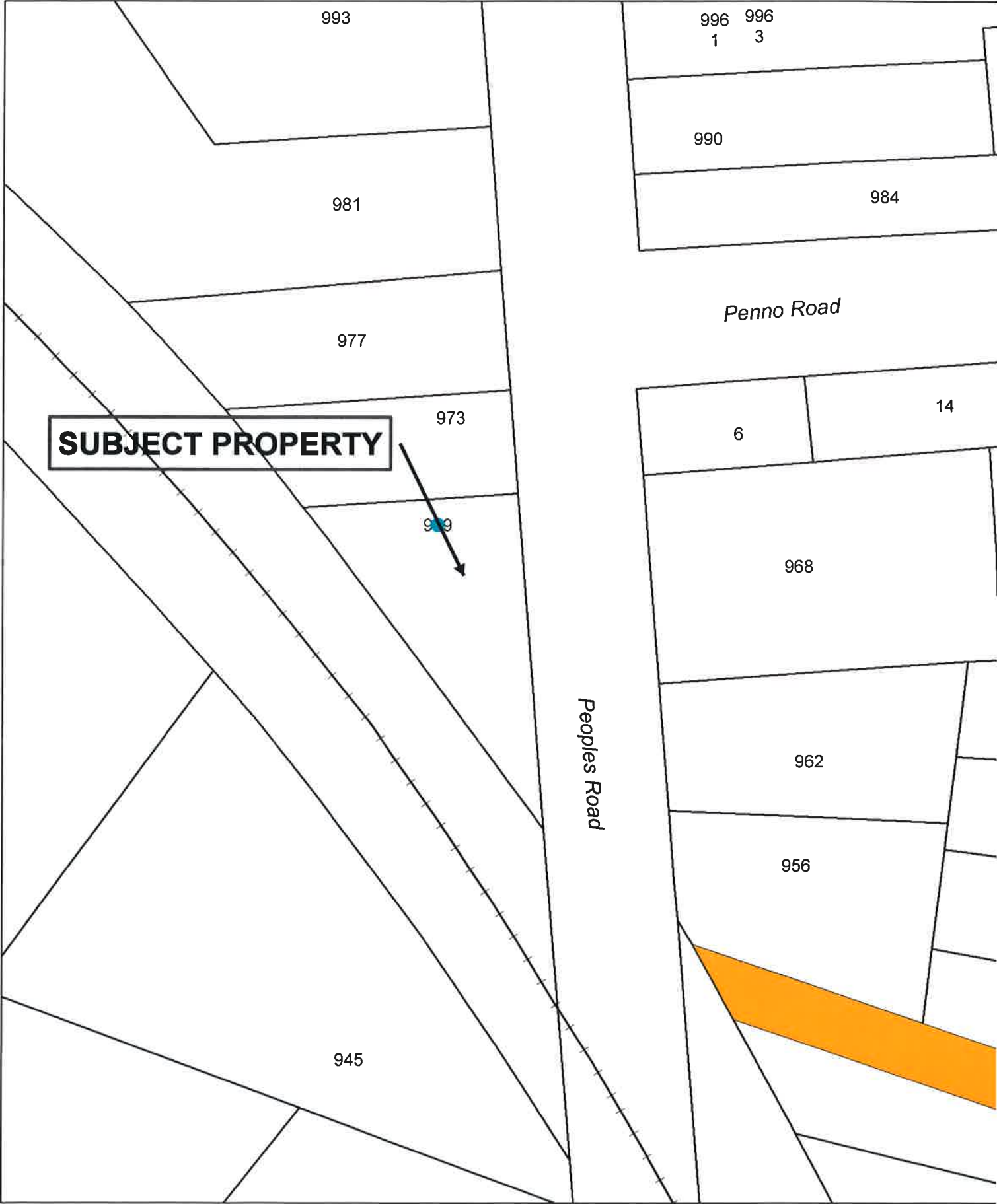


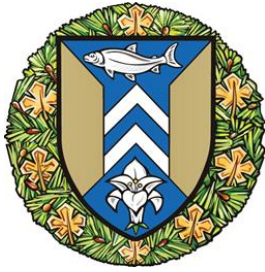
Karen Fields
City Solicitor

KF/tj

Enclosure

PR1.115\citydata\LegalDept\Legal\Staff\COUNCIL\REPORTS\2019\OPEN Acquisition - 969 Peoples Road.docx





The Corporation of the
City of Sault Ste. Marie

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Jeffrey King, Solicitor/Prosecutor

DEPARTMENT: Legal Department

RE: Status Update on ATV By-law (Changes to Highway Traffic Act)

PURPOSE

The purpose of this report is to update Council regarding the status and progress made to the ATV By-law and to address a 2015 resolution regarding the impact of changes to the *Highway Traffic Act* regarding All-Terrain Vehicles (ATVs), distracted driving, school bus safety and bicycling in our community.

BACKGROUND

In 2012, Council put forth a resolution concerning the use of municipally maintained streets by All-Terrain Vehicles (ATVs) and Utility Terrain Vehicles (UTVs). Legal last advised Council in September of 2016 that UTVs have been reconsidered at the Provincial level and are now categorized as off-road vehicles wherein a Municipality has jurisdiction to regulate these vehicles on Municipal streets. The 2016 report further advised that the roads within the Municipality deemed acceptable for travel by ATVs and UTVs would need to be considered in preparing a mapping system that would accompany the new by-law. The 2016 report recommended that Legal staff draft a by-law and circulate the same amongst the stakeholders, (City departments and Parks and Recreation Advisory Committee) and bring the draft by-law before City Council for consideration.

ANALYSIS

The road configuration and connective streets has proved to be more labour intensive than expected resulting in delays to the new by-law. At this stage, Legal is nearing the completion of a first draft and hopes to be in a position to put a final draft for Council's consideration in the near future.

With respect to the safety implications of **ATVs** and the 2015 legislative change to the *Highway Traffic Act*, it can be noted that allowing the use of ATVs and UTVs on municipally maintained streets may appear to increase risk to operation

of vehicles and pedestrian alike; however, the implementation of a well-developed and comprehensive By-law should eliminate concern by regulating allowable roads, in addition to speed limits and hours of operation.

Distractive driving is a continually growing concern with the provincial legislature most recently increasing sanctions for violators. At its conception, an offender found using a cellphone faced a \$200.00 fine with no demerit points. This was later escalated to \$500.00 and 3 demerit points. Most recently, a person found to have violated the law on distracted driving faces a \$1000.00 fine, and possible road side suspension for a first offence and escalating sanctions of \$2000.00 and a 7 day suspension on a second offence. These sanctions along with public education is geared to deterring this behavior and making streets safer for its users. Distracted driving is not limited to the use of a cellphone, it includes other electronics that remove a driver's attention from the road. In 2013, provincial statistics confirmed that an accident resulted every half-hour caused by distracted driving and that a driver is four times more likely to be in an accident if distracted. Fatal accident rates caused by distracted driving increased 16 percent in 2017. These figures suggest that the most recent increases by the provincial legislation are justified. A recent interview with Sgt. Ray Magnan of the Sault Ste. Marie Police Service published in SooToday March 14, 2018 has noted the above at a local level.

School Bus Safety was sought to be improved by standardizing the color and wording to the entirety of the vehicle and the applicable penalties. We note that enforcement on those sharing the roads with school buses continues to be a priority. The impact this 2015 amendment to the *Highway Traffic Act* has had is undeterminable, but can suggest that this charge is seen less often than others in court.

As well, the *Highway Traffic Act* requirement that **Bicycles** be more visible to those sharing the road by requiring proper lighting and reflective materials, in addition to where they shall and shall not be ridden on a highway have likely had positive effects for cyclists. These charges are rarely seen before the courts. No records are held that can confirm the impact such changes have had.

Collectively, all areas under the *Highway Traffic Act* are not specifically tracked making comment on the 2015 resolution difficult. Staff further note that this area is legislated by the province and amended on a required action basis.

FINANCIAL IMPLICATIONS

Not applicable.

STRATEGIC PLAN / POLICY IMPACT

Not applicable.

RECOMMENDATION

It is therefore recommended that Council take the following action:

That City Council receive this for information purposes only.

Respectfully submitted,



Jeffrey King
Solicitor/Prosecutor

JK/lv

\\citydata\LegalDept\Legal\Staff\COUNCIL\REPORTS\2019\Open - Status Update on ATV By-law (Changes to Highway Traffic Act).docx



The Corporation of the
City of Sault Ste. Marie

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Susan Hamilton Beach, P. Eng.

DEPARTMENT: Public Works and Engineering Services

RE: Waste Management – HHW Services

PURPOSE

The purpose of this report is to respond to the Council resolution dated June 25, 2018 which reads,

Whereas there are individuals within the community who cannot drive due to disabilities which prevent them from being able to dispose of hazardous material at the City's landfill site; and

Whereas at present the City does not have a process to assist those with disabilities to access the landfill site; and

Whereas it is desirable that City services, wherever possible, enable independent living to all residents; and

Whereas the City has a mandate to eliminate barriers;

Now Therefore Be It Resolved that appropriate staff be requested to report as to options to enable those who cannot safely dispose of hazardous materials at the City's landfill site, including anticipated costs that may be incurred. The report may consider:

- 1. Options of having "neighbourhood" hubs that are accessible by this specific group for the disposal of hazardous material;*
- 2. Working closely with the Transit parabus team that currently supports citizens with disabilities for a possible solution;*
- 3. Consider researching into a limited number of "pick-ups" for those deemed to have disabilities that cannot drive to the city's landfill site.*

And, further that the report be submitted prior to consideration of the 2019 budget.

BACKGROUND

The provision of the collection of household hazardous waste material is accomplished by a variety of means throughout the province. Sault Ste. Marie provides a seasonal service at the City's landfill site since 2017 and since September, 2001 in Industrial Park. The service is free to all residents of Sault Ste. Marie with partial funding for the service coming from the provincial government.

The key methods of providing this service throughout Ontario include the following:

- Establishment of a Household Hazardous Waste facility – open from one day per week to daily;
- HHW Collection days – depot days may be established and may function at an approved location most commonly operated by a hazardous waste contractor;
- Via a toxic taxi – Only 1 known program operates such a taxi (Sudbury).

Currently, the entire HHW program is undergoing a major revamping by the Province and it is being redirected to a service provision by the suppliers. Staff have been participating in webinars regarding the matter and once details are known will be reported to Council.

ANALYSIS

Each of the options suggested through the resolution has been explored and is described below.

Option 1 – Neighbourhood Hub – A Household Hazardous Waste “hub” would require Ministry of Environment, Conservation and Parks (MECP) approvals and would require special design of the facility as flammables, chemicals, etc. cannot just be stored in bulk without special design considerations. Staffing of hubs would be additional cost as well.

Option 2 – Consultation with Transit parabus staff have advised that due to health and safety reasons, hazardous material is not allowed on any parabus. Also, the landfill site is beyond the urban service area for Transit and therefore this is not a viable option at this time.

Option 3 – To provide residents with a limited number of pick-ups, a certified/licensed hazardous material hauler would be required. Anything hauled beyond a resident transporting their own material results in these complications and requirements for the hauler. To run a full “toxic taxi” service as Sudbury has done is a very costly option.

Currently, Sault Ste. Marie provides a comprehensive program on a seasonal basis. For 2019, the facility will be opened one month earlier on April 2, 2019 and will be operational Tuesday through Saturdays each week until October 26,

2019. Customers are asked not to leave their vehicle and the waste is removed by staff and then properly catalogued and processed.

The assessment of this service will be included in the level of service profile development being conducted in 2019.

As Provincial changes to funding and program delivery are likely as well as our level of service profile development is underway, Staff do not recommend any enhancement to the HHW service at this time.

FINANCIAL IMPLICATIONS

Until the above noted potential changes are fully determined, it is recommended that no level of service change is made and therefore no financial implications are known.

STRATEGIC PLAN / POLICY IMPACT

This report is linked to the provision of an existing service in the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Director of Public Works dated 2019 04 01 concerning the accessibility of household hazardous waste services be received as information.

Respectfully submitted,

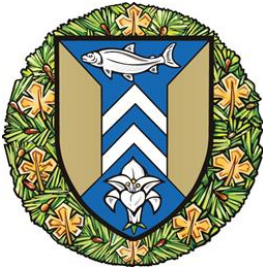


Susan Hamilton Beach, P. Eng.

Director, Public Works

705.759.5207

s.hamiltonbeach@cityssm.on.ca



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Susan Hamilton Beach, P. Eng.

DEPARTMENT: Public Works and Engineering Services

RE: Waste Management – Holiday Waste Collection

PURPOSE

The purpose of this report is to respond to Council resolution dated April 9, 2018 which stated,

Whereas on December 4, 2017, staff recommended to Council that the method of waste collection on public holidays should continue as it is currently done, that being, that collection is one day late for any week during which there is a public holiday; and

Whereas staff reported that the overtime costs associated with the current method of waste collection on holidays is \$50,000 annually; and

Whereas the report did not contain information on what comparable municipalities throughout Ontario do for waste collection in weeks during which there is a public holiday;

Now Therefore Be It Resolved that the staff be requested to investigate and report on the method comparator municipalities use for collecting waste in weeks during which there is a public holiday.

BACKGROUND

As noted in the resolution above, the City of Sault Ste. Marie typically does not provide waste collection on a public holiday and then offsets the collection of waste one day later for the remainder of the week.

All northern municipalities have been consulted with the results indicated in the Analysis section of this report.

ANALYSIS

Table 1 below indicates the practice of comparator municipalities as requested in the resolution.

Table 1

Review of Northern Ontario Municipal Waste Collection Practices	
Northern Municipality	Holiday Service Method
City of Greater Sudbury Population: 161,500	The statutory holiday waste collection day is moved to Saturday to make up for the holiday. Example: If the holiday falls on a Tuesday, Tuesday's waste is picked up on Saturday.
City of North Bay Population: 51,550	The statutory holiday waste collection day is moved one day ahead with Friday's collection happening on Saturday.
City of Timmins Population: 41,790	The statutory holiday waste collection is collected the following day along with that day's regular collection. For example, collections that fall on December 25 th are collected on December 26 th along with the 26 th regular collection.
City of Thunder Bay Population: 107,900	Thunder Bay has a 10 hour/day collection of waste and recycling from Tuesday to Friday. In the event there is a stat holiday during one of those days (i.e. Remembrance Day), collection is moved ahead one day. Thunder Bay does not have Saturday collection. The only exception may be during the Christmas holidays, depending on the day the stat holidays fall on.

FINANCIAL IMPLICATIONS

There is no financial implication associated with the topic of this report.

STRATEGIC PLAN / POLICY IMPACT

This report is linked to the provision of an existing service in the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Director of Public Works dated 2019 04 01 concerning the provision of holiday waste collection for comparator municipalities be received as information.

Respectfully submitted,



Susan Hamilton Beach, P. Eng.

Director, Public Works

705.759.5207

s.hamiltonbeach@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

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council
AUTHOR: Susan Hamilton Beach, P. Eng. Director of Public Works
DEPARTMENT: Public Works and Engineering Services
RE: Waste Management By-law Update

PURPOSE

The purpose of this report is to update the by-law regarding the control and management of waste and recycling due to the implementation of roll-out carts for both recycling and waste collection.

BACKGROUND

The previous waste management by-laws (By-law No. 2003-140 and 2004-68) were established prior to the implementation of roll-out carts for recycling collection and waste collection which is to be implemented as of July 2, 2019. A full review of the original by-law(s) has been conducted and the new by-law, found elsewhere on Council's Agenda, has been re-organized according to the method of service provision, being:

- **Residential Curbside Collection** (single family residential dwellings);
- **Multi-family Curbside Collection** (multi-family dwellings consisting of 4 units or less);
- **Multi-family Contract Collection** (not curbside – greater than 4 units) and
- **IC&I Curbside Collection** – those in the Industrial, Commercial and Institutional ("IC&I") sector that are adequately serviced by the limits established for the multi-family curbside collection program.

The intent of the size of the roll-out carts is to allow for similar waste volumes as currently collected. The determination of the size and number of waste roll-out carts for the curbside multi-family collection locations and the curbside IC&I sector shall consider both volumes produced and space available for storage and put out.

The standard residential size of roll-out cart is approximately 240 litres and a 360 litre roll out cart shall be available to the multi-family sector and the IC&I sector.

ANALYSIS

Section 4 of the new by-law outlines the collection, storage and maintenance of the roll-out carts, including:

- For collection, lid must be closed and wheels and handle must be facing the dwelling;
- Location of curbside placement depending on type of roadway;
- Roll-out carts must be accessible – parked vehicles, snowbanks, basketball nets, etc. must not obstruct cart collection, and roll-out cart shall not be placed under low hanging wires;
- Roll-out carts shall be placed 1 metre (1 m) apart – preferably on opposite sides of the driveway;
- Roll-out carts shall not be placed on top of snow banks or other steep slopes; and
- For curbside collection to occur roll-out carts shall be used. If more waste is required to be put out, then bag tags shall be used on bags beyond the limit of the cart and placed beside the roll-out cart.

Section 4 of the by-law outlines all of the collection, storage and maintenance details. Should a violation of the by-law occur it is intended that a rejection sticker be utilized to educate the occupant of the error that has been made. The rejection of the roll-out cart shall mean the waste will not be collected until the following week unless it is determined to be an error of the collector. All collection vehicles shall be equipped with cameras and shall photograph each collection location.

In order for the number of stops to be shared equally between the City and the City's contractor Green For Life ("GFL"), a full review has been conducted with approximately 7350 locations affected by a change in collection day. Notification of this change will happen with the new routes (collection days) available on the City web-site as well as a notice provided to affected locations.

The new by-law requires roll-out carts to be placed curbside by 7am of the day of collection and must be removed by 7pm on the same day. This is primarily in an effort to prevent difficulties plowing snow the evening before or on the same day of collection.

The penalties and enforcement of this by-law is similar to all municipal by-laws.

A full education campaign is being launched with the cooperation and effort of the Public Works Waste Management Division, GFL and the Corporate Affairs office. Initial productions are available for Council this evening with a phased in approach of additional details including brochures, City web site, video(s) and mail-outs. This campaign will begin in April, 2019 and continue throughout the year. The carts will begin to be delivered on May 6, 2019 with the contract for collection commencing July 2, 2019.

FINANCIAL IMPLICATIONS

There are no financial implications due to the content of this report.

STRATEGIC PLAN / POLICY IMPACT

This report is linked to the provision of improvements in an existing service (waste collection) and excellent customer service in the Corporate Strategic Plan.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Director of Public Works dated 2019 04 01 concerning the update of the Waste Management By-law, be received as information.

The relevant By-law 2019-62 is listed elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read 'Susan Beach', with a stylized flourish at the end.

Susan Hamilton Beach, P. Eng.

Director, Public Works

705.759.5207

s.hamiltonbeach@cityssm.on.ca



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Jonathan Kircal, Planner

DEPARTMENT: Community Development and Enterprise Services

RE: A-2-19-Z – 85 Johnson Avenue

PURPOSE

The Applicant is seeking approval to construct four semi-detached houses (eight dwelling units in total).

PROPOSED CHANGE

The Applicant, Daniel Fremlin, is requesting to rezone the subject property from Institutional Zone (I) to Low Density Residential Zone (R3.S), with a special exception to permit four semi-detached houses on the same lot, until such a time they are individually severed.

SUBJECT PROPERTY

- Location – located on the south side of Johnson Avenue, approximately 363 metres (1,190') west from Peoples Road.
- Size – frontage and depth of 75 and 55 metres (246' x 180') respectively, totalling 4,125 square metres (1 acre).
- Present use – vacant.
- Owner – Daniel Fremlin Holdings LTD.

BACKGROUND

The subject property was part of the schoolyard of the former St. John Catholic School. In 2018, four years after the school's closure, the Committee of Adjustment approved an application to sever the property, which is now the subject of this application.

At the March 18, 2019 meeting, Council passed the following resolution:

Resolved that the report of the Planner dated 2019 03 18 concerning Rezoning Application A-2-19-Z be received and that Council postpone this Application to April 1, 2019.

Council also urged the applicant to hold a public open house prior to Council hearing the application on April 1, 2019. An open house was held on March 28, 2019.

ANALYSIS

The Official Plan

The Official Plan designates the site as Residential, which provides for a mixture of housing types and promotes infill development. Higher density residential development that is compatible with the character of the neighbourhood in terms of massing and setbacks is encouraged.

Applicable residential policies are outlined as follows:

- A mixture of housing types and diversity of ownership and tenure forms shall be encouraged in new development.
- Medium density residential dwellings may be integrated into low density areas subject to rezoning.
- Small scale intensification may be permitted in all residential areas, unless adequate supporting infrastructure is not available or significant physical constraints exist.
- Small scale residential intensification may include, but not be limited to, rooming, boarding and lodging houses, apartments in houses, infill development and redevelopment.

The introduction of semi-detached houses in a neighbourhood predominantly consisting of single-detached dwellings, contributes to the mixture of housing types that can also potentially support a diversity of ownership and tenure forms.

The proposed dwelling types represent a low-scale example of medium density residential development that can be integrated within the neighbourhood.

The proposal meets the definition of small-scale intensification. The subject area is well supported by infrastructure and no significant physical constraints exist.

This application adheres to the Residential Policies of the Official Plan.

Provincial Policy Statement (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning. The Planning Act requires City Council's decision to be consistent with the PPS.

Promoting intensification, efficient development, redevelopment of appropriate sites, and a range and mix of housing types and densities are applicable policies found within the PPS. The PPS supports this proposal.

Growth Plan for Northern Ontario (GPNO)

The GPNO provides a framework for managing growth in Northern Ontario. The Planning Act requires City Council's decision to conform, or not conflict, with the Growth

Plan. The proposal supports the Growth Plan's policies of optimizing the use of existing infrastructure and does not conflict with any of the Plan's policies.

Comments

Surrounding land uses

- North – directly across the street on the north side of Johnson Avenue are three single-detached houses and a child development centre (THRIVE).
- South – the former St. John Catholic School located at 100 Churchill Avenue, abuts the rear of the subject property.
- East – one and two-storey single-detached dwellings along Johnson Avenue.
- West – one and two-storey single-detached dwellings along Johnson Avenue.

Neighbourhood Character

Zoning in the neighbourhood is diverse, consisting of R2, R3 and R4 zones. The parcels directly west and east of the subject property are zoned R2 and R3 respectively. Rezoning the subject property from I to R3 is an appropriate continuation of the residential fabric.

The attached Site Plan demonstrates frontages, front and side-yard setbacks that are similar with neighbouring properties.

Land use impacts are not anticipated from this proposal.

Zoning Regulations

The Low Density Residential Zone (R3) is designed to promote a mixture of residential uses with the overall aim of achieving diverse and mixed neighbourhoods.

Zoning regulations permit only one semi-detached house per lot; a site specific exception to permit all four to occupy the subject lot is required. It is the applicant's intention to construct the semi-detached dwellings consecutively and sever them onto their own individual lot at a later point in time.

A separate application to the Committee of Adjustment will be required to sever the subject lot.

The subject lot is large enough to accommodate the proposed development. The site plan demonstrates that the required lot frontage, lot coverage, and front, side and rear yard setbacks of the R3 zone will be adhered to once the parcel is severed.

CONSULTATION

Circulating Agencies

The following Departments/Agencies commented on this application as part of the consultation process:

- No comments/objections – Municipal Heritage Committee, Fire Services, Legal Department, Community Development & Enterprise Services, Economic Development Corporation, Conservation Authority, and PUC Services.
- The PUC Services has no objections or comments, but wished to advise that water frontage charges would be assessed and due at the time of property severance.
- The Building Division has no objections, but commented that a swing calculation may be required on the overhead power lines for clearance purposes before the issuance of a building permit. Building division has confirmed that a record of site condition is not required.
- The Engineering Division has no objections, but commented that new services and capacity analyses will be required. Costs shall be borne by the Developer.
- Public Works has no objections, but commented that:
 - each unit should be serviced by individual laterals;
 - a cleanout should be installed at property line; and
 - a continuous large asphalt patch should be required to cover utility cuts on Johnson Avenue, rather than paving each one individually.
- The concerns raised by Engineering and Public Works can be addressed at the Site Plan Control stage. The property is currently subject to Development Control.

Public Comments – Submissions

As of the date this report was written, Planning staff had not received any submissions from the public.

Public Open House

Council's March 18 recommendation urged the Applicant to host a public open house prior to a Council hearing.

In order to provide ample notice for the open house and still have the application heard by Council on April 1, the date for the open house was scheduled for Thursday, March 28, 2019, therefore, it will be held after the writing of this planning report.

A summary of the open house will be attached as an addendum to the

April 1 Council Meeting Agenda.

FINANCIAL IMPLICATIONS

The recommendations in this report have no direct impact on municipal finances.

STRATEGIC PLAN / POLICY IMPACT

The recommendations in this report are not directly linked to any of the Corporate Strategic Plan's goals or priorities.

SUMMARY

The applicant is requesting to rezone the subject property from Institutional Zone (I) to Low Density Residential Zone (R3.S), with a special exception to permit four semi-detached houses (8 dwelling units) on the same lot.

The applicant intends to construct the houses consecutively and sever each semi-detached dwelling unit onto its own lot, resulting in 8 separate lots. Until such a time each dwelling is severed onto their own lot, a site specific exception will be required to permit all dwellings on the same single lot.

Attached to this report is the site plan that demonstrates that the proposal will meet all of the R3 zone's frontage, lot area and setback requirements. Additional approvals will be required to sever the semi-detached structures onto their own individual lots in the future.

The subject property is subject to Development Control. Matters raised by circulated agencies will be addressed in the Site Plan Control stage. A site plan agreement will be required prior to the issuance of a building permit.

This proposal represents a desirable form of infill development within an existing built-up area and is consistent with planning policies and the character of the neighbourhood.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the Report of the Planner dated 2019 04 01 concerning the Rezoning Application A-2-19-Z be received and that City Council approve the application and rezone the subject property from Institutional Zone (I) to Low Density Residential Zone (R3.S), with a special exception to permit four semi-detached dwellings on the subject property.

Respectfully submitted,

A-2-19-Z 85 Johnson Avenue (Fremlin)

2019 04 01

Page 6.

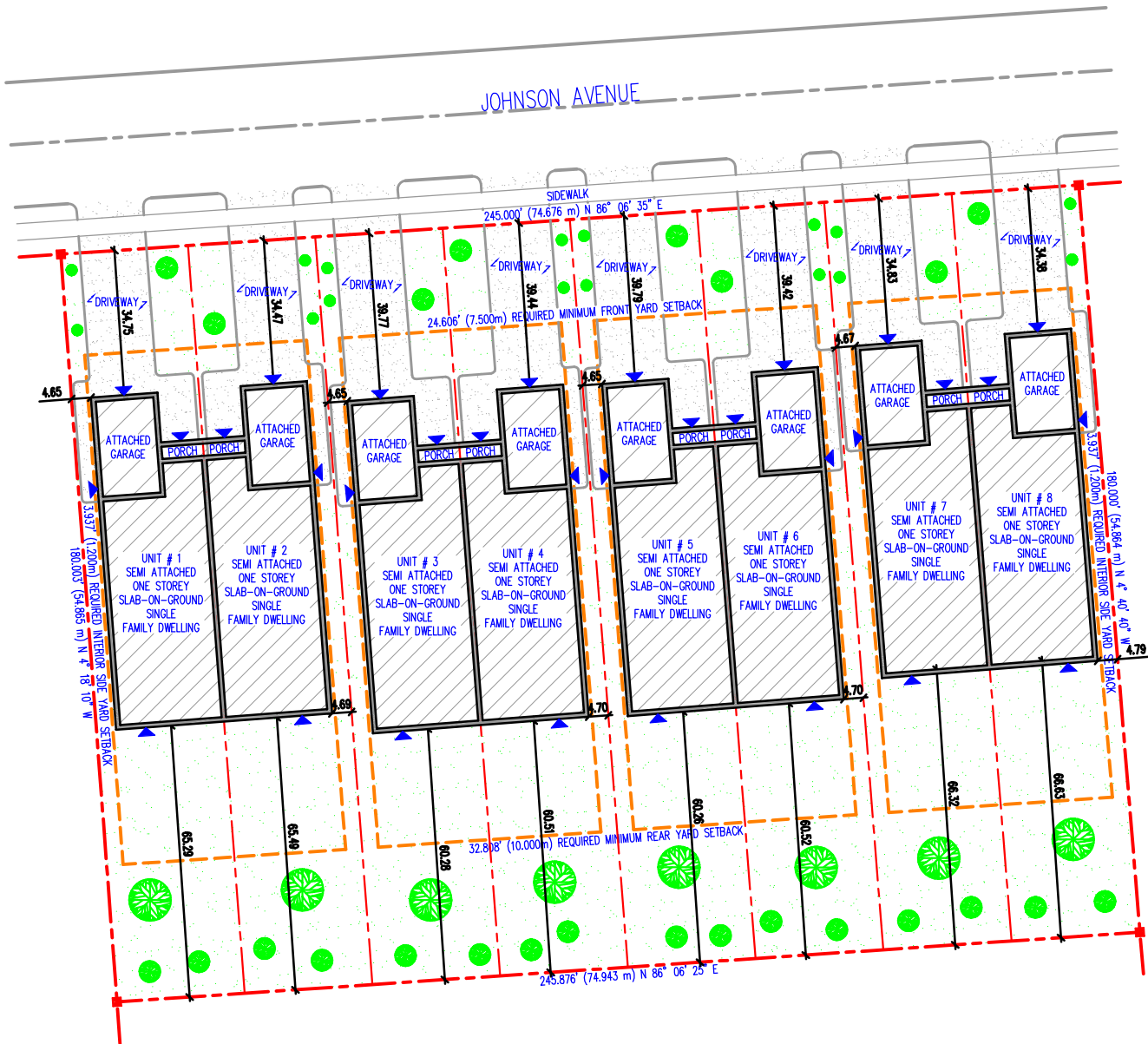
A handwritten signature in blue ink that reads "J. Kircal". The signature is written in a cursive, flowing style.

Jonathan Kircal

Planner

705.759.6227

j.kircal@cityssm.on.ca



SITE PLAN
SCALE: 1:40

CIVIC #: 85, LOT #: 12, 13, 14 & 15 JOHNSON AVENUE

PROPERTY INFORMATION:

LEGAL DESCRIPTION: "PART OF LOTS 12, 13, 14 & 15, PLAN 12749 KORAH BEING PART 1, 1R-13467"
CITY: SAULT STE. MARIE, ON, DISTRICT OF ALGOMA
ZONE: I

APPLICABLE AUTHORITIES:

ALGOMA PUBLIC HEALTH:
CONSERVATION AUTHORITY FILL APPROVAL:
CONSERVATION AUTHORITY WETLANDS AREA APPROVAL:
CONSERVATION AUTHORITY 2, 10 & 25 YEAR WELL HEAD SENSITIVITY AREA APPROVAL:
CITY OF SAULT STE. MARIE DEVELOPMENT CONTROL AGREEMENT:
CITY OF SAULT STE. MARIE MINOR VARIANCE APPROVAL:

NOT APPLICABLE
NOT APPLICABLE
NOT APPLICABLE
NOT APPLICABLE
APPLICABLE
APPLICABLE

- DENOTES PROPERTY LINES:
- DENOTES NEW PROPERTY LINES:
- DENOTES REQUIRED SETBACKS:
- DENOTES PROPERTY STAKES:
- DENOTES ENTRY POINTS:
- DENOTES SWALE:
- DENOTES TREES:

BUILDING AREA & LOT COVERAGE:

UNIT # 1:

5,522.2913 sq. ft. (513.0377 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,522.2913 sq. ft. (513.0377 m sq.) = 35.49%

35.49% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 2:

5,522.2456 sq. ft. (513.0334 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,522.2456 sq. ft. (513.0334 m sq.) = 35.49%

35.49% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 3:

5,522.1974 sq. ft. (513.0289 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,522.1974 sq. ft. (513.0289 m sq.) = 35.49%

35.49% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 4:

5,522.1826 sq. ft. (513.0276 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,522.1826 sq. ft. (513.0276 m sq.) = 35.49%

35.49% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 5:

5,522.0933 sq. ft. (513.0193 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,522.0933 sq. ft. (513.0193 m sq.) = 35.49%

35.49% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 6:

5,522.0477 sq. ft. (513.0150 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,522.0477 sq. ft. (513.0150 m sq.) = 35.49%

35.49% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 7:

5,535.6092 sq. ft. (514.2749 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

1,960.0000 sq. ft. (182.0900 m sq.) AREA OF ALL NEW STRUCTURES ON SITE

1,960.0000 sq. ft. (182.0900 m sq.) x 100 / 5,535.6092 sq. ft. (514.2749 m sq.) = 35.41%

35.41% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE

UNIT # 8:

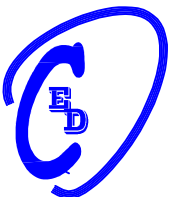
5,535.5633 sq. ft. (514.2707 m sq.) ENTIRE LOT AREA

1,544.6667 sq. ft. (143.5042 m sq.) PROPOSED NEW MULTIPLE ATTACHED SINGLE FAMILY DWELLING LIVING AREA FOOTPRINT
40.0000 sq. ft. (3,7161 m sq.) PROPOSED NEW MULTIPLE COVERED CONCRETE PORCH FOOTPRINT
375.3333 sq. ft. (34.8696 m sq.) PROPOSED NEW MULTIPLE ATTACHED GARAGE FOOTPRINT

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35.41% TOTAL LOT COVERAGE OF ALL NEW STRUCTURES ON SITE



CUTTING EDGE DESIGNS

EST. 2005

HEAD OFFICE:
299 DONCASTER RD.
SAULT STE. MARIE, ONTARIO, CANADA, P6C 2T8

***** QUALITY DESIGNS AND DRAFTING *****

***** OFFICE PHONE: (705) 971-1411 *****

NOTE:
COPYRIGHT OF THESE DRAWINGS IS RESERVED IN CUTTING EDGE DESIGNS
CONTRACTOR TO VERIFY ALL INFORMATION ON DRAWINGS PRIOR TO STARTING CONSTRUCTION
ANY DISCREPANCIES IN THESE DRAWINGS MUST BE REPORTED TO THE DESIGNER PRIOR TO WORK PROCEEDING
DO NOT ATTEMPT TO SCALE THESE DRAWINGS

THIS DRAWING SHALL ONLY BE USED FOR THE PURPOSE LISTED BELOW

PRELIMINARY ☒
REVIEW ☐
PERMIT ☐
CONSTRUCTION ☐

#	DATE:	REVISIONS:
1	2019-01-13	4 BUILDINGS OF 2 UNITS

SCALE:
1:40

DATE:
JANUARY 13th, 2019

DRAWN BY:
F. BENTROVATO, M.A.T.O., C.B.C.D.

CAD FILENAME:
Cutting Edge Designs\2019\Fremlin Builders

PROJECT:
FREMLIN BUILDERS

PLAN TITLE:
SITE PLAN

DRAWING #:
S-1

**Subject
Property**



Document Path: G:\Applications (2017 - 2019)\2019\Zoning\A-2-19-Z_85 Johnson Ave (Fremlin)\GIS and Maps\A-2-19-Z_AerialMap_Feb2019_8x11_V1.mxd

Application Map Series

- ☐ Subject Property ☐ Official Plan Landuse
☐ Existing Zoning ☒ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 85 Johnson Avenue
 Roll No.: NA
 Map No.: NA
 Application No.: A-2-19-Z
 Date Created: February 13, 2019

Legal Department Reference

Legend

- Subject Property 85 Johnson Avenue
 Parcel Fabric

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**City of
Sault Ste. Marie**

Planning and Enterprise Services

Community Development and Enterprise
 Services Department

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

saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthophoto 2016 20cm Colour

Projection Details

NAD 1983 UTM Zone 18N

1983 North American 1983

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**Subject
Property**

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Johnson Avenue

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Application Map Series

- ☒ Subject Property ☐ Official Plan Landuse
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Sault Ste. Marie

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Orthophoto: None

Projection Details

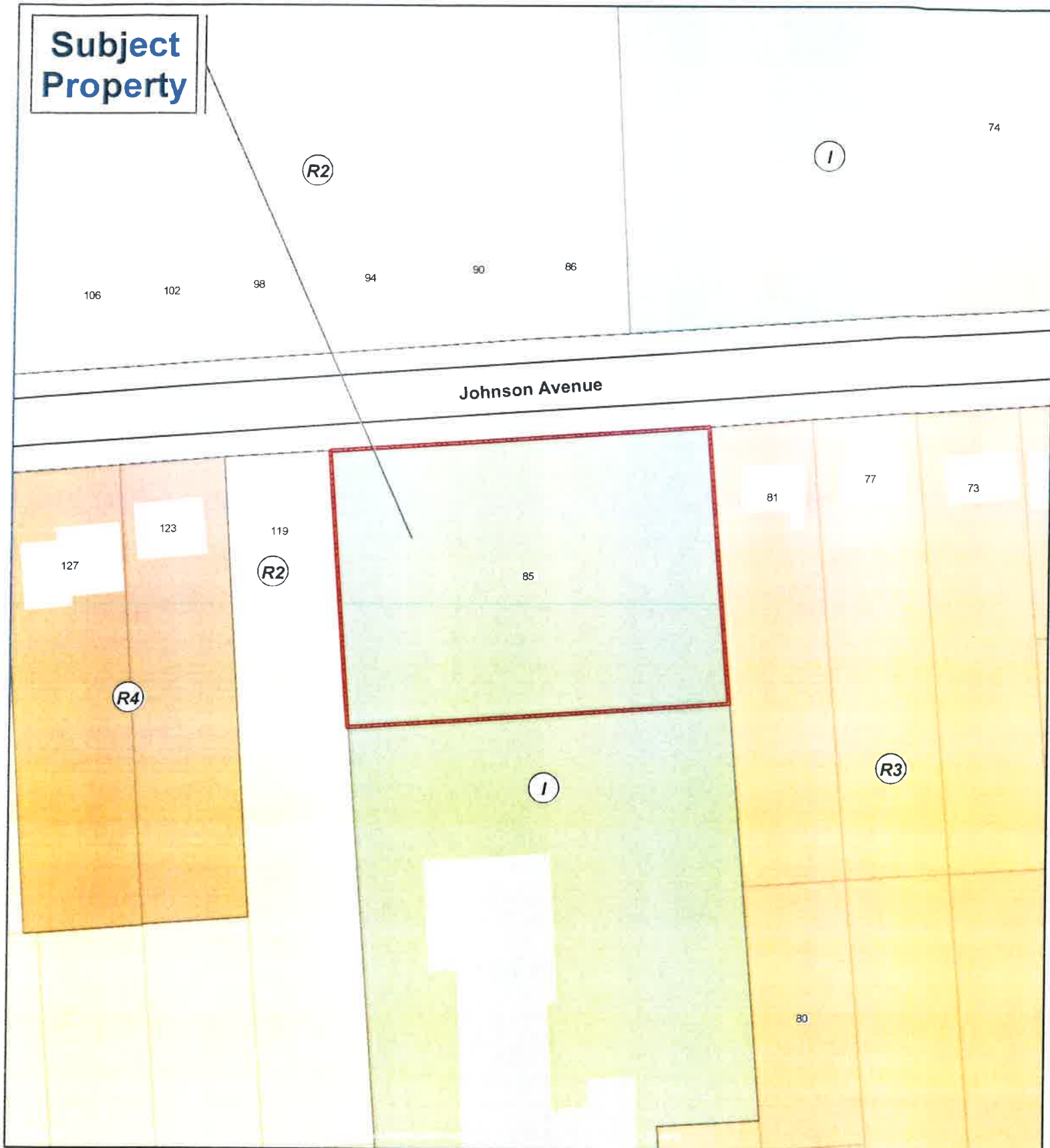
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**Subject
Property**



Application Map Series

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☐ Official Plan Amendment

Property Information

Civic Address: 85 Johnson Avenue
 Roll No.: NA
 Map No.: NA
 Application No.: A-2-19-Z
 Date Created: February 13, 2019

Legend

	1. Industrial/Commercial Zone		13. Low Density Residential Zone
	2. General Commercial Zone		14. Medium Density Residential Zone
	3. Commercial/Industrial Zone		15. High Density Residential Zone
	4. Residential Zone (R1)		16. Medium Density Residential Zone
	5. General Commercial Zone (G1)		17. Industrial Zone
	6. Shopping Center Zone		18. Environmental Management Zone
	7. Highway Zone		19. Park and Recreation Zone
	8. Light Industrial Zone		20. Rural Zone
	9. Medium Density Residential Zone (M1)		21. Rural Residential Zone
	10. Heavy Industrial Zone		22. Rural Residential Extension Zone
	11. Future Residential Zone		23. Rural Residential Extension Zone
	12. Single Detached Residential Zone (R1)		24. Rural Zone
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Sault Ste. Marie

Planning and Enterprise Services

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 Services Department

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

saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthorectified: None

Projection Details

NAD 1983 UTM Zone 18N

GCS North American 1983

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 1:1,000





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

February 28, 2019

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

emailed: Stephanie Perri s.perri@cityssm.on.ca

Dear Sir:

Re: A-2-19-Z 85 Johnson Ave.

We have no concerns or comments with respect to the above referenced rezoning application.

We do however, do wish to advise that water frontage charges in accordance with published Public Utilities Commission by-law rates would be assessed and due at the time of property severance.

