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

Monday, April 11, 2022
4:30 pm
Council Chambers and Video Conference

Pages

1. **Land Acknowledgement**

I acknowledge, with respect, that we are in Robinson-Huron Treaty territory, that the land on which we are gathered is the traditional territory of the Anishinaabe and known as Bawating. Bawating is the home of Garden River First Nation, Batchewana First Nation, the Historic Sault Ste. Marie Metis Council.

2. **Adoption of Minutes** 16 - 42

Mover Councillor C. Gardi
Seconder Councillor L. Dufour
Resolved that the Minutes of the Regular Council Meeting of March 21, 2022 be approved.

3. **Questions and Information Arising Out of the Minutes and not Otherwise on the Agenda**

4. **Declaration of Pecuniary Interest**

5. **Approve Agenda as Presented**

Mover Councillor M. Scott
Seconder Councillor L. Vezeau-Allen
Resolved that the Agenda for April 11, 2022 City Council Meeting as presented be approved.

6. **Proclamations/Presentations**

6.1. **National Day of Mourning** 43 - 43

6.2. Daffodil Campaign 44 - 44

6.3. World Autism Day 45 - 45

6.4. Earth Day 46 - 46

6.5. Jewish Heritage Month 47 - 47

6.6. Community Living Algoma Awareness Month 48 - 48

7. 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 April 11, 2022 – Agenda item 7 – Consent Agenda be approved as recommended.

7.1. Outstanding Resolutions 49 - 53

7.2. Use of Corporate Resources During Elections 54 - 55

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

The relevant By-law 2022-72 is listed under Agenda item 12 and will be read with all by-laws under that item.

7.3. Elections in Territories Without Municipal Organization in Algoma District 56 - 56

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

The relevant By-laws 2022-66, 2022-67, 2022-68, 2022-69 and 2022-70 are listed under Agenda item 12 and will be read with all by-laws under that item.

7.4. Finance Committee Terms of Reference 57 - 58

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

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Chief Financial Officer and Treasurer dated April 11, 2022 concerning Finance Committee Terms of Reference Review be received and that a decision regarding options on the Terms of Reference be deferred to the next Council as recommended by the Finance Committee.

7.5. Change to Bank Signing Authorities 59 - 60

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 April 11, 2022 concerning Change to Bank Signing Authorities be received and that any two of the Mayor, Chief Financial Officer and Treasurer, Chief Administrative Officer, Manager of Finance and Manager of Accounting are hereby authorized to sign cheques and other legal documents on behalf of The Corporation of the City of Sault Ste. Marie for any amount including amounts over $5,000 and that cheques $5,000 and under may be signed by the Mayor and the Chief Financial Officer with a cheque signing machine or other mechanical means.

7.6. 2022 Downtown Association Budget and 2021 Audit Report 61 - 77

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 April 11, 2022 concerning the Queenstown Board of Management (o/a The Downtown Association) Audited Financial Statements for the year 2021 be received that the Downtown Association Budget for the year 2022 be approved.

7.7. Architectural and Engineering Services RFP – Relocation of Mill Market 78 - 79

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 April 11, 2022 be received and that the proposal submitted by MGP Inc. for the provision of architectural and engineering services for the relocation of the Mill Market with fees of $159,500 plus HST as outlined in their proposal as submitted be approved.

A By-law authorizing execution of the agreement for this project will appear on a future Council Agenda.

7.8. Digital Radio System Upgrade – Fire Services 80 - 81

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

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen

Resolved that the report of the Manager of Purchasing dated April 11, 2022 be received and that acceptance of the proposal submitted by Spectrum Telecom Group Ltd. for the provision of a digital radio system upgrade as required by Fire Services for proposed fee of $509,678.90 plus HST be approved.

7.8.1. Correspondence *82 - 85*

7.9. Tender Aerial Lift Truck Purchase – Public Works 86 - 88

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

Mover Councillor M. Scott

Seconder Councillor L. Dufour
Resolved that the report of the Manager of Purchasing dated April 11, 2022 concerning Aerial Lift Truck Purchase – Public Works be received and that the tender for the supply and delivery of one aerial lift truck be awarded to Commercial Truck Equipment Co. for a total amount of $178,463 plus HST.

7.10. Tender for Motor Grader 89 - 91

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

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that the report of the Manager of Purchasing dated April 11, 2022 be received and that the tender for the supply and delivery of one grader as required by Public Works and Engineering Services be awarded to Brandt Tractor Ltd. at their low tendered price (including maintenance agreement) of $536,998.40 plus HST;

Further be it resolved that the purchase be funded from an annual repayment from Public Works and Engineering Services' Operations hired equipment operating account of $72,860 for the next 7.5 years.

7.11. Tender for Selected Granular Materials 92 - 94

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 April 11, 2022 be received and that the tender for the supply of selected granular materials for the 2022 and 2023 seasons be awarded on an as-required basis. Staff will use all pricing supplied, along with job site location and availability determined by the Superintendent of Public Works (and staff) for the lowest cost rating for each job as they arise;

Further that the City's requirements for blast furnace slag be awarded to Inter-Ontario Equipment Rental and Repair Ltd. for a period of one year at their tendered prices of $7.95 per tonne for 7/8" minus granular "A", and $7.55 per tonne plus HST for nut slag, on a sole-source basis.

7.12. Tender for Asphalt 95 - 97

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

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Manager of Purchasing dated April 11, 2022 be received and that the tender submitted by Avery Construction Ltd. for the supply of asphalt for the 2022 construction season commencing May 1, 2022 be approved.

7.13. Mobile Retail Units – Summer 2022 Pilot 98 - 102

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

The relevant By-laws 2022-59 and 2022-60 are listed under Agenda item 12 and will be read with all by-laws under that item.

7.14. Expanded Northern Community Centre Tenants 103 - 107

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

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that the report of the Director of Community Services dated April 11, 2022 concerning New Tenants for Expanded Northern Community Centre be received and that staff be directed to issue an RFP for space available on both levels of the expanded Northern Community Centre.

7.15. Sault Amateur Soccer Association Renewal Agreement 108 - 109

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

The relevant By-law 2022-62 is listed under Agenda item 12 and will be read with all by-laws under that item.

7.16. Superior Sports Training Incorporated – Name Change and Lease Extension 110 - 111

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

The relevant By-law 2022-35 is listed under Agenda item 12 and will be read

with all by-laws under that item.

7.17. Transit Pass Partnership with Algoma District School Board 112 - 116

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

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that the report of the Director of Community Services dated April 11, 2022 concerning Transit Pass Partnership with Algoma District School Board be received and that a one-year pilot project running from fall 2022 until the end of summer 2023 be approved. (Should a delay in fare box upgrade installation occur, the period would shift to January 2023 ending December 31, 2023.)

7.18. Tourism Development Fund Application – Ultra Trail Stokely Creek 2022 117 - 119

A report of the Director of Tourism and Community Development is attached for the consideration of Council.

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Director of Tourism and Community Development dated April 11, 2022 concerning Ultra Trail Stokely Creek trail running event application to the Tourism Development Fund be received and that the recommendation of the Tourism Sault Ste. Marie Board of Directors to allocate $10,000 be approved.

7.19. Petition Against Passchendaele Lane 120 - 121

A report of the Manager of Design and Transportation Engineering is attached for the consideration of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Manager of Design and Transportation Engineering dated April 11, 2022 concerning Petition Against Passchendaele Lane be received and that the City postpone the construction of Passchendaele Lane for two years until 2024.

7.19.1. Additional Motion

Mover Councillor M. Shoemaker

Seconder Councillor M. Scott
Resolved that Council direct staff to proceed with the construction of Passchendaele Lane in 2022 and that the entire cost of the construction be paid from the City's capital budget.

7.20. 2022 Biennial Bridge Inspection – Capital Budget Amendment

122 - 123

A report of the Municipal Services Engineer is attached for the consideration of Council.

Mover Councillor M. Scott

Seconder Councillor L. Dufour
Resolved that the report of the Municipal Services Engineer dated April 11, 2022 concerning 2022 Biennial Bridge Inspections be received and that the request to redirect $16,051 from the 2022 miscellaneous construction budget for Bridge and Aqueduct Rehabilitation funding to the 2022 miscellaneous construction budget for bridge inspections be approved.

7.21. Storm Sewer Rehabilitation

124 - 125

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

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Land Development and Environmental Engineer dated April 11, 2022 concerning the storm sewer rehabilitation project be received and that the single sourcing of AECOM be approved, with an Engineering Agreement to be brought forward at a future Council meeting.

7.22. Railway Crossings

126 - 131

A report of the Area Coordinator, Wastewater is attached for the consideration of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Area Coordinator, Wastewater dated April 11, 2022 concerning Railway Crossings be received as information.

7.23. Access Agreement – 273 Old Garden River Road

132 - 134

A report of the Assistant City Solicitor/Senior and Municipal Services Engineer is attached for the consideration of Council.

The relevant By-law 2022-63 is listed under Agenda item 12 and will be read with all by-laws under that item.

7.24. 740 Allen's Side Road Declared Surplus

135 - 136

A report of the Assistant City Solicitor/Senior Litigation Counsel is attached for the consideration of Council.

The relevant By-law 2022-61 is listed under Agenda item 12 and will be read with all by-laws under that item.

7.25. Innovation Centre Lease Extension 137 - 137

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

The relevant By-law 2022-73 is listed under item 12 of the Agenda and will be read with all by-laws under that item.

7.26. Draft Official Plan 138 - 239

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

Mover Councillor M. Scott

Seconder Councillor L. Dufour
Resolved that the report of the Senior Planner dated April 11, 2022 concerning Draft Official Plan be received and that staff proceed with:

- Public consultation upon the draft Official Plan
- Submitting the draft Official Plan to the Province for preliminary review and comments

7.26.1. Correspondence *240 - 240*

7.27. Civic Centre Improvements 241 - 243

A report of the Director of Engineering is attached for the consideration of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Director of Engineering dated April 11, 2022 concerning Civic Centre Improvements be received and that the overall project budget be revised to $2,727,423 and the engineering fee limit be raised to $294,000.

7.28. Recycling Contract Extension – GFL Environmental Inc. 244 - 246

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

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Director of Public Works dated April 11, 2022 concerning Recycling Contract Extension – GFL Environmental Inc. be received and that the Legal Department be requested to provide a contract extension and an amendment agreement for a future Council meeting.

7.29. Rental Housing Incentive Program Extension to 2024 247 - 256

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

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that the report of the Planning Director dated April 11, 2022 concerning an extension of the Rental Housing Incentive Program be received and that Council authorize public notice for this matter to be heard on May 24, 2022.

7.30. Rental Housing Incentive Program 15 – 25 Donna Drive

257 - 260

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

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that the report of the Planning Director dated April 11, 2022 concerning Rental Housing Incentive Program 15 be received and that City Council authorize a three-year incremental tax rebate program (75%, 50% and 25%) for the property at 25 Donna Drive, subject to:

1. That the municipal rebate applies only to the increase in assessment resulting from new construction; and
2. After the rebate program is completed the full municipal taxes will apply.

7.31. Rental Housing Incentive Program 16 – 96 Great Northern Road

261 - 271

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

Mover Councillor M. Scott

Seconder Councillor L. Dufour
Resolved that the report of the Senior Planner dated April 11, 2022 concerning Rental Housing Incentive Program 16 be received and that City Council authorize a four-year incremental tax grant (75%, 75%, 50%, 25%) for the proposed 107-unit development at 96 Great Northern Road, subject to:

1. That the municipal tax grant applies only to the increase in assessment resulting from new construction; and
2. After the grant program is completed full municipal taxes will apply.

8. Reports of City Departments, Boards and Committees

8.1. Administration

8.2. Corporate Services

8.3. Community Development and Enterprise Services

8.3.1. Economic Development Program – N1 Solutions

272 - 276

A report of the Manager of Business Development is attached for the consideration of Council.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that the report of the Manager of Business Development dated April 11, 2022 concerning Economic Development Program proposal from N1 Solutions for business expansion and investment in 477 Queen Street East be received and that Council approve the investment of $100,000 through the Economic Growth Community Improvement Plan utilizing the Economic Development Program.

8.4. Public Works and Engineering Services

8.5. Fire Services

8.6. Legal

8.7. Planning

8.7.1. A-2-22-Z 149 Pim Street

277 - 285

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 April 11, 2022 concerning rezoning application A-2-22-Z be received and that Council rezone 149 Pim Street from Low Density Residential Zone (R3) to Low Density Residential Zone (R3.S) with a Special Exception to permit, in addition to the uses permitted in an R3 zone, pet grooming services as a home-based business, subject to the following special provisions:

1. Prohibit the boarding and overnight accommodation of animals.
2. Permit parking in a required front yard as currently exists.

And that the Legal Department be requested to prepare the necessary by-law(s) to effect the same.

8.8. Boards and Committees

8.8.1. Library Board

One vacancy

Mover Councillor M. Scott

Seconder Councillor L. Vezeau-Allen
Resolved that Elizabeth Webkamigad be appointed to the Library Board from April 11, 2022 until the remainder of City Council’s term or until such time as a

successor is appointed.

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

9.1. Light Pollution

Mover Councillor S. Hollingsworth

Seconder Councillor P. Christian
Whereas, as defined by the International Dark-Sky Association, light pollution refers to any inappropriate or excessive use of artificial light, which affects humans, wildlife, and the climate and;

Whereas light pollution can be in the form of glare, skyglow, light trespass or clutter and;

Whereas, like excessive noise, light pollution can have a negative impact on a residential area; and

Whereas Sault Ste. Marie does not have an existing light pollution bylaw;

Now Therefore Be It Resolved that staff be requested to review existing light pollution by-laws from other communities and make a recommendation on how a light pollution by-law might be implemented and enforced in the City of Sault Ste. Marie.

10. Committee of the Whole for the Purpose of Such Matters as are Referred to it by the Council by Resolution

11. Adoption of Report of the Committee of the Whole

12. Consideration and Passing of By-laws

Mover Councillor C. Gardi

Seconder Councillor L. Vezeau-Allen
Resolved that all By-laws under item 12 of the Agenda under date April 11, 2022 be approved.

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

12.1.1. By-law 2022-35 (Agreement) Superior Osteo Postural Clinic Inc. 286 - 289

A report from the Director of Community Services is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-35 being a by-law to approve the name change from Superior Sports Training Incorporated to Superior Osteo Postural Clinic

Inc. and to authorize the execution of the Agreement between the City and Superior Osteo Postural Clinic Inc. to extend the lease at the John Rhodes Community Centre 260-280 Elizabeth Street for one year be passed in open Council this 11th day of April, 2022.

12.1.2. By-law 2022-59 (Second Amending Agreement) Mill Market Sault Ste. Marie RFP Mobile Food Vending Units Canal Drive 290 - 295

A report from the Director of Community Services is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-59 being a by-law to approve the Mill Market Sault Ste. Marie to issue a Request for Proposal for two (2) full food mobile units to be located at 35 Canal Drive and one (1) light duty food unit at Clergue Park for the summer of 2022 and to authorize the execution of the Second Amending Lease Agreement between the City and Mill Market Sault Ste. Marie to include two (2) mobile food vending units at 35 Canal Drive be passed in open Council this 11th day of April, 2022.

12.1.3. By-law 2022-60 (Agreement) Licence to Occupy Mill Market Mobile Food Vending Unit Clergue Park 296 - 303

A report from the Director of Community Services is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-60 being a by-law to authorize the execution of the Licence to Occupy City Property Agreement between the City and Mill Market Sault Ste. Marie for one (1) mobile food vending unit at Clergue Park be passed in open Council this 11th day of April, 2022.

12.1.4. By-law 2022-61 (Property Surplus and Sale) 740 Allen's Side Road Mancuso Estate 304 - 305

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

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-61 being a by-law to declare the City owned property legally described as PIN 31603-0429 (LT), PT SEC 27, KORAH AS IN T64099 EXCEPT PT 2 1R1417; SAULT STE. MARIE being civic 740 Allen’s Side Road as surplus to the City’s needs and to authorize the disposition of the said property to the Estate of Joseph Mancuso or as otherwise directed be passed in open Council this 11th day of April, 2022.

12.1.5. By-law 2022-62 (Agreement) Sault Amateur Soccer Association (Strathclair) 306 - 309

A report from the Director of Community Services is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-62 being a by-law to authorize the execution of the Agreement between the City and Sault Amateur Soccer Association for the use of Strathclair Park, commencing on May 1, 2022 and terminating on April 30, 2027 be passed in open Council this 11th day of April, 2022.

12.1.6. By-law 2022-63 (Agreement) 273 Old Garden River Road 310 - 318

A report from the Assistant City Solicitor/Senior Litigation Counsel and the Municipal Services Engineer is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-63 being a by-law to authorize the execution of the Agreement between the City and Daniel Fremlin Holdings Inc. and the Huron Superior Catholic District School Board for access over the City property known as 273 Old Garden River Road be passed in open Council this 11th day of April, 2022.

12.1.7. By-law 2022-66 (Elections Service Agreement) Algoma District School Board 319 - 332

A report from the City Clerk is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-66 being a by-law to authorize the execution of the Agreement between the City and the Algoma District School Board to conduct elections under their jurisdiction in territories without municipal organization in the Algoma District be passed in open Council this 11th day of April, 2022.

12.1.8. By-law 2022-67 (Elections Service Agreement) Conseil Scolaire de District Catholique du Nouvel-Ontario 333 - 346

A report from the City Clerk is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-67 being a by-law to authorize the execution of the Agreement between the City and Conseil Scolaire de District Catholique du Nouvel-Ontario to conduct elections under their jurisdiction in territories without municipal organization in the Algoma District be passed in open Council this 11th day of April, 2022.

12.1.9. By-law 2022-68 (Elections Service Agreement) Conseil Scolaire Public Du Grand Nord De L'Ontario 347 - 360

A report from the City Clerk is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-68 being a by-law to authorize the execution of the Agreement between the City and Conseil Scolaire Public Du Grand Nord De L'Ontario to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District be passed in open Council this 11th day of April, 2022.

12.1.10. By-law 2022-69 (Elections Service Agreement) Sault Ste. Marie District Social Services Administration Board 361 - 373

A report from the City Clerk is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-69 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie District Social Services Administration Board to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District be passed in open Council this 11th day of April, 2022.

12.1.11. By-law 2022-70 (Elections Service Agreement) Huron Superior Catholic District School Board 374 - 387

A report from the City Clerk is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-70 being a by-law to authorize the execution of the Agreement between the City and Huron Superior Catholic District School Board to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District be passed in open Council this 11th day of April, 2022.

12.1.12. By-law 2022-71 (Administration) Amend By-law 2015-147 Membership Fees, Registration Fees and Travel Expenses 388 - 389

Council Report was passed by Council resolution on March 29, 2021.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-71 being a by-law to amend By-law 2015-147 (being a by-law to authorize payment of membership fees, registration fees and travel expenses incurred by members of the Council and employees of the Corporation while travelling on the business of the Corporation) be passed in open Council this 11th day of April, 2022.

12.1.13. By-law 2022-72 (Elections) Policy Use of Corporate Resources During a Municipal Election 390 - 396

A report from the City Clerk is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-72 being a by-law to adopt a policy regarding the use of corporate resources during a municipal election be passed in open Council this 11th day of April, 2022.

12.1.14. By-law 2022-73 (Agreement) Sault Ste. Marie Innovation Centre 397 - 399

A report from the City Solicitor is on the Agenda.

Mover Councillor C. Gardi

Seconder Councillor L. Dufour
Resolved that By-law 2022-73 being a by-law to authorize the execution of the Extending Agreement between the City and Sault Ste. Marie Innovation Centre to amend the Lease Agreement for a portion of 99 Foster Drive to extend the termination date to April 30, 2023 be passed in open Council this 11th day of April, 2022.

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

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

13. Questions By, New Business From, or Addresses by Members of Council Concerning Matters Not Otherwise on the Agenda

14. Closed Session

15. Adjournment

Mover Councillor M. Scott

Seconder Councillor L. Dufour
Resolved that this Council now adjourn.

REGULAR MEETING OF CITY COUNCIL

MINUTES

Monday, March 21, 2022
4:30 pm
Council Chambers and Video Conference

Present:	Mayor C. Provenzano, Councillor P. Christian, Councillor L. Vezeau-Allen, Councillor, Councillor, M. Shoemaker, Councillor M. Bruni, Councillor R. Niro, Councillor C. Gardi, Councillor (Councillor L. Dufour, D. Hilsinger, M. Scott by video conference)
Absent:	Councillor S. Hollingsworth
Officials:	M. White, M. Zuppa, F. Coccimiglio (T. Vair, K. Fields, P. Johnson, D. Elliott, S. Hamilton Beach, B. Lamming, T. Anderson, M. Borowicz-Sibenik, S. Turco, V. McLeod, T. Vecchio by video conference)

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13. Closed Session

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that this Council move into closed session to consider one item concerning the security of property of the municipality; two proposed acquisitions of land; two proposed dispositions of land; and three items subject to solicitor/client privilege;

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

(Municipal Act section 239(2)(a) the security of property of the municipality or local board; (c) a proposed or pending acquisition or disposition of land by the municipality or local board; and (f) advice that is subject to solicitor/client privilege)

Carried

1. Adoption of Minutes

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

Resolved that the Minutes of the Regular Council Meeting of February 22, 2022 be approved.

Carried

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

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the Agenda and Addendum #1 for March 21, 2022 City Council Meeting as presented be approved.

Carried

5. Proclamations/Delegations

5.1 World Water Day

5.2 Purple Day

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 March 21, 2022 – Agenda item 6 – Consent Agenda be approved as recommended, save and except Agenda item 6.3.

Carried

6.1 2021 Investment Report

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 March 21, 2022 concerning 2021 Investment Report be received as information.

6.2 2021 Council Remuneration and Expenses

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 March 21, 2022 concerning 2021 Council Remuneration and Expenses and employee travel expenses be received as information.

6.4 Property Tax Appeals

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

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

Resolved that the report of the Manager of Taxation dated March 21, 2022 concerning Property Tax Appeals be received and that the tax records be amended pursuant to sections 354 and 357 of the *Municipal Act, 2001*.

6.5 Tender for Roof Replacement – 619 Bay Street Seniors Centre

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

The relevant By-law 2022-52 is listed under item 11 of the Minutes.

6.6 Tender for Bulk Coarse Highway Salt

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

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

Resolved that the report of the Manager of Purchasing dated March 21, 2022 be received and that the tender submitted by K+S Windsor Salt Ltd. for the supply and delivery of bulk coarse highway salt at their tendered price of $109.76 plus HST per tonne for the first season, with adjusted pricing for the following four seasons, be approved.

6.7 Tenders for Equipment Purchase – Public Works

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

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

Resolved that the report of the Manager of Purchasing dated March 21, 2022 be received and that tenders for the supply and delivery of various pieces of equipment be awarded as follows:

- Two tandem street sanders, T.M.S Truck Centre – $518,822
- One 2-ton asphalt hot box, Johnson Bros. – $36,400
- Two 1-ton 4-door dump truck, Commercial Truck Equipment – $228,998
- One triple deck riding mower, Turfcare Products – $83,210

for a total amount of $867,430 plus HST.

6.8 Factory Rebuild of Trackless Municipal Tractor – Request for Quotation

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

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

Resolved that the report of the Manager of Purchasing dated March 21, 2022 be received and that the quotation submitted by Work Equipment Ltd. in the amount of $150,250 plus HST for the factory rebuild of a City-owned trackless municipal tractor plus attachments for the use by Public Works be approved on a sole source basis.

6.9 Council Remuneration By-law Amendments

The report of the City Clerk was received by Council.

The relevant By-law 2022-49 is listed under item 11 of the Minutes.

6.10 Procedure By-law Amendments 2022

The report of the City Clerk was received by Council.

The relevant By-law 2022-100 is listed under item 11 of the Minutes.

6.11 Voter Engagement Communication Plan

The report of the Deputy City Clerk and Corporate Communications Officer was received by Council.

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

Resolved that the report of the Deputy City Clerk and Corporate Communications Officer dated March 21, 2022 concerning Voter Engagement Communication Plan be received as information.

6.12 Sault Ste. Marie Horse and Pony Club Inc.

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

The relevant By-law 2022-50 appears under item 11 of the Minutes.

6.13 Economic Development Fund Application – Darius Films

The report of the Director of Tourism and Community Development was received by Council.

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the report of the Director of Tourism and Community Development dated March 21, 2022 concerning Darius Films Economic Development Fund application be received and that the recommendation of the Economic Development Corporation Board of Directors to allocate $10,000 from the Development Stream of the Economic Development Fund be approved.

6.14 Tourism Development Fund Application – Soo Finnish Ski Club

The report of the Director of Tourism and Community Development was received by Council.

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the report of the Director of Tourism and Community Development dated March 21, 2022 concerning Soo Finnish Nordic Ski Club Tourism Development Fund application be received and that the recommendation of the Tourism Sault Ste. Marie Board of Directors to allocate $7,500 from the Tourism Development Fund be approved.

6.15 Designated Heritage Property Grant – Wawanosh Monument

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

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Recreation and Culture dated March 21, 2022 concerning Designated Heritage Property Grant to the Royal Canadian Legion Branch 25 – Wawanosh Monument in the amount of $2,200 to support repairs to the Wawanosh Monument located at 96 Great Northern Road be approved; and further that payment be rendered upon submission of the paid contractor’s invoices and final approval of the project by the Sault Ste. Marie Municipal Heritage Committee.

6.16 Designated Heritage Property Grant – Cenotaph

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

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

Resolved that the report of the Manager of Recreation and Culture dated March 21, 2022 concerning Designated Heritage Property Grant to the Royal Canadian Legion Branch 25 – Cenotaph in the amount of $3,000 to support the restoration and cleaning of the cenotaph located at 426 Queen Street East be approved; and further that payment be rendered upon submission of the paid contractor's invoices and final approval of the project by the Sault Ste. Marie Municipal Heritage Committee.

6.17 Heritage Register – Properties Recommended for Listing

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

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Recreation and Culture dated March 21, 2022 concerning Heritage Register – Properties Recommended for Listing be received and that the addition of twenty-eight properties be included as listed properties on the Sault Ste. Marie Heritage Register:

1. 286 John Street
2. 52 Trelawne Avenue (16 Rosedale)
3. 279 Cathcart Street
4. 136 Pilgrim Street
5. 59 Fauquier Street (Hamilton House)
6. 69 Borron Avenue
7. 184 Pim Street (Marshall Apartments)
8. 19 Summit Avenue
9. 182 Church Street
10. 3 Summit Avenue/90 Ontario Avenue
11. 188 Church Street
12. 11 Summit Avenue

13. 372 Bruce Street
14. 1019 Queen Street
15. 1062 Queen Street
16. 508, 510, 512 Queen Street East, Elizabeth Wilcox Building
17. 175 Queen Street East, (King's Apartments)
18. 478-480 Queen Street East
19. 484-488 Queen Street East, Taylor Block
20. 618-620 Queen Street East
21. 667-669 Queen Street East
22. 754 Queen Street East
23. 801, 803, 805 Queen Street East, McCormick Block
24. 95 Huron Street, Pulp Tower
25. 107 Huron Street, Yard Locker and Board Mill
26. 130 John Street (Church)
27. 136 John Street (Hall)
28. 221-223 Brown Street

be approved.

6.18 Municipal Law and By-Law Enforcement Officers

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

The relevant By-laws 2022-55 and 2022-56 are listed under item 11 of the Minutes.

6.19 Case Road Culvert Rehabilitation

The report of the Municipal Services Engineer was received by Council.

The relevant By-law 2022-53 is listed under item 11 of the Minutes.

6.20 Advisory Services Engineering Agreement

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

The relevant By-law 2022-51 is listed under item 11 of the Minutes.

6.21 Court Security and Prisoner Transportation Program Agreement

The report of the City Solicitor was received by Council.

The relevant By-law 2022-36 is listed under item 11 of the Minutes.

6.22 15 Creery Ave (Part) Declared Surplus

The report of the Assistant City Solicitor/Senior Litigation Counsel was received by Council.

The relevant By-law 2022-46 is listed under item 11 of the Minutes.

6.23 Sale of 328 Queen Street East

The report of the Deputy CAO, Community Development and Enterprise Services and the Assistant City Solicitor/Senior was received by Council.

The relevant By-law 2022-57 is listed under item 11 of the Minutes.

6.24 Agreement between City and Bell Mobility Inc. – Bellevue Marina Tower

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

The relevant By-law 2022-54 is listed under item 11 of the Minutes.

6.25 Municipal Law Enforcement Officer Appointments (Parking, Smoking)

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

The relevant By-law 2022-58 is listed under item 11 of the Minutes.

6.26 Active Transportation Fund

The report of the Senior Planner was received by Council.

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the report of the Senior Planner dated March 21, 2022 concerning Active Transportation Fund be received and that staff be authorized to submit an application to the Federal Government's Active Transportation Fund for the projects:

- James Street Neighbourhood Connector – $132,000
- West End Connector – $668,000
- Carmen's Way John Rowswell Hub Trail Gap – $350,000
- Mark Street John Rowswell Hub Trail Gap – $253,00

for a total of $1,403,000 and that the City's required 40% share ($560,000) be sourced from funds received through the Ontario Community Infrastructure Fund.

6.27 Ontario Ministry of Agriculture, Food and Rural Affairs Rural Economic Development – Downtown Plaza Funding Agreement

The report of the Senior Planner was received by Council.

The relevant By-law 2022-44 is listed under item 11 of the Minutes.

6.3 Banking Services Agreement Extension

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

The relevant By-law 2020-45 is listed under item 11 of the Minutes.

7. Reports of City Departments, Boards and Committees

7.1 Administration

7.1.1 COVID Update

The report of the CAO was received by Council.

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

Resolved that the report of the CAO dated March 21, 2022 concerning COVID Update March 21, 2022 be received as information.

	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	**10**	**0**	**1**

Carried

7.2 Corporate Services

7.3 Community Development and Enterprise Services

7.3.1 Public Art Policy

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

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that the report of the Manager of Recreation and Culture dated March 21, 2022 concerning adoption of the Public Art Policy be approved.

	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	**9**	**0**	**2**

Carried

7.3.2 Cultural Policy Revisions 2022

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

The relevant By-law 2022-47 is listed under item 11 of the Minutes.

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

Resolved that Council accept all the proposed amendments to the Cultural Policy save and except the requirement for the commitment of 1%, and that the financing of the Public Art Policy be referred to staff for review and consideration.

	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	**10**	**0**	**1**

Carried

7.3.3 Cultural Policy/Public Art Policy Revisions – Financial Implications

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 March 21, 2022 concerning financial implications of the recommended Cultural Policy changes be received as information.

	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	**9**	**0**	**2**

Carried

7.4 Public Works and Engineering Services

7.5 Fire Services

7.6 Legal

7.7 Planning

7.8 Boards and Committees

7.8.1 Tourism Board

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

Resolved that Brad Robinson be appointed to the Tourism Board from March 21, 2022 to December 31, 2022.

	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	**9**	**0**	**2**

Carried

7.8.2 District of Sault Ste. Marie Social Services Administration Board

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that Councillor Vezeau-Allen be appointed to the District of Sault Ste. Marie Social Services Administration Board from March 21, 2022 to December 31, 2022.

	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	**10**	**0**	**1**

Carried

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

8.1 Highway 17 North Improvements

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

Whereas during the winter of 2021-2022, Highway 17 north of Sault Ste. Marie has been closed on at least 11 occasions due to inclement weather or collisions; and

Whereas the close of any highway, especially a two lane highway in remote areas of Ontario presents life-safety risk to any persons that need essential services that are offered in urban centres; and

Whereas for many years Sault Ste. Marie and surrounding communities have sought highway improvements, especially ongoing calls to 4-lane Highway 17; and

Whereas improvements to Highway 17 north are urgently needed to ensure uninterrupted access by residents and seasonal users of hospital and other essential services only offered in Sault Ste. Marie; and

Whereas the Provincial Government has recently announced a plan to invest $82 billion in transportation improvements over the next year, not all of which should be spent in the GTA as is often the case with provincial transportation dollars; and

Whereas a provincial election is near where all parties will be looking to champion local issues;

Now Therefore Be It Resolved that the City of Sault Ste. Marie call on all provincial political parties to prioritize improvements to Highway 17 north of Sault Ste. Marie in their policy platforms and that the Mayor be requested to draft correspondence to the local candidates in the upcoming provincial election setting out this Council's position.

	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	**10**	**0**	**1**

Carried

8.2 Anti-War

Moved by: Councillor L. Vezeau-Allen
Seconded by: Councillor D. Hilsinger

Whereas on the 24th of February 2022 Russia began a military invasion of Ukraine; and

Whereas Ukraine gained independence from Russia in 1991, and is considered a neutral state; and

Whereas under Article 5 of the North Atlantic Treaty, an attack on a NATO country is considered an attack on all NATO countries, and they all must help to restore security; and

Whereas Ukraine is not considered a NATO country; and as all citizens of Canada enjoy the rights and freedoms as a NATO member country;

Now Therefore Be It Resolved that as Council of the City of Sault Ste. Marie recognizes that all people of Sault Ste. Marie are a peace-loving people who stand together in opposition to war in all forms and in all corners of the globe; and further recognizes that all people of Sault Ste. Marie stand together in demanding an immediate and peaceful resolution to the war in Ukraine; and that Council urges the Government of Canada to de-escalate war in Ukraine by demanding peace and diplomacy on the international stage; and that all municipalities across our country put pressure on the Government of Canada towards this end by passing similar resolutions.

	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	**10**	**0**	**1**

Carried

8.3 Housing Affordability

Moved by: Councillor L. Dufour
Seconded by: Councillor D. Hilsinger

Whereas the background data for the new Official Plan of Sault Ste. Marie states that even under Provincial affordability thresholds, 30-40% of people in Sault Ste. Marie cannot afford average rent or cost of home ownership; and

Whereas building housing that is affordable to this cohort of citizens, according to modern building code, is not possible for the private sector to build without significant grants or subsidies; and

Whereas the Provincial Land Transfer Tax is a tax levied on the total purchase price of a property in Ontario, whose real estate markets have increased 30-40% over the past two years, with presumable Land Transfer Tax revenues growing commensurately

Now Therefore Be It Resolved that Mayor Provenzano write a letter to Minister of Municipal Affairs and Housing Steve Clark outlining Council's support for a Provincial co-investment fund that will partner with District of Sault Ste. Marie Social Services Administration Board's housing providers and developers to provide direct grants to build housing that is affordable for low income citizens;

Further that such fund, in recognition of the growth challenges in the North, have a Northern portion of the fund that is greater than the sum of land transfer tax generated here.

	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	**10**	**0**	**1**

Carried

8.4 Housing Supply

Moved by: Councillor L. Dufour
Seconded by: Councillor P. Christian

Whereas the City of Sault Ste. Marie, like many other Northern municipalities, struggles to maintain assessment growth rates commensurate with the cost of providing municipal services; and

Whereas the draft Official Plan for Sault Ste. Marie 2022 highlights the need for an increase in housing supply; and

Whereas in-fill, purpose-built rental and densification developments provide an increase in housing supply without requiring extensions/increases in municipal services; and

Whereas the Provincial government has recently published the report of the Housing Affordability Task Force, which recommends, among other things, 'as-of-right' zoning by-laws that would, subject to maximum lot coverage, height and parking minimums, allow up to 4 units to occupy property that currently has single family residential zoning

Now Therefore Be it Resolved that staff be requested to report on the potential benefits and costs of Sault Ste. Marie adopting 'as of right' zoning in its new Official Plan.

	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	**10**	**0**	**1**

Carried

8.5 Undeveloped Property in "Gateway" Site

Moved by: Councillor L. Dufour
Seconded by: Councillor L. Vezeau-Allen

Whereas the City of Sault Ste. Marie owns a large piece of undeveloped property in the canal district commonly referred to as the ‘Gateway Site’; and

Whereas the Sault Ste. Marie Housing Corporation owns and operates a number of residential properties, including high density residential properties, within the City of Sault Ste. Marie; and

Whereas the City of Sault Ste. Marie wants to encourage additional residential development within the community, and specifically high density residential development in the downtown core; and

Whereas the Gateway Site could be an appropriate site to consider a large scale high density residential development;

Now Therefore Be It Resolved that the CAO and Deputy CAO Community Development and Enterprises Services be directed to work with the Sault Ste. Marie Housing Corporation to consider and assess a high density residential development for the Gateway Site and report back to Council on its determinations.

	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	**10**	**0**	**1**

Carried

8.6 Indigenous-specific Housing

Moved by: Councillor L. Dufour
Seconded by: Councillor D. Hilsinger

Whereas the Sault Ste. Marie Social Services Administration Board (DSSMSSAB) has made substantial investments in our homelessness prevention, shelter system and transition housing over the last two years; and

Whereas the reactive costs of chronic homelessness, poor mental health and the opioid epidemic continue to be borne by our neighbourhoods, community members, and property tax base, and

Whereas Indigenous people represent a disproportionately high percentage of people experiencing homelessness as evidenced by the most recent Point-In-Time Count coordinated by the DSSMSSAB and community partners, 65% of the homeless population in Sault Ste. Marie identify as Indigenous; and

Whereas the Indian Friendship Centre in Sault Ste. Marie and Ontario Aboriginal Housing Services have developed a proposal for an Indigenous Supportive Housing Initiative; and

Whereas the DSSMSSAB has been meeting with the Indian Friendship Centre and Ontario Aboriginal Housing Services on its proposal and on the potential of the parties working jointly on a supportive housing initiative that serves and supports our Indigenous homeless population; and

Whereas the City of Sault Ste. Marie supports, in principle, "For Indigenous/By Indigenous" as the best model for Indigenous-specific supportive housing within the City of Sault Ste. Marie whereby the Indigenous community has the appropriate knowledge and access to cultural supports to help successfully navigate Indigenous people on their journey to long term tenancies;

Now Therefore Be It Resolved that Sault Ste. Marie City Council express support in principle of the initiatives and efforts of the Indian Friendship Centre in Sault Ste. Marie, Ontario Aboriginal Housing Services and the DSSMSSAB working in partnership to develop supportive Indigenous-specific housing in our community;

Further be it resolved that Sault Ste. Marie City Council also expresses support in principle for the use of municipal dollars through the DSSMSSAB to proactively invest in establishing housing with the necessary supports for the chronically homeless members of the Sault Ste. Marie homeless community in conjunction with the supportive efforts of Ontario Aboriginal Housing Services and the Indian Friendship Centre in Sault Ste. Marie;

And that Mayor Provenzano be directed to call upon our Provincial and Federal governments to provide annualized funding for the establishment and operation of supportive housing for all members of our community.

	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	**10**	**0**	**1**

Carried

8.7 Snow Windrow Clearing

Moved by: Councillor C. Gardi
Seconded by: Councillor D. Hilsinger

Whereas Sault Ste. Marie's winter climate consists not only of significant snow accumulation yet also thawing events; and

Whereas there are different points throughout the winter, due to heavy snowfall events, or significant thawing, that snow/ice windrows at the end of residential driveways can be much more substantial and more burdensome than usual, after roads are cleared by Public Works plows; and

Whereas the community of Sault Ste. Marie has an older than average population than found in communities across Ontario, and many of our senior population reside in houses across the community; and

Whereas there are also many residents with different physical disabilities or health conditions who are unable to clear larger than normal snow windrows; and

Whereas there are limited other options for both the elderly and those with physical disabilities to reside due to a lack of appropriate housing for both groups, and a shortage of housing generally;

Now Therefore Be It Resolved that City staff be requested to explore potential options and report back with associated costs of developing a program that those 65 years of age and older, and with people with physical disabilities and/or medical conditions, could opt in to, at a nominal cost, assist with the clearing of heavier/larger than usual snow windrows;

Further be it resolved that this report ascribe an amount of snowfall that would have to fall, over a specific 12 to 24-hour period, and what type of thawing/snow clearing and or other factor(s) would initiate the clearing of windrows. Also, that it include a time frame within which these residents could reasonably expect the clearing of their windrow to occur.

	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	**6**	**4**	**1**

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

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

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

Resolved that all By-laws under item 11 of the Agenda under date March 21, 2022 be approved, save and except By-laws 2022-45 and 2022-47.

Carried

11.1.1 By-law 2022-36 (Agreement) Court Security and Transportation

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-36 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 Solicitor General for funding for court security and prisoner transportation be passed in open Council this 21st day of March, 2022.

11.1.2 By-law 2022-44 (Agreement) Rural Economic Development Funding

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-44 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 Agriculture, Food and Rural Affairs for the Rural Economic Development (RED) program fund be passed in open Council this 21st day of March, 2022.

11.1.4 By-law 2022-46 (Property) Surplus Pt 15 Creery

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-46 being a by-law to declare the City owned property legally described as PT PIN 31523-0147(LT) PT PCL 9182 SEC AWS; BLK A PL M381 ST. MARY'S; S/T LT109849; SAULT STE. MARIE being part civic 15 Creery Avenue, as surplus to the City's needs and to authorize the disposition of the said property be passed in open Council this 21st day of March, 2022.

11.1.6 By-law 2022-48 (Engineering) Central Street Aqueduct Repairs

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-48 being a by-law to authorize the execution of the Agreement between the City and Tulloch Engineering Inc. to remove and reconstruct selected segments of the small aqueducts on Central Street at McAllen and Metzger Street including restoration of the surface features be passed in open Council this 21st day of March, 2022.

11.1.7 By-law 2022-49 (Remuneration) Council and Local Boards

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-49 being a by-law to provide for the remuneration of members of Council and Local Boards be passed in open Council this 21st day of March, 2022.

11.1.8 By-law 2022-50 (Agreement) Horse and Pony Club Inc.

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-50 being a by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie Horse and Pony Club Inc. to extend the Licence to Occupy with the Sault Ste. Marie Horse and Pony Club Inc. for another ten (10) years be passed in open Council this 21st day of March, 2022.

11.1.9 By-law 2022-51 (Engineering) AECOM Canada Ltd. Wastewater Advisory Services

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-51 being a by-law authorize the execution of the Agreement between the City and AECOM Canada Ltd. for the renewal of the Advisory Services Engineering Agreement for a five-year term be passed in open Council this 21st day of March, 2022.

11.1.10 2022-52 (Agreement) Maverick and Son Exteriors and Consulting Services Inc. (Roofing at 619 Bay Street)

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-52 being a by-law to authorize the execution of the Agreement between the City and Maverick and Son Exteriors and Consulting Services Inc. for the Roofing Replacement Project at 619 Bay Street, Sault Ste. Marie, Ontario be passed in open Council this 21st day of March, 2022.

11.1.11 By-law 2022-53 (Engineering) Case Road Culvert Rehabilitation Contract 2022-7E

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-53 being a by-law to authorize the execution of the Contract between the City and Trimount Construction Group for the rehabilitation of the Case Road Culvert (Contract 2022-7E) be passed in open Council this 21st day of March, 2022.

11.1.12 By-law 2022-54 (Agreement) Bell Mobility Bellevue Tower Lease

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-54 being a by-law to authorize the execution of the Agreement between the City and Bell Mobility Inc. to erect a tower, equipment shelter, all necessary cabling and equipment attachments, and access road, on a piece of property located in proximity to the Bellevue Marina be passed in open Council this 21st day of March, 2022.

11.1.13 By-law 2022-55 (Parking) By-Law Enforcement Officers

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-55 being a by-law to appoint by-law enforcement officers to enforce the by-laws of The Corporation of the City of Sault Ste. Marie be passed in open Council this 21st day of March, 2022.

11.1.14 By-law 2022-56 (Parking) Municipal Law Enforcement Officers

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-56 being a by-law to appoint Municipal Law Enforcement Officers to enforce the by-laws on various private properties and to amend Schedule “A” to By-law 90-305 be passed in open Council this 21st day of March, 2022.

11.1.15 By-law 2022-57 (Property Sale) 328 Queen Street East

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-57 being a by-law to authorize the sale of surplus property being civic 328 Queen Street East, legally described in PIN 31542-0034 (LT) to Carmen Muto Plumbing & Heating Inc. be passed in open Council this 21st day of March, 2022.

11.1.16 By-law 2022-58 (Appointment of Traffic and Smoking Officers)

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-58 being a by-law to appoint by-law enforcement officers to enforce various parking provisions of By-law 77-200 of The Corporation of the City of Sault Ste. Marie, as amended or a successor thereof, within the municipal boundary of the City of Sault Ste. Marie be passed in open Council this 21st day of March, 2022.

11.1.17 By-law 2022-100 (Procedure By-law)

A report from the City Clerk is on the Agenda.

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-100 being a by-law to regulate the proceedings of the Council of the City of Sault Ste. Marie be passed in open Council this 21st day of March, 2022.

11.1.3 By-law 2022-45 (Agreement) Royal Bank of Canada Banking Services Extension

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-45 being a by-law to authorize the execution of the Agreement between the City and Royal Bank of Canada for a one-year extension to the current banking services agreement be passed in open Council this 21st day of March, 2022.

	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	**10**	**0**	**1**

Carried

11.1.5 By-law 2022-47 (Cultural Advisory Committee)

Moved by: Councillor D. Hilsinger
Seconded by: Councillor P. Christian

Resolved that By-law 2022-47 being a by-law to amend By-law 2013-117 (being a by-law to re-establish a Cultural Advisory Board) and to repeal By-law 2015-117 be passed in open Council this 21st day of March, 2022.

	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	**10**	**0**	**1**

Carried

14. Adjournment

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

Resolved that this Council now adjourn.

Carried

_____

Mayor

_____

Deputy City Clerk

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS The National Day of Mourning is held annually on April 28 to commemorate workers who have been killed, injured or suffered illness due to workplace related hazards and incidents; and

WHEREAS The purpose of the Day of Mourning is to remember and honour those workers and to renew commitment to improve health and safety in the workplace; and

WHEREAS April 28 was chosen to be the National Day of Mourning as it coincides with the day the Worker's Compensation Act received its third reading in 1914; and

WHEREAS The Canadian flag on Parliament Hill will fly at half-mast and workers and employers across Canada will observe this day by lighting candles, donning ribbons and black armbands and observing moments of silence:

NOW THEREFORE, I, Christian Provenzano, as Mayor of the City of Sault Ste. Marie, do hereby proclaim **April 28, 2022** as the **"DAY OF MOURNING"** in the City of Sault Ste. Marie in recognition of workers killed, injured or disabled on the job**.**

Signed,

Christian Provenzano
MAYOR

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS The Canadian Cancer Society is proud to be a champion and voice for people who care about cancer and remains committed to uniting and inspiring Canadians to take control of the disease; and

WHEREAS Through the Daffodil Campaign, funds are raised to invest in research that will change the future of cancer and further development of a support system that makes life better for those affected by it; and

WHEREAS Canadian Cancer Society volunteers in Sault Ste. Marie, along with local donors, are united by the same overarching goals – helping people live longer and improving the lives and experiences of those affected by cancer; and

WHEREAS The daffodil is the symbol of strength, courage and life for those living with cancer and for Saultites to rally around by donating, buying a daffodil pin to wear proudly, buying a digital daffodil to honour a memory of a loved one, or volunteering:

NOW THEREFORE, I, Christian Provenzano, as Mayor of the City of Sault Ste. Marie, do hereby proclaim the month of **April** as **Daffodil Campaign.**

Signed,

Christian Provenzano
MAYOR

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS World Autism Day will be recognized on April 2, 2022, in Canada thanks to Senator Jim Munson's Bill S-206, *An Act Respecting World Autism Awareness Day*; and

WHEREAS Autism Spectrum Disorder (ASD) affects more than 135,000 Ontarians. Autism Spectrum Disorder is neurodevelopmental disorder affecting 1 in 66 Canadian children, as well as their friends, family and community; and approximately 1-2% of the Canadian population is on the autism spectrum; and

WHEREAS ASD is a spectrum disorder, which means it not only manifests itself differently in every individual in whom it appears, but its characteristics will change over the life of each person as well. A child on the autism spectrum will become will become an adult on the autism spectrum; and

WHEREAS Autism Ontario is the leading source of information and referral on autism and one of the largest collective voices representing the autism community. Since 1973, Autism Ontario has been providing support, information and opportunities for thousands of families across the province; and

WHEREAS Autism Ontario is dedicated to increasing public awareness about autism and the day-to-day issues faced by individuals with autism, their families, and the professionals with whom they interact. The association and its Regions share common goals of providing information and education, supporting research, and advocating for programs and services for the autism community:

NOW THEREFORE, I, Christian Provenzano, as Mayor of the City of Sault Ste. Marie, do hereby proclaim **April 2nd, 2022** as **"WORLD AUTISM AWARENESS DAY"** in Sault Ste. Marie.

Signed,

Christian Provenzano
MAYOR

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS The first Earth Day was celebrated on April 22, 1970 with the goal of inspiring environmental awareness and encouraging the conservation, protection and appreciation of our nation's natural resources: and

WHEREAS The steps we can take to protect and preserve our natural environment through education, partnerships, and positive actions should be encouraged in the City of Sault Ste. Marie; and

WHEREAS The City of Sault Ste. Marie, the Sault Ste. Marie Region Conservation Authority and the Kensington Conservancy, through their efforts, support the preservation of our local environment and have partnered to promote biodiversity and the conservation of our natural environment in the Algoma Area's first ever Earth Day BioBlitz; and

WHEREAS Earth Day provides an opportunity to make a difference in our community. Sault Ste. Marie invites all residents and business to participate in the area's first ever Earth Day BioBlitz – April 22 – April 24, 2022. Help make a difference to biodiversity and sustainability by creating a living record of species you encounter and add to a growing database through iNaturalist app; and

NOW THEREFORE, I, Christian Provenzano, as Mayor of the City of Sault Ste. Marie, do hereby proclaim **April 22, 2022** as **"EARTH DAY"** in Sault Ste. Marie, and encourage all residents, business, and institutions to use Earth Day to celebrate the Earth and promote the wellbeing and protection of their environment

Signed,

Christian Provenzano
MAYOR

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS Statistics Canada notes that the Jewish population in the country is approximately 400,000 people, more than 1% of the total Canadian population, making it the fourth-largest Jewish population in the world; and

WHEREAS The Jewish community has a long and proud history in Canada and has made significant contributions to the wellbeing, growth and prosperity of Canada while overcoming tremendous obstacles; and

WHEREAS Jews have excelled in a wide range of endeavours including the arts, sciences, the law, architecture, media, finance, entertainment and business significantly contributing to Canadian life; and

WHEREAS The month of May is meaningful for the Jewish community around the world; and

WHEREAS In 2018 Parliament adopted Bill S-232 "An Act respecting Canadian Jewish Heritage Month" designating the month of May as Canadian Jewish Heritage Month thereby recognizing the important contributions that Jewish Canadians have made to Canada's social, economic, political, and cultural fabric; and

WHEREAS Parliament declared that the Canadian Jewish Heritage Month would provide an opportunity to remember, celebrate and educate future generations about the inspirational role that Jewish Canadians have played and continue to play in communities across the country; and

WHEREAS B'nai Brith a Jewish human rights organization that has been active nationally in Canada since 1875, has invited municipalities to enhance Parliament's declaration of the Canadian Jewish Heritage Month by adopting their own motions and promoting the celebration of the heritage month within their territory each May; and

WHEREAS Sault Ste. Marie has benefited from the contributions and leadership of the local Jewish community, through the establishment of Congregation Beth Jacob in 1945, to the local service clubs and institutions supported by volunteers who were and are members of the Jewish community to the several successful and long-standing businesses opened by Jewish business people:

NOW THEREFORE, I, Christian Provenzano, as Mayor of the City of Sault Ste. Marie, declare that commencing **May 2022** every month of May be celebrated as **Jewish Heritage Month** in its territory; and that we recognize the contributions of the Jewish community to the success of Canada.

Signed,

Christian Provenzano
Mayor

OFFICE OF THE MAYOR

P R O C L A M A T I O N

WHEREAS Community Living Algoma has provided supports and services to people with intellectual disabilities and their families in the City of Sault Ste. Marie and surrounding district since 1954 and provides services to 335 adults and 397 children across the District of Algoma; and

WHEREAS Community Living Algoma's goal is that people with intellectual disabilities have every opportunity to participate fully in our community with dignity, independence and acceptance; and

WHEREAS Community Living Algoma works with Sault Ste. Marie volunteers and other stakeholder groups and organizations to promote citizenship for people with intellectual disabilities so they have the rights and responsibilities, and the opportunities that come with belonging, participating and contributing as a valued member in society; and

WHEREAS Community Living Algoma Awareness Month is a province-wide initiative created to celebrate the values of Community Living, which are inclusion, equality and respect:

NOW THEREFORE, I, Mayor Christian Provenzano, as Mayor of the City of Sault Ste. Marie, do hereby proclaim **May 2022** to be **"COMMUNITY LIVING AWARENESS MONTH"** in the City of Sault Ste. Marie.