We also take this opportunity to encourage the developer to contact our Engineering Department early in the development planning stages regarding any electrical or water servicing requirements and regarding available hydrant flows to support any changes to fire protection requirements.

Best Regards,

PUC SERVICES INC.

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

Rob Harten, P. Eng.
Manager of Engineering

REZONING APPLICATION A-2-19-Z

BUILDING DIVISION COMMENTS

ADDRESS: 85 JOHNSON AVENUE

Date: 2019-02-20
To: PLANNING DEPARTMENT: Don McConnell
From: BUILDING DIVISION: Frank Bumbaco

BUILDING DIVISION COMMENT:

Data

- Existing Zoning = I – Institutional
- Proposed Zoning = R3 - Low Density Residential
- Site is regulated by Development Control.
- R3 Setbacks
 - Front yard – minimum required setback is 7.5 meters
 - Interior side yard – minimum required setback is 1.2 meters on one side and 3.0 meters on the other side or where there is an attached garage 1.2 meters for 1 storey.
 - Rear yard – minimum required setback is 10 meters
 - Maximum Lot Coverage: 40%
- The yard setbacks for the proposed semi-detached units are in compliance with the R3 zone building regulations.
- The lot coverage for the proposed semi-detached units is in compliance with the R3 zone building regulations.
- Parking Requirements:
 - Residential Uses (Excluding Multiple Attached Dwellings) – 1.25 spaces per dwelling unit.

Comments

- There are overhead power lines running along Johnston Avenue. A swing calculation may be required to be completed by PUC on the overhead power lines to confirm the clearances required under 3.1.19. of the Ontario Building Code, prior to the issuance of a building permit, if the proposed construction is less than 6 meters from the closest power line.
- Unable to confirm the lot width for future consent application as widths weren't provided.
- The Building Division has no objections.



2019 02 28

MEMO TO: Don McConnell, RPP
Planning Director

RE: A-2-19-Z
85 Johnson Avenue
Daniel Fremlin

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

- The Developer must enter into a Lot Development Agreement with the City for the installation of new services on Johnson Avenue. All costs shall be attributable to the Developer.
- The applicant will be required to install the services for each lot and then re-pave the portion of the road that was excavated during the installation of services. Individual patches for each service connection will not be acceptable.
- The applicant will be required to retain a Consultant to determine the downstream impacts on the storm and sanitary sewer system and whether the system can handle the increased flows generated from the additional lots. Stormwater Management to control post-development peak flow to less than pre-development may be required.
- Plans and specifications showing final site grading and servicing should be reviewed and approved by the Director of Engineering or his designate. Lot grading plans should show existing contours, proposed grades, and buildable area for each lot. As constructed drawings should be modified to show only final grades.
- No work shall be commenced without the approval of the Director of Engineering or his designate. Any work which requires approvals from the City and the Ministry of the Environment shall not commence until such approvals and agreements are endorsed.

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

A handwritten signature in black ink, appearing to read 'M. McAuley'.

M. McAuley, P. Eng.
Municipal Services Engineer
Public Works & Engineering Services
705.759.5385
m.mcauley@cityssm.on.ca

MM
cc. Susan Hamilton Beach, Public Works
Don Elliott, Engineering

Larry Girardi
Deputy CAO

Susan Hamilton Beach, P. Eng.
Director of Public Works



Public Works & Engineering Services

March 8, 2019

Don McConnell, RPP
Director of Planning & Enterprise Services

Subject: **Application No. A-2-19-Z**
 Request for an amendment to the Zoning By-law

Applicant: **Daniel Fremlin**

Subject Property: **85 Johnson Avenue**

Public Works has reviewed and supports this development and we provided the following comments:

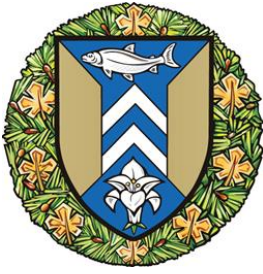
- Each unit should be serviced by individual laterals;
- A cleanout should be installed at property line; and
- A continuous large asphalt "patch" should be required instead of 8 individual ones.

If you have any further questions, please contact me at 759-5207.

A handwritten signature in black ink, appearing to read "Susan Beach".

Susan Hamilton Beach, P. Eng.
Director of Public Works
705-759-5207
s.hamiltonbeach@cityssm.on.ca

C: M. McAuley, Municipal Services Engineer



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Jonathan Kircal, Planner

DEPARTMENT: Community Development and Enterprise Services

RE: A-2-19-Z 85 Johnson Avenue (Fremlin) Update from Public Input Session

PURPOSE

This report provides Council with an update regarding the neighbourhood meeting for rezoning application A-2-19-Z.

BACKGROUND

At the March 18, 2019 meeting, Council passed a resolution to postpone this Application to April 1, 2019 and encouraged the developer to hold a public input session in the interim.

ANALYSIS

The applicant held a neighbourhood meeting on March 28, 2019 at the Civic Centre. The meeting was attended by four residents, both ward four councillors, and planning staff. The applicant presented 3D building renderings and site plans. The applicant also provided further details with respect to construction phases, landscaping, materials to be used, and overall design. The neighbours generally supported the proposed development.

Concerns were raised regarding potential impacts that additional residential dwellings could impose on storm water management and drainage infrastructure, which has been an issue along this portion of Johnson Avenue.

Engineering staff noted in their comments that the applicant will be required to retain a consultant to determine the downstream impacts on the storm and sanitary sewer system and whether the system can handle the increased flows generated from the additional lots.

FINANCIAL IMPLICATIONS

The approval of this application will not impact municipal finances.

STRATEGIC PLAN / POLICY IMPACT

The recommendations in this report are not directly linked to any of the Corporate Strategic Plan's goals or priorities.

RECOMMENDATION

It is therefore recommended that Council take the following action:

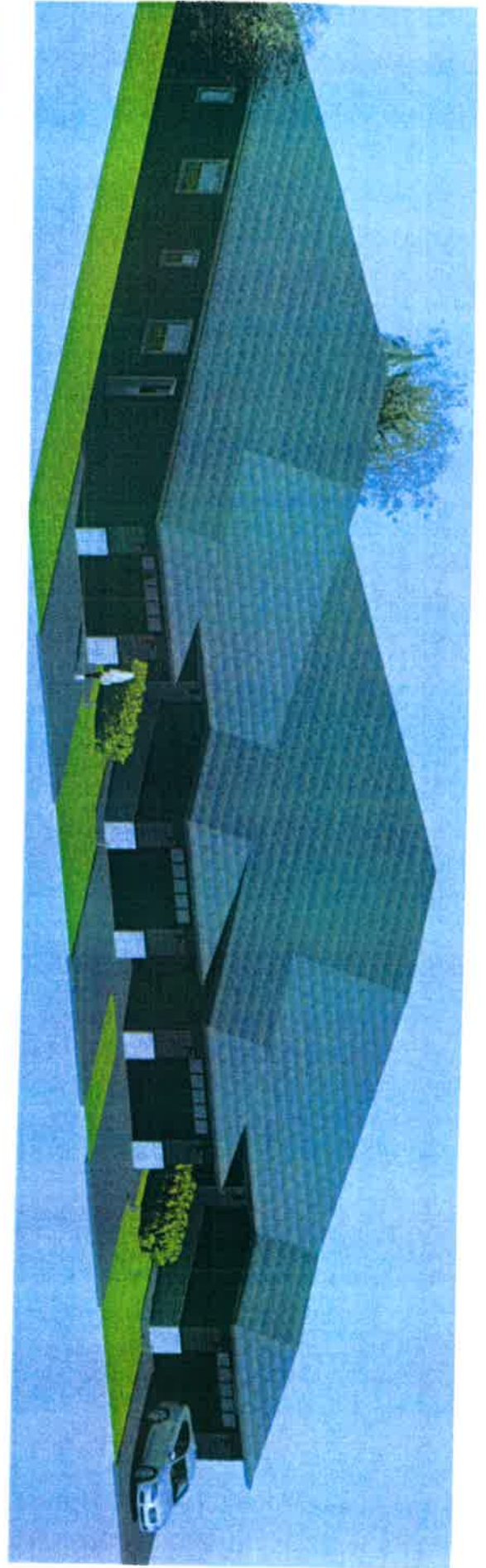
Resolved that the Report of the Planner dated 2019 04 01 concerning the update from the public input session be received as information. A report to Council concerning the rezoning application A-2-19-Z appears elsewhere on the Agenda and is recommended for approval.

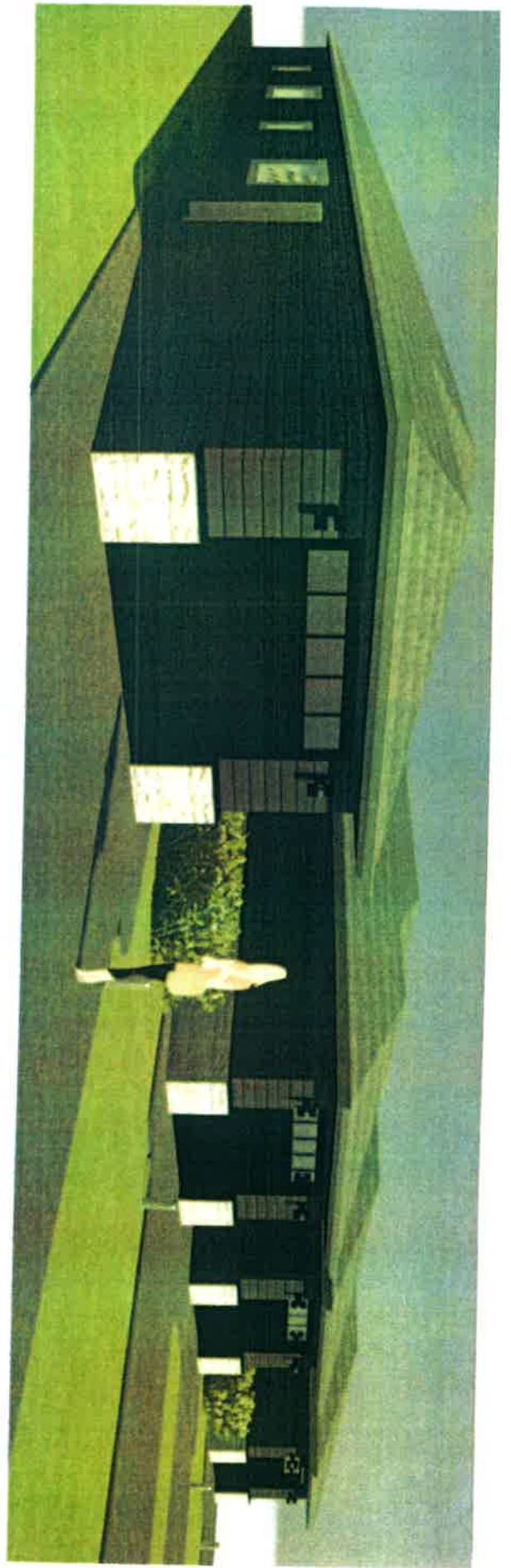
Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Kircal".

Jonathan Kircal
Planner
705.759.6227
j.kircal@cityssm.on.ca









**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Jonathan Kircal, Planner

DEPARTMENT: Community Development and Enterprise Services

RE: A-7-19-Z - 728 Wellington Street West (Nicastro)

PURPOSE

The Applicant is seeking to rezone the subject property to legalize an existing triplex and to permit parking within the exterior side yard.

PROPOSED CHANGE

The Applicant/Owner, Marilyn Nicastro, is requesting to rezone the subject property from Low Density Residential Zone (R3.S.330), with a special exception to permit a duplex and a reduced frontage, to Low Density Residential Zone (R3.S.330), with an amended special exception to permit a triplex and 3 parking spaces in the exterior side yard.

Subject Property

- Location – located on the north east corner of the Wellington Street and Bainbridge Street intersection.
- Lot size – approximately 16 metres (52') of frontage along Wellington Street and 39 metres (128') of frontage along Bainbridge Street. Total area is 762 square metres (0.19 acres).
- Present use – illegal triplex.
- Owner – Marilyn Nicastro.

BACKGROUND

In 2013, City Council approved an application to rezone the subject property from Single Detached Zone (R2), to Low Density Residential Zone (R3.S.330) to permit a residential structure with two self-contained units. Conditions of approval included a maximum of two dwelling units and a reduced minimum required frontage from 18 to 15 metres.

The Applicant constructed three self-contained units, making the residential structure a triplex. Legalizing this triplex is the subject of this application.

A portion of the subject property was formerly occupied by the business, Nicastro Grapes; however, this use no longer exists.

ANALYSIS

The Official Plan

The Official Plan designates the site as Residential, which provides for a mixture of housing types and promotes infill development. Higher density residential development that is compatible with the character of the neighbourhood in terms of massing and setbacks is encouraged.

Applicable residential policies are outlined as follows:

- A mixture of housing types and diversity of ownership and tenure forms shall be encouraged in new development.
- Medium density residential dwellings may be integrated into low density areas subject to rezoning.
- Small scale intensification may be permitted in all residential areas, unless adequate supporting infrastructure is not available or significant physical constraints exist.
- Small scale residential intensification may include, but not be limited to, rooming, boarding and lodging houses, apartments in houses, infill development and redevelopment.

A triplex in a neighbourhood predominantly consisting of single-detached dwellings, contributes to the mixture of housing types that can also potentially support a diversity of ownership and tenure forms.

The proposal is an example of a medium density residential dwelling that can be integrated within the low density neighbourhood. No land use impacts are anticipated from the increased density of the subject site. Note that no physical alterations are being proposed to the exterior.

The proposal meets the definition of small-scale intensification. A triplex is a minor departure from what is permitted and from what currently exists in the neighbourhood. The subject property is within the built-up area of the city and well supported by infrastructure. No significant physical constraints exist.

Provincial Policy Statement (PPS)

The PPS provides policy direction on matters of provincial interest related to land use planning. The Planning Act requires City Council's decision to be consistent with the PPS.

Promoting intensification, efficient development, redevelopment of appropriate

sites, and a range and mix of housing types and densities are applicable policies found within the PPS. The PPS supports this proposal.

Growth Plan for Northern Ontario (GPNO)

The GPNO provides a framework for managing growth in Northern Ontario. The Planning Act requires City Council's decision to conform, or not conflict, with the Growth Plan. The proposal supports the Growth Plan's policies of optimizing the use of existing infrastructure and does not conflict with any of the Plan's policies.

Comments

Surrounding land uses

- North - the abutting parcels to the north consist of single-storey single-detached dwellings.
- South - across Bainbridge Street, single-detached dwellings, mostly single-storey exist.
- East - the abutting parcels to the east consist of single-story single-detached dwellings.
- West - across Wellington Street, single-story single-detached dwellings exist.

Neighbourhood Character

The area surrounding the subject property is primarily single-detached residential, with commercial uses located approximately 130 metres (427') north at the intersection of Wellington Street West and Second Line East.

According to Municipal Property Assessment Corporation (MPAC) data, a number of nearby dwellings have been converted to duplexes along Wellington Street West.

Given the large size of the subject lot, the existing land uses and multi-family dwellings in the neighbourhood, the proposal represents a minor and acceptable departure from what is permitted. Note that no physical alterations are being proposed to the exterior.

Lot Location

As a corner lot, the subject property is buffered by streets on the south and west sides. The triplex has frontage on Wellington Street, which is identified as an urban arterial road, capable of supporting high traffic volumes. The exterior side yard fronts Bainbridge Street, which is a relatively short urban local road, and has only two dwellings with frontage on it within this block.

Parking

The current site plan shows a total of five parking spaces, two of which are located in the existing garage with the remaining three located in the exterior side yard.

Residential zoning regulations require 1.25 spaces per dwelling unit, resulting in four required spaces (rounded up).

The subject property's access is along Bainbridge Street. Given the wide width of the boulevard and the existing parking configurations of adjacent properties, permitting the three parking spaces within the exterior side yard is consistent with adjacent lots.

Lot Characteristics

Lot area

The subject lot is relatively large, measuring 762 square metres. Adjacent lots, on average, measure 479 square metres.

Frontage and property lines

The Wellington Street and Bainbridge Street frontages measure 16 and 39 metres respectively, which is consistent with the neighbourhood. The rear lot line, measuring 23 metres in length, is noticeably longer than other properties, this is due to the property flaring out, which also makes the subject property larger and better able to accommodate higher levels of density.

Setbacks

Interior, rear and front yard setbacks are consistent with the neighbourhood. The exterior side yard setback facing Bainbridge Street measures 7.5 metres, which exceeds adjacent lots.

Lot Coverage

Lot coverage is the percentage of the lot covered by any buildings or structures (i.e. residential dwellings, garages). With the exception of apartment and mobile residential structures, the zoning bylaw requires a lot coverage not exceeding 40%.

Given that no changes to the building footprint are being proposed, the lot coverage for the subject property will remain unchanged at 38%. The relatively high lot coverage is largely due to the large size of the garage, however, it is still within an acceptable range.

In summary, the lot is large enough to support a triplex.

Neighbourhood Concerns

Planning staff received a phone call from an individual who wished to confirm details of the application, however, no issues were raised.

Consultation

Circulated Agencies

The following Departments/Agencies commented on this application as part of the consultation process:

- Engineering, Public Works, Fire Services, PUC, Community Development and Enterprise Services, Economic Development Corporation, Legal, Conservation Authority, Accessibility Advisory Committee, and the Municipal Heritage Committee.
- The Building Division has no objections, but noted the following:
 - A change of use permit will be required for the conversion from a duplex to a triplex. A site plan and construction plans will be required to be submitted for review.
 - Assurances are required that the North and East facing walls meet the spatial separation requirements.

Public Comments – Formal Submissions

As of the date this report was written, Planning staff had not received any submissions from the public.

FINANCIAL IMPLICATIONS

The recommendations in this report have no direct impact on municipal finances.

STRATEGIC PLAN / POLICY IMPACT

The recommendations in this report are not directly linked to any of the Corporate Strategic Plan's goals or priorities.

SUMMARY

The Applicant is requesting a rezoning of the subject property to permit and therefore legalize the existing triplex.

The subject lot is large enough to accommodate a triplex. A residential structure consisting of three self-contained dwelling units is compatible with the neighbourhood. No negative land use impacts are anticipated.

No concerns from the public or circulating agencies have been made at the time of preparing this report.

The property is subject to site plan control and is currently regulated by a Development Agreement. The proposed request will require the existing agreement to be amended accordingly.

RECOMMENDATION

It is therefore recommended that Council take the following action:

A-7-19-Z 728 Wellington Street West (Nicastro)

2019 04 01

Page 6.

Resolved that the Report of the Planner dated 2019 04 01 concerning the Rezoning Application A-7-19-Z be received, and that City Council approve the application and rezone the subject property from Low Density Residential Zone (R3.S.330), with a special exception to permit a duplex and a reduced frontage, to Low Density Residential Zone (R3.S.330), with an amended special exception to permit a triplex and 3 parking spaces in the exterior side yard.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "J. Kircal".

Jonathan Kircal

Planner

j.kircal@cityssm.on.ca

705.759.6227

PLAN OF SURVEY OF

LOT 31

PART OF A 3.658m LANE
REGISTERED PLAN No. 1703

IN THE

CITY OF SAULT STE. MARIE
DISTRICT OF ALGOMA

SCALE: 1 : 300



METRIC

DISTANCES SHOWN ON THIS PLAN ARE IN
METRES AND CAN BE CONVERTED TO FEET
BY DIVIDING BY 0.3048



PEOPLES ROAD (P1)
WELLINGTON STREET WEST

REGISTERED

LOT 33

PLAN No. 1703

LOT 32
PIN 31570-0145

LOT 124
PIN 31570-0159

LOT 125
PIN 31570-0160

LOT 126
PIN 31570-0161

LOT 35
IB(OU)
LOT 34

N2°53'05"W (M)
N2°42'10"W (P)
24.395
24.384(P1)

N2°20'25"W (M) 12.186
12.192(P1, LAM)
N2°42'10"W (P, DSU)

N2°41'00"W (M)
15.850(P1, JBC, DSU)
N2°42'10"W (P)

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Subject Property

Wellington Street West

Bainbridge Street

Shafer Avenue

728

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Document Path: G:\Applications (2017 - Present)\2019\Zoning\A-7-19-2 728 Wellington Street West (Nicastro)\GIS\A-7-19-2_AnnalMap_Feb2019_8x11_V4.mxd

☐ Subject Property ☐ Official Plan Land Use
☐ Existing Zoning ☒ Aerial Image
☐ Official Plan Amendment

Civic Address: 728 Wellington Street West
Roll No.: 050002008000000
Map No.: 58/1-72
Application No.: A-7-19-Z
Date Created: February 22, 2019

Legend



Subject Property 728 Wellington St W
Parcel Fabric

**City of
Sault Ste. Marie**

**Community Development and Enterprise
Services Department**
99 Foster Drive, Sault Ste Marie, ON P6A 5X6
saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only
Orthophoto 2016 20cm Colour
Projection Details
NAD 1983 UTM Zone 16N
GCS North American 1983



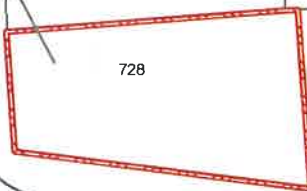
Subject Property

13

Wellington Street West

Shafer Avenue

Bainbridge Street



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Application Map Series

- ☒ Subject Property ☐ Official Plan Landuse
☐ Existing Zoning ☐ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 728 Wellington Street West
 Roll No.: 050002008000000
 Map No.: 58/1-72
 Application No.: A-7-19-Z
 Date Created: February 22, 2019

Legal Department Reference

Legend



Subject Property 728 Wellington St W



Parcel Fabric



City of Sault Ste. Marie

Planning and Enterprise Services

Community Development and Enterprise Services Department
 99 Foster Drive, Sault Ste Marie, ON P6A 5X6
 saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthophoto None

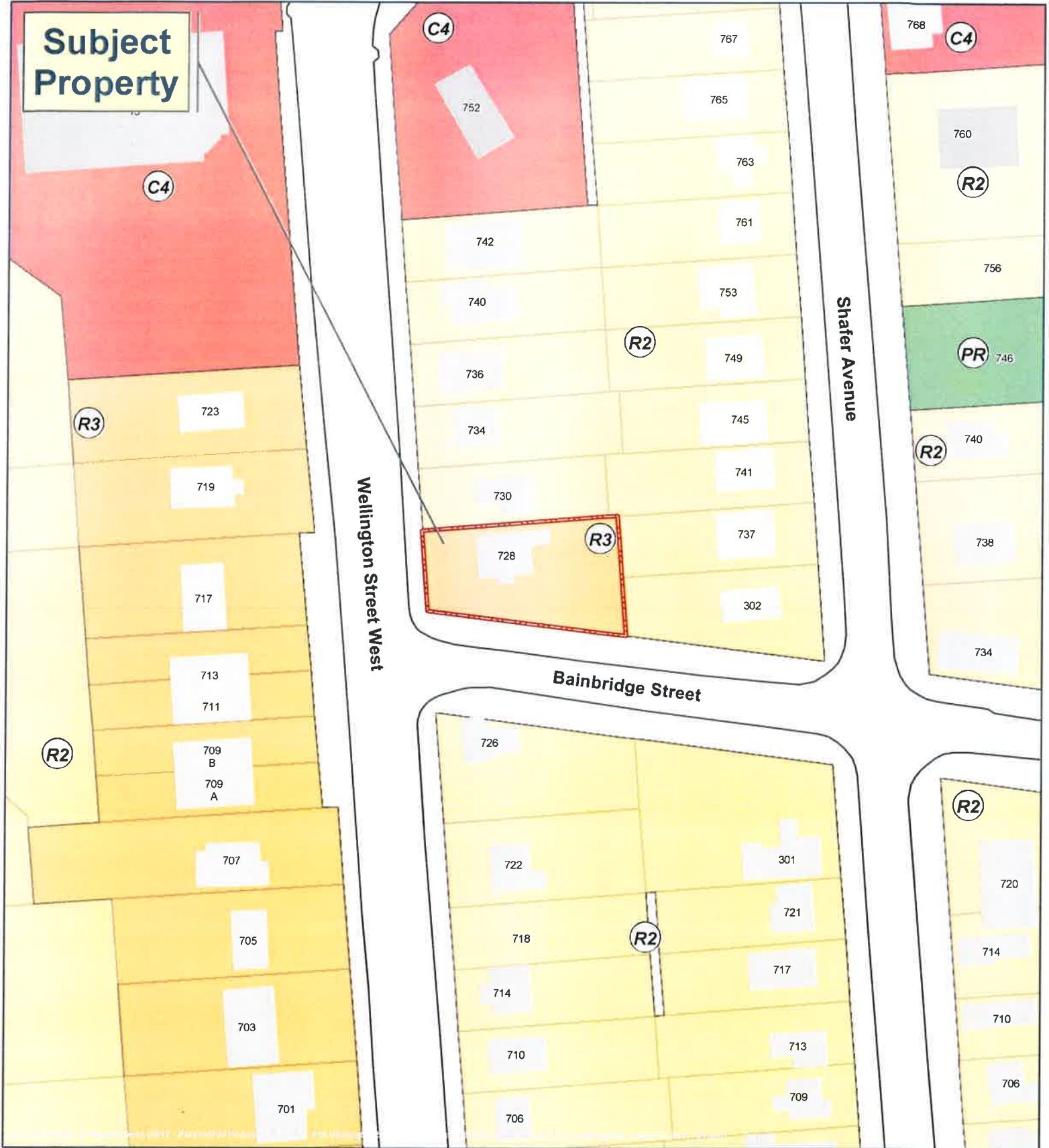
Projection Details

NAD 1983 UTM Zone 16N

GCS North American 1983

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Application Map Series

☐ Subject Property
☒ Existing Zoning
☐ Official Plan Amendment

☐ Official Plan Landuse
☐ Aerial Image

Property Information

Civic Address: 728 Wellington Street West
 Roll No.: 050002008000000
 Map No.: 58/1-72
 Application No.: A-7-19-Z
 Date Created: February 22, 2019

Legend

 C1: Traditional Commercial Zone C2: General Commercial Zone C2F: Commercial Transitional Zone C3: Riverfront Zone - C3R C4: General Commercial Zone - C4R C5: Shopping Centre Zone H2: Highway Zone M1: Light Industrial Zone M2: Medium Industrial Zone - M2H M3: Heavy Industrial Zone R1: Estate Residential Zone R2: Single Detached Residential Zone - R2H R3: Low Density Residential Zone R4: Medium Density Residential Zone R5: High Density Residential Zone R6: Mobile Home Residential Zone I: Institutional Zone EM: Environmental Management Zone PR: Parks and Recreation Zone RA: Rural Area Zone RS: Rural Precipitation Landslide Zone RSX: Rural Aggregate Extraction Zone A1K: Airport Zone F: Planned Urban - Commercial District P: Private Fabric	 City of Sault Ste. Marie Planning and Enterprise Services Community Development and Enterprise Services Department 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5368 planning@cityssm.on.ca <i>This map is for general reference only</i> Orthophoto: None Projection Details: NAD 1983 UTM Zone 16N GCS North American 1983 0 5 10 20 Meters 1:1 000
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Page 133 of 295

REZONING APPLICATION A-7-19-Z

BUILDING DIVISION COMMENTS

ADDRESS: 728 WELLINGTON STREET WEST

Date: 2019-03-07
To: PLANNING DEPARTMENT: Don McConnell
From: BUILDING DIVISION: Frank Bumbaco

BUILDING DIVISION COMMENT:

Data

- Existing Zoning = R3 - Low Density Residential Zone with a special exception permitting a duplex and reducing frontage.
- Proposed Zoning = R3 - Low Density Residential Zone with an amended special exception to permit a triplex and to permit required parking spaces (#3 and #4) to encroach into the required exterior side yard.
- Special exception S-330 states that despite the provisions of By-law 2005-150, the property at 728 Wellington, as shown on the map attached, may be utilized in accordance with the R3 zoning, subject to the restriction that the total number of dwelling units permitted upon the subject property cannot exceed 2 units. Furthermore, the required frontage is reduced to 15m.
- Site is regulated by Development Control.
- R3 Setbacks
 - Front yard – minimum required setback is 7.5 meters.
 - Interior side yard – minimum required setback is 1.2 meters for 1 storey, 1.8 meters for 2 storeys.
 - Exterior side yard - minimum required setback is 4.5 meters.
 - Rear yard – minimum required setback is 10 meters.
 - Maximum Height: 2.5 storeys
 - Maximum Lot Coverage: 40%
- Parking Requirements:
 - Residential Uses (Excluding Multiple Attached Dwellings) – 1.25 spaces per dwelling unit.

Comments

- A change of use permit will be required for the conversion from a duplex to a triplex. A site plan and construction plans will be required to be submitted for review.
- Assurances are required that the North and East facing walls meet the spatial separation requirements of 9.10.14.
- The Building Division has no objections.

From: Michael Adams

Sent: Saturday, March 30, 2019 7:26 PM

To: Lisa Vezeau-Allen <l.vezeauallen@cityssm.on.ca>; Mayor Provenzano <mayor.provenzano@cityssm.on.ca>; Matthew Shoemaker <m.shoemaker@cityssm.on.ca>; Paul Christian <p.christian@cityssm.on.ca>; Luke Dufour <l.dufour@cityssm.on.ca>; Marchy Bruni <m.bruni@cityssm.on.ca>; Donna Hilsinger <d.hilsinger@cityssm.on.ca>; Rick Niro <r.niro@cityssm.on.ca>; Corey Gardi <c.gardi@cityssm.on.ca>; Matthew Scott <m.scott@cityssm.on.ca>; Don McConnell <d.mcconnell@cityssm.on.ca>; Jonathan Kircal <j.kircal@cityssm.on.ca>

Subject: April 1 Council Meeting

Dear Mayor and Council:

I have the following observations and concerns regarding this item on the agenda.

Planning, 728 Wellington West

This is an application by an owner who illegally built a triplex with full knowledge that the building was not approved. The owner has profited from their illegal acts for ten years. Now this owner applies to the city to legalize their illegal actions. At the very least this owner does not come to council with clean hands.

The city should not be rewarding this illegal conduct. Prior to council considering this application a few pre-conditions should be met.

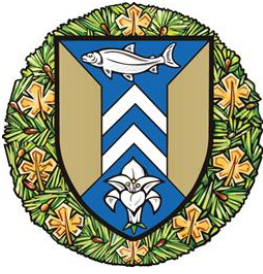
First, physical inspections of the building by the Building Department, Fire Department, Electrical inspectors etc. must be done. These must be completed to prove the building was built to code, and more importantly, meets current building, fire and electrical codes. All of these inspections must be at the owners expense.

Secondly, the city should notify MPAC of the illegal triplex, and have a tax reassessment done immediately.

Third, the city should prosecute the owner for the illegal actions.

An approval of this application as presented would be to legalize and reward the illegal actions of the owner. The City must enforce its own laws. Council should demonstrate that blatant contravention of its own bylaws is not acceptable.

Michael Adams



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHOR: Peter Tonazzo, RPP, Senior Planner

DEPARTMENT: Community Development and Enterprise Services

RE: A-8-19-Z 22 MacDonald Avenue (Ruscio & Martella)

PURPOSE

The Applicants are seeking Council's approval to rezone the subject property to facilitate the construction of a 12 storey, 90-unit apartment building.

PROPOSED CHANGE

The Applicants are applying to rezone the subject property from Parks and Recreation Zone (PR) to High Density Residential Zone (R5) to facilitate the construction of a 12 storey, 90-unit apartment building.

Subject Property

- Location: The subject property is located on the northwest corner of Macdonald and Gladstone Avenues.
- Size: Irregular shaped, with approximately 154m (505') frontage on Gladstone Ave. and 236m (774') frontage on MacDonald Ave., totalling 1.8ha (4.5acres).
- Present Use: Vacant Land
- Owner: Bellex Corporation

BACKGROUND

There have not been any previous applications upon the subject property, which was previously occupied by playing fields associated with former Collegiate Heights High school and more recently, a city owned snow dump.

ANALYSIS

Conformity with the City's Official Plan (OP)

The subject property is designated 'Residential' on Land Use Schedule 'C' of the Official Plan.

The applicant is proposing to construct a 12-storey, 90-unit apartment building. OP Policy

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

The resulting density of this proposal is 20 units/acre. Within the local context, medium density development ranges from 12-20 dwelling units per acre, and high density development is greater than 20 units per acre. Given the form and height of the proposed building, it is appropriate to classify this development as high density.

In terms of integration and compatibility with surrounding land uses, the proposed site plan (attached) results in significant setbacks and a significant buffer around the north and west portions of the property. The buffer consists of a ravine vegetated with mature trees. The proposed parking structures, which are located much closer to the road (renderings attached) are single storey with a contemporary design that complements the proposed apartment building.

Macdonald Avenue is classified as a ‘Collector Street’, which accommodates relatively high traffic volumes and is capable of accommodating the additional traffic generated by this development. Access to the development is via Gladstone Avenue, which is classified as a Local Street, however with the exception of the Our Lady of Good Council Church and associated parking lot, there is no development along this portion of the road.

The northern limit of the defined Downtown is below the hill from the subject property along the southern edge of the rail line. Although not abutting the downtown, the subject property is in close proximity to the downtown and much of the surrounding development and parcel fabric is consistent with that of the downtown area.

The Official Plan also contains a number of applicable Urban Design policies that directly relate to this proposal.

- D.3 The maintenance and/or reinforcement of all natural features such as river and creek valleys, ravines, wooded areas, parkland and heritage landscapes located within or next to development sites shall be encouraged.
- D.4 Views and vistas of built and natural features, significant forest corridors, landscapes and ridge lines shall be preserved and enhanced.
- D.5 The ‘Urban Forest’ concept of maintaining existing and establishing new forested areas shall be encouraged. Tree planting shall be required for new development.

- D.6 A high standard of site design in strategic or prominent locations such as the downtown, along major arteries, at street intersections and at entrances to the City shall be promoted.

Approximately ½ of the property is an undevelopable ravine, with mature vegetation. The ravine is also an important drainage course for areas north and east of the subject property. An easement is registered upon the ravine to limit development. Therefore, this important vegetated area will not be impacted by this development.

The proposed apartment tower will not impact any views or vistas below the hill, given the existing Collegiate Heights Retirement Home development, which sits on top of the hill, between the subject property and the escarpment.

Given the hilltop location and proposed height, the apartment building will be a prominent part of the City's skyline. It will be visible throughout the community, including downtowns on both sides of the River, and northbound vehicles on the International Bridge. Therefore, high quality design is important.

In general terms, it is Planning Staff's opinion that this application is consistent with applicable Policies within the Official Plan. A more detailed discussion ensues later in this report.

Conformity with the Provincial Policy (PPS),

The PPS supports mixed residential neighbourhoods, as well as residential intensification and redevelopment opportunities. The PPS also places a strong emphasis upon affordable housing, which is a Provincial priority. While it is recognized that the proposed rental units are not intended to be 'affordable', in theory the supply of new rental stock should increase vacancy rates and thereby increase the overall affordability of rental units in the community.

Growth Plan for Northern Ontario (GPNO)

The GPNO speaks to optimizing the use of existing infrastructure and providing more housing options. Therefore, this proposal does not conflict with any Policies contained within the GPNO.

Comments

The applicants are proposing a 12-storey, 90-unit apartment building. According to the applicant, the building is designed and oriented so that upper floors will enjoy panoramic views of the City and beyond. The applicant has also indicated that the building will include dedicated 'common areas' or amenity spaces on each floor, available to all residents within the building. For the purposes of this application, all units will be rentals, however the applicant is contemplating the possibility of condominium units on upper floors. Rental units would be in the range of 800-

1000sq.ft. and if incorporated into the design, condominium units would be between 1200-1600sq.ft. If the applicant decides to proceed with owned condominium units as part of the development, further approvals will be required. From a land use impact perspective, there is no distinction between land tenure, such as rental versus owned.

Site Layout and Design

Given the nature of this rezoning request, the overall site layout and design of the apartment tower is critical. Both from community wide and neighbourhood perspectives.

The 12-storey building will be a prominent fixture of the city's skyline. The applicant is proposing a contemporary building. Utilizing 4 distinct façade treatments (glass, grey brick, white paneling and yellow rectangular accents) will break up the monotony of a homogeneous façade and provide visual interest when viewed from a distance.

It is recognized that the proposed 12-storey apartment building will be much taller than nearby buildings, and will be a prominent fixture for those traveling along Macdonald or Gladstone Avenues. Having said this, the overall impact to surrounding neighbours is mitigated by a number of factors. First, the subject property contains a significant ravine along the north and west lot lines. The ravine area provides a 30-60m (98-197') vegetated buffer between the proposed developed area and the lot lines of the subject property. This buffer is more than doubled when considering the portion of the ravine on adjacent properties to the north.

Even though the ravine provides an adequate buffer, rear yard overlook and shadowing impacts remain important considerations. The applicants' Consultant has provided a Sightline Analysis (attached). Utilizing setback distances and a relatively conservative assumption that the tree canopy is 10m (33') tall, it is the Consultant's opinion that the top of the 12-storey apartment building will not be visible from the adjacent rear yards to the north.

With the exception of Our Lady of Good Council Church, there is no development to the east of the subject property.

The proposed apartment building exceeds the required setbacks of the High Density Residential Zone (R5) building regulations. More specifically, the proposed setbacks from Macdonald Avenue and Gladstone Avenue are 26.7m (87.5') and 77m (252') respectively. Required setbacks are 7.5m or ½ the building height, whichever is greater. In this case, the 12-storey building is anticipated to be 42m (138') tall and the required setbacks from Macdonald and Gladstone Avenues are 21m (69').

The proposed single storey parking garages also meet the required 7.5m (24.6') setbacks from Macdonald and Gladstone Avenues.

As per the applicants' site plan, lot coverage is proposed to be 35% with 65% landscaped open space. The R5 regulations require a maximum lot coverage of 33% and minimum landscaped open space of 33%. In this instance, a minor increase to the maximum lot coverage (2%) is required to support this application.

Parking and Access

The current site plan proposes a total of 136 parking spaces. As per Zoning By-law 2005-150, required parking for a 90-unit apartment building (@1.25 spaces/unit) is 113. 24 spaces will be accommodated in an underground parking garage, 28 spaces in 2 at-grade garages and 96 spaces on the outdoor parking lot. Based upon recently revised barrier free parking requirements, 7 barrier free parking stalls (@6% of required parking) are also required and provided.

Access to the site is proposed via Gladstone Avenue. Direct vehicular access to this portion of Macdonald Avenue is not recommended, as sightlines are poor due to the grade and geometry of the roadway. Pedestrian access is proposed to Macdonald Avenue, which has a sidewalk on both sides.

Consultation

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

- No comments/objection: Municipal Heritage Committee, Community Development and Enterprise Services, Accessibility Advisory Committee, Fire, Economic Development Corporation, Legal, Ministry of Municipal Affairs & Housing, Ontario Power Generation
- See attached comments from Engineering, Sault Ste. Marie Region Conservation Authority (SSMRCA), PWT, and PUC

Correspondence from Engineering speaks to site plan control matters such as servicing, grading, stormwater management and the drainage ravine upon the subject property. These matters can be addressed through the site plan control process.

The SSMRCA notes the property is within their jurisdiction and as such, a permit will be required. A geotechnical study will be required to ensure adequate slope stability and stormwater management works shall include long term erosion control measures. These matters can also be addressed through the site plan control process.

Correspondence from Public Works notes that the proposed stormwater management pond is in close proximity to the maintenance access to the ravine. This access is located adjacent to Gladstone Ave., in the northeast corner of the site and forms part of the easement upon the subject property. Again, Site Plan Control can be utilized to ensure that the ravine and access thereto is not impacted by the development.

PUC Services Inc. have no objections to the proposal. While at a cursory level the bulk capacity of electrical and water infrastructure appears to be adequate to support the development, the applicants are reminded that more detailed review will be required, as part of the site plan control processes.

Comments from Building Division confirms that a Record of Site Condition will be required prior to the issuance of a building permit, based upon the previous use of the property as a snow storage site.

Neighbourhood Meeting

On March 7th, the applicants hosted a neighbourhood meeting at Our Lady of Good Council Church. Mailing labels for all property owners within 120m (400') of the subject property were supplied to the applicants. Attendance included the applicants, David Ellis (Architect), Councillor Dufour, Planning staff and approximately 15 neighbours.

Site Plans and renderings were available at the meeting. The applicant described the apartments as 'luxury units' with substantial amenity areas. The target market is seniors and the close proximity of the Collegiate Heights Retirement Home is seen as an asset. The applicant indicated the overall concept is similar to the recently constructed apartments as part of the Sault Finnish Rest Home on North Street. Although floor plans and the overall dwelling split have not been finalized, construction is anticipated to take approximately 1.5 years and include pile driving for the building's foundation. The applicant also noted that the taller tower is intended to take advantage of the panoramic views and is the most feasible option (rather than fewer stories with a larger footprint) given 'difficult soil conditions'. The applicant also indicated that the larger number of units will help to support more services and amenities.

At the meeting, most neighbours seemed generally supportive.

There were general questions about servicing and drainage, with neighbours wanting assurances that this development will not impact sewer capacity or increase drainage onto adjacent properties. These are important matters that will be addressed through the Site Plan Control process. The applicants' consultant will need to submit a detailed drainage plan and confirm infrastructure capacity (sanitary, storm, water, electrical) to support the development.

Neighbour Concerns

The attached correspondence from the Barrons (124 Landsdowne Road) raises a number of concerns.

Mr. Barron correctly points out that during the neighbourhood meeting, Mr. Ruscio described the proposed building as 11-stories. In fact, the application (and subsequent public notice) is for a 12-storey apartment building, consisting of 11-stories and a 'recessed' penthouse level as the 12th storey. The Barron's are concerned that

additional changes may further impact their property. Tulloch's sightline analysis was for 12-stories and concluded that the building will not project above the existing forest canopy between Landsdowne Road and the proposed apartment tower. Given this concern and no height limitations within the R5 building regulations, it is recommended that zoning approvals include a condition limiting the apartment building to not more than 12-storeys.

In discussions with Mr. Barron, he is generally ok with the proposed location and orientation of the building, but has concerns that changes would increase negative impacts to his property. Planning staff will work with the applicant through the Site Plan Control process to ensure that development is consistent with what is currently proposed.

The Barron's are also concerned with construction noise, which according to the applicant will last for approximately 1.5 years. Construction noise is an unfortunate reality of any development, and is beyond the scope of Planning Act approvals and this rezoning application.

Finally, the Barrons want to ensure that lighting does not shine into their yard or house, and would appreciate the use of controlled dispersion lighting. While the vegetative buffer between the subject property and the Barron's property should mitigate off-site light pollution, lighting will be reviewed through the Site Plan Control process.

FINANCIAL IMPLICATIONS

Approval of this application has no impact on municipal finances.

STRATEGIC PLAN / POLICY IMPACT

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

SUMMARY

The applicants are proposing a significant development that will be a prominent fixture of the City's skyline. The proposed site and lot configuration will mitigate any potential impacts (such as aesthetics, rear yard privacy and shading effects) upon adjacent properties to the north and west. Apart from the church to the east, there is no development along Gladstone Avenue. The dominant land use to the south is the existing Collegiate Heights Retirement Home. The proposed apartment building is well set back from all lot lines and will not impact existing views from this portion of 'the hill'.

Given the size of the development, Site Plan Control is of critical importance, to ensure technical matters such as servicing and drainage are appropriately designed, constructed and maintained over the long term. Given the prominence of the development, Site Plan Control will also be utilized to ensure that exterior development details such as landscaping and façade design (for both the apartment building and parking garages) are of a high quality. It is worth noting that locally, Site Plan Control

has rarely been utilized to control façade design, however in this case, it is appropriate given the height of the building and visual impacts that could result, both at the neighbourhood and community levels.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Senior Planner dated 2019 04 01, concerning rezoning Application A-8-19-Z be received and that Council rezone the subject property from Parks and Recreation Zone (PR) to High Density Residential Zone (R5.S), subject to the following special exception:

1. That the proposed apartment building not exceed 12 storeys.
2. That the maximum required lot coverage for the apartment building be reduced from 35% to 33%.

It is also recommended that the subject property be deemed subject to Site Plan Control, pursuant to Section 41 of the Planning Act.

Respectfully submitted,

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

Peter Tonazzo, RPP

Senior Planner

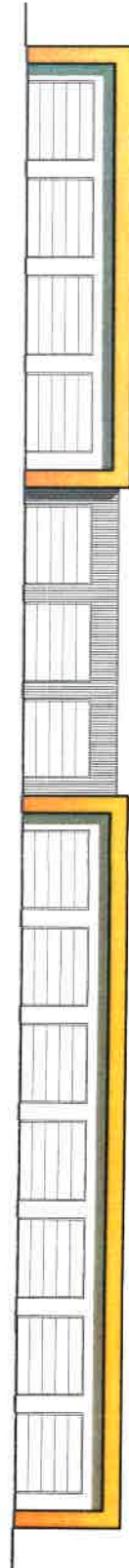
p.tonazzo@cityssm.on.ca

705.759.2780



BUILDING CONCEPT
MACDONALD AVE. RESIDENTIAL COMPLEX

PARKING GARAGE - FRONT ELEVATION

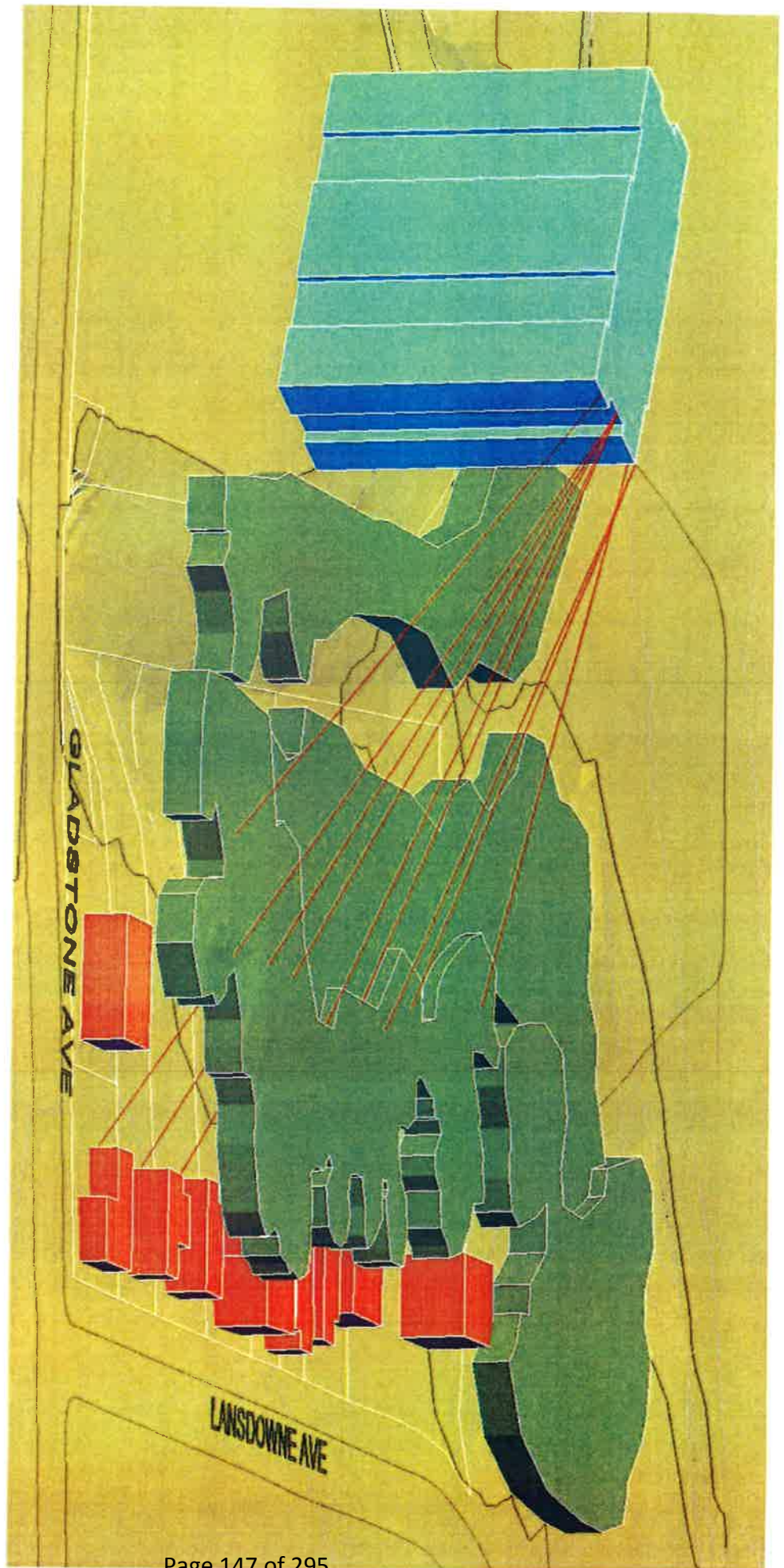


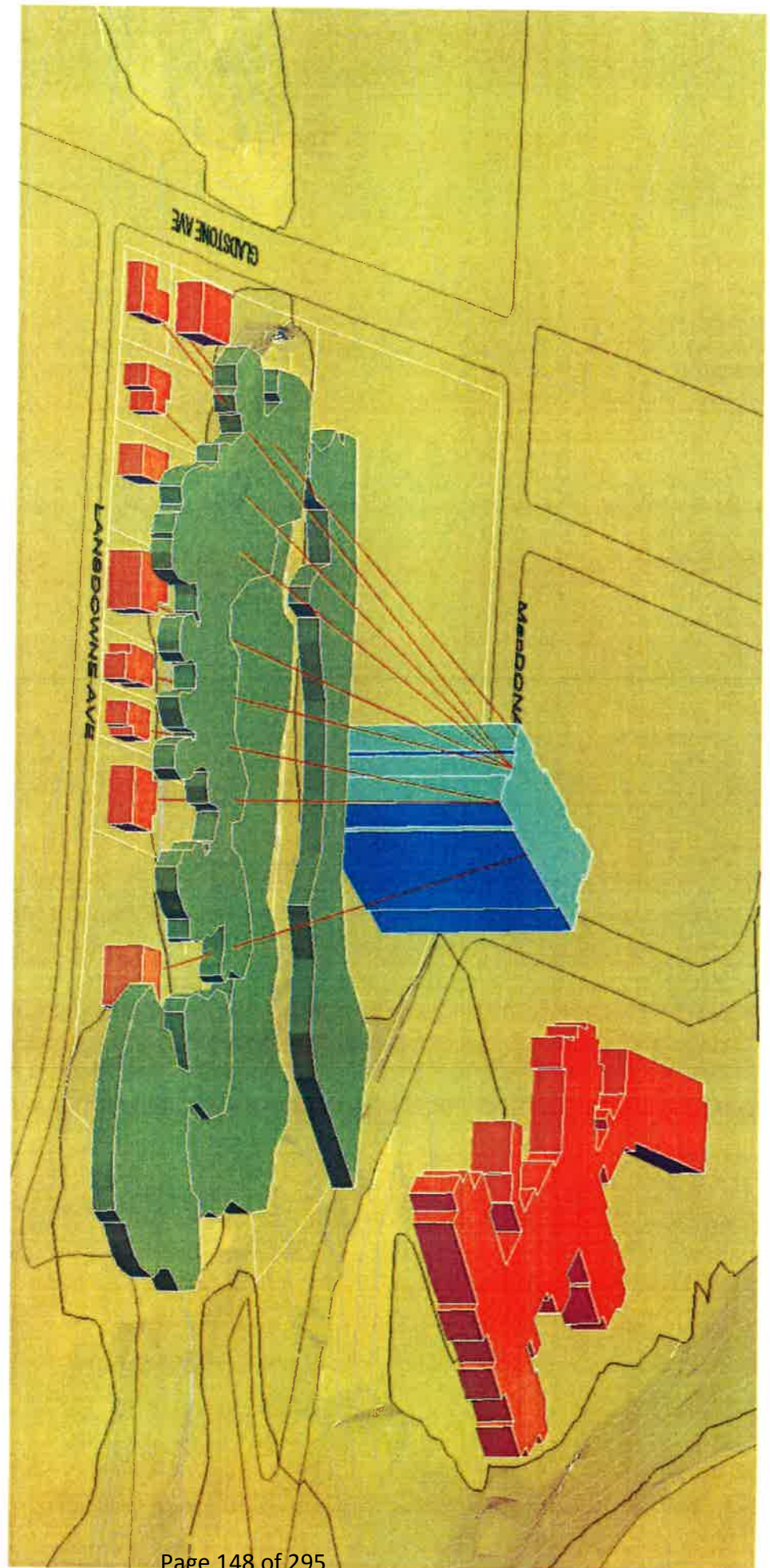
PARKING GARAGE - REAR ELEVATION

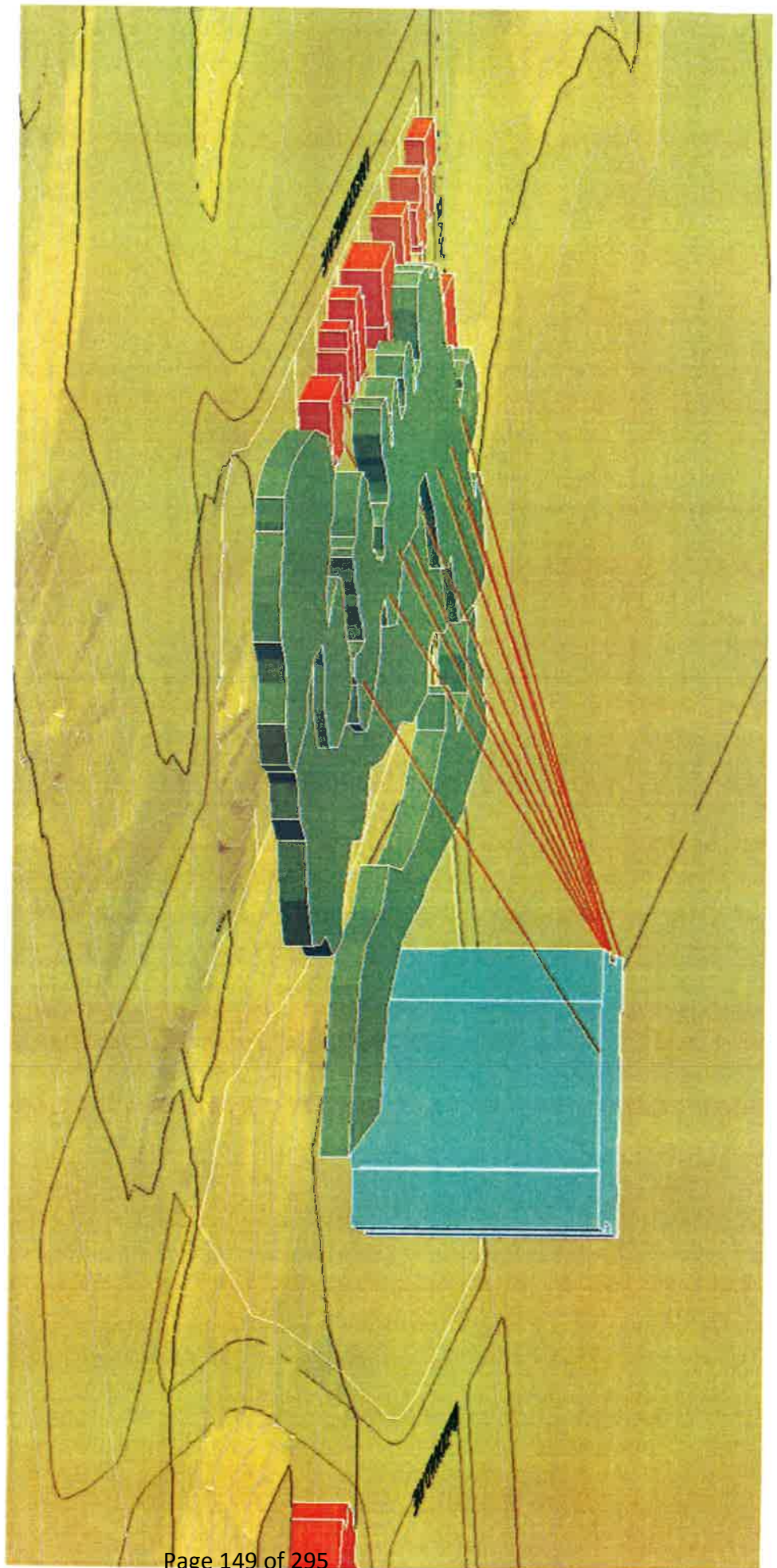


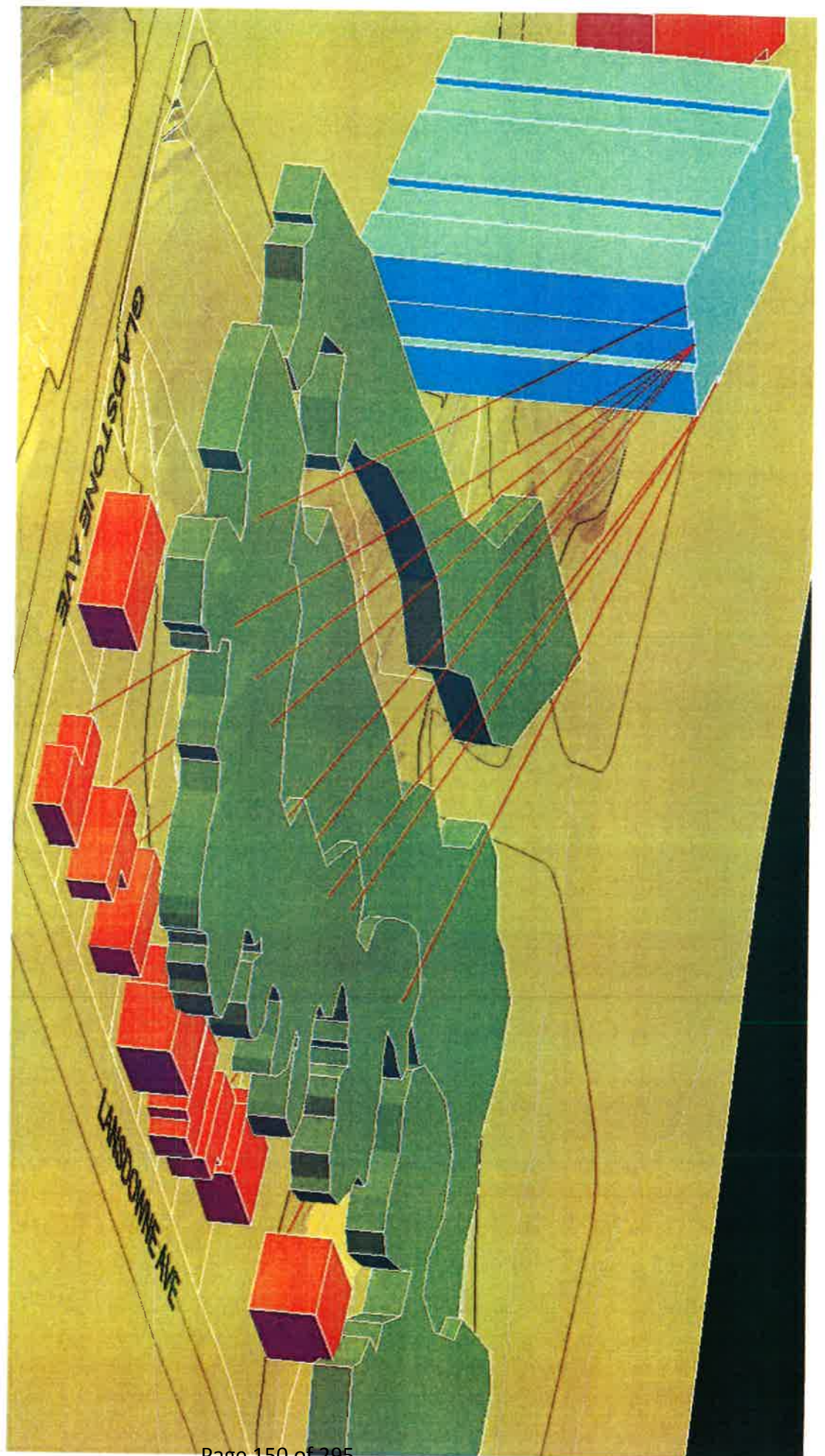
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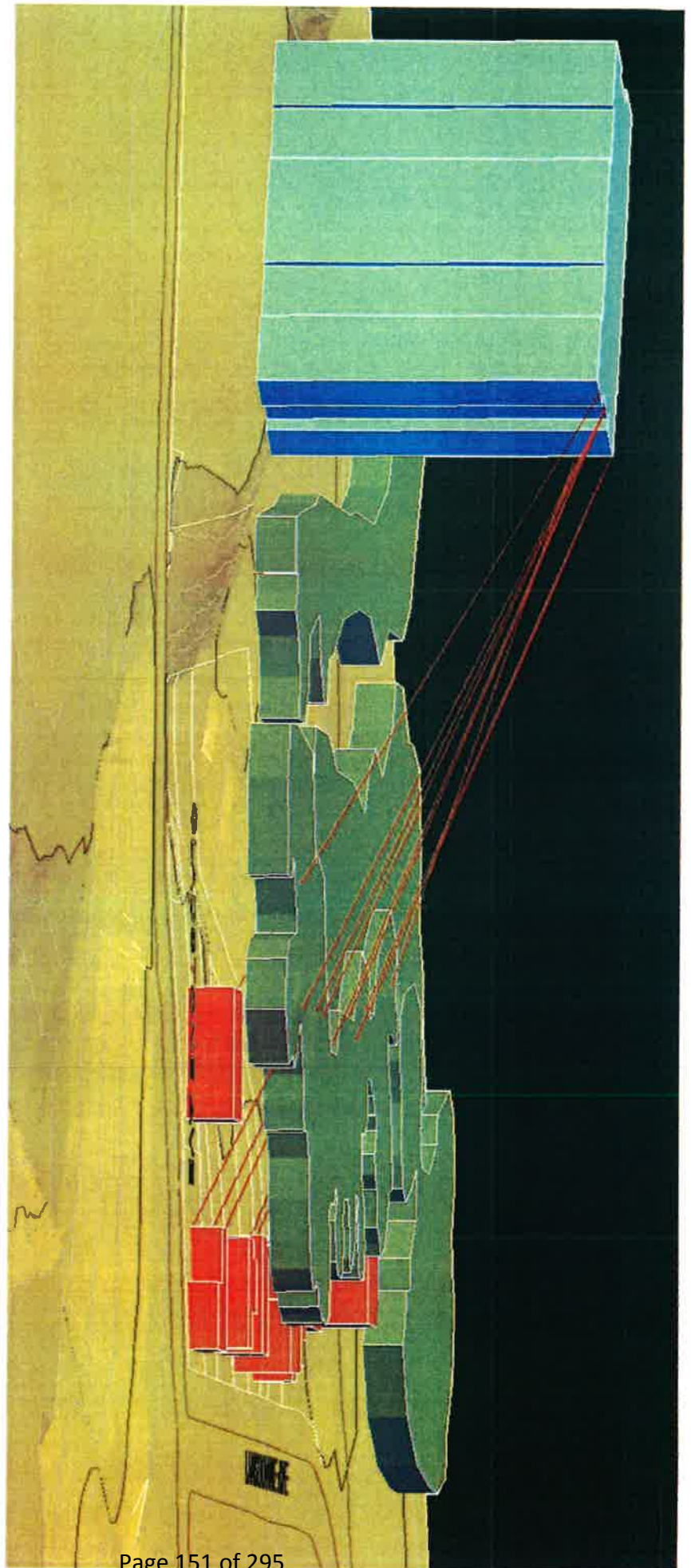
drawing Parking Garage Elevations project number 1819	scale 1/75 date February 2019 checked by d ellis drawn by d ellis	revisions 1. Approved for construction by the City of Sault Ste. Marie, Ontario. This drawing is to be used for the construction of the project. It is not to be used for any other purpose.	project MACDONALD AVE. RESIDENTIAL COMPLEX Sault Ste. Marie, Ontario david ELLIS architect inc. 230 King Street West, Suite 200, Sault Ste. Marie, Ontario Tel: 705.253.4333 Email: info@ellisarchitect.com
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**The Corporation of the
City of Sault Ste. Marie**



**Public Works &
Engineering Services**

2019 03 15

MEMO TO: Don McConnell, RPP
Planning Director

RE: A-8-19-Z
22 MacDonald Avenue
Joe Ruscio, Dave Ruscio, and John Martella

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

- It is our understanding that this project will be developed under site plan control. Any servicing or grading issues will be addressed through the Site Plan Agreement process.
- The property is subject to a municipal easement related to stormwater drainage. The proposed development will have to meet the requirements of the easement.

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

A handwritten signature in black ink, appearing to read 'M. McAuley'.

M. McAuley, P. Eng.
Municipal Services Engineer
Public Works & Engineering Services
705.759.5385
m.mcauley@cityssm.on.ca

MM
cc. Susan Hamilton Beach, Public Works
Don Elliott, Engineering

Stephanie Perri

From: Marlene McKinnon <mmckinnon@ssmrca.ca>
Sent: Monday, March 4, 2019 10:45 AM
To: Stephanie Perri
Cc: Anjum Amin
Subject: SSMRCA Response - A-8-19-Z - 22 MacDonald Avenue

Follow Up Flag: Follow up
Flag Status: Flagged

March 4, 2019

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

Conservation Authority Comments:

Application # A-8-19-Z
Joe Ruscio, Dave Ruscio and John Martella
22 MacDonald Avenue
Sault Ste. Marie

The subject property is located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses. The extent of the regulated area on this property is in the southeast corner.

The following text was part of correspondence from SSMRCA to City of Sault Ste. Marie legal department dated October 7, 2013:

'... We recommend that any approval of this proposal be subject to the following conditions:

1. A portion of the site is located in O. Regulation 176/06 regulated area associated with the hazard land (ravines, slope land etc.). A permit from the SSMRCA will be required for lot development, stormwater management and construction work associated with the development.
2. A site specific geotechnical study using accepted geotechnical principles will be required. The study must provide the information on stability of slopes by determining the Factor of Safety (FS) and safe setbacks from the top of the bank. A minimum value of 1.5 for the FS is required for building developments on or close to slopes. The study must be signed and sealed by a professional engineer.
3. A stormwater management study and long term erosion control measures would be required. The study must be signed and stamped by a qualified professional engineer.

The engineering studies will need to be reviewed and approved to the satisfaction of the Authority.'

Any development on the subject property will require a permit from SSMRCA.

Sincerely,

Larry Girardi
Deputy CAO

Susan Hamilton Beach, P. Eng.
Director of Public Works



Public Works & Engineering Services

March 8, 2019

Don McConnell, RPP
Director of Planning & Enterprise Services

Subject: **Application No. A-8-19-Z**
 Request for an amendment to the Zoning By-law

Applicant: **Joe Ruscio, Dave Ruscio and John Martella**

Subject Property: **22 MacDonald Avenue**

Staff from Public Works has reviewed the application noted above and supports this development, with consideration to the following:

- The pond cannot affect access to outlet structure.

If you have any further questions, please contact me at 759-5207.

Susan Hamilton Beach, P. Eng.
Director of Public Works
705-759-5207
s.hamiltonbeach@cityssm.on.ca

C: M. McAuley, Municipal Services Engineer



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

March 13, 2019

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

emailed: s.perri@cityssm.on.ca

Dear Sir:

RE: A-8-19-Z - 22 MacDonald Ave.

Although we have no objections to the above noted rezoning application proceeding, we would encourage the applicant to review any electrical and water servicing requirements for this development early in the planning process.

Although at a cursory level the bulk capacity of the electrical and water infrastructure appears to be adequate to support a facility of this size, a more detailed review of the infrastructure immediately adjacent to the site would be required to determine if any infrastructure upgrades are required in the more immediate area.

Once the applicant has established electrical loading, water demand and fireflow requirements, they are encouraged to contact PUC Engineering..

Best Regards,

PUC SERVICES INC.

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

Rob Harten, P. Eng.
Manager of Engineering

A-8-19-Z 22 MacDonald Avenue Response.docx

Peter Tonazzo

Subject: FW: A-8-19-Z - 22 MacDonald Avenue - Request for Comments

From: Francois Couture

Sent: Friday, March 22, 2019 10:28 AM

To: Stephanie Perri <s.perri@cityssm.on.ca>

Subject: RE: A-8-19-Z - 22 MacDonald Avenue - Request for Comments

Hello Stephanie,

The last known use for the above mentioned property was a snow storage site. Snow storage sites are deemed industrial, Please note that under the Ontario Regulation 153/04 a record of site condition would be required prior to a building permit application submission to construct an apartment building. The building division has no other comments or objections.

Sincerely,

Francois.

Peter Tonazzo

Subject: FW: 22 Macdonald Ave.

From: Lee Barron [REDACTED]
Sent: Friday, March 22, 2019 8:32 AM
To: Peter Tonazzo <p.tonazzo@cityssm.on.ca>
Subject: Re: 22 Macdonald Ave.

Hi Peter;

Our concerns re : 22 Macdonald ave. Proposal

- (1) since hearing that the originally described 11 story building is now going to be 12 stories, we're worried that more changes will be made to the original proposal which will affect our privacy, the view from our back yard and the future value of our property
- (2) we particularly don't want the building itself to be located any further eastward than originally proposed.
- (3) we don't want the angle of the building to be changed as to do so would aim the majority of the windows and balconies to face directly on our yards
- (4) since there are two seniors of advanced age living here, we are concerned that the construction noise and shaking will disrupt their normal life for a considerable length of time
- (5) we don't want alot of lights shining all night into our yard and house, so the use of controlled dispersion lighting would be very much appreciated

Fred Barron
Barbara Barron
Lee Barron

Subject Property



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Application Map Series

- ☐ Subject Property ☐ Official Plan Landuse
☐ Existing Zoning ☒ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 22 MacDonald Avenue
 Roll No.: 020032069000000
 Map No.:
 Application No.: A-8-19-Z
 Date Created: February 22, 2019

Legal Department Reference

Legend

- Subject Property 22 MacDonald Avenue
 Parcel Fabric



City of
Sault Ste. Marie

Planning and Enterprise Services

Community Development and Enterprise
 Services Department

99 Foster Drive, Sault Ste Marie, ON P6A 5X6
 saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthophoto 2016 20cm Colour

Projection Details

NAD 1983 UTM Zone 16N

GCS North American 1983

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**Subject
Property**



Application Map Series

- ☒ Subject Property ☐ Official Plan Landuse
☐ Existing Zoning ☐ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 22 MacDonald Avenue
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Legend

-  Subject Property: 22 MacDonald Avenue
 Parcel Fabric

Page 159 of 295



City of
Sault Ste. Marie

Planning and Enterprise Services

Community Development and Enterprise
 Services Department

99 Foster Drive, Sault Ste Marie, ON P6A 5X6
saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthophoto: None

Projection Details

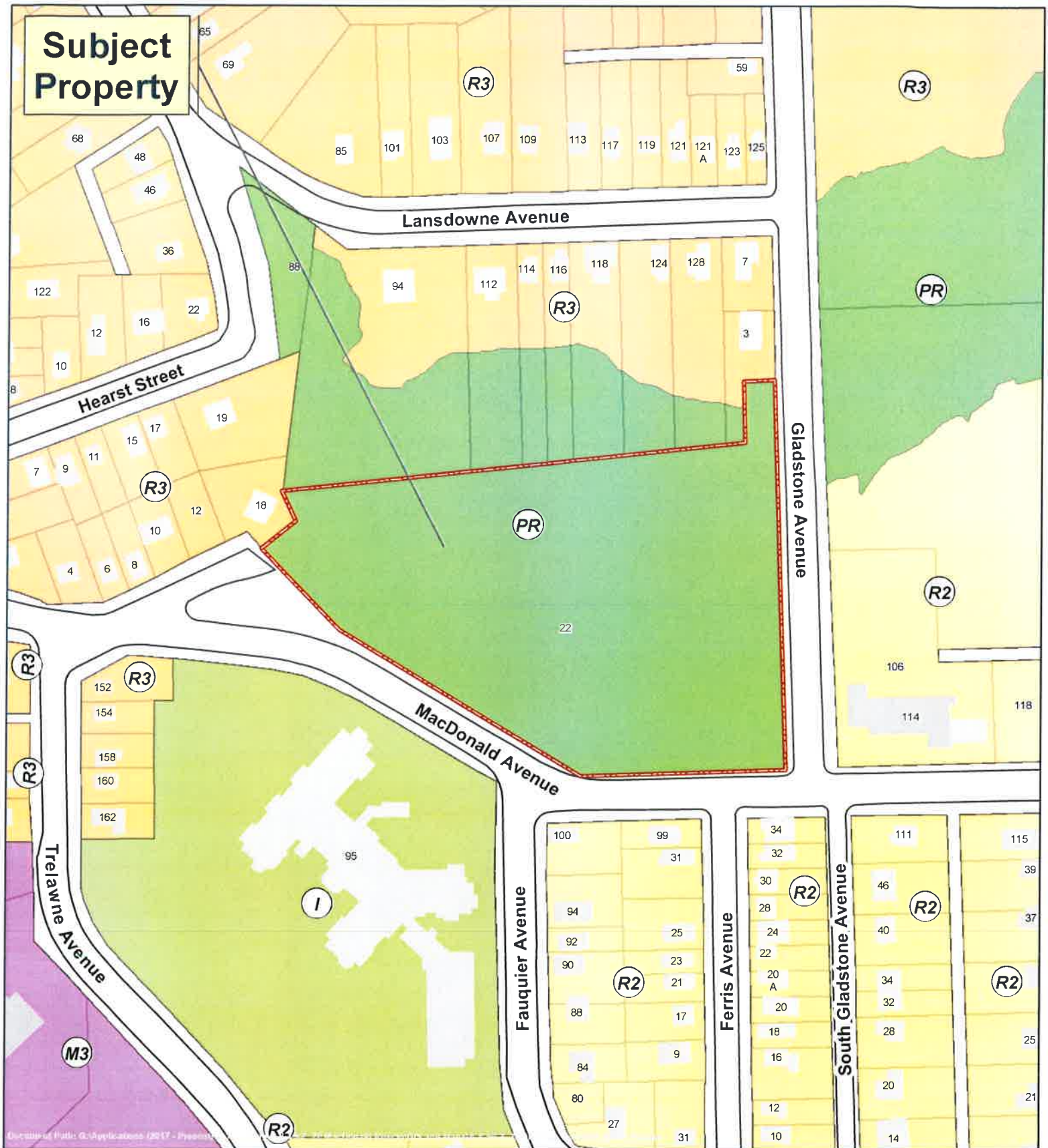
NAD 1983 UTM Zone 16N

GCS North American 1983

0 10 20 40 Meters
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Subject Property



Application Map Series

- ☐ Subject Property
 ☐ Official Plan Landuse
 ☒ Existing Zoning
 ☐ Aerial Image
 ☐ Official Plan Amendment

Property Information

Civic Address: 22 MacDonald Avenue
 Roll No.: 020032069000000
 Map No.:
 Application No.: A-8-19-Z
 Date Created: February 22, 2019

Legend

R1 - Traditional Residential Zone	R3 - Low Density Residential Zone
R2 - General Residential Zone	R4 - Medium Density Residential Zone
R3 - Residential Transitional Zone	R5 - High Density Residential Zone
C1 - General Commercial Zone	R6 - Mobile Home Residential Zone
C2 - General Commercial Zone (City)	I - Institutional Zone
C3 - Shopping Centre Zone	EM - Environmental Management Zone
H1 - Highway Zone	PR - Parks and Recreation Zone
M1 - Light Industrial Zone	RA - Rural Area Zone
M2 - Medium Industrial Zone (M100)	RP - Rural/Preservation/Update Zone
M3 - Heavy Industrial Zone	RA - Rural Aggregate Extraction Zone
R1 - Estate Residential Zone	S1B - Airport Zone
R2 - Single Detached Residential Zone (R100)	C - Commercial Dock
R3 - Single Detached Residential Zone (R100)	P - Private Use



City of Sault Ste. Marie

Planning and Enterprise Services

Community Development and Enterprise Services Department

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

saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthophoto: None

Projection Details

NAD 1983 UTM Zone 18N

GCS North American 1983

0 10 20 40 Meters

1:2,000



FW Application No A-8-19-Z

From: Peter Tonazzo
Sent: Thursday, March 28, 2019 4:32 PM
To: Malcolm White <m.white@cityssm.on.ca>
Subject: FW: Application No: A-8-19-Z

From: Lynden Pond
Sent: Thursday, March 28, 2019 3:43 PM
To: Jonathan Kircal <j.kircal@cityssm.on.ca>; City of Sault Ste. Marie
<info@cityssm.on.ca>
Subject: Application No: A-8-19-Z

From, Lynden Pond
100 Fauquier Ave.
Sault Ste. Marie, Ont.
P6B2P4
[REDACTED]

Dear Johnathan Kircal,

This letter is in regard to Application File #

A-8-19-Z .I strongly object to

the rezoning proposal at 22 MacDonald Ave for the following reasons;

1.PARKING CONGESTION AND INCREASED VEHICULAR TRAFFIC is a real concern.

Our Lady of Good Counsel Church regularly fills up MacDonald Ave over to Pim, and Gladstone Ave over to Bruce with overflow parking.Collegiate Heights staff and visitors line

Fauquier Ave and side streets with overflow parking. I do not think there is a capacity for the

increased parking and traffic flow that a 90 unit apartment building would produce!

2.CONSTRUCTION VIBRATION DAMAGING ROADWAYS AND HOMES. I am situated directly across from the proposed site. Like most of my neighbours in this historic neighbourhood, my house is over 100 years old. Stone foundations were not designed to

withstand the type of vibration and pounding from heavy construction equipment and drilling of

pilings that would result if this project was approved!

3. DAMAGE TO CITY FLOOD DIVERSION .The City spent a great deal of money on this project to improve our flood plain .I believe it would also be damaged due to extensive

construction on the site.

4.Why would City Council approve an 11-12 storey high rise after turning down a low rise

building that Chartwell proposed ? Has the unstable ravine site changed?

5. Finally, if the rezoning is approved by City Council, and this project goes ahead, I will

personally hire an Engineer, and a seismograph to thoroughly document any damages to my

home, and property and seek compensation from both the City and the builder.to repair

FW Application No A-8-19-Z

my home
and foundation.

6. WHY NOT DEVELOP ADDITIONAL SENIOR HOUSING in existing structures like The Windsor Park, and the General Hospital site currently vacant?

Thank you for your attention. I wish to be informed by mail of City Council's decision to adopt or

refuse the application for rezoning. Lynden Pond.

cc.Christian Provenzano, Luke Dufour, lisa Vezeau-Allen.

March 29, 2019

36 Hearst Street, City P6B1J7

Mr. J. Kircal,

99 Foster Drive

Sault Ste. Marie, On, P6A 5X6

Dear Mr. Kircal;

I am registering my opposition to the proposed rezoning application No.: A-8-19-Z.

My concerns are:

Environmental: The development would require a reduction of a relatively primal green space, one of the few left in the city.

Ambiance: Presently, people bought or continue to live in a quiet, small-family community. The proposal would significantly change the tone and scenic appearance of the area. During the presentation of March 6, there were many comparisons to Collegiate Heights. I recall that Chartwell changed its proposed design to one that would blend in more readily to the community of smaller, older homes. At the March meeting, the proposal was for eleven floors and eighty units. The current application proposes twelve floors with ninety units. What would the final facility be? Could it turn out to be bigger? The building will overshadow the entire area. There has been no effort to make the monstrosity become part of this Heritage community.

Congestion: The proposal cites the MacDonald address but the plan presented on March 6, indicates the entrance would be on Gladstone. When we leave our home,



we have the choice of turning onto Bruce Street or MacDonald, both of which are currently very busy intersections. Imagine what they will be like with an additional ninety to one hundred and eighty tenant vehicles and service vehicles.

Disruption: Last summer, the neighbourhood had a small sample of how disruptive the construction will be. For that time, the roads were closed or blocked by huge construction machines. Children and locals who were out walking were not free to enjoy their neighbourhood. There was talk of driving pylons, seeking bedrock. I can attest to the fact that the recent construction damaged the plaster in Heritage homes.

Financial: We had our home commercially painted and the contractor, who had worked in many areas of the city, commented that he hadn't realized that this quiet 'peace' of heaven existed in the center of the city. We have had people ask to buy our home because they wanted a quiet, neighbourhood near the city centre to live in and raise their children. The huge, precedent setting rezoning will irreparably change this perception of our neighbourhood with resulting devaluation of current properties. I say precedent-setting because there is that huge, vacant King George school lot which invites further high density development.

Queries: Was the recent work which the city undertook next to 3 Gladstone done to facilitate the proposed construction?

In the information distributed on March 6, there were several easements indicated. Has the city already guaranteed those easements? How would the cost of those easements be determined? Would that information be

public? Is there a way to appeal the sale of those easements? It was indicated that the easements would enhance the experience of future tenants but would greatly depreciate the aesthetic experience of existing residents.

Is there concrete data to indicate what the current vacancy rate in the city is? Would the availability of these units present financial hardships to current owners of apartment buildings in the city?

During the meeting on March 6, there were very many references and comparisons to Collegiate Heights and the Finnish Rest Home. I do not see anything in the rezoning proposal that indicates that it is a seniors' facility. Is there?

There has been so much discussion of modern fire fighting. Are there resources to deal with an emergency of this kind, if the tenants are all seniors, as proposed?

Timeliness: We do appreciate receiving the notice and the work of your office. Your information arrived during the March Break, when we were out of the city. Granted the Break is not an official holiday but it is a time when many people are out of the city and/or have families visiting so, we 'received' your letter on March 18 and were out of the city from March 20 to March 27. I would respectfully suggest that you work notifications around significant breaks with longer notice.

Respectfully submitted,



M. L. Harrison

Copies :

Jonathan Kircal

From: Julia Dufour [REDACTED]
Sent: Saturday, March 30, 2019 10:53 AM
To: Jonathan Kircal
Cc: Lisa Vezeau-Allen; Luke Dufour
Subject: Application #A-8-19-Z: Proposed Building on Gladstone/MacDonald

Dear Jonathan,

I wish to submit a written complaint on the proposed redevelopment on the corner of Gladstone and MacDonald. The proposed building is way too large for that area and the aesthetic is tacky and does not match with the surrounding neighbourhood.