Signed,

Christian Provenzano
MAYOR

Meeting Date	Department	Agenda Item	Assigned To	Due Date	Comments	Description	Sponsored By
26-Sep-16	Legal	Off Road Vehicle Use on Municipal Roadways	K. Fields	Q2 2022	Initiating resolution June 22, 2015; report September 26, 2016 – Agenda Item 6.10 – Council directed Legal to draft by-law; report April 1, 2019 – Agenda Item 6.13 – status update on ATV By-law	Develop a comprehensive by-law to eliminate safety concerns of ATVs and UTV on municipally maintained streets by regulating allowable roads, in addition to speed limits and hours of operation.	J. Hupponen L. Turco
21-Nov-16	CAO	Employee Innovation Program	M. White	Q2 2022		SMT to implement a 3 month program focused on engaging staff at all levels to potential innovations and savings that will affect the 2017 budget and/or fiscal year - report during first quarter of 2017.	F. Fata S. Hollingsworth
8-May-17	CD&ES	Downtown Sault Ste. Marie	T. Vair	Q2 2022	FutureSSM provided update December 10, 2018 as to outcomes of Downtown Development Action Team and related downtown development priorities. Will also tie into branding work being undertaken by FutureSSM and STC; Heritage Walk budget approved (St. Marys River and Bay Street heritage features; and new Queen Street Streetscape design underway)	Investigate the possibility of incorporating our City's history into the overall theme of the downtown area and invite Downtown Association, Tourism Sault Ste. Marie and appropriate City staff to a future council meeting to advise on possible planning elements and features that can be incorporated into the redevelopment of the area so that we can take advantage of our City's history and reputation as a gathering place by the rapids.	P. Christian S. Butland
11-Sep-17	Legal	Red Pine Drive	K. Fields	Q2 2022	Pending	Develop Road Assumption policy for Council's review and approval outlining requirements for a private road assumption policy.	M. Shoemaker J. Krmpotich
9-Apr-18	CD&ES	Snow Dumps	D. McConnell	Q3 2022		Investigate creating a new zoning classification for private snow dumps to ensure the runoff of any harmful substance is minimized to the greatest degree possible.	M. Shoemaker S. Butland
9-Apr-18	Corporate Services	Open Data	F. Coccimiglio	Q2 2022	Report May 10, 2021 – Agenda Item 6.6 – referred back to staff for additional costing information	Research, develop and draft an open data plan and strategy for the municipal corporation.	S. Hollingsworth S. Butland
28-May-18	CAO CD&ES	Jamestown Health Equity Centre	M. White T. Vair	Q2 2022	Council received Planning report October 7, 2019 for Jamestown revitalization that included this in scope of work; and the James Street Neighbourhood Strategy October 26, 2020 – Agenda item 7.7.1	Work with Algoma Leadership Table and other community partners to assess need for harm reduction and health equity services specifically in Jamestown, including cost estimates.	M. Shoemaker R. Niro

10-Dec-18	CD&ES	MPAC Real Property Assessment	D. McConnell	Q2 2022	Report August 12, 2019 – Agenda Item 6.5; further direction to develop framework for a Community Improvement Plan to attempt to ensure that newly built unsold dwelling units owned by property developers remain partially exempt from assessment and/or taxation pending sale of the unit to a third party	Determine which policy or procedure to implement so that residential real estate developers are not assessed full realty taxes on unoccupied homes that are being marketed for sale.	M. Shoemaker P. Christian
4-Mar-19	CD&ES	Active Transportation	D. McConnell	Q4 2022	Report December 13, 2021 – item 6.3 – Active Transporation Master Plan project approved and RFP awarded.	Report as part of the preliminary capital budget identifying how Transportation Master Plan, Cycling Master Plan, Active Transportation Implementation Strategy and Transit Route Optimization Study recommendations will be implemented and for all new municipal facilities, new streets, and road reconstruction projects report on how principles of complete streets will be used to ensure that municipal facilities and roadways incorporate all modes of transportation.	D. Hilsinger M. Shoemaker
15-Apr-19	CD&ES Corporate Services	Examine Established Neighbourhoods for Future Growth	T. Vair	Q2 2022		Work with Innovation Centre to prepare a report mapping areas of the community that have experienced assessment growth and those that have experienced assessment decline /stagnation over the past two assessment periods so that Council may have that information when considering infrastructure investments and prioritization.	L. Dufour D. Hilsinger
6-May-19	CD&ES Legal	Transient Accommodations	D. McConnell K. Fields	Q2 2022	Report July 12, 2021 – Agenda Item 7.7.1 – proceed with public consultation	Report with best practices in other municipalities and recommendations on a framework that permits transient accommodation consistent with and respectful of residential neighbourhoods.	C. Gardi M. Scott
21-May-19	CD&ES	Downtown Trolley	T. Vair	Q2 2022		Study, review, consult and subsequently advise council of the feasibility of implementing of a Downtown Trolley.	M. Shoemaker P. Christian
15-Jul-19	CD&ES	Complete Streets Plan – Pine/Willow Area	D. McConnell	Q4 2022		Report with a complete streets plan for the area bordered by Willow Avenue, Northern Avenue, Pine Street and McNabb Street, considering, in addition to planning principles and active transportation principles, the concerns raised by area residents at the June 20, 2019 bike lane open house.	D. Hilsinger M. Shoemaker

6-Jan-20	CAO	Service Delivery Review	M. White	Q2 2022		Report with proposed actions for each of the Service-Focused Opportunities for Consideration listed in Third Party Service Review Report.	M. Shoemaker R. Niro
20-Jan-20	CAO Fire Services	Warming Shelters	M. White P. Johnson	Q2 2022		Review current warming shelter plan, recommend the necessary adjustments based on community needs.	M. Shoemaker D. Hilsinger
3-Feb-20	CD&ES	Best for Kids Transit Pilot Project	T. Vair	Q4 2022	March 9, 2020 – Agenda Item 6.2; Report October 13, 2020 – Agenda Item 6.1; expand program for two years and report back	Investigate feasibility of a Transit Services pilot project to run from June 27, 2020 to September 6, 2020, providing free bus rides on weekends to children and their parents attending the Splash Pad, Pump Track, Manzo Pool, Greco Pool and Skateboard Park and report back to Council.	R. Niro M. Shoemaker
24-Feb-20	CD&ES	Snowmobile Road Use	T. Vair	Q2 2022		Investigate feasibility of allowing snowmobiles to use municipal roads for a limited period.	S. Hollingsworth P. Christian
28-Sep-20	CD&ES	Commercial Assessment Growth Community Improvement Program	D. McConnell	Q3 2022		Investigate adding any and all commercial assessment growth as an eligible category to the Community Improvement Program.	M. Shoemaker R. Niro
12-Apr-21	CAO	Sustainable Development	M. White	Q2 2022		Outline options available to the municipality to ensure that the cost of new development accurately reflects the cost to the general levy.	L. Dufour M. Scott
31-May-21	PW&ES	Railway Crossings	L. Girardi	Q2 2022		Report the most up to date maintenance schedule and parties responsible for maintenance of each railway crossing within City limits, and the City's share and/or responsibilities at each of these crossings.	C. Gardi L. Vezeau-Allen
14-Jun-21	CD&ES	Snowdon Park Tragedies	T. Vair	Q2 2022		Work with the Children of Shingwauk Alumni Association Memorial Committee to develop plans for a suitable memorial at the Snowdon Park site.	P. Christian M. Scott
9-Aug-21	CD&ES	Labour Force Recruitment	T. Vair	Q2 2022		Provide quarterly updates on filling employment gaps and growing the community population, including a summary of recruitment activities; number of views/inquires relating to recruitment activities; new positions filled through recruitment activities; current challenges/shortfall or opportunities in particular industries; and local initiatives (training courses, educational programs (post-secondary etc.)).	P. Christian M. Shoemaker
13-Sep-21	PW&ES CD&ES	Speeding	L. Girardi T. Vair	Q3 2022		Staff to work with required organizations to develop a plan to address speeding.	D. Hilsinger C. Gardi

15-Nov-21	Corporate Services	Hallowe'en Spirit Awards	R. Tyczinski	Q2 2022		Staff be requested to develop a Hallowe'en Spirit Awards program and present a draft to Council by June 2022.	S. Hollingsworth P. Christian
15-Nov-21	PW&ES	Strand Avenue and Wilson Street Speeding	L. Girardi D. Elliott	Q3 2022		Staff review the intersection of Strand Avenue and Wilson Street regarding any changes that should be made to the present traffic controls at that intersection and report back to Council.	R. Niro M. Bruni
15-Nov-21	Corporate Services	Boards and Committees Review 2021	R. Tyczinski S. Schell	Q2 2022		Report back to Council with options for Finance Committee and Walk of Fame Selection Committee.	L. Dufour M. Scott
15-Nov-21	Legal PW&ES CD&ES	Elimination of Plastics	K. Fields L. Girardi T. Vair	Q2 2022		Staff will develop a by-law regarding a local ban on plastics and create a waste reduction strategy by July 1, 2022 that will include public consultation.	D. Hilsinger M. Shoemaker
29-Nov-21	PW&ES	Capital Road Reconstruction and Resurfacing Expenses	L. Girardi	Q2 2022		Prepare a report by June 2022 comparing capital reconstruction and resurfacing expenditures with other northern communities, including length of roads, total lane kilometres, surface type, relative lengths of arterials, collectors and local roads.	P. Christian S. Hollingsworth
13-Dec-21	PW&ES	AIM Recycling	L. Girardi D. Elliott	Q2 2022		Staff to review whether a business licensing approach can be used to address some of the concerns noted by residents in the area of AIM Recycling and, by extension, the community at large concerning existing or future salvage/metal processing operations.	C. Gardi M. Scott
13-Dec-21	Corporate Services	Taxi Licensing	R. Tyczinski	Q2 2022		City and Police Service to assess how the administration and enforcement of the by-law is operating and report back with any recommendations.	L. Vezeau-Allen D. Hilsinger
31-Jan-22	PW&ES CD&ES	Two Billion Trees	L. Girardi T. Vair	Q3 2022		City staff develop a plan and/or utilize an existing plan to apply to the Two Billion Tree Program to add to the urban tree canopy.	C. Gardi D. Hilsinger
31-Jan-22	PW&ES	Multi-Year Replacement Plan – Small Engine Machinery	L. Girardi	Q3 2022		Report on the feasibility of replacing any small engine equipment with electric small engine equipment as the existing equipment reaches the end of its useful life.	M. Shoemaker P. Christian
31-Jan-22	CAO	Administrative Support to Police Services	M. White	Q4 2022		CAO to work with the Police Chief and respective senior staff to assess the City providing further administrative services to Sault Ste. Marie Police Services in an effort to decrease the cost to ratepayers.	L. Vezeau-Allen M. Shoemaker

22-Feb-22	CD&ES	Activation of Downtown	T. Vair	Q3 2022		Return to Council with the City of Sault Ste. Marie's plan for additional activation of Queen Street or nearby areas.	M. Shoemaker D. Hilsinger
22-Feb-22	CD&ES	Butterfly House Proposal	T. Vair	Q2 2022		Work with Entomica to assess the feasibility of a butterfly house in Sault Ste. Marie and report back to Council.	D. Hilsinger L. Dufour
22-Feb-22	CD&ES	Community Improvement Plan	T. Vair D. McConnell	Q3 2022		Staff draft and bring back to Council a community improvement plan that addresses both the adaptive re-use of existing buildings in the community, and the option of demolishing and redeveloping unsalvageable buildings in the community within six months.	M. Shoemaker L. Dufour
21-Mar-22	CD&ES	Housing Supply	T. Vair D. McConnell	Q3 2022		Staff report on the potential benefits and costs of Sault Ste. Marie adopting ‘as of right’ zoning in its new Official Plan.	L. Dufour P. Christian
21-Mar-22	CAO CD&ES	Undeveloped Property in "Gateway" Site	M. White T. Vair	Q3 2022		The CAO and Deputy CAO, CDES work with the SSM Housing Corporation to consider and assess a high density residential development for the Gateway Site and report back.	L. Dufour D. Hilsinger
21-Mar-22	PW&ES	Snow Windrow Cleraing	L. Girardi	Q4 2022		Staff report regarding potential options for the clearing of heavier/larger than usual snow windrows, including associated costs, criteria for removal, and time frames for removal.	C. Gardi D. Hilsinger
21-Mar-22							

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Rachel Tyczinski, City Clerk
DEPARTMENT:	Corporate Services
RE:	Use of Corporate Resources During Elections

Purpose
The purpose of this report is to obtain approval of a policy regarding the use of corporate resources during a municipal election.

Background
The *Municipal Elections Act* requires that municipalities establish rules and procedures regarding the use of municipal resources during the election campaign period.

The 2022 election campaign period begins on the day a candidate files their nomination (nomination period is May 2, 2022 to August 19, 2022 at 2 p.m.) until December 31, 2022.

Analysis
The Use of Corporate Resources policy prohibits municipal election candidates (including candidates who may be acclaimed) and registered third parties from using municipal resources in the course of their campaign.

The policy also regulates staff conduct with respect to supporting a campaign.

The policy is not intended to interfere with a member of Council's role as an elected representative for the 2019-2022 term of Council.

Financial Implications
There is no financial impact associated with adoption of the policy.

Strategic Plan / Policy Impact
This is an administrative matter not articulated in the corporate Strategic Plan.

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

The relevant By-law 2022-72 is listed under item 11 of the Agenda and will be read with all by-laws under that item.

Respectfully submitted,

Rachel Tyczinski
City Clerk
705.759.5391
r.tyczinski@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Rachel Tyczinski, City Clerk
DEPARTMENT:	Corporate Services
RE:	Elections in Territories Without Municipal Organization in Algoma District

---

Purpose

The purpose of this report is to seek Council's authorization to enter into agreements with the Algoma District School Board, Huron Superior Catholic District School Board, Conseil Scolaire Public Du Grand Nord de l'Ontario and Conseil Scolaire de District Catholique du Nouvel Ontario and the Sault Ste Marie District Social Services Administration Board to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

Background

In 2018, the City of Ste. Marie acted as the Returning Officer in the school trustee elections and DSSAB election. (The DSSAB board positions were acclaimed).

Analysis

The election will be conducted through vote by mail. Providing the service allows the City to increase the utilization and effectiveness of some of our election processes.

Financial Implications

The terms of the negotiated agreements will result in full recovery of the direct and indirect costs of providing the service.

Strategic Plan / Policy Impact

This is an administrative matter not articulated in the corporate Strategic Plan.

Recommendation

It is therefore recommended that Council take the following action:

The relevant By-laws 2022-66, 2022-67, 2022-68, 2022-69 and 2022-70 are listed under item 11 of the Agenda and will be read with all by-laws under that item.

Respectfully submitted,

Rachel Tyczinski
City Clerk
705.759.5391
r.tyczinski@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Shelley J Schell, CPA CA Chief Financial Officer & Treasurer
DEPARTMENT:	Corporate Services
RE:	Finance Committee Terms of Reference Review

PURPOSE

The purpose of this report is to provide Council with the Finance Committee recommendation regarding the review of its terms of reference.

BACKGROUND

On November 15, 2021 Council received the report of the Deputy City Clerk concerning the Boards and Committees Review 2021. Council directed the Finance Committee to review its terms of reference and bring back options for Council's consideration.

ANALYSIS

The Finance Committee met on March 9, 2022. The Committee reviewed several other municipalities as to whether they had a Finance Committee and if so what the purpose and structure was. Several options for the Finance Committee were discussed:

- Status Quo
- Move to an Audit Committee Only
- Dissolve Committee and full Council would assume role

With the current term of Council ending in 2022, the Committee felt that this should be a decision of next Council and that the current terms of reference remain in place until the end of the current term.

The following motion was approved by the Finance Committee:

> Whereas the Finance Committee has reviewed their Terms of Reference as directed by Council November 15, 2021 and discussed options regarding the structure and purpose of the committee, the Committee now directs the

Chief Financial Officer and Treasurer to report to Council the recommendation that a decision be deferred to the next Council and that the current Terms of Reference continue until the end of the current term of Council.

FINANCIAL IMPLICATIONS
This matter does not have any financial impacts.

STRATEGIC PLAN / POLICY IMPACT
This is an operational matter not articulated in the strategic plan.

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

Resolved that the report of the Chief Financial Officer and Treasurer dated April 11, 2022 concerning the Finance Committee Terms of Reference Review be received and that the decision regarding options on the Terms of Reference be deferred to the next Council as recommended by the Finance Committee.

Respectfully submitted,

Shelley J. Schell, CPA, CA
Chief Financial Officer/Treasurer
705.759.5355
s.schell@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Shelley J Schell CPA, CA Chief Financial Officer & Treasurer
DEPARTMENT:	Corporate Services
RE:	Change to Bank Signing Authorities

Purpose
The purpose of this report is to request approval to update the bank signing authorities resolution for the City.

Background
With changes in officer titles in the Finance Department, the bank signing authorities need to be updated. An additional Finance employee is also being recommended as an alternate.

Analysis
The City currently maintains four signing authorities for banking purposes. Cheques over $5,000 must be signed by two of the listed signing authorities.

The current signing authority positions as of last update on 2015 04 27 are:
Mayor
Chief Administrative Officer
Commissioner of Finance and Treasurer
Manager of Audits and Capital

Staff is recommending the bank authorities be revised with the addition of one alternate to the following:
Mayor
Chief Administrative Officer
Chief Financial Officer and Treasurer
Manager of Finance
Manager of Accounting

Financial Implications
There is no financial impact for approval of signing authorities.

Strategic Plan / Policy Impact
This is an operational matter not articulated in the strategic plan.

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

Resolved that the report of the Chief Financial Officer and Treasurer dated April 11, 2022 concerning Change to Bank Signing Authorities be approvedand that any two of the Mayor, Chief Financial Officer and Treasurer, Chief Administrative Officer, Manager of Finance and Manager of Accounting are hereby authorized to sign cheques and other legal documents on behalf of The Corporation of the City of Sault Ste. Marie for any amount including amounts over Five Thousand Dollars ($5,000) and that cheques Five Thousand Dollars ($5,000) and under may be signed by the Mayor and the Chief Financial Officer with cheque signing machine or other mechanical means be approved.

Respectfully submitted,

Shelley J. Schell, CPA, CA
Chief Financial Officer/Treasurer
705.759.5355
s.schell@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Shelley J Schell, CPA CA Chief Financial Officer & Treasurer
DEPARTMENT:	Corporate Services
RE:	2022 Queenstown Board of Management (O/A The Downtown Association) Budget and 2021 Audit Report

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PURPOSE

The Queenstown Board of Management (O/A The Downtown Association) Budget for 2022 is included for the approval of Council. The Audited Financial Statements of the Queenstown Board of Management for 2021 are provided for information.

BACKGROUND

The Downtown Association Board of directors approved their 2022 operating budget at their March 10, 2022 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 2022 budget estimates of the Downtown Association are not part of the City budget estimates and are 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 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 April 11, 2022 concerning the Queenstown Board of Management (O/A The Downtown Association) Audited Financial Statements for the year 2021 be received as information and the recommendation that the Downtown Association Budget for the year 2022 be approved.

Respectfully submitted,

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

Financial Statements of

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

And Independent Auditors' Report thereon

Year ended December 31, 2021

Management's Responsibility for the Financial Statements

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

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

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

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



Executive Director

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, 2021
- 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, 2021, 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.

KPMG LLP, an Ontario limited liability partnership and member firm of the KPMG global organization of independent member firms affiliated with KPMG International Limited, a private English company limited by guarantee.
KPMG Canada provides services to KPMG LLP.

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.
- 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.

KPMG LLP

Chartered Professional Accountants, Licensed Public Accountants

Sault Ste. Marie, Canada
March 9, 2022

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

Statement of Financial Position

December 31, 2021, with comparative information for 2020

	2021	2020
Financial assets		
Cash	$ 82,750	$ 56,478
Term deposit	41,528	41,292
Accounts receivable	9,509	30,661
Total financial assets	133,787	128,431
Financial liabilities		
Accounts payable and accrued liabilities	11,205	10,156
Deferred revenue	-	12,000
Total financial liabilities	11,205	22,156
	122,582	106,275
Non-financial assets		
Tangible capital assets (note 2)	10,571	13,895
Prepaid expenses	190	176
Total non-financial assets	10,761	14,071
Accumulated surplus (note 6)	$ 133,343	$ 120,346

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

Statement of Operations and Accumulated Surplus

Year ended December 31, 2021, with comparative information for 2020

	Budget (note 5)	2021	2020
Revenue:			
Assessments	$ 192,700	$ 192,700	$ 115,000
Grants and other (note 3)	6,500	68,699	41,186
Events	11,075	12,601	2,065
Rental income	1,750	365	-
Interest	-	236	582
Total revenue	212,025	274,601	158,833
Expenses:			
Wages and benefits (note 4)	121,581	157,088	103,524
Consulting and tourism projects	-	-	6,000
Rent	19,050	19,049	19,049
Assessments written-off and rebates	17,328	2,718	11,224
Events and activities	13,304	46,546	2,815
On street costs	8,250	10,108	6,218
Professional fees	7,651	8,600	7,142
Promotion and marketing	5,650	924	125
Office	4,850	1,928	8,495
Telephone and internet	1,751	3,721	2,266
Insurance	2,710	2,753	2,686
Meetings and seminars	2,525	1,478	16
Amortization of tangible capital assets	3,700	3,997	3,701
Loss on disposal of tangible capital assets	-	2,377	-
Miscellaneous	675	317	217
Total expenses	209,025	261,604	173,478
Annual surplus (deficit)	3,000	12,997	(14,645)
Accumulated surplus, beginning of year	120,346	120,346	134,991
Accumulated surplus, end of year	$ 123,346	$ 133,343	$ 120,346

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, 2021, with comparative information for 2020

	Budget (note 5)	2021	2020
Annual surplus (deficit)	$ 3,000	$ 12,997	$ (14,645)
Acquisition of tangible capital assets	(3,000)	(3,050)	-
Loss on disposal of tangible capital assets	-	2,377	-
Amortization of tangible capital assets	-	3,997	3,701
	-	16,321	(10,944)
Change in prepaid expenses	-	(14)	9
Change in net financial assets	-	16,307	(10,935)
Net financial assets, beginning of year	106,275	106,275	117,210
Net financial assets, end of year	$ 106,275	$ 122,582	$ 106,275

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, 2021, with comparative information for 2020

	2021	2020
Cash provided by (used in):		
Operations:		
Annual surplus (deficit)	$ 12,997	$ (14,645)
Items not involving cash:		
Loss on disposal of tangible capital assets	2,377	-
Amortization of capital assets	3,997	3,701
	19,371	(10,944)
Changes in non-cash operating working capital:		
(Increase) decrease in accounts receivable	21,152	(19,113)
(Increase) decrease in prepaid expenses	(14)	9
(Decrease) increase in deferred revenue	(12,000)	8,473
Increase (decrease) in accounts payable and accrued liabilities	1,049	(1,184)
Decrease in due from the City of Sault Ste. Marie	-	29,225
	29,558	6,466
Investing activities:		
Increase in term deposit	(236)	(581)
Capital activities		
Cash used to acquire tangible capital assets	(3,050)	-
Net change in cash	26,272	5,885
Cash, beginning of year	56,478	50,593
Cash, end of year	$ 82,750	$ 56,478

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

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.

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	December 31, 2020	Additions	Disposals	December 31, 2021
Furniture and equipment	$ 6,365	$ –	$ –	$ 6,365
Computer equipment	9,524	3,050	–	12,574
Signage	15,078	–	–	15,078
Leasehold improvements	12,581	–	–	12,581
Work in process	9,967	–	(2,377)	7,590
Total	$ 53,515	$ 3,050	$ (2,377)	$ 54,188

Accumulated Amortization	December 31, 2020	Disposals	Amortization expense	December 31, 2021
Furniture and equipment	$ 4,604	$ –	$ 352	$ 4,956
Computer equipment	8,954	–	630	9,584
Signage	13,481	–	3,015	16,496
Leasehold improvements	12,581	–	–	12,581
Total	$ 39,620	$ –	$ 3,997	$ 43,617
Net book value	$ 13,895			$ 10,571

3. Grants and other:

	2021	2020
Municipal grant	$ 22,300	$ 6,614
Wage subsidies	44,394	34,572
Other	2,005	–
	$ 68,699	$ 41,186

4. Wages and benefits:

	2021	2020
Regular wages and benefits	$ 106,121	$ 49,942
Subsidized wages and benefits	50,967	53,582
	$ 157,088	$ 103,524

5. Budget figures:

The operating budget approved by the Board for 2021 was prepared for the purpose of establishing the estimated revenues and expenses for fiscal 2021. 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 Accumulated Surplus 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 for the year:	$ –
Adjustments to adopted budget:	
Acquisition of tangible capital assets	3,000
Restated budgeted surplus for the year	$ 3,000

6. Accumulated surplus:

Accumulated surplus is comprised of:

	2021	2020
Invested in tangible capital assets	$ 10,571	$ 13,895
Operating fund surplus	122,772	106,451
	$ 133,343	$ 120,346

7. 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.

8. Financial risks and concentration of credit risk:

(a) Liquidity risk:

Liquidity risk is the risk that the Board will be unable to fulfill its obligations on a timely basis or at a reasonable cost. The Board manages its liquidity risk by monitoring its operating requirements. There has been no change to the risk exposures from 2020.

(b) Credit risk:

Credit risk refers to the risk that a counterparty may default on its contractual obligations resulting in a financial loss. The Board is exposed to credit risk with respect to the accounts receivable. The Board assesses, on a continuous basis, accounts receivable and provides for any amounts that are collectible in the allowance for doubtful accounts.

(c) Other risk:

In March 2020, the COVID-19 outbreak was declared a pandemic by the World Health Organization. This resulted in the Canadian and Provincial governments enacting emergency measures to combat the spread of the virus and Public Health Ontario on-site work recommendations that resulted in certain employees working remotely during the year.

Management is actively monitoring the effect of the pandemic on its financial condition, liquidity, operations, suppliers, and workforce. Given the daily evolution of the pandemic and the global responses to curb its spread, the Board is not able to fully estimate the effects of the pandemic on its results of operations, financial condition, or liquidity at this time.

496 Queen St. E
Sault Ste Marie, ON
P6A 1Z8

March 11, 2022

City of Sault Ste Marie
99 Foster Dr.
Sault Ste. Marie, ON P6A 5X6

Dear Mayor and Members of Council,

The Downtown Association has conducted it's Annual General Meeting inviting the membership to attend and approve our budget as attached for the current year.

We wanted to make note of our budget increase from the previous year. We have requested an increase in line with the rate of inflation. This increase is being used to offset the cost of security patrols, increased event spending, and wage increases that are in line with cost of living adjustments. This increase was approved both by the Board at the meeting on February 9th, 2022 and by the membership at the AGM on March 10, 2022.

Please note that the deficit budget forecasted is in regards to a project where funding was received from the City in 2019 and realized as income at that time. Due to Covid that event was delayed and is scheduled to occur this June. The deficit represents the remainder of the funds the Downtown Association still holds and is being paid out of our operating surplus reserves.

Regards,

Salvatore Marchese
Executive Director Downtown Association

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

Statement of Financial Activities and Accumulated Surplus
2022 Budget, Year ended December 31, 2021

	2021 BUDGET	2021 Actual	2022 BUDGET	
Revenue:				
Assessments	$ 192,700	$ 192,700	$ 200,021	
Grants & Other	6,500	25,277	25,300	*
Events	11,075	8,250	10,250	
Rental Income	1,750	140.00	250	
Interest	-	552.00	550.00	
TOTAL REVENUE	$ 212,025	$ 226,919	$ 236,371	
Expenses:				
Wages & Benefits	121,581	126,955	139,348	*
Consulting & Tourism Research	-		-	
Rent	19,050	19,050	19,050	
Assment/Written-off/Rebates	17,328	2,718	13,000	
Events & Activities	13,304	34,501	32,268	
On Street Costs	8,250	11,157	16,008	
Professional Fees	7,651	7,155	6,100	
Promotion & Marketing	5,650	1,470	5,100	
Office	7,850	3,704	7,944	
Telephone & Internet	1,751	1,976	1,940	
Insurance	2,710	2,767	2,861	
Meetings & Seminars	2,525	1,475	3,795	
Amortization of Tangible Capital Assets	3,700	3,700	3,550	
Miscellaneous	675	686	225	
TOTAL EXPENSES	212,025	217,314	251,189	
Annual (deficit) Surplus	-	9,605	- 14,818	**
Accumulated Surplus, Beginning of Year	120,346	120,346	129,951	
Accumulated Surplus, End of Year	$ 120,346	$ 129,951	$ 115,133	

This is a draft financial statement. Final statements will be available from the Downtown Association.

Please Note: Figures in the 2021 column represent the anticiapted expenses
for the previous year and are subject to adjustments when the audit is completed for 2021

* Increased Wages are offsetting from expected Canada Summer Jobs grant, should funds not be received this expense will result in an approximately $20,000 reduction in category.

** Negative Budget will be offset by funds for event received in a previous year that are occurring in 2022 Funds will be pulled from Accumulated Surplus resulting in a Breakeven Budget

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Marlow, Manager of Purchasing
DEPARTMENT:	Corporate Services
RE:	RFP Architectural and Engineering Services – Relocation of the Mill Market

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Purpose

This report has been prepared for your information and consideration, on behalf of the Evaluation Committee, concerning proposals received for the provision of architectural and engineering services associated with the Relocation of the Mill Market to 73 Brock Street (former Union Cab building) as required by Community Development and Enterprise Services (CDES). Staff is seeking Council approval of the Evaluation Committee's recommendation.

Background

On February 22, 2022, Council approved the recommendation in a Report of the Deputy CAO - Community Development and Enterprise Services requesting authorization to procure architectural and engineering services to advance the Mill Market project at 73 Brock Street, and further expenditure was approved for up to $260,000 from the 2021 One-time Canada Community Building Fund (CCBF) funding to procure these services.

A Request for Proposal for the provision of architectural and engineering associated with the design, tendering and contract administration of the Relocation of the Mill Market was publicly advertised and proposal document forwarded to all firms on the bidders list. Proposals were required to be submitted for consideration no later than 4:00 p.m. on March 25, 2022.

Analysis

Proposals from three (3) proponents were submitted prior to closing deadline.

MGP Architects & Engineering Inc. (MGP).
MET Energy Systems
Integrated Design Engineering & Architecture (IDEA)

The Proposals received were evaluated by a committee comprised of staff from Community Development & Enterprise Services – Central Administration and Planning. It is the consensus of the Evaluation Committee that the Proponent scoring the highest in the evaluation process is MGP Inc. Sault Ste. Marie, ON

Financial Implications
MGP Inc. proposed fees of $159,500 will result in a total expenditure of $162,307 including the non-rebatable portion of HST.

Funding in the amount of $260,000 from the 2021 One-time Canada Community Building Fund (CCBF) has been approved to procure these services, and the fees proposed by MGP Inc., for the design, tendering and contract administration of the Relocation of the Mill Market can be accommodated within this funding.

Strategic Plan / Policy Impact
This Project 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 Manager of Purchasing dated April 11, 2022 be received and the recommendation that acceptance of the Proposal submitted by MGP Inc., for the provision of Architectural and Engineering Services Relocation of the Mill Market with fees of $159,500.00 plus HST as outlined in their Proposal as submitted, as required by CDES, be approved.

A By-law authorizing signature of the Agreement for this project will appear on a future Council Agenda.

Respectfully submitted,

Karen Marlow
Manager of Purchasing
705-759-5298
k.marlow@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Marlow, Manager of Purchasing
DEPARTMENT:	Corporate Services
RE:	Digital Radio System Upgrade – Fire Services.

Purpose

This report has been prepared for your information and consideration, on behalf of the Evaluation Committee, concerning proposals received for the provision of a Digital Radio System replacing the current analog two-way radio infrastructure as required by Fire Services. Staff is seeking Council approval of the Evaluation Committee's recommendation.

Background

Replacement of the current analog system with updated technology will provide a solution that improves critical communications within Fire Services operations. The P25 system allows for encrypted communication and the security of private/sensitive information relating to the general public and unfolding fire ground situations; and will provide much improved clarity of communications during fire ground operations. Service support, available 24/7/365. The proposed system is expected to support current and long-term needs for a minimum of ten (10) years.

The Request for Proposal was publicly advertised, and proposal document forwarded to potential proponents. Proposals were required to be submitted for consideration no later than 4:00 p.m. on March 10, 2022.

Analysis

Proposals from one (1) Proponent was received prior to closing deadline:

Spectrum Telecom Group Ltd., Sault, ON

The proposal received has been evaluated by a committee comprised of city staff from Operations - Fire Services. It is the consensus of the Evaluation Committee that although only one proposal was received, the Proponent Spectrum Telecom meets the specified criteria and scored adequately in the evaluation process.

Financial Implications

Spectrum Telecom proposed fees will result in a total expenditure of $518,649 including the non-rebatable portion of HST, and includes Hardware, Software, Parts, Spares, and installation.

During 2022 Budget deliberations Council approved the allocation of $550,000 for Fire Services Digital Radio Communication System. The proposed amount can be accommodated within this allocation.

Strategic Plan / Policy Impact
This item aligns with the Corporate Strategic Plan under Infrastructure. Upgrading the current analog system to a digital radio system continues the strategic direction of Asset Management.

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

Resolved that the report of the Manager of Purchasing dated April 11, 2022 be received and the recommendation that acceptance of the Proposal submitted by Spectrum Telecom Group Ltd. for the provision of a Digital Radio System Upgrade for proposed fee of $509,678.90 plus HST, as required by Fire Services, be approved.

Respectfully submitted,

Karen Marlow
Manager of Purchasing
705-759-5298
k.marlow@cityssm.on.ca

Good Evening-

The first fire department on record goes back to 1500 AD when Rome had a paid force of 7.000 firefighters dedicated to the task.

The first reported structure fire in the United States happened in 1608 in Jamestown, ironically sharing a name that is familiar for fires here in the Sault to this day.

So why is this important?

For as long as there have been fires, there have been people to report on them. The early generation of the media, recording the “first iteration of history,” as someone once told me.

From the Great Fires of Chicago and San Fransico to the mundane simple structure fires our department faces on a more than weekly basis, at least since I’ve been here, those fires have been covered by journalists.

This letter is written using my experience writing on multiple fire services across Southern Ontario and how many appreciate what we do and work with us to disseminate information quickly. Instead of sometimes one to two days later, if at all, where Sault Fire Services Public Information Officer is concerned.

Since my arrival in September of 2019, I have made it a point to bring news that matters to them to our community. I’ve brought “Southern Ontario news” and accountability to our emergency services in both good and bad situations.

Many communities across Ontario not only appreciate what journalists do, but do their best to include them in their ability to get the message out to the public in a fast, effective and truthful manner.

On tonight’s agenda, you will see a request by Sault Fire Services for over half-a-million dollars to take all their communications digital, to a Phase 25 encrypted system.

That move will keep firefighters safer, digital radios although they have some faults and issues, generally make fire-ground communications more efficient and more reliable.

Those systems are clearer and work better at getting messages out of buildings. Spaces where other radio waves and frequencies, or even cement walls, can garble analog systems, the current system Sault Fire Services uses.

Believe it or not, I’m even for “encrypting” those channels, the ones used in the fire-ground for the safety and security purposes of personnel and citizens.

What can’t be allowed is for all communications inside Sault Fire Services to go that way.

Brass will argue that “we handle private, sensitive information” and need to go encrypted, so people can’t hear that information. They don’t tell you right now that access codes for apartment buildings, standbys for “secure police operations,” and other super-sensitive information is relayed, not over the radio system, but by taxpayer funded cell-phones.

Same goes for the 20-30 times they may work with Sault Police Services in a stand-by situation for raids, search warrants or other police requests. Those are handled by cell-phone.

“Pump 1, please call the phone room once on route,” is a standard request over the radio. It’s their way of making sure everyday citizens don’t hear things they shouldn’t.

I can hear the argument now, but going encrypted would stop the need for a phone call and in theory, it’s right, for the less than 10% of medical calls they did in 2020.

Those calls give the address and type of incident and some details on the health of an individual, never a name.

What they haven't disclosed to the Council is that the Community Care Access Centre radio communications for the provincial ambulance fleet are unencrypted. Meaning any citizen can learn about what Paramedics, a publicly funded emergency response organization, are doing, responding to, health of individuals onboard etc. If they know where to look.

What multiple sources inside our local paramedics expect journalists and members of the media to do is use our common sense and professional judgement as to when an incident they are responding to crosses the line between "public right to know," and "private medical event."

My job as a journalist, help ensure accountability to taxpayers. That requires me not only to know where to listen but to use my ethics, training, and common sense to know what needs to be reported.

Since my arrival in Sault Ste. Marie, I have attended over 80% of fires in Sault Ste. Marie with the full intent of informing the public to stay away, and it works.

Numerous times we receive thanks for bringing that information to the public as it happens. Helping them avoid the area and continue on their day knowing someone is there, looking out for their interest, as Firefighters make over $100,000 a year in taxpayer money.

Time and again, fires are proven to be public events where our services as journalists and the eyes and ears of the public are not only required but expected by the hard-working, taxpaying citizens in this community.

On February 10, 2021, I received a letter from City Communications Manager Tessa Vecchio stating this fact.

Two statements from that letter are put here for you this evening.

- The City and Fire Services recognize the need to facilitate media coverage during an event such as a fire.

- We respect your right to provide media coverage.

The media's freedom to report is also protected under Charter of Rights and Freedoms and has been commented on in a Supreme Court of Canada ruling.

In *Canadian Broadcasting Corp v New Brunswick (AG)* they state-

"It is the media that, by gathering and disseminating news, enable members of our society to make an informed assessment of the issues which may significantly affect their lives and well-being. Members of the press have the important task of sharing news, supporting the public's right to know about everything from current events to the actions of all levels of government to what is happening in the courts, on a daily, and sometimes even hourly, basis."

The Supreme Court also notes, "The news sharing function of the press is critical because it is often the only means by which citizens, members of the public, receive information."

I also want to provide you as Councillors other examples from outside of isolated Sault Ste. Marie about how fire departments work with media members in cases of emergencies. I am using three other departments in Ontario as examples of areas where they want the public to know what is going on.

Barrie and Niagara Falls, Ontario are one of many fire services that use sinirji911.com to communicate calls in near-real-time to citizens.

Toronto Fire within 90 seconds of receiving a fire dispatch not only recorded it on their website but also put it out in a tweet to the community. If it's medical, there are no details other than general location, fire's and collisions are pin-pointed down to the block in which they are occurring.

There are other volunteer departments that go as far as sending the dispatch, which goes to the cell phones of all their firefighters, to the media as well, in light of openness and understanding of the role we play.

In November, when this was first brought to Council we enquired about how these were going to be deployed etc. and were told we'd be kept in the loop. Since then, rumours have spread that we want the city to buy our organization a radio, something we categorically deny and never asked for.

What we do want before this decision is made tonight is assurances, as was conveyed in the letter, The city will not do anything to impede our ability to facilitate media coverage of events such as fires.

One last tidbit, in case you think the citizens of our community don't care when there is a fire or "where

the fire trucks are going."

Using our metrics, each unique fire incident reaches between 10 and 15,000 people if it's shot live. The follow-up story sees between 4,000 upwards of 15,000 views depending on the severity of the situation.

On a personal note, I monitor Sault Fire Services dispatch channel, as most of you, my better-half and bosses can attest, nearly 24/7 every day of the year.

Because from where I stand, in the profession I trained hard to work in as well as being a taxpaying citizen of Sault Ste. Marie, the people and citizens of the community want to know, deserve to know and have a right to know how their tax dollars are spent at a public event, using public dollars to save public and private property.

Here as some questions, I implore you to ask for clarification before you approve this expenditure tonight in hopes of saving the city thousands of dollars of taxpayer money.

What are you going to do to ensure media organizations across this city can still respond to situations promptly to be the eyes and ears of the citizens you are sworn to protect?

Is there a plan to keep one channel open (even if digital) so dispatches to fires are made available to the public?

Does the Paramedic Service dispatch more sensitive information on an open-air frequency then your department handles, more frequently than your department handles it?

Could you set-up your notification system you have to call firefighters into overtime to also be able to send alerts to registered media in the city at a time of a reported structure fire and other non-medical events?

What is the difference in cost between unencrypted digital radio systems and the encrypted one which is being recommended? (It's 10's of thousands of dollars by the way)

How are you going to continue to communicate with other departments who are still on analog systems within our mutual aid agreement? As they won't have the encrypted radio system.

On a final note, as this is going to directly affect me in multiple ways, if there are no allowances made for media, I will be taking all applicable actions against the city and fire services necessary to ensure transparency for the use of taxpayer dollars.

Thank you for your time-

Dan Gray

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Marlow, Manager of Purchasing
DEPARTMENT:	Corporate Services
RE:	Tenders for Equipment Aerial Lift Truck Purchase – Public Works

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Purpose

Attached hereto for Council's information and consideration is the summary of tenders received for the supply and delivery of one (1) Aerial Lift Truck required by Public Works & Engineering Services. Staff is seeking Council approval of the tender recommendation.

Background

The tender was publicly advertised and tender document forwarded to all firms on the bidders list. The closing date for submission of tenders was February 23, 2022 at 12:00 noon, and tender openings were conducted the same day with the Deputy City Clerk in attendance.

Analysis

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

Per Procurement Policy total acquisition cost includes assessment of a bid and the sum of all costs for determining the Lowest Compliant Bid including time of completion or delivery and operating and disposal costs. In review, low-bid tender has lengthy delivery five to seven months longer than next low-bid tender. Whereas the minimal difference value of the two bids ($1,583), it has been determined it does not justify the extended delivery in consideration of the analysis of repair costs over this extended period as well as implications to the division should this vehicle be down. It is therefore recommended to select lowest compliant bid as determined by this analysis, identified on the attached summary.

Financial Implications

The total purchase price for this equipment acquisition is $181,603.95 including non-rebatable HST.

During 2022 Budget deliberations Council approved the allocation of $1,384,830 for Public Works Equipment which included acquisition of this equipment.

The tendered amount can be accommodated within this allocation.

Strategic Plan / Policy Impact
This is an operational matter not articulated in the Corporate Strategic Plan.

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

Resolved that the report of the Manager of Purchasing dated April 11, 2022 concerning Tenders for Equipment Aerial Life Truck Purchase – Public Works be received and that the tender for the supply and delivery of one (1) Aerial Lift Truck be awarded to Commercial Truck Equipment Co. for a total amount of $178,463 plus HST.

Respectfully submitted,

Karen Marlow
Manager of Purchasing
705.759.5298
k.marlow@cityssm.on.ca

FINANCE DEPARTMENT
PURCHASING DIVISION

Received: February 23, 2022
File: 2022PWE-PWT-03-T

SUMMARY OF TENDERS
ONE (1) 19,500 LB GVW AERIAL PLATFORM LIFT TRUCK

Firm	Make & Model	Delivery	Warranty	Total Tendered Purchase Price after Trade-In Allowance (HST extra)	Remarks
Allan Fyfe Equipment Ltd. Concord, ON	2022 Versalift SST-40EIH	300-360 w/days	3yrs/60,000 km	$176,880.00	Meets Specifications
Altec Industries Ltd. Option '1' Milton, ON	2022 Altec AT40G	270 w/days	3yrs/60,000 km	$199,520.00	Meets Specifications
Altec Industries Ltd. Option '1' Milton, ON	2022 Altec AT40G	270 w/days	3yrs/60,000 km	$193,490.00	Meets Specifications
Commercial Truck Equipment Co. Woodstock, ON	2022 Terrex LT40	200 w/days	3yrs/60,000 km	$178,463.00	Meets Specifications

Note: The low tendered price (considering delivery and operating costs), meeting specifications, is boxed above.
The total cost to the City will be $181,603.95 including the non-rebatable portion of the HST
It is my recommendation that the tendered prices, submitted by Commercial Truck Equipment Co., be accepted.

Karen Marlow
Manager of Purchasing

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Marlow, Manager of Purchasing
DEPARTMENT:	Corporate Services
RE:	Tender for One (1) Motor Grader – Public Works

Purpose

Attached hereto for Council's information and consideration is a summary of the tenders received for the supply and delivery of one (1) Grader required by Public Works & Engineering Services. Staff is seeking Council approval of the tender recommendation.

Background

The tender was publicly advertised and tender documents forwarded to all firms on the bidders list. The closing date for submission of tenders was February 23, 2022 at 12:00 noon, and tender openings were conducted the same day with the Deputy City Clerk in attendance.

Analysis

The tenders received have been thoroughly evaluated and reviewed by the Manager of Equipment & Building Maintenance – Public Works and the low tendered prices, meeting specifications, have been indicated on the attached summary.

Tendered pricing was requested for both leasing and purchase of this equipment. Finance and Public Works have reviewed the tender submitted and recommend the purchase option for this procurement. Although only one tender was received, it is deemed fair and equitable.

The grader has historically been leased for an approximate 5-year period and funded through PWES' Operations Hired Equipment budget. However, analysis of the tenders has indicated that the purchase option is more beneficial to the City over the useful life of the assets both financially and operationally. Use of purchased equipment is also not constrained by allowed hours under the terms of the lease. Unlimited hours available allows for use of the graders for maintenance of gravel roadways and other uses outside of the Winter Control Season.

Financial Implications

The total purchase price for this equipment replacement including maintenance agreement is $546,449.57 including the non-rebatable portion of HST.

This will be internally financed and subsequently funded from an annual repayment from PWES' Operations Hired Equipment Operating account of $72,860 for the next 7.5 years. The purchase of this grader, along with three (3) in 2020 and two (2) in 2021 result in a budget shortfall in Winter Control of approximately $110,000. This shortfall will be assessed with the 2023 Winter Control budget and an operating increase added if required.

Strategic Plan / Policy Impact
This is an operational matter not articulated in the Corporate Strategic Plan.

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

Resolved that the report of the Manager of Purchasing dated April 11, 2022 be received and the recommendation that the tender for the supply and delivery of one (1) Grader as required by Public Works and Engineering Services be awarded to Brandt Tractor Ltd. at their low tendered price including Maintenance Agreement of $536,998.40 plus HST, be approved.

Further be it resolved that the purchase be funded from an annual repayment from PWES' Operations Hired Equipment Operating account of $72,860 for the next 7.5 years.

Respectfully submitted,

Karen Marlow
Manager of Purchasing
705.759.5298
k.marlow@cityssm.on.ca

FINANCE DEPARTMENT
PURCHASING DIVISION

Received: February 23, 2022
File: 2022PWE-PWT-17-T

SUMMARY OF TENDERS
PURCHASE ONE (1) MOTOR GRADER

Firm	Make & Model	Delivery	Warranty	Total Tendered Purchase Price/Unit Including Mtce. Agreement (HST extra)	Remarks
Brandt Tractor Ltd. Lively, ON	2022 John Deere 772GP (AWD)	120-150 w/days	5 yrs/5000hrs.	$536,998.40	Meets Specifications

Note: The low tendered price, meeting specifications, is boxed above.
Although only one tender was received, it is deemed fair and equitable.
The total cost to the City will be $546,449.57 including the non-rebatable portion of the HST.
It is my recommendation that the tendered price submitted by Brandt Tractor Ltd. be accepted.

Karen Marlow
Manager of Purchasing

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Marlow, Manager of Purchasing
DEPARTMENT:	Finance Department
RE:	Tender for Selected Granular Materials

PURPOSE

Attached hereto for your information and consideration is a summary of the tenders received for the supply of Selected Granular Materials as required by the Public Works and Engineering Services Department for the 2022 and 2023 seasons. Staff is seeking Council approval of the tender recommendation.

BACKGROUND

The tender was publicly advertised and tender documents forwarded to all firms on our bidders list. Opening of the tenders took place on March 9, 2022 with the Deputy City Clerk in attendance.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed, taking into consideration pit locations, job requirement locations, and prices, with the Superintendent, and Director of Public Works. It has been determined that issuing a Standing Order to each firm, and using the different pit locations with reference to the job site location, along with the lowest tendered price, will best suit the construction needs of Public Works.

Also included on the summary is the pricing submitted by the sole supplier for alternative granular products for which there is a need in certain construction applications.

FINANCIAL IMPLICATIONS

Funding for the purchase of various Granular Materials as required will be drawn from various Construction Accounts. During 2022 Budget deliberations, Council approved funding in the amount of $87,700 for Granular Materials.

STRATEGIC PLAN / POLICY IMPACT

This is an operational matter not articulated in the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated April 11, 2022 be received, and the recommendation that the tender for the supply of Selected Granular Materials for the 2022 and 2023 seasons be awarded on an as required basis, be approved. Staff will use all pricing supplied, along with City job site location and availability determined by the Superintendent of Public Works and his staff for the lowest cost rating for each job as they arise.

Further that the recommendation that the City's requirements for Blast Furnace Slag be awarded to Inter-Ontario Equipment Rental and Repair Ltd. for a period of one (1) year at their tendered prices of $7.95 per tonne for 7/8" Minus Granular "A", and $7.55 per tonne plus HST for Nut Slag, on a sole source basis, be approved.

Respectfully submitted,

Karen Marlow
Manager of Purchasing
705.759.5298
k.marlow@cityssm.on.ca

FINANCE DEPARTMENT
PURCHASING DIVISION
BUDGET: DRAWN FROM VARIOUS CONSTRUCTION ACCOUNTS

RECEIVED: March 9, 2022
FILE: #2022PWE-PWT-23-T

SUMMARY OF TENDERS
GRANULAR MATERIALS (PRICES AT PITS)

	PIONEER CONSTRUCTION INC. SAULT STE. MARIE, ON		POSSAMAI CONSTRUCTION SAULT STE. MARIE, ON		INTER-ONTARIO EQUIP. SAULT STE MARIE, ON
Description	**First Year Firm** Pricing per Tonne	**Second Year Firm** Pricing per Tonne	**First Year Firm** Pricing per Tonne	**Second Year Firm** Pricing per Tonne	One Year Firm Pricing Per Tonne (Alternate-Slag Products)
Granular "B"	$5.76	$6.34	$6.80	$7.20	
22.4 mm Granular "A"	$12.48	$13.48	$10.90	$11.50	Granular "A" 7/8" Minus $7.95
Sewer Bedding and Cover Material	$9.78	$10.78	$7.20	$7.80	
37.5 mm Clear Stone	$33.60	$35.10	$28.50	$29.50	Nut Slag (7/8" x 2-1/2") $7.55
Pit Location:	845 Old Goulais Bay Road		Maki Road Pit Heyden Pit (Clear Stone)		

Note: Applicable taxes are extra. Transportation of material at additional cost by the City's forces.
Orders will be issued to the Bidder only after the lowest cost rating is determined by using their tendered prices plus transportation costs to each City job site as required
It is my recommendation that Standing Orders be issued to all Vendors for a 2-year period, with no guarantee to any one firm.

Karen Marlow
Manager of Purchasing

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Marlow, Manager of Purchasing
DEPARTMENT:	Finance Department
RE:	Tender for Asphalt

PURPOSE

Attached hereto for your information and consideration is a summary of the tenders received for the supply of Asphalt required during the 2022 Construction Season. Staff is seeking Council approval of the tender recommendation.

BACKGROUND

The tender was publicly advertised and tender documents were forwarded to all firms on our bidders list. Opening of the tenders took place on March 30, 2022 with the Deputy City Clerk in attendance.

ANALYSIS

The tenders received have been thoroughly evaluated and reviewed with the Superintendent of Public Works, and the Director of Public Works; and the low tendered prices, meeting specifications, have been identified on the attached summary.

FINANCIAL IMPLICATIONS

A maximum limit of $943,000 has been established for the purchase of Asphalt under this tender. Funding for the purchase of this material as required will be drawn from various Public Works Street Maintenance Accounts as set in 2022 budget.

STRATEGIC PLAN / POLICY IMPACT

This is an operational matter not articulated in the Corporate Strategic Plan.

RECOMMENDATION

Resolved that the report of the Manager of Purchasing dated April 11, 2022 concerning Tender for Asphalt be received and that the tender submitted by Avery Construction Ltd. for the supply of Asphalt for the 2022 Construction Season commencing May 1, 2022 at the tendered pricing, HST extra, be approved.

Respectfully submitted,

Karen Marlow
Manager of Purchasing
705.759.5298
k.marlow@cityssm.on.ca

FINANCE DEPARTMENT
PURCHASING DIVISION
Operating Budget: $943,000.00

RECEIVED: March 30, 2022
FILE: #2022PWE-PWT-24-T

SUMMARY OF TENDERS
ASPHALT

Firm Prices for 12-Month Period (HST extra) - May 1, 2022 to April 30, 2023

Description	2021 QUANTITY	Avery Construction Ltd. Sault Ste. Marie, ON		Ellwood Robinson Inc. Sault Ste. Marie, ON		Trimount Construction Sault Ste. Marie, ON	
		Price per Tonne		Price per Tonne		Price per Tonne	
HL2 Asphalt	999.77	$120.00	$119,972.40	$147.00	$146,966.19	$121.00	$120,972.17
HL3 Asphalt	2340.28	$117.50	$274,982.90	$142.00	$332,319.76	$117.10	$274,046.79
HL3A Asphalt	3000.12	$117.50	$352,514.10	$144.00	$432,017.28	$119.25	$357,764.31
HL4 Asphalt	249.21	$116.00	$28,908.36	$139.00	$34,640.19	$113.00	$28,160.73
HL8 Asphalt	785.14	$113.50	$89,113.39	$137.00	$107,564.18	$111.00	$87,150.54
			$865,491.15		$1,053,507.60		$868,094.54

Note: The low tendered prices, meeting specifications, are boxed above.
The above quantities represent a projection of anticipated usage based on actual ordering for the 2021 season (total cost of $880,723.79) including the non-rebatable portion of the HST)
It is my recommendation that the low tendered prices submitted by Avery Construction Ltd be accepted.