I reside close to the site, and will walk around that neighbourhood frequently, which now has a lot of young couples/families living there. I believe that by putting in luxury apartments - with yet another unnecessary, massive parking lot - is a misuse of a great space that could be better suited for something else that would actually represent the inhabitants of the neighbourhood (i.e green space/outdoor garden/greenhouse park, multi-use playing field, etc). To be clear, I am not opposed to that space being redeveloped for living units, but 12-storeys is excessive.

Please consider this email as an indication of my interest in hearing the results of this proposal, and if you require any further information then feel free to contact me.

Kind regards,

Julia Dufour
Ward 2 resident

Jonathan Kircal

From: Art Osborne <[REDACTED]>
Sent: Saturday, March 30, 2019 3:43 PM
To: Jonathan Kircal
Subject: Objection to Planning Application A-8-19-Z

I've heard there is a proposal to construct a 13-storey, 90-unit building in my neighbourhood.

By this communication I'm advising of my objection to A-8-19-Z - the proposed development at 22 MacDonald - as a taxpayer, resident and owner of property at 65 Lansdowne Avenue, a few feet outside of what I understand to be the 400-foot minimum standards notification zone.

To the actual zoning change, in this instance it seems a huge leap to go from parks/recreation to high density residential. Particularly in a long established - 100-year plus - single family home area.

And, not informing those who will be impacted because of apparent adherence to a minimum standard of just a 400-foot radius is incomprehensible to me in this era of many communication platforms.

In my instance and that of others, I'm mere footsteps away from that arbitrary 400-foot line and one wonders what logic could be put forward that I and others who call the area 'their neighbourhood', shouldn't be involved/informed.

The archaic provincial requirement to use a 'daily newspaper' to advise of development is ineffective and discriminates against other media - which would be more effective in reaching citizens - and ensures municipal revenue is unfairly targetted to just one media business.

The notice process has excluded many who will be affected and as a result there's been little time to review, discuss material and do research, those beyond the minimum standards notice area are at a disadvantage, been penalized and compromised. It may well be others who will be affected will still not be aware of this proposal.

Unknowns regarding traffic pattern changes, potential effect on property values and possible impact of this development on other potential projects in the area (e.g. fire hall) I feel I have no choice but to object to the application at this time.

Had there been a more effective and inclusive notification process it would've saved the time and aggravation of many who are now scrambling to meet submission deadlines.

I've communicated 1) my concern about the minimum standards approach to neighbourhood advisories and 2) my objection to this application to my Ward 2 Councillors.

I've also given them my comments on some specifics of the planning report to Council and those are as follows:

(I received the planning report Friday and had to read it in between and during other, prior commitments, and so am not able to be more thorough.)

From the report these references and my comments:

'prominent fixture of the city's skyline'; 'Given the size of the development'

- it seems there is no difference in the notice area between building a single-family home and one of the city's largest construction projects in many years; (how many years has it been that the last building of this size/height/impact was constructed? That may help give context to just how significant this project is and suggest that a more inclusive notice/engagement effort be made.) It seems there should be some difference in the area notified related to the size and scope of the project
- while the project is described as 'prominent on the skyline' for two cities, some of those nearby living almost in the literal and figurative shadow of this major construction project are shut out of involvement

The neighbour meeting at "Lady of Good Council Church" (to be correct it is, 'Counsel') ... approximately 15 neighbours...

- a sign in list would allow a record of who attended and provide a precise number
- it would also provide record of where they were from and ensure they could accurately be described as neighbours
- of all those individuals in the minimum standard notice area, what percentage would approximately 15 represent?
- how many families does approximately 15 represent? (given partnered couples often attend, possibly with older children, could approximately 15 be as few as 6-10 families?)
- is that representative enough of the area? Should it be considered sufficient enough to present to influence Councillors?

'At the meeting, most neighbours seemed generally supportive...'

- the reference to 'most neighbours' should more accurately and clearly read, 'most of the 15 in attendance...'; but is that generalization even accurate?
- why would City staff put itself in a position to make such a subjective judgement?
- why wouldn't the question be asked to get a straw vote?
- better yet, why wouldn't slips of paper be distributed to allow a private submission of opinion and an accurate tabulation of results
- two people I spoke with who were at the meeting are in fact not in favour of the project

'building will not project above the existing forest canopy between Lansdowne Road and the proposed apartment tower..' (to be correct, it's Lansdowne Avenue)

- the forest canopy doesn't exist for more months than it is in place

'Mailing labels for all property owners within 120m (400') of the subject property were supplied to the applicants.'

A question of process - is it usual protocol that the developer conduct the mailing?! This in effect determines those who will be provided official notice and so shouldn't the City conduct the mailing to ensure it is done accurately, completely and on time? Shouldn't the City have/maintain a record of what was sent and when?

It seems the March break has also affected some who did get a notice in the minimum standards notification area and as a result some of those individuals had little time to consider it.

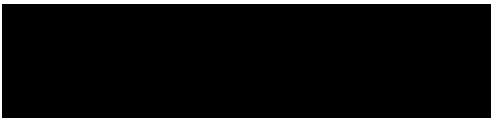
I don't believe the limited advisory efforts of this huge development are consistent with the intents of Shape the Sault and FutureSSM, which to my understanding are the strategic documents guiding our future as a community.

"We need to engage and involve the community as its vision is central..." Shape The Sault

"Through new and refocused infrastructure, and collaboration of private and public stakeholders..."
Future SSM.

Thank you for recording my objection and noting my other observations.

Art Osborne
Owner/resident
65 Lansdowne Avenue
Sault Ste. Marie, ON P6B1K5



Jonathan Kircal

From: trudy taylor [REDACTED]
Sent: Sunday, March 31, 2019 10:58 AM
To: Jonathan Kircal; Mayor Provenzano; Sandra Hollingsworth; Luke Dufour; Lisa Vezeau-Allen; Donna Hilsinger; Matthew Shoemaker; Paul Christian
Subject: Request to Refuse Approval to High Density Residential for (the old Sault Collegiate Football and Track Field on MacDonald and Gladstone Ave corner.

Dear Mr. Kircal

I have just seen articles on a proposal to change the zoning of the corner property on MacDonald Ave and Gladstone Ave, where the Collegiate Track used to be to a high density residential.

Has this property already been sold to these developers and how did that come about? I remember that there had been stipulations on how the property would be used when the School was closing but do not recall exactly what the stipulations were.

I request to Refuse the property change classification to High Density Residential. This area is a quiet neighbourhood.

We do not need a luxury senior's apartment building. What we do need is more low income housing for Seniors. A senior's park with solid pathways for the elderly, a Community Garden or even a Greenhouse idea might be a better thought for this piece of land.

In my opinion, the General Hospital site may be a better choice for a luxury building such as this.

Sincerely,

Mrs. Theresia Modritsch,
per Mrs. Trudy Taylor,
14 Laird Street
Sault Ste. Marie, ON, P6B 2R9

Jonathan Kircal

From: SEAN HALLIDAY [REDACTED]
Sent: Sunday, March 31, 2019 12:21 PM
To: Jonathan Kircal
Cc: Luke Dufour; Lisa Vezeau-Allen
Subject: Opposition to Proposed Rezoning Application A-8-19-Z

Importance: High

Dear Jonathan,

Please accept this email as confirmation of my strong opposition to the proposed rezoning of the property at the corner of Gladstone and MacDonald in order to facilitate the building of a 12 storey "luxury" apartment building.

While I am not opposed to development of this land in principle and recognize the need to evolve our housing stock to cater to our aging population and to support immigration goals, a building of this size and height is completely ill fitting with the surrounding neighbourhood. I have to wonder why an existing high rise building is not being retrofitted for this purpose, the former Windsor Park Hotel building or the old hospital for example?

In addition to the adverse effects on the ambience and appearance of the neighbourhood, I am also very concerned for the traffic implications if this building is constructed. This area is already very busy with lots of parked cars when worshipers attend the church on the opposite side to the proposed site.

Best regards,

Sean Halliday
19 Hearst Street
Sault Ste. Marie
P6B 1J6

March 31, 2019

**RE: 22 MacDonald Avenue
Application No. A-8-19-Z**

Mr. Jonathan Kircal
99 Foster Drive
Sault Ste. Marie, ON P6A 5X6
j.kircal@cityssm.on.ca

Dear Mr. Kircal:

My name is Tova Arbus; I reside at 94 Lansdowne Avenue, the large property directly across from the north/west corner of the designated property. The proposed building would be right across from me, easily visible from both my backyard and house windows.

I am writing to express my opposition to the proposed re-zoning and development of the property at 22 MacDonald Avenue, application number A-8-19-Z.

I did receive one notice in the mail on March 6, advising of the meeting on March 7; unfortunately, I was out of town on this date and without sufficient notice to change my plans, was not able to come to the meeting. The timing of the mail-out and meeting were further complicated by March Break, which meant many people were in a similar position as I was. I was further disappointed not to receive any other follow up or communication on the matter of this development, particularly since I have several concerns.

Having only recently moved to the neighbourhood, my husband and I were attracted by the quiet, established, family-centric neighbourhood, the privacy of the natural surroundings of the ravine, and the historical ambiance provided by this heritage neighbourhood. There are very few areas in the City which can boast both excellent walkability and access to all amenities and peaceful natural surroundings. We intend to live here for many years, raising our children, and enjoying all that this area has to offer.

Receiving word of the proposed build was troubling, to say the least. And the more I learned about it, the more I felt that this project is completely out of sync with the neighbourhood around it.

A 12-storey, 90 unit, "luxury" building with such a modern aesthetic would completely dominate the otherwise small, single-family homes around it. The design of the building does not fit at all with these lovely heritage homes.

There is a reason that R.2. is in place; “low- and high-density development should be **integrated and compatible** in density, height, and building setbacks. Generally, **high density development shall be restricted** to major arterial streets and areas abutting the downtown core.” And while the case is made in the report that MacDonald “accommodates relatively high traffic volume”, I would not call it a “major arterial street”. Nor would the proposed project be integrated or compatible with the surrounding heritage homes within the area.

The report states that “much of the surrounding development and parcel fabric is consistent with that of the downtown area”. However, when driving around the downtown, the neighbourhoods most comparable, to the eastern edge (Simpson/Leo/Upton area) do not accommodate high density builds of this nature within such close proximity to family homes. Nor, to my knowledge, are there any other examples of this kind of mixed-use development in a family-centric zone.

One of my biggest concerns is the proposed height of the building itself. A 12-storey building would loom over the tree line, creating issues of shadowing on the adjacent properties, and interference with privacy and therefore enjoyment of the resident’s private yards.

Although the report assures that “rear yard overlook and shadowing impacts remain important considerations”, it also presents grave contradictions, recognizing that the proposed 138’ building will be much taller than nearby buildings, and that it will be a prominent fixture of the city’s skyline. The report assumes that the tree canopy is 33’ tall; compared against 138’, this building would definitely be seen over the tree tops, particularly during the fall, winter, and early spring, when there are little to no leaves present to provide the necessary coverage. I can attest to the fact that, when I look out my back windows on either lower or upper floor, or simply stand anywhere in my yard, I can clearly see all of the lot next door. A building of this size would absolutely be seen clearly, and any residents living in the upper floors would be able to see just as clearly into my private residence and yard.

The other important area of concern for me is environmental. What precautions are in place to protect the surrounding ecosystem from 1.5+ years of construction, and such a drastic shift to the local environment? With the proposed build taking up most of the lot, it seems to come quite close to where the down-slope of the ravine starts. With talk from the developers of driving piles into bedrock, and the obvious structural requirements of such build of this height, what impact will this have on the stability of the slopes? Will work lights used during construction and the interior and exterior lighting of the finished project increase light pollution in this area? What assurances are in place that this would not disturb both the peaceful nature of the neighbourhood at night, nor the nocturnal creatures that call this area home?

With its current designation of “parks and rec” sadly underused, this property is considered a designated green space, and one of only a few that we have in this area. I am disappointed that

green spaces are not given more of a precedent in our city, and while I can agree that we do need housing, I stress the importance of recognizing and utilizing the green spaces we have left.

I am aware of others in the area who share my concern, many of whom were not given the opportunity (through notification) to attend the meeting, and in some cases, that this proposal was even in place. Attendance of only 15 people at the meeting, in my opinion, is not a good example of local sentiment regarding this project.

While I can very much appreciate that this type of development contributes to a thriving future for our city, I would ask for the following considerations:

1. An extension before approving or refusing this application, during which time more information could be circulated within the area during a time not impacted by challenging scheduling such as the March Break, and residents given a better chance to respond to this proposal.
2. Restricting the height of the building to something more reasonably in line with the surrounding neighbourhood, perhaps 5 or 6 stories.
3. Taking a page out of the Chartwell Collegiate Heights project and working to better integrate the design of the building to the rest of the heritage homes, and general aesthetic of the neighbourhood.
4. That no approval is granted until developers are able to show that environmental impacts will be at a minimum, and that all long-term impacts have also been considered and precautions put in place.

Respectfully submitted,



Tova Arbus
94 Lansdowne Avenue
Sault Ste. Marie, ON P6B 1K7
[REDACTED]

Erik Petersen

94 Lansdowne Ave
Sault Ste Marie, ON P6B 1K7

1st April 2019

Jonathan Kircal

99 Foster Drive
Sault Ste Marie, ON P6A 5X6
j.kircal@cityssm.on.ca

Dear Mr. Kircal

My name is Erik Petersen and I reside at 94 Lansdowne Ave, the property on the other side of the ravine from the proposed development. I am writing to express my opposition to the rezoning and development of the property at 22 MacDonald Avenue, application no. A-8-19-Z.

In a world of constant development, we are quickly losing what green spaces we have left. This green space, while currently undeveloped, lends itself well to its current zoning given its proximity to a ravine and small forest with its own unique and mature ecosystem. Bruce Park, the only other designated green space in the immediate area, is miniscule in comparison. The next closest green spaces are Hamilton Park (smaller than Bruce Park) at 0.5km, followed by Moffley Park and Penhorwood Park, both approximately 1.2km away. For families with children, public green spaces within walkable distances are a vital part of outdoor play. Rezoning this green space would further take away from an already dwindling amount of land meant for use as "Parks and Recreation". Numerous studies have shown negative associations between green spaces and mortality, heart rate, and violence, and positive association with attention, mood, and physical activity. Green spaces are important to the well-being of our community and our growth, and this is one of the *very last undeveloped green spaces* in the area. I am worried that this is not being given its proper due in terms of importance, and that is why I am incensed to have my voice heard.

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

A-but - (of an area of land or a building) be next to or have a common boundary with.

It is clearly not the case that this development is abutting the downtown core. This proposed development is not next to, nor does it share a common boundary with the downtown core. If it were abutting the downtown core, it would not be on top of the hill and located in an established residential area. This area is also *not* well-known for its major arterial streets. In fact, the vast majority of similar developments find themselves on roads which meet one of the following conditions,

- A. one lane of traffic in both directions with a dedicated turning lane or,
- B. multi-lane road (in one or both directions).

MacDonald is neither. So both recommendations in R.2 appear to be in violation. Reflecting on why these recommendations exist, it is not hard to understand why. A 12-storey luxury development is not compatible with the existing heritage homes that make up the surrounding area. In fact, the largest building in the area is the retirement home which only stands at a modest three-stories. This proposed development would be 400% larger. What sense is there in disrupting a settled, residential area, made up of historic and heritage homes with a massive building that does not fit the aesthetic of the area in any way?

My property is directly on the other side of the ravine. The trees on my property, at the top of the ravine, are no larger than 30'. This proposed development clocks in at 140'. It will extend over the treeline by quite a bit. At approximately 100 metres away from the proposed building site, 2-3 floors will have a view directly onto my property and into my windows. In the winter, when the foliage is sparse, many more floors will also have the same view. As someone who recently moved to the area with a family that I'm planning on raising here in the decade to come, this is concerning. I also have concerns with added lighting that usually comes from "luxury" developments such as this. Would it light up my bedroom at night (especially in the winter)? What effect will there be on the nocturnal mammals that depend on the ecosystem of the ravine? Will the shadows cast by such a large building affect the growth of vegetation in my own yard? When a large truck goes down our road, the windows rattle - what effect will a major construction project

have on our home itself, from the windows to the plaster on the walls? It has been reported by residents in the neighbourhood that recent construction projects *have* damaged the plaster in their homes. What about the fact that this is the last undeveloped piece of land that was owned and used by the very first high school (Sault Collegiate Institute) in the Sault. Erected in 1907 and used for many decades with notable graduates such as artist Ken Danby, Governor General David Johnston and his wife Sharon, author Morley Torgov and the NHL player Gene Ubriaco. What is the value of the historic significance this land represents to our community? Furthermore, what need is there for additional housing at the luxury level when the most recent luxury development (Riverwalk) still has vacancies? There is certainly demand for both affordable and elderly housing in our city but do we really need more luxury housing?

I speak out today in hopes of both representing the values of my family as well as that of my community. I am worried that we are being blinded by the prospect of a fancy 12-storey housing development, without thinking about the actual demands or the well-being of the residents of this community.

Sincerely,

Erik Petersen

35 Lansdowne Ave.

Sault Ste. Marie, ON P6B 1K4

Mr. J. Kircal,

99 Foster Drive

Sault Ste. Marie, On, P6A 5X6

Dear Mr. Kircal;

We are registering our opposition to the proposed rezoning application No.: A-8-19-Z.

Our concerns are: Environmental: The development would require a reduction of a relatively primal green space, one of the few left in the city.

Ambiance: Presently, people bought or continue to live in a quiet, small-family community. The proposal would significantly change the tone and scenic appearance of the area. During the presentation of March 7, there were many comparisons to Collegiate Heights. I recall that Chartwell changed its proposed design to one that would blend in more readily to the community of smaller, older homes. At the March meeting, the proposal was for eleven floors and eighty units. The current application proposes twelve floors with ninety units. What would the final facility be? Could it turn out to be bigger? The building will overshadow the entire area. There has been no effort to make the monstrosity become part of this Heritage community.

Congestion: The proposal cites the MacDonald address but the plan presented on March 7, indicates the entrance would be on Gladstone. When we leave our home, we have the choice of turning onto Bruce Street or MacDonald, both of which are currently very busy intersections. Imagine what they will be like with an additional ninety to one hundred and eighty tenant vehicles and service vehicles.

Disruption: Last summer, the neighbourhood had a small sample of how disruptive the construction will be. For that time, the roads were closed or blocked by huge construction machines. Children and locals who were out walking were not free to enjoy their neighbourhood. There was talk of driving pylons, seeking

bedrock. I can attest to the fact that the recent construction damaged the plaster in Heritage homes.

Financial: We have had several visitors to our home who commented that they hadn't realized that this quiet 'peace' of heaven existed in the center of the city. We have had people ask to buy our home because they wanted a quiet, neighbourhood near the city centre to live in and raise their children. The huge, precedent- setting rezoning will irreparably change this perception of our neighbourhood with resulting devaluation of current properties. I say precedent-setting because there is that huge, vacant King George school lot which invites further high-density development.

Queries: Was the recent work which the city undertook next to 3 Gladstone done to facilitate the proposed construction? If not, why was it done? Who paid for it?

In the information distributed on March 6, there were several easements indicated. Has the city already guaranteed those easements to the developer? How would the cost of those easements be determined? Would that information be public? Is there a way to appeal the sale of those easements? Is the sale of those easements open to any resident of the city? It was indicated that the easements would enhance the experience of future tenants but would greatly depreciate the aesthetic experience of existing residents.

Is there concrete data to indicate what the current vacancy rate in the city is? Would the availability of the Gladstone Monstrosity units present financial hardships to current owners of apartment buildings in the city?

During the meeting on March 6, there were very many references and comparisons to Collegiate Heights and the Finnish Rest Home. I do not see anything in the rezoning proposal that indicates that it is a seniors' facility. Is there? Will the building meet the standards for seniors' residences?

There has been so much discussion of modern fire fighting. Are there resources to deal with an emergency of this kind, if the tenants are all seniors, as proposed?

Timeliness: We did not receive the notice which other neighbours did. While we appreciate the work of your office, we feel that when such a significant structure which will devalue the neighbourhood is proposed, a broader segment of the community needs to be consulted. Your information arrived during the March Break, when many were out of the city or involved in non-routine activities. Granted the Break is not an official holiday but many neighbours who 'received' your letter would not have been able to focus on it until the eighteenth or later. I would respectfully suggest that you work notifications around significant breaks to provide much more timely notice.

Respectfully submitted,

Michel J. Cardinal
Gloria M. Cardinal

Richard O'Neil
128 Lansdowne Ave

March 31 2019

Mr. J. Kircal,

99 Foster Drive

Sault Ste. Marie, On, P6A 5X6

Dear Mr. Kircal;

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During the meeting on March 6, there were very many references and comparisons to Collegiate Heights and the Finnish Rest Home. I do not see anything in the rezoning proposal that indicates that it is a seniors' facility. Is there? Will the building meet the standards for seniors' residences?

There has been so much discussion of modern fire fighting. Are there resources to deal with an emergency of this kind, if the tenants are all seniors, as proposed?

Timeliness: We did not receive the notice which other neighbours did. While we appreciate the work of your office, we feel that when such a significant structure which will devalue the neighbourhood is proposed, a broader segment of the community needs to be consulted. Your information arrived during the March Break, when many were out of the city or involved in non-routine activities. Granted the Break is not an official holiday but many neighbours who 'received' your letter would not have been able to focus on it until the eighteenth or later. I would respectfully suggest that you work notifications around significant breaks to provide much more timely notice.

Respectfully submitted,

Copies:

Subject: FW: A-8-19-Z Rezoning 22 Macdonald ave.

From: Lynden Pond

Sent: Monday, April 1, 2019 12:04 PM

To: Peter Tonazzo <p.tonazzo@cityssm.on.ca>; Luke Dufour <l.dufour@cityssm.on.ca>; Lisa Vezeau-Allen <l.vezeauallen@cityssm.on.ca>; mlbhuke@gmail.com; Carlo Provenzano <c.provenzano@cityssm.on.ca>

Subject: Re: A-8-19-Z Rezoning 22 Macdonald ave.

Lynden Pond
100 Fauquier Ave.
Sault Ste. Marie
P6B2P4
705-949-1057

Having had a chance to look over the council report by Peter Tonazzo, I'd like to address some areas of concern specific to the report .

Pg. 2." R.2 states that high density housing be limited to major arterial streets and areas abutting downtown " Macdonald is not a major arterial St., and although it is easy to access downtown area, it is not "downtown" but a quiet neighborhood of two and three storey older homes.

Pg.2 " significant forest corridors...shall be preserved and enhanced"

Will the developer assure that none of the mature trees in the hill and ravine area be impacted by construction?

Pg.3." The ravine is an important drainage course for areas north and east of the property"

The city of SSM spent 5 million to develop and enhance our storm drainage system.Will vibration caused by sinking deep pylons possibly damage the recent work done by the city?

Pg.3. PPS "puts a strong emphasis on affordable housing".

This project is not the affordable housing our city seniors need!

Pg.4. " the 12 story building will be a prominent fixture of the city's sky line" "Utilizing 4 distinct facade treatments "

The proposed design is " brutalist " style of architecture that is out of place, some would say an" eyesore", in a historically traditional neighborhood. The colours and design seem to bear no relation to the natural beauty of the treed area of the ravine. This style of building is more suitable to the downtown area or waterfront.

Pg. 5. " pedestrian access is proposed to Macdonald Ave"

It is actually perilous for people trying to cross Macdonald at Gladstone or Fauquier Ave due to speeding and heavy traffic. I have witnessed several close calls particularly with seniors trying to cross the street !

Pg. 5. " A geotechnical study....to ensure slope stability and stormwater management....long term erosion control measures"

Again, my worries about the newly constructed storm/flood plain. Where will the snow cleared from a large parking lot be put?

Pg. 5. " Puc Inc have no objections.....water infrastructure appears to be adequate"

There were 3 incidents of watermain breakage and sewer line collapse last summer at 100 Fauquier Ave (my house) and at 92 Fauquier Ave. (2 doors down) I endured 4 days with no sewer service ! Puc will be able to verify the antiquated water and sewer lines (have been patched numerous times) that run from the middle of Fauquier Ave to my house at the end of the street. I'm assuming that tying into these lines would need a total overhaul on Fauquier Ave.

Pg.6." Tulloch's sightline analysis was for 12 stories.....will not project above the existing forest canopy on Landsdowne Rd."

A building 138' high will dwarf 35' trees and ruin the views of neighbors to the North, Landsdowne, the south, Fauquier Ave and Ferris, and upper Macdonald Ave, and to the east Our Lady of Good Counsel and Gladstone Ave.

Pg. 8. RECOMMENDATION

Additional recommendations I'd suggest if this project is approved.

1. That the builder have adequate insurance to cover damage claims by local residents.
2. That the builder developer set aside a portion of funding to draw upon for repair claims resulting from construction vibration.
3. That the builder not alter the position or location of the building and its structures in any way according to the plans submitted.

Thank you for your time and consideration. Lynden Pond.

Jonathan Kircal
City Hall
Sault Ste. Marie, ON
j.kircal@cityssm.on.ca

April 1st, 2019

Nicole Gajda
28 Summit. Ave
Sault Ste. Marie, ON
P6B 2S6

Regarding Application file #: A-8-19-Z

Dear Mr. Kircal;

I do not agree with this proposed development in our neighbourhood. I will outline my points and give a brief explanation as to how I arrived at this decision.

- This building does not fit into the surrounding landscape
- This will increase vehicular traffic
- This building will take away valuable green space
- This development seems to be against the city's own plan for development of this Ward
- Personally I think the city needs to do something about the development / nondevelopment of the old hospital site before entertaining any idea to develop this site.

As a resident of Ward 2 and immediate neighbour to this site, the proposed building will be an eyesore in the neighbourhood. Plus I thought we were considered a heritage neighbourhood and a major reason for the designation is to prevent this type of development.

This building is being promoted as modern, but have you seen any work done by the architect Zaha Hadid, she is modern. This proposed building is a oversized rectangle with a large parking lot dominating the front of the lot. There is nothing progressive or modern about this building.

As you are aware, SSM is a car city and we do not need to give citizens another reason to drive their vehicles. As a city we should be promoting walking and living in neighbourhoods where you can walk to shopping, entertainment, public spaces and the like. This site will only increase traffic and with that pollution and accidents.

In our neighbourhood we do not have a park near. Many residence use this lot as a park. As you are aware, Climate Change is a real issue and the city of Sault Ste. Marie should be working extremely hard to maintain green spaces and make this city less car dependant. This development is going in the complete opposite direction.

Sincerely, Nicole Gajda

Sofia A. Silberberg-Pochtaruk
64 Borron Ave
Sault Ste Marie, ON
P6B 1E6

Mr. Jonathan Kircal
99 Foster Drive
Sault Ste. Marie, ON
P6A 5X6
j.kircal@cityssm.on.ca

Dear Mr. Kircal:

I am writing to express my opposition to the approval of the proposed re-zoning and development of the property at 22 MacDonald Avenue, application number A-8-19-Z,

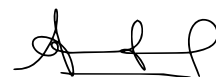
I received notice about the application for re-zoning and development meeting that will take place today at City Council through social media. My property was not included in the coverage area for the mailed notices and I do not subscribe to any print news media. My property is at two city blocks distance from the proposed site. I understand that this is within the parameters provided by Provincial Law, however given the dimensions of the project and the overall impact that such building would have in the neighbourhood it would have been important to widen the area of catchment to provide everyone who would be affected with enough time to give feedback about it.

There are several reasons why I feel that this development is not in the neighbourhood's best interest. Most of them are personal opinions, which while important could be debated, so for the sake of brevity the reason I will expose in this letter is factual.

My main area of concern is the length of the shadow that such a building would project, especially during the winter months. There are no figures or representations on the renderings provided that account for the change in shadow length throughout the year. This is fundamental to evaluate the impact of the proposed building on neighbouring properties. The location proposed is in very close proximity to several homes to the north of it and those shadows would severely impact the quality of life of the residents. Since the report excludes such an important analysis, it leaves me to wonder what other variables may have been disregarded in the analyses for light pollution, traffic impact, sound pollution related to increased traffic, environmental impacts, privacy concerns, etc.

Given those imprecisions I respectfully request your office to delay the consideration for approval until a more thorough report, containing all pertinent information is presented. In that way our representatives will be able to vote with the assurance that they will be making a decision with all variables thoroughly considered.

Thank you for your attention. Respectfully



Sofia A Silberberg Pochtaruk



**The Corporation of the
City of Sault Ste. Marie**

COUNCIL REPORT

April 1, 2019

TO: Mayor Christian Provenzano and Members of City Council

AUTHORS: Peter Tonazzo, RPP, Senior Planner
Patrick Lo, Planning Intern

DEPARTMENT: Community Development and Enterprise Services

RE: A-9-19-Z.OP Second Units

PURPOSE

The purpose of this report is to recommend an amendment to the City's Official Plan and a concurrent amendment to the Zoning By-law to authorize and regulate "second units", in response to Provincial direction for municipalities to permit secondary residential units.

Details of the recommended amendments to the Official Plan and Zoning By-law 2005-150 are attached as Appendix A and Appendix B to this report.

Please note that as per Sections 17 (24.1, 36.1) and 34 (19.1) of the Planning Act, because this application relates to second unit policies, no person or party other than the Minister of Municipal Affairs and Housing may appeal Council's decision on this application, including in respect of any requirements or standards that are part of the amendments.

BACKGROUND

Second units are self-contained accessory residential units built within dwellings, built as part of accessory structures such as garages, or built as standalone accessory structures. Basement apartments, second floor apartments, garage suites and coach houses are all examples of second units.

In 2011, the Ontario government passed the Strong Communities through Affordable Housing Act, which made amendments to the Planning Act that require all municipalities in Ontario to authorize second units. It is recognized by the Province that second units increase the supply and range of affordable rental housing, represent opportunities for homeowners to earn additional income, and support Ontario's aging population by adding housing options for elderly parents

and family members as well as live-in caregivers - thereby allowing residents to stay within their communities and "age in place".

As per the Planning Act, second units are to be allowed within single detached, semi-detached and townhouse dwellings, as well as within an accessory building located on the same lot as the above noted dwelling types, to a maximum of 1 second unit per lot.

In addition, from discussions with Ministry of Municipal Affairs & Housing staff, it is understood that the intent of the Provincial legislation is to allow second units in both urban and rural areas of municipalities.

While a second unit can be in the form of a standalone accessory building, it is different from a "garden suite" in that, as described by the Planning Act, a garden suite is designed to be portable and each garden suite is individually authorized for a period of time not longer than 20 years.

Although the Province has provided explicit requirements on certain basic aspects of second units, such as the types of dwellings in which second units must be permitted, it is understood that municipalities are free to implement additional regulations so long as they do not unreasonably restrict the creation of second units. Planning staff have conducted a comparative review of second unit regulations in various Ontario municipalities - a table summary of this review is attached to this report as Appendix C. The proposed policies and regulations are generally consistent with those of the compared municipalities.

Since 2012, Planning staff has processed 13 rezoning applications that requested permission to have a second unit on an urban Single Detached Residential lot (R2 zone). Almost all of these applications were for permission to create a basement apartment within a single detached house, essentially converting the single detached house into a duplex. Residential buildings with two dwelling units - duplexes and semi-detached dwellings - are already permitted in many urban areas of Sault Ste. Marie (R3 and R4 zones).

If the recommended Official Plan and Zoning By-law amendments are approved, homeowners will be able to apply directly for a building permit to construct a second unit, provided that the second unit complies with the proposed policies and regulations.

ANALYSIS

Overview of proposed policies and regulations

1. Permitted primary dwelling types

Second units shall be permitted as an accessory use on lots with single detached, semi-detached and multiple attached (townhouse) dwellings.

2. Permitted areas

Second units shall be permitted in both urban and rural areas, on land zoned for either residential or rural uses.

3. Permitted in main and accessory buildings

Second units shall be permitted within a primary dwelling, as part of an accessory building such as a garage and as a standalone accessory building.

4. Maximum number per lot

A maximum of 1 second unit shall be permitted per lot.

5. Second unit size

A second unit shall be subordinate in nature to the primary dwelling located on the lot, with an additional maximum gross floor area limit for second units that are located in accessory buildings.

6. Parking requirements

A second unit will have reduced parking requirements compared to the primary dwelling, especially in the Downtown.

7. Building regulations

Exterior alterations undertaken to construct a second unit shall be consistent with the existing character of the surrounding neighbourhood. This relates to regulations such as building height, setback distances and lot coverage. In addition, second units shall not be permitted on existing lots that lack the required lot frontage or lot area, with the exception of lots in the Downtown.

8. Development constraints

Development constraints applicable to any residential use, such as environmental protections and hazards, shall apply to second units.

9. Servicing requirements - water and sewer

Second units shall be appropriately serviced with either municipal services or private on-site services.

10. Construction requirements

Second units shall meet all applicable Building Code, Fire Code, Electrical Safety Code, Sault Ste. Marie PUC and Algoma Public Health standards.

Conformity with the Provincial Policy Statement, 2014

The Provincial Policy Statement (PPS), 2014 states that municipalities should permit and facilitate all forms of residential intensification, including second units, as well as accommodate an appropriate mix and range of residential uses to create healthy and liveable communities. Furthermore, the Provincial Policy Statement states that municipalities should establish development standards that minimize the cost of housing, facilitate compact form and maintain appropriate levels of public health and safety. The proposed second unit policies and regulations act upon these Provincial Policy Statement guidelines.

Conformity with the Growth Plan for Northern Ontario, 2011

The Growth Plan for Northern Ontario (GPNO), 2011 identifies Sault Ste. Marie as one of five Northern Ontario municipalities containing strategic core areas, and states that these municipalities should support intensification of their core areas, including through the promotion of infill residential development. Permitting and encouraging second units in central areas of Sault Ste. Marie such as the Downtown aligns with the Growth Plan for Northern Ontario.

Consultation

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

- No comments/concerns/objections: Legal, Engineering, Public Works, Community Development and Enterprise Services, Economic Development Corporation, Fire Services, PUC, Municipal Heritage Committee, Accessibility Advisory Committee, Ministry of Municipal Affairs & Housing, Ontario Power Generation.
- Please see attached comments from Building Division and Sault Ste. Marie Region Conservation Authority.

Building Division commented that a building permit application will be required to create or construct a second unit. Building Division also noted that if a property is served by a private septic system, a performance level review will be required through Algoma Public Health to confirm the septic system has the necessary extra capacity for the new secondary dwelling unit. The proposed second unit policies are explicit in that any second unit must meet all applicable Building Code, Fire Code and Algoma Public Health standards.

Sault Ste. Marie Region Conservation Authority commented that while this Planning application is not specifically located in an area under the Conservation Authority's jurisdiction in relation to wetlands, shorelines and watercourses, any development regarding a second unit will require a site specific plan review and may require a Conservation Authority permit. As stated in the proposed second

unit policies, development constraints such as environmental protections and hazards that apply to any residential use will likewise apply to second units.

The public consultation process for this application consisted of the following:

- 2018 September 19: A public open house held at Sault College on the topic of housing, as part of the Planning Division's ongoing "Shape the Sault" New Official Plan project, where the concept of second units was explained and preliminary ideas for second unit policies were introduced.
 - 48 participants attended this open house.
- Since mid-February 2019: A webpage containing information about the City's proposed second unit policies and regulations has been set up on the Planning Division's www.shapethesault.ca public engagement portal.
- 2019 February 20 to 26: Advertisement published on local online media (SooToday.com) which directed visitors to the Planning Division's webpage on second units and invited the public to attend the open house on February 26.
 - 298 advertisement clicks were recorded.
- 2019 February 26: A public open house held at Elim Pentecostal Tabernacle specifically on the topic of second units, hosted jointly by the Planning Division and the Building Division, where proposed policies and regulations for second units were presented to the public.
 - 21 participants attended this open house.
- 2019 March 9: Public notice published in local daily newspaper (Sault Star) advertising the application for this Official Plan Amendment and Zoning By-law Amendment.

Based on the public outreach Planning staff have conducted to date, stakeholders have generally expressed the following:

- General support for the concept of second units, especially in regards to the possibility of second units contributing to more affordable rental options, as well as the idea that permitting second units can make it easier for homeowners to have their parents live in with them.
- Support for applying the same environmental protections and constraints to second units as with other residential uses.
- It was noted that more public knowledge about second units is needed.
- What does it mean that there are no appeals regarding second units?
 - As per the Planning Act, no person or party (other than the Minister of Municipal Affairs and Housing) may appeal comprehensive policies and regulations on second units once they are approved by Council. But, in the future, if construction of a second unit on a specific property requires rezoning or minor variance, the decisions on those applications can be appealed.

- Concern that prohibiting second units on existing lots that lack required lot frontage or lot area would impact many lots in the Downtown.
 - An exception for lots located in the Downtown has been added to this proposed regulation.
- Concern that the proposed maximum height regulation for second units as part of accessory buildings (e.g. garage suites) is not high enough.
 - The intent of the proposed regulations is to ensure second units are consistent with the existing character of their surrounding neighbourhoods. The maximum height currently permitted for accessory garage buildings is 6.0m in Residential zones and 8.0m in the Rural Area zone, and the proposed regulations apply these same maximums to second units as part of accessory buildings.
- Concern about illegal conversions and unsafe units, especially for more vulnerable persons such as students and people with low income.
 - Under the proposed policies, a building permit will still be required prior to the construction of a second unit, meaning that all applicable codes and health & safety standards must be met.
- Concern about noise, garbage and other property standards matters.
 - These are primarily enforcement issues beyond the scope of this Planning application.

FINANCIAL IMPLICATIONS

Approval of this application will not impact municipal finances.

STRATEGIC PLAN / POLICY IMPACT

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

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Senior Planner dated 2019 04 01 concerning application A-9-19-Z.OP be received, and that Council approves both Official Plan Amendment No. 223 as attached and the amendment to Zoning By-law 2005-150 as attached.

Respectfully submitted,



Peter Tonazzo, RPP
Senior Planner
705.759.2780
p.tonazzo@cityssm.on.ca

AMENDMENT NO. 223
TO THE
CITY OF SAULT STE. MARIE OFFICIAL PLAN

PURPOSE:

This Amendment contains amendments to the text of the Official Plan to authorize second units in Sault Ste. Marie. This is in response to the requirements of the Planning Act, 1990 and the Strong Communities through Affordable Housing Act, 2011, which require all municipalities in Ontario to permit second units.

LOCATION:

The proposed changes to the Official Plan apply to the entirety of the City of Sault Ste. Marie.

BASIS:

In 2011, the Ontario government passed the Strong Communities through Affordable Housing Act, which made amendments to the Planning Act that require all municipalities in Ontario to authorize second residential units. As per the Planning Act, second units are to be allowed within single detached, semi-detached and multiple attached (townhouse) dwellings, as well as within an accessory building located on the same lot as the above noted dwelling types, to a maximum of 1 second unit per lot.

AMENDMENT DETAILS:

- a) Under PART VI - PHYSICAL DEVELOPMENT - BUILT ENVIRONMENT, within Section 2.3 Land Use, the following is added as a new Section 2.3.8:

2.3.8 Second Units

Introduction

Second units are self-contained accessory residential units built within dwellings, built as part of accessory structures such as garages, or built as standalone accessory structures. Basement apartments, second floor apartments, garage suites and coach houses are all examples of second units.

The intent of the policies in this section is to authorize second units in the City of Sault Ste. Marie and to provide a framework for regulating second units in a manner that ensures they are developed appropriately and compatibly with the City's built and natural environment.

Policies

- SU.1 Second units shall be permitted on lots with single detached, semi-detached and multiple attached (townhouse) dwelling units.
- SU.2 Second units shall be permitted in both urban and rural areas.
- SU.3 Second units shall be permitted within the main building (the primary dwelling unit), as part of an accessory building (such as a garage) and as a standalone accessory building.
- SU.4 A maximum of 1 second unit shall be permitted per lot.
- SU.5 A second unit shall be subordinate in nature to the primary dwelling unit upon the lot.
- SU.6 Reduced parking requirements for second units, especially in the Downtown, shall be supported.
- SU.7 Exterior alterations undertaken to construct a second unit shall be consistent with the existing character of the surrounding neighbourhood.
- SU.8 Development constraints applicable to any residential use, such as environmental protections and hazards, shall apply to second units.
- SU.9 Second units shall be appropriately serviced with either municipal services or private on-site services.
- SU.10 Second units shall meet all applicable Building Code, Fire Code, Electrical Safety Code, Sault Ste. Marie PUC and Algoma Public Health standards.

INTERPRETATION:

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

AMENDMENT TO
ZONING BY-LAW 2005-150

AMENDMENT DETAILS:

- a) The following is added into Section 1.1 *ACCESSORY USES* as a new Section 1.1.8:

1.1.8 *ACCESSORY USE: SECOND UNIT*

A dwelling unit built within a single detached dwelling, semi-detached dwelling or multiple attached dwelling, as part of an accessory building such as a garage, or as a standalone accessory building. Basement apartments, second floor apartments, garage suites and coach houses are all examples of accessory use second units. An accessory use second unit is subordinate to and intended only as an accessory use to the primary dwelling unit located on the same lot. Refer to Section 4.15 for regulations.

- b) Section 4.14.5 BUILDING ON WATERFRONT PROPERTIES is replaced by the following:

4.14.5 BUILDING ON WATERFRONT PROPERTIES

- A. Openings to any building, other than an accessory building not containing an *accessory use second unit*, along the lower St. Mary's River shall not be located below **178.6m** Canadian Geodetic Datum.
- B. Openings to any building, other than an accessory building not containing an *accessory use second unit*, along the Upper St. Mary's River shall not be located below **184.7m** Canadian Geodetic Datum.

- c) Section 5.7 MINIMUM PARKING REQUIREMENTS FOR ALL PERMITTED USES is amended as follows:

- i) The row titled "Residential Uses" is amended such that the result is as follows (the headers are provided here for convenience only):

Permitted Uses	Required Parking	Required Parking in <i>The downtown</i>
Residential Uses (Excluding Multiple Attached Dwellings and Accessory Use Second Units)	1.25 spaces / Dwelling Unit	

- ii) A new row is added below the row titled "Multiple Attached Dwellings" as follows (the headers are provided here for convenience only):

Permitted Uses	Required Parking	Required Parking in <i>The downtown</i>
Accessory Use Second Units	1 space / <i>Accessory use second unit</i>	None required

- d) Section 8.5.1, which contains the permitted uses list for the RURAL AREA ZONE (RA), is amended by adding the following item below "*Accessory uses*":

Accessory use second units - Refer to Section 4.15 for additional regulations.

- e) Section 9.5.1, which contains the permitted uses list for the ESTATE RESIDENTIAL ZONE (R1), is amended by adding the following item to the top of the list:

Accessory use second units - Refer to Section 4.15 for additional regulations.

- f) Section 9.6.1, which contains the permitted uses list for the SINGLE DETACHED RESIDENTIAL ZONE (R2), is amended by adding the following item to the top of the list:

Accessory use second units - Refer to Section 4.15 for additional regulations.

- g) Section 9.7.1, which contains the permitted uses list for the LOW DENSITY RESIDENTIAL ZONE (R3), is amended by adding the following item to the top of the list:

Accessory use second units - Refer to Section 4.15 for additional regulations.

- h) Section 9.8.1, which contains the permitted uses list for the MEDIUM DENSITY RESIDENTIAL ZONE (R4), is amended by adding the following item to the top of the list:

Accessory use second units - Refer to Section 4.15 for additional regulations.

- i) Section 9.9.1, which contains the permitted uses list for the HIGH DENSITY RESIDENTIAL ZONE (R5), is amended by adding the following item to the top of the list:

Accessory use second units - Refer to Section 4.15 for additional regulations.

- j) The following is added as a new Section 4.15:

4.15 REGULATIONS FOR ACCESSORY USE SECOND UNITS

Notwithstanding any other regulations in this By-law, the regulations in this Section shall apply to all buildings, *structures* and *lots* containing *accessory use second units*.

4.15.1 PERMITTED PRIMARY USES

An accessory use second unit shall be permitted only as an accessory use to a single detached dwelling, semi-detached dwelling or multiple attached dwelling.

4.15.2 PERMITTED ZONES

An accessory use second unit shall be permitted only on land located in a zone where accessory use second units is explicitly listed as a permitted use.

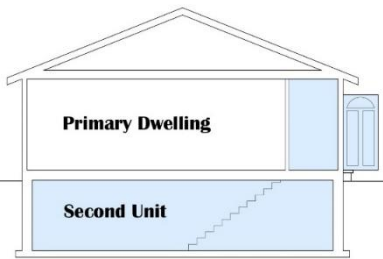
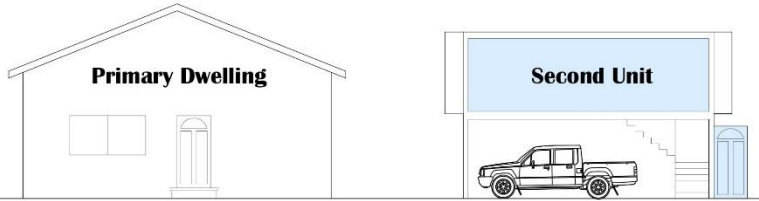
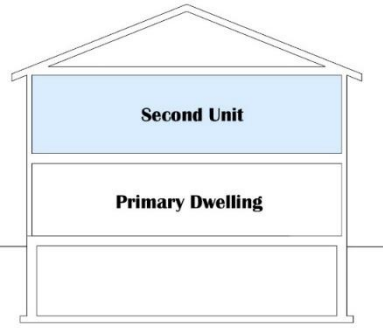
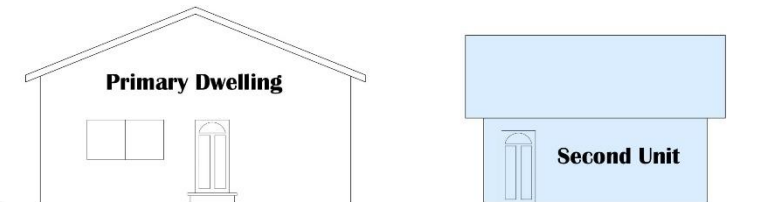
4.15.3 MAXIMUM NUMBER PER LOT

A maximum of 1 accessory use second unit shall be permitted per lot.

4.15.4 PERMITTED BUILDINGS

An accessory use second unit shall be permitted to be located within the main (primary dwelling unit) building, as part of an accessory building, or as a standalone accessory building. An accessory use second unit shall not be located in an accessory building designed as a shared garage or carport between two abutting residential lots, as described in Section 9.1.6.

Table 11.1 : Illustration of Examples of Accessory Use Second Units

Examples of Accessory Use Second Units	
Basement Apartment (Within/Joined to Main Building) 	Garage Suite (Part of an Accessory Building) 
Second Floor Apartment (Within/Joined to Main Building) 	Coach House (Standalone Accessory Building) 
Note: Illustration only. Not all types represented.	

4.15.5 PARKING

4.15.5.1 MINIMUM PARKING REQUIREMENT

1 parking space shall be required for each *accessory use second unit*, with the exception of an *accessory use second unit* on a lot located in the *downtown*.

4.15.5.2 STACKED PARKING SPACES

Required parking for *accessory use second units* may be in the form of *stacked parking spaces*.

4.15.5.3 PERMITTED PARKING SPACE LOCATION

Required parking for *accessory use second units* shall not be located in a *required front yard*.

4.15.6 BUILDING REGULATIONS FOR DIFFERENT TYPES OF ACCESSORY USE SECOND UNITS

	Maximum Building Height	Required Minimum Setback Distances	Maximum Accessory Use Second Unit Size (Gross Floor Area of living space)	Required Lot Frontage and Area, and Maximum Lot Coverage
Within or joined to Main Building	Same as for <u>main</u> building - specific height dependent on zoning.	Same as for <u>main</u> building - specific distances dependent on zoning.	Not larger in <i>gross floor area</i> than the <i>dwelling unit</i> that is the <i>lot's</i> primary use.	Same as for <u>main</u> building - specific requirements dependent on zoning.
As part of an Accessory Building	8.0m in <u>Rural Area (RA)</u> zone. 6.0m in all other zones.	Same as for <u>accessory</u> buildings - specific distances dependent on zoning - to a minimum of: 1.2m for 1 <i>storey</i> building. 1.8m for 2 <i>storey</i> building.	Not larger in <i>gross floor area</i> than the <i>dwelling unit</i> that is the <i>lot's</i> primary use, to a maximum of: 90m ² (969ft ²) in the <u>Estate Residential (R1)</u> and <u>Rural Area (RA)</u> zones.	
As a standalone Accessory Building	1 <i>storey</i>	Same as for <u>accessory</u> buildings - specific distances dependent on zoning - to a minimum of 1.2m.	75m ² (807ft ²) in all other zones.	

4.15.7 NON-CONFORMING LOTS, BUILDINGS AND STRUCTURES

4.15.7.1 EXISTING NON-CONFORMING LOTS

Accessory use second units shall not be permitted on *existing lots* that lack the *required lot frontage* or *lot area*, with the exception of *lots* in the *downtown*.

4.15.7.2 EXISTING NON-CONFORMING BUILDINGS AND STRUCTURES

An *existing* building or *structure* that does not conform to the provisions set out in this By-law may contain an *accessory use second unit*, so long as the building or *structure* is not enlarged.

	Burlington Pop. 183,000	Guelph Pop. 132,000	Innisfil Pop. 37,000	Kenora Pop. 15,000	Kingston Pop. 124,000	North Bay Pop. 52,000	Sudbury Pop. 162,000	Thunder Bay Pop. 108,000	Vaughan Pop. 306,000	Windsor Pop. 217,000
Permitted dwelling types	Single, semi, townhouse.	Single, semi.	Single, semi, townhouse.	Single, semi, townhouse.	Single, semi, townhouse.	Single, semi, townhouse.	Single, semi, townhouse.	Single, semi, townhouse.	Single, semi, townhouse.	Single, semi, townhouse.
In accessory buildings	Permitted.	Not permitted.	Permitted.	Permitted.	Permitted.	Permitted.	Permitted.	Permitted.	Not permitted.	Permitted.
Environmental site restrictions	Not permitted in hazard lands or in mineral extraction area.	If in flood plain: no lower than 1 m below flood level.	Not permitted in hazard lands or key natural heritage areas.	Not permitted in hazard lands. If in acc. bldg.: not on waterfront lot.	Not permitted in flood plain.	Not permitted in hazard lands.	Not permitted in environmental protection zone.	N/A	Not permitted in flood plain.	If in flood plain: cannot be in basement.
Minimum lot size	Minimum lot frontage of 15 m.	N/A	1000 m ² if unit in accessory building.	1000 m ² if unit in accessory building.	N/A	N/A	N/A	If within single detached home: min frontage 18 m, depth 30 m, area 540 m ² .	Minimum lot frontage of 9 m.	N/A
Minimum number of extra parking spaces	Generally 1 space; 2 spaces if located in specific areas.	3 spaces total for single detached or semi detached with second unit.	1 space if 1 bedroom or less; 2 spaces if 2 or more bedrooms.	1 space.	1 space.	1 space.	1 space.	1.5 spaces (same as typical dwelling unit).	3 spaces in total for entire lot.	1 space, but not required if in specific core areas.
Stacked parking	Only permitted if 2 extra spaces required.	Permitted to maximum of 2 stacked spaces.	Permitted.	Permitted.	Permitted.	Permitted.	N/A	N/A	N/A	N/A
Servicing - water & sewer	Adequate infrastructure available.	N/A	Can be public or private.	Must be connected to public servicing.	Can be public or private.	Public if in urban area, but can be private if rural.	Public or private.	Full urban, public services required.	N/A	If in accessory building: must be public.
Second unit size (note: GFA = Gross Floor Area)	Min 42 m ² , max 100 m ² , max 40% of building's GFA.	Max 2 bedrooms, max 80 m ² , max 45% of building's GFA.	Max 3 bedrooms, max 100 m ² , max 50% of building's GFA.	Max 40% of GFA unless all in basement. If in accessory bldg.: min 40 m ² .	Max 90 m ² , max 40% of building's GFA.	Max 45% of building's GFA.	Only if in rural areas: max 45% of building's GFA.	If within single detached home: max 40% of building's GFA.	Min 35 m ² , max 45% of building's GFA.	Min 40 m ² , max 100 m ² , max 40% of building's GFA.
Exterior / façade	N/A	Must be preserved.	N/A	Cannot change streetscape character.	N/A	Cannot change neighbourhood character or streetscape.	Cannot change neighbourhood character or streetscape.	Must protect neighbourhood character.	If heritage: Site Plan Control and Committee approval.	If heritage: cannot reduce heritage value.
Outdoor amenity areas	Minimum 135 m ² in rear yard for entire lot.	Must be preserved.	N/A	If in accessory building: min 6 m ² designated.	N/A	N/A	N/A	Must be provided.	N/A	N/A
Entrance and access	Either separate exterior entrance not facing street, or through vestibule.	Interior access only.	Separate exterior or interior entrance. Must have access from public road.	Vehicle access must be from public road. Entrance on ground floor.	Separate exterior entrance either on side or rear wall, or through vestibule.	No more than one exterior entrance facing public road for entire building.	Entrance must not face public road or be above grade. No exterior stairs facing the road.	Vehicle access must be from public road.	Separate exterior entrance on side or rear (not on same side as existing), or via vestibule.	If in accessory building: must have direct pedestrian access from public road/alley.
Second units in rural areas	Only for single detached, and in lot's existing building cluster.	N/A	Permitted.	Permitted.	Requires removal of holding provision.	Permitted.	Permitted, and can be a mobile home.	N/A	N/A	N/A
Registration	N/A	Required.	Required.	N/A	N/A	Required.	Required.	N/A	N/A	N/A

Note: N/A - Planning staff did not find information on this item for this municipality.

Stephanie Perri

From: Frankie Bumbaco
Sent: Monday, March 11, 2019 4:10 PM
To: Stephanie Perri
Cc: Peter Tonazzo; Jonathan Kircal; Patrick Lo
Subject: A-9-19-Z.OP - Second Units

Follow Up Flag: Follow up
Flag Status: Flagged

Good afternoon,

The Building Division has no objections to the proposed zoning by-law amendment, however would like to comment that a building permit application will be required in order to facilitate the creation/construction of a secondary dwelling unit. Also if the subject property is served by a septic system a performance level review will be required through Algoma Public Health to confirm the septic system has the extra capacity for the new dwelling unit.

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

Sincerely,



Frankie Bumbaco

Plans Examiner
By-Law Enforcement Officer
City of Sault Ste. Marie
T 705-759-5398
f.bumbaco@cityssm.on.ca

Stephanie Perri

From: Marlene McKinnon <mmckinnon@ssmrca.ca>
Sent: Tuesday, March 5, 2019 10:45 AM
To: Stephanie Perri
Cc: Anjum Amin; Christine Ropeter
Subject: SSMRCA Response - A-9-19-Z.OP - Amendment to the Zoning By-Law and Official Plan regarding Second Units

Follow Up Flag: Follow up
Flag Status: Flagged

March 5, 2019

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

Conservation Authority Comments:

Application # A-9-19-Z.OP
City of Sault Ste. Marie
Sault Ste. Marie

The subject of the application is not specifically located in an area under the jurisdiction of the Conservation Authority with regard to the Ont. Reg.176/06 Development, Interference with Wetlands and Alterations to Shoreline and Watercourses.

Any development regarding a 'second unit' will require a site specific plan review and may require a permit from SSMRCA.

SSMRCA has no objection to this application.

Sincerely,

M. A. McKinnon, CGS
GIS Specialist
Sault Ste. Marie Region Conservation Authority
1100 Fifth Line East
Sault Ste. Marie ON P6A 6J8
mmckinnon@ssmrca.ca
www.ssmrca.ca
Phone 705-946-8530
Fax 705-946-8533

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-58

AGREEMENT: (C3) A by-law to authorize the execution of the Agreement between the City and Venue Coalition Inc. for the provision of expertise, outreach, and talent buying services in the live entertainment industry.

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 1, 2019 between the City and Venue Coalition Inc., a copy of which is attached as Schedule "A" hereto. This Agreement is for the provision of expertise, outreach, and talent buying services in the live entertainment industry.

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 1st day of April, 2019

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

VenueCoalition

THIS AGREEMENT (the "Agreement") is dated the 1st day of May, 2019.

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
(hereinafter called the "City")

OF THE FIRST PART;

- and -

VENUE COALITION INC.
(hereinafter called the "Coalition")

OF THE SECOND PART;

WHEREAS the Coalition is a privately-owned corporation located at 4195 E. Thousand Oaks Blvd. #255, Westlake Village, California, 91362 that provides expertise in the live entertainment industry to a number of public assembly venues;

AND WHEREAS the City has requested that Coalition provide the Services described in Section 2 of this Agreement, subject to the terms and conditions set out herein, for the City property known as GFL Memorial Gardens, located at 269 Queen Street East, Sault Ste. Marie, ON, P6A 1Y9 (the "Venue") and the Coalition is agreeable to same;

NOW THEREFORE this Agreement witnessed that in consideration of the mutual covenants and Agreements herein contained, and subject to the terms and conditions hereinafter set out, the parties hereto agree as follows:

1. Engagement: Coalition is a privately-owned corporation providing expertise in the live entertainment industry to a number of public assembly venues. Pursuant to this Agreement, the City agrees to participate as a member of the Coalition and the Coalition agrees to provide a range of services as defined in Section 2.
2. Services: Coalition will provide the following services ("Services") to the City, specifically for the location defined as the Venue herein:
 - (a) Outreach to agents, promoters, producers, and artist representatives to supplement the City's booking efforts for the Venue;
 - (b) Identify business and booking opportunities for the City;
 - (c) Provide industry updates and developments to the City;
 - (d) Schedule conference calls with the City to discuss topical issues and new opportunities;
 - (e) Share the City's and Venue's information as provided by the City with decision makers in the live events industry;
 - (f) Present annual All-Members meeting;
 - (g) Meet with the City at industry conferences and functions as requested by the City;
 - (h) Include the City and Venue in the Coalition's website and trade publication advertising;
 - (i) Collect and distribute relevant industry information;
 - (j) "Talent Buying Services" (If Applicable):
 1. Identification to the City of talent availability and pricing;
 2. Talent buying and preparation of talent offers for the Venue only as directed by prior authorization by the City;
 3. Negotiation with an Act's representatives on behalf of City for the Venue, the terms of such negotiations shall be satisfactory to the City as confirmed by prior authorization of the City;
 4. On a case-by-case basis, the City may engage Coalition to assist with Talent Buying Services for corporate clients interested in hosting meetings, banquets and private events.

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3. Event Types: There are three different event types described in this Agreement: Rental, Co-Pros, and In-House Promotions.
- (a) Rental: The term rental ("Rental") shall mean any confirmed event in which an outside promoter is at financial risk.
 - (b) Co-Pro: The term co-pro ("Co-Pro") shall mean any confirmed event in which the City shares financial risk with an outside promoter/producer.
 - (c) In-House Promotion: The term in-house promotion ("In-House Promotion") shall mean any confirmed event in which the City is entirely at risk financially, and in which the Coalition performed Talent Buying Services by submitting offers and booking the Artists performing for such event. For purposes of this Agreement, Artist shall mean any music, comedy act or attraction, including but not limited to concerts, family shows, spectacles, sporting events or productions for which Coalition has booked on behalf of the City.

The parties acknowledge that:

- (a) the City shall have the final decision as to whether or not an Event or Act shall be booked at the Venue; and
- (b) any Agreement entered into for an Event/Act pursuant to this Agreement shall be between the City and the Artist.

4. Talent Buying: If the City engages the Coalition to buy talent on behalf of the City, a Talent Buyer Authorization agreement ("TBA") will be signed by the City before a talent offer is submitted to an Artist or its representative. By signing the TBA, the City authorizes the Coalition to submit the talent offer on its behalf and the City acknowledges that the signed TBA and acceptance of the talent offer submitted by Coalition will constitute a binding agreement. If the City were to cancel the agreement, the City would be responsible for the full contracted Artist guarantee as a cancellation fee and any event related expenses incurred at the time of cancellation. The Coalition will not be responsible for such fees or expenses

The Coalition does not guarantee that any offer made by the City will be accepted by the Artist, and it is possible that an Artist may accept the offer of other Coalition members, but not the City's, or that the Artist does not accept any of the offers made by the Coalition.

The Coalition does not make any representation as to the profitability of any show. The decision to make a talent offer for any specific Artist or attraction is solely that of the City and the City accepts the full financial risks of each talent offer, regardless of the financial outcome.

5. Claims: Rentals and Co-Pros will be executed directly between the City and a producer, promoter or attraction, and the Coalition will not be a party of such agreements. Likewise, any agreement with a specific Artist for an In-House Promotion will be made between the City and the Artist (or the Artist's representative) and the Coalition will not be a party to any such agreements. The City is responsible for the terms and conditions contained in these agreements and the Coalition shall not be held responsible for any cancellation, default or breach of any agreement, regardless of which party was at fault. The City indemnifies, saves and holds the Coalition, its parent, subsidiary and affiliated corporations, and their respective directors, officers and employees harmless from any claims or expenses related thereto.
6. Assist: An assist ("Assist") shall be defined as follows: When the Coalition in any manner helps to secure an event for the City at the Venue at the City's direction, whether the event is a single or multi-day Rental, or a single or multi-day Co-Pro. Assists may be the result of new business opportunities brought to the City by the Coalition, bookings at the request of or in collaboration with the City, or solicitations by the Coalition on behalf of the City to a producer, promoter, agent or manager.
7. Fees: In consideration of the Services, the City agrees to pay to the Coalition the following Annual Membership, and Assist Fees and Talent Buying Fees as described below:

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- (a) Annual Membership Fees: The parties acknowledge that the annual membership fee is \$13,500 USD annual membership fee. The City shall pay the Coalition the sum of \$13,500 USD for the period commencing May 1, 2019 through to April 30, 2020.
- (b) Assist Fees are to be paid as follows:
 - i. For Single Day Rentals or Co-Pros: When the Coalition helps to secure a single day Rental or Co-Pro event for the City at the Venue, the Coalition shall receive an Assist Fee of \$2,500 USD flat, regardless of number of performances;
 - ii. For Multi-Day Rentals or Co-Pros: When the Coalition helps to secure a multi-day Rental or Co-Pro event for the City at the Venue, the Coalition shall receive an Assist Fee of \$2,500 USD for the first event day, and an additional Assist Fee of \$1,500 USD for each subsequent event day, regardless of the number of performances in each day;
- (c) Talent Buyer Services Fees are to be paid as follows:
 - i. For In-House Promotions: When the Coalition acts as a Talent Buyer to secure an In-House Promotion event for the City at the Venue, the Coalition shall receive an Assist Fee of \$2,500 USD, plus \$1 CAD per paid ticket, for each event booked by the Coalition with a signed TBA;
 - a. In the event a TBA is submitted by the Coalition for an In-House Promotion and an outside promoter gets brought in to promote the event, either at the discretion of the City, Artist Representatives, or as the result of the Coalition's efforts, then the Coalition Assist Fee will not be affected. In any of these instances, regardless of whether it is a Rental or a Co-Pro, the Coalition Assist Fee will be billed directly to the City pursuant to the terms specified in the signed TBA.

All events booked by the Coalition for the City during the membership term will be paid pursuant to this Agreement, even if the City is no longer a member of the Coalition and the event happens after this Agreement has been terminated.

- 8. Term: The term ("Term") of this Agreement commences on May 1, 2019 and ends on April 30, 2020. If any portion of the Annual Membership Fee is not received within 60 days of the original invoice date, the Coalition reserves the right to immediately terminate this Agreement upon notice to the City and Coalition will be paid in full pursuant to this Agreement. Events booked by the Coalition for the City at the Venue after membership term will be pursuant to this Agreement, even in the event that the City is no longer a member of the Coalition.
- 9. Termination: If, for any reason during the term of this Agreement, the City contracts with a third party, private management firm, for booking and management, Coalition shall have the right to terminate this Agreement immediately, and receive full payment pursuant to the fees in Item 7 of this Agreement.
- 10. Insurance:
 - (a) For clarity, the Artist, and the employees and contractors of the Artist, Producers or Promoters, are not employees or contractors of the Coalition. The City indemnifies, saves and holds the Coalition, its parent, subsidiary and affiliated corporations, and their respective directors, officers and employees, harmless from all claims, damages, costs and expenses, relating to any property damage, bodily injury or death which occurs as a result of an act or omission of the City (including its employees and contractors) at or in connection with any event or any other act/omission. The City shall maintain a General Liability insurance policy of not less than \$2 million, and each such insurance policy shall contain a thirty (30) day notice of cancellation clause. The City shall provide an annual blanket certificate evidencing adherence to the foregoing insurance requirements. For specific events with which the Coalition has assisted in booking, the City agrees to provide a certificate of insurance naming the Coalition, its directors, officers and employees as additional named insureds if so requested by the Coalition.
 - (b) Further, Coalition acknowledges and agrees that the property, assets, undertakings, activities and liability of Coalition are insured against risks, loss and/or damages under a policy of insurance with insurers who are satisfactory to the Risk Manager of the City, for risks and otherwise on terms which are reasonable in relation to such assets and activities of Coalition and as is prudent having regard to the business conducted by Coalition.
- 11. Exclusivity: The Coalition will not enter into any membership agreements with competing arenas within a 60-mile radius of the City, unless mutually agreed upon by the City and the Coalition.

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12. **Risk:** The Coalition does not make any representation as to the viability or profitability of any event, nor that they will be successful in securing Artist or Venue. The decision to make offers and engage Artists is solely that of the City.
13. **Confidentiality:** The information pertaining to the business of the Coalition, the City and all Member Venues, including but not limited to information regarding the provisions of this Agreement, membership and Assist Fees, deal terms with the Artists, or the business affairs of the other Member Venues contain trade secrets and comprise confidential information ("Confidential Information"). The parties agree to not disseminate, by any means, such Confidential Information to anyone other than other Member Venues and the Coalition. However, nothing herein precludes the Coalition from providing to any venue which is considering becoming a Member Venue such information as the Coalition (acting reasonably) deems necessary for such purpose, provided such information does not include financial information specifically pertaining to the City or the City's business.
14. **MFIPPA.** Notwithstanding Section 13 herein, Coalition acknowledges that the City is a municipality in the Province of Ontario and is therefore bound by the *Municipal Freedom of Information and Protection of Privacy Act* (Ontario). Coalition further acknowledges that any information provided to the City in connection with this Agreement may be subject to disclosure in accordance with that Act. Coalition further represents and warrants that it shall advise any third parties (ie. Acts, Artists, Events and/or their representative) of the City's obligations under MFIPPA as set out herein.
15. **Representations and Warranties:** Each individual executing this Agreement on behalf of the City represents and warrants that he or she is duly authorized to do so. Coalition shall be entitled to rely on the representations of each individual executing this Agreement on behalf of the City that such person is duly authorized to do so, without any duty of investigation, the signature of such person shall be binding on the City. Similarly the City shall be entitled to rely on the representations of each individual executing this Agreement on behalf of the Coalition that such person is duly authorized to do so, without any duty of investigation, the signature of such person shall be binding on the Coalition.
16. **Notice.** Any notice required or permitted to be given under this Agreement must be in writing and may be given by delivering or emailing the notice to the persons listed below. Further, the person named below on behalf of the City, or his designate shall be the City's contact for all matters related to the provision of Services under Sections 2-4 inclusive of this Agreement, and shall provide direction on behalf of the City for negotiations and the terms for standard contracts.

The City:

Brent Lamming
Director of Community Services
Email: b.lamming@cityssm.on.ca

Coalition:

Andrew Prince
EVP, Managing Partner
Email: aprince@venuecoalition.com

The parties agree that notice shall be given via email and notice shall be deemed to be received within seven (7) business days after the email has been sent (to permit for vacation and other absences from the office).

17. This Agreement and all matters or issues incident hereto shall be governed by and construed under and in accordance with the laws of the Province of Ontario. The parties hereto attorn to the jurisdiction of the Courts of Ontario. This Agreement shall be treated in all respects as an Ontario contract.
18. This Agreement constitutes the entire Agreement between the parties, and there are no representations, warranties, collateral agreements or conditions affecting this Agreement or the relationship of the parties or supported hereby other than as expressed herein in writing.
19. **Miscellaneous:** This Agreement: (i) supersedes all prior oral or written agreements between the parties pertaining to the subject matter hereof; (ii) can only be amended by written document signed by both parties; (iii) cannot be assigned by either party without the express prior written approval of the other party; (iv) shall not be construed as a

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partnership, joint venture or employment agreement between the parties; (v) shall inure to the benefit of and be binding upon the parties and their permitted successors and assigns; (vi) shall be governed by the laws of the

Province of Ontario; and (vii) may be executed in counterparts, such parts together constituting one whole original document, and a facsimile, digital or PDF scanned email transmission of a party's signature shall be deemed and comprise an original signature for all purposes hereof. If any provision of this Agreement is found to be invalid or unenforceable, such provision shall be deemed severed here from, and the remainder of this Agreement shall continue in full force and effect. Headings used herein are for convenience only. Waiver of one or more terms or conditions of this Agreement shall not be deemed a modification or waiver of any other provisions of this license.

IN WITNESS WHEREOF the part of the first part has hereto affixed its corporate seal attested by the hands of its duty to authorized officers and the parties of the Second part have hereunto set their hands and seals.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Mayor – Christian Provenzano

City Clerk – Malcom White

VENUE COALITION INC.



EVP, Managing Partner – Andrew Prince

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-60

PROPERTY ACQUISITION: (MAP 31) A by-law to authorize the acquisition of a portion of property located at civic 531 Trunk Road (Silver Birch Developments (Sault) Ltd.).

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. **PROPERTY ACQUISITION**

The Corporation shall acquire by purchase the absolute right in fee simple to the lands more particularly described in Schedule "A" attached hereto.

2. **EXECUTION OF DOCUMENTS**

The City Solicitor is hereby authorized by By-law 2018-55 for and in the name of the Corporation to execute and affix the seal of the Corporation to all documents required to complete the said acquisition.

3. **SCHEDULE "A"**

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

4. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

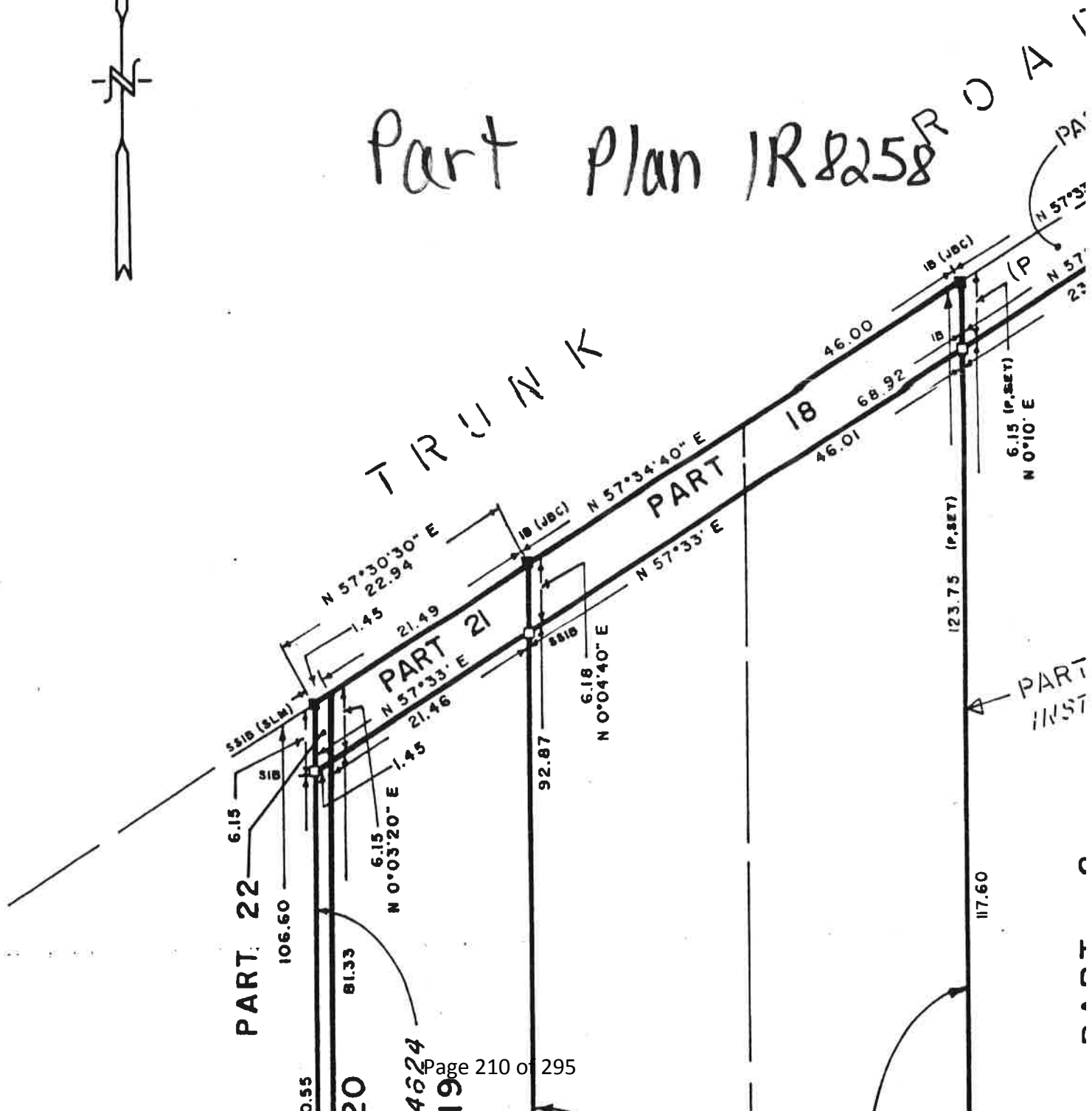
CITY CLERK - MALCOLM WHITE

SCHEDULE "A"

PURCHASER: THE CORPORATION OF THE CITY OF SAULT STE. MARIE
 VENDOR: SILVER BIRCH DEVELOPMENTS (SAULT) LTD.
 ADDRESS: PART 531 TRUNK ROAD, SAULT STE. MARIE, ONTARIO
 LEGAL DESCRIPTION: PART LOT 14, RCP H724 ST. MARY'S, PARTS 21 AND 22
 PLAN 1R8258, SUBJECT TO T188027 AND AL85672;
 SAULT STE. MARIE



Part Plan 1R8258



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-62 FOR THE CONTROL AND MANAGEMENT OF

WASTE AND RECYCLING

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-62

**BY-LAW FOR THE CONTROL AND MANAGEMENT OF
WASTE AND RECYCLING**

REGULATIONS: (R1.17) A By-Law for the management of waste and recycling in the City of Sault Ste. Marie.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, pursuant to Sections 11(1) and 74 – 76 of the Municipal Act, S.O. 2001, c. 25, and amendments thereto ENACTS as follows:

1. Definitions

In this By-Law,

1. **“Ashes”** means the residue including soot of any kind of fuel or waste after consumption by fire.
2. **“Automated cart collection”** refers to a type of collection truck that allows the operator to control a mechanical arm that can pick up and empty a Roll-out cart without manually moving the refuse.
3. **“Bag Tag”** means purchasable municipal identification tag that labels refuse that is in excess of the curbside limit. A bag tag must be clearly visible for collectors. A tagged bag may be placed within a residential waste container.
4. **“City”** means The Corporation of the City of Sault Ste. Marie.
5. **“Collector”** means a City employee or person under contract to the City to collect waste or recyclables under the provisions set forth in this By-Law.
6. **“Commercial Waste Container”** means a waste container with or without casters that conforms to the specifications described in Section 3.3 of this By-law.
7. **“Compacted Waste”** means garbage that has been compressed by mechanical or other means.

8. **“Compostable Material”** means organic material which through the process of decomposition becomes dark earthy material that can be returned to the soil and includes the following:
 - a) leaf and yard waste including grass clippings, leaves and garden waste; and
 - b) vegetable waste material.
9. **“Curbside Recyclables”** means recyclable material that is accepted in the City's curbside recycling program and includes:
 - a) **Containers (Blue Lid):** steel cans, aluminum cans, glass bottles and jars, polyethylene plastic commonly referred to as #1 PETE plastic containers, high density polyethylene commonly known as #2 HDPE plastic containers, aluminum food and drink containers and all other containers when accepted in the recycling program.
 - b) **Paper and Fibre (Grey Lid):** fibre, including newspapers, flyers, magazines, catalogues, boxboard, cardboard boxes, paper cartons, milk cartons, all paper products, and hard and soft cover books, and all other products when included in the program.
10. **“Deputy CAO”** means Deputy Chief Administrative Officer of Public Works and Engineering Services or his/her designate.
11. **“Director”** means the Director of Public Works or his/her designate.
12. **“Dwelling”** means a place of residence with its own sleeping, cooking, eating and sanitary facilities for persons, and includes a single family home and apartment units, tenement or other multiple dwellings.
13. **“Household Hazardous Waste or HHW”** means any and all residential hazardous waste originating from a place of residence; including but not limited to; caustics, acids, aerosols, used motor oil, household batteries, automotive batteries, poisons, pesticides, paint, reactive waste and sharps (needles), fluorescent lights, propane tanks, foam insulation tanks, helium tanks.
14. **“ICI Sector”** means industrial, commercial or institutional premises.
15. **“ICI Recyclables”** means any recyclables resulting from the operation and maintenance of any industrial, commercial or institutional premises.

16. **“ICI Waste”** means any waste resulting from the operation and maintenance of any industrial, commercial or institutional premises.
17. **“Medical Waste Exemption Tag”** means tags that may be applied for by residents due to extra refuse generated due to a medical reason. Application must include approval from a caregiver or doctor.
18. **“Multi-Family Dwelling”** means any dwelling having five (5) units or more.
19. **“Non-collectible Recyclables”** means recyclable material that is not collected curbside and includes the following:
- a) metal including shelving, automotive parts, cable, and all clean metal products and large appliances;
 - b) old corrugated cardboard (‘OCC’) in quantities above the allowable curbside limits as set out in this By-law in Section 8.3;
 - c) wood products, including all clean wood products, wood building materials, tree branches and trees;
 - d) **WEE products**; electronics, computer equipment, all Household Hazardous Waste, including batteries.
20. **“Non-collectible Waste”** means waste that is not collected curbside and includes the following:
- a) explosives, dynamite caps, ammunition, fire arms, and any other highly flammable or volatile substances of any nature whatsoever;
 - b) liquid or gaseous wastes;
 - c) biomedical waste including waste generated by human health and residential materials such as: needles or syringes with needles, scalpels, blades, disposable scissors, suture equipment, stylets, and trocars, broken test tubes, and glass that may contain human blood, fluids and tissues with pathogens that could cause harm to personnel handling them;
 - d) organic material, including wet waste and animal feces which has not been drained of all liquids and wrapped;
 - e) carcasses or parts thereof of any animal or other creature, except kitchen and table waste from a household;

- f) any materials which have become frozen to a waste container and cannot be removed therefrom by shaking at the time of collection;
 - g) construction materials, including broken plaster, lumber, broken concrete, excavated material or other waste resulting from the construction, alteration, repair, demolition or removal of any building or structure;
 - h) discarded trucks, automobiles and other vehicles and the parts thereof, or accessories thereto, including tires and rims;
 - i) septic tank pumpings, raw sewage sludge and industrial sludge;
 - j) trees and stumps, including tree branches, creosote treated timbers or poles;
 - k) asbestos;
 - l) sawdust or wood shavings in quantities of more than .1 cubic metre;
 - m) petroleum soaked rags;
 - n) industrial and hazardous waste as described in the Regulations to the Environmental Protection Act, R.R.O. 1990, Reg. 347;
 - o) radioactive waste;
 - p) PCB waste as defined in the Regulations to the Environmental Protection Act, R.R.O. 1990, Reg. 362;
 - q) ashes;
 - r) household special waste;
 - s) sharps;
 - t) household or office furniture;
 - u) mattresses; or
 - v) road salt and sand.
21. **“Occupant”** means any lessee, tenant, householder, owner or any person in charge of any “premises” as hereunder defined in Section 1.23 of this By-law.
22. **“Premises”** means any building, place, dwelling place, room or rooming-house, apartment, hotel, motel, restaurant, shop, store, office, shopping centre, parking lot, and any other property which is under separate occupation or control.

23. **“Reject Tag”** means a public education tag placed on refuse identifying refuse that cannot be collected due to various reasons including: refuse in excess of allowable limits, oversized bags, overweight containers, oversized containers, improper container use or non-conformance to the management of waste and recycling by-law.
24. **“Residential Dwelling”** means any dwelling having four (4) units or less.
25. **“Residential Waste Container”** means a container used for curbside collection that can easily be emptied by the collector and conforms to the specifications described in Section 3.1 of this By-law.
26. **“Roll-out cart”** means city approved and supplied (approximately) 240 litre or 360 litre wheeled refuse containers complete with a lid and nestable catch bar required for proper automated dumping function. Roll-out carts are identified to a civic address.
27. **“Sharps”** means infection control sharp objects (eg. needles or syringes with needles).
28. **“Street”** means any public highway, road, street, lane, alley, square, thoroughfare, walk or way within the City of Sault Ste. Marie and maintained as a thoroughfare by the City.
29. **“Unit”** means any self-contained apartment, residence or business existing in a premises.
30. **“Waste”** means all non-recyclable and non-compostable material resulting from the operation and maintenance of any premises.
31. **“WEE”** means all electronic products including; televisions, radios, stereo equipment, computers, monitors, printers, and anything that contains electronic components.
32. **“Wet Waste”** means the undrained refuse resulting from the operation of any premises.

2. Overview of Service Types

The provision of waste management services occurs by various means:

1. Residential Curbside Collection – for ‘single’ family residential dwellings;

2. Multi-family Curbside Collection – for multi-family dwellings consisting of 4 units or less;
3. Multi-family Contract Collection (Not curbside) – for residential dwellings greater than 4 units; and
4. ICI Curbside Collection – those in the ICI sector adequately serviced by the limits established for the multi-family curbside collection program.