Karen Marlow

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Brent Lamming, Director of Community Services
DEPARTMENT:	Community Development and Enterprise Services
RE:	Mobile Retail Units – Summer 2022 Pilot

PURPOSE

The purpose of this report is to seek Council's approval to authorize the Mill Market SSM (Market) to issue a request for proposal for rental of three (3) mobile retail units (shipping containers) for the summer of 2022.

BACKGROUND

On December 14, 2020, City Council received a report from staff, outlining a number of considerations relating to the purchase of modular retail units. The units are retrofitted container boxes, and are used to create “pop-up” markets of food, beverage or retail shops.

At a Council meeting dated June 14, 2021 the following resolution was passed.

> Resolved that the report of the Senior Planner, dated 2021 06 14 be received, and that Council authorize the purchase of the Modular Retail Units, in accordance with the recommendation outlined by the Manager of Purchasing, in their report, found elsewhere on Council’s agenda.

ANALYSIS

There were five modular units purchased of which two (2) were fully outfitted for food, one (1) light duty food/beverage unit and two (2) retail units.

Three (3) of the units are set to arrive in May 2022. The final destination of all the mobile retail units is envisioned to be the downtown plaza once construction is complete. Instead of having them sit idle for 2022 staff feel that they can be put to use for the community’s benefit for the summer of 2022.

The City would like to pilot three (3) of the units being placed at two (2) locations. Two (2) to be placed at 35 Canal Dr. (Mill Market location) and one (1) at Clergue Park (Appendix A).

Given the Mill Market's success rate for obtaining vendors the City wishes to partner with the not-for-profit board to issue the Request for Proposal for both locations.

The Market has a history of securing vendors evidenced by the 40 vendors currently attending and has seen Community support during the pandemic. This further supports that the City utilize their platform to issue a request for proposal. Two (2) of the fully outfitted food units (8*20) would be located on the Market site and one (1) light duty unit (8*10) would be situated in Clergue Park as a pilot.

City staff have connected with the Mill Market and with Rotary (related to the Clergue Park location) to obtain support of both organizations.

This is an excellent opportunity for the Market to put out an RFP to determine what types of businesses would be interested in operating the units to activate both spaces (Appendix D).

Proposed Timing

Schedule

A- Release of RFP	April 16, 2022
B- Submission of Proposal	May 2022
C- Proposal Evaluation	May 2022
D- Recommendation of Award(s)	May 2022
E- Award of Contract	May 2022
F-Commencement of Services	June 2022 (subject to availability)

Proposed Hours of Operation

Mill Market Location: The hours of operation for the two (2) units to be located at Canal Drive will be at a minimum open during regular Saturday and Wednesday market hours

Clergue Park Location: The hours of operation will be somewhat flexible depending on the proponent. Mill Market may require the Mobile Retail Units to be open outside of regular market hours to allow for special events. It is expected the mobile retail unit located at Clergue Park will have extended hours at a minimum to include operations Thursday – Saturday.

- Proponents will be encouraged to operate additional hours at both locations throughout the week and will receive preference when evaluating the RFP submission.

An amending agreement will be required to the Market's lease to allow them to have the two (2) units on the property and to allow them to complete a licence of occupation for the Clergue Park space. A circulation of the potential initiative has been completed per normal process and feedback has been provided to guide the

process. Staff are recommending the proposal to make use of the units that would otherwise sit idle until placement into the Plaza.

FINANCIAL IMPLICATIONS

The approach to the pilot will be to recover costs for the operation of the units. After initial installation is complete the Market will be responsible to remit payments to cover operating costs to the City.

STRATEGIC PLAN / POLICY IMPACT

The recommendation supports the focus area of the Community Strategic Plan for 2021-2024 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.
- Furthermore, it exemplifies communication and stakeholder consultation to create an environment that encourages engagement and the exploration of mutual goals to grow our community. Collaboration with community partners and stakeholders is essential to our success.

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 April 11, 2022 be received.

Furthermore, that Council approve the following.

- Approve the Market to issue a Request for Proposal for two (2) full food mobile units to be located at 35 Canal Dr. and one (1) light duty food unit at Clergue Park for the summer of 2022.
- By-law 2022-59 and support amending agreement which appears elsewhere on the agenda.
- By-law 2022-60 and licence of occupation which appear elsewhere on the agenda.

Respectfully submitted,

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

Appendix A
Mill Market Location



PROPOSED MODULAR RETAIL UNITS (FULL-SCALE RESTOUNITS)

Appendix A – Clergue Park Site Location

Light Duty Unit

South of Ken Danby Way as noted by the red box.

Provides for access to adjacent power, parking and the John Rowswell Hub Trail.



The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Brent Lamming, Director of Community Services
DEPARTMENT:	Community Development and Enterprise Services
RE:	New Tenants for Expanded Northern Community Centre

PURPOSE

The purpose of this report is to seek Council's approval to issue a request for proposal (RFP) for space that will be available in 2023 on the first and second level of the expanded Northern Community Centre – Twin Pad arena.

BACKGROUND

At a Council meeting dated May 31, 2021 the following resolution was passed.

Northern Community Centre – Twin Pad Expansion
Motion as Amended:

> Resolved that the report of the Manager of Purchasing, Chief Financial Officer and Deputy CAO, Community Development and Enterprise Services dated May 31, 2021 concerning Northern Community Centre Twin Pad Expansion be received and that the tender for NCC – Twin Pad Expansion be awarded to Ellis Don Corporation, at their low tendered base price, meeting specifications of $27,900,000 plus HST and that the City's consultant be authorized to issue the needed letter of intent for the project be approved;
>
> Further that City Council approve that the Architecture and Design fees budget be increased by $338,420 to an upset limit of $1,648,430;
>
> Resolved that "Option 2 – Walking Track with Bowl Windows" be added into the construction project for a total tender cost of $29,319,000.

During the May 31, 2021 meeting it was also announced that the City would receive $18,332,647 in funding towards the project Community Culture and Recreation-Strategic Priorities Infrastructure Fund.

ANALYSIS

As part of the design process, it was determined that additional space be made available on the second level for a viewing area into the arenas and to provide options for meeting rooms and or future tenants (Appendix A).

In addition, there is an area on the ground level (Appendix B) that would be suitable as a Pro Shop to service users. This is an excellent opportunity for the City to put out an RFP to determine what types of businesses and services could aid in complementing the facility. The goal would be to improve the facility by adding additional amenities and improving the overall experience of users.

This was completed with great success at the John Rhodes Community Centre with five tenants in place:

1. Icebreakers Restaurant
2. Sault Ste. Marie Gymnastics Club
3. Pro Shop
4. Superior Sports Training
5. Accessibility Office

Evaluation Criteria for the RFP would be based on the following:

1. Fit for space
2. Business experience of the provider
3. Rental (Cost recovery for Municipality) proposed. Broken down as follows:
    a. Monthly rent proposed (utility share and property tax as applicable).
    b. Portion to cover utilities
    c. Portion to cover taxes as applicable
4. Hours of Operation
5. Explain how the business further activates the facility

Proponents will be encouraged to provide submissions for one (1) or more of the five (5) spaces as two (2) areas on the second level can easily be combined to operate as one (1) space (Appendix A).

Staff have been contacted by local business owners inquiring about what space may be available and it is anticipated that there will be interest in the space indicated. RFP result(s) will be brought back to Council for approval with supporting lease agreements. Staff are recommending this approach to make full use of the facility.

FINANCIAL IMPLICATIONS

Any revenue generated from future agreements will aid in offsetting long term operational costs of the facility and will ultimately reduce any shortfalls from a budget perspective. Minimum anticipated annual revenue would be approximately $20,000 to $25,000 if all five (5) spaces are filled excluding property taxes.

STRATEGIC PLAN / POLICY IMPACT

The recommendation supports the focus area of the Community Strategic Plan for 2021-2024 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.
- Furthermore, it exemplifies communication and stakeholder consultation to create an environment that encourages engagement and the exploration of mutual goals to grow our community. Collaboration with community partners and stakeholders is essential to our success.

RECOMMENDATION

It is therefore recommended that Council take the following action:

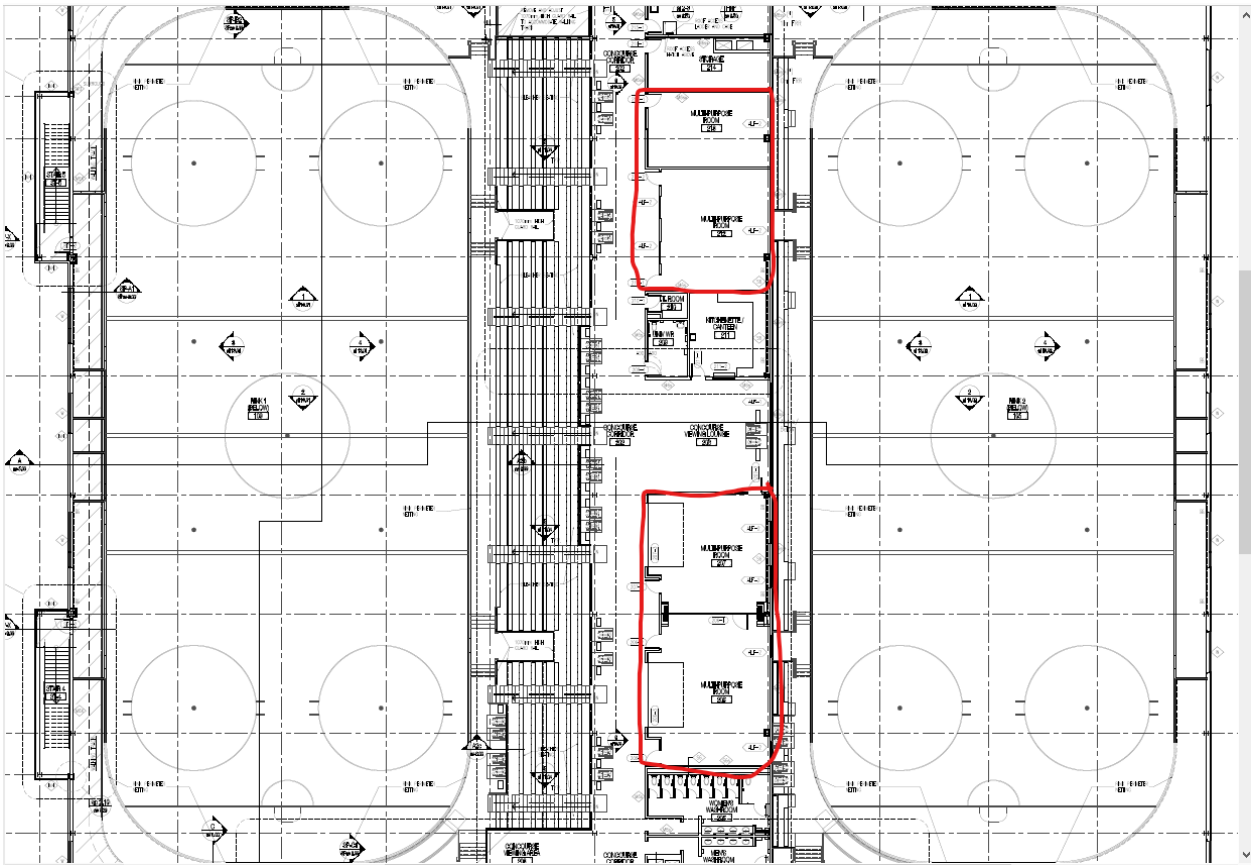
Resolved that the report of the Director of Community Services dated April 11, 2022 concerning New Tenants for Expanded Northern Community Centre be received and that staff be directed to issue an RFP for space available on both levels of the expanded Northern Community Centre.

Respectfully submitted,

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

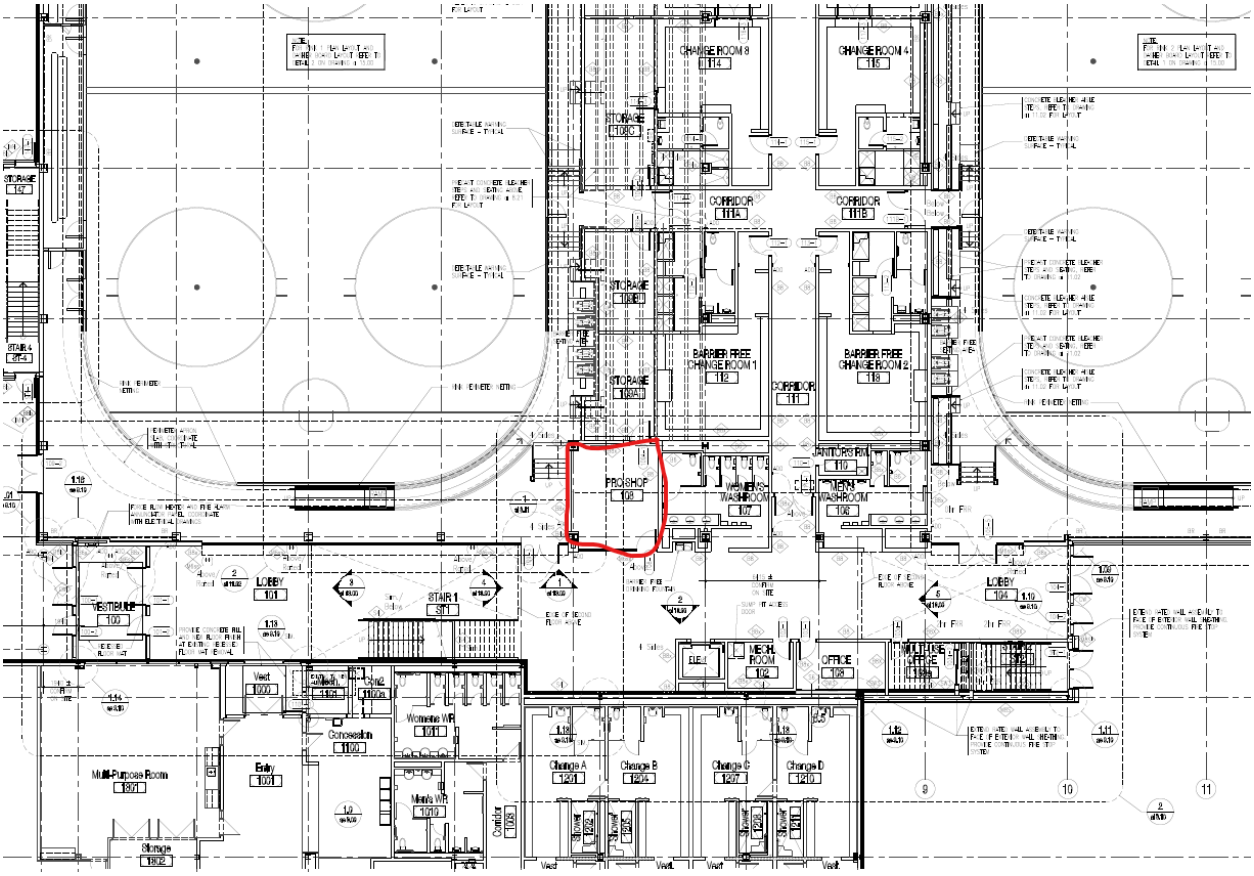
Appendix A – Second Floor

Areas in indicated in red are potential space for tenants under a request for proposal.



Appendix B- 1st Floor

Area indicated in red is a potential space for a Pro Shop tenant under a request for proposal.



The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Brent Lamming, Director of Community Services
DEPARTMENT:	Community Development and Enterprise Services
RE:	Renewal of Sault Amateur Soccer Association Agreement

PURPOSE

The purpose of this report is to request City Council's approval for the renewal of a five (5) year agreement with the Sault Amateur Soccer Association (SASA), for the use of Strathclair Park, commencing on May 1, 2022 and terminating on April 30, 2027.

BACKGROUND

The City of Sault Ste. Marie owns and operates Strathclair Park and SASA is the owner of the Strathclair Park field house.

At a Council meeting dated April 10, 2017 the following resolution was passed.

> "Resolved that the report of the Manager of Recreation and Culture dated April 10, 2017 concerning the Sault Amateur Soccer Association Agreement be received and that the agreement with SASA for the use of Strathclair Park be renewed for five (5) years commencing on May 1, 2017 and terminating on April 30, 2022 be approved."
>
> "The relevant By-law 2017-60 is listed elsewhere on the agenda and is recommended for approval."

ANALYSIS

Sault Amateur Soccer Association is the instrumental and driving force in the development of soccer both recreationally and competitively in Sault Ste. Marie. They take a lead role in player & facility development. SASA has an ongoing commitment to the sport in our community and is a valuable partner with the City of Sault Ste. Marie in pursuit of sport excellence.

City Staff have had a long positive ongoing relationship with SASA and recommend the renewal of the agreement for another five (5) years.

FINANCIAL IMPLICATIONS
There is no budgetary impact. The field house, located at Strathclair Park, is owned and operated by SASA and supports the soccer play at the complex providing the necessary on-site amenities and support services.

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 Director of Community Services dated April 11, 2022 concerning the Sault Amateur Soccer Association Agreement be received.

The relevant By-law 2022-62 and agreement are listed elsewhere on the agenda and are recommended for approval.

Respectfully submitted,

Brent Lamming, PFP, CPA, CMA
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(705)759-5314
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The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Brent Lamming, Director of Community Services
DEPARTMENT:	Community Development and Enterprise Services
RE:	Superior Sports Training Incorporated - Name Change and Lease Extension

---

Purpose

The purpose of this report is to seek Council's approval for a name change from Superior Sports Training Incorporated (SSTI) to Superior Osteo Postural Clinic Inc. (SOPCI) and to extend the Lease at the John Rhodes Community Centre (JRCC) 260-280 Elizabeth Street in Sault Ste. Marie for one additional year.

Background

On May 1 of 2017, The Corporation of the City of Sault Ste. Marie entered into a one year Lease Agreement with SSTI. There is an option to extend the lease in the current agreement for 1 additional year, commencing upon the day immediately following the date of expiration of the Lease. The current agreement remains in good standing. This Lease Agreement allows SSTI to utilize a multipurpose room at the JRCC as athletic training space. SSTI is owned and operated by Mr. John Parco and focuses on dedicated training for various athletic programs.

At a Council meeting dated May 6, 2019 the following resolution was passed.

> By-law 2019-102 (Agreement) Superior Sports Training Inc. 128 - 142
> A report from the Director of Community Services is on the Agenda.

Resolved that By-law 2019-102 being a by-law to authorize the execution of the Agreement between the City and Superior Sports Training Inc. for the use of a portion of the John Rhodes Community Centre, 260-280 Elizabeth Street, having a three (3) year term with the option to extend on a year-to-year basis at the agreed upon rent be passed in open Council this 6th day of May, 2019.

Analysis

The business is still operating as a training facility. In addition they are now offering Osteo Rehab services. Osteo Rehab treats individuals based on total Body adjustment, integrated health care modalities and holistic patient services. The

facility will remain a Sports Training Center and include Posturology and Postural Rehabilitation to their list of services

Discussions have taken place between the current owner and Community Development and Enterprise Services staff.

Payments have been made as agreed and the business nature is a complementary fit for the programming at the facility. The name change and one (1) year extension is recommended with ability to extend on a year-to-year basis subject to successful negotiations and agreed upon rent at the end of the original term.

City staff recommend as presented.

Financial Implications
The current Lease Agreement guarantees annual revenue of $6,803.29 plus HST.

Under the agreement, the tenant is responsible to pay property tax billed on a monthly basis. For the year 2021, property tax amounted to $3,362.42.

Strategic Plan / Policy Impact
The extension is mainly Operational in nature but can be tied to the Quality of Life and or Community Development and Partnership Strategic Pillars.

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

Resolved that the report of the Director of Community Services dated April 11, 2022 regarding a name change from Superior Sports Training Incorporated (SSTI) to Superior Osteo Postural Clinic Inc. and lease extension be received.

The relevant By-law 2022-35 appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,

Brent Lamming, PFP, CPA, CMA
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Enterprise Services
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The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Brent Lamming, Director of Community Services
DEPARTMENT:	Community Development and Enterprise Services
RE:	Transit Pass Partnership with Algoma District School Board

---

PURPOSE

This report has been prepared to seek Council's approval to enter into a Transit partnership with Algoma District School Board (ADSB). The partnership will be education based and known as the "Pass to Knowledge Program". This will be conducted as a pilot and will run for one (1) year effective fall 2022.

BACKGROUND

Transit has a history of trying new initiatives to improve service delivery and has had educational partnerships completed in the past to increase awareness and the ease of use for Transit Services.

ADSB and Transit representatives have had ongoing dialogue over the past few years on avenues to increase knowledge to increase utilization of public transit and provide additional opportunities for students to become independent by increasing access to community and public services.

ANALYSIS

The one (1) year pilot with ADSB would run from fall 2022 until the end of summer 2023. Results would be reported back to Council for review at the conclusion of the pilot and recommendations would be made on any potential extension for years two (2) and three (3).

The major issue with prior initiatives is that they ceased after a trial was completed. With this pilot, the aim is to build and expand in forthcoming years contingent on the success in year one (1).

A letter of support from ADSB (Appendix A) is attached indicating commitment for the project. ADSB has indicated that White Pines Collegiate will be the school participating in the pilot. The pilot would include Grade 7, 8 and DARE students (some already in the 7 and 8 classes, who are in a life skills program).

Highlights of the partnership:

1. A working group will be established consisting of City Staff and ADSB representatives.
2. Confirm program goals and deliverables
    a. Pilot would include Grade 7, 8 and DARE students (some already in the 7 and 8 classes, who are in a life skills program).
    b. Issue 100 or more Semester Passes (4 months) - $193.80/pass * 100 students participating = $19,380*
    c. Propose to run Sep. 2022 to August 2023 (fallback January-April 2023 - depends on fare box transition)
3. Results of pilot to be brought back at conclusion – Smart Card Tracking.
4. Components of the program:
    a. Education program for students
    b. Onsite, Classroom, Public use etc.
    c. Interactive information sessions for parents and or guardians
    d. Classroom, zoom etc.
    e. Action timeline
5. Project Team status meetings

Proposed Measurements of Success – Key Performance Indicators

1. # of overall rides
2. # of rides per student
3. Key points of origin and destination
4. Busiest times for use.
5. Conduct a survey to students asking the following sample questions below.

Question
Has the bus pass helped you improve any of the following?
Going to appointments?
Going to/from work?
Going to/from school?
Attending Employment Service Agencies?
Getting my children to school/daycare?
Attending job interviews?
Getting to/from training programs?

Has the bus pass helped you access any of the following?
Community events?
Recreational activities?
Shopping)groceries, clothing, other essentials)?
Local services?
Visit family or friends?

Without a bus pass, how would you get around?
Walk
Bike
Get a ride
Other (pay bus themselves, cab, hire ride)

Does having a bus pass improve accomplishing daily tasks/responsibilities?
Yes
No

The financial impact is estimated to be in the terms of forgone revenue. For example if the City were to issue **100 or more** Semester Passes (4 months), the forgone revenue would be estimated at $19,380. Calculated as follows.

- $193.80/pass * 100 students participating = $19,380*****

The pilot will also provide accessible options utilizing Conventional and Para Transit (subject to normal approval process) options.

City staff are recommending the “Knowledge to Pass Program” and Results of pilot brought back at conclusion utilizing Smart Card Tracking.

FINANCIAL IMPLICATIONS

It is anticipated that the pilot will have minimal impact on revenue as it is likely a good portion of the students participating were not taking the bus prior to project implementation. The City will forgo revenue for the number of participants utilizing the service. This will however aid in increasing ridership, which does come into place when gas tax funding for the Municipality is determined.

STRATEGIC PLAN / POLICY IMPACT

The recommendation supports the focus area of the Community Strategic Plan for 2021-2024 in a number of ways.

- Within the Service Delivery focus area, it continues to assist in delivering excellent customer service to citizens. Specifically in fostering a positive avenue for individuals who are currently working by in receipt of social assistance or who are in search of employment and require access to public transportation.
- It supports the Community Development and Partnership focus of Maximizing Economic Development & Investment with the commitment to maintain financial viability.
- Furthermore, it exemplifies communication and stakeholder consultation to create an environment that encourages engagement and the exploration of mutual goals to grow our community. Collaboration with community partners and stakeholders is essential to our success.
- Supports the Future SSM Social Equity pillar where Sault Ste. Marie will be a welcoming and inclusive community where everyone is valued and respected, has access to an acceptable standard of living, can fully engage and participate in all aspects of community life and is able to realize their full potential.

RECOMMENDATION

It is therefore recommended that Council take the following action:

Resolved that the report of the Director of Community Services dated April 11, 2022 concerning Transit Pass Partnership with Algoma District School Board be received and that a one (1) year pilot with ADSB running from fall 2022 until the

end of summer 2023 be approved. Should a delay in fare box upgrade installation occur the start date would subsequently shift until January 2023 ending December 31, 2023.

Respectfully submitted,

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

644 Albert St. East
Sault Ste. Marie
ON P6A 2K7
Telephone: (705) 945-7111
FAX: (705) 942-2540
www.adsb.on.ca

CHAIR
Jennifer Sarlo

DIRECTOR OF EDUCATION
Lucia Reece

To: Mayor Christian Provenzano and Members of City Council
From: Lucia Reece, Director of Education, Algoma District School Board
Date: March 8, 2022

Re: Transit Pass Pilot Partnership – "Pass to Knowledge Program"

I am pleased to offer this letter of support, on behalf of the Algoma District School Board (ADSB), to confirm our commitment to be a partner in the City Transit Pilot, "Pass to Knowledge Program."

Unfortunately, lack of transportation remains a significant detriment for many students, meaning they cannot engage in sporting activities, community events, social gatherings and after-school activities, and are unable to easily access public libraries, places of employment or businesses. Thus, the proposed pilot program would offer students a doorway of opportunity and freedom, as well as provide valuable education about the city, what it has to offer, learn about bus rider etiquette and, most of all, build their confidence in becoming regular transit users.

ADSB has committed to including Grade 7, 8 and DARE students (DARE is a life skills program) from White Pines Collegiate & Vocational School as the first pilot group. Staff and administration at the school are particularly excited about the opportunity and have already started thinking about potential curriculum connections that will utilize the transit passes for authentic learning opportunities and real-life experiences.

As I anticipate a successful pilot program, I also want to express our interest in expanding this opportunity in the future and would be open to future dialogue around how our partnership might grow and the role we can play in supporting its success. Thank you for the opportunity to bring this exciting pilot to our students!

Sincerely,

Lucia Reece
Director of Education

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Travis Anderson, Director Tourism & Community Development
DEPARTMENT:	Community Development and Enterprise Services
RE:	TDF Application – Ultra Trail Stokely Creek 2022

Purpose

This report provides recommendations to City Council from City staff and the Tourism Sault Ste. Marie Board of Directors for the distribution of Tourism Development Funds.

Background

The Tourism Development Fund (TDF) was implemented June 1, 2021 to provide financial support to the broader tourism sector in two different streams- Festivals & Special Events and Attractions & Product Development. The funds for both streams of the TDF are generated from revenue collected by the Municipal Accommodation Tax (MAT).

Consideration will be given to support initiatives that produce positive results in at least one of the following criteria:

- Development quality tourism products & events;
- Increase in overnight stays and visitor spending in Sault Ste. Marie;
- Enhancement of the Sault's tourism product offerings;
- Support of the city's reputation and position as a first-rate visitor destination;
- Fulfill a gap in the tourism visitor experience landscape; and
- Encourage private sector tourism investment in SSM

Upon receipt of a TDF application, Tourism staff reviews the application for eligibility and assessment criteria and brings a recommendation forward to the Tourism Sault Ste. Marie Board of Directors. The Tourism Sault Ste. Marie Board of Directors further evaluates the applications and makes a recommendation to City Council for the distribution of the grant funds.

Analysis

Tourism Development Fund applications are permitted with ongoing intake and are reviewed monthly at the Tourism Sault Ste. Marie Board of Directors meetings. At

the Tourism Sault Ste. Marie Board of Directors meeting on March 17th, 2022, an application made by Bear In Mind Running for its Ultra Trail Stokely Creek (UTSC) 2022 event was brought forward for consideration.

The UTSC trail marathon is a 2-day endurance race hosted at Stokely Creek Lodge in Goulais River. The race features six distances from 5km to 170km which attracts ultra trail running enthusiasts from around Canada and the United States. The UTSC is Ontario's only qualifying event for UTMB's World Series of Trail Running, making UTSC a desired event for athletes from around the Midwest and beyond.

The impact of hosting the 2022 UTSC in Sault Ste. Marie will see a projected 350 out of town participants requiring overnight lodging and meals for 2+ days. The estimated economic impact of this event is calculated at approximately $105,000. Given the positive economic benefit to the community, the Tourism Sault Ste. Marie Board of Directors favourably supports the TDF request from Bear in Mind Running to assist with expenses associated with hosting the Ultra Trail Stokely Creek marathon. The following resolution was passed:

"Be it resolved that Tourism Sault Ste. Marie recommend a $10,000 contribution through the Tourism Development Fund- Conferences and Special Events stream to support the Ultra Trail Stokely Creek trail running event September 23 and 24, 2022, and that a report be submitted to City Council for consideration and approval."

Financial Implications
No new funds would be required. The Tourism Development Fund currently has $309,635 uncommitted for the purposes of financial assistance within the tourism sector.

Strategic Plan / Policy Impact
This item supports the Corporate Strategic Plans Focus Area: Community Development- Develop partnerships with key stakeholders and create social and economic activity.

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

Resolved that the report of the Director of Tourism and Community Development dated April 11, 2022 concerning the Ultra Trail Stokely Creek trail running event Tourism Development Fund application be received and that the recommendation of the Tourism Sault Ste. Marie Board of Directors to allocate $10,000 be approved.

Respectfully submitted,

Travis Anderson
Director Tourism and Community Development
705.989.7915
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The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Carl Rumiel, Manager of Design and Transportation Engineering
DEPARTMENT:	Public Works and Engineering Services
RE:	Petition Against Passchendaele Lane

Purpose

The purpose of this report is to inform Council that staff have received a successful petition against the Local Improvement for construction of Passchendaele Lane and to obtain approval to postpone the project as per the regulations in the Municipal Act.

Background

At the January 14, 2019 meeting, Council was informed of the preferred alternatives from the Northern Avenue Environmental Assessment (EA) which included improved access to the P-Patch be provided by a new road on the existing City right-of-way from the east limit of Northern Avenue southerly two blocks to a new tee intersection with Princeton Drive. Further, at the September 13, 2021 meeting, Council received the 2022 Capital Transportation Program, which includes construction of this new road Passchendaele Lane.

Analysis

Under Regulation 586-06 of the Municipal Act residents that abut road construction are assessed and charged Local Improvement fees. There is a provision to object to these fees through a petition against the Local Improvement. On February 22, 2022 staff received a Petition Against Local Improvement – Roadway – Passchendaele Lane. The City Tax Division has certified that this petition is sufficient.

Currently, the City has the following options:

1) Postpone the project for two years, then provide notice of the Local Improvements again, this time including the provision that the municipality intends to apply to the Ontario Lands Tribunal (“OLT”) for approval to undertake the work as a local improvement. At that time, an objection could still be raised and the Tribunal would make a decision with respect to the work; or

2) Proceed with the project but not by way of Local Improvements. This would have a potential impact on other Local Improvement projects.

The recommendations from the Northern Avenue EA are currently in the fourth year of ten-year shelf life before they expire and require an addendum to the EA to be completed. Therefore, staff are recommending that the City wait the prescribed two years and then proceed with the Local Improvement again and seek approvals at the OLT if required.

Financial Implications
There are no new financial implications to this report. If the City proceeded with the project without charging the Local Improvement fees, the City would forfeit $14,736.63 in Local Improvement Revenue.

Strategic Plan / Policy Impact
Construction of new roads is linked to the Infrastructure Focus Area of the Strategic Plan.

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

Resolved that the report of the Manager of Design and Transportation Engineering dated April 11, 2022 concerning Petition Against Passchendaele Lane be received and that the City postpone the construction of Passchendaele Lane for two years until 2024.

Respectfully submitted,

Carl Rumiel, P. Eng.
Manager of Design and
Transportation Engineering
705.759.5379
c.rumiel@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Maggie McAuley, Municipal Services Engineer
DEPARTMENT:	Public Works and Engineering Services
RE:	2022 Biennial Bridge Inspection – Capital Budget Amendment

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Purpose

The purpose of this report is to request Council for approval of funds to be reallocated from one approved project to another approved project, to cover the fees proposed for 2022 Biennial Bridge Inspections. Staff is seeking Council approval to proceed.

Background

The City is mandated by the Province to conduct biennial structural inspections of all municipal bridges. During the 2022 Budget process $60,000 was approved within the miscellaneous construction budget for bridge inspections.

Analysis

A Request for Proposal for provision of these services was conducted whereby Tulloch Engineering, the only proposal received, meets the specified criteria and scoring requirements. Proposed pricing is within staff approval levels as authorized in the Purchasing By-Law.

Financial Implications

Tulloch Engineering's fee estimate is $76,051 including non-recoverable HST.

This amount can be accommodated within the $60,000 that was approved in the 2022 miscellaneous construction budget for bridge inspections; and the remaining portion of $16,051 (greater than 20% of the original budget value) can be accommodated in the $300,000 that was approved in the 2022 miscellaneous construction budget for bridge and aqueduct rehabilitation.

Strategic Plan / Policy Impact

Biennial structural inspections are linked to the infrastructure component of the strategic plan.

Recommendation

It is therefore recommended that Council take the following action:

Resolved that the report of the Municipal Services Engineer dated April 11, 2022 concerning 2022 Biennial Bridge Inspections be received and that the request to redirect $16,051 from the 2022 miscellaneous construction budget for Bridge and Aqueduct Rehabilitation funding to the 2022 miscellaneous construction budget for bridge inspections be approved

Respectfully submitted,

Maggie McAuley, P.Eng.
Municipal Services Engineer
705.759.5385
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The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Catherine Taddo, P. Eng.
	Land Development and Environmental Engineer
DEPARTMENT:	Public Works and Engineering Services
RE:	Storm Sewer Rehabilitation

Purpose

The purpose of this report is to obtain approval to retain AECOM for engineering services for the proposed South Market area storm sewer rehabilitation project.

Background

Storm sewer and groundwater infiltration areas of concern were identified in the South Market area. The original pipe of concern was constructed in 1975 and 1976, with infiltration repairs completed in 1986. More recent inspections indicate that active infiltration has returned causing damage to the pavement structure and inducing localized road settlements. At the February 25, 2019 Council meeting, an Agreement with AECOM was approved for work related to analysis of the proposed limits of pipe rehabilitation, rehabilitation methods, and next courses of action.

Analysis

The analysis is now complete, and the proposed rehabilitation of several storm sewer sections on McNabb Street, South Market Street and Boundary Road have been identified. The proposed rehabilitation consists of a combination of cured in-place lining and internal chemical grouting of various pipe segments. A detailed work program has been prepared for the design and contract administration for the proposed rehabilitation program for a total estimated fee in the amount of $184,200 excluding HST.

Given AECOM's previous work on this matter, and highly skilled project team with significant experience in condition assessment, rehabilitation and renewal of underground sewer infrastructure, single sourcing for the continuation of the work is requested. The request is in accordance with the Purchasing By-law section 22 (3) (a) (h), namely to ensure compatibility with existing services, and purchase in the best interests of the City. The funds are within the approved budget allocation for the 2022 capital transportation budget.

Financial Implications
When recoverable HST is removed, the engineering fee of $187,441.92 can be accommodated within the South Market Storm Sewer project in 2022 capital transportation budget.

Strategic Plan / Policy Impact
The report links to the Strategic Plan focus area of infrastructure, and specifically maintaining existing infrastructure.

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

Resolved that the report of the Land Development and Environmental Engineer dated April 11, 2022 concerning the storm sewer rehabilitation project be received and the single sourcing of AECOM be approved, with an Engineering Agreement to be brought forward at a future Council meeting.

Respectfully submitted,

Catherine Taddo, P. Eng.
Land Development and Environmental Engineer
705.759.5380
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The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Daniel Perri, P. Eng.
DEPARTMENT:	Public Works and Engineering Services
RE:	Railway Crossings

Purpose

The purpose of this report is to respond to the resolution regarding railway crossings dated May 31, 2021, which reads,
"*Whereas there are many railway crossing within the boundaries of the City of Sault Ste. Marie; and*
Whereas there are many different arrangements for each crossing through agreements between the City and the different rail entities that own the respective lines and/or Transport Canada order; and
Whereas there are different causes for degradation in the structural condition of these crossings, not the least of which being our harsh climate and the extreme conditions these crossing are exposed to; and
Whereas it is very important that these railway crossings are maintained for the safety of the people and cargo being transported on the rails, as well as for the safety and protection of those crossing them with their vehicles; and
Whereas when these crossings are not regularly and properly maintained they could lead to significant damage to a crossing motor vehicle(s) that could result in a serious expense to the family or business who own/operate the vehicle;
Now Therefore Be It Resolved that City staff be requested to prepare a report to City Council that includes the most up to date schedule for maintenance of each of the crossings within the boundaries of the City of Sault Ste. Marie, along with which parties are involved in the maintenance plan for each crossing, and the City's share and/or responsibilities at each of these crossings."

Background

Two railways exist within the boundaries of Sault Ste. Marie. Canadian Pacific Railway (CPR) extends from the City's eastern border terminating at Sault Multimodal located at 530 Cathcart Street. The Huron Central Railway (HCRY) leases the CPR track and is the City's point of contact for this railway.

Agawa Canyon Railroad (ACR) extends from the City's northern border southerly to the international border. ACR's parent company, Watco Companies LLC acquired the track from Canadian National Railway in January 2022.

There are 34 rail crossings located within the boundaries of Sault Ste. Marie. Each crossing is formalized with a Crossing Agreement or Order of the Canadian Transportation Agency.

Analysis

Appendix A and Appendix B outline the maintenance responsibilities for the City and the Rail Companies respectively. Generally, the Rail Company is responsible for maintenance inside of the railroad ties, while the City is responsible for maintenance outside of the rail ties.

If one party is responsible for a maintenance item, it does not necessarily mean that that party is responsible for some, or any, of the costs associated with the required repairs. The Crossing Agreements for each location details which party is responsible for funding the repairs. These determinations were formalized at the time the Agreement was entered into, usually when the crossing was constructed. Maintenance costs are generally borne by the second party to the crossing. Appendix C summarizes the cost sharing arrangements between the City and the Rail Companies for each of the crossings, as is understood by the City.

Public Works will continue to maintain the rail crossings to the service levels set out in Minimum Maintenance Standards, divisional policies, and Grade Crossing Standards. Notification to the respective Rail Company is mandatory prior to any work being performed in proximity to the railway. A rail company representative is required to be on site while work is being performed. Typically, larger projects are initiated by the Rail Companies, often with very little notice to Public Works staff. Staff will work towards improving communication with the Rail Companies in order to establish a long-term maintenance program, which will be reported to Council before commencing, as reserve funds must be approved.

Financial Implications

A capital reserve fund was established in 2019 to provide a funding mechanism for future repairs dedicated to these crossings. $50,000 is added to this fund each year.

Strategic Plan / Policy Impact

The maintenance of rail crossings is linked to the maintenance of existing infrastructure component of the Corporate Strategic Plan. It is an operational item.

Recommendation

It is therefore recommended that Council take the following action:

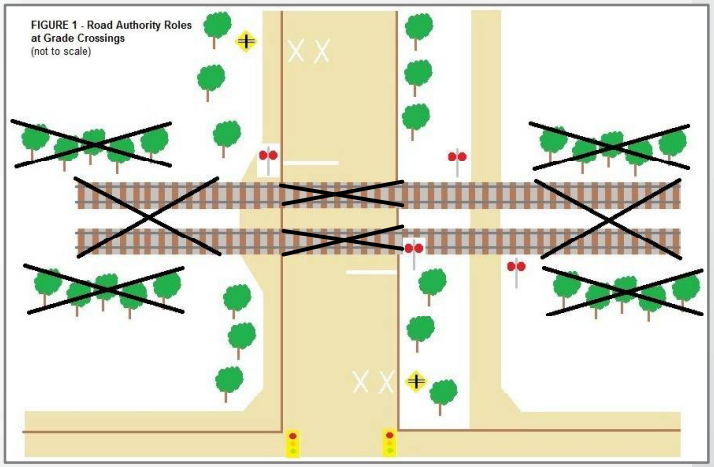
Resolved that the report of the Area Coordinator dated April 11, 2022 concerning Railway Crossings be received as information.

Respectfully submitted,

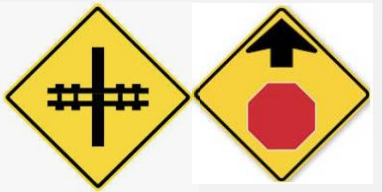
Daniel Perri, P. Eng.
Area Coordinator, Wastewater
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d.perri@cityssm.on.ca

Legal Responsibilities – Road Authorities

Type	Crossing Aspect	Road Authorities / Crossing Owners
Legal Requirements	**Sightlines**	removal of obstructions along roadway property
	Surface (responsibility can be shared with RA)	• roadway/path/sidewalk approaches from end of tie onwards • surface in between tracks when multiple tracks
	Signage	• railway advanced warning sign • speed tabs • stop sign ahead (& Stop Signs)
	Signals (responsibility can be shared with RA)	pre-emptive & interconnected advanced warning signals
Safety Best Practices	***Other Considerations*** (responsibility can be shared with RA)	• removal of snow or materials from the road/path/sidewalk • drainage along roadway property • street or flood lighting • **pavement markings** • bollards and tactile surfaces • access gates upon roadway approaches • roadway/pedestrian focused signage





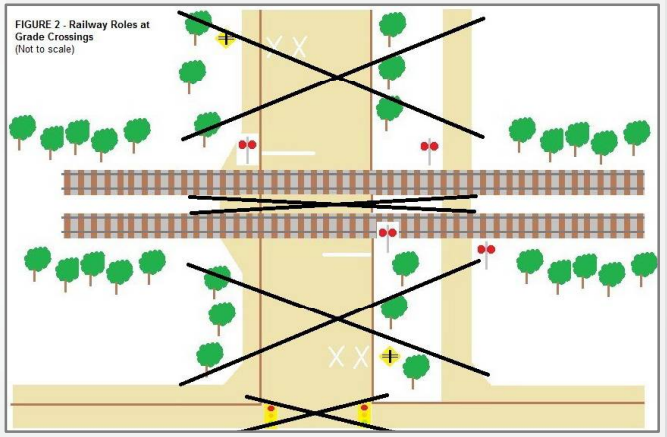


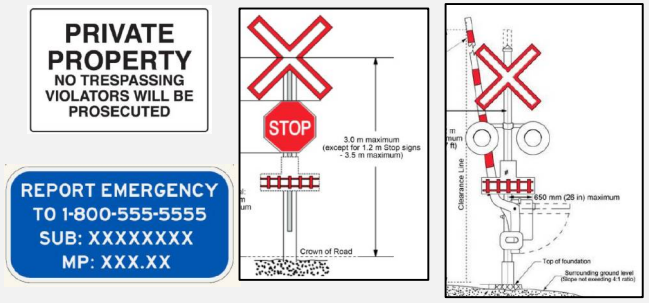




Legal Responsibilities - Railway

Type	Crossing Aspect	Railway Companies
Legal Requirement	**Sightlines**	removal of obstructions along railway property
	Surface (responsibility can be shared with RA)	• road surface between the rails and up to the ends of the railway ties • 0.5m min. surface extensions • elevation of the railway tracks in relation to the road • flangeway dimensions (space between the rail and crossing surface)
	Signage	• Standard Railway Crossing Signs (SRCS) with Stop Sign • # of track signs • emergency signs • reflectorization strips • private property/no trespassing signs (if present)
	Signals (responsibility can be shared with RA)	• railway crossing signal systems • signal bungalows • full or shared responsibilities for grade crossing warning systems (pending agreements)
Safety Best Practices	***Other Considerations*** (responsibility can be shared with RA)	• removal of snow, materials, equipment along railway property • drainage and fencing along railway property





Appendix C - Rail Crossing Maintenance - Cost Sharing

Location of Crossing	Railway	Maintenance Costs Paid By
Frontenac Street	HCRY/CPR	City
Adeline Street	HCRY/CPR	City
South Market Street	HCRY/CPR	City
McNabb Street	Private	Private
Shannon Road	HCRY/CPR	City
Black Road	HCRY/CPR	City
Lake Street	HCRY/CPR	City
Elizabeth Street	HCRY/CPR	City
Pine Street	HCRY/CPR	HCRY/CPR
Simpson Street	HCRY/CPR	City
Church Street	HCRY/CPR	HCRY/CPR
Pim Street	HCRY/CPR	HCRY/CPR
Bruce Street	HCRY/CPR	HCRY/CPR
Tancred Street	HCRY/CPR	City
Francis Street	HCRY/CPR	City
North Street	HCRY/CPR	HCRY/CPR
Wellington Street W	HCRY/CPR	City
John Street	HCRY/CPR	City
Huron Street	HCRY/CPR	City
Carmen's Way (Hudson Street)	HCRY/CPR/ACR	City
Carmen's Way (Hudson Street)	ACR	ACR
Wellington Street Underpass	ACR	50% City, 50% ACR
Conmee Street	ACR	ACR
Second Line	ACR	City
Peoples Road	ACR	ACR
Brule Road	ACR	ACR
Fourth Line	ACR	ACR
Peoples Road	ACR	ACR
Old Goulais Bay Road	ACR	ACR
Great Northern Road (Hwy 17)	ACR	City
Fifth Line	ACR	ACR
Shultz Side Road	ACR	ACR
Sixth Line	ACR	ACR

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Melanie Borowicz-Sibenik, Assistant City Solicitor/Senior Litigation Council and Maggie McAuley, Municipal Services Engineer
DEPARTMENT:	Legal Department
RE:	Access Agreement – City, Daniel Fremlin Holdings Inc. and Huron Superior Catholic District School Board

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Purpose

The purpose of this report is to seek Council's authority to enter into an Agreement with Daniel Fremlin Holdings Inc. ("Fremlin") and the Huron Superior Catholic District School Board ("HSCDSB") for access over the City Property known as 273 Old Garden River Road ("City Property").

Background

When St. Mary's College was built, HSCDSB entered into an access agreement with the City to use the City Property for their private drive known as Smyl Boulevard. On September 14, 2015, City Council passed By-law 2015-154 which authorized the execution of this Access Agreement ("Original Agreement"). The Access Agreement addresses construction, maintenance and indemnity issues. It also addresses the possibility that the City may later assume the access area as a public road at a time determined by the City.

At the May 10, 2021 meeting, the City granted Draft Plan of Subdivision Approval to the land surrounding St. Mary's College to the Developer, Fremlin. The proposed subdivision uses Smyl Boulevard to connect to future municipal streets. In order to gain access to these lands, Fremlin requires access to the portion of Smyl Boulevard that is on the City Property.

Analysis

City Staff have negotiated with Fremlin and the HSCDSB, resulting in an Agreement which essentially revises the access terms over the City Property as provided in the Original Agreement and addresses the matters of construction, maintenance and indemnity by the HSCDSB and Fremlin.

As it relates to access, the Agreement continues to provide the HSCDSB with access over the City Property. The Agreement grants Fremlin access over the City Property also, commencing only at such time as Fremlin requires such access

to develop the Subdivision. Fremlin agrees to work around HSCDSB's schedule for school access and not hinder or otherwise impact the access already provided to the HSCDSB.

As it relates to construction and maintenance, the Agreement acknowledges that HSCDSB has already developed the City Property and any associated public sidewalk construction in accordance with the City's Street By-law 2008-131. HSCDSB will continue to be solely responsible for all costs, liabilities and expenses related to the City Property until Fremlin commences its access over the City Property. Once Fremlin commences its access over the City Property, the Agreement provides that Fremlin and HSCDSB shall each be equally responsible in terms of costs, liabilities and expenses for maintenance and repairs of the City Property and that same must be done to the satisfaction of the City.

Similarly, as it relates to indemnity responsibilities, HSCDSB shall continue to fully indemnify and save harmless the City for any matters set out in the Agreement until such time as Fremlin commences its access over the City Property. Once Fremlin commences its access over the City Property, Section 6 of the Original Agreement is suspended and both Fremlin and HSCDSB shall apportion between themselves the indemnification risks, with:

(a) Fremlin being responsible for all matters arising from this Agreement and Fremlin's use of the City Property for access to the Subdivision Lands; and

(b) HSCDSB being responsible for all matters arising from this Agreement and HSCDSB's use of the City Property for access to St. Mary's College.

Both Fremlin and HSCDSB shall each remain responsible for any pedestrian access issues that arise from this Agreement and their responsibilities set out therein.

Financial Implications
Any ongoing maintenance and construction costs for the City Property will continue to be the responsibility of either the HSCDSB or Fremlin, as set out in the Agreement. Similarly, the Agreement addresses liability exposure, including expenses that may be related to same, apportioning same between the HSCDSB and Fremlin.

Strategic Plan / Policy Impact
Not applicable

Recommendation

It is therefore recommended that Council take the following action:

Authorize the execution of an Agreement between the City, Daniel Fremlin Holdings Inc. and Huron Superior Catholic District School Board.

By-law 2022-63 appears elsewhere on the agenda and is recommended for approval.

Respectfully submitted,

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tm\\citydata\LegalDept\Legal\Staff\COUNCIL\REPORTS\2022\273 Old Garden River Road Revised Access Agreement OPEN.docx

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Melanie Borowicz-Sibenik, Assistant City Solicitor/Senior Litigation Counsel
DEPARTMENT:	Legal Department
RE:	740 Allen Side Road Declared Surplus

Purpose

The purpose of this report is to recommend to Council that the property described as PIN 31603-0429 (LT), PT Sec 27, Korah as in T64099 Except PT 2 1R1417; Sault Ste. Marie, being 740 Allen Side Road (the "Subject Property") be declared surplus and offered for sale by the City to the Estate of Joseph John Mancuso for the sum of $1.00.

Background

In 1964, Joseph Mancuso and his wife Evelyn donated the Subject Property to the City for $1.00. Transfer T64099 was registered on June 25, 1964 accordingly. Joseph thereafter personally moved the former West Korah Community Hall building onto this Lot. For the next 40 years, the building was used by the City to rent or donate to various community service, charitable or non-profit groups to use for parties, shows or celebrations. For example, the last tenant was the Musical Comedy Guild who used the building on the Subject Property for storage of stage properties and sets. The building thereafter deteriorated and was demolished in 2008. The Subject Property remains in the name of the City.

The Estate of Joseph John Mancuso has expressed an interest in acquiring the Subject Property. Legal circulated the sale of the property to relevant City Departments. All comments are favourable to the sale. Engineering advised that a 3 meter widening is required as with other properties in this area.

Analysis

The Transfer contains the following condition:

> "IT IS HEREBY AGREED that if the Grantee should wish to sell the said lands at any time during the joint lives of the Grantor and his wife, the said lands shall first be offered to the Grantor and/or his wife for the price of $550.00, PROVIDED THAT if such offer is not accepted within one week in writing the Grantee shall be free to sell the lands to any other person and FURTHER PROVIDED THAT in the event of any such purchase by the

> Grantor and/or his wife, the Grantee shall have the right or privilege within two months after acceptance of such offer to remove all buildings, fixtures and equipment from the said lands. UPON the death of the Grantor and his wife, this grant shall become absolute."

It has been confirmed that the City listed the Subject Property for sale in 2008, thus triggering the above Condition. Notice was not provided to Mr. & Mrs. Mancuso at that time. The Subject Property was then removed from the market. Both Mr. & Mrs. Mancuso are now deceased.

A strict wording of the Covenant in the Deed requires the City to first offer the Subject Property to the Grantor and/or his wife if at any time during the joint lives of the Grantor and his wife the City "should wish to sell the said lands". As such, it is recommended that the City transfer the Subject Property to the Estate of Joseph Mancuso for the sum of $1.00.

Financial Implications
If the City decides to dispose of the Subject Property, it would be consistent with the City's plan to dispose of surplus property. As this property is presently City owned the City does not receive any revenues from taxes. Upon sale of the property it may be assessable depending upon its ultimate use.

Strategic Plan / Policy Impact
Not applicable.

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

Authorize that the City owned property described as PIN 31603-0429 (LT), PT Sec 27, Korah as in T64099 Except PT 2 1R1417, being 740 Allen's Side Road be declared surplus to the needs of the municipality and authorize the disposition of same in accordance with the City's Policy for the disposition of land to the Estate of Joseph Mancuso for the sum of $1.00.

By-law 2022-61 authorizing same appears elsewhere on the Agenda and is recommended for approval.

Respectfully submitted,

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MBS/tj

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Karen Fields City Solicitor
DEPARTMENT:	Legal Department
RE:	Sault Ste. Marie Innovation Centre Lease Agreement Extension

---

Purpose

The purpose of the report is to request Council's authorization to extend the Lease agreement between the City and the Sault Ste. Marie Innovation Centre ("SSMIC") for one additional year.

Background and Analysis

The City entered into a Lease agreement with the SSMIC to lease a portion of the 6th floor of 99 Foster Drive. The Lease was entered into on February 6, 2017 and would terminate effective April 30, 2022. The SSMIC would like to extend the Lease for one additional year.

Financial Implications

The extension of the Lease would provide the City with rent for the Lease of the space for a further year. The terms state that the rent is subject to annual increases based on a three year rolling average of CPI Ontario.