3. Waste Collection Service by Service Type

1. Residential Curbside Collection

Residential dwellings shall be provided with one (1) roll-out cart with a capacity of 240 litres. The following rules shall apply:

- a) Any dwelling served by curbside collection shall use Roll-out carts(s) and shall only use tagged bags for “extra” waste.
- b) The gross weight limit of the cart and any waste shall be 200 lbs for the 240 litre Roll-out carts.
- c) Owners are responsible for identifying the property address on the Roll-out cart by using a permanent marker. Roll-out carts are registered to a property by a serial number and must remain at that address if you move.
- d) Collected material shall meet the definition of waste and shall not contain any of the “non-collectible waste” items.
- e) Roll-out carts will not be collected if the lid is open due to overfilling and/or extra bags that prevent the lid from closing or it is filled with water or liquid or ice that impedes automated collection or waste is piled on top of the Roll-out cart lid.
- f) Bag tags shall be placed on any waste bags beyond the capacity of the Roll-out cart. Tagged waste bags shall be placed adjacent to the Roll-out cart in an accessible manner to identify that they are for collection. Tagged bags should not be placed on top of the Roll-out cart. All plastic bags used for extra waste shall be a minimum of 1.5 mils in thickness and no less than 66X90 centimetres, nor greater than 76X98 centimetres when empty. When filled each bag shall not exceed 20 kilograms in weight.

- g) The use of plastic bags within the Roll-out cart is acceptable providing they are a minimum of 1.5 mils in thickness.
- h) Owners and occupants are responsible for any waste left at the curbside of the dwelling and shall clean up any waste that has been spread by wind, birds or other vermin or animals.
- i) To prevent wind-blown waste, residents shall ensure that all plastic bags containing waste are securely tied or otherwise sealed when set out for collection.
- j) Cardboard boxes are not acceptable waste containers.
- k) Molded Styrofoam / polystyrene and loose “popcorn” Styrofoam / polystyrene packing must be broken up and placed in plastic bags to prevent material from becoming wind-blown, and material from getting trapped within Roll-out cart.
- l) Leaf and yard special waste collection as noted in Subsection 11(3) must be placed in an approved paper biodegradable bag and when filled shall not exceed 20 kilograms in weight.
- m) Leaf and yard waste bags shall not contain: flower pots, hanging flower pots, rocks, gravel, sand, bricks, clothes lines, and gardening tools.

2. *Multi-family Curbside Collection*

Multifamily dwellings with less than 4 units shall use approved (240 litre or 360 litre) Roll-out carts as supplied by the City for curbside waste collection. The determination of the size of Roll-out carts provided to each dwelling shall be the Director of Public Works or their designate and shall consider the needs of the dwelling, available space and recycling program participation.

Allowable gross weight of the Roll-out cart shall be 200 lbs. for the 240 litre carts 300 lbs. for the 360 litre Roll-out carts).

- a) Paragraphs 3(1) (a) through (m) are applicable to the multi-family dwellings served by curbside collection.

3. *Multi-family Contract Collection (Not Curbside)*

All Multi-family dwellings with 5 units or greater shall receive waste collection services weekly via a City contract.

- a) The allowable container sizes for the multi-family dwellings is outlined in the table below. The City shall supply one (1) pick-up weekly of the containers at the dwelling provided they are within the allowable container size noted below. Should additional pick-ups be required they are at the expense of the Owner.

Waste Limits for Multi-Family Dwellings	
Number of Units In Dwelling	Cubic Meters of Waste Allowed (Container Size)
5 to 12	1.50 (2 yd³)
13 to 25	3.00 (4 yd³)
26 to 50	4.50 (6 yd³)
51 to 56	6.75 (9 yd³)
57+	9.00 (12 yd³)
Note: if waste is compacted, a commercial waste container no larger than 2.25 cubic meters and weighing no more than 750kg may be used.	

- b) Any premise consisting of dwelling units abutting one another and sharing a common building wall and arranged in a linear manner along a municipally owned right-of-way will be allowed those quantities stated in Subsection 3(2) of this By-law;
- c) Any premises consisting of dwelling units abutting one another and sharing a common building wall and arranged in a linear manner along a privately owned right-of-way will be allowed those quantities stated in Paragraph 3(3) (a) of this By-law if the waste and recycling is readily and safely accessible to the City's multi-family waste collection contractor. If safe access to waste and recycling is not provided, then waste and recycling collection must be arranged and paid for privately by the property owner or manager. The determination of safe access shall be made by the Director of Public Works or their designate.
- d) At the sole discretion of the Director of Public Works or their designate approval may be given to a multi-family premise of five (5) units or more to be served by curbside collection with the number of Roll-out carts agreed upon mutually by the building owner and the Director considering waste volumes and space allotment. The maximum number of carts shall not exceed four (4) regardless of the number of building units. Any waste in excess of the Roll-out carts would require bag tags for collection.

4. *ICI Sector Curbside Collection*

Any ICI Sector premise with four (4) units or less will be provided standard curbside waste and recycling collection and supplied rollout carts of a size determined by the Director of Public Works or their designate to be appropriate to serve the premises' needs and shall consider space and recycling program participation.

- a) All curbside collection rules as per Paragraphs 3(1) a) to m) shall apply to the ICI sector using curbside collection service.
- b) ICI Sector premises with five (5) units or greater require their own private waste collection services. All costs and fees associated with private waste collection shall be the responsibility of the ICI owner.

4. **Collection, Storage and Maintenance of Curbside Roll-out carts**

- 1. Roll-out carts shall be closed to prevent the scattering of loose waste, the ingress and egress of flies, and shall be kept clean, sanitary and free from rodents, rats, vermin, insects, scavenging animals, maggots and odors at all times.
- 2. Roll-out carts shall be placed with the wheels and handle facing the dwelling for automated collection arm to work properly.
- 3. Owners or occupants are responsible for the placement of carts and shall place them at curbside, not on the street, or obstructing sidewalks or laneways. The following is the location for placement depending on the noted street design:
 - a) **for roads with concrete curbs** – waste and recyclables shall be placed directly behind the curb; and
 - b) **for roads with concrete sidewalks tightly abutting the curb (curb face sidewalks)** – waste and recyclables shall be placed directly behind the sidewalk on the property owners side; and
 - c) **for roads with boulevards between sidewalks and curbs** - waste and recyclables shall be placed directly on the boulevard behind the curb; and
 - d) **for roads with asphalt or gravel shoulder** - waste and recyclables shall be placed directly on edge of the road shoulder.

4. Owners or occupants are responsible to ensure waste containers are accessible and without any obstructions including but not limited to, parked vehicles, snow banks, portable basketball nets, utility poles, lamp posts, gas meters, bollards, utility transformers, cable TV enclosures, guard rails and sign posts.
5. The pick-up area shall be kept clear of any or any other obstruction so that convenient access is provided for the collector, including but not limited to: ice, snowbanks and parked motor vehicles. Roll-out carts must be placed at ground level with a minimum accessible distance of 1 metre between the carts. This distance is necessary to allow adequate room for automated collection arms to function properly. Both Roll-out carts shall not be picked up if not accessible or placed with adequate space.
6. Roll-out carts shall not be placed on elevated platforms or steep slopes, including snow banks greater than one foot. Owners or occupants are responsible to shovel an opening in the snow bank where the cart can be properly placed. **It is recommended to place recycling and waste carts on opposite sides of the driveway opening.**
7. Tagged bags, waste containers and Roll-out carts shall not be placed or piled in such a way as to exceed 1.50 metres in height measured from the highest point of any waste bag or cart to the ground surface at a location as set out in Subsection 4(3) of this By-law. Ground surface shall be considered to mean any surface normally experienced during the summer season.
8. Roll-out carts must not be placed under low hanging utility, phone, or cable TV wires.
9. During snow events, it is the responsibility of the owner or occupant to clear a path to the curb to set out the Roll-out carts for collection.
10. All waste placed at curbside in front of a civic address is the responsibility of the Owner or Occupant of the building. It is not acceptable to take extra refuse from one civic address and place it at another civic address to circumvent purchasing and using a bag tag.
11. No curbside waste bag or Roll-out cart shall have bleach or other hazardous chemicals on its surface.
12. All waste from the preparation of food shall be drained and thoroughly wrapped before being placed in the container.

13. Waste bags shall be stored in a manner which protects them from domestic and other scavenging animals, and when set out for collection shall be securely tied or otherwise sealed to prevent the contents from being scattered.
14. When not set out for collection, Roll-out carts shall be stored in the garage, backyard, outdoor storage unit, covered porch, balcony, side of the premise or front yard until the designated collection day arrives.
15. If a Roll-out cart is not collected, a "Reject or Oops Tag" shall be affixed to the cart explaining the problem. Residents must resolve the problem for the cart to be collected on the next scheduled collection day. Any excess waste due to rejection, must be tagged or brought to the city landfill by the owner or occupant at their expense.
16. Roll-out carts that are damaged as the result of normal wear and tear, including but not limited to, broken lid, broken wheel or axle will be replaced or repaired at no charge to the owner or occupant. Roll-out carts damaged by City snow removal equipment will be replaced or repaired at no charge to the owner or occupant. If at the discretion of Director of Public Works or its designate, the damage is determined to be the result of abuse there will be a charge to the owner or occupant for the cost of the repair or replacement of the Roll-out cart, if unrepairable.

5. Collection, Storage and Maintenance of Waste Containers – Non-Curbside

1. ICI Sector and multi-family premises using commercial waste containers shall place waste in the containers as described in Paragraph 3(3) (a) of this By-law unless otherwise approved.
2. The pick-up area shall be kept clear of ice, snow, motor vehicles, bollards, utility poles and transformers, cable TV enclosures, or any other obstruction so that convenient access is provided for the collector. Collection areas must not be under low hanging utility, phone, or cable TV wires.
3. Commercial waste containers shall meet the requirements of the City Zoning By-law 2015-150, as amended, and any site plan agreements that apply.
4. Commercial waste containers as described in Subsection 2(4) of this By-law shall be covered as to prevent the scattering of loose waste, the ingress and egress of flies, and shall be kept clean, sanitary and free from rodents, rats, vermin, insects, scavenging animals, maggots and odours at all times.

6. General Provisions for Waste Collection

1. The City shall not be required to collect waste:
 - a) that is defined as non-collectible waste in Subsection 1(20) of this By-law;
 - b) that is generated from any multi-family dwelling where quantities are more than the allotment set out in Subsections 3(2) and 3(3) of this By-Law. The City reserves the right to make changes as deemed necessary;
 - c) that is generated from the ICI Sector with five (5) units and over unless otherwise approved;
 - d) where, in the opinion of the Director of Public Works, the premises is unsafe or the Roll-out carts or waste containers are in a difficult location for collection; or
 - e) where the Roll-out carts at curbside are in excess of the limits set out in Subsection 3(2) and 3(3) of this By-law and the extra bags do not bear a "bag tag";
2. The Director of Public Works or their designate has the authority to make a final determination at its discretion as to the proper type of waste container or collection method to be used by the occupant of the premises.
3. All non-collectible waste must be disposed of in accordance with all provincial and municipal legislation.
4. Waste shall be drained of all liquids and securely wrapped and deposited in the city approved Roll-out cart as supplied by the City. Any sharp objects, broken glass, and cutlery shall be securely wrapped with materials, so that no sharp object or broken glass can pierce the plastic.
5. Where multi-family waste container collection has been approved on private property, the owner must grant the municipality or its agents permission to enter upon private property for the purpose of waste collection and further, save harmless the municipality or its agents from any damages that may occur while conducting refuse collection operations. The property owner must sign an appropriate waiver form provided by the City from time to time. Owners of the premises must provide contact information including: owner's address, phone number, email address, property manager information, and size of container required. Absence of a waiver and consent will result in the a stoppage of waste collection and further waste removal will need to occur at the owners sole expense.

6. The City shall collect only sawdust that has been securely wrapped in small bundles. The small bundles shall be placed in the waste receptacle so that the material is completely surrounded by other refuse.
7. The City shall collect branches only in bundles not exceeding 100 centimetres in length, 60 centimetres in diameter and weighing 20 kg or less. Each bundle shall be securely bound using light rope or twine.

7. Recycling Collection Service

1. Curbside Collection Program:

All residential, IC&I and multi-family buildings that receive standard curbside waste collection must actively recycle using the curbside program. Those not actively recycling shall not receive waste collection.

- a) Those dwellings served by curbside waste collection shall be provided one (1) recycling Roll-out cart by the contractor.
- b) Should additional Roll-out carts be required by a dwelling, the Owner/Occupant must purchase additional carts, however, the material shall be collected by the Contractor.
- c) Three (3) bundles of cardboard per dwelling shall also be allowed for collection. Any cardboard set out for collection shall be securely tied in bundles not exceeding 60 centimetres long X 60 centimetres wide X 30 centimetres high and tied with heavy cord or twine.
- d) Curbside recycling Roll-out carts need only to be placed out for collection when full or at least half full.
- e) Curbside recycling Roll-out carts will be rejected if they contain refuse or contaminants, only specified recycling material will be accepted.

2. Non-curbside Collection Program - ICI

Any of the ICI sector that is not served by curbside waste collection must also arrange for private collection of recyclable materials. All costs and fees associated with private collection shall be the responsibility of the ICI premise.

3. Non-curbside Collection Program – Multi-family

Multi-family owners and/or landlords of buildings that are not served by curbside waste collection must also arrange for private collection of recyclable materials. All costs and fees associated with private collection shall be the responsibility of the multi-family premise.

8. General Provision of Recycling Service

1. The City shall collect recyclables:
 - a) from premises that set out waste for curbside collection in accordance with this By-Law; and
 - b) that are a collectible product as determined in this By-Law.
2. The City shall require that all recyclable materials:
 - a) be clean; and
 - b) have caps removed from all bottles.
3. The City shall require that other recyclable items such as wood products, brush and metal be brought to the landfill for recycling.
4. Recycling collection for the (non-curbside) multi-family sector and the non-curbside ICI sector shall be privately arranged and the sole responsibility of the private sector.

9. Collection Routes – Waste and Recycling

The Director of Public Works or their designate shall direct that the city be divided into as many collection routes as necessary for the convenient, efficient collection of waste and recyclables.

10. Collection Times – Waste and Recycling

1. Curbside waste and recycling Roll-out carts that are ready for removal by the collector shall not be placed curbside, as outlined in Section 4(1) of By-law before 7:00 a.m. local time the day determined for collection and shall not be left out later than 7:00 p.m. local time on the day of collection.
2. Multi-family recycling containers (non-curbside) shall not be collected prior to 7:00 a.m. of the day determined for collection and shall comply with all Municipal by-laws including the Noise By-law.
3. The City will determine and announce the time for placing items for special collection, such as the annual determination of the leaf and yard waste collection program.
4. The City reserves the right to delay or suspend waste collection due to inclement weather. All efforts will be made to reschedule collection or adjust allowable limits to accommodate delayed collection.

11. General Provisions for Private Collection

1. Where private collection of waste and recyclables is utilized, the containers must:
 - a) be emptied at least once weekly regardless of the volume of the contents unless otherwise approved and in all cases, not allowed to overflow; and
 - b) be placed on private property in a location satisfactory to the City; and
 - c) not be placed on any street, or public property except with the express written permission of the Director of Public Works or their designate; and
 - d) be of acceptable appearance and functionality.
2. Any commercial waste container must be placed at a point freely accessible by the collector, free from hazards or obstructions such as: parked vehicles, snow banks, portable basketball nets, utility poles, lamp posts, gas meters, bollards, utility transformers, cable TV enclosures, guard rails and sign posts. The container shall be set out in the same location at all times.

12. Fees

Where a violation of this By-law is not remedied by the Owner and the Owner is known, they shall be held liable for all fees and expenses incurred as a result of the remedy.

Any fee required by or described in this By-law shall be as set out in the Annual User Fee By-law, as updated from time to time.

Where waste or recyclables are not collected for any reason and are left to cause an untidy or unsanitary condition, the Deputy CAO shall make a written demand to the Owner/Occupant requesting removal. Should the Occupant fail to perform the work necessary to remove the waste, it will be performed by the City, and failing payment by the Owner/Occupant within ten (10) days after notice in writing of the cost of such work, the cost will be recovered in the same manner as Municipal taxes.

13. Enforcement Agency

The Sault Ste. Marie Police Service, the City's Municipal By-law Enforcement Officer(s), a special duty officer, or a designate, shall be responsible for the enforcement of this by-law.

14. Application and Enforcement

This by-law shall apply to any and all property within the geographical limits of the City of Sault Ste. Marie.

An Officer may issue a written order or direction requiring that a person comply with the provisions of this By-Law.

An Officer may enter upon any land or structures at any reasonable time for the purposes of carrying out an inspection for purposes of determining whether or not:

- (1) the provisions of this By-Law are being complied with; or
- (2) an order under this By-Law is being or has been complied with.

No person shall refuse to produce any documents or things required by an Officer in the exercise of a power or performance of a duty under this By-Law, and every person shall assist any entry, inspection, examination, or inquiry by an Officer.

No person shall knowingly furnish false information to an Officer.

15. Offences and Penalties

Every person who contravenes a provision of this By-Law is guilty of an offence and is liable upon conviction to a penalty in accordance with the provisions of the *Provincial Offences Act*, R.S.O. 1990, c. P.33, as amended.

16. Validity

Should a court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law, and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under the law so as to provide a minimum standard for the care and control of animals.

17. Interpretation

In this by-law, unless the context otherwise requires, words importing the singular member shall include the plural and words importing the masculine shall include the feminine.

18. Conflict

Where a provision of this By-law conflicts with the provision of another By-law, Act, or Regulation in force within the City of Sault Ste. Marie, the provisions that establishes the higher standards shall prevail.

19. By-Laws Repealed

By-Laws 2003-140 and 2004-68 of the Corporation of the City of Sault Ste. Marie and any amendments made thereto are hereby repealed.

20. Enactment

This By-law shall come into force and effect on the day that it is passed.

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-63

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 267 Cathcart Street (David Ellis Architecture Inc.).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1. **267 CATHCART STREET; LOCATED BOTH CATHCART AND ALEXANDRA STREETS APPROXIMATELY 60 METRES WEST OF THE INTERSECTIONS WITH JOHN STREET**

The zone designation on the lands described in section 2 of this by-law, which lands are shown on Map 16/1-27 of Schedule "A" to By-law 2005-150, is changed from R3.S365 (Low Density Residential) zone with a "Special Exception" to R3.S365 Amended (Low Density Residential) zone with an amended "Special Exception".

2. **BY-LAW 2005-151 AMENDED**

Section 2(365) of By-law 2005-151 is amended by:

Repealing paragraph 2 and replacing it with the following paragraph 2:

- "2. To permit the existing building to be utilized for the offices of an architect and marketing firm only, in addition to the uses currently permitted by the current R3 zoning and special exception 365."

Repealing paragraph 4 and replacing it with the following paragraph 4:

- "4. That the required parking for the permitted offices uses be calculated at 3.4 spaces per 100m² Gross Floor Area."

Adding the following new clauses to special exception 365:

- "5. That existing building setbacks be recognized, more specifically:
- i. The required building setback from Cathcart Street be reduced to 3.5m.
 - ii. The required building setback from Alexandra Street be reduced to 3.5m.

iii. The required building setback from the east lot line be reduced to 0m.

6. That the existing parking lot layout be recognized, more specifically:

i. That required parking be permitted in required yards.

7. That the buffering requirements outlined in Section 4.9 of Zoning By-law 2005-150 be waived.”

3. **SCHEDULE “A”**

Schedule “A” hereto forms a part of this by-law.

4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law.

PASSED in Open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

da LEGAL\STAFF\LEGAL\ZONING\2019\2019-63 267 CATHCART\2019-63 267 CATHCART STREET AMENDING SPECIAL EXCEPTION ONLY.DOC



Application Map Series ☒ Subject Property ☐ Official Plan Landuse ☐ Existing Zoning ☐ Aerial Image ☐ Official Plan Amendment	Legal Department Reference Schedule "A"	 City of Sault Ste. Marie Planning and Enterprise Services Community Development and Enterprise Services Department 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5368 planning@cityssm.on.ca This map is for general reference only Orthophoto: None Projection Details NAD 1983 UTM Zone 16N GCS North American 1983
Property Information Civic Address: 267 Cathcart Street Roll No.: 040026039000000 Map No.: 16/1-27 Application No.: A-5-19-Z Date Created: February 14, 2019	Legend  Subject Property: 267 Cathcart Street  Parcel Fabric	

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-64

PARKING: (P7.3) 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.

THE COUNCIL of the Corporation of the City of Sault Ste. Marie pursuant to Section 15 of the *Police Services Act*, R.S.O. 1990, chapter P.15 and amendments thereto, **ENACTS** as follows:

1. **SCHEDULE “A” TO BY-LAW 90-305 AMENDED**

Schedule “A” to By-law 90-305 is hereby repealed and replaced with Schedule “A” attached to this by-law.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

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Schedule "A"

BADGE SCHEDULE "A"	SPECIAL CONSTABLE	EMPLOYER	PROPERTY LOCATION
26	MCLEOD, ROD	FLEMING & SMITH	378 QUEEN ST E & APARTMENTS & 27 KING ST.
30	RENDELL, VERN	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
151	PARR, DEREK	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/CPN RHODES/726 QUEEN ST
153	TASSONE, VITO	TASSONE CHIROPRACTIC	673 QUEEN ST E
163	BUMBACCO, PHILIP	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
196	MCGRAYNE, LAURA LEE	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
241	COGILL, ROBIN	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/CPN RHODES/726 QUEEN ST
253	TRAVSON, TERRANCE	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
267	CORBIERE, JOHN (TED)	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
276	SMITH, DENNIS, ROBERT	G4S SECURE SOLUTIONS	SAULT HOSPITAL
321	LORENZO, COREY	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
334	MILLER, BRADLEY	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
344	HARPE, KEN	HOLIDAY INN	320 BAY ST
346	HAZLETON, MARGARET	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
366	TROINOW, VICTORIA	G4S SECURE SOLUTIONS	SAULT HOSPITAL
370	HANSEN, LOUIS	ONT FINNISH HOME ASS.	725 NORTH ST.
372	BENOIT, ALAIN	ONT FINNISH HOME ASS.	725 NORTH ST.
374	TAAVEL, ANDRE	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
391	MCLEOD, HEATHER	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
397	LAFFRAMBOISE, YVON	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
410	POYNTER, HAROLD	G4S SECURE SOLUTIONS	SAULT HOSPITAL
411	MOORE, ROBERT	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
420	FABIANO, ANTONIO	G4S SECURE SOLUTIONS	SAULT HOSPITAL
435	TRAMBLE, GEORGE	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
441	WILSON, DAVID	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
442	MACCLENAN, MATTHEW	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
443	MARCIL, MARK	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
446	HALLIDAY, DANA	SAULT COLLEGE	443 NORTHERN AVE
456	CONEYBEARE, KEVIN	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
459	SLEEMAN, RAY	G4S SECURE SOLUTIONS	SAULT HOSPITAL
460	BOUGIE, DAN	G4S SECURE SOLUTIONS	SAULT HOSPITAL
463	MORIN, ALEX	CORPS. OF COMM.	
464	DITOMMASO, RYAN	2220917 ONT. INC.	489 BAY ST/535 QUEEN ST E
465	DELAVALLE, DON	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
484	MCLEOD, VIRGINIA	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
486	LONGO, NADIA	GT NORTH RETIREMENT	760 NORTHERN RD
487	ROUGEAU, MARISA	GT NORTH RETIREMENT	760 NORTHERN RD
488	LEFLEUR, MARILYN	GT NORTH RETIREMENT	760 NORTHERN RD
489	MCQUEEN, WANDA	GT NORTH RETIREMENT	760 NORTHERN RD
490	LUXTON, JEFF	GT NORTH RETIREMENT	760 NORTHERN RD
493	BROWN, FRASER	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
516	GAY, JAMES	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
517	ROY, BRENDA	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
523	MCBRIDE, GUY	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
526	JOHNSTON, CORY	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
537	GRAWBARGER, KYLE	G4S SECURE SOLUTIONS	SAULT HOSPITAL
541	DIMMA, WILLIAM	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
547	LIEPA, MATTHEW	ALGOMA CENTRAL PROP	STATION MALL/STATION 49/STATION TOWER
548	CARON, ROGER	CITY OF SAULT STE MARIE	99 FOSTER DR. (CIVIC CENTRE)
556	ARCAND, SCOTT	G4S SECURE SOLUTIONS	SAULT HOSPITAL
565	LISCUMB, GERALD	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
566	SWEET, WILLARD	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
568	PICK, DENNY	CORPS OF COMM	SAULT AIRPORT
574	BOUCHARD, DARYL	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
587	GIULETTI, MATTHEW	G4S SECURE SOLUTIONS	SAULT AIRPORT / HOSPITAL
599	BUMBACCO, CARL	CB HOME INSTALLATIONS	321 JOHN ST /342,346 ST GEORGE'S AVE.
601	HART, JASON	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
602	GREENWOOD, LESLIE	GREENWOOD HARDWARE	41 ALBERT ST W
603	LAMMING, DAVE	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
607	FROST, CHRISTIAN	CITY OF SAULT STE MARIE	TRANSIT SERVICE AREA
608	ALISAT, THOMAS	ALISATS RUST PROOFING	24 QUEEN ST W
609	ROBINSON, SHAWN	ALISATS RUST PROOFING	24 QUEEN ST W
611	MIZZI, PRESTON	WENDY'S	1 QUEEN ST W
617	SAVAGE, SAMUEL	G4S SECURITY	SAULT HOSPITAL
619	BERTO, DEBORAH	GATEVIEW REALTY INC.	304-310 ALBERT ST/420A&B MCNABB/715 DOUGLAS/67 ELGIN/47 PRINCESS/18 FERGUSON
622	PROULX, PATRICK	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCKEEN CENTRE/NORTHERN COMMUNITY CENTRE
623	AYTON, BENJAMIN	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCKEEN CENTRE/NORTHERN COMMUNITY CENTRE
624	MIHAILIUK, JASON	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCKEEN CENTRE/NORTHERN COMMUNITY CENTRE
626	CHARRON, ROBERT	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
627	BAKER, WILLIAM	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E/BREWERY BLOCK
632	SAVAGE, MATT	G4S SECURITY	SAULT HOSPITAL
633	HILL, MICHAEL	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
634	TIBBLES, COLLEEN	STANDARD PARKING	ONTARIO REALITY CORP/ROBERTA BONDAR PLACE/426 QUEEN ST E/BREWERY BLOCK
637	TOMASONE, LUIGI	LOU'S AUTOMOTIVE	317 ALBERT ST E
638	SICOLY, TERESA	AIRPORT	1-475 AIRPORT RD
639	PANITTLA, KIM	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
643	SHAW, KEVIN	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
644	SANTA MARIE, ROBERT	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCKEEN CENTRE/NORTHERN COMMUNITY CENTRE
646	BOOTH, ABBY	CITY OF SAULT STE MARIE	JOHN RHODES/ESSAR CENTRE/MCKEEN CENTRE/NORTHERN COMMUNITY CENTRE
647	DAFOE, TRUDY	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
648	ELWIGREN, STEPHEN	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECCOMPLEX/JOHN RHODES/726 QUEEN ST
649	GRAHAM, STEVEN	FENGATE PROPERTY	248 NORTHERN AVE
650	LANG, RICHARD	G4S SECURITY	SAULT HOSPITAL
651	HUTCHINSON, HILARY	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
653	BIOCCHI, CHRISTOPHER	AIRPORT	1-475 AIRPORT RD

659	MARCIL BONNIE	STRICTLY CONFIDENTIAL INC	RJ'S MARKET
664	HAMMERSTEDT, ERIC	STRICTLY CONFIDENTIAL INC	RJ'S MARKET
665	MATTHEWS SUANNE	NORTHLAND ANIMAL HOSP	695 TRUNK RD
666	AITKEN, ANDREW	G4S SECURITY	SAULT HOSPITAL
669	BOREAN RICK	CITY OF SAULT STE MARIE	BELLUVUE MARINA & PARK/ BONDAR MARINE & PARK/STRATHCLAIR DOG PARK&SPORTS COMPLEX/QE SPORTS COMPLEX
670	MCGUIRE, STEVE	REGENT PROPERTY	402/302 BAY ST/390 BAY/RIVERWALK CONDOS
671	MCGUIRE PATRICK	REGENT PROPERTY	402/302 BAY ST/390 BAY/RIVERWALK CONDOS
674	DERASP RICHARD	CORPS OF COMM	SAULT AIRPORT
675	KELLY MATTHEW	G4S SECURITY	SAULT HOSPITAL
676	THOMPSON JOHN	CORPS OF COMM	SAULT AIRPORT
677	MACMILLAN, TYLER	CORPS OF COMM	SAULT AIRPORT
678	PERRON JENNIFER	CORPS OF COMM	SAULT AIRPORT
679	CHATEAUNEUF, YVON	CORPS OF COMM	SAULT AIRPORT
681	SCHMIDT KEATON	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX
682	HALFORD KEVIN	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
683	SEMENYEI ADAM	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
686	ASH KEITH	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
687	POSSAMAI, MIKE	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
688	KING MICHAEL	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
689	SUBRAMANIAM DASA	DAYS INN	332 BAY ST
692	RHEAUME, DANIEL	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
693	O'SHAUGHNESSY, CONO	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
694	LIPPE, ANDREW	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
695	LAURICELLA, DIEGO	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
696	CLARIDA, JEFF	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
697	OLAR, GREG	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
698	DEPLONTY, HERBERT	CITY OF SAULT STE MARIE	PUBLIC WORKS PLOWING AREAS
700	FORD BRIAN	G4S SECURITY	SAULT HOSPITAL
701	CHIMFWEMBE CHILUFYA	NORTH EAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
703	DIAS, CODY	G4S SECURITY	SAULT HOSPITAL
704	GLOVER, LAURA	G4S SECURITY	SAULT HOSPITAL
705	DEGLIO, JOEY	G4S SECURITY	SAULT HOSPITAL
706	GAGNON JACQUES	G4S SECURITY	SAULT HOSPITAL
708	POWLEY, CHAD	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington Street West
710	HOTCHKISS, ROBERT	Riversedge Developments	503 BAY ST
711	MASON, STEPHEN	Riversedge Developments	503 BAY ST
712	KOOSTACHIN, ANDREW	Ontario Finnish Resthome	725 North St
713	Cho, Linda	Jennex Cho Enterprises	129 Second Line West
714	DESANDO, ALEXANDER	G4S SECURITY	SAULT HOSPITAL
715	MITCHELL, SPENCER	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
716	MALLINGER, FRANCES	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
717	GUY, AMY	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
718	SCOTLAND, KEVIN	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
719	JENKINSON, MICHAEL	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX
720	LORENZO, COREY	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
721	MACNEIL, ALICIA	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
722	MACTYRE, ANDREW	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
723	ROCCA, ANTHONY	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
724	ROULEAU, MICHAEL	CORPS OF COMM	SAULT AIRPORT
725	PAAT, EMMA LEE	AIRPORT	SAULT AIRPORT
726	DIVECHA, HARRISON	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
727	CLARK, DYLAN	G4S SECURITY	SAULT AREA HOSPITAL
729	DOUCHAMIE, CHELSEY	G4S SECURITY	SAULT AREA HOSPITAL
730	THOMPSON, JOSIAH	NORPRO SECURITY	DAVEY HOME/QUEENSCENTRE/HURON ST PROPERITES/ALGOMA PUBLIC HEALTH/556 QUEEN STRATHCLAIR DOG& SPORTS/QE ECOMPLEX/JOHN RHODES/726 QUEEN ST
731	NOTT, REGINALD	CORPS OF COMM	SAULT AIRPORT
732	MAKI, BRANDON	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
733	GREGORCHUK, CATHERIN	REAL ESTATE STOP INC	2 QUEEN STREET WEST
734	RICHARD, MARK	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
735	KEMP, ROBERT	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
736	BLAIR, BRENT	PROPERTY ONE	421 BAY ST
737	MARTONE, DONATO	PROPERTY ONE	421 BAY ST/COMMUNITY FIRST CREDIT UNION
738	MARTELLA, JOSEPH	PEAK INVESTMENT SERVICES	68 MARCH ST, 485 QUEEN ST E (REAR)
739	GOWAN, MAICIE	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
740	VERMA, ABBISHEK	NORTHEAST SECURITY	S COLLEGE/A UNIVERSITY & RES /ESSAR CENTRE/GHC/CAMBRIAN MALL/TENARIS/JOHN RHODES/QE SPORTS COMPLEX/Algoma Public Health/314 Wellington St W
741	DEGASPARRO, SHERRI	AIRPORT	SAULT AIRPORT
742	VOWELS-WING, LAURIE	NORTH 44 PROPERTY MGT	844 & 860 QUEEN ST E 524 524A 536 & 536A GOULAIS AVE
743	MILNE, GEORGE	CROATIAN VILLAGE	80 SACKVILLE RD
744	MCLEAN, JEFF	SKYLINE LIVING	SKYLINE PROPERTIES/621 MACDONALD AVE
745	QUESNELLE, TIMOTHY	PROPERTY ONE	421 BAY ST/COMMUNITY FIRST CREDIT UNION
746	BELANGER, CARL	PERZIA GROUP	70 EAST ST/ 700 BAY ST

THE CORPORATION OF THE CITY OF SAULT STE MARIE

TAX RATE (LEVY) BY-LAW FOR 2019

BY-LAW 2019-65

TAXES: (T1.2) A by-law to provide for the adoption of property tax rates for 2019.

WHEREAS Section 312 of the *Municipal Act, 2001* provides that the Council of a local municipality shall, after the adoption of estimates for the year, pass a by-law to levy a separate tax rate on the assessment in each property class, and;

WHEREAS Sections 307 and 308 of the said Act require tax rates to be established in the same proportion to tax ratios, and;

WHEREAS the 2019 municipal tax levy for all purposes including debenture principal and interest payments has been set at \$114,995,220 comprised of \$110,580,335 for the overall (rural) area and an additional \$4,414,885 for the urban area only including debenture principal and interest payments specific to the special area;

NOW THEREFORE the Council of the Corporation of the City of Sault Ste. Marie hereby **ENACTS** the tax rates for municipal purposes as set out in Schedule "A" hereto annexed, and forming part of this by-law.

1. **SCHEDULE "A"**

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

2. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

URBAN AREA

Property Class	RTC/RTQ	Municipal
Residential	RT/RH	0.01368349
Multi-Residential	MT	0.01480553
Commercial Occupied-New Construction	CT/CH/XT/XH	0.02933339
Commercial-New Construction-Excess Land	CU/XU	0.02053339
Commercial-Vacant Land-Parking Lots	CX/GT	0.02168704
General Rate Only (International Bridge Plaza)	CM	0.02933339
Shopping Centres Occupied-New Construction	ST/ZT	0.03113932
Shopping Centres-Excess Land	SU	0.02179751
Office Buildings Occupied-New Construction	DT/YH	0.04077841
Office Building-Excess Land	DU	0.02854488
Industrial Occupied-New Construction	IT/IH/JT	0.06308852
Industrial-New Construction-Excess Land-Vacant Land	JU/IU/IX/IJ	0.04100754
Large Industrial-Occupied	LT	0.11204685
Large Industrial-Excess Land	LU	0.07283046
Landfills	HT	0.02661184
Pipeline	PT	0.02865200
Farm-Managed Forests	FT/TT	0.00342087

RURAL AREA

Property Class	RTC/RTQ	Municipal
Residential	RT/RH	0.01310112
Multi-Residential	MT	0.01417541
Commercial Occupied-New Construction	CT/CH/XT/XH	0.02806214
Commercial-New Construction-Excess Land	CU/XU	0.01964351
Commercial-Vacant Land-Parking Lots	CX/GT	0.02074717
Shopping Centres Occupied-New Construction	ST/ZT	0.02978980
Shopping Centres-Excess Land	SU	0.02085285
Office Buildings Occupied-New Construction	DT/YH	0.03901115
Office Building-Excess Land	DU	0.02730780
Industrial Occupied-New Construction	IT/IH/JT	0.06035439
Industrial-New Construction-Excess Land-Vacant Land	JU/IU/IX/IJ	0.03923035
Large Industrial-Occupied	LT	0.10719096
Large Industrial-Excess Land	LU	0.06967413
Landfills	HT	0.02547924
Pipeline	PT	0.02743257
Farm-Managed Forests	FT/TT	0.00327528

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-66

TAXES: (T1.2(1)) A by-law to provide for the adoption of tax ratios.

WHEREAS Section 308 of the *Municipal Act*, 2001, as amended provides that the council of a local municipality shall pass a by-law to establish tax ratios for the 2019 Taxation Year.

Therefore **THE COUNCIL** of the Corporation of the City of Sault Ste. Marie pursuant to the *Municipal Act*, as amended **ENACTS** as follows:

1. **SCHEDULE “A”**

Schedule “A” hereto forms part of this by-law.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

CITY OF SAULT STE MARIE 2019 TAX RATIOS Schedule A

Residential	1.000000
Multi-Residential	1.082000
Commercial Occupied	2.182893
Commercial New Construction	2.182893
Commercial Excess Land	1.528025
Shopping Centres	2.317283
Shopping Centres-New Construction	2.317283
Shopping Centres-Excess Land	1.622098
Office Building	3.034592
Office Building-New Construction	3.034592
Office Building-Excess Land	2.124214
Parking Lots & Commercial Vacant Land	1.613877
Industrial Occupied	4.694835
Industrial-New Construction	4.694835
Industrial-Excess Land	3.051643
Industrial-Vacant Land	3.051643
Large Industrial	8.338150
Large Industrial-Excess Land	5.419798
Landfills	1.944814
Pipelines	2.093910
Farmland	0.250000
Managed Forests	0.250000

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-67

TAXES: (T1.2(2)) A by-law to provide for 2019 final tax billing.

WHEREAS the *Municipal Act*, 2001 S.O. 2001, c.25, as amended, provides that the council of a local municipality, may pass a by-law levying amounts on the assessment of property in the local municipality ratable for local municipality purposes;

AND WHEREAS the Council of the Corporation of the City of Sault Ste. Marie deems it appropriate to provide for such levy on the assessment of property in this municipality;

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

1. In this by-law the following words shall be defined as:

“Act” shall mean the *Municipal Act*, 2001 S.O. 2001, C.25, as amended

“Minister” shall mean the Minister of Finance;

“MPAC” shall mean the Municipal Property Assessment Corporation;

“Treasurer” means the treasurer of the Corporation of the City of Sault Ste. Marie or a person delegated the Treasurer’s powers and duties under s.286(5) of the Act and By-law 2017-50, being the City Tax Collector.

2. All taxes levied under this by-law shall be payable into the hands of the Treasurer in accordance with the provisions of this by-law.
3. The provisions of this by-law apply in the event that assessment is added for the year 2019 to the Tax Roll after the date this by-law is passed and the tax levy shall be imposed and collected.
4. There shall be imposed on all taxes a penalty for non-payment or late payment of taxes in default of the installment dates set out below. The penalty shall be one and one-quarter percent (1¼%) of the amount in default on the first day after the due date and the first day of each calendar month during which the default continues, but not after the end of 2019.
5. Following December 31, 2019, interest charges of one and one-quarter percent (1¼%) shall be imposed upon the amount in default on the first calendar day of each month during which the default continues.
6. The final tax levy imposed by this by-law shall be paid in two installments due on the following dates:

- 6.1 One-half (1/2) thereof on the 5th day of July, 2019.
- 6.2 One-half (1/2) thereof on the 5th day of September, 2019.
7. A notice specifying the amount of taxes payable, may be mailed or cause to be mailed to the address of the residence or place of business of each person taxed under this by-law by the Treasurer.
8. The notice to be mailed under this by-law shall contain the particulars provided for in this by-law and the information required to be entered in the Tax roll under Section 340 of the *Act*.
9. The Treasurer shall be authorized to accept part payment from time to time on account of any taxes due, and to give a receipt of such part payment, provided that acceptance of any such part payment shall not affect the collection of any percentage charge imposed and collectable under section 4 and 5 of this by-law in respect of non-payment or late payment of any taxes or any installment of taxes.
10. Nothing in this by-law shall prevent the Treasurer from proceeding at any time with the collection of any tax, or any part thereof, in accordance with the provisions of the statutes and by-laws governing the collection of taxes.
11. In the event of any conflict between the provisions of this by-law and any other by-law, the provisions of this by-law shall prevail.
12. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-68

PROPERTY ACQUISITION: (PR1.115) A by-law to authorize the acquisition of property located at civic 969 Peoples Road.

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. **PROPERTY ACQUISITION**

The Corporation shall acquire by purchase the absolute right in fee simple to the lands more particularly described in Schedule "A" attached hereto.

2. **EXECUTION OF DOCUMENTS**

The City Solicitor is hereby authorized by By-law 2018-55 for and in the name of the Corporation to execute and affix the seal of the Corporation to all documents required to complete the said acquisition.

3. **SCHEDULE "A"**

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

4. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

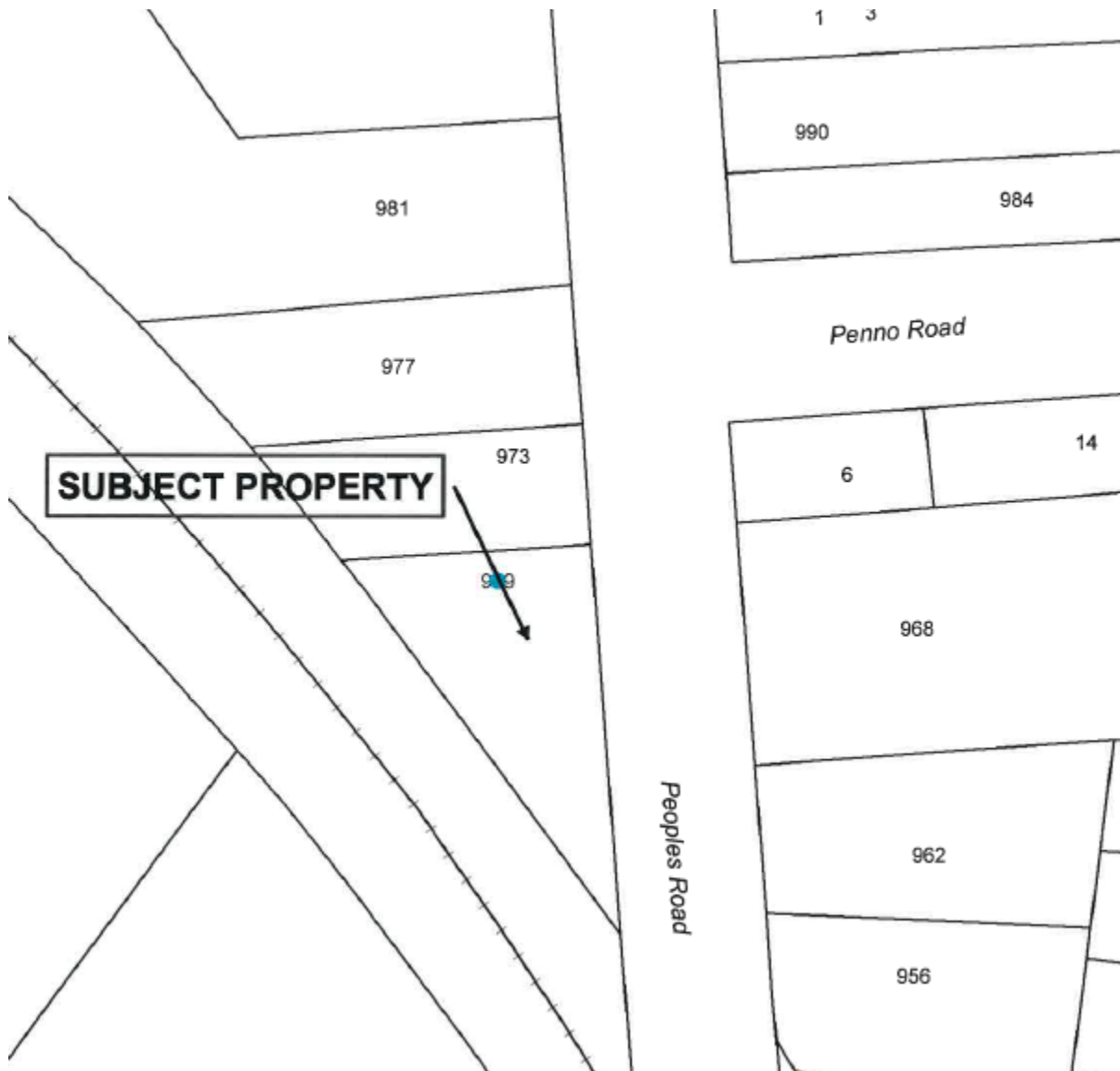
SCHEDULE "A"

PURCHASER: The Corporation of the City of Sault Ste. Marie

ADDRESS: 969 Peoples Road

LEGAL DESCRIPTION: PIN 31584-0100 (LT) LT 7 RCP H729 KORAH; SAULT STE. MARIE

CONSIDERATION: Ninety Eight Thousand (\$98,000.00) Dollars (subject to usual adjustments)



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-69

ZONING: A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning revised accessible parking requirements for new developments.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1. That the revised accessible parking requirements be accepted and that Zoning By-law 2005-150, Section 5.5 be amended according to the changes outlined in Schedule "A" attached.

2. **SCHEDULE "A"**

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

3. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law.

PASSED in Open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

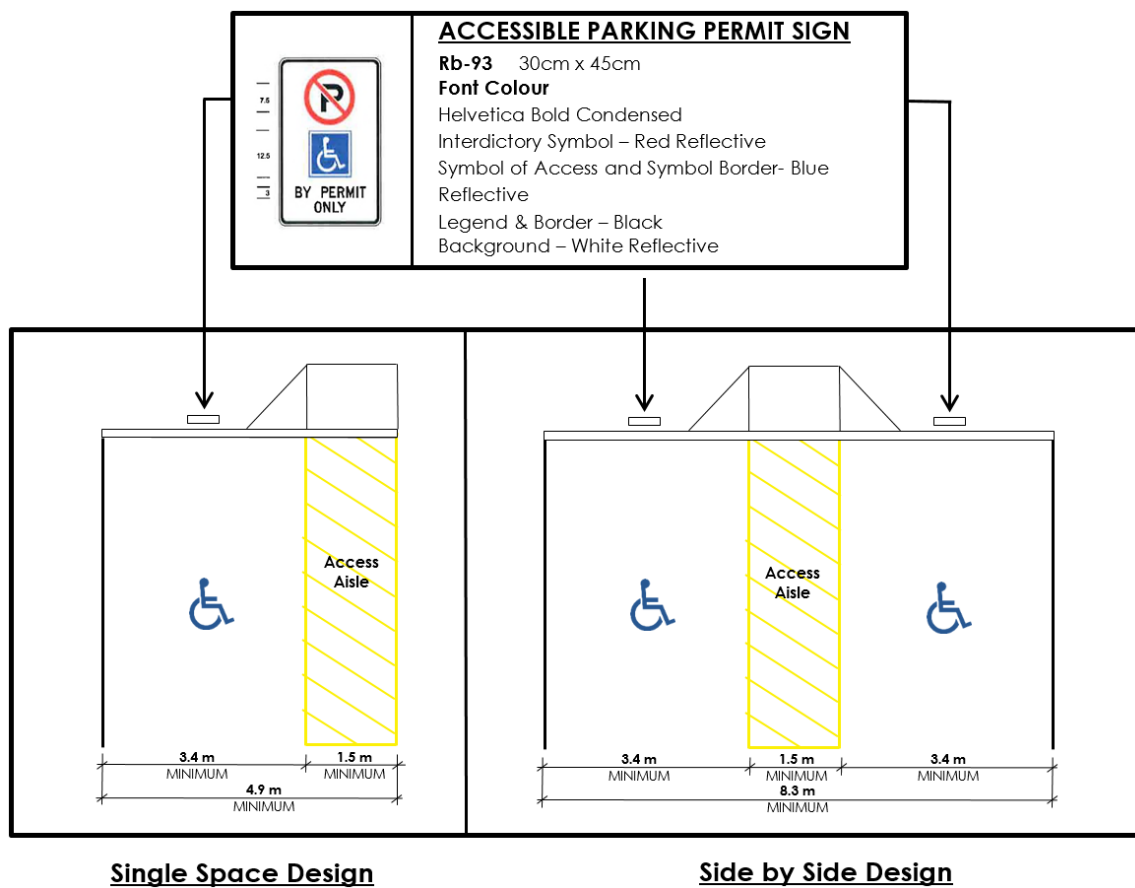
CITY CLERK - MALCOLM WHITE

SCHEDULE "A"

Amendments to Zoning By-law 2005-150

1. Under Section 5.5 BARRIER-FREE PARKING SPACE REQUIREMENTS, "Table 13 : Barrier Free Parking Design" is deleted and replaced with the following:

Table 13 : Barrier Free Parking Design.



SCHEDULE "A"

2. The table in Subsection 5.5.3 *REQUIRED BARRIER-FREE PARKING SPACES FOR RESIDENTIAL USES* is deleted and replaced with the following:

Number of <i>Required</i> Parking Spaces for Residential Uses	Minimum Number of <i>Required</i> Barrier-Free Parking Spaces
Any	6% of total <i>required</i> parking spaces

3. The table in Subsection 5.5.2 *REQUIRED BARRIER-FREE PARKING SPACES FOR NON-RESIDENTIAL USES* is deleted and replaced with the following:

Number of Required Parking Spaces For Non-Residential Uses	Minimum Number of Required Barrier-Free Parking Spaces
1 – 3	1 however such space need not be marked as a barrier-free parking space
4 – 10	1
11 – 35	2
36 – 50	3
Greater than 50	3 + 1 additional barrier-free space shall be supplied for every additional 50 required parking spaces, or part thereof.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-70

ZONING: A by-law to amend Sault Ste. Marie Zoning By-law 2005-150 concerning lands located at 1805 Queen Street East (Sault Ste. Marie Golf Club).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1. **1805 QUEEN STREET EAST; LOCATED ON THE SOUTH SIDE OF QUEEN STREET EAST, WEST OF THE SAULT STE. MARIE GOLF CLUB PARKING LOT; CHANGE FROM PR TO R3**

The zone designation on the lands having civic address 1805 Queen Street East shown as "Area To Be Rezoned" on the map attached to this by-law, which property is shown on Map 12/1-9/1-10 of Schedule "A" to By-law 2005-150 is changed from PR (Parks and Recreation) zone to R3 (Low Density Residential) zone.

2. **SCHEDULE "A"**

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

3. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law.

PASSED in Open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

SCHEDULE "A"



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-71

DEVELOPMENT CONTROL: A by-law to designate the lands located at 1805 Queen Street East an area of site plan control (Sault Ste. Marie Golf Club).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie **ENACTS** as follows:

1. **DEVELOPMENT CONTROL AREA**

The lands described on Schedule "A" attached hereto are hereby designated to be an area of site plan control pursuant to section 41 of the *Planning Act*, R.S.O. 1990, c. P. 13 and amendments thereto.

2. **SITE PLAN POWERS DELEGATED**

The Council hereby delegates to the Planning Director or his/her designate for the City of Sault Ste. Marie, Council's powers to enter into a site plan agreement dealing with any of the works or matters mentioned in Section 41 of the *Planning Act* as amended, for the lands shown as "Area To Be Rezoned" on the map attached as Schedule "A" to this by-law.

3. **SCHEDULE "A"**

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

4. **PENALTY**

Any person who contravenes this by-law including the obligations pursuant to the agreement entered into under the authority of this by-law is liable upon conviction therefore to penalty provisions as contained in the *Planning Act* and the *Municipal Act, 2001*.

5. **EFFECTIVE DATE**

This by-law takes effect from the date of its final passing.

PASSED in open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

SCHEDULE "A"



THE CORPORATION OF THE CITY OF SAULT STE.MARIE

BY-LAW 2019-72

OFFICIAL PLAN AMENDMENT: A by-law to adopt Amendment No. 222 to the Official Plan for the City of Sault Ste. Marie (1972667 Ontario Inc. c/o Carlo Gervasi & Brandon Stubbs 84 Ruth Street).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 21 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1. The Council hereby adopts Amendment No. 222 to the Official Plan for the Sault Ste. Marie planning area in the form attached hereto.
2. Subject to any referrals under the Planning Act, this by-law shall come into force on the date of its final passing.

PASSED in open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

**AMENDMENT NO. 222
TO THE
SAULT STE. MARIE OFFICIAL PLAN**

PURPOSE

This Amendment is an amendment to the Text of the Official Plan as it relates to the Residential policies and Commercial Policy C.4.

LOCATION

KORAH PT SEC 36RP 1R2143 Parts 1 and 2, located east of the end of Ruth Street, Civic No. 84 Ruth Street.

BASIS

This Amendment is necessary to permit the existing building (632m² GFA) to be utilized for the offices of a private security company and a private training facility.

The proposal does not conform to Residential Policies and Commercial Policy 4 as set out in the Official Plan.

Council now considers it desirable to amend the Official Plan.

DETAILS OF THE ACTUAL AMENDMENT & POLICIES RELATED THERETO

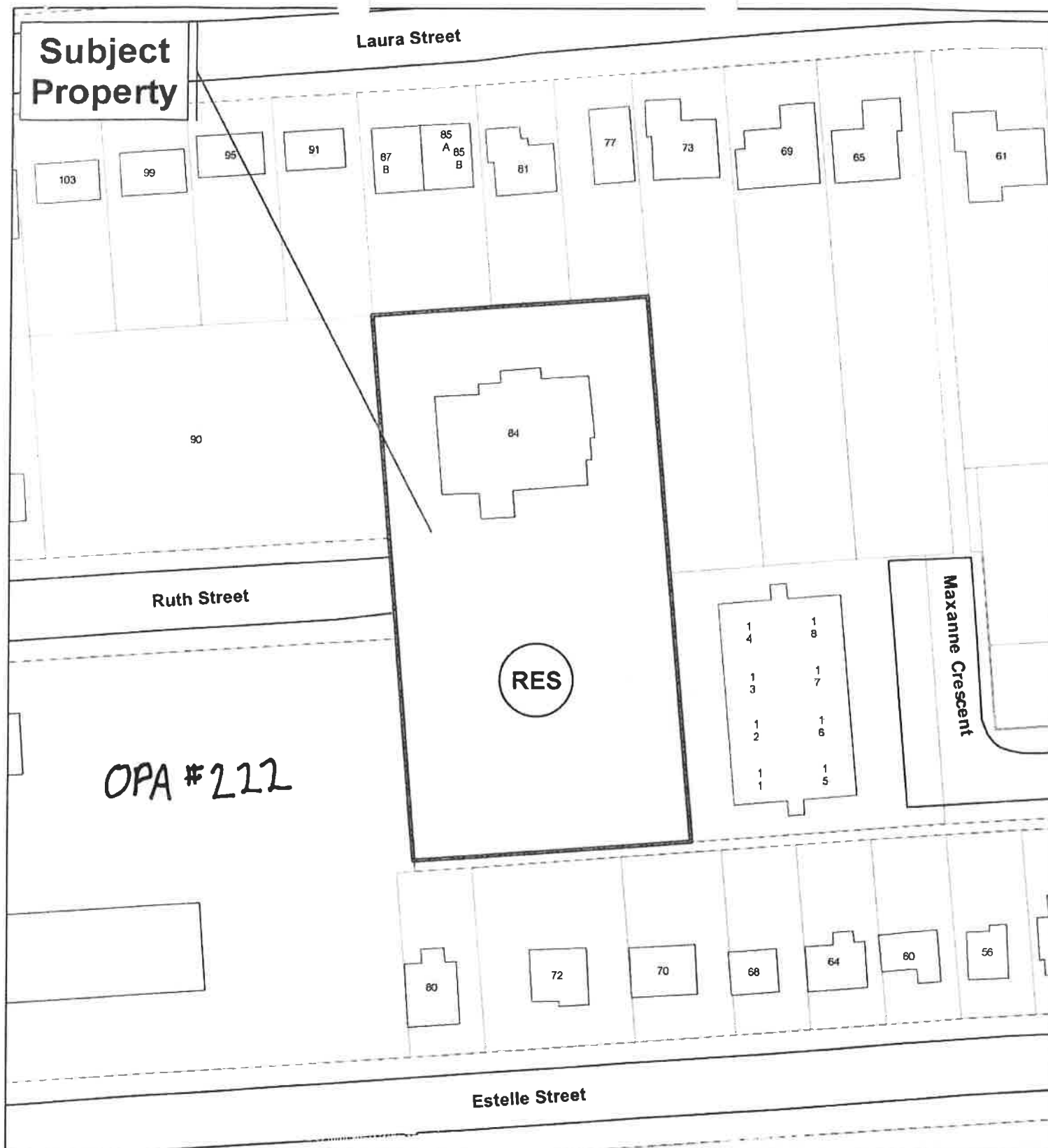
The Official Plan for the City of Sault Ste. Marie is hereby amended by adding the following paragraph to the Special Exceptions Section:

"Special Exceptions"

148. Notwithstanding the Residential policies and Commercial Policy 4 of the Official Plan, lands described as KORAH PT SEC 36RP 1R2143 Parts 1 and 2, located east of the end of Ruth Street, Civic No. 84 Ruth Street. may be utilized for the offices of a private security company and a private training facility.

INTERPRETATION

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



Application Map Series ☐ Subject Property ☒ Official Plan Landuse ☐ Existing Zoning ☐ Aerial Image ☐ Official Plan Amendment Property Information Civic Address: 84 Ruth Street Roll No.: 050004094010000 Map No.: 56/1-72 Application No.: A-4-19-Z Date Created: February 14, 2019	Legend - Residential - Commercial - Institutional - Parks Recreation - Industrial - Rural Area - Airport Lands - Parcel Fabric - Subject Property 84 Ruth Street	City of Sault Ste. Marie Planning and Enterprise Services Community Development and Enterprise Services Department 99 Foster Drive, Sault Ste Marie, ON P6A 5X6 saultstemarie.ca 705-759-5368 planning@cityssm.on.ca This map is for general reference only Orthophoto: None Projection Details NAD 1983 UTM Zone 16N GCS North American 1983 0 5 10 20 Meters 1:1 000
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THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-73

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 84 Ruth Street (1972667 Ontario Inc. c/o Carlo Gervasi & Brandon Stubbs).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1A. **NORTHERN +/- 48M OF THE SUBJECT PROPERTY**
84 RUTH STREET; LOCATED AT THE EASTERN END OF RUTH
STREET; CHANGE FROM I TO I.S WITH A "SPECIAL EXCEPTION"

The zone designation on the lands described in section 2 of this by-law, which lands are shown on Map 56/1-72 of Schedule "A" to By-law 2005-150, is changed from I (Institutional) zone to I.S (Institutional) zone with a "Special Exception".

1B. **SOUTHERN +/- 60.5M OF THE SUBJECT PROPERTY**
84 RUTH STREET; LOCATED AT THE EASTERN END OF RUTH
STREET; CHANGE FROM I TO R3.S WITH A "SPECIAL EXCEPTION"

The zone designation on the lands described in section 2 of this by-law, which lands are shown on Map 56/1-72 of Schedule "A" to By-law 2005-150, is changed from I (Institutional) zone to R3.S (Low Density Residential) zone with a "Special Exception".

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding the following subsection 2(381) and heading as follows:

A. **"NORTHERN +/-48M OF THE SUBJECT PROPERTY**
2(381) 84 Ruth Street

Despite the provisions of By-law 2005-150, the zone designation on the lands located at the eastern end of Ruth Street and having civic no. 84 Ruth Street and outlined and marked "Subject Property" on the map attached as Schedule 381 hereto is changed from I (Institutional) zone to I.S (Institutional) zone with a "Special Exception" to permit, in addition to those uses permitted in an I zone:

- a. The offices of a private security firm and private training facilities.
 - i) For the purposes of this By-law, a private security firm shall be defined as an establishment primarily engaged in providing a full range of security services, including dispatch and investigation, as well as any business administration and support for the security company.
 - ii) For the purposes of this By-law, a private training facility shall be defined as an establishment primarily engaged in providing a full range of training classes on-site, which may be available to Norpro employees and the general public.
- b. That the frontage requirement be reduced to 0m.
- c. That the eastern parking aisle width be reduced from 6.71m to 6.685m.”

B. **“SOUTHERN +/- 60.5M OF THE SUBJECT PROPERTY
2(381) Ruth Street**

Despite the provisions of By-law 2005-150, the zone designation on the lands located at the eastern end of Ruth Street and having civic no. 84 Ruth Street and outlined and marked “Subject Property” on the map attached as Schedule 381 hereto is changed from I (Institutional) zone to R3.S (Low Density Residential) zone with a “Special Exception” to reduce the required frontage to 0m.”

3. **SCHEDULE “A”**

Schedule “A” hereto forms a part of this by-law.

4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law as amended by Official Plan Amendment No. 222.

PASSED in Open Council this 1st day of April, 2019

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

**SCHEDULE "A" TO BY-LAW 2019-73 AND
SCHEDULE 381 TO BY-LAW 2005-151**



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-74

DELEGATION TO DIRECTOR OF COMMUNITY SERVICES: (C3) A by-law to authorize the Director of Community Services, or his/her designate, to enter into standard agreements between the City and users of City facilities.

WHEREAS Section 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, allows for City Council to delegate Council's powers under the *Municipal Act, 2001* to officers and employees of the City;

AND WHEREAS on September 28, 2015, City Council passed By-law 2015-165 which repealed By-law 2010-105 and delegated to the Director of Community Services, or his/her designate, Council's power to enter into standard agreements for the use of City facilities as the position of Manager of Community Centres and Marine Facilities no longer existed;

AND WHEREAS the position of Director of Community Services no longer exists;

AND WHEREAS there are agreements for the use of City facilities including but not limited to City Arenas, which the Community Development & Enterprise Services Department wishes to enter into on behalf of City Council;

AND WHEREAS City Council considers it desirable for the purposes of efficient service delivery to delegate the authority to enter into these agreements on behalf of the City to the Director of Community Services, or his/her designate;

NOW THEREFORE THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to Section 23.1(1) of the *Municipal Act, 2001*, S.O. 2001, c. 25, as amended, **ENACTS** as follows:

1. **REPEAL OF BY-LAW 2015-165**

By-law 2015-165 is hereby repealed.

2. **AUTHORITY TO ENTER INTO FACILITY USE AGREEMENTS DELEGATED**

- i) The Director of Community Services or his/her designate is hereby authorized for and in the name of the Corporation to execute the standard Facility User Agreement in the form of Schedule "A" to this by-law.
- ii) The Director of Community Services or his/her designate is further authorized to make minor variations from this standard form agreement to suit the needs of the particular user.

3. **SCHEDULE “A”**

Schedule “A” forms a part of this by-law.

4. **APPEAL TO CITY COUNCIL**

Where the potential user of the City facility is not satisfied with the position of the Director of Community Services, or his/her designate, the potential user of the City facility may require the matter to be referred to City Council.

5. **EXECUTION OF DOCUMENTS**

The powers delegated to the Director of Community Services, or his/her designate, under Section 2 of this by-law include the power to execute the Facility Use Agreements on behalf of The Corporation of the City of Sault Ste. Marie.

6. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – MALCOLM WHITE

Signing Authorized by BY-LAW 2019-74

THIS AGREEMENT made in duplicate the ____ day of _____, 20__

B E T W E E N:

**The Corporation of the City of Sault Ste. Marie hereinafter
called the "City"**

- and - _____

hereinafter called the "User Group"

**for the purpose of _____
hereinafter called the "Event"**

WHEREAS the City and the User Group have come to an agreement in respect to the use by the User Group of the _____, located at _____, Sault Ste. Marie, ON;

NOW THEREFORE this agreement witnesseth that in consideration of the mutual covenants and agreements herein contained and subject to the terms and conditions hereinafter set out, the parties agree as follows:

General

1. The City, in consideration of the fees and covenants hereinafter expressed, hereby grants a Permit to the User Group for the use of the _____ (**"Venue"**) for the Term commencing at: _____ and terminating at: _____.
2. The City's Director of Community Services ("Director") is authorized to give and receive all notices on behalf of the City. Notice to the User Group may be given by mailing to its address as shown herein, or to the agent herein designated:
3. User Group's/Agent's Address: _____
c/o Name
Address
City, State/Province
Zip Code/Postal Code
4. The User Group hereby agrees to make no changes in the building or grounds of the Venue without the prior consent of the City.
5. The User Group agrees to take all precautions to protect the floor of the Venue, and to plank same for heavy weights, if in the opinion of the City's Manager of Community Arenas it is necessary, and to supply earth, sawdust, or any other material necessary and to remove same and restore the Venue to a condition satisfactory to the Manager of Community Arenas, all at the expense of the User Group.

6. During the period above-mentioned, the User Group shall have the use of the said Venue and such use and occupation shall not be sole and exclusive but subject to the use by the City to provide the necessary services connected with the heating and safety of the Venue as well as to traffic to and from offices during normal business hours, provided, however, that such other use(s) do not unreasonably interfere with User Group's Event.
7. The User Group shall take out and keep in force during the term hereof property damage and personal injury insurance in the amount of **Five Million (\$5,000,000.00) Dollars** to cover potential liability arising from the User Group's use of the Venue. The said policy shall list the Corporation of the City of Sault Ste. Marie and its respective employees as additional insured as respects the liabilities assumed herein by the User Group. A copy of this insurance certificate shall be deposited with the Manager of Community Arenas prior to the rental period.
8. The User Group shall fully indemnify and save harmless the City and their respective councillors, officials, officers, directors, employees, consultants, agents, successors, contractors, employees and assigns, or any of them, and all persons from whom it is in law responsible from any and all actions, causes of action, claims, demands, interest, damages, expenses, liens, losses, costs, charges and other proceedings (including without limitation those relating to environmental, workplace safety and insurance compensation and occupational health and safety matters, and including solicitor client costs on a substantial indemnity scale basis and disbursements) whatsoever kind and nature that may be made or brought against or suffered by or imposed upon any or all of them as a result of anything related directly or indirectly to the Event, occurring in or on the Venue or any part thereof during the Term and/or arising in any way directly or indirectly as a result of this Agreement.
9. The User Group hereby acknowledges and agrees that the City shall retain counsel of its own choice to defend any such any actions, causes of action, claims, demands, interest, damages, expenses, liens, losses, costs, charges and other proceedings as set out herein, and that the City shall have full control over the City's defence and/or response to such proceedings, and further, that all costs incurred by the City in the defence and/or response to such proceedings (including solicitor/client costs on a substantial indemnity scale basis), shall be paid by the User Group immediately upon demand by the City as incurred by the City.
10. Each party shall further release the other party from all loss, claims, suits and demands arising out of the cancellation or alleged nonperformance or breach of this Agreement due to or arising out of fire, riot, act of God, strike action, or any other cause or circumstances beyond a party's control or unforeseen by a party at the time this Agreement was entered into.
11. The User Group agrees that the Venue shall be used for the following purpose and no other purpose whatsoever: _____
12. The User Group shall furnish and instruct at its own expense, as its employees and agent, special police, if required to properly handle and govern the conduct of persons in attendance at the Event.
13. If the City's employees are used by the User Group or if the City has to perform duties of User Group herein, the City shall be reimbursed therefore for expenses incurred.

14. Amounts and contents of the User Group's display advertising materials at the Venue shall be at the reasonable discretion of the City.
15. The Venue shall be accepted by the User Group as it is and there shall be no rearrangement of existing equipment and fixtures without the prior consent of the City and any costs associated therewith shall be the responsibility of the User Group. Notwithstanding anything contained in this Agreement, the Venue will be provided in a good state of repair and in compliance with all applicable laws, regulations and health and safety concerns and other applicable codes and regulations, and City will obtain all building related permits required to operate the Venue.
16. No decorations shall be placed in or on the Venue, nor shall any devices or signs be supported by any means on walls or woodwork without the prior consent of the City - sets, scenery or other stage properties shall be of flame proof material and confirm with the regulations of the Sault Ste. Marie Fire Service.
17. The City shall furnish heat, light and general cleanup after each activity. The City reserves the right to assess the User Group extra charges for cleanup for those activities, which in the reasonable opinion of the City, involve greater cleanup than would normally be required. Any such extra charges shall be assessed by the City in its sole discretion and be payable by the User Group forthwith upon demand.
18. The User Group shall, on request of the City, discharge from the Venue or promptly remedy any problems with any of its agents or employees and cease any activity which is detrimental to the Venue or not in the best interests of the Corporation of the City of Sault Ste. Marie.
19. The User Group shall make all arrangements with the Union business agents of all trades to be employed by it.
20. The User Group shall not assign, transfer or sublet this Permit or its rights, title or interest therein to any other without the City's prior written consent.
21. The User Group shall not interfere with the use of the Venue by other User Groups or lessees of the City, provided that reasonable use by the User Group of the Venue, pursuant to the terms of this Agreement, shall not be deemed to be such interference.
22. The policy of the City is to serve the public in the best possible manner and the User Group agrees that it, its employees and agents shall, at all times, cooperate to this end.
23. The User Group acknowledges that the City has not made nor caused to be made any representations or agreements of any nature concerning this Permit of the User Group's occupancy except as herein stated.
24. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their respective heirs, executors, administrators and successors.

Entertainment Tariffs

25. The City is licensed to collect and submit music tariffs for SOCAN. The User Group shall pay all other

entertainment tariffs directly to the applicable group or agency and upon request provide the City with proof of that it has done so. The User Group shall accept complete responsibility for any performance of copyright music and that the City will be in no way responsible for any infringement of copyright which may occur at the Venue during the Event.

Rent, Expenses, and Settlement

26. The User Group does hire the arena for the above-mentioned term and covenants to pay to the City for rent of the arena for the term as follows: _____, plus HST and expenses, which include but are not limited to advertising, event staff and staging as agreed to in advance by User Group. **(See Appendix A for full particulars)**
27. The User Group shall pay the sum of _____ of which shall be paid as a deposit at the signing of this Agreement. The deposit shall be a guarantee to City of the User Group's occupancy of the Venue and shall be non-refundable.
28. The User Group agrees to pay to the City the balance of rental and costs immediately upon termination of the said Term, or at settlement on the night of the Event.
29. The balance owing to the User Group at settlement will be paid by cheque. The cheque will be prepared the next business day and forwarded by mail or upon request by courier to the User Group.
30. Cash or Cheque advances prior to settlement will not be made prior to the day of the Event. Should the User Group request an advance to be delivered on Event Day, the amount must be mutually agreed upon and the request made no later than 3 business days prior to the Event.

Box Office

31. The City shall have control of distribution of all ticket sales upon direction of the User Group and shall not be required to account to the User Group for the proceeds until settlement of the performance. The City shall be entitled to deduct from such proceeds all rent and other amounts payable up to the amount due by the User Group to the City.
32. It is provided herein that the tickets for certain events held at the Venue shall be subject to a surcharge of _____ per spectator ticket. The surcharge is to be paid to the City. In addition, the price on the printed tickets shall include the surcharge plus any applicable taxes.
33. All tickets and ticket staff shall be administered by the City. All tickets, ticket sellers, ushers, police, ticket-takers and any extras that may be required in connection with the Event shall be paid by the User Group, over and above the rental fee.
34. The City shall receive up to _____ complimentary tickets for each performance for customer service issues and relocates at no cost to the City. The selection of these tickets shall be arranged with the User Group.
35. The User Group agrees to pay all taxes and obtain all licenses in connection with the Event and agrees to hold the City harmless from claims of its employees and from payment of any Federal, Provincial, or local taxes incurred by the User Group or resulting from its occupancy.

36. The City will deduct from ticket sales and remit applicable taxes due, such as but not limited to HST. If the User Group will remit taxes a HST number and a signed indemnity form is to be provided. **(See Appendix B)**

37. Ticket Pricing Details see Appendix A.

Food and Beverage, Novelty and other Retail Sales

38. All program and other concessions are reserved to the City.

39. The City shall be paid the following percentage of program, novelty and souvenir sales: ____ of gross sales after deduction of all applicable taxes, credit card commissions and bootleg security, if requested, if the User Group handles sales; or ____ or gross sales after deduction of all applicable taxes, credit card commissions and bootleg security, if requested if the City handles such sales.

40. The sale of alcoholic beverages shall be reserved to the City. The City indemnifies the User Group from any claim, loss, damage etc. that is a result of serving alcoholic beverages.

41. The City retains the right to operate the concessions and refreshment stand and the User Group shall not furnish or sell liquid refreshments, food or other concessions in any part of the Venue except upon prior approval and consent of the City.

42. LOTTERY LICENSE - If an event organizer wishes to hold any type of lottery scheme such as a raffle they are required to obtain a lottery license. 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 or cash, or a combination of the two. Please refer to the City of Sault Ste. Marie Alcohol Risk Management Policy - Section C Lottery Licenses for additional details.

43. Release of information:

- 1) Any release of information received by the City in relation to this agreement shall be governed by the provisions of the Municipal Freedom of Information and Protection of Privacy Act.
- 2) The User Group, not the City, shall be responsible for the release of any information regarding the distribution and sale of tickets.

44. The parties agree that this Agreement and Schedules “A” and “B” constitute the entire agreement between the parties.

IN WITNESS WHEREOF the parties hereto have hereunto set their hands and seals as of the day and year first above written.

SIGNED, SEALED AND DELIVERED)

in the presence of

) **THE CORPORATION OF THE CITY OF**

) **SAULT STE. MARIE**

)

) **PER:** _____

)

) **Print Name:** _____

)

)

) _____

)

) **PER:** _____

)

) **Print Name:** _____

SCHEDULE “A”

TERMS TO BE INSERTED BY CITY

APPENDIX B

HST Indemnity

TO: The Corporation of the City of Sault Ste. Marie ("City")

RE: **Name of User Group**
Event Name – Date of Event

Insert Name of User Group hereby certifies that:

1. **Insert Name of User Group** is registered under Subdivision (d) of Division V of PIX of the Excise Tax Act for the collection and remittance of the Harmonized Sales Tax ("HST") and its registration number is

2. **Insert Name of User Group** undertakes to remit the HST in connection to the ticket sales for the above noted event as collected by the City for said ticket sales.
3. **Insert Name of User Group** shall indemnify and save harmless the Vendor from and against any and all HST, penalties, costs and/or interest which may become payable by or assessed against the City as a result of any failure by **Insert Name of User Group** to comply with the provisions of this Indemnity.

I/We have the authority to bind the **Insert Name of User Group**:

Per: _____ Date: _____

Name/Title

Per: _____ Date: _____

Name/Title

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2019-75

AGREEMENT: (H1.10) A by-law to authorize an agreement between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529).

THE COUNCIL of the Corporation of the City of Sault Ste. Marie, **ENACTS AS FOLLOWS:**

1. **EXECUTION OF DOCUMENTS**

The Major and the City Clerk are hereby authorized for and in the name of the Corporation to execute and affix the seal of the Corporation to an agreement in the form of Schedule "A" hereto dated the 1st day of February, 2014 and made between the City and the Sault Ste. Marie Professional Firefighters Association (Local 529) for the period of February 1, 2014 to January 31, 2015.

2. **EFFECTIVE DATE**

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

PASSED in open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

CLERK –MALCOLM WHITE

AGREEMENT

between



**THE CORPORATION OF THE CITY OF
SAULT STE. MARIE**

-and-

**SAULT STE. MARIE PROFESSIONAL FIREFIGHTERS ASSOCIATION
(Local 529)**



February 1, 2014 to January 31, 2015

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SCHEDULE "A" TO BY-LAW

AGREEMENT entered into as of
February 1, 2014

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
(Hereinafter called the "EMPLOYER")

OF THE FIRST PART

- AND -

THE SAULT STE. MARIE PROFESSIONAL FIREFIGHTERS ASSOCIATION
(Hereinafter called the "ASSOCIATION") (Local 529)

OF THE SECOND PART

1:00 PURPOSE

- 1:01 Whereas the Association has established to the satisfaction of the Employer that all full-time employees of its Fire Services except the Fire Chief, Assistant Chief – Fire Suppression, Assistant Chief - Fire Prevention and Public Education and the Assistant Chief - Support Services and Administrative Assistant to the Fire Chief, are members of the Association and that it is therefore entitled to represent the said employees as their bargaining agent.

NOW THEREFORE THIS AGREEMENT WITNESSETH:

- 1:02 The employees shall at all times co-operate with the Employer and the Chief of the Fire Services to the fullest extent to provide an efficient firefighting organization for the benefit of the City and the inhabitants thereof.

2:00 SCOPE

- 2:01 The terms of this agreement shall apply to all full-time employees of the Sault Ste. Marie Fire Services and the Association shall have the right to bargain for the purpose of defining, determining and providing for remuneration, pensions and working conditions for all full-time employees of the Fire Services except the Fire Chief, Assistant Chief – Fire Suppression, Assistant Chief - Fire Prevention and Public Education and the Assistant Chief - Support Services and Administrative Assistant to the Fire Chief.
- 2:02 To insure the safe and efficient operation of the Fire Services, management staff in the positions of Assistant Chief - Fire Prevention and Public Education and Assistant Chief - Support Services shall be allowed to perform the duties of employees under their command as may be required from time to time.
- 2:03 Every new employee, on joining the Department shall, after the employee's first six months of service, become a member of the Association. All employees who are now or who in future become members of the Association shall, as a condition of employment maintain such membership in good standing.

2:04 The employer shall deduct from the salary of each employee, on completion of 30 days employment, the Association contributions (dues) and remit by cheque each month to the Treasurer of the Association, the full amount so collected.

3:00 RECOGNITION

3:01 The Employer recognizes the Association as the bargaining agent for all said full-time employees (as provided in the Fire Protection and Prevention Act, 1997) of the Sault Ste. Marie Fire Services.

3:02 The Chief of the Fire Services shall meet with a committee of the Association on reasonable notice to discuss any subject or matter which may be deemed of mutual benefit to the employees and the City or the inhabitants thereof.

3:03 The Association agrees to notify the Commissioner of Human Resources in writing, with a copy to the Fire Chief, of the names of all the Association representatives and the committees upon which such representatives will serve. The Association will also be responsible for notifying the employer of any changes to the list of Association representatives.

The City shall not be required to recognize any Association representative until such time as the Commissioner of Human Resources has been notified in writing by the Association as outlined above.

3:04 When employees are involved in a meeting with Senior Management that may become disciplinary in nature, Senior Management shall ensure that the member will have representation from the Association Executive. Please note that discipline "must be forthcoming" for this to take place.

4:00 MANAGEMENTS' RIGHTS

4:01 The Association acknowledges the exclusive right of the Employer to maintain order, discipline and efficiency to establish and enforce rules and regulations necessary to the efficient and safe operation and generally to govern the conduct of employees. To hire, discharge, promote, demote, layoff, classify or suspend or discipline employees. The employer agrees that these functions shall be exercised in a manner consistent with the general purpose and intent of this agreement and subject to the right of an employee to lodge a grievance as set forth herein.

4:02 The Association further recognizes that it is the right of the Employer to operate and manage the Fire Services in all respects and in accordance with all its commitments coming within its jurisdiction: the equipment to be used, the methods to be employed and the number of persons to be employed are exclusively the responsibility of the Employer.

4:03 The Association also recognizes that it is the right of the Employer to delegate any of its functions, rights, duties, or powers, subject to this agreement or otherwise, to the Fire Chief, or such persons or committees as the Employer may deem advisable subject to the terms of the Fire Protection and Prevention Act, 1997.

- 4:04 All employees should maintain good physical condition and in accordance with their commitment to protect the public all employees are urged to make every effort to meet this requirement.
- 4:05 All employees and probationers shall be governed by the Rules and Regulations of the Employer as from time to time established and published after prior notice to the Association. Where the "Rules" are in conflict with the provisions of this agreement, the provisions of the agreement shall apply. The Employer will encourage the study of advanced firefighting techniques by any employee if such studies are approved by a recognized school of instruction.
- 4:06 Disciplinary action against any employee may result in discharge or suspension if the cause is grave enough to warrant such action. Such causes shall include incompetence, neglect of duty, reporting for duty under the influence of liquor, bringing intoxicants into a fire hall, refusal to comply with an order, disorderly conduct or conduct unbecoming an employee, absence from duty without proper leave and any offense sufficiently grave to warrant disciplinary action or discharge. The employer shall record an employee's offense to both the employee and the Secretary of the Association.
- 4:07 Discipline of an employee shall be removed from the employee's disciplinary record after twenty-four months (24) provided there has been no further discipline given to the employee within such twenty-four (24) month period. This requirement to remove discipline does not apply to discipline related to substance abuse.

5:00 HOURS OF WORK

- 5:01 (a) The working hours for the employees shall be a forty-two (42) hour work week in accordance with the Fire Protection and Prevention Act, 1997 (2 – 4 platoon system) and shall consist of 10 hour day shifts, 8:00 A.M. to 6:00 P.M. and 14 hour night shifts 6:00 P.M. to 8:00 A.M. as per Schedule "B" attached and forming a part of this agreement.

(b) The working hours of work for the Training Division and Mechanical Division shall be from 7:30 a.m. to 4:00 p.m., Monday to Thursday inclusive, 7:30 a.m. to 3:30 p.m. Friday with one half (1/2) hour paid lunch.

(c) The Fire Prevention Division shall be rotation of Friday/Monday (off day) every four (4) months unless otherwise mutually agreed to by both parties.

A vacation or sick day will be a 10 hour deduction from the appropriate bank (vacation or sick leave bank).

Specifically:

The working hours for the Fire Prevention Division shall be an average 42 hr. work week within a 2 platoon system as follows;

Platoon A (2-FPO's) – 7:00 a.m. to 5:00 p.m. Monday through Thursday.

Platoon B (2-FPO's) – 7:00 a.m. to 5:00 p.m. Tuesday through Friday.

Each officer making up the remaining ½ hour per day, by providing 24/7 on call for Fire Investigation beginning Tuesday – 5:00 pm to Tuesday – 5:00 pm the following week.

- 7:00am to 5:00pm Mon./Thurs. or Tues./Fri.
- 8 hrs in lieu of on call time for one week every 4 weeks
- One half (1/2) hour paid lunch

- 1) Each Fire Prevention Officer agrees to one (1) week on call (24/7, Tuesday to Tuesday or agreed upon other day to day which encompasses one weekend) to perform Fire Investigation, within the 4 week rotation. A vehicle shall be made available to FPO's to take home when on call. When a call in occurs, articles 5:02, 5:03 and 5:04 of the Collective Agreement will apply.
- 2) Determination concerning specific on call week(s) for upcoming year, shall be decided and agreed upon by FPO's, after holiday signings are determined the previous fall. If FPO's cannot determine week, management reserves the right to schedule the on call week.
- 3) One lieu time or sick time day, will be calculated at a rate of 10 hours per day.
- 4) Outside of scheduled 4 day work week, only one FPO, at a time, is permitted vacation during the week. Additional requests for vacation and/or lieu time shall be at the discretion of the Assistant Chief – Prevention. If the statutory holiday is the FPO's normal day off, the FPO's regularly scheduled day following or preceding the holiday will be the FPO's day off in lieu of that day.
- 5) When any scheduled training, including Ontario Fire College courses occurs, affecting an FPO's schedule, the FPO shall be reverted to a five (5) day work week. Said FPO will receive 30 days' notice of schedule change and vacation schedules will not be affected.