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:

The relevant By-Law 2022-73 is listed under item 12 of the Agenda and will be read with all by-laws under that item.

Respectfully submitted,

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The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Peter Tonazzo, RPP, Senior Planner
DEPARTMENT:	Community Development and Enterprise Services
RE:	Draft Official Plan

PURPOSE

This report and attachments present the Draft Official Plan (OP) to Council as information, seeking Council's support to proceed with:

- Public consultation upon the Draft OP.
- Submitting the Draft OP to the Province for preliminary review and comments.

BACKGROUND

Shape the Sault, the City's New Official Plan Project was launched in February 2018. The Official Plan Background Report was released on September 27th, 2021 followed by a presentation at a Special Council Meeting on February 7th, 2021.

ANALYSIS

The Draft Official Plan is generally consistent with the proposed policies contained within the Official Plan Background Report. The main discussion points raised during Council's special meeting on February 7th are discussed below.

Currency and Accuracy of Population and Residential Projections

It was suggested that the currency of the data might have resulted in underestimating population growth and thus future residential demand, as evidenced by recent surges in housing prices, rents and construction costs.

As an overarching statement, to the greatest extent possible, the most current data available was communicated in the OP Background Report and utilized to inform proposed policy directions.

The population projections and land needs analysis were completed by Dillon Consulting and Metroeconomics in September 2018, utilizing 2016 Census Data.

The Dillon/Metroeconomics Report projects the Sault to grow by about 10,000 people by 2036, requiring approximately 4,000 new dwelling units. The report

projected an increase in population between 2016 and 2021, whereas the most recent 2021 census data communicates a slight decrease in population. Therefore, the current projection has proved to be an underestimation, which is the fail safe alternative. The Dillon/Metroeconomics Report also projected the construction of an average of about 150 new housing units per year between 2016 and 2021. Based upon building permit data, an average of 94 new dwelling units were constructed between 2016 and 2021. While 2021 represented the most active year, with 133 new housing starts, historically there has always existed fluctuations from year to year. Therefore, as a rule of thumb, 5-year averages are utilized to account for variations and validate trends.

Planning Staff is of the opinion that the Population Projections and Land Needs Analysis completed by Dillon Consulting and Metroeconomics remains current and is generally accurate, to the extent that based upon the most recent census and building permit data, population and housing growth was actually overestimated, which is appropriate and the 'fail-safe' option in ensuring affordability and choice in the market. That is not to say that recent surges in housing values, rents and construction values are irrelevant, however at this point it is premature to suggest that the population will surge beyond what is projected and that there are not enough vacant lands and residential intensification opportunities to meet demand.

Based upon the aforementioned population and housing projections there is enough vacant, serviceable residentially designated lands within the proposed Urban Settlement Area to accommodate over 6,000 dwelling units, which represents a healthy surplus at this time. Residential intensification and rural residential development opportunities will further increase this surplus.

Given the nature of population projections, the Planning Act requires the Municipality to conduct comprehensive OP reviews (which include revised population projection and land needs analyses) at regular intervals (within 10 years of adoption of a new OP, then every 5 years thereafter).

Rationale for the Proposed Urban Settlement Area (USA) Expansions

Ensuring a healthy supply of vacant lands to accommodate future development needs is a delicate balancing act, especially as it relates to residential development. On the one hand, a healthy surplus facilitates affordability and choice in the market. On the other hand, too big of a surplus could result in urban sprawl and increased municipal costs. Of the six proposed USA alterations, five are expansions and one removes a small portion of lands from the USA. Of the five proposed expansions, three are anticipated to accommodate residential growth, one reflects existing development, and the other has mixed development potential, including residential. Each of the five proposed expansions are 'infill' in nature, surrounded on at least 2 sides (and in some cases 3) by the current USA boundary and therefore would not result in inefficient and costlier (over the long term) linear service extensions. It is Planning Staff's opinion that the proposed expansions will not result in urban

sprawl or negative impacts to the overall viability of existing urban areas. In light of recent surges in residential prices and rents, the proposed expansions will also increase the overall residential land surplus, helping to maintain affordability and choice in the market.

Housing Affordability

Surging housing costs and a general lack of adequate and affordable housing is not just a local issue; rather it is arguably the most significant issue facing the Province and is garnering significant attention at the Federal level. As discussed above, from a demand/supply perspective, there is enough vacant land to accommodate projected growth, and the draft OP includes a wide variety of other policies aimed at facilitating residential conversions and intensification. Permitting 'second' and 'third' units as a matter of right is one specific example of a significant residential intensification policy. Furthermore, Planning Staff will be responding to and making recommendations on a recent Council Resolution to permit 'fourth' units as a matter of right.

While facilitating residential intensification opportunities and ensuring appropriate supply to accommodate projected demand is critical in maintaining adequate affordability levels, the Draft OP includes a number of other policies related specifically to affordability. It has been suggested that the proposed OP policies are too high level and should outline specific incentives and implementation protocols for the provision of affordable housing. Staff has conducted an extensive review of other Official Plans and Municipal approaches to incentivizing affordable housing, and it is clear that OP policies should not be specific, rather they should be designed to enable the design and implementation of more detailed incentives, most commonly through the use of Community Improvement Plans (CIP). Planning Staff is of the opinion that the proposed affordable housing policies in the Draft OP are appropriate and will sufficiently enable the development and implementation of more detailed incentives through, among other things, an affordable housing CIP which may provide property tax incentives, grants and waived application fees for projects that will result in the provision of a specific number of affordable housing units over a specific timeframe.

Rural Estate Subdivisions

The potential for permitting rural estate residential subdivisions (with on-site well and septic services) has also emerged as a common theme. To date, there have been two local developers that have contacted staff, strongly advocating that the current and proposed moratorium on new rural estate subdivisions be revisited.

The moratorium on rural estate subdivisions was based upon the following factors:

1. A historic surplus of vacant rural estate lots in previously draft approved subdivisions.

2. Provincial Policy requirement that Municipalities permit 'locally appropriate limited residential development' in the Rural Area.
3. A preference (as noted in Provincial Policy) to accommodate the overwhelming majority of new development within the Urban Settlement Area and through intensification and infill opportunities.

It is likely that the surplus of vacant rural estate lots in previously 'draft approved' subdivisions has significantly decreased. Furthermore, changes to the Provincial Policy Statement in 2020 provide some discretion in defining limited rural residential development within the local context. The preference to accommodate the overwhelming majority of growth within the urban settlement area remains as an overarching goal.

It is recognized that there may be a demand for rural estate subdivision living, which may have a different character and appeal than a rural lot severed on an existing road. With this in mind, Planning Staff will conduct a more detailed review to determine if there are appropriate criteria that can be established to permit locally appropriate limited rural estate subdivision development, without creating a proliferation of rural estate subdivisions. While Planning Staff is not altogether opposed to rural estate subdivision development, it is an inherent challenge to develop appropriate parameters to ensure that it remains limited in nature. The upfront cost (borne by the developer) associated with rural subdivisions is significantly less than the cost to develop an urban subdivision, which could result in the proliferation of rural estate subdivisions. Historically, locally appropriate limited rural residential development has been defined by allowing the creation of two new rural residential lots, plus the remnant, by way of a severance.

This review will be completed during the ensuing consultation period and presented when the Official Plan is brought back to Council for approval as per the 'Next Steps' outlined below.

NEXT STEPS

1. Submit Draft OP to the Province for preliminary review and comment. It is anticipated that this will take a minimum of 90-days.
2. While awaiting preliminary Provincial comments:
    a. Conduct a comprehensive Rural Estate Subdivision review.
    b. Conduct Public Consultation consisting of:
        i. Virtual/in-person open houses pending restrictions.
        ii. Stakeholder outreach
3. Upon receipt of provincial comments, provide a report to Council outlining:
    a. Preliminary Provincial comments.
    b. Public comments.
    c. The results of the Rural Estate Subdivision Review.

   d. Recommended changes to the Draft OP resulting from preliminary Provincial comments, public comments and the results of the Rural Estate Subdivision Review.
4. Public meeting of Council to approve the Draft OP.
5. Submission to Province for final approval.

FINANCIAL IMPLICATIONS
As part of the 2017 Capital Budget, Council allocated $250,000 to fund the New Official Plan Project. It is anticipated that the currently allocated funds will be sufficient to carry this project through to completion

STRATEGIC PLAN / POLICY IMPACT
The Official Plan Background Report and new Official Plan incorporate many aspects of the City's Corporate Strategic Plan especially as it relates to the Strategic Focus Areas of Community Development, Partnerships, Infrastructure, Service Delivery and Quality of life.

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

Resolved that the Report of the Senior Planner dated April 11, 2022 concerning the Draft Official Plan be received as information and that staff proceed with:

- Public consultation upon the Draft OP.
- Submitting the Draft OP to the Province for preliminary review and comments.

Respectfully submitted,

Peter Tonazzo
Senior Planner
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SAULT STE.MARIE






City of Sault Ste. Marie

Official Plan

DRAFT

April 8, 2022






Shape the Sault.ca

Sault Ste. Marie Official Plan Review

Land Acknowledgement

The City of Sault Ste. Marie acknowledges this area as part of the traditional lands of the Ojibway people. This location is known as Bawating and is the ancestral home of Batchewana First Nation, Garden River First Nation and the Historic Sault Ste. Marie Métis Council. The City recognizes the significance of the Huron Robinson Treaty of 1850 which established a relationship between First Nation and European ancestors on the basis of respect for one another.

Today, we aspire to create a welcoming community for all peoples that recognizes the honoured traditions of our collective cultures. With this plan, the City of Sault Ste. Marie commits to building relationships and developing communication protocols with indigenous communities for all planning and land development matters.

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1 INTRODUCTION

Sault Ste. Marie is a thriving, sustainable mid-sized city in Northeastern Ontario, situated in the traditional territory of the Anishinabek people and the Robinson Huron Treaty Area. The Municipality abuts the Garden River and Batchewana First Nations.

Sault. Ste. Marie's location at the southern edge of the Precambrian Shield and along the St. Mary's River in the Great Lakes Basin provides a rich physical geography and natural resources that define and add to the community's unique role in Northeast Ontario and the Algoma Region. For thousands of years, indigenous peoples from across the region would gather in the area to harvest whitefish in the St. Mary's Rapids. Today, people still come to the area to take advantage of the community's many assets.

Sault Ste Marie has come far since its beginnings as a seasonal gathering place. Today, our community plays many important roles. We are the hub of the Algoma Region and a regional centre for Northern Ontario. We are a relatively affordable place to live, with easy access to a variety of world class outdoor recreational amenities. We are a place of learning and higher learning, a health care centre, and a cultural and entertainment hub. We are an industrial and service centre, and a good place to do business.

This Official Plan is about shaping the future of Sault Ste. Marie. This Official Plan builds upon our legacy of community development decisions and establishes policies that will guide future

land use and infrastructure investment decisions. This Official Plan will ensure that Sault Ste. Marie remains sustainable now and in the future.

Generally, the City of Sault Ste. Marie is focused on growing the economy and population. To embrace growth is to embrace change. This Official Plan aims to accommodate growth in a manner that respects and contributes to the ongoing vibrancy and character of existing neighborhoods and developed areas, with an emphasis on development patterns that build upon existing nodes, corridors and major activity hubs, and filling existing land use gaps within these areas.

1.1 CONTEXT

Sault Ste Marie is situated in the Great Lakes Basin, bounded by the Canadian Shield to the north, the St. Marys River and International border to the south. The regional and international transportation network includes the TransCanada Highway 17 Corridor, rail lines with connections to the United States and the TransCanada Rail network and an International Airport.

Sault Ste. Marie is a single tier municipality with an area of 222 square kilometers, characterized by a range and mix of waterfront, urban, rural and wilderness environments.

Sault Ste Marie's physical geography and urban form is defined by its strategic location along the St. Mary's River and its long history of pre and post contact human settlement.

Sault Ste. Marie's climate is changing and will continue to change. It is anticipated that temperature and precipitation will continue to increase, with increasing variability in weather patterns and the possibility of more extreme weather events. Sault Ste. Marie must prepare for and adapt to projected impacts of climate change, including hotter and rainier seasons and more frequent, severe storms.

It is anticipated that Sault Ste. Marie will grow by almost 10,000 people during the lifetime of this Plan, from approximately 73,400 residents in 2016 to 83,300 residents in 2036. The majority of this growth will be in the form of net migration into the community. Similarly, employment is projected to grow by 5,900 jobs, from approximately 31,000 jobs in 2016 to 36,900 jobs in 2036.

Based on projected land demand and designated, vacant and available land supply; there is generally enough land to meet residential, commercial and industrial needs for the next 20 years.

Sault Ste. Marie's housing supply is relatively more adequate, suitable, and affordable than Ontario as a whole. Home ownership is more affordable, while rental affordability is generally consistent with provincial trends. While single detached homes represent the vast majority of housing types in the community, there has been a trend towards denser types of housing, such as townhomes and apartments.

There is room for improvement in Sault Ste. Marie and Algoma residents' physical health. Designing a built environment that enables and promotes healthy living and mental wellness is important, especially as the City increasingly needs to accommodate an aging population.

Sault Ste. Marie's transportation system and sustainable site design for urban developments are two key areas in which the City can have a direct impact in reducing our community's greenhouse gas emissions. The Transportation Master Plan identifies transportation needs of the community and highlights approaches to facilitate alternative modes of transportation with special regard for designing such modes to be accessible for all. In recent years, the City has actively developed

its cycling infrastructure, with an emphasis on Active Transportation as a meaningful part of the City's overall transportation system.

Sault Ste. Marie is served by an integrated system of parks and open space. Other public organizations, such as the Conservation Authority, also provide significant amounts of recreational space. Numerous local organizations and user groups play an important role in programming public space. The total amount, equitable distribution and suitable programming are critical components in determining appropriate park space service levels. Generally, residential neighbourhoods in the Sault have safe walkable access to enough park space with suitable programming. Furthermore, there exist an appropriate level of community parks and community facilities, which accommodate more organized, programmed recreational opportunities for the entire community and surrounding region. Having said this, total amount, equitable distribution and suitable programming levels will continued to be monitored to ensure that the park space system continues to serve a growing population, changing demographics and new recreational trends.

Sault Ste. Marie has a vibrant arts and culture community that could benefit from stronger collaboration and support from both public and private sectors. There are currently 38 designated heritage sites in Sault Ste. Marie, of which over two-thirds are located in the Downtown.

Sault Ste. Marie has a rich natural environment that sustains the community. The community's drinking water supply is drawn from Lake Superior and from groundwater wells that are fed by precipitation that falls on the Precambrian Uplands and eventually percolates into the sand and gravel deposits just south of the Uplands. The Sault's natural environment also supports a diverse range of terrestrial and aquatic species, some of which have been identified as being endangered or having the potential to become endangered. Protecting, preserving and enhancing the habitat of these species is critical to achieving long-term biodiversity and sustainability. In some areas of the community, naturally occurring processes, such as flood, erosion and slope stability hazards present a risk to development and public health and safety. In some cases, new development should avoid such areas. In others, the risk to public health and safety can be appropriately managed.

Sault Ste. Marie's Rural and Precambrian Uplands Areas comprise approximately 16,000 hectares (40,000 acres), around 75% of the City's total land mass. There is increasing recognition and desire to support local agriculture and local food, including production, processing and distribution. The number of active farms has varied between 25 and 35 since 2006. The Province and many municipalities permit a variety of 'agricultural related uses and on-farm diversified uses' to support farm operators. Maple syrup production is a growing sector and there is interest and potential for maple syrup harvesting in the community, especially in the Precambrian Uplands area. Rural living is an attractive option for many residents. Approximately 10% of Sault Ste. Marie's population lives outside of the city's urban area. Over the past two decades, about one quarter of all new dwellings were constructed in the Sault's Rural Area. This proportion has decreased in the past few years in favour of the urban area. Local sand and gravel deposits, critical to the aggregates industry and the overall development of the community are also located in the Rural Area, just south of the Precambrian Uplands. The Sault Ste. Marie Airport is another significant land use and activity hub in the city's Rural Area, encompassing 735 hectares of land and supporting approximately 300 jobs.

Sault Ste. Marie is supported by a vast network of water, sewage, and stormwater services as well as other utilities. The design and provision of most civic infrastructure and core services are guided by Provincial policies, regulations, and guidelines. The City has existing plans and policy documents regarding stormwater management, solid waste management, and the review of telecommunications infrastructure. The City will continue to work with its partners on the delivery of these services.

1.2 BASIS

This Official Plan includes and balances local and provincial goals and priorities for our community.

This Official Plan is informed by the Corporate Strategic Plan and other local plans, initiatives, and business practices such as the Sault. Ste Marie Region Source Protection Plan, the City's Asset Management Plan, Stormwater Management Master Plan and the Transportation Master Plan, among others.

This Official Plan is also informed by and complies with the *Planning Act*, and other provincial legislation such as the *Aggregate Resources Act*, *Ontario Heritage Act and The Accessibility for Ontarians with Disabilities Act* to name a few. This Plan is consistent with the Provincial Policy Statement, 2020 and does not conflict with the Growth Plan for Northern Ontario.

This Official Plan generally aligns with Federal and International initiatives such as the United Nation's Sustainable Development Goals, in particular Goal 11 Sustainable Cities and Communities.

To the greatest extent possible and within Ontario's policy lead planning system, this Official Plan reflects the perspectives and aspirations of residents, stakeholders, public agencies and the business community that engaged in the Shape the Sault process. This process saw 25 public open houses, more than 30 stakeholder group meetings, 40 community events and 2,600 individual discussions.

1.3 PURPOSE

This Official Plan includes 8 overarching themes that establish the long-term vision of what the future of Sault Ste. Marie will look like and includes policies to guide land use planning, infrastructure investment and other decisions.

This Official Plan establishes goals, objectives and policies to manage and direct physical change and its effects on the social, economic and natural environment. It contains policies and measures to help ensure the adequate provision of affordable housing and describes the procedures to obtain the views of the public during the land use planning approval process.

This Official Plan provides the basis for and will be implemented through other land use planning tools including the Zoning By-law. Further information on these tools and how they help implement the Official Plan, can be found in Section 10 Implementation.

1.4 OVERARCHING THEMES

This Official Plan is informed by and founded upon the following themes:

 **Healthy Community**	Supports healthy living, active transportation, access to passive and active recreation, social interaction and the creation of spaces that are comfortable, safe and accessible for all ages and abilities (the “8 to 80 Cities” concept).
 **Environmental Sustainability**	Supports energy conservation and efficiency, improved air quality, reduced greenhouse gas emissions and climate change adaptation.
 **Integrated Mobility**	Supports accessibility and choice of a diversity of transportation modes.
 **Sense of Place**	Fosters a welcoming place for all that establishes connection and provides a memorable experience to visitors.
 **Sustainable Growth (Growth From Within)**	Stimulates reinvigoration of neighbourhoods and areas through a strong focus on infill development and revitalization.
 **Economic Resiliency**	Supports the growth and diversification of the city’s economy.
 **Social Equity**	Contributes to creating a welcoming and inclusive community, focusing on the identification, prevention and removal of barriers so that everyone has access to an acceptable standard of living and can fully participate in all aspects of community life.
 **Cultural Vitality**	Celebrates the Sault's history, diverse communities and natural and cultural heritage, with the Downtown as the Sault's core destination for arts and culture.

1.5 STRUCTURE

This Official Plan is divided into several sections each with their own focus, as follows:

Section 2 - Growth and Settlement
Describes the City's approach to growth management and includes policies relating to the urban settlement boundary, nodes and corridors, large-scale activity hubs, intensification, and infill.

Section 3 - Urban Design and Mobility
Describes the City's approach to urban design at the community, neighbourhood and site-specific levels and how design can influence strategic outcomes like energy efficiency, safety and security, accessibility and winter livability. This section also describes the City's approach to moving people, goods and services throughout the community and region including on foot, bike, motor vehicle, rail, boat and air.

Section 4 – Land Use
Describes the land use designations of the Plan including permitted uses, uses that may be permitted subject to certain conditions and how land use planning compatibility will be achieved throughout the community.

Section 5 - Housing
Describes the City's approach to supporting attainable and affordable housing and includes housing targets and policies relating to rental dwelling units, affordable housing, accessory dwelling units, supportive housing, student housing, residential property standards, rental conversions and homelessness.

Section 6 - Parks, Recreation, Arts, Culture and Heritage
Describes the City's approach to the park space system, including how lands will be acquired and disposed of. It also describes the City's approach to managing cultural heritage resources, archaeological resources, and public art.

Section 7 - Natural Environment, Resources and Hazards
Outlines the various measures aimed at protecting significant natural environmental features such as wetlands and significant wildlife habitats and resources such as sourcewater protection and aggregate resources. Policies are also in place to either direct development away from natural and built hazards or ensure that risks to public health and safety are appropriately mitigated.

Section 8 – Rural Area and Agriculture
Rural Area and Agriculture describes the City's approach to ensuring a healthy and vibrant rural and agricultural area including on-farm diversified uses, home based industries, seasonal food outlets, and maple syrup production. This section also addresses to the overall food system, with policies relating to urban agriculture, community gardens and food banks.

Section 9 - Infrastructure and Servicing
Provides policy direction for water services, sewage services, stormwater management, solid waste and other services and utilities, including emergency services.

Section 10 - Implementation and Monitoring
Provides direction on how to interpret the Plan and how the Plan will be implemented and monitored during its lifetime.

The following Schedules/Maps form part of this Official Plan:

Schedule A – Natural Heritage Features and Areas
Schedule B – Environmental Constraints and Hazards
Schedule C – Land Use
Schedule D – Mobility and Major Infrastructure
Schedule E – Archaeological and Cultural heritage Resources
Schedule F – Groundwater Resources

For further information on how to use and interpret this Official Plan, please refer to Section 10 – Implementation and Monitoring.



2 GROWTH AND SETTLEMENT

As a regional centre in the Algoma Region and Northeast Ontario, Sault Ste. Marie is expected to grow in the future. How we manage this growth matters, now more than ever. This growth must continue to be directed to reinforce the Sault's existing urban structure thereby capitalizing on existing investments in infrastructure and services. Directing the majority of new growth to existing urban areas helps to maintain the existing character of the rural area, while at the same time protecting large rural parcels to accommodate future urban development and other land uses requiring large acreages, such as agricultural uses and sand and gravel pits. The Precambrian Uplands Area in the northern portion of the City will continue to be protected from development. Reinforcing the urban structure will also result in a more efficient land use pattern that is more resilient to climate change, facilitates improvements to pedestrianism and improves the overall health and wellbeing of residents.

For many years, Sault Ste Marie has employed a two-part growth management strategy that concentrated the majority of growth and development within the urban area and permitted appropriate limited development in the rural area. This Plan builds on the success of this two-part growth management strategy by formalizing and including policies for the Urban Settlement Area, and policies to guide future growth and development in Nodes and Corridors, Large Scale Activity Hubs through the adaptive reuse of vacant buildings, infill development and residential intensification.

With regards to the overall growth and settlement of the Community, it is the City's Objectives to:

a. Provide an adequate land supply to meet long-term needs.
b. Establish and maintain an appropriately sized Urban Settlement Area (USA) that can at all times accommodate a 15 year supply of residential lands and a 20-year supply of other lands, while recognizing that policies encouraging infill development, residential intensification and the adaptive reuse of existing buildings are intended to alleviate the need to add new lands to the USA.
c. Direct the majority of future growth and development to the Urban Settlement Area.

d. Permit appropriate development in the Rural Area, with special regard for locally appropriate limited rural residential development.
e. Encourage a mix of uses within the Urban Settlement Area
f. Identify Nodes, Corridors and Large Scale Activity Hubs that will be the focus of more intensive forms of mixed-use development, with special regard for uses that fill land use gaps and developments that are designed to be active transportation and transit supportive.
g. Encourage context sensitive intensification and infill development in the Urban Settlement Area;

2.1 URBAN SETTLEMENT AREA

The land supply within the Urban Settlement Area is designed to accommodate an appropriate range and mix of residential, industrial, commercial, institutional and park space development opportunities to accommodate short, medium and long term growth over the life of this plan. The City's existing supply within the Urban Settlement Area Boundary is adequate to meet these needs, especially when considered in light of additional policies aimed at intensification, infill development and the adaptive reuse of existing buildings.

The Sault's Urban Settlement Area includes built up areas where development is concentrated with a mix of land uses, as well as vacant lands that are appropriately designated for future development. The City's Urban Settlement Area is shown on Schedule C – Land Use.

The Urban Settlement Area includes the Downtown, which is a Strategic Core Area for the purposes of the Growth Plan for Northern Ontario, and the main Node of the community. Other Nodes, Corridors and Major Activity Hubs also exist in the Urban Settlement Area. Policies for the Downtown are set out in the Land Use Section (Section 4) of this Plan. Policies for other Nodes and Corridors and Major Activity Hubs are set out below.

With respect to the Urban Settlement Area, it shall be the policy of the City to:

a. Focus the majority of future growth and development in the Urban Settlement Area through development, redevelopment, and intensification.
b. Ensure that land use patterns will be based on densities and land uses that make the most efficient use of land, resources, infrastructure and public service facilities, minimize negative impacts on air quality and climate change, promote energy efficiency, prepare for the impacts of a changing climate, support active transportation and be transit and freight supportive.
c. Not permit any expansion to the Urban Settlement Area (USA) until a comprehensive review is undertaken, which clearly demonstrates there is not enough land within the USA to accommodate anticipated growth.
d. Changes to the Urban Settlement Area may be permitted, through an amendment to this Plan, where there will be no net increase in the Urban Settlement Area (e.g. land exchange) and is necessary to support the City's intensification and redevelopment goals.

2.2 NODES AND CORRIDORS

Nodes and Corridors are areas that have significant development potential to become mixed-use neighborhoods with easy access to a variety of service amenities and housing. Within Sault Ste. Marie Nodes are areas that include a wide range and mix of land uses and development patterns, while Corridors are linear areas with a range and mix of land uses along high-travelled routes.

For the purposes of this Plan, defined Nodes and Corridors include, but are not necessarily limited to:

a. Great Northern Road between McNabb Street and Second Line — with nodes at Great Northern Road & McNabb Street and Great Northern Road & Northern Avenue
b. McNabb Street between Great Northern Road / Pim Street and Pine Street — with a node at McNabb & Pine Street
c. Trunk Road between Wellington Street and Dacey Road, with nodes at Black Road and Boundary Road
d. Second Line West between Goulais Avenue and Farwell Terrace — with nodes at Goulais Avenue, Korah Road and Farwell Terrace; and,
e. Wellington Street West between John Street and Carmen's Way.

With respect to Nodes and Corridors, it shall be a policy of the City to:

a. Encourage a complete mix of land uses within Nodes and along Corridors, with an emphasis on filling land use gaps and creating complete neighborhoods that can meet a variety of needs. (e.g., living, working, education, shopping, dining, and recreation).
b. Promote transit and pedestrian supportive development and a range of housing options through intensification, redevelopment and infill development, subject to compatibility with the existing and planned character of the area and the suitability of existing and planned infrastructure and services.

2.3 LARGE SCALE ACTIVITY HUBS

There are a variety of large-scale uses throughout the community such as the Sault Area Hospital, Sault College, Algoma University and Algoma Steel that generate significant activity and employment in a manner consistent with defined Nodes. Most of these uses are along defined Corridors and are destinations, accessed by everyone throughout the community and beyond.

With respect to Large Scale Activity Hubs, the City shall:

a. Encourage complementary development that fills any land use gaps and contributes to the creation of a complete neighborhood.
b. Generally ensure that the scale and character of new development is consistent with the existing and planned scale and character of the surrounding area. Where residential intensification and development that fills land use gaps are proposed, increased setbacks, buffering measures and high quality design, as outlined in Section 3 - Urban Design may be utilized where appropriate to minimize any negative impacts to surrounding areas.
c. Generally, discourage new development that would create land use compatibility issues, such as residential uses in close proximity to existing or planned noxious uses such as industrial uses unless land use planning compatibility can be achieved as outlined in Section 4.14 - Land Use Compatibility.

2.4 INTENSIFICATION

Intensification is the development of a property, site or area at a higher density than currently exists through development, redevelopment, infill development and the expansion or conversion of existing buildings or uses where municipal roadways and services do not need to be extended. While intensification applies to all types of development, residential intensification is the most important and common form of local intensification.

Intensification is essential to completing our communities, making the most efficient use of land, resources, infrastructure, and public service facilities, minimizing negative impacts on air quality

and climate change, promoting energy efficiency and supporting public transit, active transportation and the efficient movement of people and goods.

The rate and nature of intensification and associated change is not expected to be uniform across the city. Intensification should be context sensitive. It must be compatible with and reinforce the existing and planned character of an area. This can be accomplished through good urban design, as outlined in Section 3 of this Plan. Within this context, Residential Areas will remain stable, but not static.

With respect to intensification, it shall be the policy of the City to:

a. Encourage all forms of intensification, in accordance with the policies of this Plan;
b. Aim to accommodate 30 percent of future residential growth and development through intensification within the Urban Settlement Area.
c. Encourage intensification on sites that are no longer viable for the purpose for which they were intended such as former commercial, industrial, and institutional sites, or where residential uses can be added in a complementary manner that does not negatively affect the ongoing viability of the existing non-residential uses.
d. Evaluate applications for intensification using, amongst other matters, the following criteria:
    i. The suitability of the site in terms of size and shape of the lot, soil conditions, topography and drainage.
    ii. The compatibility of the proposed development on the existing and planned character of the area.
    iii. The provision of on-site landscaping, fencing, buffering, increased setbacks and other measures to lessen any impact the proposed development may have on the character of the area.
    iv. The availability and capacity of existing and planned infrastructure and public facilities to appropriately service the proposed development.
    v. The provision of adequate ingress/egress, off street parking, loading facilities, as well as safe and convenient vehicular circulation.
    vi. The impact of traffic generated by the proposed development on the road network and surrounding land uses.
    vii. The availability of existing, planned or the potential need to enhance public transit and active transportation infrastructure.
    viii. Impacts of the proposed development on surrounding natural features or areas and cultural heritage resources.
    ix. The relationship between the proposed development and any natural or built hazards.
e. Ensure that residential intensification proposals are assessed in a manner that respects and to the greatest extent possible addresses concerns of the local community, while at the same time recognizing the need and community wide benefits of providing opportunities for residential intensification.



3 URBAN DESIGN AND MOBILITY

How we build our city matters. The principles of urban design influence the physical design and layout of a site, a streetscape, a neighbourhood and a community. Urban design is important to achieving a recognizable image for the city, enhancing quality-of-life, increasing environmental health and promoting greater economic vitality. The design of our built spaces and public realm is intimately tied to the way we move and interact in the community. The City, through this Plan, other *Planning Act* tools and future public projects has an important role in shaping design. The intent of this Plan is to provide broad urban design direction to improve the quality and character of future public and private projects.

How we move around our city also matters. The design of our active transportation, public transit and transportation networks influences the choices that people make to get around the city, be it to go to work, shopping or to a favourite recreational activity. Land use and mobility planning must be integrated to in order to realize strategic economic, environmental, public health and quality of life outcomes. The City has an important role to ensure a sustainable and integrated transportation network. The intent of this Plan is to provide the broad framework necessary to achieve a sustainable and integrated transportation network.

With regards to urban design, the City shall:

a. Develop an attractive, efficient, accessible and safe physical environment.
b. Encourage high quality development and intensification.
c. Prepare for and adapt to the potential impacts of climate change.
d. Accommodate the needs of an ageing population in the built environment.
e. Develop, maintain and implement the following guidelines for the overall development of the community:
    i. Community wide Urban Design Guidelines.
    ii. Complete Streets Manual.
    iii. Downtown Streetscape Manual.
    iv. Sustainable Site Plan Guidelines.

f. Utilize the policies of this Section during the development application review and capital planning and design process to evaluate matters such as:
    i. Patterns of movement and the physical and social connections that exist between people and places.
    ii. The interrelationship between built and unbuilt spaces that comprise the public realm and private developments.
    iii. The protection and integration of the natural environment and cultural heritage resources.
    iv. Accessibility, safety, sustainability and climate resilience.

3.1 COMMUNITY DESIGN

The City will encourage a high standard of Community design that:

a. Creates a strong sense of place.
b. Integrates a mix of land uses such as living areas, employment areas, institutional uses, parks and open spaces.
c. Preserves and connects environmentally sensitive areas.
d. Incorporates natural and cultural heritage features and areas.
e. Creates accessible, safe, sustainable and climate change resilient places.
f. Is context appropriate, complimenting the surrounding built form and character.
g. Applies the principles of Crime Prevention through Environmental Design (CPTED). More specifically, designing spaces that contain:
    i. Public surveillance by creating well lit areas, community activity areas and avoiding blind spots.
    ii. Strategic landscaping and fencing.
    iii. Territorial reinforcement through the use of signage, landscaping, pavement designs, gateway treatments and fences.
h. Contributes to streetscapes and pedestrian environments by:
    i. Providing appropriate transitions between public and private realms.
    ii. Strategic location of building entrances.
    iii. Animating building façade s and avoiding blank façade s.
    iv. Providing landscaping, lighting, paving, street furniture and public art.
    v. Design streets to serve different modes of transportation as well as space for stormwater management, municipal servicing, landscaping and other amenities.
i. Promotes the design, conservation, enhancement and creation of significant public open spaces that contribute to the City's image.
j. Includes sustainable design elements, which generally follow the City's Community's Greenhouse Gas Reduction Plan.

3.2 NEIGHBOURHOOD AND SUBDIVISION DESIGN

The City shall support and promote the creation of urban areas that are complete, including mixed-use neighbourhoods where residents have easy access to a diversity of amenities, services and housing.

a. In reviewing development applications (Zoning By-law Amendments, Official Plan Amendments, Subdivisions and Condominiums), the City shall support the creation of complete neighbourhoods by:

i. Considering whether a development contributes to a complete and diverse mix of land uses and housing types for the area where the development is proposed.
ii. Requiring appropriately designed transitions between different land uses, densities, and interfaces between existing and new development.
iii. Recognizing parks and other public open spaces as an integral part of an enjoyable, attractive and complete neighbourhood, which shall be protected as much as possible.

b. In reviewing subdivision applications, the City shall promote the creation of connected neighbourhoods by considering, as appropriate:
    i. The provision of neighbourhood connections such as sidewalks, pathways and crossings, in accordance with City's Complete Streets Manual.
    ii. The creation of safe and continuous pedestrian connections between residences and community amenities such as schools, parks, places of worship and retail services.
    iii. Designing streets and street networks that facilitate public transit.
    iv. Encouraging land uses that function as 'third places' – or locations within the neighbourhood that are intended for social gathering and interaction. These may include, but are not limited to, parks, parkettes, coffee shops, small restaurants, and places of worship.

3.3 SITE DESIGN

The quality design of sites influences the activity, comfort and safety of the public. It shall be the policy of the City:

a. To generally apply Site Plan Control in the following cases:
    i. On properties located within nodes, including the downtown, along corridors and gateway areas.
    ii. Where there is a sensitive use/non-sensitive use interface, or residential/non-residential interface.
    iii. Medium and large-scale residential and non-residential intensification development.
    iv. Any residential development consisting of more than 4 dwelling units on one lot.
    v. Any other proposal where Council deems it appropriate to require site plan control.
b. Where a development contains an interface between sensitive and non-sensitive uses (such as commercial development abutting a residential dwelling), the following shall be required where applicable:
    i. Landscaping that provides visual buffering for abutting sensitive use properties.
    ii. To the greatest extent possible, functional activities of non-sensitive uses such as outdoor storage, parking and loading should not be located in yards adjacent to or abutting sensitive uses, unless adequate buffering can be provided.
    iii. Light and noise shall be directed away from sensitive use properties and noise attenuation measures may be considered.
    iv. Buildings should be compatible in scale with abutting sensitive use buildings.
c. To consider the impact of new developments on street functions, access and multimodal circulation by:

i. Allowing for shared driveways and direct vehicular connections between parking lots and buildings of abutting properties where possible, to limit access points onto streets.
ii. Incorporating facilities that support access via alternative modes of transportation, such as internal sidewalks, transit shelters, internal bike lanes, bicycle parking and traffic calming measures.
iii. Promoting and accommodating pedestrian travel within the development. Where feasible, new developments will provide walking facilities and ensure reasonable walking distances to the public street and abutting transit stops.
iv. Considering several smaller-sized parking areas defined by landscaping and pedestrian amenities, rather than one large parking area.

d. That all new and significantly reconstructed buildings and spaces, especially those intended to be open to the public shall use barrier-free design that enables universal accessibility for all ages and abilities, in accordance with the *Accessibility for Ontarians with Disabilities Act* and the Ontario Building Code. More specifically:
i. The City will continually encourage the elimination of barriers in existing developments.
ii. For all new developments and redevelopments, barrier-free parking shall be provided in accordance with the requirements of the Zoning By-law. Barrier-free parking spaces should be located adjacent to buildings and within close proximity to primary entrances.
iii. Developments shall include physical amenities that allow for safe and accessible travel by pedestrians and persons with disabilities or mobility challenges, including, unobstructed dedicated walkways, curb cuts, ramps and drop off & pick up areas.
iv. Municipal developments shall be designed in accordance with the Facility Accessibility Design Standards (FADS).

e. To require higher quality landscaping on all developments where Site Plan Control is applied, more specifically:
i. Tree planting and landscaping shall be emphasized for all new developments.
ii. Vegetation shall be varied, with a preference for native species. Non-native species shall be non-invasive. Vegetation shall be species that thrive in urban environments.
iii. Access corridors (private access roads), front yards and edges/buffers shall be delineated by high quality landscaping.
iv. Wherever possible, developments shall maintain and reinforce existing trees, natural features and wooded areas within or adjacent to the development site.
v. Vegetation and sustainable landscaping measures should be used to reduce urban heat and stormwater runoff.

f. To encourage, wherever possible, the integration of low-impact design into landscaping plans and site design by:
i. Incorporating sustainable and low-impact design features that address energy efficiency, energy and water conservation and other environmental goals.
ii. Minimizing the impact on the City's stormwater management system by incorporating on-site measures such as permeable surfaces and vegetative retention areas that limit the amount of stormwater entering the municipal service system.

iii. Designing parking areas in ways that are visually appealing, considering the impact on stormwater and urban heat island effects through the choice of surface materials and vegetation.
iv. Utilizing energy-efficient lighting and development standards in creating well-lit and comfortable environments.

g. To ensure that developments promote comfort and safety by adopting appropriate human scale design and Crime Prevention through Environmental Design (CPTED) considerations, in accordance with the Sustainable Site Plan Guidelines.
h. To require functional areas such as outdoor storage, refuse areas and loading and servicing areas to be visually screened using landscaping or visually blended using proper building materials.
i. To require large-scale public and private developments to incorporate areas and amenities for public use that are safe, comfortable, intuitive and well-designed to foster social interaction. These amenities could include parkettes, bus shelters and waiting areas, and pedestrian facilities such as sidewalks, boardwalks and trails.
j. To consider opportunities to increase public access to shorelines.

3.4 AREA SPECIFIC DESIGN POLICIES

3.4.1 DOWNTOWN

The Downtown is the economic, social, and cultural heart of Sault Ste. Marie. A well designed Downtown is critical to attracting new residents and businesses to the City. The policies of this plan shall be applied together with the City's Downtown Streetscape Manual. The City shall:

a. Use incentives and regulatory policies to develop The Downtown into a complete neighbourhood containing a diverse mix of places to live, work, shop and enjoy leisure time.
b. Require human scale, street-oriented development that considers the relationship between buildings and the public realm and continues the existing traditional built form and pattern.
c. Implement appropriate complete street approaches for Downtown streets, by ensuring streets and abutting development facilitates pedestrian, cyclist and transit modes of travel and that trees, landscaping and pedestrian amenities are incorporated into streetscapes.
d. Develop neighbourhood infrastructure and amenities, such as public parks and plazas, which residents of all ages can enjoy.
e. Utilize underused spaces to create places where residents can gather, socialize and enjoy leisure time, including places for temporary use.
f. Prioritize Downtown waterfront lands along the edge of the St. Mary's River for public uses.
g. Require any new private development along the Downtown waterfront to incorporate public access to the river.
h. Develop a distinctive identity for the entire Downtown by promoting high quality urban design and property aesthetics through Site Plan Control.
i. Establish a sense of place and direction, recognize Downtown's distinct heritage character, and create Downtown gateways and landmarks that are inviting and attractive.

3.4.2 GATEWAYS

Gateways are key points of entry to Sault Ste. Marie. They are the first locations visitors first see when they arrive in the City, requiring a higher standard of building and site design, with special regard for high quality landscaping. The following areas are defined Gateways:

a. The area immediately surrounding the International Bridge Plaza.
b. Great Northern Road between Second Line and Fourth Line.
c. Trunk Road from the east City limits to Black Road.

3.4.3 LANDMARKS AND PUBLIC VISTAS

As part of the development approvals process, the City may identify significant views between public spaces and key landmarks and natural features that are important to protect for public enjoyment.

3.4.4 NODES AND CORRIDORS

Nodes and corridors present strong opportunities to create well-designed and highly-connected complete neighbourhoods. Currently identified Nodes and Corridors are:

a. Great Northern Road between McNabb Street and Second Line — with nodes at Great Northern Road & McNabb Street and Great Northern Road & Northern Avenue.
b. McNabb Street between Great Northern Road / Pim Street and Pine Street — with a node at McNabb & Pine Street.
c. Trunk Road between Wellington Street and Dacey Road, with nodes at Black Road and Boundary Road.
d. Second Line West between Goulais Avenue and Farwell Terrace — with nodes at Goulais Avenue, Korah Road and Farwell Terrace.
e. Wellington Street West between John Street and Carmen's Way.

Within Nodes and Corridors, the City shall encourage:

a. Higher design standards in accordance with Sustainable Site Plan Guidelines.
b. Connectivity and multimodal movement for all ages and abilities,
c. Street design in accordance with the Complete Streets Manual, which includes, but is not limited to:
    i. Ensuring streets facilitate pedestrian, cyclist and transit modes of travel; and,
    ii. Incorporating trees, landscaping and pedestrian amenities into streetscapes.

3.5 OTHER IMPORTANT URBAN DESIGN CONSIDERATIONS

3.5.1 ENERGY EFFICIENCY

The City will encourage urban design solutions that minimize non-renewable resource consumption and maximize the use of renewable energy. With the overall goal of reducing greenhouse gas emissions, the City shall encourage:

a. Compact, mixed use and infill developments that concentrate complementary land uses and support active transportation and public transit.
b. New developments to be designed in a manner that maximizes passive solar gain opportunities.
c. Low impact design elements.
d. Retaining and utilizing existing trees and vegetation as natural shade canopies.

e. Landscape solutions that maximize the use of native and climate resilient species, minimize impervious surfaces and manage stormwater as close to the source as possible.
f. Techniques and materials that increase energy efficiency and reduce the overall carbon footprint.

3.5.2 SAFETY AND SECURITY

All development within the City shall have regard for public safety and account for it in site design by:

a. Where necessary, separating pedestrian and motorised traffic by:
    i. Providing medians or islands for pedestrians to use when crossing wider streets.
    ii. Allowing greater use of on-street parking during appropriate times of the day and year to buffer pedestrians from moving vehicles.
b. Creating well lit, safe spaces by application of *Crime Prevention Through Environmental Design* considerations, in accordance with the Sustainable Site Plan Guidelines.
c. Providing barrier free access in all public and publicly accessible facilities and along pedestrian routes. Barrier free features such as ramps and curb cuts shall be integrated with the building design.

3.5.3 WINTER LIVABILITY

The City will encourage urban design solutions that enhance winter liveability by:

a. Fostering building design and orientation to maximize passive solar heating and cooling.
b. Wherever possible, adding new bus shelters, especially at locations with higher ridership volumes or where microclimate conditions such as increased wind are present.
c. Encouraging landscaping treatments which act as windscreens.
d. Encouraging the planting of evergreen tree species to increase the amount of winter greenery within the city.

3.6 MOBILITY

The following objectives are intended guide the City's overall approach to designing and maintaining the mobility system.

a. Create complete streets that support a balanced, integrated and accessible multi-modal transportation system.
b. Promote the development of an efficient transportation system and land use patterns that foster strong live-work-play relationships to encourage greater use of active and public transit.
c. Where necessary, require a Transportation Impact Study as a part of the development application process.
d. Seek input from the City's Accessibility Advisory Committee on all transportation infrastructure projects.
e. Ensure that new and reconstructed streets and transportation infrastructure are designed in a manner that is accessible by people of all ages and abilities.
f. Freight-intensive land uses shall generally be focused to areas well served by freight transportation facilities such as rail, highways, marine and airport.
g. Proactively seek out opportunities to improve the transportation network, which could include the following measures:

i. Support road diets and temporary road closures where appropriate to provide more space for active transportation users.
ii. Consider traffic calming measures where appropriate, based on neighbourhood input with reference to the City's Procedures for Traffic Calming.
iii. Address gaps in the active transportation network.

3.6.1 ACTIVE TRANSPORTATION

The promotion of active transportation in the form of walking and cycling has significant individual, social, environmental and economic benefits. Active transportation offers an alternative to trips made by automobiles, particularly for short distances. Expanding the City's active transportation network is essential for a sustainable and healthy community. The City's current active transportation network consists of a mix of multi-use pathways, on-road cycling lanes, sidewalks and walkways.

The City shall:

a. Expand and maintain the active transportation network, including completion of gaps along the John Rowswell Hub Trail, extension of the network via spoke routes and implementation of on-street cycling lanes.
b. Create safe and accessible crossings along the John Rowswell Hub Trail and other high-demand pedestrian corridors.
c. Design municipal transportation infrastructure to be appealing for active transport users through measures including, but not limited to:
    i. Installing safe, comfortable and intuitive pedestrian and cyclist crossings at intersections.
    ii. Providing rest stops along multi-use trails.
    iii. Providing appropriate lighting on roads, selected multi-use trails and connectors.
    iv. Providing bicycle parking at public facilities.
    v. Implementing wayfinding that enhances ease of travel and navigation for travelers using any mode of transportation.
d. Consider adding bicycle facilities for all new road projects based on an assessment of safety, potential usage, cost and linkages to major employment, educational or recreational centres.
e. Provide pedestrian connections to transit locations, public parks, between neighbourhoods and to major attractions/trip generators, where feasible.
f. Review development proposals to ensure adequate pedestrian access in new developments. The City may acquire lands to provide pedestrian facilities as a condition of approval.
g. Ensure where appropriate, that major development proposals contain adequate cycling facilities, such as bicycle parking.
h. Facilitate where possible, separation of pedestrians and cyclists from motorised traffic.
i. Provide sidewalks on roads where feasible, as per the following:
    i. On both sides of Arterial Roads and Collector Streets.
    ii. On at least one side of Local Streets.
j. Ensure that pedestrian facilities and sidewalks are of a barrier free design.

3.6.2 PUBLIC TRANSPORTATION

The provision of public transit is aligned with many other objectives of this plan, including integrated mobility, healthy community, environmental sustainability and social equity. In support of public transit and transit supportive development, the City shall:

a. Create complete streets as per the Complete Streets Manual, which accommodate multi-modal transportation, including transit.
b. Provide safe transit stops and connections.
c. Examine the need for public transit services as part of new developments, as warranted by economic feasibility and service demand.
d. Encourage residential intensification and mixed use developments within the existing built up areas to support and reinforce existing transit services.

3.6.3 ROAD NETWORK

The continued efficient functioning of the City's road system shall be supported by:

a. Monitoring and maintaining the operational efficiency of roads and intersections by:
    i. Protecting major goods movement corridors, such as highways and truck routes, for efficient vehicular movement while considering safe movement of pedestrians, cyclists and transit users across these corridors.
    ii. Identifying standards for consolidated driveway and access control onto Arterial Roads.
b. Applying the Sustainable Site Plan Guideline to developments abutting Arterial Roads to:
    i. Preserve and promote the functionality and aesthetic quality of Arterial Corridors.
    ii. Minimize traffic conflicts, collisions and congestion.
    iii. Enhance safe access to and from a property for all modes of transportation.
c. Permitting new Provincial Highway corridors to be planned, designed and constructed without amendment to this Plan.
d. Requiring all new development, including new lot creation, to front on a municipally owned road, with the exception of condominium development or any other exception noted in this Plan.

3.6.4 ROAD CLASSIFICATIONS

Municipal Streets shall be designed according to the following Street Classifications where feasible:

3.6.4.1 Arterial Streets

a. Urban and Rural Arterial Streets shall have a protected design width of up to 30m.
b. Arterial Streets are designed to be the primary network of corridors for traffic moving through the City, capable of carrying high volumes of vehicular traffic.
c. Commercial truck traffic should be directed onto Arterial Streets wherever appropriate.
d. Arterial Streets within the Urban Settlement Area shall have enhanced 'complete street' designs to accommodate active transportation modes and public transit safely within the street right-of-way, where feasible. This may include, as appropriate:

    i. Sidewalks on both sides of the street.
    ii. Active transportation infrastructure such as cycling lanes or multi-use paths.
    iii. Boulevards to separate vehicle lanes from sidewalks or multi-use pathways.
    iv. Controlled pedestrian crossings.

v. Safe and accessible street furnishings such as transit shelters, benches, waste receptacles and bike racks.

vi. Lands that front onto Arterial Streets within the Urban Settlement Area may be subject to Site Plan Control, in order to regulate:
- Access to and from Arterial Streets, with consideration for all modes of transportation.
- Aesthetic quality of the built form.
- High-quality front yard landscaping.

vii. Arterial Streets outside the Urban Settlement Area should accommodate active transportation modes using on-street designs (such as widened roadway shoulders) or off-street designs (such as multi-use paths).

viii. Changes in classification to the Arterial Street network shall require an Official Plan amendment.

3.6.4.2 Collector Streets

a. Urban and Rural Collector Streets shall have a protected design width of up to 21.5m
b. Collector Streets are designed to provide connections between Local Streets and Arterial Streets, capable of carrying medium volumes of traffic.
c. Collector Streets within the Urban Settlement Area should use 'complete street' approaches to promote an even balance between vehicular and active transportation modes within the street right-of-way, where feasible. This may include, as appropriate:
   i. On-street cycling lanes.
   ii. Sidewalks on both sides of the street, with special regard for addressing missing linkages wherever possible.
   iii. Boulevards to separate vehicle lanes from sidewalks or multi-use pathways.
   iv. Marked pedestrian crossings.
d. Collector Streets outside the Urban Settlement Area should have adequate marked paved shoulders that could provide space for active transportation wherever space allows.
e. Changes in classification to the Collector Street network require an Official Plan amendment.

3.6.4.3 Local Streets

a. Urban and Rural Local Streets shall have a protected design width of up to 20m.
b. Local Streets are designed to provide direct access to individual properties, primarily within residential areas, but also some industrial areas, capable of accommodating low traffic volumes.
c. Local Streets within the Urban Settlement Area located in the Downtown and residential neighbourhoods will give equal priority to active transportation and vehicular transportation, including:
   i. Consideration to creating a well-connected active transportation network within these areas.
   ii. Sidewalks on at least one side of the street.
d. Local Streets within the Urban Settlement Area located in industrial areas generally give more priority to vehicular transportation than active transportation. However, sidewalks and on-street cycling lanes could still be considered where industrial Local Streets provide linkages.

e. Changes in classification to the Local Street network do not require an Official Plan amendment.

3.6.4.4 Private Roads

a. All new development shall generally be required to front on a municipally owned road, with the exception of condominium development or any other exception noted in this Plan.
b. The construction of new private roads is generally discouraged, with the exception of condominium developments or any other exception noted in this Plan.
c. Private Roads may be assumed by the City once they have been upgraded to municipal standards; however, the municipality is not obligated to assume any road even if it has been brought up to a municipal standard.
d. The Municipality shall not be responsible for upgrading Private Roads.

3.6.4.5 Provincial Highways and Connecting Links

a. For the purposes of this Plan, Provincial Highways and Connecting Links within City limits are considered as Arterial Roads.
b. All new access points onto Trunk Road, within 400m of the intersection of Highway 17 near the east city limit shall require approval from the Ontario Ministry of Transportation.

3.6.5 PARKING

Parking is a key component of the mobility network and it shall be the policy of this Plan:

a. To review parking requirements to ensure they reflect current standards, with special consideration for reducing parking requirements where appropriate.
b. To ensure new developments provide adequate supply of parking to meet anticipated demands.
c. To consider reduced parking requirements in the following cases, if appropriate:
    i. To support downtown revitalization, intensification at nodes, corridors, and along public transit routes.
    ii. To support affordable housing projects as well as purpose built student housing in close proximity to Algoma University and Sault College.
    iii. To support home-based business.
d. That new developments and redevelopments shall provide barrier-free parking in accordance with the requirements of the Zoning By-law.

3.7 AIRPORT

The Sault Ste. Marie Airport is a significant land use and major activity hub in the Sault's Rural Area. The core function of the Airport is to facilitate the movement of aircraft, and it plays an important social and economic role in the community. The Airport is a “major facility” and the City shall ensure its long-term protection by managing development in nearby areas to ensure that sensitive land uses do not encroach. It shall be the policy of this Plan that:

a. The development of the Airport lands should not interfere with the prime function of the lands related to air traffic control.
b. Servicing of the site will be self-contained within the existing property and subject to the carrying capacity of the site.
c. All airport-related uses and compatible commercial and light industrial uses are permitted. Ancillary and secondary uses such as car rental, accommodation, restaurants, and convenience retail are also permitted;

d. Recreational uses such as a golf course, fairgrounds, speedways, and drag strips may be permitted subject to required zoning approvals.
e. Development in the vicinity of the Airport shall be undertaken in a manner that protects the long term operation and economic role of the Airport. More specifically:
    i. Sensitive land uses, including the creation of new residential lots, are prohibited to locate within the 30 Noise Exposure Forecast (NEF) unless a report, prepared by a qualified professional, demonstrates that appropriate Provincial noise guidelines can be achieved.
    ii. Development on lands shown as 'Approach Surface' and 'Transitional Surface' on Schedule D - Mobility and Major Infrastructure, shall adhere to the following height restrictions:
        - For lands within the 'Approach Surface', the maximum building height shall be calculated at no more than 1 vertical unit for every 50 horizontal units, starting at the edge of the runway.
        - For lands within the 'Transitional Surface', the maximum building height shall be calculated at no more than 1 vertical unit for every 7 horizontal units, starting at the edge of the runway.

3.8 RAIL

Rail is a key transportation method for goods brought to and from Sault Ste. Marie businesses. Both of Canada's national railway corporations have an established presence in the City. There is currently no regular passenger rail serving Sault Ste. Marie, apart from the Agawa Canyon Tour Train, which primarily caters to tourists. In recent years, there have been efforts by regional organizations to push for the restoration of passenger rail serving Sault Ste. Marie and the Algoma region.

Railway facilities are "major facilities" and support the City's economic prosperity by facilitating trade connections beyond the City's immediate area. It shall be the policy of this plan to:

a. Protect the long-term operation and economic role of railway facilities, including rail lines and rail yards.
b. Ensure land use compatibility between railway facilities and nearby sensitive uses (such as residential uses), including the use of buffering and Minimum Separation Distances (MDS). More specifically, the following minimum separation distances are required between sensitive uses and the major rail facilities, subject to the land use compatibility requirements outlined in Section 4.14.1 of this Plan.
c. Generally support efforts to restore passenger rail services.

3.9 MARINE

Sault Ste. Marie is strategically located on the Canada/U.S. border at the hub of three Great Lakes. The City has a small private commercial dock located Downtown at the bottom of Pim Street and a private export dock located on the Algoma Steel property. Through the Port of Algoma project, the City has been working with Algoma Steel and other community partners to develop a full-scale, publicly accessible commercial deep-water port. It shall be the policy of this plan to:

a. Protect the long-term operation and economic role of marine facilities.
b. Ensure land use compatibility between these facilities and nearby sensitive uses (such as residential uses), including the use of buffering and Minimum Separation Distances.

c. Pursue the development of a deep-water, publicly accessible commercial port. The City will plan for appropriate infrastructure to service this commercial port along with suitable land development in surrounding areas, to maximize its economic potential and prevent the encroachment of sensitive uses.



4 LAND USE DESIGNATIONS – SCHEDULE C

This section establishes the development criteria for each land use designation, and is intended to work in conjunction with the other applicable policies of this Plan.

4.1 RESIDENTIAL

The Residential Designation applies to lands within the Urban Settlement Area intended primarily for residential uses. The overarching vision for this designation is to facilitate the creation of complete neighbourhoods by allowing a variety of housing types and densities, as well as local neighbourhood-oriented commercial, institutional, and recreational uses that are integral to and supportive of a residential environment.

The following policies apply in the Residential Designation:

a. Permitted residential uses include a variety of housing types and densities.
b. Neighborhood amenities such as neighbourhood parks and neighbourhood commercial businesses that serve the needs of neighbourhood residents such as small-scale retail and pharmacies are permitted.
c. Neighbourhood-scale institutional uses such as elementary schools, places of worship, supportive housing, public service facilities and community hubs are permitted.
d. Home-based businesses including small-scale artisan manufacturing and artists' studios shall be permitted as a secondary use to the dwelling.
e. Accessory dwelling units are permitted in accordance with policies of Section 5.6 of this Plan.
f. Affordable housing is encouraged in accordance with the policies of this Plan.
g. Infill development and intensification is encouraged in accordance with policies of Section 5.2 of this Plan.
h. Other commercial or personal service uses may be permitted where such uses are compatible with the surrounding residential area and may require a site-specific Zoning By-law Amendment. These uses may be subject to Site Plan Control. Compatibility will generally be assess based on:

i. Potential affects to the character of the surrounding residential area.
ii. Noise and traffic generation.

4.2 DOWNTOWN

The Downtown Designation applies to the majority of lands located within the City's defined Downtown, characterised by a spectacular waterfront, a vibrant commercial corridor, administrative services and residential uses. A wide variety of commercial, institutional and residential uses are permitted in this area with the overall goal of developing the Downtown as a vibrant and mixed-use neighbourhood that serves as the Sault's centre for entertainment, culture, and retail activity. The Downtown is the City's Strategic Core Area for the purpose of the Growth Plan for Northern Ontario, therefore, the ensuing polices are consistent with those found in the Growth Plan for Northern Ontario .

The following policies apply in the Downtown Designation:

a. Permitted uses include commercial, recreational, office, institutional and residential uses.
b. Locating major office uses in the Downtown is encouraged through incentives such as lower development standards (e.g. reduced setbacks and parking) where feasible.
c. New private development along the Downtown waterfront shall be required to incorporate public access to the river.
d. Mixed-use development, with commercial uses on the ground floor and residential uses above shall be encouraged.
e. Infill development and intensification is encouraged in accordance with other policies of this plan.
f. Construction and rehabilitation of a variety of dwellings that can accommodate residents of all ages, income levels and household sizes shall be encouraged.
g. Neighbourhood infrastructure and amenities, such as parkettes, public parks and plazas, which residents of all ages and abilities can enjoy shall be promoted. Such uses may also be located on vacant or underutilized properties on a temporary basis until such time that the property is developed on a more permanent basis.
h. Encourage the development of arts, culture and entertainment in the Downtown through support for public art and art installations within underutilized spaces.
i. Continue using Community Improvement Plan incentives to promote investment in the Downtown.
j. Development within the Downtown shall establish a clear sense of place and direction, recognize the distinct heritage and character of the area and create Downtown gateways and landmarks that are inviting and attractive.
k. Development in the Downtown may be subject to Site Plan Control.

4.3 COMMERCIAL

The Commercial Designation applies to lands outside of the Downtown that are intended for a wide variety of commercial uses. The overall goal is to protect and enhance existing commercial areas by facilitating the continued use and reuse of existing commercial space. For new development and redevelopment, a greater emphasis will be placed upon achieving higher development standards, especially as it relates to landscaping, pedestrian amenities, off-site connectivity, and accessibility.

The following policies apply in the Commercial Designation:

a. Permitted uses include a broad range of retail, personal service and office uses, including but not limited to, retail, finance and insurance, real estate, business, government, educational, health and social services, accommodation, entertainment, restaurants and mixed use development with commercial uses on the ground floor and residential uses above.
b. Office spaces up to a maximum size of 700 square metres are permitted. The maximum square footage requirement does not apply where:
    I. Major administrative office space is part of or accessory to a larger use, such as large industrial or institutional uses.
    II. Major office space will occupy an existing vacant building as defined in policy 4.3e.
    III. Major office space is service oriented, geared towards providing healthcare and social services.
c. The Zoning By-law shall be reviewed to further define various types of office space to better implement policy 4.3b.
d. Mixed-use developments, with commercial uses on the ground floor and residential uses above are generally permitted. Exclusively residential uses may be permitted where appropriate, subject to a Zoning By-law Amendment.
e. Reuse of existing vacant buildings for a variety of uses shall be encouraged. Furthermore, where appropriate, reduced development standards, such as reduced parking or setback requirements may be considered, to recognize existing site conditions. 'Existing building' shall be defined as existing on the day of adoption of this Plan.
f. Conversion of existing vacant commercial space to accommodate non-commercial uses is permitted where appropriate.
g. Light employment uses, excluding heavier industrial-related uses (such as manufacturing, warehousing, processing, assembly, trucking, and storage uses or any uses that require outdoor storage and frequent deliveries) may be permitted if appropriate.
h. Applications to amend the Official Plan to permit a new commercial development in excess of 5,000 square metres must include a Market Impact Study to assess the impact on existing commercial areas prior to approval.
i. Commercial intensification and redevelopment to higher density commercial uses is supported, subject to servicing capacity and provision of adequate parking. A traffic impact study may be required.
j. All uses shall have adequate parking with access points limited in number and designed in a manner that minimizes the danger to pedestrian and vehicular traffic.
k. Commercially designated lands which are a part of 'nodes and corridors' shall be subject to policies of Section 3.4.4 of this Plan.
l. Development in the Commercial Land Use Designation may be subject to Site Plan Control.

4.4 MIXED EMPLOYMENT

The Mixed Employment Designation applies to smaller industrial properties along major arterial corridors that can be utilized for a mixture of industrial and select commercial uses.

The following policies apply in the Mixed Employment Designation:

a. Permitted uses include a range of industrial uses and limited commercial uses, including but not limited to automotive sales, repair and maintenance, building supply stores, furniture stores and fitness facilities.
b. Commercial uses such as retail stores not directly related to the function of industrial areas or which are more appropriately located in designated commercial areas are not permitted. Other commercial uses which are sensitive in nature, such as office uses not accessory to a permitted use, are not permitted.
c. The Zoning By-law will be amended to create a mixed employment zone with appropriate permitted uses and development standards.
d. All uses shall have adequate parking with access points limited in number and designed in a manner which shall minimize the danger to pedestrian and vehicular traffic.
e. Development in the Mixed Employment Land Use Designation may be subject to Site Plan Control.

4.5 INDUSTRIAL

The Industrial Designation is intended to recognize and permit industrial uses that are sensitive to the encroachment of sensitive uses and must be protected over the long term to ensure the economic prosperity of the City. This designation provides for a broad range of industrial uses of varying size, scale, off-site impacts and differing service and infrastructure requirements.

The following policies apply in the Industrial Designation:

a. Permitted uses include a broad range of light to heavy industrial uses, which include but are not limited to, manufacturing, processing, repair and service, warehousing, storage and distribution.
b. Waste management uses shall be permitted, contingent on land use compatibility policies noted in Section 4.14 of this Plan
c. Industrial lands located in gateway areas or along major arterial roads shall give special consideration to building design, landscaping and aesthetic appeal, in accordance with the Urban Design policies contained in Section 3 of this Plan.
d. Any potential impacts of industrial uses on abutting land uses shall be mitigated through appropriate setbacks, buffering and any other means necessary.
e. Industrial development in close proximity to residential or other sensitive uses shall have regard for the following criteria:
    i. Not likely to generate air pollution, odour or excessive noise.
    ii. Will meet a high standard of building design and landscaping.
    iii. Achieve land use compatibility as outlined in 4.14 of this Plan.
f. Residential or other sensitive use development within close proximity to existing industrial uses or industrially designated lands is generally discouraged. At a minimum, such development shall achieve land use compatibility as outlined in 4.14 of this Plan, with additional allowances to accommodate potential industrial expansion or intensification, which may necessitate utilizing higher industrial influence areas to achieve greater setbacks.
g. Development in the Industrial Land Use Designation may be subject to Site Plan Control where it is in close proximity to existing or planned sensitive uses or located on a major arterial road.

4.6 INSTITUTIONAL

The Institutional Land Use Designation applies to lands outside of the defined Downtown that are occupied by large public and quasi-public services, including large health care facilities, secondary and post-secondary schools, certain large "super" elementary schools and other major government or non-profit uses.

The following policies apply in the Institutional Designation:

a. Permitted uses include a broad range of public and/or private facilities, including but not limited to, health, education, cultural, religious, correctional facilities, government buildings or any other institution providing a public service, including supportive housing, transitional housing and emergency shelters.
b. Institutional uses serving the entire City such as the main library, cultural facilities and public auditoria are encouraged to locate in the Downtown.
c. All institutional development shall adhere to a high standard of site design, resulting in a 'campus-like' environment, where appropriate.
d. All institutional development shall be designed to minimize potential conflict with adjacent land uses, particularly residential areas, through increased setbacks and buffering and landscaping measures.
e. Institutional uses shall have adequate parking with access points limited in number and designed in a manner that minimizes the danger to pedestrian and vehicular traffic.
f. Development in the Institutional Land Use Designation may be subject to Site Plan Control.

4.7 OPEN SPACE

The Open Space Designation applies to urban and rural lands consisting of open, green or undeveloped space that is not necessarily public park space and is generally occupied by environmentally sensitive lands, hazard lands and lands that act as buffers. Existing golf courses are also designated Open Space. Where the Open Space designation is applied to natural heritage features and areas, natural hazards or buffers, the overall intent of this Plan is to conserve these lands in their natural state unless potential impacts can be appropriately mitigated. Where the Open Space Designation is applied to existing golf courses, it is the intent of this Plan to permit a variety of accessory uses to support the ongoing viability of the golf course.

The following policies apply in the Open Space Designation:

a. Permitted uses include conservation, recreation and existing golf courses.
b. Open spaces that are identified as natural heritage features and areas in Schedule A - Natural Heritage Features and Areas, shall be protected in accordance with the policies contained in Section 7 of this Plan.
c. Where open spaces are identified as natural hazards, development will generally be directed away from any natural hazards, such as flood prone areas and significant slopes. Where development is permitted, mitigation measures will be required to reduce the threat of the hazards, in accordance with Section 7.5 of this Plan.
d. Appropriate Environmental Studies may be required prior to the approval of development within the Open Space Designation, where environmentally sensitive or hazard lands may be affected.
e. Where lands are designated Open Space and are under private ownership, this Plan does not indicate that the lands will necessarily remain as open space indefinitely, nor shall it

be construed as implying that open space areas are free and open to the general public or will be purchased by the municipality.

f. It is recognized that the Open Space Designation has been applied at a relatively gross scale and the boundaries may be slightly altered as a result of more detailed on-site investigation, without an amendment to this plan and in consultation with other agencies having jurisdiction, such as the Sault Ste. Marie Region Conservation Authority.
g. The City shall generally protect and enhance open space within the municipal boundary and identify locally significant natural areas for restoration and enhancement where appropriate.

4.8 COMMUNITY PARKS

The Community Parks Designation applies to major public parks and recreational areas that warrant long-term protection for public use. Community parks typically contain amenities that attract residents from throughout the community and beyond.

The following policies apply in the Community Parks Designation:

a. Permitted uses include active and passive recreation uses including sports and recreation facilities, community centres and conservation areas;
b. New facilities on these lands shall be designed and maintained to be easily accessible from all parts of the city and beyond, including having easy access to public transit, adequate on-site parking and appropriate pedestrian facilities.
c. Parks and Recreation policies contained in Section 6 shall apply in this designation, in particular policies of Section 6.1.1 pertaining to Community Parks.

4.9 RURAL AREA

The Rural Area Designation applies to rural lands outside of the Urban Settlement Area, excluding lands designated Resource Extraction, Precambrian Uplands, Waste Management and Airport Employment. The overall goal is to preserve the existing rural character, allow for limited residential development, maintain a large parcel fabric and protect the long-term viability of agricultural uses.

The following policies apply in the Rural Area Designation:

a. Permitted uses include a wide variety of low-density uses, including but not limited to agricultural uses, rural residences and recreational uses.
b. This Plan supports the growth and viability of new and existing agricultural operations by permitting a wider variety of agricultural related uses, on-farm diversified uses, and home based industries in association with an existing agricultural operation, as further discussed in Section 8.1 of this Plan.
c. Rural residential uses are ‘sensitive uses’, which can sterilize an area around them and impact the ability for agricultural and aggregate extraction uses to locate or expand. Additionally, low-density rural residential uses are relatively costlier to service. However, the City recognizes that a rural residential lifestyle is appealing to many residents and the City shall accommodate limited, locally appropriate rural residential development. The following policies apply to residential development within the Rural Area Land use Designation:
d. Rural lot creation through Consent to Sever shall be limited to the creation of two new lots, plus the remnant or retained parcel. This limit shall be applied from July 14, 2014.

e. The Committee of Adjustment may consider a Consent to Sever application based on the following criteria:
    i. Lands are divided in an efficient manner, and that landlocked parcels are not created;
    ii. Future urban residential development potential is not significantly impacted.
    iii. The proposed lot shall have frontage upon, and direct access to a public road that is maintained by the City on a year-round basis.
    iv. The proposed lot and planned development will not have a negative impact upon the drainage patterns of the area.
    v. The severed and retained parcels shall fit into the general character of the surrounding area, in terms of frontage, size and parcel fabric.
    vi. The severed and retained parcels must be large enough for the adequate provision of on-site services, including their future replacement in the event of a failure.
    vii. Algoma Public Health approval of on-site sewage servicing is required.
    viii. Where municipal water and sewer services exist, smaller lots may be considered, so long as the severed and retained lot frontages and sizes are within the general character of the area.
    ix. New rural residential lots must adhere to all other aspects of the Official Plan, including but not limited to, policies related to natural heritage features, development constraints and minimum distances from livestock operations.
f. Rural estate subdivisions are generally discouraged; however, they may be permitted subject to the following criteria:
    i. The proposed lots have water frontage or direct access to the water through dedicated lands that form part of the subdivision. Proponents may also be required to include public access to the water as part of any approvals.
    ii. The development can adhere to all other aspects of the Official Plan, including but not limited to, policies related to natural heritage features, development constraints and minimum distances from livestock operations.

4.10 AGGREGATE EXTRACTION

The Aggregate Extraction Designation applies to lands that contain aggregate resources (sand and gravel), generally located between the Shield Line and the Rural Area. The overall goal is to protect the long-term viability of the aggregate deposits, which are considered a Provincially Significant Resource critical to supporting the overall development of the community.

The following policies apply in the Aggregate Extraction Designation:

a. Primary permitted uses include aggregate extraction via pit and quarry operations and associated uses.
b. Accessory industrial uses related to aggregate extraction activities may be permitted, including but are not limited to, asphalt and concrete plants, mineral aggregate processing facilities and facilities for the recycling of mineral and aggregate resources, such as asphalt, brick, glass and concrete.
c. Non-Aggregate uses may be permitted through a Zoning By-law Amendment if:
    i. Extraction is not feasible.
    ii. The proposed use serves a greater long-term interest of the public.
    iii. The use would not significantly preclude or hinder future extraction.

d. Existing licensed aggregate operations, including those located outside of the Aggregate Extraction Designation are permitted to continue without the need for an amendment to this Plan or the implementing Zoning By-law.
e. The preferred area for expansion of aggregate extraction operations is adjacent to existing pits and quarries.
f. Existing residential development is recognized and rural residences may be constructed upon existing vacant lots. New residential development (e.g. residential lot creation or additional residential units, including accessory dwelling units) is not permitted, unless it can be demonstrated that there will be no negative impacts to existing or future aggregate operations.
g. Land uses which are not compatible with aggregate extraction shall be discouraged from areas surrounding existing pits and quarries.
h. New mineral aggregate operations or expansions of existing operations, including introducing new accessory uses, is subject to removal of a holding provision, where the following information will be reviewed:
    i. Source water protection.
    ii. Natural heritage features and areas.
    iii. Land use compatibility.
i. Landscaping and buffering will be used to enhance the physical appearance of lands and structures.
j. Wayside pits and quarries, portable asphalt plants, and portable concrete plants used on public authority contracts are permitted in all areas without the need for an Official Plan amendment, rezoning or development permit approval under the *Planning Act*, however land use compatibility (impacts to nearby sensitive uses) and environmental sensitivity (impacts to nearby natural heritage features or areas) should be considered and addressed as part of the siting process.
k. Once a pit or quarry has been restored, new land uses that are compatible with the area will be encouraged.
l. Other policies contained in Section 7 of this Plan shall apply.

4.11 PRECAMBRIAN UPLANDS

The Precambrian Uplands Land Use Designation applies to all lands located above the Precambrian Shield Line to the north City limit. This is an area with unique environmental functions and sensitivity, as well as significant access and terrain challenges.

The following policies apply in the Precambrian Uplands Designation.

a. It is as general goal of this Plan to preserve the Precambrian Uplands Area in it's natural state.
b. Permitted uses include conservation uses and other recreational uses that do not require the construction of buildings or structures.
c. Existing residential dwellings are recognized and additions, alterations and new accessory buildings, structures and uses are permitted.
d. Construction of new residential dwellings on existing vacant lots and the creation of new lots is not permitted within the Precambrian Uplands Area.
e. Maple syrup harvesting and production is permitted where legal access to the property can be obtained, in accordance with the Policies outline in Section 8.2 of this Plan.

4.12 WASTE MANAGEMENT

Applies to all City-owned properties that encompass the Municipal Landfill site.

The following policies apply in the Waste Management Designation:

a. Permitted uses include landfill and associated uses, including but not limited to recycling facilities, transfer stations, processing sites and disposal sites.
b. The development of sensitive uses, such as residential, within 500 metres of the landfill footprint is discouraged, as further discussed in Section 4.14 of this Plan.
c. Landfill sites will be closed and monitored in accordance with applicable Provincial approvals, standards and requirements.

4.13 AIRPORT EMPLOYMENT LANDS

The Airport Employment Lands Designation applies to all lands owned by the Sault Ste. Marie Airport Development Corporation. The overall goal is to support the long-term operation of the Airport, an essential transportation facility, by limiting the encroachment of sensitive uses and supporting the development of commercial and industrial uses that require proximity to the Airport.

The following policies shall apply in Airport Employment Lands Designation:

a. Permitted uses include all airport-related uses required to support the core functions of the airport or where the airport supports the core function of the business. Other compatible commercial, light industrial and recreational uses are also permitted. Specific examples include but are not limited to:
    i. Aircraft repair and maintenance
    ii. Ancillary and secondary uses such as car rental, accommodation, restaurants and convenience retail.
    iii. Warehousing and distribution.
    iv. Uses that supply airport-serving goods and services.
    v. Recreational uses such as a golf course, fairgrounds, motocross speedway, drag strip and snowmobile racecourse may be permitted subject to required zoning approvals.
b. The development of the Airport lands should not interfere with the prime function of the lands related to air traffic control.
c. Additional policies related to development of sensitive uses and maximum heights in close proximity to the airport contained in Section 3.7e shall apply.

4.14 LAND USE COMPATIBILITY

The policies contained in this section aim to separate incompatible land uses. Sensitive land uses are those where routine or normal activities are reasonably expected to be negatively impacted by a nearby use that as part of its routine or normal activities emits noxious discharges such as noise, dust, odour and vibrations. Examples of sensitive land uses include, but are not limited to, residential uses, day care centres, parks, educational and healthcare facilities. Uses that can produce noxious discharges include industrial uses, major transportation and public infrastructure facilities, as well as agricultural uses where livestock are kept.

4.14.1 INDUSTRIAL/NOXIOUS USES

The following shall land use compatibility polices apply to Industrial/Noxious uses:

a. The Ontario Ministry of the Environment, Conservation and Parks (MECP) D-Series Minimum Distance Separation Guidelines will be utilized to review any land use applications proposing a sensitive use within the influence area of an industrial/noxious use, or vice versa.
b. The following minimum specific separation distances are required between sensitive uses and the following major facilities:
    i. Rail Yards: 300 metres
    ii. Rail Lines: 70 metres
    iii. Airport Runway Approaches: Noise Exposure Forecast 30 (NEF 30) regulations
    iv. Landfill: 500 metres from the landfill footprint.
    v. West and East End Wastewater Treatment Plants: 150 metres from the existing footprint of the treatment plants, including allowances for future expansions, as shown on Schedule D – Mobility and Major Infrastructure.
c. An Impact Assessment prepared by a qualified professional must be submitted as part of a complete application to locate a non-compatible use, including new lot creation, where a lot or part thereof is within the influence area of a sensitive or noxious use.
d. Existing topography, vegetated areas and intervening development will be considered when assessing the need for an impact assessment as part of a complete application.
e. Reductions to established minimum distance separations may be permitted where mitigation measures such as berms, sound walls or vegetated buffers will sufficiently reduce potential impacts.
f. Where new sensitive uses or lots that have the potential to house a sensitive use are proposed and a portion of the new lot or use is within the influence area of a noxious use, the need for an Impact Assessment may be waived, and conditions imposed to ensure the sensitive use is located upon the portion of the lot that is beyond the influence area.
g. The City may utilize Site Plan Control upon existing vacant lots within the influence area of a noxious use to implement land use compatibility. The City shall ensure through the Site Plan Agreement among other things, that new sensitive uses, and amenity areas are constructed beyond the influence area of a noxious use.
h. Site Plan Control may be waived where existing buildings housing a sensitive use are proposed to be expanded or new accessory structures are proposed in association with an existing sensitive use.

4.14.2 MINIMUM DISTANCE SEPARATION IN RURAL AREAS

Minimum distance separations (MDS) in rural areas as discussed in this section are related to the keeping of livestock (barns) and nearby rural residential uses. The major issue in this context is odour and the MDS Formulae are based upon the size of the livestock facility and the type of livestock. The following policies shall apply:

a. Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Minimum Distance Separation (MDS) Formulae shall be applied to new residential development in the vicinity of an existing livestock operation, as well as proposals to locate new or expand existing livestock facilities (barn or manure storage) in close proximity to sensitive uses such as rural residences.

4.14.3 COMMUNITY HUBS

Community hubs can generally be defined as a grouping of public service facilities, frequently operated on a non-profit basis with a focus on providing public services and supports, often to vulnerable populations. The general intent for these facilities is to make it easier for local residents

to access the health, social, cultural and recreational resources they need, together in one place. Community hubs facilitate greater service integration and cost effectiveness and may include a wide variety of complementary and compatible uses. The following policies shall apply:

a. Community hubs are generally permitted in all land use designations and shall be appropriately located and scaled to the area and site upon which they are proposed, with special regard for integrated mobility and accessibility.
b. The City shall consider amending the Zoning By-law to specifically define and regulate 'Community Hubs'.

4.14.4 SIZE AND SCOPE OF LAND USES

Recognizing the size and scope of certain land uses and granting greater flexibility to locate small-scale businesses in the City. The overall size and scope of a use directly affects off site impacts, for example a micro-brewery or bakery might be more of a commercial use, whereas a larger-scale brewery or bakery could be more industrial. The goal of this section is to ensure that small-scale businesses do not negatively impact neighbouring areas, while recognizing that many start-up businesses may grow over time. The following policies shall apply:

a. The City shall recognize the size and scope of land uses when assessing applications to permit new development. It is acknowledged that some small-scale uses, which may be traditionally viewed as industrial or commercial in nature, may be appropriately located in commercial areas or as a home-based business, without the need for an Official Plan Amendment.
b. The Zoning By-law should be reviewed and amended as appropriate, to further define and permit certain uses based upon their size and scope of operations, with regulations to ensure that such small-scale businesses do not negatively impact neighbouring areas.

4.14.5 HOME BASED BUSINESSES

The Official Plan recognizes that a wide variety of small-scale businesses, including start-ups, can be viably operated as a home-based business. It shall be the policy of the City to:

a. Support a wide variety of uses that can be appropriately accommodated as home-based businesses with regulations to ensure they do not negatively impact surrounding residential uses, with special regard for noise, parking, traffic and aesthetics.
b. The Zoning By-law shall be reviewed and amended where appropriate to permit additional home-based business uses, based upon the overall size and scope of particular uses.
c. Council may consider allowing home-based businesses that are not expressly permitted within the Zoning By-law, on a case-by-case basis through a rezoning application, subject to the following guiding principles:
    i. The proposed use should not negatively impact surrounding residential uses, with special regard for noise, parking, traffic and aesthetics.
    ii. The use does not involve any significant changes to the external character of the dwelling unit or property.
    iii. Outdoor storage and display is generally not permitted or required to support the proposed home-based business.
    iv. Micro-scale manufacturing, 'maker spaces' and 'artisan workshops' may be permitted subject to relevant Official Plan and Zoning By-law provisions. Such uses are generally characterized as producing custom, individually unique, made-to-order products.



5 HOUSING

The City recognizes the importance of housing and the need to create opportunities for a diverse range and mix of housing types, densities and tenure. The provision of housing that is adequate, affordable and meets the full range of residents' housing needs is a fundamental component of the City's 'Housing First' social service approach, which is based on the idea that adequate and affordable housing is a pre-requisite to effectively address a persons overall wellbeing. The provision of adequate affordable housing is a shared responsibility in which all levels of government have roles to play.

Consistent with the overarching theme of Sustainable Growth contained in this Plan, the City will encourage the creation of diverse housing types and tenures where there is sufficient existing or planned infrastructure to ensure the efficient use of existing resources and public services.

In general the City shall:

a. Ensure that the residential land supply supports adequate choice and affordability in the housing market place.
b. Promote and foster the development of a diverse mix of housing types and tenure.
c. Encourage infill development and residential intensification within the Urban Settlement Area.
d. Encourage mixed-use development.
e. Support the creation of additional rental and affordable housing.
f. Support innovation in housing design and development.
g. Support and promote accessibility within the housing market for persons with disabilities.

5.1 HOUSING TARGETS

In accordance with the direction contained in the Provincial Policy Statement (PPS), in order to ensure that an adequate supply of housing is available at all times, the City will:

a. Ensure that there is enough land designated for residential development to meet anticipated demand over a 25 year period.
b. Maintain at all times at least a fifteen (15) year supply of land designated and available for residential development, redevelopment and residential intensification.
c. Endeavour to maintain a minimum three (3) year continuous supply of residential units with servicing capacity in draft approved or registered plans.

5.2 DIVERSE RESIDENTIAL NEIGBOURHOODS AND RESIDENTIAL INTENSIFICATION

Diverse Residential Neighbourhoods comprise diverse housing types and tenures available to a variety of people at different life stages. The mixing of residential dwelling types and residential intensification optimises the utilization of land, resources and infrastructure while supporting transit and active transportation.

With regards to residential intensification and mixed residential neighbourhoods, the City shall:

a. Support diverse residential neighbourhoods, residential intensification and infill development in the Residential, Downtown and Commercial Areas within the Urban Settlement Area.
b. Encourage mixed-use development in the form of commercial or institutional uses on the ground floor with residential uses above, especially along major corridors, nodes, and activity hubs.
c. Promote residential development in the Downtown as a stimulus to downtown revitalization and small business development.
d. Permit development of residential dwellings within existing commercial areas where appropriate and where residents have easy access to commercial, social and recreational amenities.
e. Support medium and high-density residential development and redevelopment in all low-density residential areas, where appropriate and subject to a rezoning and assessed based upon the following considerations:
    i. The development maintains transition in built form through appropriate height, massing, character, architectural design, orientation, setbacks, parking and open and amenity space.
    ii. Consistency with existing prevalent road and lotting pattern in the area.
    iii. Sufficient capacity in the existing transportation network, municipal infrastructure, and community services to cope with the proposed development.
    iv. Overlook on adjacent neighbours shall be minimized and privacy shall be maintained to the greatest extent possible.
    v. Appropriate site grading and stormwater management.
    vi. Provision of high-quality landscaping and buffering where necessary to integrate the development in the neighbourhood.

5.3 RENTAL HOUSING

Rental housing plays a vital role in the City's housing supply. Limited availability or a low rental vacancy rate has implications for housing affordability. A healthy vacancy rate is often considered to be between 3 to 5 percent. The City introduced a 'Rental Housing Community Improvement Plan' in 2013 to incentivize construction of rental units through tax rebates.

With regard to rental housing, the City shall:

a. Continue to monitor the local rental market to ensure the provision of adequate, safe and affordable rental housing.
b. Consider creating new incentives or amending existing incentives, aimed at promoting the construction of rental units depending upon local rental market trends and conditions.

5.4 RENTAL CONVERSIONS

In order to ensure an adequate supply of affordable rental housing, the following policies shall apply to the conversion of rental units to condominium ownership:

a. Rental units cannot be converted to condominium unless:
    i. Units to be sold are affordable; or
    ii. The vacancy rate for the entire city, as determined by Canada Mortgage and Housing Corporation (CMHC), is at or above 3% for the preceding three years.
b. In all cases, tenants of the subject units shall be given the right of first refusal.
c. That the subject property meets the requirements of the City's Zoning By-law, Property Standards By -law and the Ontario Building Code and that any deficiencies be addressed prior to final approval.
d. That the subject property be inspected by a qualified professional and a report be submitted to the City that addresses the following matters:
    i. A life and safety audit of the building(s).
    ii. A structural report
    iii. A mechanical report
    iv. An electrical report.
    v. A site servicing report.
e. Written confirmation from the applicant that the tenants of the subject property have been notified of the application for conversion to condominium tenure and of their rights under the Residential Tenancies Act or any successor legislation shall be required.

5.5 AFFORDABLE HOUSING

Affordable housing also plays a vital role in the City's housing supply. The City encourages and supports the provision of affordable housing throughout the community.

For the purposes of this Plan, affordable housing is defined as follows:

a. In case of ownership housing, the least expensive of:
    i. Housing for which the purchase price results in annual accommodation costs which do not exceed 30 percent of gross annual household income for low and moderate income households; or,
    ii. Housing for which the purchase price is at least 10 percent below the average purchase price of a resale unit in the regional market area.
b. In case of rental housing, the least expensive of:
    i. A unit for which the rent does not exceed 30 percent of gross annual household income for low and moderate income households; or,
    ii. A unit for which the rent is at or below the average market rent of a unit in the regional market area.
c. Low and moderate income households:

i. In the case of ownership housing, households with incomes in the lowest 60 percent of the income distribution for the regional market area; or
ii. In the case of rental housing, households with incomes in the lowest 60 percent of the income distribution for renter households for the regional market area.

With the overall goal of encouraging and supporting the creation of additional affordable housing units, the City shall ensure that a minimum of 30% of all dwelling units throughout the community are affordable by:

a. Providing additional incentives for the provision of affordable housing, through a Community Improvement Plan, which may include the waiving of planning application (rezoning, site plan control) fees, grants and tax rebates.
b. Developing a comprehensive local affordable housing strategy.
c. Supporting a mixture of housing types, including infill development and residential intensification.
d. Supporting the creation of Accessory Dwelling Units.
e. Supporting innovative housing design, such as smaller units (tiny homes) and alternative development standards such as reduced lot frontages, setbacks and parking requirements.
f. Conducting ongoing monitoring on affordability levels.
g. Maintaining a current, comprehensive understanding of funding opportunities for the creation of affordable housing and assisting applicants in accessing such funding.
h. Prioritizing the review and processing of development proposals that include affordable dwelling units.
i. Working with non-profit stakeholders that provide affordable and supportive housing units.
j. Making Municipally owned lands available for affordable housing.
k. Giving preference to locating major new residential developments with affordable units within walking distance of amenities such as public transit, grocery stores, parks and other public services.

5.6 ACCESSORY DWELLING UNITS

Accessory Dwelling Units (ADUs) can help support the provision of attainable and affordable housing. It is recognized that ADUs are often affordably priced, while at the same time offering income generating opportunities for home owners. They also create additional age in place opportunities by providing self-contained accommodation for caregivers or family members.

The following policies apply to Accessory Dwelling Units:

a. They shall be permitted on lots with single detached, semi-detached and multiple attached (townhouse) dwelling units, in both the urban and rural areas.
b. They may be located within the main building (the primary dwelling unit), as part of an accessory building (such as a garage) and as a standalone accessory building.
c. A maximum of 2 accessory dwelling units shall be permitted per lot, subject to applicable zoning provisions.
d. Accessory dwelling units shall be subordinate in nature to the primary dwelling unit upon the lot.
e. Reduced parking requirements for accessory dwelling units, especially in the Downtown, shall be supported.

f. Exterior alterations undertaken to construct an accessory dwelling unit shall be consistent with the existing character of the surrounding neighbourhood.
g. Development constraints applicable to any residential use, such as environmental protection and hazard mitigation, shall apply to accessory dwelling units.
h. Accessory dwelling units shall be appropriately serviced with either municipal services or private on-site services.
i. Accessory dwelling units shall meet all applicable Building Code, Fire Code, Electrical Safety Code, Sault Ste. Marie PUC and Algoma Public Health standards.

5.7 SUPPORTIVE HOUSING

Supportive housing is an important component of the housing spectrum. Supportive housing includes a variety of housing types where occupants generally require some level of supervision or care. On-site supports and administration are important aspects of on-site care and the overall provision of supportive housing. Supportive housing is often operated through governmental programs and non-profit organizations. Examples include group homes, nursing homes, assisted living units and rehabilitation facilities.

The following policies apply to supportive housing:

a. Integrate supportive housing within all existing and new residential areas on a scale that is compatible with the surrounding area with special regard for traffic, on-site parking, outdoor amenity space, buffering and setbacks.
b. Locate larger scale supportive housing projects in a manner that provides easy access to existing public transit and pedestrian facilities.
c. Permit central administrative offices to be located within supportive housing units; however, such central administrative offices shall be secondary in nature to the main supportive housing use.
d. Proactively collaborate with agencies and service providers involved in the provision of housing and other support services for residents.

5.8 STUDENT HOUSING

The provision of safe, affordable student housing is critical in supporting the continued growth of Algoma University and Sault College.

The City shall:

a. Promote the provision of safe, affordable student housing, especially in close proximity to Algoma University and Sault College.
b. Contemplate alternative development standards, such as reduced parking requirements for purpose built student housing.
c. Amend the Zoning By-law to specifically define and permit purpose built student housing.

5.9 RESIDENTIAL PROPERTY STANDARDS

The City shall promote the proactive enforcement of property standards, especially in older residential areas, to ensure that all residential properties are maintained in a manner that is safe and appealing. This shall be implemented in accordance with Section 10.6 of this Plan.

5.10 UNIVERSAL DESIGN AND ACCESSIBILITY

Universal design refers to housing that incorporates, at the design and construction stage, dwelling units that can be accessed and used by people of all ages and abilities.

The City shall:

a. Encourage the use of universal design features for new residential development, redevelopment and intensification.
b. Work with the Accessory Advisory Committee and other accessibility organizations to educate housing providers on approaches to the provision of barrier-free housing.
c. Monitor on an ongoing basis the availability of accessible dwelling units to determine the suitability of these units in relation to identified needs.
d. Provide incentives through Community Improvement Plans to increase the supply of barrier-free housing.

5.11 HOMELESSNESS

In order to address homelessness, the City shall:

a. Support the provision of shelters and other temporary housing facilities as required in cooperation with local emergency housing providers.
b. Support the expansion of the supply of transitional and supportive housing to enable homeless individuals to move towards a more stable housing situation.
c. Support the expansion of the supply of permanent affordable housing to ultimately provide a suitable and affordable living environment for individuals experiencing homelessness or at risk of homelessness.
d. Work closely with various social service and housing providers to monitor local homelessness.



6 PARKS, RECREATION, ARTS, CULTURE AND HERITAGE

Parks, recreation, arts, culture and heritage are critical quality of life components that build local pride, attract newcomers, boost local economy and improve our health and environment.

6.1 PARKS AND RECREATION

The City has a diverse range of parks and open spaces comprised of community parks, neighbourhood parks, parkettes, linear parks (trails) and other community facilities. Approximately 16% of the total park space in Sault Ste. Marie is owned and operated by the Municipality. Other organizations, such as the Conservation Authority contribute to a significant amount of recreational space. Overall, the City shall:

a. Expand and maintain the City's park space system.
b. Ensure that wherever possible all residential areas are within the 800-metre safe walkable service radius of a neighbourhood park.
c. Ensure equitable and appropriate distribution of park space service levels in the City.
d. Provide facilities for diverse recreation opportunities for citizens and visitors.
e. Work closely with other organizations that supply, utilize and program public park space, to ensure the long-term viability of park space and the optimal utilization of resources.

6.1.1 COMMUNITY PARKS

Community parks contain facilities and features that attract residents from all parts of the City and beyond.

Community Parks shall:

a. Serve as destinations for active recreation and become focal points for the City.
b. Provide a range of built and natural facilities for organized and unorganized recreational activities and accommodate a wide variety of social and cultural activities.
c. Be designed and maintained to be easily accessible from all parts of the City and beyond by:

i. Ensuring easy access to public transit.
ii. Adequate on-site parking.
iii. Appropriate pedestrian facilities.

d. Incorporate natural or cultural heritage features, as appropriate.
e. Provide opportunities catering to the local neighbourhood and community.

6.1.2 NEIGHBOURHOOD PARKS

Neighbourhood parks contain facilities and features that serve residents living near them.

Neighbourhood parks Shall:

a. Provide a range of opportunities and experiences for youth recreational needs as well as a broader demographic, including but is not limited to play structures, pathways, gathering areas, sports fields, community gardens and multi-use pads/courts.
b. Have a safe walkable service radius of about 800 metres, without the need to cross major barriers, such as non-signalized intersections at arterial streets.
c. Include amenities that attract residents from beyond the 800-metre safe walkable service area where appropriate.
d. incorporate natural or cultural heritage features as appropriate.
e. Are generally not provided in the rural area or required as part of any rural estate subdivisions.

6.1.3 PARKETTES

Parkettes primarily exist and will be developed in the Downtown core, providing small scale recreational, cultural, and social interaction opportunities. Parkettes may also be developed as a temporary use until such time that a property is developed or redeveloped

6.1.4 LINEAR PARKS

Linear Parks are both recreational spaces and utilitarian connections between separate parts of the City. The City shall:

a. Prepare a master plan for trails and other active transportation infrastructure, to facilitate a cohesive city-wide trail system.
b. Develop a comprehensive trail system that connects people and places through a network that is off-road wherever possible and supported by on-road links where necessary.
c. Expand and maintain the multi-use John Rowswell Hub Trail network on public lands.
d. Ensure appropriate agreements between the City and landowners where trails are proposed on private lands.
e. Facilitate accessibility and safety by providing multi-use pathways through and to residential areas.
f. Incorporate the trail system with other recreational components such as parks.
g. Recognize informal trails on public land and where appropriate, formalise them.

6.2 LOCATION, DESIGN AND PROGRAMMING

The City recognizes the need to accommodate unique and growing park needs created by new development. Further, the City recognizes that the demand for park space will change as the needs of the community continue to change, especially due to aging demographics and residential intensification. The Parks and Recreation Master Plan and the Park Revitalization Plan shall generally guide the provision and replacement of park space amenities and programming in the City.

The City shall:

a. Locate, design and maintain public parks to provide safe, attractive and inviting spaces for a wide variety of recreational uses and cultural activities, with consideration for safety and accessibility for all ages and abilities.
b. Consider the location of new parks in existing neighbourhoods or new subdivisions, based on the following criteria, parks should:
    i. Front onto public streets, rather than be hidden behind lots.
    ii. Be centrally located in terms of the area the park serves.
    iii. Be co-located with other community amenities where possible.
    iv. Be accessible by all residents easily and safely.
c. Consider food system needs, tree canopy cover increase and stormwater management in the planning, design and operation of all parkland areas.
d. Continue to work with local service providers, non-profits and user groups to assist in the programming of park spaces.
e. Assess the requests to change uses or activities in City parks and recreational spaces based on the following considerations:
    i. Level of demand or interest.
    ii. Whether the change will make the space more inclusive or more accessible.
    iii. Whether the change will significantly impact the current function of the space.
    iv. Groups served by the change and how well served those groups currently are.
    v. Neighbourhood benefits and impacts, including a review of the anticipated traffic to be generated by the use and the availability of either on-site parking or on-street parking along abutting streets.
    vi. Cost or ease of implementation.
    vii. Equitable spatial distribution across the city of the specific type of recreational amenity.
f. Where appropriate, require proponents wishing to add or change a use in a park to host a neighbourhood meeting to obtain feedback from neighbours.

6.3 PARKLAND ACQUISITION AND DISPOSITION

There may be instances where the City will consider the acquisition or disposition of lands for parks and open space purposes. Although Sault Ste. Marie is generally well served by parks and open spaces, the City will continue to exercise its full authorities under the *Planning Act*, to acquire new lands for park purposes or cash in lieu of parkland acquisition. Decisions to acquire or dispose of parkland will be guided by the policies contained in Section 10.5.1.1 of this Plan.

School sites are not owned by the City but play an important role in providing accessible park space. As local school boards continue to close underutilized schools, there is a risk of losing the recreational spaces offered as part of school properties, which include not only the outdoor amenities, but also school gyms, available to a variety of formal and informal user groups on evenings and weekends. The City shall monitor these changes as per the direction in Section 10.1.1.2 of this Report.

6.4 WATERFRONT ACCESS

Public access to Sault Ste. Marie's waterfront is an important consideration. It shall be the policy of this plan that:

a. Generally, the City shall not dispose of any parkland or City-owned land that abuts the water unless such land does not have direct access to a publicly owned roadway or is otherwise landlocked by abutting private property.
b. New development or redevelopment proposals may be required to provide lands or dedicated access to lands that support public access to the waterfront.

6.5 HIAWATHA MASTER PLAN

The City shall work with stakeholders to develop a master plan for uses, activities and developments in the Hiawatha area, as well as transportation to the area.

6.6 ART, CULTURE AND HERITAGE

The City has a vibrant art, culture and heritage community with a strong volunteer base. It is the City's objective to:

a. Support growing the arts and culture community.
b. Preserve and protect the Designated Heritage Sites.
c. Preserve the character of Locally Significant Heritage Areas.

6.6.1 PUBLIC ART

The Community Culture Plan identifies various opportunities to support art, culture and heritage in the City, and has the potential to play an important role in Downtown revitalization initiatives. Generally, public art, culture, and heritage play a strong role in facilitating the creation of attractive and vibrant communities. It shall be the policy of this plan to:

a. Support public art in the Downtown, the waterfront and throughout the city. Public art shall be an important consideration when reviewing landscaping requirements.
b. Amend the Zoning By-law to specifically permit where appropriate, artists' studios and small-scale maker spaces as permitted home-based businesses.
c. Maintain and develop the Downtown as Sault Ste. Marie's centre for culture and entertainment through the following measures:
    i. Incentivize reuse of vacant Downtown buildings and lands, including for arts and culture purposes.
    ii. Seek opportunities for adaptive reuse of City-owned spaces in the Downtown, including buildings and parking lots, laneways or other underused sites. If feasible, lands may be made available to arts and cultural groups for permanent or temporary use.
    iii. Support and encourage programming including live music, visual art and other creative expression in the streets and public spaces throughout the Downtown.
    iv. Continue efforts to beautify, animate and activate the Downtown waterfront.

6.7 CULTURAL HERITAGE RESOURCES

Sault Ste. Marie is a community with a rich and diverse cultural heritage, which includes National Historic Sites, Designated Sites under the *Ontario Heritage Act* and Locally Significant Heritage Areas. The City shall make every effort to identify, conserve and protect known cultural heritage resources.

6.7.1 BUILT HERITAGE RESOURCES

Sault Ste. Marie has designated 38 Heritage Sites, dating back to early 19th to mid-20th century. There are also 3 National Historic Sites: The Sault Ste. Marie Canal National Historic Site,

Ermatinger Clergue National Historic Site and the Algoma Central Engine House. It shall be the policy of the City to:

a. Prepare, publish and periodically update a Registry of the City's cultural heritage resources. This Register will also contain non-designated properties that have been identified by the Municipal Heritage Committee as having significant cultural heritage value or interest.
b. Require, if necessary, a Cultural Heritage Impact Assessment for development and intensification proposals or public works that include or are contiguous to a Designated Heritage property or National Historic Site.
c. Promote continued functional use of heritage properties while preserving their heritage value.
d. Retain heritage buildings and structures for their original use and in their original location wherever possible to ensure that their heritage value is not compromised. If the original use is no longer feasible, adaptive reuse of buildings and structures, shall be encouraged where the heritage attributes will not be compromised. If it is not possible to maintain structures in their original location, consideration may be given to the relocation of the structure.
e. Encourage methods of built heritage conservation including:
    i. Repairing or conserving building materials and finishes and other components that are part of a property's heritage attributes.
    ii. Retaining and maintaining the visual settings and other physical relationships that contribute to the cultural heritage value of the property.
    iii. Retention of a built heritage resource as a heritage monument for viewing purposes only.
    iv. Salvaging elements of the resource for incorporation into a new building or structure for future conservation work or displays.
f. Documentation for the City's archives.
g. Prevent the demolition or inappropriate alteration of any heritage resource designated under the Ontario Heritage Act by the City or Province.
h. Prohibit development and site alteration on Designated Heritage Properties or National Historic Sites unless their heritage attributes are not impacted, subject to review by the Municipal Heritage Committee.
i. Proactively work with local Indigenous groups on heritage conservation efforts, including increasing awareness and recognition of local Indigenous culture and places of significance.
j. Support retrofits for achieving energy efficiency in heritage buildings only where it is demonstrated that retrofitting can be accomplished without compromising the heritage integrity of the building.
k. Endeavour to provide accessibility solutions in heritage buildings in a manner that respects the cultural heritage value or interest of a property.
l. Encourage local utility companies to place equipment and devices in locations that do not detract from the visual character of cultural heritage resources and do not have a negative impact on the architectural integrity of those resources.
m. Where demolition, salvage, relocation or irrevocable damage to a cultural heritage resource is determined to be unavoidable, thorough archival documentation shall be

undertaken by the proponent and made available to the City for archival purposes. This documentation must be prepared by a qualified person and include the following:

i. Architectural measured drawings and surveys.
ii. A land use history.
iii. Photographs, maps and other available material about the cultural heritage resource in its surrounding context.

6.7.2 LOCALLY SIGNIFICANT HERITAGE AREAS

Locally Significant Heritage Areas are those which have a unique history and character. The City has identified five (5) Locally Significant Heritage Areas, which are identified in Schedule E – Archaeological and Cultural Heritage Resources.

The following areas are identified as Locally Significant Heritage Areas:

a. The Simpson, Leo, Upton, Macgregor (S.L.U.M.) area.
b. Monterey Gardens Area – Between MacDonald Avenue and McNabb Street, east of Pim Street to Weldon Avenue.
c. Pim Hill Area – Both sides of Pim Street, from the Rail line north to Summit and Borron Avenues.
d. Lower Pim Area – Between Church, Herrick, Wellington and Pilgrim Streets.
e. Downtown Queen Street – Between Church Street and Gore Street.

The following policies apply to Locally Significant Heritage Areas:

a. The Municipal Heritage Committee shall receive notice and have the opportunity to comment upon all *Planning Act* applications within a Locally Significant Heritage Area.
b. The Municipal Heritage Committee shall receive notice and have the opportunity to comment upon all proposed capital works projects within a designated area, including road reconstruction and resurfacing projects and vegetation management within the public right of way.
c. *Planning Act* applications and Capital Works projects within designated areas shall be consistent with the following design parameters:
    i. Maintain the character of the Locally Significant Heritage Area in terms of building mass, façade proportions, rooflines and wherever possible, materials.
    ii. Maintain existing block and street patterns.
    iii. To the greatest extent possible, preserve existing street trees. Any new plantings should be of the same tree species found throughout the area.
    iv. Wherever possible, the overall character of the public right of way, including roadway width, sidewalks and boulevards shall be maintained.