5:02 All employees may be subject to off-shift call back at the discretion of the Chief of the Fire Services. When off-shift employees are called back they will be paid a minimum of three (3) hours pay at the rate of time and one-half.

5:03 Employees authorized to work more than their regular shifts will be paid at the rate of time and one-half their regular rate for the overtime worked calculated in quarter-hour segments. Employees are not considered relieved from duty until they have arrived back at their respective fire station and authorized to leave by an officer.

5:04 When at the discretion of the Fire Chief it is possible, employees will have the option of taking straight time off in lieu of overtime worked.

5:05 Employees shall be allowed to change shifts with other employees at any of the fire stations provided such employees are qualified to perform the duties and that such change of shifts are done when an employee is on a recognized day off or on holidays.

- (a) Employees wishing to change shifts will apply for a change to the officer in charge of the shift. Officer in charge of the shift shall mean the officer in charge on the day of the change of shift.
- (b) Twenty-four hours notice must be given for a change to be given any consideration, except in the case of an extreme emergency when a good reason must be given for a requested change of shift.
- (c) Employees requesting a change of shift will see the officer concerned while the employee is on duty at the Fire Hall, except in the case of an emergency.

- (d) Employees having a day off due to having exchanged a shift must not work for gain or pay on such a day off. Any employee of the Association working for gain or pay on exchange shift will be immediately suspended from the department.
- (e) Captains or Acting Captains in charge of shifts will ensure that all changes of shift are duly recorded in the daily report sheets.
- (f) Employees, who have promised to work for another employee and then become sick or injured, shall be solely responsible to have that shift filled by another qualified member of the Association able to do the job. Any employee who has promised to work for another employee of the Association and fails to report for duty on the day the employee is scheduled to work for another employee, shall forfeit three days pay.
- (g) All officers in charge of shifts will ensure that paragraph (b) is adhered to. Failure to comply will result in the loss and forfeiture of pay for one scheduled shift.

6:00 VACATIONS

6:01 Each employee shall be entitled to vacations with pay as provided hereunder, namely:

- (a) All employees who have completed one year of continuous service but less than five years shall receive two (2) weeks annual vacation with pay.
- (b) All employees who have completed five years of continuous service but less than ten years shall receive three (3) weeks annual vacation with pay.
- (c) All employees who have completed ten years of continuous service but less than fifteen years shall receive four (4) weeks annual vacation with pay.
- (d) All employees who have completed fifteen years of continuous service but less than twenty-two years shall receive five (5) weeks annual vacation with pay.
- (e) All employees who have completed twenty-two years of continuous service shall receive six (6) weeks annual vacation with pay.

6:02 Employees who are absent from work without pay for 30 days or more due to a leave of absence, suspension, or layoff, shall have their vacation entitlement reduced in proportion to such time absent from work.

6:03 One week of vacation as referred to herein shall mean four consecutive working shifts except for employees who normally work a regular day shift.

6:04 The period at which employees may take vacation shall run from the 1st day of January to the 31st day of December annually.

6:05 Any employee having become entitled to regular vacation as defined in Sections (a), (b), (c), (d) and (e) of Article 6:01 and who, before receiving such vacations, terminates employment voluntarily with the City's Fire Services shall become entitled to cash payment in lieu of such vacations as the employee had become entitled to at the rate of 1/182 of the annual wage for each vacation day for the respective rank at the time the employee ceased to be an employee of the City's Fire Services.

6:06 Vacations shall be arranged by the Chief of the Fire Services and shall be given to employees in accordance with seniority. Employees will be granted a maximum of two weeks vacation at any one signing.

7:00 SPECIFIED PAID HOLIDAYS

7:01 Each employee shall be entitled to the following specified paid or declared holidays, namely, New Year's Day, Family Day (3rd Monday in February), Victoria Day, Good Friday, Easter Monday, Canada Day, Civic Holiday, Labour Day, Remembrance Day, Thanksgiving Day, Christmas Day and Boxing Day, occurring in the remainder of the calendar year in and after which three months continuous service has been attained.

7:02 Each Firefighter is entitled, subject to the terms hereof, to 12 paid off-duty days in lieu of specified paid holidays.

The following procedure will be used to schedule vacations and specified paid holidays:

- (i) Subsequent to September 1st, the platoon lists shall be posted.
- (ii) Subsequent to the posting of the platoon lists, a vacation list shall be posted that shall include sufficient space allocation to provide for the scheduling of all vacations, specified paid holidays and confirmed Ontario Fire College attendance, and other Fire Services course offerings. Upon completion of the vacation selection process the remaining unused allotments shall be blocked out and considered void.
- (iii) Each employee shall be entitled to select vacation and specified paid holidays in blocks of **two-week periods only**, except where an employee has a period to be selected of less than two weeks.
- (iv) No employee shall be permitted to select a period of time off outside the space allocated in the posted vacation and specified paid holidays list.

7:03 An employee who is absent without pay due to a leave of absence, suspension, or layoff during the period when a specified paid holiday occurs shall have off duty days in lieu of such holiday reduced accordingly.

8:00 LEAVE OF ABSENCE

8:01 The employer may grant leave of absence without pay and without loss of seniority for a period up to six months to any employee requesting such leave for good and sufficient cause. Applications for such leave shall be made in writing to the Chief of the Fire Services and such leave must be approved by the Chief and the City's Chief Administrative Officer. During the period of such leave of absence, the total cost of the benefits set out in Articles 11:08 and 11:09 will be payable by the employee. Notwithstanding the provisions of this article, leave of absence will not be granted an employee for the purpose of working at alternative employment.

8:02 When death occurs in a employee's immediate family, the employee shall be entitled to a maximum of four (4) consecutive working days' compassionate leave with pay, that fall between

the day of the death and the day following the funeral. The pay shall be on a straight time basis and for only such of the four days as are working days.

"Immediate family" means the employee's spouse, daughter, son, father, mother, sister, brother, grandparent, mother-in-law or father-in-law, grandchild.

"Straight time" means the rate of the job at which the employee would have worked on the employee's scheduled working days.

"Leave of Absence without loss of pay for one day shall be granted to an employee to attend the funeral of the employee's brother-in-law or sister-in-law, son-in-law, and daughter-in-law."

8:03(a) The City shall pay to the Association an annual allowance in February of each year the amount of five thousand six hundred dollars (\$5,600) for the Association to pay duly appointed or elected officials for attendance at Association conventions, education programs or other Association business.

8:03(b) The employer must pay (a) for attendance at grievance meetings, if scheduled during working hours, (b) any other meeting scheduled by the employer during working hours for which the Association's attendance is required by the employer or by the Collective Agreement, and (c) for negotiating meetings which although these may be scheduled during non-working hours, the employer schedules during working hours.

8.04 Quarantine

Should an employee be quarantined by the Medical Officer of Health as a result of work duties, the City will maintain the employee's pay for the scheduled shifts that the employee was unable to work during the quarantine period.

9:00 SENIORITY

9:01 Seniority shall be established on the basis of an employee's service with the employer, calculated from the date upon which the employee commenced full time employment with the Fire Services.

9:02 The first twelve (12) months service shall be classed as a probationary period and the termination of employment during such period shall not be the subject of a grievance.

9:03 A seniority list shall be prepared and approved by the Fire Chief and the Executive Committee of the Association and such a list shall be posted for a period of thirty (30) days in each Fire Station of the City of Sault Ste. Marie on the fifteenth day of January of each year.

9:04 Errors or omissions in a list posted in accordance with Article 9:03 shall be corrected on application of the Association or the employee concerned provided:

- (1) such error or omission relates to the period subsequent to the date of the previous list, and
- (2) the error or omission is brought to the attention of the Fire Chief within fifteen (15) days of the employee's first reasonable opportunity to see the list.

9:05 Once a seniority list has been finalized the only protest which will be considered against the next posted list shall be protests relative to deletions and additions occurring since the date of the previous list.

- 9:06 (a) An employee transferring from one division to another may return to their former position within six (6) months from the date of the employee's transfer without loss of divisional seniority. Once an employee has completed six (6) months in that division, a employee may request a transfer to the employee's former division and such transfer will be at the discretion of the Chief. However, if the transfer is to the Fire Suppression Division it shall be a rank not higher than a first class firefighter.
- (b) Divisional seniority lists shall be prepared and approved by the Chief and the Executive Committee of the Association and such lists shall be posted for a period of 30 days in each fire station on the 15th day of January each year.

10:00 PROMOTIONS AND LAYOFFS

- 10:01 In the event a permanent position in the Fire Suppression Division under the jurisdiction of the Association becomes vacant, such position shall be filled by the next senior employee in line for such position within thirty (30) days, provided such employee has the qualifications and ability to perform the job. Where a vacancy occurs in other than the Fire Suppression Division, the job will be posted and preference will be given to the senior applicant with the qualifications and ability to perform the job.
- 10:02 An employee who is promoted shall remain on probation for a period of six (6) months. If found unsuitable for this position by the Chief during the aforementioned periods such employee shall revert to their former position.
- 10:03 In the event that a employee is required to temporarily take over the duties of another whose position is a higher paid position, the employee filling in shall be paid at the higher rate of pay for the hours so employed.
- 10:04 It is understood and agreed that in all cases of promotion to a higher job class, decreases in forces and recall after layoffs, the following factors shall be considered:

- (1) Seniority
- (2) Qualifications and ability to perform the work.

11:00 WELFARE

11:01 The schedule of sick allowance shall be as follows:

- (a) Upon completion of three months of service, sick leave will be accumulated at the rate of one and one-half (1 1/2) days per month from the date of employment.
- (b) Sick leave will be reduced on the basis that one shift off sick will result in one day deduction from sick leave.
- (c) Sick leave accumulation in 11:01 (a), (b), shall commence as of January 1, 1983. Accumulation up to December 31, 1982 shall be converted to days and fixed at that amount in the employee's sick leave bank.

11:02 Sick leave means the period of time any employee is permitted to be absent from duty with full pay by virtue of being disabled or sick, or because of accident, or illness for which compensation is not payable under the Workplace Safety and Insurance Act, 1996. The foregoing accumulated sick allowance shall be used entirely as sick leave and not have any monetary value at the completion of an employee's service with the City whether retiring voluntarily or dismissed for cause.

Notwithstanding the provisions of this article, sick leave will not be paid to an employee who is absent due to an injury/illness suffered while employed by another employer covered by the Workplace Safety and Insurance Act, 1996. The employee is obligated under this clause to notify both WSIB and the Employer of any such circumstances.

11:03 The length of service shall be calculated from the date of employment and such service must be continuous from said date of employment.

11:04 Such sick leave to be cumulative, but in no case shall such sick leave exceed a period of two hundred and forty days. An employee who is absent due to illness or leave of absence for the major portion of the employee's regularly schedule hours in any month shall not accumulate sick leave as provided in article 11:01, in that month.

11:05 Recognized days off shall not be deducted from accumulated sick leave.

11:06 No employee shall draw during his or her active service with the Fire Services, accumulated sick leave benefits if the absence from work is not due to illness as attested by the certificate of a medical practitioner, if requested by the Employer.

If a certificate is requested by the Employer

- i) for absences of three (3) working days or less, or
- ii) for a second or more certificates for an absence of three (3) working days or more, the cost of such certificate or certificates, if any, shall be paid by the employer up to a maximum of forty dollars (\$40) upon presentation of an invoice from the medical practitioner. The City's Injury/Illness Status form shall be used for this request, with the direction that the medical practitioner only complete the form as applicable.

11:07 An employee in receipt of W.S.I.B. benefits for injuries or illness suffered during the course of employment shall receive full net salary and benefits during such period. During the period an

employee received full net salary, all compensation payments shall be deposited with the City. A member's sick bank or vacation credits shall not be reduced while in receipt of W.S.I.B. benefits.

- 11:08 Each employee shall be provided with the Ontario Health Insurance Plan, Green Shield Semi-Private and Green Shield Extended Health Care - vision care to include laser eye surgery and/or eye examination of \$400.00 every two (2) years (effective first of the month following ratification of the Memorandum of Settlement), 100% of the cost of such plan to be contributed by the Employer.

Green Shield Extended Health Care - Drug Plan co-insurance reinstated to 90% employer /10% employee. Drug Plan to provide for the dispensing of generic drugs unless a physician prescribes a brand name. Overage Dependent Coverage is applied to the Green Shield Extended Health Care. Each employee shall be provided with the Out-of-Province Travel Plan, 100 % of the cost of such plan will be contributed by the Employer and will not be available to retirees.

No OTC drug coverage with the exception of those deemed by the insurer to be "life sustaining". This also applies to those employees who retire after June 1st, 2011 on an O.M.E.R.S. unreduced early retirement pension.

Paramedical Benefit:

- Full chiropractic, physiotherapy and massage therapy coverage shall be provided by the employer, from the first visit, to a combined maximum per person per calendar year of \$900.00

Each employee shall be provided with the Great West Life Long Term Disability Plan, 100% of the cost will be contributed by the Employer with coverage to a maximum \$3,500 monthly.

Each employee shall be provided with the Green Shield #9 Dental Plan, Rider 3C, (Lifetime Maximum \$3,000), based on current O.D.A. Schedule minus one (1) year, 100% of the cost of the plan will be contributed by the Employer.

Each employee shall be provided with restorative dental coverage, 80% to be paid by the employer and 20% by the employee, based on current O.D.A. schedule minus one year to a maximum of \$2,000 per person per year.

Dental recall for adults (over age 16) to be nine (9) months. Children (age 16 and younger) shall be subject to a six (6) month dental recall.

Overage Dependent Coverage is applied to the Green Shield Dental Plan.

- 11:09 Each employee shall be provided with Group Life Insurance of two times the employee's salary to the nearest \$1,000.00 with double indemnity: 100% of the cost of such plan will be paid by the Employer. The payment of such benefit shall be in accordance with the terms and conditions of the applicable plan "Great West Life policy #320925."

- 11:10 The Employer shall have the right to select the carrier for such plans. All refunds, reductions in premiums, dividends, etc., shall become and remain the sole property of the Employer. Benefits under any such plan or plans shall not be changed or reduced by the Employer without the consent of the Association.

11:11 The Corporation agrees to pay any employee covered by this agreement the difference in regular salary and witness fees when required to act as a Court witness on matters relating to the Employer's business. In addition, when an employee is required to attend Court as a witness on matters relating to the Employer's business during off duty time, such employee shall be paid at the rate of one and one-half times his regular rate, with a minimum of 4 hours at the premium rate, for time so spent. The employee shall provide proof of services, including proof of time spent and amount of payment received. Failure to provide satisfactory proof shall disqualify the employee from such payment or time off.

11:12

- (i) The City agrees to enter into an agreement with the Ontario Municipal Employees Retirement System (O.M.E.R.S.) to provide an O.M.E.R.S. Type 1, 2% formula supplementary pension for all eligible employees. Such pension shall be effective February 1, 1979 and the City shall pay for all prior service costs.

The parties agree that employees covered under O.M.E.R.S. for normal retirement age 60 shall retire no later than the end of the month in which they reach age 60.

Those employees covered under O.M.E.R.S. for normal retirement age 65 shall retire no later than the end of the month in which they reach 65.

- (ii) The parties agree that eligibility for LTD benefits, as set out in 11:08 shall cease when the employee becomes eligible for an OMERS unreduced retirement pension.

11:13 The employer agrees to pay the cost of, the Ontario Hospital Insurance Plan, and the Green Shield Extended Health Care Plan - :

Cap Orthotics/Orthopedic shoes at one (1) pair and \$400/year; vision care to include laser eye surgery and an eye examination may be included with the vision care amount to a maximum of \$400.00 every two years effective the 1st of the month following ratification of the memorandum of settlement, 100% of the cost of such plan will be contributed by the Employer. Green Shield Extended Health Care -

Drug Plan co-insurance at 90% employer/10% employee; a cap on dispensing fees - \$10.00 maximum per prescription; Drug Plan to provide for the dispensing of generic drugs unless a physician prescribes a brand name. Overage Dependent Coverage is applied to the Green Shield Extended Health Care.

Paramedical Benefit - Full chiropractic, physiotherapy and massage therapy coverage shall be provided by the employer, from the first visit, to a combined maximum per person per calendar year of \$900.00. These benefits are provided for employees who retire on an O.M.E.R.S. unreduced early retirement pension. Such benefits shall be paid for the retired employee to age 65. Such benefits shall not apply to a retired employee who is employed elsewhere.

Such benefits shall be paid for a deceased member's surviving spouse and dependent children for a period of twenty-four (24) months following the member's death or until the date as of which the retiree would have attained age 65 or until the surviving spouse remarries, whichever occurs first.

12:00 GRIEVANCE PROCEDURE

12:01 Grievances shall be dealt with in the following manner provided such grievances are filed in writing within 15 working days of the occurrence of the incident which gave rise to the matter in dispute. Any employee or group of employees of the Fire Services covered by this agreement who is of the opinion that the employee has been unjustly disciplined, suspended, superseded, discharged, or unreasonably denied leave of absence, shall have the right to have the case investigated and to be represented by a Committee of the Association.

STEP 1: The employee assisted by an officer of the Association shall discuss the case with the Fire Chief within 15 working days of filing the grievance, barring any unforeseen circumstances for either party. The Fire Chief shall render his decision in writing together with the reason therefore, within five (5) working days of the hearing.

STEP 2: If the Committee considers that a satisfactory settlement was not reached at Step 1, it may within five (5) working days of receipt of the Step 1 reply request a hearing within 15 days of the request, barring any unforeseen circumstances by either party, by the Commissioner of Human Resources, or designated representative.

Such request shall state the reason or reasons the answer at Step 1 was unsatisfactory and in what manner the City's interpretation of the contract clause in question is disputed. The Commissioner of Human Resources or his designated representative shall render a decision within five (5) working days of the hearing.

STEP 3: If the Committee considers that a satisfactory settlement was not reached at Step 2, it may within five (5) working days of receipt of the Step 2 reply, request a hearing by the Chief Administrative Officer. This hearing shall be held within 15 working days of the request, barring any unforeseen circumstances by either party. The Chief Administrative Officer shall render a decision within five (5) working days of the hearing.

STEP 4: If the Committee considers that a satisfactory settlement was not reached at Step 3, it may within five (5) working days of receipt of the Step 3 reply, request that the grievance be referred to Arbitration pursuant to the Fire Protection and Prevention Act 1997.

12:02 In the event that any employee or group of employees who have been unjustly discharged or suspended shall be reinstated as the result of such settlement of any disagreement as aforesaid, such reinstatement shall be made without loss of time, pay or seniority to such employee.

12:03 No employee shall be discharged or disciplined except for just and sufficient cause. In any discharge or discipline grievance, an Arbitration Board or single Arbitrator shall have the power to dispose of the grievance by any arrangement, which in the opinion of the Arbitration Board or single Arbitrator, it is deemed to be just and equitable.

12:04 Any employee or group of employees having a grievance which the employee wishes the Committee of the Association to represent for such employee shall put the grievance in writing on the grievance form adopted by the Association. The Committee of the Association shall abide by the steps on the grievance form.

12:05 In the matter of a grievance a Board of Arbitration or Arbitrator shall not alter, modify or amend any part of this agreement or make any decision inconsistent with its provisions, or the provisions of the Fire Protection and Prevention Act, 1997.

13:00 STRIKES AND LOCKOUTS

The Association agrees that they will at no time enter into or participate in any strike or join any sympathetic strike with or for any other organization.

14:00 CLOTHING AND TURN-OUT GEAR

14:01 The following articles of clothing and wear apparel shall be supplied to each employee in the Fire Suppression Division, the Support Services Mechanic and the Training Instructor:

- 1 Uniform which includes one tunic and one pair of pants (every 5 years) starting 1995 and every five years thereafter.
- 1 - Pair Coveralls (as required)
- 1 - Sweater (every 2 year) starting 1993
- 4 - Uniform shirts (annually)
- 2 - T-Shirts - navy blue (annually)
- 2 - Pair Station Wear Pants (annually)
- 1 All-Season coat (every 5 years) starting 2001
- 1 - Tie (every 2 years) starting 1992
- 1 - Uniform Cap (every 5 years if required by employee) starting 1992
- 1 - Winter Hat (every 4 years) starting 1992
- 1 - Casual Cap - Fire Dept. Approved (every 2 yrs) starting 1992 - to be worn as directed by the Fire Chief. The same as other items of clothing issued are governed.
- 1 - \$180.00 boot allowance to the Support Services Mechanic, Training Officer & Fire Suppression Division (every 2 calendar years)

14:02 Set of turn-out gear shall conform to C.G.S.B. (Canadian General Standards Board) 155.1 - M.88 and shall include bunker coat and bib pants. These items will be supplied as required.

- 1 - Pair leather mitts (as required)
- 1 - Pair woolen liners (as required)
- 1 - Pair Firefighter boots (as required)
- 1 - Firefighter Helmet (as required)

14:03 The Fire Prevention Division will be provided the following articles of clothing and wearing apparel:

- 1 - Uniform Cap (annually)
- 1 - Casual Cap (every 2 year) starting 1992
- 1 - Winter Hat (every 4 years) starting 1992
- 1 - Sweater (every 2 years) starting 1993
- 1 - Boot Allowance of \$90.00 (annually)
- 1 - Uniform which includes 2 pair pants (annually)

- 1 - All Season coat (every 5 years) starting 2001
- 1 - Pair coveralls (as required)
- 4 - Dress shirts (annually)
- 1 - Tie (every 2 years) starting 1992

Fire Prevention Officers shall be provided a dry-cleaning allowance of \$115.00 (annually)

14:04 It is a desire of the Sault Ste. Marie Professional Firefighters Association and the Sault Ste. Marie Fire Services that when an employee is not in need of a new portion of the uniform clothing package, the employee is encouraged to notify the Platoon Chief or the Office, of such employee's clothing requirements for the upcoming year.

15:00 SCHEDULE OF WAGES

15:01 The Schedule of Wages shall be provided in Schedule "A" attached to and forming part of this agreement.

15:02 SERVICE PAY

Employees in the Support Services Mechanic classification of the Sault Ste. Marie Fire Services will be paid service pay annually after five (5) years of service at the rate of \$60.00 for each completed five years of service without maximum. If an employee in the Support Services Mechanic classification resigns, retires or dies, the employee shall receive a proportionate share of the service pay to which the employee would have been entitled at the end of the year. Service pay to be paid no later than the first pay day in December.

16:00 CONTRACTING OUT

16:01 Except to the extent and to the degree agreed upon by the parties, and except in the case of an emergency, no work customarily performed by an employee covered by this agreement shall be performed by another employee or a person who is not an employee of the Corporation.

17:00 TECHNOLOGICAL CHANGE

17:01 At least 90 days prior to the introduction or implementation of substantial technological changes or mechanization affecting employees, the Corporation shall, by written notice, furnish the Association with full information of the planned change or changes.
Such prior notice shall contain relevant information respecting the nature and degree of change, the date or dates on which the Corporation plans to effect the change, and the location or locations involved.

- (a) Within 15 days after the foregoing notice has been given, the Corporation shall make disclosure to the Association of the effects of the change or changes on any employee.
- (b) Following the said disclosure, representatives of the parties shall meet forthwith for the purpose of negotiating with a view to resolving any issue, which may concern the employment status of any employee.
- (c) If agreement has not been reached within 15 days after disclosure by the Corporation of the effects of the change or changes on any employee, either party may submit any outstanding issue to a Board of Arbitration which shall be constituted in the manner

provided for by the Fire Protection and Prevention Act, 1997. The Board of Arbitration shall have full remedial powers to deal with any unresolved issue.

18:00 GENERAL

- 18:01 All fire trucks on active duty shall have an officer in charge of them at all times, unless this is prevented by accident to or sickness of Fire Services Personnel.
- 18:02 Once in each year the employee may notify the Fire Chief in writing in which Fire Hall they prefer to work. Notwithstanding this provision the implementations of such requests shall be at the discretion of the Fire Chief.
- 18:03 Throughout the term of the Collective Agreement the employer will continue its general Municipal liability coverage in the form and upon the terms expressed in the current Royal Insurance Policy #5988612, or its equivalent.
- 18:04 Where the employee of the fire force is charged with criminal or statutory offense flowing from the employee's duties and is subsequently acquitted of such charges, the employee shall be reimbursed for any reasonable legal expenses that have been taxed pursuant to the Solicitor's Act and incurred as a result of such charges. The Corporation further agrees that it will continue the coverage under its present existing general liability insurance or equivalent coverage as specified in article 18:03 herein.
- 18:05 An employee who is authorized to use their vehicle on city business shall be reimbursed on the basis of the current mileage rate paid to other city employees.
- 18:06 Employees scheduled to attend Ontario Fire College or other course offerings shall be compensated one day shift in lieu of for each day which falls on a regularly scheduled day off.
- I. Employees shall also be granted equivalent lieu time for travel days to attend Ontario Fire College or other course offerings, only when such travel days fall on a regularly scheduled day off.
 - II. Lieu time referred to herein shall be taken on the next regularly scheduled rotation of day shifts, immediately following completion of the course, and shall be taken consecutively.
 - III. Such scheduled lieu days shall be approved by the Fire Chief or designate.
 - IV. The City agrees to pay three hundred dollars (\$300.00) to employees who utilize their personal vehicle to attend the Ontario Fire College to participate in educational programs as approved by the Chief.
- 18:07 Effective February 1, 2000 the Employer agrees to provide a \$100.00 weekly expense allowance to each employee attending the Ontario Fire College or other out of town offerings as approved by the Fire Chief.

In addition, the Employer agrees to pay \$145.00 for a return trip home from the Fire College, provided that:

- (i) The employee attends the Fire College for a period of two consecutive weeks or more.
- (ii) The employee does come home and returns to the College.

- (iii) The employee uses their own vehicle to make that trip.
- (iv) The employee files a claim for the payment on completion of the course at the Fire College.
- (v) The above amount will be adjusted as necessary to maintain the same level of payment as provided by the Ontario Fire College.

18:08 The employer will provide a copy of the "Master Policy" of all benefits to the Association.

19:00 CLERICAL POSITIONS

19:01 Notwithstanding the provisions of Articles 5:00, 14:00 and 15:02, the clerical staff shall work a 35 hour week and shall not be entitled to uniform allowance or service pay.

20:00 TERM OF AGREEMENT

20:01 This agreement shall be effective from the first day of February 1, 2014 to the thirty-first day of January, 2015, and from year to year thereafter unless either party notifies the other in writing not more than ninety (90) days and not less than thirty-one (31) days before the thirty-first day of January in any year, of its desire to amend the Agreement.

20:02 If either party desires a change in the agreement, said party shall give written notice of the proposed change to the other party not less than 30 days before the 31st day of January in any year and both parties shall thereupon negotiate in good faith with respect to the matters referred to in the notice.

IN WITNESS WHEREOF the parties have duly executed this agreement.

SIGNED, SEALED AND DELIVERED THE CORPORATION OF THE CITY
OF SAULT STE. MARIE

MAYOR CHRISTIAN PROVENZANO

MALCOLM WHITE, CITY CLERK

THE SAULT STE. MARIE
PROFESSIONAL FIREFIGHTERS
ASSOCIATION - LOCAL 529



R. BISHOP, PRESIDENT



C. PLOTYCIA, SECRETARY



V. CAPUTO, TREASURER



R. GREVE, VICE-PRESIDENT

SCHEDULE "A"

Communications Operator – See Letter of Understanding – Communications Operator

- (a) Any Firefighter permanently disabled because of sickness or accident, but able to do light duty, shall be assigned to fill the position of Communications Operator and shall be paid at the rate of 3rd class firefighter. This provision shall not apply to short-term disabilities.
- (b) Salaries for probationer, 4th class, 3rd class and 2nd class firefighters shall be calculated as follows:
 - 2nd Class Firefighter to be 90% of 1st Class rate
 - 3rd Class Firefighter to be 80% of 1st Class rate
 - 4th Class Firefighter to be 70% of 1st Class rate
 - Probationer Firefighter to be 60% of 1st Class rate
- (c) Salaries for the positions of Captain and Platoon Chief shall be calculated as follows:
 - Captain 115% of 1st Class Firefighter effective February 1, 2003
 - Platoon Chief 122% of 1st Class Firefighter effective February 1, 2003
- (d) When an employee is assigned to temporarily perform the duties of the Assistant Chief - Support Services the employee shall be paid at the rates outlined below:

February 1, 2014

\$94,743

SCHEDULE "A"

RANK	Feb. 1, 2014	
	Annually	Hourly
Platoon Chief		
0% (0 – 8 years) Base Rate	\$109,634	\$50.199
3% (9 – 17 years)	\$112,330	\$51.433
6% (18 – 23 years)	\$115,026	\$52.668
9% (24 + years)	\$117,722	\$53.902
Captain and Training Officer		
0% (0 – 8 years) Base Rate	\$103,344	\$47.319
3% (9 – 17 years)	\$106,040	\$48.553
6% (18 – 23 years)	\$108,736	\$49.788
9% (24 + years)	\$111,432	\$51.022
Fire Prevention Officer		
0% (0 – 8 years) Base Rate	\$91,858	\$42.060
3% (9 – 17 years)	\$94,554	\$43.294
6% (18 – 23 years)	\$97,250	\$44.528
9% (24 + years)	\$99,946	\$45.763
FPO - 2nd Class	\$82,672	\$37.853
FPO - 3rd Class	\$73,486	\$33.647
FPO - 4th Class	\$64,297	\$29.440
FPO – Probationer	\$55,118	\$25.237
Firefighter - 1st Class		
0% (0 – 8 years) Base Rate	\$89,864	\$41.147
3% (9 – 17 years)	\$92,560	\$42.381
6% (18 – 23 years)	\$95,256	\$43.615
9% (24 + years)	\$97,952	\$44.850
Firefighter - 2nd Class	\$80,878	\$37.032
Firefighter - 3 rd Class	\$71,891	\$32.917
Firefighter - 4 th Class	\$62,905	\$28.803
Firefighter – Probationer	\$53,918	\$24.688
Firefighter Cadet 3 rd year	\$62,905	\$28.803
Firefighter Cadet 2nd year	\$58,412	\$26.745
Firefighter Cadet 1st year	\$53,918	\$24.688
Administrative Clerk - Level 3	\$51,551	\$28.325
Administrative Clerk - Level 2	\$49,116	\$26.987
Administrative Clerk - Level 1	\$46,680	\$25.648
Support Services Mechanic L-4	\$87,345	\$39.993
3% (9 – 17 years)	\$90,041	\$41.228
6% (18 – 23 years)	\$92,737	\$42.462
9% (24+ years)	\$95,433	\$43.696
Support Services Mechanic L-3	\$83,025	\$38.015
Support Services Mechanic L-2	\$78,618	\$35.997
Support Services Mechanic L-1	\$74,252	\$33.998

"Any Firefighter assigned or transferred to the Fire Prevention Division will be placed in the corresponding FPO class level equivalent to his/her Firefighter class level."

LETTER OF UNDERSTANDING

Transfer of Personnel

1. The Corporation agrees to the annual realignment of platoons for the purpose of vacation selection and acting ranks in accordance with a employees seniority.
2. The Corporation shall have the right to temporarily transfer the junior man in each platoon who is on duty at the time the reassignment is required.
3. In the application of this right to temporary transfer it is agreed it will apply only to transfers from Platoon A to B or Platoon B to A or from Platoon C to D or Platoon D to C.
4. In the application of a transfer from Platoon A or B to Platoon C or D, or vice versa, such transfers shall only occur when the absence is known to be for a period of three weeks or more.
5. It is agreed that prior to implementing such transfer as outlined in 4 above, the Chief will meet with the Association and provide the necessary information related to such transfer.
6. It is agreed that where an employee on temporary transfer is required to work more than his regularly scheduled hours such employee will be granted lieu time off with pay for such extra time worked.

Such time off will be scheduled when sufficient personnel is available and once such time off is scheduled it shall not be changed with less than one (1) calendar week notice except by agreement of the employee and the department.

Employees shall be paid out by January 31st at their regular straight time rate of pay for any unused lieu time hours from previous calendar year.

7. It is agreed that no more than two employees from any one platoon will be on temporary transfer at any one time.
8. It is agreed that an employee on temporary transfer shall be allowed to take his vacation as scheduled.

AGREED TO THIS 17th DAY OF March, 2014

ON BEHALF
THE ASSOCIATION

"Robert Greve"

"Marty Kenopic"

"Richard Bishop"

"David Kochanowski"

ON BEHALF OF
THE CITY

Peter Niro

"Marcel Provenzano"

"Frank Brescacin"

"Paul Milosevich"

LETTER OF UNDERSTANDING

Communications Operator

The City agrees to establish a cadet system to perform the duties of Communications Operator which shall be the entry position into the Firefighting services.

As it is the interest of the City to utilize cadets as both Communications Operators and as firefighters, as necessary, the entry requirements for a cadet will be the same as applied to firefighters.

The City agrees to hire cadets to fill the Communications position at the following rates:

1 st year	-	60% of 1 st class firefighter rate
2 nd year	-	65% of 1 st class firefighter rate
3 rd year	-	70% of 1 st class firefighter rate

An employee shall remain as a Communications Operator until such time as a vacancy occurs for a firefighter and then the senior qualified communications operator shall be assigned as a fourth class firefighter.

A new employee shall be on probation for the first twelve months of employment; a maximum of six (6) months shall be served as Probationary Communication Operator and the remainder of the twelve (12) months as a Probationary Firefighter.

The termination of employment during any such probation periods shall not be the subject of a grievance.

Communications operators will be assigned to firefighting duties to fill temporary vacancies as required and shall be paid at their regular rate of pay.

A regular firefighter who is capable of performing light duty shall be assigned temporarily to the Communications Operator position at his regular rate of pay. In the event of a dispute over the ability of a employee to perform such duties, the final determination will be based on medical evidence.

AGREED TO THIS 16th DAY OF April, 2016

ON BEHALF
THE ASSOCIATION

"Rob Greve"

"Richard Bishop"

"Murray McGrath"

ON BEHALF OF
THE CITY

"Marcel Provenzano"

"Frank Brescacin"

"Peter Niro"

LETTER OF UNDERSTANDING

Health & Safety Committee

It is mutually agreed that the parties will co-operate to the fullest extent in the prevention of accidents and in the promotion of safety and health of the employees.

The City will make all reasonable provision for the safety and protection of the health of the employees.

The Union agrees that a Worker Representative(s) will be selected for participation in the Joint Health and Safety Committee in accordance with the Occupational Health and Safety Act.

The Union agrees Worker members of the Committee will attend and participate in Joint Health and Safety meetings in accordance with the Occupational Health and Safety Act.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2019-76

ZONING: A by-law to amend Sault Ste. Marie Zoning By-laws 2005-150 and 2005-151 concerning lands located at 85 Johnson Avenue (Daniel Fremlin).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to section 34 of the *Planning Act*, R.S.O. 1990, c. P.13 and amendments thereto, **ENACTS** as follows:

1. **85 JOHNSON AVENUE; LOCATED ON THE SOUTH SIDE OF JOHNSON AVENUE, APPROXIMATELY 363 METRES WEST FROM PEOPLES ROAD; CHANGE FROM I TO R3.S WITH A "SPECIAL EXCEPTION"**

The zone designation on the lands described in section 2 of this by-law, which lands are shown on Map of Schedule "A" to By-law 2005-150, is changed from I (Institutional) zone to R3.S (Low Density Residential) zone with a "Special Exception".

2. **BY-LAW 2005-151 AMENDED**

Section 2 of By-law 2005-151 is amended by adding the following subsection 2(382) and heading as follows:

"2(382) 85 Johnson Avenue

Despite the provisions of By-law 2005-150, the zone designation on the lands located on the south side of Johnson Avenue, approximately 363 metres west from Peoples Road and having civic no. 85 Johnson Avenue and outlined and marked "Subject Property" on the map attached as Schedule 382 hereto is changed from I (Institutional) zone to R3.S (Low Density Residential) zone with a "Special Exception" to permit, in addition to those uses permitted in an R3 zone, four semi-detached dwellings on the subject property."

3. **SCHEDULE "A"**

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

4. **CERTIFICATE OF CONFORMITY**

It is hereby certified that this by-law is in conformity with the Official Plan for the City of Sault Ste. Marie authorized and in force on the day of the passing of this by-law.

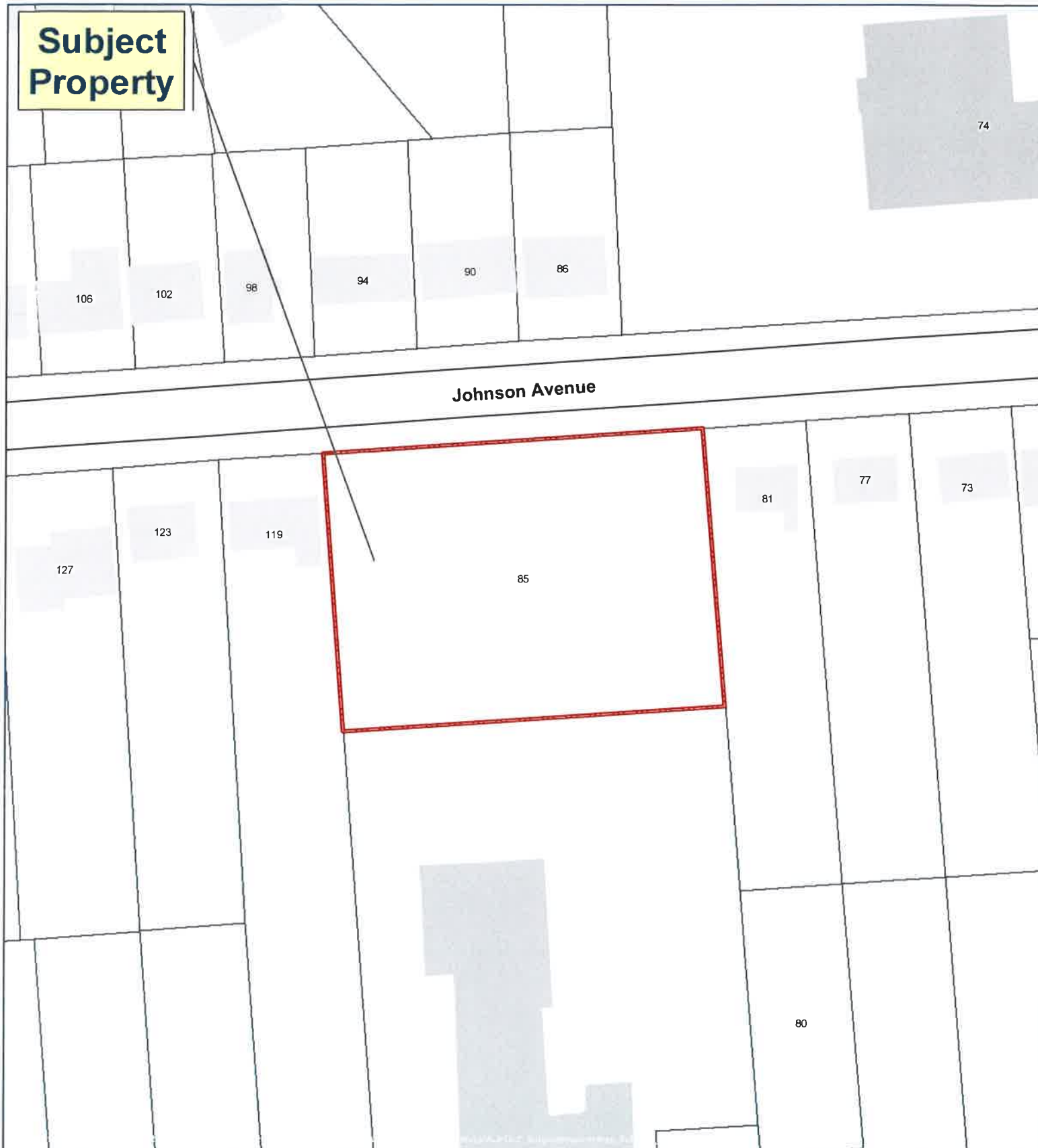
PASSED in Open Council this 1st day of April, 2019.

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - MALCOLM WHITE

da LEGAL\STAFF\LEGAL\ZONING\2019\2019-76 (Z) 85 JOHNSON\BY-LAW.DOCX

**Subject
Property**



Application Map Series

- ☒ Subject Property
 ☐ Official Plan Landuse
☐ Existing Zoning
 ☐ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 85 Johnson Avenue
 Roll No.: NA
 Map No.: NA
 Application No.: A-2-19-Z
 Date Created: February 13, 2019

Schedule "A"

Legend



Subject Property: 85 Johnson Avenue
 Parcel Fabric

Page 295 of 295



**City of
Sault Ste. Marie**

Planning and Enterprise Services

Community Development and Enterprise
 Services Department

99 Foster Drive, Sault Ste Marie, ON P6A 5X6
saultstemarie.ca | 705-759-5368 | planning@cityssm.on.ca

This map is for general reference only

Orthophoto: None

Projection Details

NAD 1983 UTM Zone 16N

GCS North American 1983

0 5 10 20 Meters
1:1,000