6.7.3 ARCHAEOLOGICAL RESOURCES

Archaeological resources may include artifacts, archaeological sites or marine archaeological sites. As per the City's Master Plan of Archaeological Resources, there are 35 archaeological sites registered within the City. In addition, the City maintains an inventory of lands that have been identified to have "archaeological potential". These lands are noted in Schedule E - Archaeological and Cultural Heritage Resources

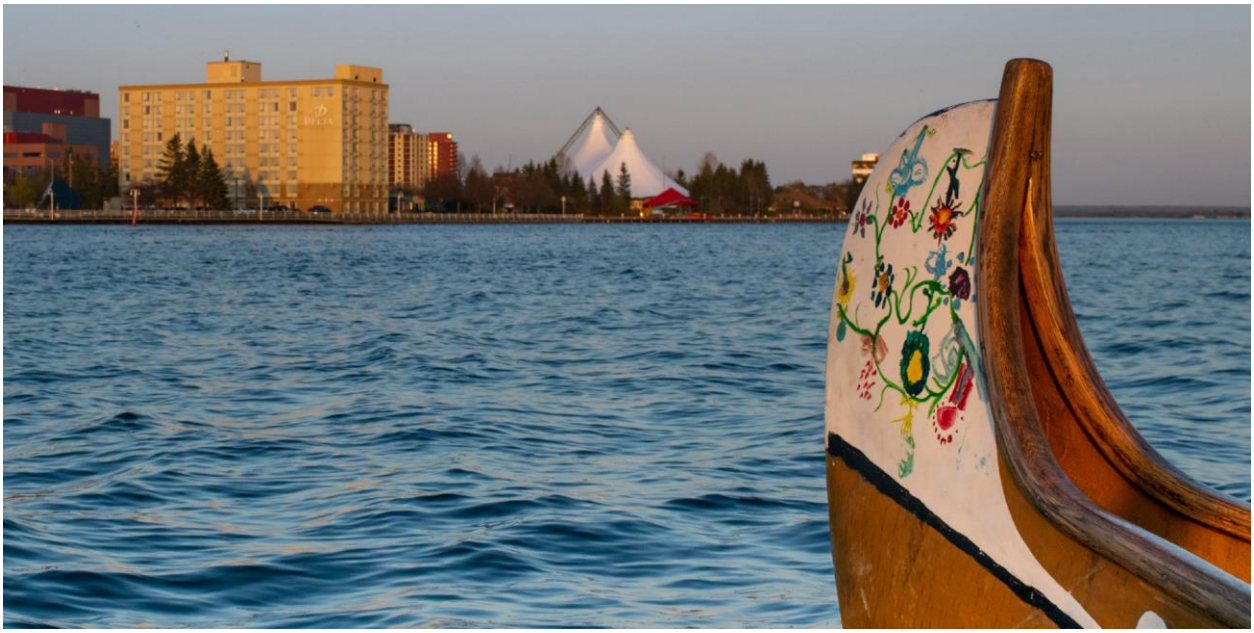
The following policies apply to the protection of archaeological resources:

a. Where lands proposed for development include archaeological resources or where such lands are located within an area of archaeological potential, as shown on Schedule E – Archaeological and Cultural Heritage Resources, the following studies must be conducted by a licensed archaeologist, at the expense of the owner or applicant:

Development Approval	Archaeological Assessment Requirement
• Official Plan Amendment • Zoning By-law Amendment • Severance Application • Subdivision Approval	Archaeological assessment if any portion of the affected lands is within 250m of a known archaeological site, excluding those lands zoned Environmental Management and not proposed to be disturbed in any way.
• Official Plan Amendment • Zoning By-law Amendment • Severance resulting in more than 3 lots – Urban Area	Archaeological assessment if any portion of the affected lands is within an archaeological potential area, excluding those lands zoned Environmental Management and not proposed to be disturbed in any way.
• Subdivision Approval	Archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area. This is a requirement of Ontario Regulation 544/02, Schedule 1.
• Severance resulting in more than 3 lots – Rural Area	Where more than 3 new lots are proposed, an archaeological assessment is required if any portion of the proposed development area is within an Archaeological Potential Area. The Committee of Adjustment may restrict development within certain areas as a condition of approval in lieu of an archaeological assessment where appropriate.
Municipal Projects involving previously undisturbed land.	Archaeological assessment if any portion of the affected lands is within an Archaeological Potential Area.

b. Archaeological assessments may not be required in areas that have been subject to previous intensive and extensive soil disturbances.
c. Archaeological assessments may also be waived where a holding provision can be applied to restrict development or site alteration upon the portion of the property having archaeological potential.
d. Only licensed archaeologists are permitted to undertake alterations to known archaeological sites and areas of archaeological potential.
e. Where burial sites are encountered during any excavation or other action, the provisions of the Cemeteries Act and its regulations will apply. Where there are First Nations burials, consultation with all relevant First Nations communities is required. More specifically:
    i. Where human Remains are found, all work must immediately cease and the site must be secured. The Sault Ste. Marie Police, the Registrar of Cemeteries Regulation Section of the Ontario Ministry of Consumer Business Services, the Cultural Program Branch of the Ministry of Tourism and Culture and the City's Planning Division must be contacted immediately for further direction.

ii. Where deeply buried or previously undiscovered artifacts are found, all work must immediately cease and the site must be secured. The Cultural Program Branch of the Ministry of Tourism and Culture and the City's Planning Division must be contacted immediately for further direction.



7 NATURAL ENVIRONMENT, RESOURCES AND HAZARDS

Sault Ste. Marie is blessed with a rich natural geography and environment. This includes the Sault's drinking water resources, aggregate resources and natural heritage features like wetlands, fish habitat and the habitat of endangered and threatened species. These natural assets support the community in many ways and need to be preserved and protected.

There are also naturally occurring processes such as flood, erosion and wildland fire hazards that need to be respected to ensure public health and safety is protected.

The City's approach to the Natural Environment, Resources and Hazards, shall be guided by the following objectives:

a. To protect the City's drinking water supply from land use activities that have the potential to contaminate and threaten the City's urban and rural drinking water supply.
b. To preserve and protect the City's natural heritage features and areas, creating a balance between the natural and built environment.
c. To support the wise use and management of natural resources, especially the valuable mineral aggregate deposits (sand and gravel) at the base of the Precambrian Uplands.
d. To protect individuals and investment from areas of the community where natural occurring processes and historic land use activities represent a risk to public health and safety.

7.1 SOURCEWATER PROTECTION

Sault Ste. Marie's drinking water is supplied by the Lake Superior Water Intake at Gros Cap in Prince Township and 6 municipal groundwater wells situated in 4 locations in the city. These 4 locations are shown on Schedule F – Groundwater Resources. The Sault Ste Marie Region Source Protection Plan includes policies aimed at ensuring that significant threat activities — those which could pose a risk to the drinking water aquifer — are monitored and managed to reduce the threat of contamination.

7.1.1 WELLHEAD PROTECTION AREAS

The Source Protection Plan establishes Wellhead Protection Areas around each of the 4 groundwater well locations. While the majority of existing serviced residential development around the wellheads is not considered a significant threat to drinking water, policies are required to manage the threat of a spill and risk associated with other existing and future land uses such as gas stations, automobile repair shops and other industrial uses.

The Wellhead Protection Areas are intended to safeguard the city's water supply. Wellhead Protection Areas A, B and C are illustrated on Schedule F – Groundwater Resources.

a. Wellhead Protection Area A includes a 100 metre radius around the wellhead.
b. Wellhead Protection Area B includes the 2-year time of travel zone around the wellhead.
c. Wellhead Protection Area C includes the 5-year time of travel zone around the wellhead.

Within the Wellhead Protection Areas the City shall:

a. Collaborate with the Sault Ste Marie Conservation Authority and PUC to implement a program to identify existing abandoned wells and work towards correcting any deficiencies that may threaten groundwater supply.
b. Support education programs to inform the public of the need to protect the municipal water supply. These programs can include the proper handling of possible contaminants such as fuel, chemicals, fertilizers and pesticides.
c. Implement the relevent significant threat policies of the Sault Ste. Marie Region Source Protection Plan.

7.1.2 SIGNIFICANT GROUNDWATER RECHARGE AREA

Rain that falls on the Precambrian Uplands flows south across the shallow bedrock and percolates through the sand and gravel deposits below the Shield area, recharging the groundwater aquifer from which the 4 municipal drinking water wells draw from. A spill within this area could have devastating effects upon the aquifer; therefore, the following policies aim to mitigate the risk to this important water resource, while at the same time, allowing the extraction of the provincially significant sand and gravel deposits in this area.

The Significant Groundwater Recharge Area and the Precambrian Shield Line are shown on Schedule F - Groundwater Resources.

Development proposals north of the Precambrian Shield Line or within the Significant Groundwater Recharge Area shall adhere to the following policies:

7.1.2.1 FUEL STORAGE AND HANDLING

a. In-ground fuel storage tanks are prohibited.
b. The amount of fuel stored on-site shall not exceed 2,500 litres. The maximum amount of fuel stored for aggregate operations shall not exceed 5,000 litres.
c. Fuel storage is limited to fuel for on-site activities only.
d. Storage tanks must be installed on an impervious surface with sufficient containment to hold 110% of the total tank volume.
e. Fueling areas must be designed to collect all runoff, separate fuel from water and allow for proper disposal of the contaminants before the runoff enters ground or surface water systems.
f. Storage tanks must be situated to minimize exposure to moving equipment and vehicles, including collision protection features.
g. On-site fueling equipment should be in a fixed location. Where portable fueling equipment is necessary to fuel fixed machinery, a means to catch and contain a spill is required. The

method of containment will be reviewed and approved by the Conservation Authority and PUC.

h. The area where a portable fuel tank is stored must have an impervious ground surface with sufficient containment to hold 110% of the total tank volume.

7.1.2.2 CHEMICAL STORAGE AND HANDLING

a. The bulk storage of chemicals, petroleum products, and other hazardous materials is prohibited.
b. The storage and handling of chemicals is restricted to an indoor or covered area, equipped with adequate spill and runoff containment structures and designed to prevent any loss of chemicals into the ground.
c. All persons handling chemicals must be trained to ensure the substances are properly stored and handled.

7.1.2.3 VEHICLE MAINTENANCE, REPAIR AND STORAGE

a. Vehicular maintenance and repair will be limited to only those vehicles owned, leased and operated in conjunction with the main use permitted on-site. The repair and maintenance of vehicles and equipment not associated with the main use is prohibited.
b. Maintenance and repair of vehicles and equipment shall be conducted entirely within an enclosed building.
c. The building must be equipped with suitable floor drainage, collection, and retention systems to ensure that any spills are prevented from entering the ground.
d. The floor of the building must be structurally sound and constructed of materials capable of preventing any loss of liquids to the underlying ground.
e. Any portion of the property used to store vehicles or motorized equipment shall be equipped with an impermeable surface to prevent the percolation of contaminated runoff into the ground.

7.1.2.4 SPILL RESPONSE ACTION PLAN

a. A “Spill Response Action Plan” will be required for certain uses or activities. On-site staff must be trained to carry out the plan. A copy of the plan shall be provided to the Conservation Authority and PUC for their review and approval.
b. The spill response plan must be reviewed annually to ensure it is kept up-to-date.

7.2 POTABLE AND NON-POTABLE GROUNDWATER SITE CONDITION STANDARDS

The City of Sault Ste. Marie is committed to protecting its valuable potable groundwater resources. Areas where a Potable Groundwater Standard is required and where a Non-Potable Groundwater Standard may be permitted are shown on Schedule F – Groundwater Resources.

With respect to potable and non-potable groundwater standards, it shall be a policy of the City to:

a. Require the use of potable groundwater standards in the Potable Groundwater Standard Required Area shown on Schedule F – Groundwater Resources.
b. Require the use of potable groundwater standards within 250 metres of a property that contains a groundwater supply well, except for wells used for monitoring or testing purposes.
c. Encourage the remediation of sites where a spill has occurred or contaminated soils have been found to a Potable Groundwater Standard, where feasible.
d. Require any request to use a Non-Potable Groundwater Standard to be completed in accordance with Ontario Regulation 153/04 and the City’s Non-Potable Groundwater Site Condition Standards Implementation Guideline.

7.3 NATURAL HERITAGE FEATURES AND AREAS

A healthy natural environment is critical to Sault Ste. Marie's sustainability. Our natural and built environments are part of a broader inter-connected ecosystem. Forests, wetlands, waterbodies, parks and open spaces provide habitat for various aquatic and terrestrial species and contribute to clean air, water and soil. Our natural heritage features and areas and the functions they provide will be protected and preserved.

7.3.1 FISH HABITAT

Fish habitat includes lakes, rivers, streams, intermittent creeks and some drainage courses that are part of a valuable, connected habitat that serves a variety of fish through various stages of their life cycle. This includes the St. Mary's River Rapids, the 273 kilometres of streams and creeks that exist in the Sault and several lakes, primarily located in the Precambrian Uplands. All lakes, rivers, streams, and tributaries shown on Schedule A – Natural Heritage Features are considered Fish Habitat.

With respect to Fish Habitat, it is a policy of the City to:

a. Encourage the restoration, enhancement and creation of fish habitat.
b. Strongly encourage the maintenance of shoreline riparian areas in a natural state.
c. Require where appropriate, the restoration of previously altered or developed shorelines to a natural state as a condition of development approvals.
d. Encourage the provision and maintenance of public access to recreational fishing opportunities.
e. Prohibit development and site alteration in fish habitat, except in accordance with provincial and federal requirements.
f. Prohibit development and site alteration generally within 120 metres of fish habitat, unless it can be demonstrated through appropriate evaluation that there will be no negative impacts upon natural features or their ecological functions. This may require an Environmental Impact Study prepared by a qualified professional, which outlines any impacts to fish habitat, and the measures required to mitigate all negative impacts, if possible. The extent of the study will take into account the scope of proposed development, existing development, zoning, topography, species and habitat sensitivity. An Environmental Impact Study may be scoped or waived where:
    i. A minor encroachment into the adjacent lands is proposed.
    ii. Significant intervening development exists between the proposed development and the watercourse, such as roads or existing development, or where the shoreline is no longer natural and has been engineered by way of a cement edge, riprap or gabions.
    iii. The topography is such that runoff will not enter into the watercourse or the development can be graded in such a way to eliminate any runoff to the watercourse.
g. Appropriate land use controls, such as Site Plan Control or Holding Provisions may be utilized to ensure that development does not encroach into adjacent lands or appropriate vegetative buffers are protected or established between the watercourse and proposed development.

7.3.2 WETLANDS

Wetlands provide many valuable environmental and economic functions as wildlife habitat, water filters and flood attenuation. Sault Ste. Marie has approximately 1,700 hectares of wetlands,

representing approximately 7 percent of the City's land area. These include provincially significant wetlands, provincially significant coastal wetlands, coastal wetlands, evaluated and un-evaluated wetlands. Wetlands are shown on Schedule A – Natural Heritage Features.

a. The following policies apply to any development within or adjacent to a wetland:

Type of Wetland	**Development Within the Wetland**	**Development Upon Adjacent Lands (Within 120m of wetland boundary)**
Provincially Significant Wetlands and Provincially Significant Coastal Wetlands (Determined through a wetland evaluation)	No development or site alteration.	No development or site alteration within 120m of wetland boundary, unless an appropriate study shows that such development will not impact the natural heritage features or ecological functions of the wetland.
Coastal Wetlands (Wetlands adjacent to Lake Superior or St. Marys River)	No development or site alteration unless an appropriate study shows that such development will not impact the natural heritage features or ecological functions of the wetland.	No development or site alteration within 120m of wetland boundary, unless an appropriate study shows that such development will not impact the natural heritage features or ecological functions of the wetland.
Evaluated Wetlands >0.5ha (Determined not Provincially Significant or Coastal)	No development or site alteration unless an appropriate study shows that such development will not impact the natural heritage features or ecological functions of the wetland.	Development and site alteration permitted, subject to appropriate buffering and stormwater management, in consultation with the SSMRCA and the City.
Evaluated Wetlands <0.5ha (Determined not Provincially Significant or Coastal)	Development and site alteration may be permitted, in consultation with SSMRCA and City.	Development and site alteration permitted, in consultation with the SSMRCA and the City.
Unevaluated Wetlands >0.5ha in size or containing characteristics and components typical of a significant wetland, in consultation with the SSMRCA and City.	Wetland evaluation required prior to any development or site alteration.	Wetland evaluation required prior to any development or site alteration.

Type of Wetland	Development Within the Wetland	Development Upon Adjacent Lands (Within 120m of wetland boundary)
Unevaluated wetlands <0.5ha in size and not containing characteristics and components typical of a significant wetland, in consultation with the SSMRCA and City.	A wetland evaluation may be waived, and development and site alteration may be permitted, in consultation with SSMRCA and City.	Development and site alteration permitted, subject to appropriate buffering and stormwater management, in consultation with the SSMRCA and the City.

b. Infrastructure projects may be permitted to locate within or adjacent to a Provincially Significant or Coastal Wetland where it can be shown, through the Environmental Assessment process, that the proposal cannot be located outside of the wetland. Examples include pipelines, Provincial highways, roads, electric power facilities and water treatment plants.
c. The Environmental Impact Study or wetland evaluation may be scoped or waived where:
    i. Only a minor encroachment into the adjacent lands is proposed.
    ii. Significant 'intervening buffers' exist between the proposed development and the wetland or adjacent lands, such as roads and existing development.
    iii. Appropriate land use controls, such as Site Plan Control or Holding Provisions, can be utilized to ensure that development does not encroach into adjacent lands.

7.3.3 HABITAT OF ENDANGERED AND THREATENED SPECIES

Endangered species are those facing imminent threat of extinction or extirpation. Threatened species are likely to become endangered if steps are not taken to address the factors threatening the species. Special concern species may become threatened or endangered due to a combination of biological characteristics and identified threats.

Habitat loss is a significant contributing factor threatening species populations. Preserving habitat is crucial to the survival of threatened or endangered species, as well as biodiversity and sustainability. According to the Province of Ontario, there are 47 species at risk in the Sault Ste. Marie area, including bird, reptile, mammal, invertebrate, plant, fish and mussel species. These include species of special concern, threatened and endangered. The location of some of the Habitat of Endangered and Threatened Species is shown on Schedule A – Natural Heritage Features and Areas. In other cases, such habitat is not shown due to the sensitivity of the species.

With respect to the Habitat of Endangered and Threatened Species, the City shall:

a. Prohibit development and site alteration in the habitat of endangered and threatened species, except in accordance with provincial and federal requirements.
b. Remind proponents that under the Endangered Species Act, where any new endangered or threatened species occurrence is identified, development and site alteration activities must immediately cease and the Province of Ontario must be contacted.

7.3.4 SIGNIFICANT WILDLIFE HABITAT

Wildlife habitat includes areas where plants, animals and other organisms live and find adequate amounts of food, water, shelter, and space needed to sustain their populations. In the Sault, Significant Wildlife Habitat includes Peregrine Falcon nesting sites on the International Bridge and

a Deer Wintering Area in and around the Airport. These features are shown on Schedule A – Natural Heritage Features and Areas.

With respect to Significant Wildlife Habitat, the City shall:

a. Prohibit development and site alteration within 120 metres of the identified Peregrine Falcon nesting sites, unless it can be demonstrated through an appropriate evaluation prepared by a qualified professional that the development or site alteration will not negatively impact the nesting sites.
b. Development and site alteration within the Core Deer Wintering Area (Strata II) is generally discouraged where it will result in significant vegetation loss, unless it can be demonstrated through an appropriate evaluation prepared by a qualified professional that the development or site alteration will not significantly impact the Core Deer Wintering Area. The need for an evaluation may be scoped or waived where:
    i. The area proposed for development is not heavily vegetated or part of a contiguous forested area.
    ii. The proposed development is small scale or infill in nature and will result in very minimal vegetation loss, such as the creation of a rural residential lot.
    iii. Where the use of Site Plan Control or other tools can be utilized to maximize vegetation retention.
c. Development and site alteration adjacent to (within 120m) the Core Deer Wintering Area is permitted, subject to the use of Site Plan Control or other tools aimed at maximizing vegetation retention.

7.3.5 FOREST AND TREES

Given the mix of urban, rural and wilderness environments, Sault Ste Marie has an abundance of forests and trees. These natural assets and natural climate solutions provide a range of environmental, economic, social and health services to residents and visitors.

With respect to forests and trees, it is a policy of the City to:

a. Support the creation of a Tree By-law that protects heritage trees and trees in sensitive natural areas including wetlands, shoreline riparian areas, significant slopes and known significant wildlife habitat.
b. Support the assessment of the urban tree canopy with the goal of establishing long-term urban tree canopy cover targets.
c. Require the maintenance and reinforcement of natural features such as wooded areas in or adjacent to new developments.
d. Require that new developments strive to maintain existing trees, including the potential need for a Tree Retention Plan, as part of a complete application for large-scale developments.
e. Strongly encourage tree planting as part of all new developments.
f. Encourage tree planting in existing developments.
g. Encourage tree planting on all public projects, including the reconstruction of arterial roads in commercial corridors.
h. Support partnerships and efforts to plant trees on public lands.
i. Give preference to the planting of native species for any public or private development project that is subject to Site Plan Control. Where non-native species are proposed, they shall be non-invasive species. Planted vegetation should be resilient to climate change and site-specific consideration, such as salt tolerance.

j. Preference will be given to the planting of a diversity of species rather than a single type.
k. Develop a comprehensive planting list of appropriate species.

7.3.6 THE PRECAMBRIAN UPLANDS

The Precambrian Uplands area contains numerous natural heritage features and areas, including large, connected forested areas, many watercourses and wetlands. The geology of the area is characterized by bedrock with very little topsoil and numerous significant slopes. Surface water flows south and into the groundwater recharge area, which supplies approximately 50 percent of the City's drinking water supply. Due to these characteristics, the area is very sensitive to development. Therefore, development within the Precambrian Uplands is generally discouraged. Further policies relating to the Precambrian Uplands are found in Section 4 – Land Use.

7.4 MINERALS AND MINERAL AGGREGATE RESOURCES

Minerals and mineral aggregate extraction are a vital and valuable resource for the community and local pits and quarries are necessary for the development of the urban area. The protection of minerals and mineral aggregate resources from incompatible uses conserves and protects this non-renewable resource. The operation of pits and quarries within the area must include provisions for their progressive rehabilitation and subsequent reuse.

Major sand and gravel deposits are identified on Schedule A - Natural Heritage Features and Areas. The limits of the Minerals and Mineral Aggregate Area shown on Schedule A closely corresponds with the Significant Groundwater Recharge Area shown on Schedule F – Groundwater Resources. Consequently, pits and quarries function in areas where their operations have the potential to impact the groundwater supply.

With respect to Mineral and Mineral Aggregate Resources, it shall be a policy of the City to:

a. Ensure the orderly extraction and optimal use of mineral aggregate resources in order to provide for local, regional and provincial needs, while minimizing negative environmental, financial and social impacts on the municipality and residents.
b. Encourage extractive uses to follow the principles of sustainability including the recovery of mineral aggregate resources through activities such as asphalt and concrete recycling, where feasible.
c. Require progressive and final rehabilitation on all mineral aggregate operations.
d. Encourage the rehabilitation of abandoned pits and quarries.
e. Discourage sensitive land uses, which are not compatible with aggregate extraction, from developing in areas surrounding existing pits and quarries. New residential development in the Mineral Aggregate Resource Area shown on Schedule A – Natural Heritage Features and Areas shall be limited to existing lots of record. New residential lot creation is not permitted.
f. Wayside pits and quarries, portable asphalt plants, and portable concrete plants used on public authority contracts are permitted in all areas without the need for an Official Plan amendment, rezoning or development permit approval under the *Planning Act*, however land use compatibility (impacts to nearby sensitive uses) and environmental sensitivity (impacts to nearby natural heritage features) should be considered and addressed as part of the siting process.
g. Continually monitor and assess the rural transportation network with the purpose of ensuring that major routes which service pits and quarries are capable of supporting heavy truck traffic, with special regard for the potential to ship aggregates via the future Port of Algoma.

h. Additional policies contained in Section 4.10 - Aggregate Extraction Land Use Designation.

7.5 NATURAL HAZARDS

Various naturally occurring conditions can result in hazards to human health and safety, as well as damage or loss property. In Sault Ste. Marie natural hazards include lands that are subject to flooding, wildland fire and erosion. The intent of this Plan is not to further aggravate any existing hazard and to direct new development away from lands that are impacted by such hazards where there is an unacceptable risk to public health, safety or of property damage. In other cases, various mitigation measures can reduce the risk to acceptable levels. The lands subject to natural hazards are shown on Schedule B – Environmental Constraints and Hazards.

7.5.1 FLOOD HAZARDS

Three types of flood hazards impact Sault Ste Marie: the Great Lakes Flood Line, the Tributary Flood Line and Specific Flood Areas. The Sault most recently had severe flooding during the storms in the fall of 2013 and again in the fall of 2019. Because of the effects of climate change, it is generally anticipated that flooding may occur more frequently and with more severity.

Natural hazards are largely regulated by the Sault Ste. Marie Region Conservation Authority and in most cases Conservation Authority approvals are required prior to any development or site alteration in a flood prone area.

7.5.1.1 GREAT LAKES FLOOD LINE

The Provincial Great Lakes/St. Lawrence River Shoreline Policy and the Shoreline Management Plan of the Saul Ste. Marie Region Conservation Authority are implemented through the policies below. The purpose of these policies is to reduce the potential loss of life and property damage as a result of flooding, erosion and dynamic beach action.

The Great Lakes Flood Line is divided into two regulated areas as shown on Schedule B – Environment Constraints and Hazards:

- The Lake Superior Regulated Shoreline - Above the compensating gates.
- The St. Mary's River Regulated Shoreline - Below the compensating gates.

The Regulated Shorelines are defined as the total landward extent of the "regulatory flood line", the "regulatory erosion line", the "regulatory dynamic beach area", and wave up-rush limits.

With respect to the Great Lakes Flood Line, it shall be a policy of the City to:

a. Strongly encourage the maintenance and rehabilitation of shoreline areas to a natural state. The maintenance and rehabilitation of shoreline areas may be imposed as a condition of development approval.
b. Require all development or site alteration, including the removal of vegetation in or abutting a Regulated Shoreline, to obtain approval from the Conservation Authority and the Department of Fisheries and Oceans.
c. Require that erosion control works comply with provincial and Conservation Authority Standards.
d. Permit further development of existing developed areas within the Lake Superior and St. Mary's River Regulated Shorelines subject to Conservation Authority approval and provided that:

i. Buildings and structures, including additions to existing buildings and structures, are flood-proofed.
ii. Erosion setbacks are used in combination with specific engineering works or studies to ensure proper protection.
iii. The development is not within the Dynamic Beach Area, as defined by the Conservation Authority.

7.5.1.2 TRIBUTARY FLOOD LINE

The Tributary Flood Line includes streams, intermittent watercourses and inland lakes that are not on the Lake Superior-St. Mary's River shoreline. The Tributary Flood Line or flood plain areas are identified by the Sault Ste. Marie Region Conservation Authority (based on the Flood Plain Mapping Report, Dillon 1977) using the "Regional Storm" with allowances for erosion, meandering and the 1 in 100 year flood event. Defined by the Province of Ontario, the Regional Storm for this area is the "Timmins Storm", which is based on an actual rainfall event that occurred over Timmins in 1961. The lands included within the Tributary Flood Line are shown on Schedule B – Environment Constraints and Hazards.

With respect to the Tributary Flood Line, it shall be a policy of the City to:

a. Require a permit from the Sault Ste. Marie Region Conservation Authority prior to any development or site alteration within the flood plain area.
b. Prohibit the development of new buildings or structures within the designated Tributary Flood Line, except flood and erosion control structures and facilities which by their nature must locate near water.
c. Require a permit from the Sault Ste. Marie Region Conservation Authority prior to any development or site alteration within 30m of the high-water mark or within 15m of the top of the stable slope, both of which may include increased setbacks or flood proofing measures related to a meander belt, where necessary.
d. Strongly encourage the maintenance of lands and vegetation within the Tributary Flood Line in a natural state.
e. Strongly recommend the rehabilitation and revegetation of shore areas back to their natural state, subject to approvals from the Sault Ste. Marie Region Conservation Authority.

7.5.1.3 SPECIFIC FLOOD AREAS

Bayview, Gateway and Steelton are urban areas that are prone to flooding. Development and redevelopment within the Specific Flood Areas shown on Schedule B - Environment Constraints and Hazards must conform to the following policies:

a. Bayview — No building openings shall be permitted below 184.4m Canadian Geodetic Datum.
b. Gateway — No building openings shall be permitted below 178.6 Canadian Geodetic Datum. Improvements which resolve the flooding hazard are identified by the City with the technical advice of the Conservation Authority and are required as a condition of redevelopment.
c. Steelton — No building openings shall be permitted below the elevations established in the Conservation Authority's Fort Creek Watershed Appraisal, 1984. Improvements which resolve the flooding hazard are identified by the City, with the technical advice of the Conservation Authority and are proposed as a public project and provided when possible.

7.5.2 SIGNIFICANT SLOPES

Significant slope lands in Sault Ste. Marie include river and stream valleys (ravines) as well as the Sault's lower escarpment, commonly referred to as "the hill". For the purposes of this Plan, Significant Slopes are those that are greater than 15 percent. Development or site alteration on or near Significant Slopes is regulated to prevent potential human risks and property damage primarily related to erosion. Many of the Significant Slopes also act as vegetated corridors providing natural habitat and connecting forested areas throughout the community. The lands subject to Significant Slopes are shown on Schedule B - Environment Constraints and Hazards. The Sault Ste. Marie Region Conservation Authority regulates development within slope hazard lands.

With respect to Significant Slopes, it is the policy of the City to:

a. Prohibit development and site alteration upon slopes that are unstable or subject to active erosion or historic slope failure.
b. Maintain significant slopes and ravines in a natural state. The maintenance and enhancement of the natural vegetation upon a slope is strongly encouraged and may be imposed as a condition of development.
c. Ensure that development is setback 15m from the top or bottom of the stable slope. Specific setback distances for slopes having grades steeper than 3 horizontals to 1 vertical, or 5 horizontals to 1 vertical in sandy soils, shall be determined in consultation with the Sault Ste. Marie Region Conservation Authority.
d. Require development proposals on or near significant slopes to be accompanied by a slope stability analysis prepared by a qualified professional, to the satisfaction of the Sault Ste. Marie Region Conservation Authority. A permit from the Conservation Authority must also be obtained for development on these slopes or within 15m of the top or bottom of a defined stable slope.
e. Prohibit development on lands having slopes greater than 15 percent. The City may consider, but is under no obligation to accept dedication of such lands for stormwater management purposes or to facilitate the continuation of a recreational or wildlife corridor. Such lands dedicated may not be included in any required parkland dedication.
f. Protect areas where topographic changes might result in significant erosion or other environmental damage. These areas may include sensitive vegetation or vegetation in combination with topographic features.
g. Recognize that the primary agency in the designation and review of fill areas is the Sault Ste. Marie Region Conservation Authority. Changes to the boundaries or permits to place fill require Conservation Authority approval. Fill materials must meet applicable Provincial requirements.

7.5.3 WILDLAND FIRE

Behind flooding, wildfires are the second largest factor for natural disasters. On average, the Ministry of Natural Resources and Forestry responds to over 1,200 wildfires each year. The anticipated impacts of climate change (increased frequency and severity of drought periods) coupled with communities expanding into forested areas have increased the risk of wildfires.

Vegetation types which present high to extreme risk for wildland fire include natural conifer forests and unmanaged conifer plantations that can include black or white spruce, jack pine and balsam fir, along with immature red and white pine. Mixed wood forests with a composition that is greater than 50% conifer composition also pose a potential risk. Damaged or diseased forests also pose a risk.

Lands subject to Wildland Fire Hazard (high to extreme risk) are shown on Schedule B - Environment Constraints and Hazards.

With respect to Wildland Fire Hazards, it shall be a policy of the City to:

a. Generally direct development away from areas where hazardous forest types have been identified as high to extreme risk for wildland fire.
b. Permit development upon lands with high to extreme risk forest types, where the risk is mitigated in accordance with a wildland fire assessment, completed by a qualified professional, in accordance with wildland fire assessment and mitigation standards identified by the Province of Ontario.
c. Use its legislative authorities under the *Planning Act* to implement mitigation requirements or clearly identify areas with high to extreme wildland fire risks.
d. Ensure that any mitigation efforts, such as clearing vegetation, consider all other policies contained within this Plan, especially those related to natural heritage features and areas.
e. Encourage landowners in areas where high to extreme wildland fire risks have been identified to 'Be FireSmart'.

7.6 HUMAN MADE HAZARDS

There are three known mine hazards located in Sault Ste. Marie, numerous known contaminated sites and brownfields, which are former industrial or commercial sites that may be contaminated.

7.6.1 MINE HAZARDS

There are 3 known mine hazards, shown on Schedule B - Environment Constraints and Hazards. One is a former sandstone quarry north of the Great Northern Road/Fourth Line intersection. Another is the former Elliot Brickyard in the Elliot Field area west of Peoples Road and north of Rossmore Road. The third is located beyond the city limits, however a small portion of the 1 kilometre buffer around the hazard is within the northeastern portion of the City.

As per Provincial requirements, applications for development within 1 kilometre of a mine hazard shall include consultation with the Ministry of Northern Development, Mines, Natural Resources and Forestry as part of a complete application. This Ministry will work with proponents to refine development setbacks and assess the need for additional studies, if any, as the case may be.

7.6.2 CONTAMINATED SITES

Known contaminated sites and potentially contaminated sites, known as brownfields include lands where contaminants may be present due to previous uses such as industrial, transportation or utility. Sources of site contamination can include disposal of waste materials, raw material storage, residues left in containers, maintenance activities and spills. Some commercial uses such as gasoline stations and vehicle repair garages have a similar potential. Where a site is or has the potential to be contaminated, appropriate remediation may be required prior to development. Site remediation may include a site remediation plan prepared in accordance with the requirements of the Environmental Protection Act and/or a Record of Site Condition issued by the Province of Ontario. Where a Record of Site Condition is required, remediation standard requirements shall be guided by Policy 7.2 of this Plan.



8 AGRICULTURE AND FOOD SYSTEMS

The food system is a complex system of production, processing, distribution, and consumption of food. The local food system consists of the same elements, but at the local level. Supporting the creation of a robust local food system leads to a secure food system, which has numerous economic, social, health and recreational benefits. It is also recognized that the City plays an important role in the regional food system, as the largest market in the region and a centre for support, value added processing and distribution.

More specifically, the City:

a. Recognizes the role that local produced foods plays in the physical and economic health of the City.
b. Supports existing and potential future agricultural operations by permitting where appropriate, agricultural related uses and on-farm diversified uses.
c. Supports urban agriculture uses aimed at providing people with an opportunity to produce their own foods, including community gardens.
d. Supports food accessibility for vulnerable sections of the population and specifically recognizes food banks and community kitchens as a valuable part of integrated social services.
e. Ensures that rural residential development is limited in nature relative to the local context, and does not negatively impact existing and future agricultural operations.

8.1 RURAL AGRICULTURE

The City of Sault Ste Marie has a vibrant and growing agriculture sector. The number of active farms in Sault Ste. Marie has varied between approximately 25 and 35 farms since 2006. Based on Statistics Canada data, agriculture activity in Sault Ste. Marie accounts for 7% to 10% of the agriculture activity in the entire Algoma District. While it is recognized that the majority of local rural agricultural operations are small scale, they play an important role in the local food system. Furthermore, Sault Ste. Marie represents a significant market for foods grown in the region, as well as a potential hub for processing, storage and distribution to larger markets.

The following policies apply to rural agriculture:

a. Ensure rural lot sizes are large enough to support agricultural uses, with recognition that crop production can occur on smaller lots and livestock operations or more intensive farming operations require larger lots.
b. Ensure that proposals for new sensitive uses and new or expanded livestock facilities (barns and manure storage) adhere to the Ontario Ministry of Agriculture, Food and Rural Affairs (OMAFRA) Minimum Distance Separation Formulae, to ensure land use compatibility.
c. Generally support, where feasible:
    i. Agriculture-related uses that are directly related to farm operations on-site or in the area, support agriculture and benefit from being in close proximity to farm operations. Examples include, but are not limited to processing, handling and storage facilities, the production and sale of agricultural products and value added agricultural products, educational farms and pick-your-own operations.
    ii. On-farm diversified uses including agri-tourism, banquets and small-scale food services.
    iii. Home based Industries such as small scale trades shops, contractor's yards, indoor and outdoor storage.
d. Agricultural related uses, on-farm diversified uses and home based industries in association with an agricultural operation are subject to the following criteria:
    i. The property must be part of the Farm Property Class Tax Rate Program.
    ii. The use does not impair the primary agricultural operation.
    iii. The use does not negatively impact nearby sensitive uses.
    iv. The use can be supported with adequate on-site services (well and septic) and parking.
e. Small-scale, non-permanent, seasonal food outlets are permitted on any lands designated Commercial, Mixed Employment or Rural Area, subject to the following criteria:
    i. They are located upon private property with frontage on an arterial road, excluding seasonal food outlets that are located on the same property as an existing agricultural operation.
    ii. Seasonal food outlets are to be small-scale, non-permanent and the construction of any buildings or structures is discouraged. Installations, such as tables, tents and signage shall be non-permanent and temporary in nature. Outlets that are located on the same property as an existing agricultural operation are exempt from these requirements.
    iii. Adequate on-site parking shall be accommodated.
    iv. The seasonal food outlet shall be located in a manner that all required setbacks can be achieved.

8.2 MAPLE SYRUP PRODUCTION

The strong demand for maple syrup and related products is evidenced by federal and provincial programs aimed at supporting maple syrup production. At the regional level, RAIN (Rural Agri-Innovation Network) aims to expand the maple sector by enabling producers to increase production, grow markets, adopt new technology and create innovative maple products. The global demand-supply gap in maple syrup coupled with the numerous mature sugar maple tree stands (sugar bushes) in Sault Ste. Marie, provide an opportunity to grow this sector. From an environmental standpoint, maple syrup harvesting is a low impact use, as mature trees can be

tapped for a number of years without impacting the overall health of the tree. The mature maple trees in the City are primarily located in the Precambrian Uplands area, however, many properties located in this area do not have frontages on publicly owned roads.

It shall be the policy of the City to:

a. Support agriculture uses associated with maple syrup production, which includes maple sap tapping and syrup production on lands designated Rural Area.
b. Support where feasible, accessory uses associated with maple syrup production such as bottling, retail sales, food services and public tours in the Rural Area, subject to the following criteria:
    i. The use does not impair the primary maple syrup operation.
    ii. The use does not negatively impact nearby sensitive uses.
    iii. The use can be supported with adequate on-site well and septic services and parking.
c. Support where feasible, maple syrup production on lands designated Precambrian Uplands, subject to the following:
    i. Where the property has frontage and direct access to a publicly owned and maintained road, accessory buildings, as well as accessory uses open to the public, such as food services, retail sales and public tours are permitted.
    ii. Where a property does not have frontage or direct access to a publicly owned and maintained roadway, maple syrup production may occur, however accessory buildings requiring a permit and the accessory uses described above (Section 8.2c(i)) are not permitted.
    iii. Accessory buildings requiring a permit may only be erected where legal access agreements can be obtained across all lands from which access is required. Such agreements shall be for a period exceeding 21 years, which may require Consent approvals.

8.3 URBAN AGRICULTURE

Urban agriculture uses, such as community, backyard and rooftop gardens play a key role in improving food access in urban areas.

It shall be the policy of the City to:

a. Permit up to three (3) hens to be kept in the rear yard of a single detached dwelling. The hens must be kept in an enclosure subject to minimum setback requirements implemented through the Zoning By-law.
b. Encourage private gardens and orchards in all land use designations.
c. Permit community gardens in all land use designations, excluding Industrial designated lands.
d. Require a Record of Site Condition, where there is the potential for soil contamination based on historical use of the property. Alternatively, raised garden beds with an impermeable barrier between the garden bed and any contaminated soils may be permitted, subject to review of a qualified professional where necessary.
e. Support locating community gardens on City-owned property, including City-owned parks, subject to policies pertaining to new uses in parks, contained in Section 6.2e) of this Plan.

8.4 FOOD BANKS

Food banks are an important element of food security and they provide food for the most vulnerable. Food banks either function on the *'front line'* model, directly providing food to those who need it, or the *'warehouse model',* supplying front line organizations such as food banks and soup kitchens. The City recognizes that food banks offer more than just food and may include accessory food related programs such as a community kitchen, prepared meals, food literacy courses, greenhouses and community gardens. It shall be the policy of the City to:

a. Encourage location of food banks within public service facilities and community hubs.
b. Support where feasible, accessory food-related uses such as food services, community kitchens, educational courses, greenhouses and community gardens.



9 INFRASTRUCTURE AND SERVICING

Providing and maintaining civic infrastructure and services is an important responsibility of the municipality. The design and provision of most civic infrastructure and core services is guided by provincial policies, regulations and guidelines.

Specific policies related to transportation infrastructure are discussed in Section 3 – *Urban Design and Mobility*. In addition, 'soft' infrastructure that add to the city's quality of life, including things like parks, recreational and cultural facilities are addressed in Section 6 – *Parks, Recreation, Arts, Culture and Heritage.*

9.1 INFRASTRUCTURE OBJECTIVES

The city shall:

a. Provide residents with a reliable supply of clean and safe drinking water and the safe disposal of wastewater.
b. Ensure that the City's water and sewage capacities are adequate to service existing and proposed development.
c. Ensure that the City's stormwater management system adequately manages water quantity and improves water quality, with special regard for the potential impacts of climate change.
d. Promote green, sustainable infrastructure and utility development.
e. Promote water and energy conservation and water and energy use efficiency across all sectors.
f. Ensure efficient and economic local waste management that safeguards the physical, environmental and social health of the community.
g. Minimize the impact of solid waste disposal on the environment by optimizing resource recovery and recycling of solid waste.
h. Support the development of energy and communications infrastructure in coordination with the responsible private and publicly regulated agencies.

9.2 MUNICIPAL WATER AND SEWAGE SERVICING

The PUC is responsible for water services and the City is responsible for sewage services. Areas outside of the Urban Settlement Area primarily rely on individual wells and septic systems; however, there are exceptions where public water and sewer services are available to properties outside of the Urban Settlement Area. There is enough reserve capacity in the public water and sewer systems, including hauled sewage capacity, to accommodate projected growth over the next 25 years.

In an effort to provide infrastructure and services in an efficient manner to accommodate current and projected needs, the following policies shall apply:

a. All development within the Urban Settlement Area shall be serviced by public water and sewage services unless it is determined to not be feasible over the life of this Plan.
b. All development outside of the Urban Settlement Area shall be served by private on-site water and sewage services except where there is direct access to existing services, then development shall connect to public services.
c. For on-site sewage systems designed to treat more than 10,000 litres of effluent per day, approvals are required from the Ministry of the Environment, Conservation and Parks (MECP).
d. For on-site sewage systems designed to treat less than 10,000 litres of effluent per day, approvals are required from Algoma Public Health (APH).
e. Where development is proposed outside fully serviced areas, the proponent must prove that the soil conditions of the proposed site are suitable for a waste sewage disposal system and that there is a proven source of potable water available. A hydrogeological assessment may be required where the minimum lot size is less than 0.8 hectare (2 acres).
f. The extension of municipal water and/or sewage services to development outside the Urban Settlement Area may be considered on a case-by-case basis, where such extensions are necessary to address failed on-site septic and water service. The following criteria shall also be considered:
    i. Alternative sources of water supply are not available or inadequate.
    ii. A health hazard exists.
    iii. Environmental degradation is occurring.
g. Development of new sensitive uses within 150m of the East and West Sewage Treatment Plants is discouraged, as further discussed in Section 4.14 of this Plan.

9.3 STORMWATER MANAGEMENT

Stormwater management systems are critical in protecting public health and safety, property and the environment. These systems receive, control and convey stormwater runoff in response to precipitation and snow melt. The City's stormwater management system consists of an integrated network of swales, ditches, culverts, storm sewers, flood control channels, pump stations, oil and grit separators, stormwater management ponds and underground reservoirs. Local stormwater management systems are owned, operated and maintained by the City of Sault Ste. Marie, the Sault Ste. Marie Region Conservation Authority, private developments or a combination thereof.

With an increase in impervious surface cover, such as roads, driveways and rooftops, management of stormwater quantity and quality is an essential factor in development. It shall be the policy of the City to:

a. Emphasize stormwater management practices in the design of the major and minor drainage systems, with a goal of preserving the hydrologic cycle, and a focus on source controls.
b. Encourage maximizing the extent and function of vegetative and permeable surfaces.
c. Promote stormwater attenuation and reuse, as well as water conservation and efficiency.
d. Implement a city-wide stormwater management approach as noted in the 2015 Stormwater Management Master Plan and Guidelines, which include, but are not limited to:
    i. Improving snow disposal sites.
    ii. Education about stormwater management.
    iii. Implementing a point source monitoring plan to monitor specific sources of pollution.
    iv. Installing additional oil and grit separators to remove oil and sediment from storm runoff.

9.4 INFRASTRUCTURE IN NEW DEVELOPMENTS

Municipal sewer and water services are the preferred form of servicing for all new developments within the Urban Settlement Area. It shall be the policy of the City to:

a. Permit new development only if existing and planned public sewage and water services have confirmed capacity to accommodate the demands of the proposed development.
b. Where there is insufficient capacity, proponents may choose to upgrade, at their own expense, the existing sewage and water systems to ensure adequate servicing consistent with Provincial and Local standards.
c. Generally discourage communal or shared potable water and wastewater systems, unless the system is part of an approved condominium development.
d. Minimize impact on the City's stormwater management system by incorporating on-site measures, such as permeable surfaces and vegetative retention areas that limit the amount of stormwater entering the municipal service system.
e. Wherever possible, low impact design (LID) and green infrastructure will be encouraged as a means to managing stormwater. Low-impact design utilizes natural processes to manage stormwater runoff and green infrastructure includes built features such as bioswales and constructed wetlands that perform environmental functions such as filtering stormwater.
f. The need for and design of stormwater management systems in association with private development will be assessed and reviewed according to the City's Stormwater Management Master Plan and Guidelines. More specifically:
    i. All industrial, commercial and institutional developments, as well as residential developments of 4 or more dwelling units must have quantity and where necessary, quality controls.
    ii. Where quantity controls are required, peak post-development flows should not exceed pre-development flows for all storms up to the major drainage system design storm.
    iii. In consultation with the Sault Ste. Marie Conservation Authority, quality control measures aimed at removing total suspended solids shall be implemented, as necessary.

9.5 SOLID WASTE MANAGEMENT

Solid waste management refers to sites and facilities that accommodate solid waste, including recycling facilities, transfer stations, processing sites and disposal sites (such as landfills and incinerators). Waste management facilities can generate odour and cause other adverse effects on nearby residents. Therefore, land use compatibility considerations contained in Section 4.14 of this Plan shall apply.

Upon completion of the Solid Waste Management Environmental Assessment and subsequent expansion of the landfill footprint, it is anticipated that the landfill's capacity, will be adequate to accommodate anticipated growth over the next 25 years. Additionally, it shall be the policy of the City to:

a. Strive to facilitate waste diversion from the landfill through the development, support and where feasible, expansion of waste diversion initiatives such as additional plastics recycling and organics composting.
b. Encourage 'landfill mining', which is a process of excavating disposed waste and cover material, recovering recyclable materials and cover material, and returning the residual waste to the disposal footprint.
c. Consider the implications of development and land use patterns on waste generation, management and diversion.
d. Protect the ongoing viability of municipal solid waste management facilities, such as the landfill, by discouraging the encroachment of new sensitive uses within the defined influence areas of these facilities.

9.6 TELECOMMUNICATIONS INFRASTRUCTURE

Telecommunications infrastructure is regulated by Innovation, Science and Economic Development Canada (ISED), which is a Federal agency that holds the final approval authority over the location and design of telecommunications towers. Telecommunications towers are exempt from municipal zoning by-laws. However, there is a public consultation protocol and proponents are required to obtain a "letter of concurrence" from the City, which is then submitted to ISED to indicate the City's support of the installation of the new telecommunications tower.

The City shall:

a. Proactively work with outside agencies and stakeholders to appropriately plan for and support telecommunications infrastructure development.
b. Review applications for the construction of new telecommunications towers according to the City's Telecommunications Tower Policy, which provides direction on locational and design criteria for new towers, as well as application, public notice and consultation requirements.

9.7 ENERGY INFRASTRUCTURE

Various public and privately owned and operated energy infrastructure exists within Sault Ste. Marie, including PUC's electrical distribution system, TransCanada's natural gas pipeline, Enbridge underground gas distribution system and high-voltage electricity transmission lines owned by Hydro One.

The City Shall:

a. Proactively work with outside agencies and stakeholders to appropriately plan for and support energy infrastructure development.
b. Protect existing and planned utility corridors through appropriate land use and development controls.
c. Promote energy conservation and efficiency across all sectors.
d. Support renewal energy projects including wind and solar.

9.8 FIRE PROTECTION AND POLICE SERVICES

The safety and security of residents and properties is key to maintaining social cohesion and citizen involvement in civic affairs.

The City Shall ensure that:

a. New development is generally directed away from lands that are unsafe due to natural and human made hazards, as further discussed in Sections 7.5 and 7.6 of this Plan.
b. New development has sufficient water pressure to ensure adequate flows for fire protection. The City may restrict certain types of land uses in certain areas due to inadequate water pressure.
c. The development of fire stations and police stations generally considers the following:
    i. Convenient access to arterial roads.
    ii. Relationship to intended service area.
    iii. Design and site plan integration with the host neighbourhood, including the use of appropriate landscaping.



10 IMPLEMENTATION AND MONITORING

The Official Plan is a key, long-term, strategic document that will guide growth and change in the City of Sault Ste. Marie over the next 20-25 years. It is anticipated that the Official Plan will be used to inform other strategic plans, master plans and other planning or programs developed by the City and its partners during the life of the Official Plan. It is also anticipated that the Official Plan will inform other initiatives like asset management planning, infrastructure capital planning, financial planning and the annual budget process.

This section establishes policies pertaining to the administration and implementation of this Official Plan in the land use planning context, using the appropriate legal and financial tools. Generally, the Official Plan will be implemented by the City through the use of specific powers of the *Planning Act,* general powers pursuant to the *Municipal Act* and any other relevant provincial or municipal legislation.

The policies of this Plan balance local and provincial goals and objectives in land use planning. The Plan has regard to matters of provincial interest, is consistent with the Provincial Policy Statement 2020 and conforms with the Growth Plan for Northern Ontario. In addition to the policies of this Plan, there are other plans, policies, programs, legislation, regulations, and guidelines established by various Provincial Ministries that must be considered when applications for new development are proposed. All applications will be reviewed against the policies of this Plan, with necessary regard to this broader legislative framework. This chapter discusses the planning tools available to the Municipality, the role of public participation, the importance of ongoing monitoring and how to interpret the Plan.

10.1 OFFICIAL PLAN IMPLEMENTATION

The policies contained in this Plan shall be implemented by:

a. Regulating private development through tools such as subdivision control, zoning, building regulations, and other by-laws.
b. Preparing more detailed plans where warranted.

c. Using all legislative powers vested in the City of Sault Ste. Marie through provincial statutes having effect in the City in implementing this Plan.
d. Not undertaking any public project or passing any by-law that does not conform with this Plan.
e. Encouraging public works undertaken by Provincial and Federal Ministries and other public agencies to conform with the policies of this Plan.
f. Continually investigating new or improved techniques of implementation.

10.1.1 OFFICIAL PLAN AMENDMENTS

This Plan shall be reviewed and amended from time to time as required by Council to meet the changing needs of the Community and respond to new issues, information and projects. Amendments may be initiated by City Council or the public. Amendments must follow the procedures outlined in this Plan and the *Planning Act* and its regulations.

As per Section 22 of the *Planning Act*, upon final Provincial approval of the new Official Plan, there is a '2-year time out period' whereby no person or public entity can file an Official Plan Amendment application. The *Planning Act* provides that the Municipality may waive the 2-year time out period requirement.

It shall be the policy of the Official Plan:

a. To waive the 2-year 'time out' period established in Section 22 of the *Planning Act* and thus permit Official Plan Amendment applications to be brought to Council at any time.
b. That any provision of this Plan may be amended pursuant to the requirements of the *Planning Act.*
c. That except as provided for in Section 10.9.2 (b), changes to the text, tables and schedules contained in this Plan will require an amendment to the Plan.
d. That when considering an application to amend the Official Plan, the City shall consider the following matters:

    i. The conformity of the proposal to the principles, strategic direction, objectives, and appropriate policies of the City of Sault Ste. Marie Official Plan.
    ii. Matters of provincial interest in the *Planning Act*.
    iii. Consistency with the Provincial Policy Statement, 2020.
    iv. Conformity with the Growth Plan for Northern Ontario.
    v. Other relevant legal, policy or regulatory requirements.
    vi. The views of the public, public bodies and other stakeholders.
    vii. Whether the proposed amendment is in the public interest.
    viii. Other matters as deemed appropriate.

e. That the City shall provide information regarding a proposed amendment to the Official Plan to such boards, commissions or agencies that may have an interest, to afford such agencies an opportunity to comment.
f. That prior to adopting an amendment to the Plan, the City shall provide information and hold a public meeting for the purposes of obtaining public input concerning the proposal, subject to the provisions of the *Planning Act*, and Section 10.7.3 of this Plan.
g. That prior to the City considering an application to amend the Official Plan, the applicant shall meet the requirements of Sections 10.7.2 of this Plan.

10.2 COMMITTEE OF ADJUSTMENT

Pursuant to Section 44 of the *Planning Act*, Council has delegated to the Committee of Adjustment the ability to grant consents, minor variances and extension to legal non-conforming uses. The Committee shall be guided by the provisions of the *Planning Act* and by the policies of this Plan when deliberating on applications.

a. Consents to Sever

The Committee of Adjustment can grant consents to sever the land for ownership, rights in use of land (easements) by sale, purchase or mortgage, lease or other forms of agreement for a period of twenty-one years or more.

b. Minor Variances

When considering a Minor Variance to the Zoning By-law, the Committee of Adjustment shall assess if the requested variance(s) satisfies the four tests of a Minor Variance:

i. Is it minor?
ii. Is it desirable for appropriate use and development of the land?
iii. Does it maintain the general intent and purpose of the Zoning By-law?
iv. Does it maintain the general intent and purpose of the Official Plan?

c. Non-Conforming Uses

An existing use which is not permitted by the provisions and policies of the applicable Zoning By-law is “legal non-conforming”. Applications for the extension or enlargement of a legal non-conforming use will be considered by the Committee of Adjustment. The Committee of Adjustment in considering an application for enlargement or extension of a legal non-conforming use shall consider the following:

i. The proposed extension or enlargement will improve or not unduly aggravate the situation created by the existence of the use.
ii. The proposed extension or enlargement represents a reasonable increase in the size of the non-conforming use.
iii. The characteristics of the existing non-conforming use and the proposed extension or enlargement will be examined with regard to impacts from noise, vibration, fumes, smoke, dust, odour, lighting, and traffic generation.
iv. The host neighbourhood and adjacent uses will be afforded reasonable protection by the provision of landscaping, buffering or screening, appropriate setbacks for buildings and structures and any other measures for reducing nuisances.
v. Adequate provisions will be made for off-street parking and loading facilities.
vi. All municipal services such as water, sewage and roads are and will continue to be adequate.
vii. The enlargement or extension of a legal non-conforming use that would allow the legal non-conforming use to extend beyond the boundaries of the property on which the legal non-conforming use first existed. For the purposes of clarity, any legal non-conforming use that extends beyond the boundaries of the property on which the legal non-conforming use first existed will be considered as an illegal land use.

10.3 LAND USE AND DEVELOPMENT DESIGN CONTROLS

10.3.1 ZONING BY-LAW

It is the policy of this Official Plan to:

a. Update the Zoning By-law within 3 years of the New Official Plan coming into effect and after completing each comprehensive Official Plan review so that it conforms to the most current version of the Official Plan.
b. Ensure that the Zoning By-law and amendments thereto conform to the policies of this Plan.
c. Evaluate each rezoning application according to all applicable policies of this Plan.
d. Consider applications for Minor Variances to the Zoning By-law pursuant to the policies of Section 10.2b of this Plan.

10.3.2 HOLDING PROVISION

A Zoning By-law may contain Holding provisions when the use of land has been determined, but Council has identified conditions that need to be satisfied prior to development proceeding. Lands subject to these provisions shall be identified by the holding symbol "H" following the zone symbol on the zoning maps.

a. The holding symbol (H) is generally used in the following instances:
    i. When certain details of development have not yet been determined, or where certain conditions of development have not yet been met such as, but not limited to, development or servicing agreements with the City.
    ii. When the level of community services and/or infrastructure is not yet adequate to support the proposed use.
    iii. Where environmental conditions or constraints temporarily preclude development or redevelopment.
    iv. Where soil remediation is required prior to development.
    v. Where required studies have not yet been approved by the City
b. The zoning by-law containing the holding provision may specify the interim land uses to be permitted, the conditions for removal of the holding provision, and any regulations or restrictions applying to the lands during the time the holding provision is in place.
c. The holding provision may be removed when all the conditions set out in the holding provision by-law have been satisfied.

10.3.3 INTERIM CONTROL BY-LAWS

Council may enact an Interim Control By-law for a period not exceeding a total of two years from the date of the initial passing of the Interim Control By-law, to prohibit certain land uses or development patterns until such time that Council has had time to conduct a full review or study and develop policies and regulations for such uses or development patterns. Once an Interim Control By-law ceases to be in effect, Council may not pass another Interim Control By-law that applies to the same lands as the original Interim Control By-law for three years.

10.3.4 TEMPORARY USE BY-LAWS

Council may authorize, by by-law, a temporary use of land for a purpose that is otherwise prohibited by this Official Plan and the Zoning By-law, for a period not exceeding three years. Prior to the passing of a Temporary Use By-law, Council shall be satisfied that the proposed temporary use meets the following criteria:

a. That it is in the public interest.
b. That it is compatible with neighbouring land use activities.
c. That adequate parking can be provided.
d. Adverse impact on traffic will not be created.
e. The construction of a permanent building or structure is not encouraged.
f. The use cannot become permanent and difficult to terminate.
g. Adverse environmental impacts will be avoided, minimized or mitigated.

10.3.5 SITE PLAN CONTROL

The intent of site plan control is to ensure a high quality development in terms of exterior building design, location and orientation, exterior accessibility features, site servicing, landscaping, stormwater management, access, parking and buffering. Where a property or use is subject to Site Plan Control, the developer is required to enter into a Site Plan Agreement with the City, which must be registered on title, prior to the issuance of any building permits, development or site alteration.

It is a general policy of this plan to require site plan control to be utilized in the following situations:

a. On properties located within nodes, including the downtown, along corridors and gateway areas.
b. Where there is a sensitive use/non-sensitive use interface, or residential/non-residential interface.
c. Medium and large-scale residential and non-residential intensification development.
d. Any residential development consisting of more than 4 dwelling units, where appropriate.
e. Any other proposal where Council deems it appropriate to require site plan control.

10.3.6 COMMUNITY PLANNING PERMIT SYSTEM

The Community Planning Permit System consolidates the Rezoning, Minor Variance, and Site Plan Control processes into one streamlined development permit application process. Council may pass a by-law to deem all or part of the community as within a Community Planning Permit System (CPPS), subject to an Official Plan Amendment to:

a. Identify the areas in the municipality that would be subject to a CPPS.
b. Outline the goals and objectives of the CPPS for the identified areas.
c. Set out the criteria and conditions that may be considered in the decision process for development applications.

10.3.7 LEGAL NON-CONFORMING USES, LOTS, BUIDLINGS AND STRUCTURES

Many existing land uses may not conform with the designations and/or policies of this Plan. These uses are generally viewed as undesirable, and the intent is the use should eventually cease and the property developed with a new use that is compatible with this Plan. With respect to these non-conforming uses, the following policies will apply:

a. Nothing in this Plan will affect the continuance of uses legally existing on the date this Plan was adopted.
b. The implementing Zoning By-law may recognize existing land uses that do not conform with the land use designation of this Plan.
c. Non-Conforming Uses
   Any legally existing use that does not conform to the relevant policies contained in this Plan will be deemed a legal non-conforming in terms of this Plan. The following shall apply:

i. Where an existing non-conforming use is discontinued, any rezoning may only take place in conformity with this Plan.
ii. If the use is similar or compatible with the uses permitted in the Zoning By-law, it may be permitted to expand or redevelop, subject to any conditions the Committee of Adjustment deems appropriate as per the provisions of Section 10.2c of this Plan.
iii. An existing building or structure that is zoned as a non-conforming use may be reconstructed or strengthened to a safe condition, provided the external dimensions and use of the building or structure do not change.

d. Non-Conforming Lots, Buildings and Structures.
Where a legally existing use of land is permitted within the applicable zone in the Zoning By-law, but the lot, buildings or structures located on the property no longer meet one or more of the provisions or regulations of the applicable zone, the lot, building or structure shall be considered to be legal non-conforming.
i. Applications to expand or alter a legal non conforming building or structure will be considered by way of a Zoning By-law amendment or minor variance, depending on the nature of the proposal.
ii. Legal non-conforming lots may be developed upon in accordance with the policies of this Plan and the implementing Zoning By-law.

10.4 LAND DIVISION TOOLS

10.4.1 SEVERANCES

Where the extension of a public road, water or sewer main is not required, land may be divided through the Consent to Sever process provided that a Plan of Subdivision is not necessary for the proper and orderly development of the area.

The following policies shall apply to severances:

a. Residential lot creation in rural areas is limited to the creation of two new lots, plus the remnant or retained parcel, as of July, 14 2014.
b. Rural residential severances in the Precambrian Uplands and Aggregate Extraction Areas are prohibited.
c. When assessing an application to create a new lot by Consent to Sever, the Committee of Adjustment shall be satisfied that:
i. The land is divided in an efficient manner and that landlocked parcels are not created.
ii. The proposed lot will not affect the future development or use of the remaining lands.
iii. The proposed lot has frontage upon and direct access to a public road that is owned and maintained by the City on a year-round basis.
iv. The proposed lot can be accessed safely, without causing a traffic hazard as a result of its location near an intersection or on a curve or hill.
v. The planned development of the proposed lot shall not have a negative impact on the drainage patterns of the area.
vi. The proposed lot and planned development will not negatively impact any significant natural heritage features, areas or hazards.

vii. The proposed lot is of a size appropriate for the intended use and is in conformity with the policies of the Official Plan and the Zoning By-law.
viii. Severances for residential purposes which result in the creation of two-tiered parcels (flag shaped lots) shall be discouraged, especially where the rear parcel cannot meet the minimum frontage requirements of the zone in which it is situated.

d. Despite the policies noted above, the following technical severances may be granted:
   i. To correct lot boundaries.
   ii. To convey additional land to an adjacent lot provided the conveyance does not lead to the creation of an undersized lot for the purpose for which it is being or will be used.
   iii. To correct title to the land.
   iv. Where the effect of the consent does not create an additional lot.
   v. To permit an easement.
   vi. To permit a consent for municipal or other public purposes.

10.4.2 DRAFT PLAN OF SUBDIVISION

Where the extension of public infrastructure such as roads, water or sewer mains is required, land shall generally be divided through a Plan of Subdivision.

The following policies shall apply to Draft Plans of Subdivision:

a. When assessing a Plan of Subdivision application, the City shall be satisfied that:
   i. The proposed development is not premature and is located within the Urban Settlement Area.
   ii. The land is divided in an efficient manner and that landlocked parcels are not created.
   iii. The proposed subdivision is integrated with the surrounding area.
   iv. The proposed infrastructure is designed to meet or exceed City standards.
   v. The subdivision shall not have a negative impact on the drainage patterns of the area.
   vi. The subdivision will not impact the groundwater quality and quantity of the area.
   vii. The proposed development will not have a negative impact upon significant natural heritage features and areas or hazards.
   viii. The proposed lots are of a size appropriate for their intended use and are in conformity with the policies of the Official Plan and the Zoning By-law.
   ix. The proposed subdivision can be accommodated by adequate services and infrastructure.
b. The City shall use subdivision agreements to ensure that appropriate conditions and requirements are satisfied as part of the development. The City may adopt standards for the development, design, servicing, roads, financing, and other conditions under the subdivision agreement.
c. Draft Plans of Subdivision, or portions thereof, must be registered within 6 years of Draft Approval, after which the draft approval lapses. The City will not extend or recommend the extension of a draft plan approval, beyond the statutory limitation of three years, unless the subdivider has demonstrated to the satisfaction of the City that

they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of extension, the City will review draft plan conditions and may make appropriate modifications.

10.4.3 CONDOMINIUM APPROVALS

Condominium developments shall proceed in accordance with the provisions of the *Condominium Act*.

a. The City shall review and approve the overall design of common elements, such as roadways and underground services associated with the condominium development.
b. In the case of vacant land condominiums, where plans can be registered and lots sold prior to the installation of the common elements, the City will require a letter of credit, equal to the costs associated with installing all common elements of the phase to be registered, as determined by a qualified professional to the satisfaction of the City.
c. The City shall use development agreements and/or site plan control to ensure that appropriate conditions and requirements are satisfied as part of the development. The City may adopt standards for the development, design, servicing, roads, financing and other conditions under the development agreement and/or site plan agreement.
d. Where existing condominiums have been approved, but not yet registered, the City may enter into a development agreement which may include a letter of credit and any other matters the City deems relevant.
e. Where a condominium receives Draft Plan approvals, the draft plan or portions thereof, must be registered within 6 years of Draft Approval, after which the draft approval may lapse. The City will not extend or recommend the extension of a draft plan approval unless the subdivider has demonstrated to the satisfaction of the City that they are making a reasonable effort to proceed in meeting the conditions of the draft approval. At the time of extension, the City will review draft plan conditions and may make appropriate modifications.

10.4.4 PART LOT CONTROL

Council may pass by-laws to exempt all or parts of registered Plans of Subdivision from Part Lot Control.

a. Part Lot Control shall not be used to circumvent the Subdivision or Consent processes.
b. An exemption from Part Lot Control may be appropriate for situations where a thorough review process has been completed or where buildings exist, and part lot control is utilized to sever lots along the common wall between units.

10.5 TOOLS FOR OBTAINING BENEFITS FROM DEVELOPMENT

10.5.1 PARKLAND DEDICATION

In accordance with the *Planning Act*, the City is entitled to a dedication of land for park purposes as a condition on any development or redevelopment, including new lot creation.

a. Commercial and industrial development and redevelopment, including new lot creation shall provide 2% of land or cash in lieu of land.
b. Institutional and residential development and redevelopment, including new lot creation shall provide 5% of land or cash in lieu of land.
c. The following alternative rates for higher density residential developments may also be applied where they are determined to result in greater dedication than 5%:

i. 1ha/300 dwelling units; or
ii. Cash in lieu of 1ha/500 dwelling units.

d. The City shall develop a Parkland Dedication By-law for the purposes of collecting parkland or cash in lieu of parkland for redevelopment projects.
e. The City shall develop a Parkland Dedication Guideline that outlines the City's expectations related to parkland dedication and communicates flexible arrangements aimed at maximizing community benefit.
f. The preference for dedicating parkland or cash in lieu of parkland is generally guided by the following:
    i. For commercial and industrial development, cash in lieu of parkland is generally preferred. However, where circumstances warrant, such as mixed-use developments with a significant residential component or large-scale commercial or industrial development, parkland dedication may be contemplated.
    ii. For small-scale residential developments, including infill development, residential intensification and rural residential development, cash in lieu of parkland is generally preferred. However, where circumstances warrant, such as a lack of parkland within the 800-metre service standard, parkland dedication may be contemplated.
    iii. For large-scale residential developments, including Draft Plans of Subdivision or Condominium, higher density residential development or mixed-use developments with a significant residential component, dedication of parkland is generally preferred. However, where circumstances warrant, such as sufficient nearby parkland, cash in lieu of parkland may be contemplated.
g. Where parkland is dedicated, the lands shall be acceptable to the City, suitable for recreational purposes and free of encumbrances. A Record of Site Condition under the Environmental Protection Act may also be required prior to dedication.
h. The City may accept a smaller parkland dedication in consideration of improvements made by the developer upon lands to be dedicated. Improvements may include site work such as servicing, clearing, grading or landscaping or the installation of amenities such as playground equipment, playing fields or park furniture.
i. Where cash in lieu of parkland is provided, these monies may be utilized in the immediate vicinity of the development or in other areas or to fund city-wide recreational projects and other public amenities.
j. The City may waive or accept a smaller cash in lieu of parkland payment in consideration of improvements made by the developer to a park within close proximity to the proposed development.
k. If parkland has been or is required to be conveyed to the Municipality or a payment in lieu has been received or is owing, no additional conveyance or payment may be collected for subsequent development or redevelopment unless:
    i. There is a change in the proposed development or redevelopment which would increase the density of development.
    ii. Land originally proposed for development or redevelopment for commercial or industrial purposes is now proposed for development or redevelopment for residential purposes that have a higher demand for park and open spaces.

10.5.1.1 SELLING CITY OWNED PARKLAND

Selling City-owned lands identified as named municipal parks is generally discouraged. Additionally, there are many existing City-owned parcels that may be zoned for parks and recreation but are not necessarily identified as named municipal parks.

When contemplating the sale of city owned parkland, the following matters shall be considered:

a. Opportunities to repurpose park space to increase usage should be proactively and thoroughly investigated before it is deemed surplus.
b. The surrounding area shall be assessed to ensure that future development does not increase the demand for park space. This should include an assessment of the potential for a demographic shift, especially where the predominant land use in the area is residential.
c. An assessment of whether the existing parks are capable of supporting park space needs of the surrounding neighbourhood shall be undertaken.
d. If a safety risk is posed by these lands, means to mitigate these concerns shall be thoroughly explored.
e. If the park significantly impacts the development feasibility of the surrounding area, relocation of the park as part of a future development may be considered.
f. Disposing of parks that contain natural heritage features such as fish habitat or wetlands, or development constraints such as flood prone areas or significant slopes is discouraged.
g. Prior to the sale of City-owned park space, the City shall provide public notice and host a neighbourhood meeting to obtain feedback from neighbours, prior to Council making a decision on selling the park.

10.5.1.2 SCHOOL SITES

School yards are not City owned parks, but often function as public recreational or green spaces that play an important role in providing park space.

a. Where school sites are offered for sale, the City shall review and determine if the property or a portion of the property is required for a neighbourhood park, based upon the 800-metre service standard.
b. Redevelopment proposals for former school sites shall have special regard for open space provisions and proponents may be required to provide parkland in accordance with the parkland dedication policies of this Plan.

10.5.2 COMMUNITY BENEFITS CHARGES AND DEVELOPMENT CHARGES

Council may enact a Community Benefits Charge By-law that imposes Community Benefits Charges, or a Development Charge By-law that imposes Development Charges on developments and redevelopments to pay for the capital costs of facilities, services and matters required as a result of development or redevelopment.

10.5.3 COMMUNITY IMPROVEMENT PLAN (CIP)

Council may initiate a Community Improvement Plan if they consider it desirable because of age, dilapidation, overcrowding, faulty arrangement, unsuitability of buildings or for any other environmental, social or community economic development reason. Community Improvement Plans must outline the overall intent of improvements for the area.

a. The entire area of the City of Sault Ste. Marie is designated as a Community Improvement Project Area.

b. By way of Community Improvement Plans, the City can encourage improvements to private and public lands, through incentives such as grants, loans, waiving of fees and municipal property tax rebates.
c. The City will consider providing new incentives for the following:
    i. Projects that enhance conservation and efficient use of energy and water, including the use of low-impact design and sustainability features.
    ii. The provision of affordable housing units.
    iii. The provision of barrier-free housing units.
    iv. The provision of additional rental units, especially in close proximity to Sault College and Algoma University.
    v. The development and redevelopment of properties in older areas of the community where assessment growth is low or where building stock is deemed beyond its useful life.
    vi. Development and redevelopment projects in The Downtown.
    vii. Development and redevelopment projects that support primarily export related business sectors.
l. In reviewing new development incentives and Community Improvement Plans, Council shall ensure that incentives are aimed at strategic development that addresses a community need and achieves significant public good and community benefit. It should be demonstrated that proposed incentives relate to at least one of the Overarching Themes of the Official Plan.

10.6 PROPERTY STANDARDS

The enforcement of minimum standards for the maintenance and occupancy of individual properties is important to the health, safety and welfare of City residents. It also assists in preserving the character of residential areas.

a. The City shall retain and revise its Property Standards By-law, as needed, which prescribes standards for the maintenance and occupancy of properties within the City.
b. The City may require that properties which do not conform to the Property Standards By-law be repaired and maintained to standard or shall prohibit occupancy of such property or order the site to be cleared of all structures and debris and left in a graded and levelled condition.
c. Council shall ensure the application of the Property Standards By-law is not detrimental to the conservation of heritage resources.
d. Council may amend the Property Standards Bylaw to prescribe minimum standards for the maintenance of heritage attributes for designated properties under the Ontario Heritage Act.

10.7 *PLANNING ACT* APPLICATIONS

10.7.1 PRE-CONSULTATION

The City encourages pre-consultation on all *Planning Act* applications. The City has a Development Application Review Team (DART) consisting of staff members from Planning and other departments and agencies for the purposes of pre-consultation. The City may pass by-laws to require that proponents pre-consult with City Staff prior to the submission of *Planning Act* applications.

10.7.2 COMPLETE APPLICATION

The *Planning Act* gives municipalities the ability to request, in addition to the minimum prescribed requirements, information and material for certain types of land use planning applications to make an informed decision, provided that the municipal Official Plan contains provisions relating to the additional information and material.

a. The additional information that may be requested as part of a Complete *Planning Act* Application may include, but is not limited to:
    i. Concept Plan, Site Plans and façade and elevation drawings.
    ii. Environmental Impact Study.
    iii. Heritage Impact Assessment and Conservation Strategy.
    iv. Hydrogeological Study.
    v. Grading Plans.
    vi. Arborist Report.
    vii. Landscape Plan.
    viii. Market Impact Study.
    ix. Noise, Vibration, Dust and Odour studies.
    x. Phase 1 & 2 Environmental Assessment.
    xi. Planning Justification Report.
    xii. Record of Site Condition.
    xiii. Geotechnical Study.
    xiv. Phase 1 and 2 Archaeological Site Assessments.
    xv. Stormwater Management Report.
    xvi. Traffic Impact Study.
    xvii. Water, Sanitary Sewer and Electrical Servicing Capacity Studies.
    xviii. Archaeological Assessment.
    xix. Sun/Shade Study.
    xx. Wind Study.
    xxi. Public Consultation Strategy
b. The additional information and material that may be required depends on the nature and character of the site, the surrounding area, the proposal and the type of approval sought.
c. The additional information and material required as part of a complete application, including any exceptions to the above list of studies, will be determined and confirmed by the City during the pre-consultation process.
d. The City may refuse to accept an application that is not complete.

10.7.3 PUBLIC NOTICE AND PUBLIC INPUT

The City will provide the community with adequate notice of development applications and statutory public meetings as required by the *Planning Act.* The City shall meet the public notice requirements outlined in the *Planning Act* in terms of specified timeframes and required information. In addition, the following preferences and alternative procedures are required:

a. For site-specific *Planning Act* applications brought to Council public notice and input opportunities shall be provided by way of the following:
    i. A neighbourhood meeting hosted by the applicant. In the event that a neighbourhood meeting is not possible or feasible, alternative measures such as a virtual meeting or mailed information to neighbouring property owners may be contemplated, subject to staff approval.

ii. A mailed notice to neighbours.
iii. The posting of a sign, provided by Planning staff, which shall be clearly posted on the subject property.
iv. Publishing the notice on the City's website.
v. A Public Hearing of City Council where the public may make written or oral comments.

b. For *Planning Act* applications brought to Council that apply to larger portions of the community:
   i. Staff will provide Council with an informational report outlining the proposed changes.
   ii. Staff will host an information meeting, with notice provided in a newspaper and online news outlet.
   iii. Upon completion of the neighbourhood meeting, Council will hold a Public Hearing where the public can attend and make oral or written submissions. Notice of Council's Public Hearing will be provided by:
      - Mailed and emailed notices to those stakeholders that have requested it through previous consultations; and,
      - Ads placed in the newspaper and online news outlets.

c. For *Planning Act* applications brought to the Committee of Adjustment, public notice and input opportunities shall be provided by way of the following:
   i. A mailed notice to neighbours.
   ii. The posting of a sign, provided by Planning staff, which shall be clearly posted on the subject property.
   iii. Publishing the notice on the City's website.
   iv. A Public Hearing of the Committee of Adjustment where the public may make written or oral comments.

10.8 ONGOING CIVIC ENGAGEMENT

The City will strive to provide ongoing, meaningful and diverse opportunities and venues for the public to engage and provide input upon a variety of municipal matters, in addition to the minimum statutory requirements prescribed in the *Planning Act* or other applicable legislation.

a. The City will actively foster and develop relationships with Indigenous communities in the Sault Ste. Marie region and strive to include engagement with Indigenous communities as part of large projects and the development of community-wide policies.
b. The City should consider developing a Corporate Public Consultation Policy, including matters where there may not be statutory requirements.
c. Where a development or project requires an Environmental Assessment and a *Planning Act* application, the City will encourage the proponent to utilize the 'integrated approach' under the *Environmental Assessment Act* and the *Planning Act*, while ensuring the intent and requirements of both acts are met.

10.9 MONITORING & AMENDMENTS

Development within the City will be monitored on a regular basis to ensure that the policies of this Plan are being achieved.

10.9.1 OFFICIAL PLAN REVIEWS

The City shall at minimum, conduct a comprehensive review of the Official Plan 10 years after the date this Plan comes into effect, and every 5 years thereafter. A comprehensive review will include revisions as necessary to ensure:

a. Conformity with Provincial Plans and the Provincial Policy Statement.
b. Regard for matters of Provincial interest.
c. Consideration of updated population and land needs projections, to ensure adequate supply of developable land.
d. Consideration of new data relevant to the City's development.
e. Consistency with other City master plans and policy documents.
f. The Official Plan shall be reviewed and amended as required by Council or the Province, to meet the changing needs of the community and to respond to new issues and information.

10.9.2 AMENDMENTS

a. Official Plan Amendments may be initiated by Council or the public.
b. In the case of technical amendments to the Official Plan or Zoning By-law, public notification and consultation with the public is not required. This approach will be restricted to the following:
    i. Altering punctuation or language for consistency.
    ii. Correcting grammatical, dimensional and boundary, mathematical or typographical errors.
    iii. Inserting historical footnotes or similar annotations.
    iv. Changing the number and arrangement of the text, tables, schedules and maps.
    v. Where new information is obtained through detailed on-site investigation and review, minor boundary adjustments to maps or schedules may be permitted. Such minor alterations will generally apply to Natural Heritage Features, Hazards and the Open Space Designation.
c. All other amendments must follow public notice and public input procedures as established in the *Planning Act* and in Section 10.7.3 of this Official Plan.

10.9.3 MONITORING

a. The City shall continuously monitor key trends and indicators to ensure the Official Plan remains relevant and effective.
b. Indicators and data to be monitored include, but are not limited to:
    i. Population and demographic changes.
    ii. Land supply and land demand.
    iii. Indicators of progress regarding this Official Plan's overarching themes: healthy community, environmental sustainability, integrated mobility, sense of place, sustainable growth, economic resiliency, social equity and cultural vitality.

10.10 PLAN INTERPRETATION

The City Planning Office shall be responsible for interpreting all aspects of the Plan. The following policies shall guide the interpretation of this Plan:

a. The Official Plan is a holistic document. All relevant schedules and policies should be reviewed and applied in each situation. While some policies are cross referenced with each other, this cross-referencing does not take away from the need to read the Official

Plan as a whole. The ordering of the policies or length of an individual policy section does not imply any priority or importance.

b. All Schedules should be viewed at the appropriate scale.
c. Consider boundary designations on the maps as general guidelines only, except where such areas or boundaries coincide with existing roads, railways, rivers, waterbodies and other defined features.
d. Where the general intent of the Plan is maintained, minor land use boundary adjustments will not require an amendment to this Plan.

DRAFT

SAULT STE.MARIE

OFFICIAL PLAN MAP SERIES
SCHEDULE 'A'
NATURAL HERITAGE FEATURES AND AREAS

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.
Publication Date: March 09, 2022
Version No.: V0.1 (DRAFT)
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

0 0.5 1 2 Kilometers

N

PRINCE TOWNSHIP
(Not Included in Planning Area)

Municipal Boundary

Batchewana First Nation
(Not Included in Planning Area)

(Not Included in Planning Area) Batchewana First Nation

(Not Included in Planning Area) Batchewana First Nation

CHIPPEWA COUNTY.
STATE OF MICHIGAN

SUGAR ISLAND TWP.
STATE OF MICHIGAN

Lake Superior/ Whitefish Bay

Marks Bay

St. Marys River

Canada USA

CYAM

Document Path: G:\CitySSM_GIS\Planning\OP_SCHEDULES\2021_New_OP\OP_Schedule_A_NHFA_March2022_11x17_V3.mxd

- Unevaluated Wetland (OMNR, 2012)
- Evaluated Coastal Wetland (OMNR, 2009, 2012)
- Provincial Significant Coastal Wetland (OMNR, 2012)
- White-tailed Deer Wintering Area (Stratum 2)
- Significant Wildlife Habitat - Perigrine Falcon Nesting Site (OMNR, 2010)
- Endangered/Threatened Species (OMNR, 2008)
- Fish Habitat - Lakes
- Rivers, (3.2.1)
- Intermittent Water Course (3.1.3)
- Mineral and Mineral Aggregate Resources
- Shield Line

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SAULT STE.MARIE

OFFICIAL PLAN MAP SERIES

SCHEDULE 'B'

ENVIRONMENTAL CONSTRAINTS AND HAZARDS

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.
Publication Date: March 09, 2022
Version No.: V0.1 (DRAFT)
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

0 0.5 1 2 Kilometers

N

PRINCE TOWNSHIP
(Not Included in Planning Area)

Municipal Boundary

Batchewana First Nation
(Not Included in Planning Area)

(Not Included in Planning Area) Batchewana First Nation

(Not Included in Planning Area) Batchewana First Nation

CHIPPEWA COUNTY. STATE OF MICHIGAN

SUGAR ISLAND TWP. STATE OF MICHIGAN

Lake Superior/ Whitefish Bay

Marks Bay

St. Marys River

Canada USA

CYAM

Document Path: G:\CitySSM_GIS\Planning\OP_SCHEDULES\2021_New_OP\OP_Schedule_B_ECH_March2022_11x17_V5.mxd

- SSMRCA Regulated Area (Ont. Reg. 176-06)
- Specific Flood Area
- Tributary Flood Line
- Hazardous Forests for Wildland Fire: Extreme
- Hazardous Forests for Wildland Fire: High
- Significant Slope =>15%
- Great Lakes Flood Line
- Mine Hazards
- Mine Hazard 1km Buffer
- Fish Habitat - Lakes
- Shield Line
- Rivers
- Intermittent Water Course

DRAFT

SAULT STE.MARIE

OFFICIAL PLAN MAP SERIES

SCHEDULE 'C'

LAND USE

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.
Publication Date: March 7, 2022
Version No.: V0.1 (DRAFT)
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

0 0.5 1 2 Kilometers

N

PRINCE TOWNSHIP
(Not Included in Planning Area)

Municipal Boundary

Batchewana
First Nation
(Not Included in Planning Area)

Municipal Boundary

Municipal Boundary

(Not Included in Planning Area)
Batchewana
First Nation

(Not Included in Planning Area)
Batchewana
First Nation

Lake Superior/
Whitefish Bay

Marks Bay

St. Marys River

Canada
USA

CYAM

CHIPPEWA COUNTY.
STATE OF MICHIGAN

SUGAR ISLAND TWP.
STATE OF MICHIGAN

Document Path: G:\CitySSM_GIS\Planning\OP_SCHEDULES\2021_New_OP\OP_Schedule_C_LU_March2022_11x17_V5.mxd

- Residential
- Downtown
- Commercial
- Mixed Employment
- Industrial
- Institutional
- Open Space
- Community Parks
- Rural Area
- Aggregate Extraction
- Precambrian Uplands
- Waste Management
- Airport Employment Lands
- Urban Settlement Area
- Downtown (OPA 121)
- Urban Service Line
- Shield Line

DRAFT

SAULT STE.MARIE

OFFICIAL PLAN MAP SERIES
SCHEDULE 'D'

MOBILITY AND MAJOR INFRASTRUCTURE

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.
Publication Date: March 09, 2022
Version No.: V0.1 (DRAFT)
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

0 0.5 1 2 Kilometers

N

PRINCE TOWNSHIP
(Not Included in Planning Area)

Municipal Boundary

Batchewana
First Nation
(Not Included in Planning Area)

(Not Included in Planning Area) Batchewana First Nation

(Not Included in Planning Area) Batchewana First Nation

NEF 30
CYAM

Lake Superior/ Whitefish Bay

Marks Bay

St. Marys River

Canada
USA

CHIPPEWA COUNTY.
STATE OF MICHIGAN

SUGAR ISLAND TWP.
STATE OF MICHIGAN

Document Path: G:\CitySSM_GIS\Planning\OP_SCHEDULES\2021_New_OP\OP_Schedule_D_MMI_March2022_11x17_V4.mxd

- Arterial Street
- Collector Street
- Local Street
- Sackville Road Ext.
- Second Line East Ext.
- Airport NEF 30
- Airport Approach Surface
- Airport Transitional Surface
- Municipal Landfill 500m Buffer
- East & West End Waste Water STP Buffers
- Imperial Oil Pipeline
- Trans Canada Pipeline
- Flood Control Channel
- Port of Algoma - Existing & Expansion Plans
- Urban Settlement Area
- Railline - Single
- Railline - Side Track
- Shield Line

SAULT STE.MARIE

OFFICIAL PLAN MAP SERIES
SCHEDULE 'E'
ARCHAEOLOGICAL AND CULTURAL HERITAGE RESOURCES

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.
Publication Date: March 31, 2022
Version No.: V0.1 (DRAFT)
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

0 0.5 1 2 Kilometers

N

PRINCE TOWNSHIP
(Not Included in Planning Area)

Municipal Boundary

Batchewana
First Nation
(Not Included in Planning Area)

(Not Included in Planning Area) Batchewana First Nation

CHIPPEWA COUNTY.
STATE OF MICHIGAN

SUGAR ISLAND TWP.
STATE OF MICHIGAN

Lake Superior/ Whitefish Bay

Marks Bay

St. Marys River

Canada
USA

CYAM

Document Path: G:\CitySSM_GIS\Planning\OP_SCHEDULES\2021_New_OP\OP_Schedule_E_ARCH_March2022_11x17_V3.mxd

- Archaeological Potential (ASI, Sept 2010 Master Plan)
- Locally Significant Heritage Areas - Lower Pim
- Locally Significant Heritage Areas - Monterey Gardens
- Locally Significant Heritage Areas - Downtown Queen Street
- Locally Significant Heritage Areas - The Pim Hill
- Locally Significant Heritage Areas - Simpson, Leo, Upton, MacGregor
- Shield Line

DRAFT

SAULT STE.MARIE

OFFICIAL PLAN MAP SERIES

SCHEDULE 'F'

GROUNDWATER RESOURCES

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.
Publication Date: March 09, 2022
Version No.: V0.1 (DRAFT)
Projection Details:
NAD 1983 UTM Zone 16N
GCS North American 1983

0 0.5 1 2 Kilometers

N

PRINCE TOWNSHIP
(Not Included in Planning Area)

Municipal Boundary

Batchewana
First Nation
(Not Included in Planning Area)

(Not Included in Planning Area) Batchewana First Nation

(Not Included in Planning Area) Batchewana First Nation

CHIPPEWA COUNTY.
STATE OF MICHIGAN

SUGAR ISLAND TWP.
STATE OF MICHIGAN

Lake Superior/ Whitefish Bay

Marks Bay

St. Marys River

Canada
USA

CYAM

Document Path: G:\CitySSM_GIS\Planning\OP_SCHEDULES\2021_New_OP\OP_Schedule_F_GWR_March2022_11x17_V4.mxd

- Wellhead Protection Area 'A' - 100m Radius Around Wellhead (SSMRCA, 2010)
- Wellhead Protection Area 'B' – 2 Year Time of Travel (SSMRCA, 2010)
- Wellhead Protection Area 'C' – 5 Year Time of Travel (SSMRCA, 2010)
- Wellhead Protection Area 'D' – 25 Year Time of Travel (SSMRCA, 2010)
- Non-Potable Groundwater Standard Permissible Subject to Environmental Site Assessment Report
- Potable Groundwater Standard Required
- Significant Groundwater Recharge Protection Area (RJ Burnside, SSMRCA)
- Shield Line

Rachel Tyczinski

Subject: FW: Correspondence for Council Agenda Item 7.26

From: Noah Edwards
Sent: Monday, April 11, 2022 1:30 AM
To: City Clerk <cityclerk@cityssm.on.ca>

Hello City Clerk,

See below for my correspondence to Council regarding agenda item 7.26 for the Monday, April 11, 2022, Council Meeting. Please ensure my email address is not included on the public agenda.

Thank you,
Noah Edwards

To Mayor and Members of Council
RE: Agenda Item 7.26 Draft Official Plan Covering Report

On page 3 of the covering report, under the "Rural Estate Subdivisions" heading, the second sentence, there is the following, "To date, there have been two local developers that have contacted staff, strongly advocating that the current and proposed moratorium on new rural estate subdivisions be revisited." It is concerning that staff are hiding the identity of the developers who supported this.

Under the new Procedure By-Law 2022-100, passed at the previous Council meeting, a new section was added that states the following, "31.7 Anonymous communications will not be circulated to members of Council or retained as an official record." Therefore, this means that if I sent this letter to Council anonymously, the Clerk would throw it away. Communications are not defined in the Procedure By-Law; however, it sets the standard that communication to Council should not be anonymous. This leaves a double standard, why can developers hide anonymously while private citizens who submitted letters regarding the Official Plan must have their names attached? Why were the developers not asked by staff to send a formal letter to Council regarding their support for rural estate subdivisions? Are staff trying to protect the developers in this city?

I will also note that no one at the public consultation sessions for the Official Plan said anything about rural estate subdivisions (except myself). There was a letter received regarding a rural estate subdivision at the special meeting but nothing else. Some councillors also mentioned it at the special meeting.

Overall, to have a fair and transparent process the same rules must be applied equally to all stakeholders. Council should be asking on Monday who these developers in support are and why staff did not feel they should be named. Or if staff are not willing to do that, moving forward this should not occur again, staff should be providing names or requesting they also submit a letter summarizing their position.

Thank you,
Noah Edwards

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Don Elliott, Director of Engineering
DEPARTMENT:	Public Works and Engineering Services
RE:	Civic Centre Improvements

Purpose

The purpose of this report is to update Council on the Civic Centre Improvements project, and obtain approval to increase the project budget and engineering fee limit.

Background

At the December 14, 2020 meeting, Council was advised of three improvements required to the Civic Centre. The first was the requirement to reconfigure the lobby on level 2 to address access concerns related to the pandemic, physical distancing, and building security. Restrictions are necessary for accessing meeting rooms and staff work areas. The proposed work will provide facilities for interactions with visitors to complete transactions in the lobby, and provide secure access points with means of employee identification for security and contact tracing.

The second component involves the exterior entrance to level two. The 2020 building conditions assessment under asset management identified the need to replace the waterproofing over the underground garage which will involve excavating the area at the front entrance, completion of structural repairs required, waterproofing the below-grade roof and backfilling. This is the most appropriate time to replace the deficient accessibility ramp and reconstruct it to current standards. Further, given that the exterior stairs have outlived their useful life and require extensive rehabilitation every spring, it is appropriate to replace them at this time. All of this work was identified in the recent building conditions assessment.

The need for the third component was discovered during the windows and cladding project. There is insufficient fire protection on structural steel members between floors at the building perimeter. Several remedies were evaluated, and the favoured option was to install a complete sprinkler system on all levels.

At the meeting of December 14, 2020, Council authorized that the project be the candidate for the Covid Resilience stream of funding under the Investing in Canada Infrastructure Program (ICIP). The application for funding was successful and the funds are to be applied to the exterior entrance work. The work must be complete by December 2023 to be eligible for the funding. Design of all of these improvements was awarded to an engineering and architectural team at the meeting of March 8, 2021.

Analysis

The project schedule has been delayed for a number of reasons. The design and construction industry has been extremely busy over the last two years. No proposals were received in response to the first request for proposals. A second RFP was issued and one engineering and architectural team provided a proposal. Further, the windows and cladding contractor requires access from the front entrance to complete work on the atrium wall so the exterior work could not be completed in 2021. The pandemic has generally had an adverse effect on design and construction capacity across the industry.

In consultation with the design team, it was decided to tender the interior work and exterior work separately. The interior work was tendered for the lobby and sprinkler system but received little interest, so staff decided to tender the sprinkler system separately. That tender closed on March 9, 2022. There was only one bid and it was 150% overbudget so staff is not recommending award. The work in the lobby has been reviewed by Public Works and it has been decided that the work can be completed by in-house carpentry staff. It includes new flooring, painting, construction of four modular kiosks of various sizes and other amenities like work stations and facilities for payment for the completion of transactions with visitors in the lobby. Staff are considering alternative options for the provision of the sprinkler system.

Design is proceeding for the exterior work. The intent is to ensure all visitors will have access to the front entrance of the Civic Centre. During preliminary design, it was determined that the reconstruction of the accessibility ramp will not be feasible. The grade difference is such that the ramp, if built to current code, will be excessively long and expensive and it is doubtful anyone will make use of it. The proposed solution is the construction of an exterior elevator to provide access between levels. The elevator will ensure citizens of all physical abilities will have access to the front entrance.

The original pre-design budget is insufficient to complete the work, particularly the exterior portion, due to optimistic cost estimates in the 2020 building conditions assessments and the elevator will cost more than the ramp. The consulting team provided a pre-design estimate in excess of $4M but staff have worked with the consultant to reduce scope of several components. The revised budget of

$2,728,000 recommended below will complete the majority of what is required, but there may be additional work needed in the future to the level apron area/gathering space in front of the Civic Centre.

Financial Implications
The original project budget approved in previous capital budgets was $1,823,000. The revised budget is recommended at $2,727,423 and the additional funds can be covered by the $475,000 allocation from the asset management reserve approved in the 2022 budget and the approved ICIP Covid resilience funding of $429,423. The original engineering fee was $210,650. Additional fees to a revised fee limit of $294,000 is required primarily for elevator design. This is included in the above budget and is recommended for approval.

Strategic Plan / Policy Impact
This work is linked to the asset management and service delivery components of the strategic plan.

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

Resolved that the report of the Director of Engineering dated April 11, 2022 concerning Civic Centre Improvements be received and that the recommendations to revise the overall project budget to $2,727,423 and to raise the engineering fee limit to $294,000 be approved.

Respectfully submitted,

Don Elliott, P. Eng.,
Director of Engineering
705.759.5329
d.elliott@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Susan Hamilton Beach, P. Eng.
DEPARTMENT:	Public Works and Engineering Services
RE:	Recycling Contract Extension - GFL

Purpose

The purpose of this report is to update Council on negotiations regarding the resolution dated January 31, 2022 following the report on the update on Blue Box Transition to Full Producer Responsibility. The resolution read as follows:

"Resolved that the report of the Director of Public Works dated January 31, 2022 be received as information; and further that staff enter into negotiations of a contract extension with Green For Life for the collection and processing of recyclable materials for the period of time of the existing contract termination until the transition date."

Background

Several discussions have occurred since the January 31st meeting, with the final proposed contract extension as per the submission by Green For Life ('GFL') found within the Attachment to this report.

Analysis

This proposal for the contract extension includes one major amendment, which is the elimination of the shared revenue clause in the current contract with GFL. Staff have calculated that the five (5) year average affect of the revenue clause is approximately $90,000. There have been some years in the past five years that both GFL/City have suffered a loss. With this clause included in our agreement, it prevents GFL from easily processing and selling other client's recyclable product as the volumes attributed to the City agreement must be tracked. It has also been extremely time consuming for City Staff from an audit and accounting perspective.

As negotiations began, we were also made aware that GFL's processing equipment and collection vehicles are in need of significant investment and/or replacement. The approximate total value of these capital investments is $670,000 or approximately $100,000 per year of expected life (equipment lifespan estimated at 7 years). As the City has a transition date of September 31, 2023, a long-term contract is not possible to be entered into at this time. Given

the investment required to provide the City with a reliable service until transition to producer responsibility, Staff determined it reasonable to eliminate the revenue sharing clause and thus allow GFL a greater flexibility in client base while avoiding the onerous administrative functions for both parties.

GFL has proposed the elimination of the revenue sharing arrangement as of June 1, 2022. Consultation with Legal has confirmed an amendment to the current agreement can be prepared and approved by Council at a later date, as well as the extension agreement.

All other clauses within the current agreement have been discussed and are determined to remain.

Given there are many details to be worked out prior to full producer responsibility, Staff request that a further one year extension provision be included should the September 23, 2022 date not be met.

Financial Implications

The value of revenue included in the 2022 budget was $50,000. As Council is aware, this has been a volatile market with significant fluctuations in recent years with the risk shared by both parties. It is estimated that by June 1, 2022 the budget estimate shall be achieved, as we have been in receipt of approximately $40,000 revenue to-date.

The elimination of revenue from this contract shall be incorporated into the 2023 budget as well as the overall financial impact of the contract and the transition to producers better understood by budget deliberations.

Strategic Plan / Policy Impact

This contract extension will allow for the continuation of a mandatory regulated service provision and is included in the Service Delivery portion of 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 April 11, 2022 concerning Recycling Contract Extension – GFL be received and that the Legal Department provide a contract extension and an amendment agreement based on the conditions outlined in this report to a meeting at a later date.

Respectfully submitted,

Susan Hamilton Beach, P. Eng.
Director, Public Works
705.759.5207
s.hamiltonbeach@cityssm.on.ca

CONTRACT EXTENSION PROPOSAL – GFL ENVIRONMENTAL

RE: COLLECTION, PROCESSING & MARKETING OF RESIDENTIAL RECYCLING

Current Collection, Processing & Marketing - $292.40/mt

Revenue Share (50/50) – 5 Year Average - $90,000/annum

PROPOSAL

CPI applicable October 1 each year (Calculated per original contract) - Removal of 50/50 split effective June 1, 2022

BASIS OF INCREASE & REMOVAL OF REVENUE SHARE

When this contract was bid in 2011, it was based on an original contract term of 10 years – Typical waste & recycling equipment has a lifespan of approximately 7 years, after which time significant repairs and or replacement are required. GFL has a strict maintenance program that is followed based on days or mileage (whichever comes first) – it is because of this program, GFL has been fortunate to successfully complete years 7 through 10 with minimal issue. That being said, rolling assets and sorting equipment are near end of life, and require substantial repair in order to continue same level service to residents.

Description	Cost	15% of Cost (Based on 7 Year Life)
3 – Automated Arms	160,000	24,000
1 – New Split Body	375,000	56,250
Incline Feed Conveyor	50,000	7,500
Sorting Conveyor	25,000	3,750
Eddy Current Belt	5,000	750
Star Screen	5,000	750
Baler Repairs (Ram & Floor)	50,000	7,500
Total	670,000	$100,500

- As noted above, GFL will be enduring significant upgrade costs and upfront capital purchases in the coming months. The total repairs/purchases required are only a small portion of capital that GFL will be putting back into its equipment and facilities, however to be fair to the City, we are only asking for removal of 50/50 revenue split to offset this.
- Being able to solidify this extension sooner than later will help GFL successfully maintain current service levels as we will be able to order required components immediately. Due to significant supply chain issues, most parts will not arrive for >12 weeks from time of order.

  Cart Issues - City Related (eg. Carts hit by plow, broken wheel, new house build)
  - GFL will maintain current service levels/supply & maintenace of carts. Any damage related to City plows, etc. will be invoiced to City on a monthly basis.

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Donald B. McConnell MCIP, RPP, Planning Director
DEPARTMENT:	Community Development and Enterprise Services
RE:	Rental Housing Incentive Program Extension to 2024

Purpose

The purpose of this report is to recommend an extension of the City's Rental Housing Incentive Program for an additional two years and that City Council authorize public notice of the proposed extension.

Background

The development of additional rental units is important to provide a range of housing types to match residents' needs; to ensure the overall supply of affordable housing is maintained and to provide good short-term housing options for persons wishing to move to Sault Ste. Marie.

To encourage the construction of additional rental housing, City Council approved a Rental Housing Community Improvement Plan in 2013 under Section 28 of the Planning Act and Section 365 of the Municipal Act. This legislation allows municipalities to provide property tax assistance for qualified projects. A copy of the approved Rental Housing Community Improvement Plan is attached.

In 2020, City Council approved a two-year extension to the program which will expire on September 9, 2022.

Analysis

This type of Community Improvement Plan is a tax increment equivalent grant program which provides a grant to property owners if the development or redevelopment results in an increase to the assessment of the property. The amount of the grant is determined based upon the incremental increase in the municipal taxes.

The owner is responsible for all upfront development costs. Each eligible year, the owner must pay the property taxes in full. Afterward, the municipality will provide a grant equal to a portion of the tax increment.

The Rental Housing Community Improvement Program provides for tax rebates on a declining basis over a three-year period (75%, 50% and 25%) with an additional incentive for facilities which support assisted-living programs or where additional barrier-free units are constructed.

This program has been very well received by the local development industry. To date, City Council has approved 17 projects to create a total of 324 new rental units as shown on the attached chart. The total construction value of these projects exceeds $41 million as determined by building permit values.

Canada Mortgage and Housing Corporation conducts an annual rental market survey each fall which includes slightly more than 5000 units in Sault Ste. Marie. A vacancy rate of between 3% and 5% is generally considered healthy.

Prior to the Rental Housing Community Improvement Plan being introduced in 2013, the local apartment vacancy rate was less than 2%. The local vacancy rate did increase significantly to a high of 5.9% in 2018. However, since that time, the vacancy rate has decreased each year to 4.9% in 2019 and 4.0% in 2020. The 2021 data was released in February and indicates the local vacancy rate has dropped to 1.8%.

The population and employment analysis for the City's new Official Plan projects that approximately 25% of all new housing demand will be for rental units. Given the estimated future demand and the current low vacancy rate, staff are recommending that the existing program be extended for an additional two years. Staff are aware of several proposed developments that would benefit from this program.

Given that appropriate public notice is required to extend the program timeframe, staff is requesting that City Council authorize notice that this matter will be heard at Council's May 24th meeting.

Financial Implications
Tax rebates will result in a levy increase, which will negate the assessment growth during the rebate period. The tax rebates will result in the deferral of the incremental tax increases resulting from these projects until after the rebate period.

Strategic Plan / Policy Impact
The extension of this incentive program is consistent with the Community Development focus area of the Corporate Strategic Plan. Specifically, this program creates economic activity, develops partnerships with key stakeholders and maximizes economic development and investment.

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

Resolved that the report of the Planning Director dated April 11, 2022 concerning an extension of the Rental Housing Incentive Program be received and that Council authorize public notice for this matter to be heard on May 24, 2022.

Respectfully submitted,

Donald B. McConnell, MCIP RPP
Director of Planning
705.759.5375
d.mcconnell@cityssm.on.ca

Rental Housing Municipal Tax Increment Program

Approval Date	Address	Number of Units	Construction Value
31-Jan-2022	139 White Oak Drive West	20	$4,000,000.00
26-Oct-2020	462 McNabb Street	11	$4,200,000.00
14-Jan-2019	100 James Street	5	$100,000.00
5-Nov-2018	100 Estelle Street	24	$2,000,000.00
13-Aug-2018	188 Kohler Street	16	$2,700,000.00
16-Jul-2018	537 Trunk Road	17	$3,800,000.00
12-Sep-2016	69 Elmwood Avenue	5	$500,000.00
22-Aug-2016	46 Melrose Avenue	8	$600,000.00
7-Mar-2016	342 John Street	21	$680,000.00
8-Feb-2016	309 East Balfour Street	18	Not started
9-Mar-2015	721 North Street	85	$12,400,000.00
9-Mar-2015	199 Breton Road	4	$350,000.00
14-Jul-2014	496 Second Line West	12	$1,249,920.00
14-Jul-2014	606 Connaught Avenue	19	$2,400,000.00
14-Jul-2014	676 Bay Street	39	$3,500,000.00
14-Jul-2014	181 Greenfield Drive	16	$2,260,200.00
14-Jul-2014	384 Dovercourt Road	4	$532,000.00
Total		**324**	**$41,272,120.00**

6(6)(e)

SAULT STE. MARIE

PROPOSED RENTAL HOUSING COMMUNITY IMPROVEMENT PLAN

Legislative Authority

Section 28 of the Planning Act, Sections 106 and 365.1 of the Municipal Act allow municipalities to issue grants or loans, or provide property tax assistance to registered owners, assessed owners or tenants of lands within a Community Improvement Plan (CIP) Project Area.

Section 28(2) of the Planning Act and Part VII (Implementation) of the City's Official Plan allow City Council to designate the whole or any part of the area covered by the Official Plan as a Community Improvement Project Area. On February 6, 2006 City Council approved By-law 2006-32 to designate the entire municipality as a Community Improvement Project Area.

This Rental Housing Community Improvement Plan has been prepared as permitted by Section 28(4) of the Planning Act and includes the authority for City Council to make grants or loans, in conformity with the Community Improvement Plan, to registered owners, assessed owners and tenants of lands and buildings within the Community Improvement Project Area for eligible costs as permitted by Section 28(7) of the Planning Act.

Section 28(7.1) of the Planning Act defines eligible costs to include costs related to environmental site assessment, environmental remediation, development, redevelopment, construction and reconstruction of land and buildings for rehabilitation purposes or for the provision of energy-efficient uses, buildings, structures, works, improvements or facilities.

Public Notice of City Council's intent to adopt the Rental Housing CIP will be published in accordance with Section 28(5) of the Planning Act.

The Challenge

Prior to 1986, 28 percent of the community's total housing was rental units.

Between 1986 and 2006, the last year for which census data is available, total housing stock increased by 4195 units of which only 650 units or 15% were rental units.

Rental Housing CIP Incentive Program

To be eligible for the proposed financial incentive described below, the following criteria will be applied:

- The participant's operation must be located on property located within the City of Sault Ste. Marie that is zoned to permit apartment buildings in Zoning By-law 2005-150.

- A significant total project investment is required, creating a minimum of four new rental units.

Eligible program participants include registered owners, assessed owners, tenants and assignees as identified in Section 28(7) of the Planning Act.

Subject to City Council approval, the following financial incentive tool (the program) may be used to encourage new development and the rehabilitation of lands and buildings that meets the eligibility criteria within the Project Area:

Rental Housing Tax Increment Equivalent Grant Program

The Rental Housing Tax Increment Equivalent Grant Program will provide a grant to property owners who undertake the development or redevelopment that results in a reassessment of the property. The amount of the grant would be determined based upon the incremental increase in the municipal taxes.

A Tax Increment Equivalent Grant (TIEG) is generally delivered as a "pay as you go" grant - meaning the owner is responsible for the up-front remediation and redevelopment costs. Each eligible year, the owner must pay the property taxes in full. Afterward, the municipality will provide to the registered owner a grant equal to a portion of the tax increment.

A TIEG is a favorable incentive with little expense to the City. The subject sites underutilized today make a tax contribution which reflects their current value. Without an incentive to invest, the situation may be unlikely to change. While the municipality forgoes the tax increases of redeveloped property in the short term, the investment has spawned economic activity, produced much needed rental housing, and possibly revitalized building stock and will eventually contribute a higher level of taxation.

Grants are equal to a percentage of the municipal tax increment on a declining rate basis for a maximum 4 year period. When an approved project is complete, a grant will be paid annually by the City to the eligible applicant following the full payment of property taxes. In year one, the grant to the approved applicant may equal 75 percent of the incremented taxes for the subject property. Year 1 is

defined as the first full calendar year in which taxes are paid after the project has been completed and reassessed.

The grant amount for a fourth year incentive will support the inclusion of assisted living facilities and encourage developments that exceed the minimum requirements for barrier free design.

Specifically projects which provide facilities that contribute to an improved assisted living environment such as additional space for nurses, physiotherapists, social service agencies or personal support workers and exceed the Ontario Building Code minimum requirements of 10% of all new residential units in multi-unit buildings shall be designed to be barrier free. Projects meeting these requirements will be eligible for up to one additional tax grant year.

The grant amount for this program shall not exceed 75% of the increase in the municipal portion of the taxes in years one and two, decreasing to 50% in year three, and 25% in year four.

The maximum payment schedule for all Rental Housing Tax Grants Will be as follows:

Time	Basic	With Incentive
Year 1	**75%**	**75%**
Year 2	50%	**75%**
Year 3	25%	50%
Year 4		25%

In addition, eligible program participants may apply for cancellation of the educational portion of property taxes through the Province of Ontario's Brownfields Financial Tax Incentives Program (BFTIP). Provision of tax assistance for the education portion of a property tax increase is subject to application by the City to the Ministry of Municipal Affairs and Housing. Provision of the tax assistance for the educational portion of a property tax increase is limited to those costs associated with remediation.

Administration

Project incentives available under this Community Improvement Plan will be administered by a committee with representation from the City's Engineering & Planning and Finance Departments. Final approval of any assistance is subject to City Council authorization.

- An application to the City must be received prior to the application for a building permit for the project to be considered under the program.

6(6)(e)

- Property taxes must not be in arrears at the time of application.
- If the property is under an assessment appeal, the application will be held in abeyance until the appeal is resolved.
- Applicants must agree to not file a property tax appeal while receiving a grant or rebate under this program.
- Outstanding Work Orders from the City's Fire Services or Building Services Division and requests to comply shall be addressed prior to grant approval.
- Improvements made to the buildings or land shall be made pursuant to a Building Permit, and constructed in accordance with the Ontario Building Code and applicable Zoning requirements.
- Should the project fail to meet the eligibility requirements during the program, the full amount of property taxes including interest will become due and payable as if no incentives had been approved.
- Approved project incentives are applicable to the registered owner and the municipal tax assistance portion is assignable to any person to whom such an owner has assigned the right to receive the incentives such as a tenant or other assignee.
- This program may be used in combination with any other program provided that the total amount of assistance provided does not exceed the eligible costs.
- This program will remain in effect for five years but may be extended by City Council subject to appropriate review and notice.

Where the program is approved for use, the following conditions apply:

- This program would not exempt property owners from an increase in municipal taxes due to a general tax rate increase or a change in assessment for any other reason after the property has been improved.
- The property owner would be responsible for the full payment of the taxes, after which the City would provide the grant. For the time frame beyond the approval period, the owner would be required to pay the full amount of the taxes with no grant provisions.

6(6)(e)

- The tax assistance is based upon increases in property taxes as a result of development and rehabilitation, and is not based on occupancy or changes in occupancy.

- In mixed use projects, any tax assistance is limited to the residential portion of the building.

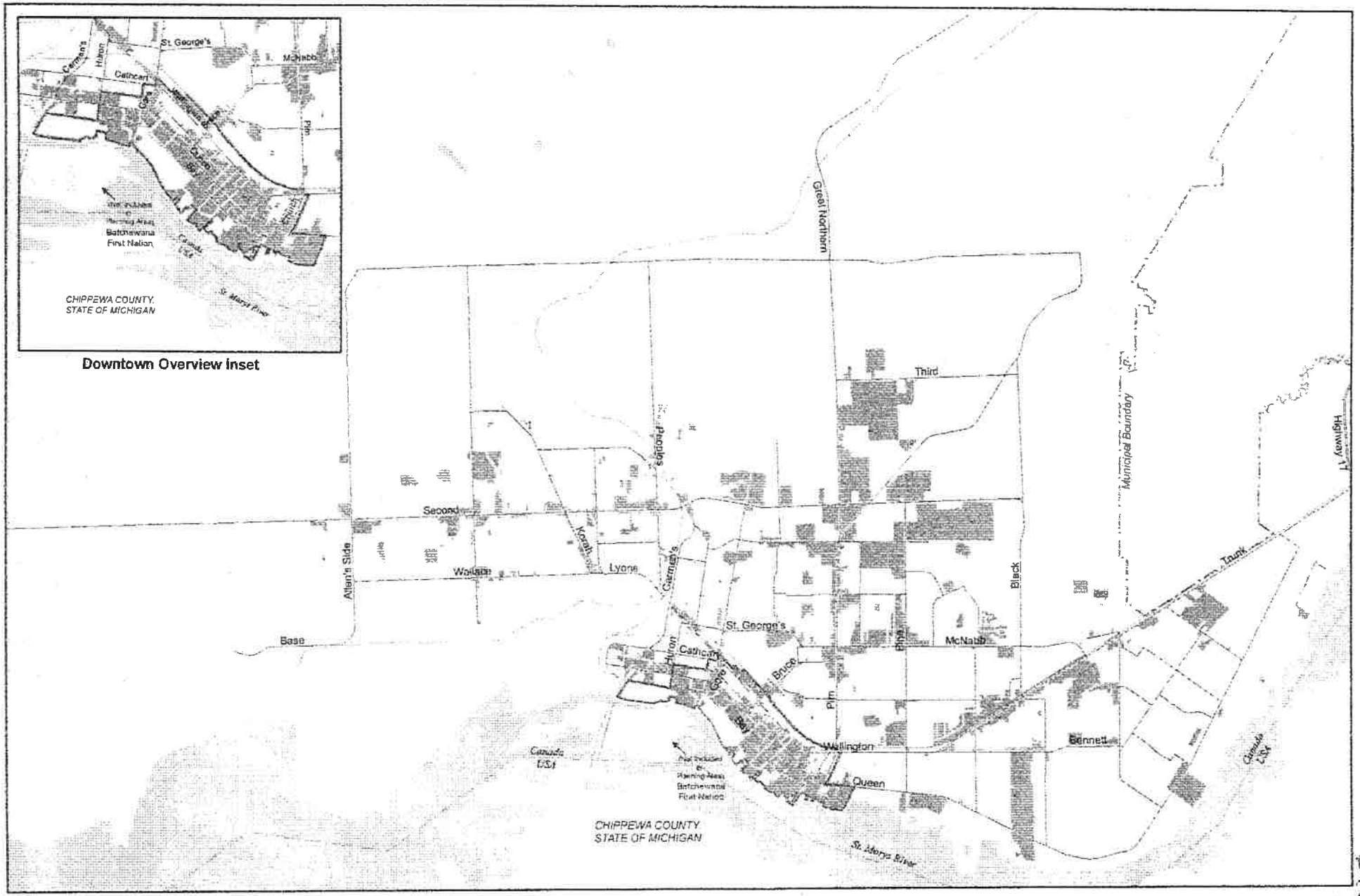
- The maximum assistance will be calculated based on the difference between the assessed value of the property prior to the date of the application for building permit and the assessed value at occupancy.

- The municipal portion of the tax assistance will be calculated after tax capping calculations have been applied as required by Part 9 of the Municipal Act.

- If the property is sold, conveyed, assigned or otherwise transferred in whole or in part before the program lapses no further assistance shall be given by the City. Nothing in this section prevents the City from entering into a new agreement with any subsequent owners of the property to receive the balance of the assistance under this program.

City Council will review this Community Improvement Plan at regular intervals to ensure that the intent and project objectives are being met. City Council may discontinue or modify all or part of the program incentives without a formal amendment to the Community Improvement Plan, provided that the variation does not exceed the original maximum credit allowed.

If a court of competent jurisdiction declares any section or part of a section of this by-law to be invalid, such section or part thereof, shall not be construed as having persuaded or influenced City Council to pass the remainder of the bylaw, and it is hereby declared that the impugned section shall be severable and distinct from the remainder of the by-law, and the remainder of the by-law shall be valid and remain in force.



SAULT STE. MARIE

PROPOSED RENTAL HOUSING
COMMUNITY IMPROVEMENT PLAN (CIP) - PROJECT AREA - APPENDIX 1

The Corporation of the City of Sault Ste. Marie
Engineering & Planning Department
Planning Division
May 30, 2013

This map is for general reference only.
For official mapping, see the
Engineering and Planning Department.

Watermain and Electrical Data must be acquired from SSMPUC.
SSMPUC data must be verified by SSMPUC

Orthophoto: Spring 2012 25cm

Projection Details

NAD 1983 UTM Zone 16N
GCS North American 1983

Project Area
Downtown (OPA 121)

(8.5x11)

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Donald B. McConnell MCIP, RPP, Planning Director
DEPARTMENT:	Community Development and Enterprise Services
RE:	Rental Housing Incentive Program - 15

Purpose

The purpose of this report is to recommend a project for a municipal tax rebate under the City's Rental Housing Community Improvement Plan. The subject property is the site of the former Prince of Wales elementary school at 25 Donna Drive.

Background

In 2013, City Council approved a Rental Housing Community Improvement Plan under Section 28 of the Planning Act and Section 365 of the Municipal Act. This legislation allows municipalities to provide property tax assistance for qualified projects.

The development of additional rental units is important to provide a range of housing types to match residents' needs; to ensure the overall supply of affordable housing is maintained and to provide good short-term housing options for persons wishing to move to Sault Ste. Marie.

The Rental Housing Community Improvement Plan provides for tax rebates on a declining basis over a three-year period (75%, 50%, and 25%) with an additional incentive for facilities which support assisted-living programs or where additional barrier free units are constructed.

City Council has previously approved 17 projects to create 321 new rental units under this program.

Analysis

This project involves the construction of 22 two bedroom rental townhouse units. All units are located at grade and include a garage. Each unit has an outdoor patio and the site will be extensively landscaped. A copy of both the site plan and building elevations are attached.

Financial Implications
The tax rebate will result in a levy increase which will negate the assessment growth during the three years. The tax rebate results in the deferral of the incremental tax increase resulting from this project until after the rebate period ends.

Strategic Plan / Policy Impact
This recommendation is not directly linked to any specific policies contained within the Corporate Strategic Plan.

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

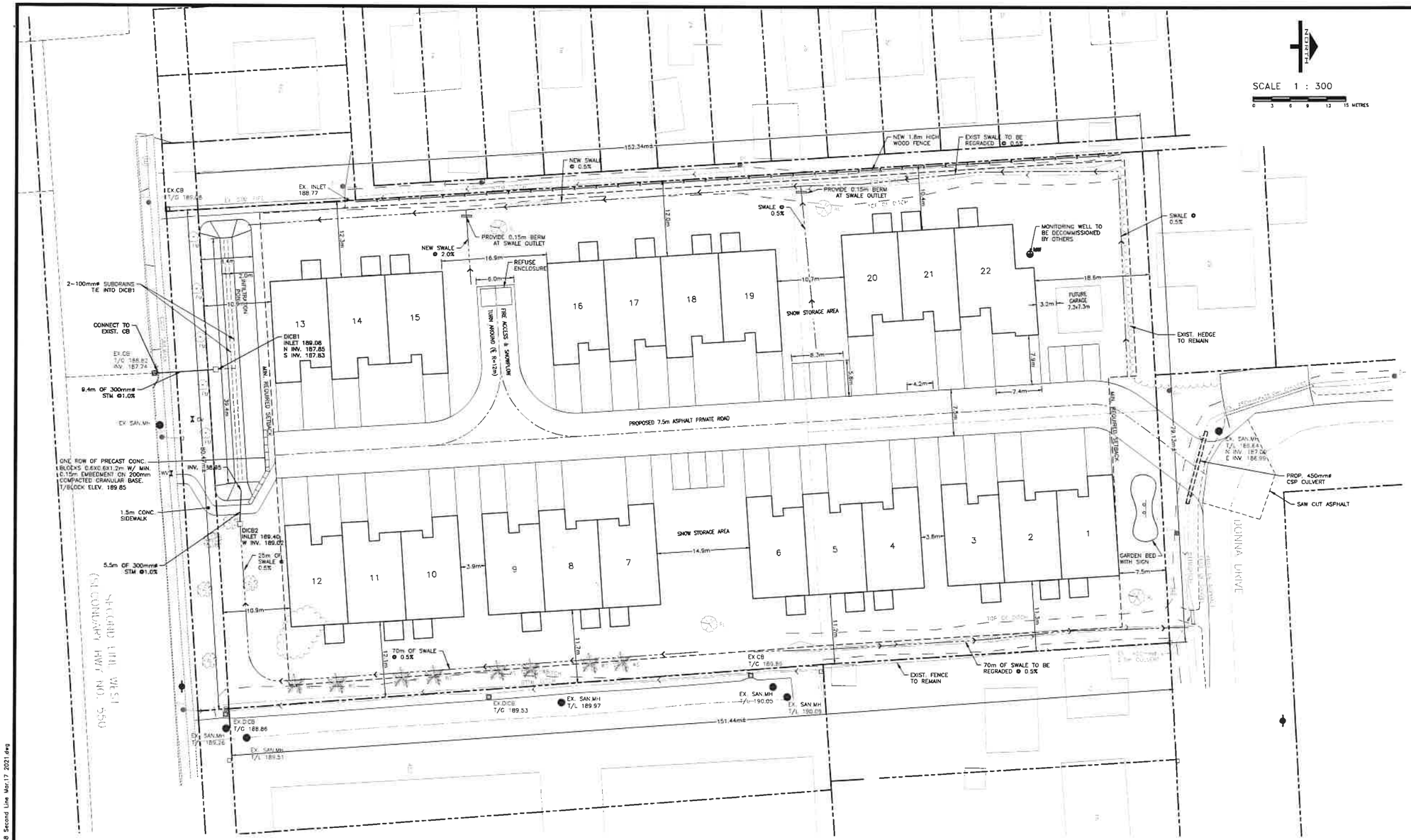
Resolved that the report of the Planning Director dated April 11, 2022 concerning the Rental Housing Incentive Program – 15 be received and that City Council authorize a three-year incremental tax rebate program (75%, 50% and 25%) for the property at 25 Donna Drive, subject to:

1. That the municipal rebate applies only to the increase in assessment resulting from new construction, and

2. After the rebate program is completed, the full municipal taxes will apply.

Respectfully submitted,

Donald B. McConnell, MCIP RPP
Director of Planning
705.759.5375
d.mcconnell@cityssm.on.ca



LANDSCAPING LEGEND

SYMBOL	COMMON NAME	QUANTITY	CALIPER	HEIGHT	SPREAD
	REDMOND LINDEN	4	MIN 50mm	MIN 1.6m	MIN 0.3m
	FLAME MAPLE	5	MIN 45mm	MIN 1.6m	MIN. 0.3m
	WHITE SPRUCE/ WHITE CEDAR	8	MIN. 75mm	MIN 1.5m	MIN 0.5m

ZONING

- R3 MEDIUM DENSITY RESIDENTIAL

ABUTTING ZONE

- NORTH R2 SINGLE DETACHED RESIDENTIAL
- SOUTH R2 SINGLE DETACHED (SOUTH OF SECOND LINE)
- EAST R4 MEDIUM DENSITY RESIDENTIAL & R2 SINGLE DETACHED
- WEST R4 MEDIUM DENSITY RESIDENTIAL & R2 SINGLE DETACHED

BUILDING SETBACKS (RE-ZONED R3)

	REQUIRED	PROPOSED
FRONT YARD (NORTH)	7.5m	7.5m
INTERIOR SIDE YARD (WEST)	1.2m	10.4m
INTERIOR SIDE YARD (EAST/NORTH)	3.0m	11.2m/18.6m
REAR YARD (SOUTH)	10.0m	10.9m
FRONTAGE (DONNA ST. PROPOSED)	20.0m	42.0m

AREA CALCULATIONS:

- TOTAL SITE AREA = 1.2115 Ha (2.99 Acres)
- BUILDING FOOTPRINT = 3070.6m² (33,052 ft²)
- LOT COVERAGE = 3070.6 / 12115 = 25.3% BLDG. COVERAGE
- LANDSCAPING = 0.6817 Ha = 56.3% LANDSCAPING
- ROAD & DRIVEWAYS = 0.2017 Ha (0.498 Acres)

PARKING

REQUIRED	PROPOSED
22 x 1.0 = 22 TOTAL SPACES	22 SPACES + 9 VISITOR = 31 SPACES

SURVEY NOTE:

THIS IS NOT A LEGAL SURVEY AND THE PROPERTY LINES SHOWN ARE FROM THE EXISTING COMPILED PLAN COMPLETED BY D.S. URSO DATED AUGUST 10, 2007

KEY PLAN

ENGINEER'S SEAL:

LICENSED PROFESSIONAL ENGINEER J.M. LELIEVRE 100189666 PROVINCE OF ONTARIO

DATE	REV.	REVISION	BY	APP'D
21.03.24	1	REISSUED FOR APPROVAL	JTS	JL
21.02.03	0	ISSUED FOR APPROVAL	JTS	JL

CLIENT:

1890714 Ontario Inc.
1092 Great Northern Road Unit 1
Sault Ste. Marie, Ontario

CONSULTANT:

TULLOCH ENGINEERING

PROJECT TITLE:

25 Donna Drive Residential Development

DRAWING TITLE:

Site Plan

DRAWN	DESIGNED	CHECKED	APPROVED
JTS	JL	JL	JL

SCALE	DATE
1:300	FEB. 3, 2021

PROJECT No.	REVISION	DRAWING
19-1847	1	C1

P:\2019\Engineering\191847 Pemar - 458 Second Line W\Dwgs\19-1847 458 Second Line Mar.17 2021.dwg



FRONT ELEVATION



REAR ELEVATION

NORQUAY HOME DESIGN

A DIVISION OF NORQUAY ENGINEERING LTD.
500 WELLINGTON STREET WEST
SAULT STE. MARIE, ONTARIO
PHONE - (705) 206-0165
EMAIL - INFO@NORQUAYENG.CA

REVISIONS:

PROPOSED RESIDENCE FOR:

1890714 ONTARIO INC.

DRAWN BY: JAMES RUSSELL DESIGNER BCIN: 22918 FIRM BCIN: 102327	STREET: DONNA DRIVE CIVIC # 25 UNITS 4,5,6 SAULT STE. MARIE, ON	SCALE: N.T.S. APRIL 2021	JOB: 2021-38 PAGE 9 OF 11

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Stephen Turco, RPP, Senior Planner
DEPARTMENT:	Community Development and Enterprise Services
RE:	Rental Housing Incentive Program – 16

Purpose

The purpose of this report is to recommend a municipal tax increment grant, under the City's Rental Housing Community Improvement Plan, for the redevelopment of the Royal Canadian Legion Hall site, at 96 Great Northern Road.

Background

In 2013, City Council approved a Rental Housing Community Improvement Plan under Section 28 of the Planning Act and Section 365 of the Municipal Act. This legislation allows municipalities to provide property tax assistance for qualified projects.

The Rental Housing Community Improvement Plan provides for tax grants on a declining basis over a three-year period, with an additional incentive for projects that incorporate spaces to support assisted-living programs, or where additional barrier free units are constructed.

The existing program provides a tax grant of up to 75% of the municipal taxes resulting from an increase in the assessed value of the property, following new construction (usually after the first year). This declines to 50% in year two and 25% in year three. If developments provide additional barrier-free/accessible units, or spaces to accommodate support services, projects are then eligible to receive the tax incentive over four (4) years – at 75% in years one and two, 50% in year three, and 25% in year four.

The development of additional rental units is important to provide a range of housing types to match residents' needs; to ensure the overall supply of affordable housing is maintained; and to provide good short-term housing options for persons wishing to move to Sault Ste. Marie.

Analysis

The redevelopment of the Royal Canadian Legion building at 96 Great Northern Road, will be a significant project, creating 107 units, primarily targeted for

Veterans. The building will be a 9-storey, accessible tower, with 30% of the units being targeted as affordable units. Of the 107 units, 18 will be barrier-free (16% of the total units).

In addition to providing housing for Veterans, the local Royal Canadian Legion branch is now looking to create spaces that also serves as a hub for younger Veterans. The project will create office space for Veterans Affairs, the Military Support Group, and occupational health services, to better provide the wide range of services required by local veterans of all ages. As well, the project will include a new gathering place (including a kitchen, a bar, a servery and meeting rooms) for Veterans and their families, and which will be fully accessible.

Financial Implications
For typical multi-unit residential developments, the Ontario Building Code requires 15% of the units to be accessible. The proposed development will be providing 18 barrier-free units (or 16% of the total units). In addition, the redevelopment will be providing updated, accessible gathering spaces, as well as spaces to accommodate services required by Veterans and their families. Given these considerations, it is recommended that the development be approved for the additional tax incentive (four years, at 75%, 75%, 50% and 25% respectively).

The tax rebate will result in a levy increase which will negate the assessment growth during the four years. The tax rebate results in the deferral of the incremental tax increase resulting from this project until after the rebate period ends.

Strategic Plan / Policy Impact
The Rental Housing Incentive Program, and the projects approved under this program, align with the Corporate Strategic Plan, specifically, under the Community Development focus area – creating social and economic activity, developing partnerships with key stakeholders, and maximizing economic development and investment.

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

Resolved that the report of the Senior Planner dated April 11, 2022 concerning Rental Housing Incentive Program – 16 be received and that City Council authorize a four-year incremental tax grant (75%, 75%, 50%, 25%) for the proposed 107 unit development at 96 Great Northern Road, subject to:

1. That the municipal tax grant applies only to the increase in assessment resulting from new construction, and
2. After the grant program is completed, full municipal taxes will apply.

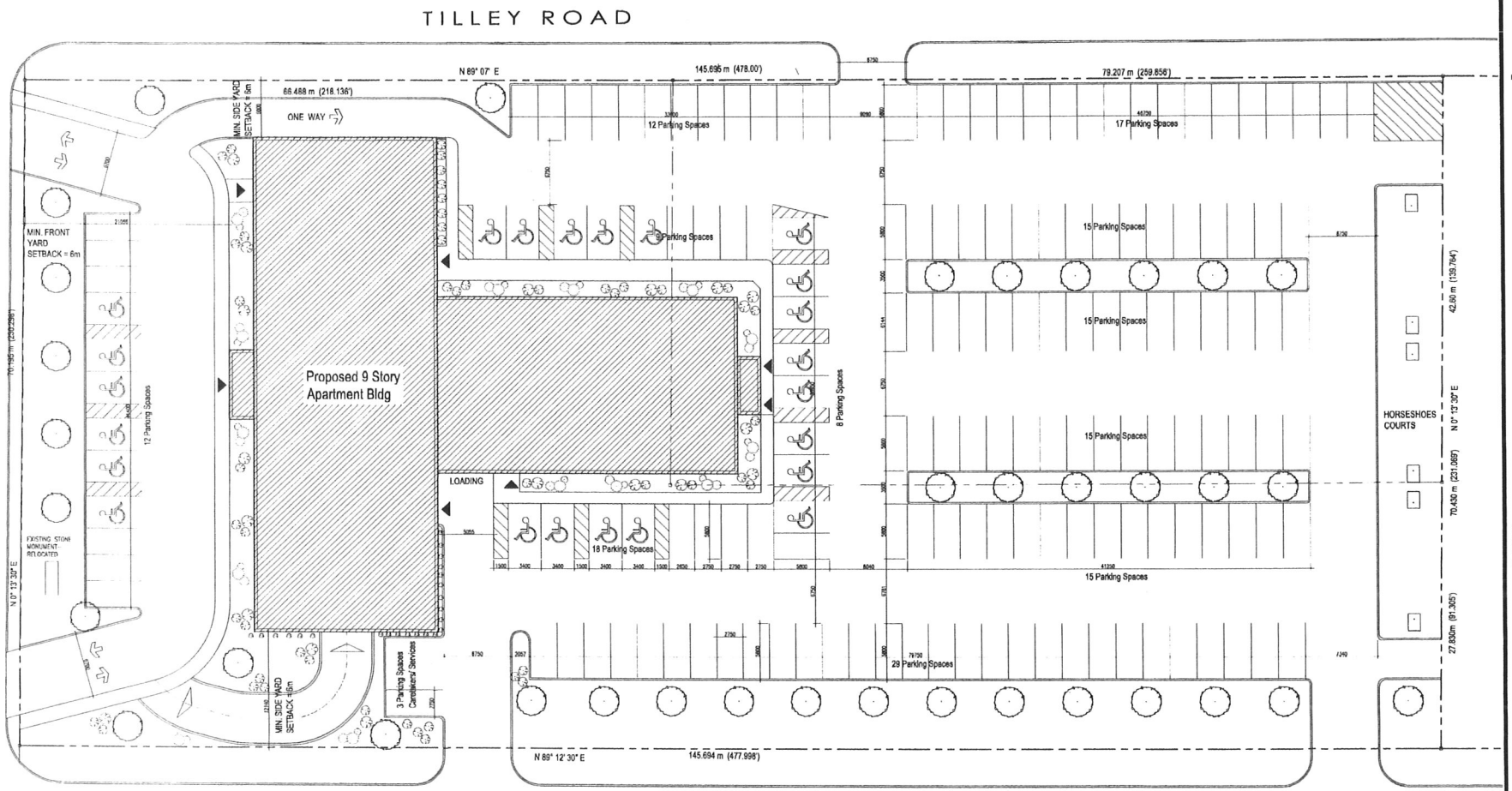
Respectfully submitted,

Stephen Turco
Senior Planner
705.759.5279
s.turco@cityssm.on.ca


design
ROYAL CANADIAN LEGION BRANCH 25
ROYAL CANADIAN BRANCH 25
ROYAL CANADIAN LEGION
Proposed Royal Canadian Legion Branch 25 - Perspective



Proposed Royal Canadian Legion Branch 25 - South Elevation
1/8"=1'-0"



Proposed Site Plan

Scale 1:200

Project North

Tenant and Legion Parking Spaces = 136
BF Parking Spaces = 23
Total Above Ground Parking Provided = 159

seal

project
Proposed Apartment Complex
for the
Royal Canadian Legion Branch 25

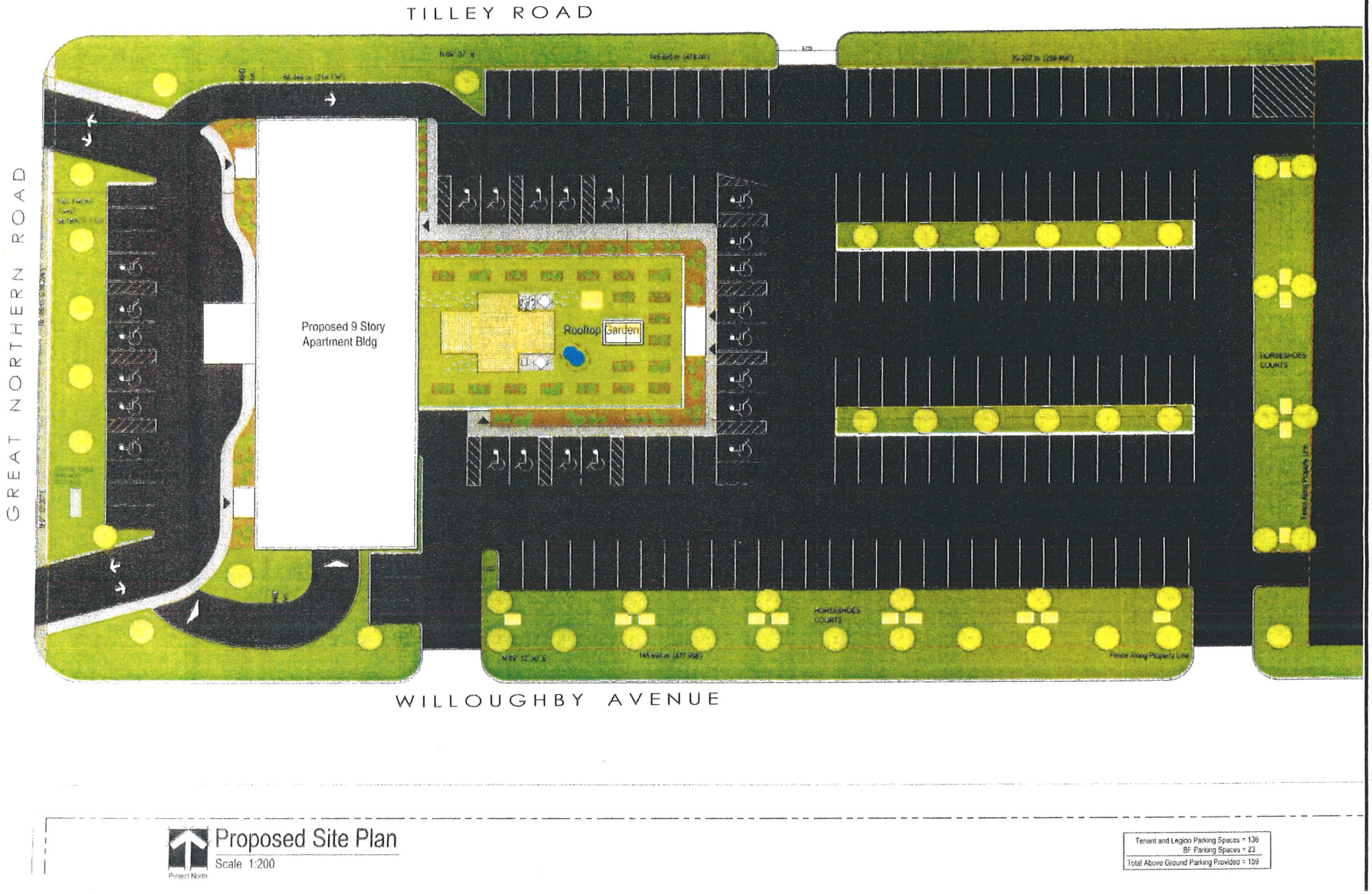
david ELLIS architect inc.
267 cathcart street sault ste. marie p6a 1e5 ph:705 253 4333 e:david.ellis@ellisdesign.ca

revisions

scale 1:200
date March 11, 2020
checked by d. ellis
drawn by d. m. hunter

drawing Proposed Site Plan
project number 2006

sp1.0



Proposed Site Plan
Scale 1:200

Project North

Tenant and Legion Parking Spaces = 136
BF Parking Spaces = 23
Total Above Ground Parking Provided = 159

project
Proposed Apartment Complex
for the
Royal Canadian Legion Branch 25

david ELLIS architect inc.

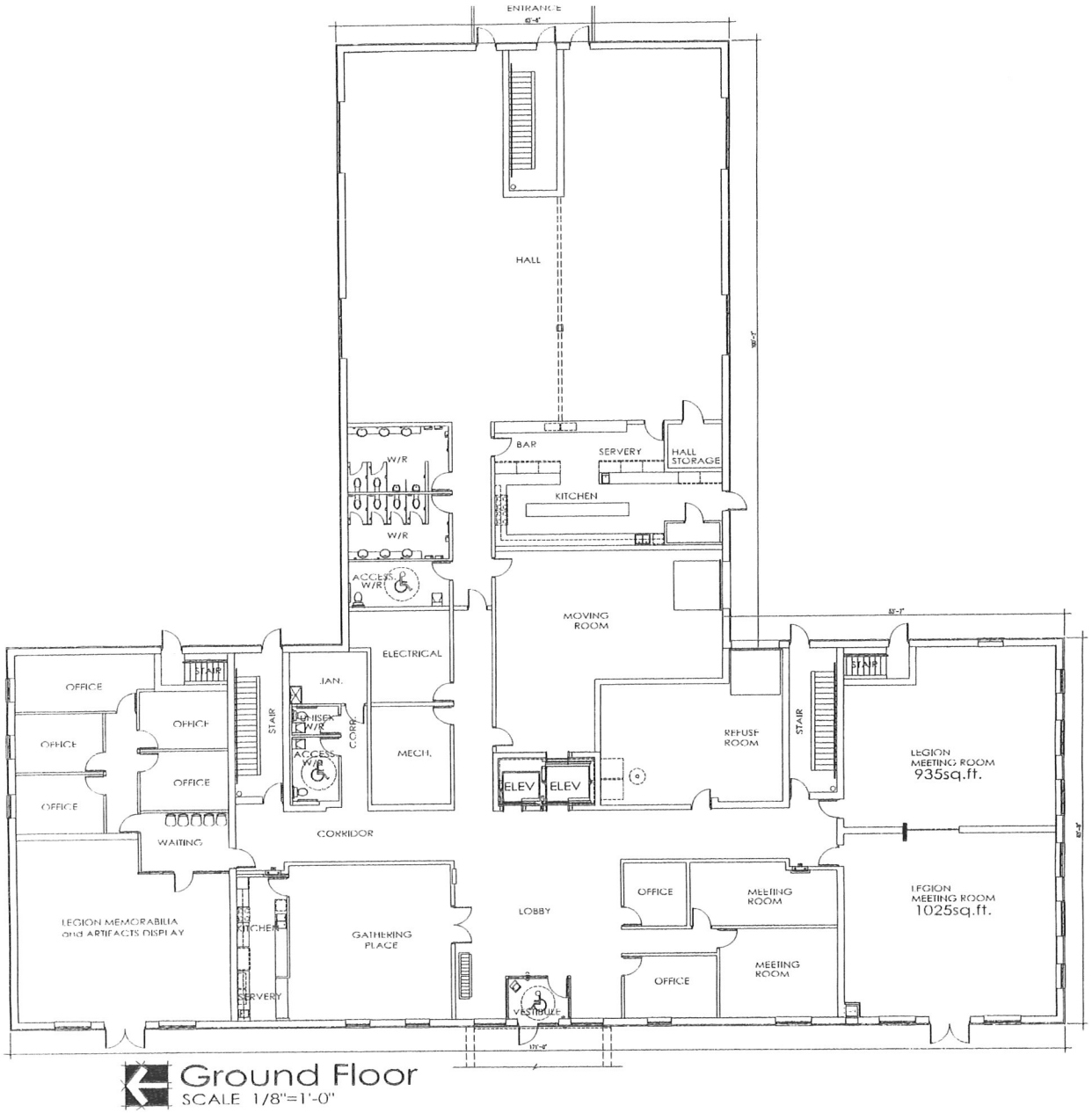
revisions

scale 1:200
date March 13, 2020
created by d. ellis
drawn by s. m. hunter

drawing
Proposed
Site Plan

project number
2006

sp1.0



Ground Floor
SCALE 1/8"=1'-0"

project
Proposed Apartment Complex
for the
Royal Canadian Legion Branch 25

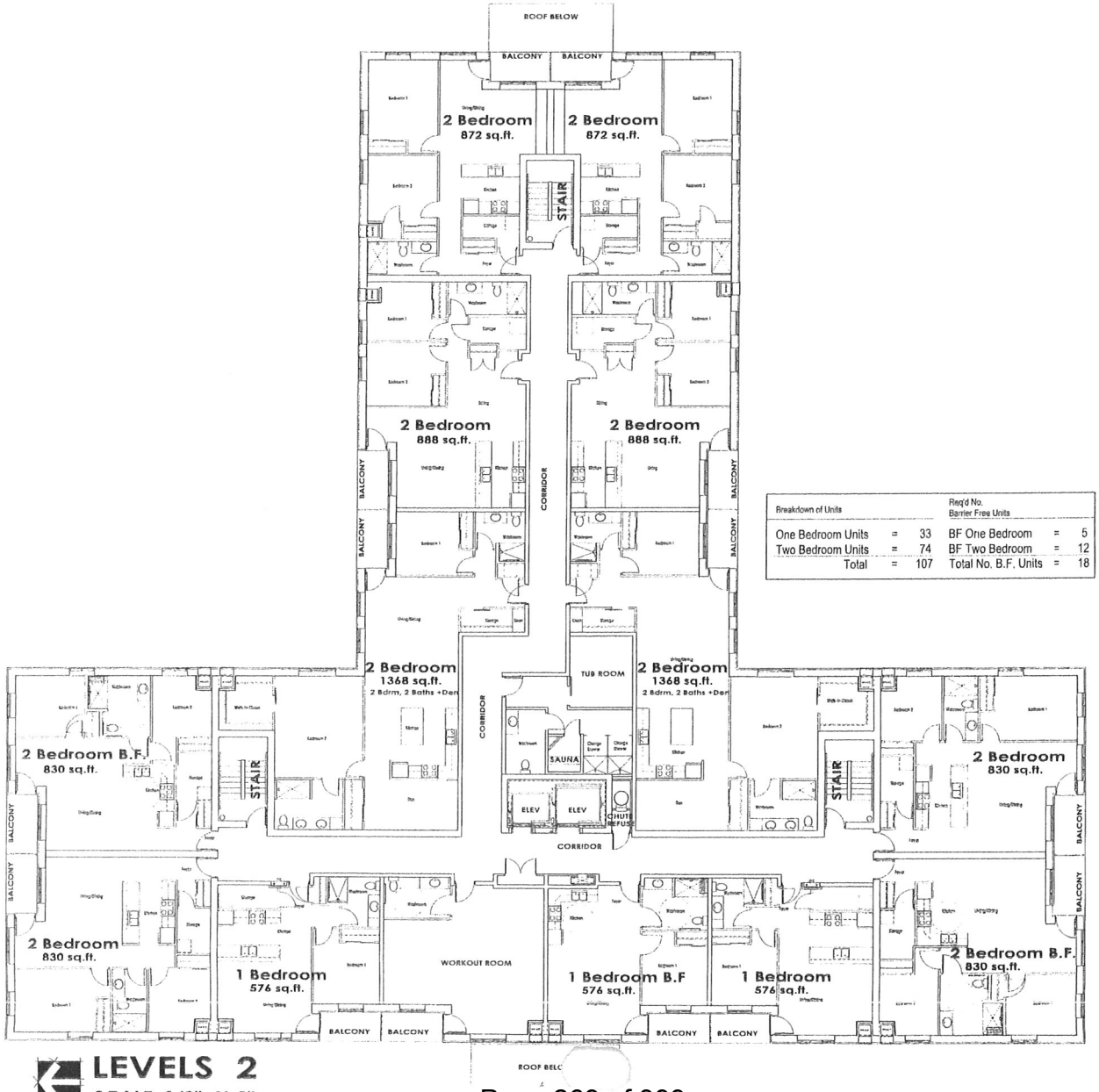
david ELLIS architect inc.
267 cathcart street sault ste. marie p6a 1e6 ph:705 253 4333 e:david.ellis@ellisdesign.ca

revisions

scale 1/8"=1'-0"
date March 15, 2020
checked by d. ellis
drawn by S.m.

drawing Ground Floor Plan
project number 2006

a-1.1



Breakdown of Units			Req'd No. Barrier Free Units		
One Bedroom Units	=	33	BF One Bedroom	=	5
Two Bedroom Units	=	74	BF Two Bedroom	=	12
Total	=	107	Total No. B.F. Units	=	18

LEVELS 2
SCALE 1/8"=1'-0"

project:
Proposed Apartment Complex
for the
Royal Canadian Legion Branch 25

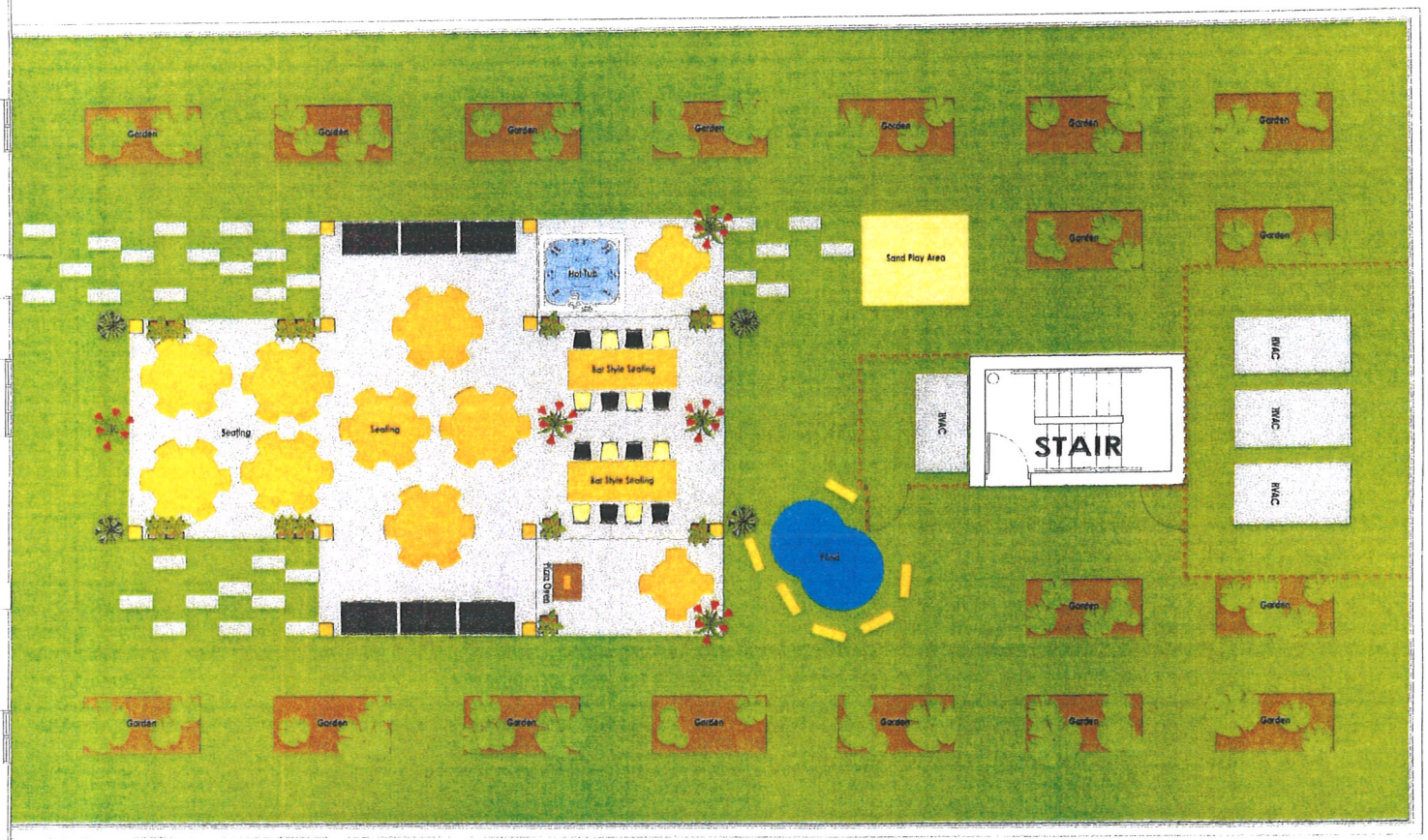
david ELLIS architect inc.

drawing:
Floor Plans
Levels 2

scale: 1/8"=1'-0"
date: March 15, 2020
checked by: D. ellis
drawn by: S.m.
project number: 2006

revisions

a-1.2



ROOFTOP GARDEN

SCALE 1/4"=1'-0"

project
Proposed Apartment Complex
for the
Royal Canadian Legion Branch 25

david ELLIS architect inc.

drawing
Rooftop Garden

scale
1/4"=1'-0"

date
March 15, 2010

project number
2006

A-1.4


design
Proposed Royal Canadian Legion Branch 25 - Roof Terrace

The Corporation of the
City of Sault Ste. Marie

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

April 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Kathleen Heymans, Manager of Business Development
DEPARTMENT:	Community Development and Enterprise Services
RE:	Economic Development Program N1 Solutions Application

Purpose

The purpose of this report is to seek City Council approval for $100,000 in Economic Development Program support for N1 Solutions Inc.'s business expansion and investment in 477 Queen Street East office space.

Background

Program Overview

The purpose of the Economic Development Program is to diversify the local economy and stimulate job growth by attracting new businesses and expanding existing ones.

As part of the Community Development Fund, the Economic Development Program is designed to reduce business costs by providing financial incentives for improvements to land or buildings of targeted industry sectors. The approval of an application and the amount of grant money received is determined on a discretionary basis according to the program's criteria.

The key program criteria are as follows:
Criteria 1: Targeted Industry Sector
Criteria 2: Building and/or Land Related
Criteria 3: Economic Impacts

Proposed Project

N1 Solutions Background

Formed in 1980 as a security company, N1 Solutions Inc. has grown to an organization of over 165 employees in 42 years. This growth of over 400% has provided multiple jobs for members of the Sault Ste. Marie community from diverse backgrounds. Most of this growth has occurred since the acquisition by Brad Gregorini in 2013.

The increased number of jobs range from finance, security, human resources, communications and marketing, graphic design, operations, information

technology, environmental science, tourism, project management and sales. N1 Solutions provides many of its services to clients outside Sault Ste. Marie and would be considered an export company.

N1 Solutions Project Overview

N1 Solutions has experienced significant growth and expansion and has strong growth projections. In January 2022, N1 Solutions staff reached over 200 direct and indirect jobs. Furthermore, the organization expects to create dozens more jobs in the next two years.

To support this growth, the company has relocated to a larger office space in Sault Ste. Marie's downtown core at 477 Queen St. E. As a result, many of N1's existing local staff will be co-located downtown and future jobs will be located in their downtown office.

N1 Solutions will be retrofitting the building's office space to suit its innovation and technological needs.

N1 Solutions' total investment in the downtown office is over $750,000.

N1's application to the EDF is seeking financial support for one key aspect of their project. This specific component supports the development of innovative, technological capacities within Sault Ste. Marie and the creation of professional jobs.

Customer Excellence (CX) Centre

N1 Solutions continues to expand operations, with an increasing need for excellence in customer service and the demand in expectations from their divisions and external clients. The Client Excellence (CX) Centre brings a consistent customer experience to all stakeholders.

Prior to this transition, N1's Client Excellence Centre was called the *Dispatch Operations Centre* and mainly focused on the security division. Since the integration and new division announcements, N1 knew their operations had to pivot to have a more holistic approach.

There has been a significant change in the level of demand and increase in collaboration of their internal resources across all the divisions, including security. Since moving to their new corporate head office with a full space dedicated to the CX Centre, this operation now falls under the Corporate Communications department.

In addition to the demand from all N1 Solutions divisions and each of their client calls, the CX Centre also manages several external clients. N1 anticipates that in 2022, the number of clients will significantly expand in remote live monitoring and IT support and call centre/reservations services for third parties.

Currently, N1 has three live monitoring clients throughout Sault Ste. Marie and the Algoma region. This will grow over the next year with other clients as remote live monitoring services are in high demand. With new live monitoring clients, N1 will also need additional staff members based on the increased demand for monitoring (this service will be described in section 3).

With new clients in N1 Strategy and the 24/7 operations line from the acquisition of Lajoie Bros Contracting under the environmental division, this will further increase the demand for services in the CX Centre.

N1 Solutions will provide Tier 1 technical support, through our Innovation division in the CX Centre. Over the next six months, this will continue to grow with a few upcoming contracts, and it will require a technical skillset and additional members of the team added to the CX Centre.

Key Activities and Costs

The project's key activities will include:

- Deconstruction of approximately 12,000 sq ft of space
- Engineering and design
- New interior layout/offices, collaboration space and an innovation room
- New electrical & cabling
- Creation of a Data Centre to support external clients
- Creation and build of a CX Centre (internal and external customers)
- Fit out of space with new furniture and fixtures, flooring, ceiling etc.

Breakdown of Project Costs

Leasehold Improvements - Internal Operations (477 Queen Street)	Upgrades to existing infrastructure	The build out of the training centre and CX centre including internal operations. This includes all mechanical, electrical and facility upgrades.	$544,887.00
Information and Communications Technology Investment	Upgrades to existing infrastructure	Enhancements to Information and Communication Technology include software	$100,000.00

Job Creation

N1 Solutions anticipates the following **nine positions** will be **directly attributable** to the application for assistance.

- **4** IT specific Client Services Representatives performing Tier1 support for IT and technology
- **3** Full-time Client Services Representatives and 3 Part-time staff (minimum)
- **1** Full-time Web Developer
- **1** Full-time Programmer

In addition to this supported growth, N1 Solutions expects to hire over 30 full-time equivalent positions in the next year that will be located at their downtown office.

Analysis
The following analysis summarizes the criteria of the Economic Development Fund and how the proposed project aligns with the requirements of the EDF.

Economic Development Fund Key Criteria
The proposed project aligns well with the Economic Development Program.

Significant Investment	**Yes**, over $750,000 spent on expansion
Located in the City	**Yes**, in the downtown core (477 Queen St E)
Good Financial Standing	**Yes**, attestation to be provided from CFO
Target Industry	**Yes**, Digital Services
Building Related	**Yes**, Office retrofitting and leasehold improvements
Economic Benefits	**Yes**, job creation (nine direct), increased downtown economic activity, safety, and overall vibrancy

Notably, this business expansion also directly aligns with the Downtown Improvement Plan.

Additionally, this expansion has the potential to stabilize and/or prevent future commercial tax exemptions from the City for this office space.

Financial Implications
The financial impact of this Economic Development Fund application is $100,000. The Community Development Fund-Economic Development Program currently has $1,555,033 for the purpose of providing financial assistance for the implementation of strategic economic development projects initiatives.

Strategic Plan / Policy Impact
While the project has perfect alignment with the Economic Development fund, it also has strong alignment with the City of Sault Ste. Marie's existing Strategic Plan.

The following identifies three key areas of the Strategic Plan and how the proposed Economic Development Fund project aligns with it.

1) Quality of Life – Vibrant Downtown Areas
2) Community Development – Create social and economic activity
3) Community Development - Maximize Economic Investment

Economic Development Program Alignment – export focused business, investing significant capital in downtown and creating professional, innovative jobs.

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

Resolved that the report of the Manager of Business Development dated April 11, 2022 concerning Economic Development Program Proposal N1 Solutions be received and that Council approve the investment of $100,000 through the Economic Growth Community Improvement Plan utilizing the Economic Development Program to support the N1 Solutions expansion project.

Respectfully submitted,

Kathleen Heymans
Manager of Business Development
705.989.7075
k.heymans@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 11, 2022

TO:	Mayor Christian Provenzano and Members of City Council
AUTHOR:	Jonathan Kircal, Planner
DEPARTMENT:	Community Development and Enterprise Services
RE:	A-2-22-Z 149 Pim Street

PURPOSE

The applicant, Laura Scott, has submitted an application to permit pet grooming services as a home based business at 149 Pim Street.

PROPOSED CHANGE

The applicant is seeking Council's approval to rezone 149 Pim Street from Low Density Residential Zone (R3) to Low Density Residential Zone (R3.S) with a Special Exception to permit, in addition to the uses permitted in an R3 zone, a pet grooming services as a home based business, subject to the following special provisions:

1. Prohibit the boarding and overnight accommodation of animals.

2. Permit parking in a required front yard.

Subject Property:

- Location: Located on the west side of Pim Street, approximately 73m north of the Herrick Street intersection.
- Approximate Size: 20m (65') of frontage with a depth of 40m (131'). Area is 0.081ha (0.2ac).
- Present Use: Single-detached dwelling.
- Owner: Christopher Lock.

BACKGROUND

No previous Planning Act applications have been identified for this property.

ANALYSIS

Conformity with Official Plan

The property is designated as Residential in the Official Plan. Residential land use policies permit accessory uses that contribute to the completeness of the neighbourhood and that do not depreciate or affect the amenity of the residential environment. This proposal is consistent with the Residential land use policies.

Conformity with Provincial Policy Statement 2020 (PPS)
This proposal is supported by PPS policies that promote the vitality and viability of downtowns, and efficient and compatible land use patterns.

Conformity with Growth Plan for Northern Ontario 2011
Approval of this application does not conflict with the Plan.

COMMENTS
The proposed animal grooming service would occupy approximately 27 m^2 (290 ft^2) of the home space. Planning staff support a site specific rezoning that would add “animal grooming services” as a home-based business on the property, permitting such activities as bathing, clipping or combing pets for the purposes of enhancing their health or appearance. The applicant has indicated that the business will be appointment based, serving one family at a time, likely no more than 6 customers daily. No animals would be kept on the premise overnight. A condition prohibiting the boarding and overnight accommodation of animals is recommended to prevent for such events as excessive dog barking. This condition would scope the proposed animal service business to a level that is appropriate for an urban residential neighbourhood.

The home’s garage and driveway provide the required number of parking spaces for the residence and business. To preserve front yard landscaping, planning staff support a special exception that would permit parking spaces within the existing driveway only. Ample space from the sidewalk is provided and a 3 metre wide city boulevard provides additional spatial separation from the street. No issues are anticipated with permitting front yard parking as it fits within the character of the area. Should additional parking be required, the property has access to a rear laneway.

As per the home-based business bylaw, the use must not occupy more than 30% of the gross floor area of the home, and employ no more than 2 employees, inclusive of the occupant. The applicant has confirmed that there would be no issues with complying with these regulations. This helps to ensure that the use does not expand over time to a point where it is no longer appropriate as a home-based business.

CONSULTATION
Public notices were mailed to all neighbouring properties within 120m (400’) of the subject property on Friday, March 18, 2022. The notice that was mailed to property owners is attached to this report. The notice was also advertised on the City website and in the Sault Star on Saturday, March 19, 2022.

Public Comments
No comments from the public were submitted to Planning staff. The applicant indicated to Planning staff that she informed the two abutting property owners of the proposal and that they were supportive of the application.

Application Circulation

As part of the application review, this proposal was circulated to City divisions and external agencies for detailed technical review and comment. No departments/agencies commented on this application.

FINANCIAL IMPLICATIONS
Approval of this application will not result in any incremental changes to municipal finances.

STRATEGIC PLAN / POLICY IMPACT
Approval of this application is not directly linked to any strategic directions contained with the corporate strategic plan.

SUMMARY
Planning staff support this application that requests to rezone the property to add “animal grooming services” to the list of permitted home-based business uses on the property, and to permit front yard parking.

A condition to prohibit the breeding, boarding, and overnight accommodation of animals is also being recommended for approval by staff. This condition will scope the proposed animal service business to a level that is appropriate for an urban residential neighbourhood.

No comments have been received by the public. No major issues have been identified by City staff.

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

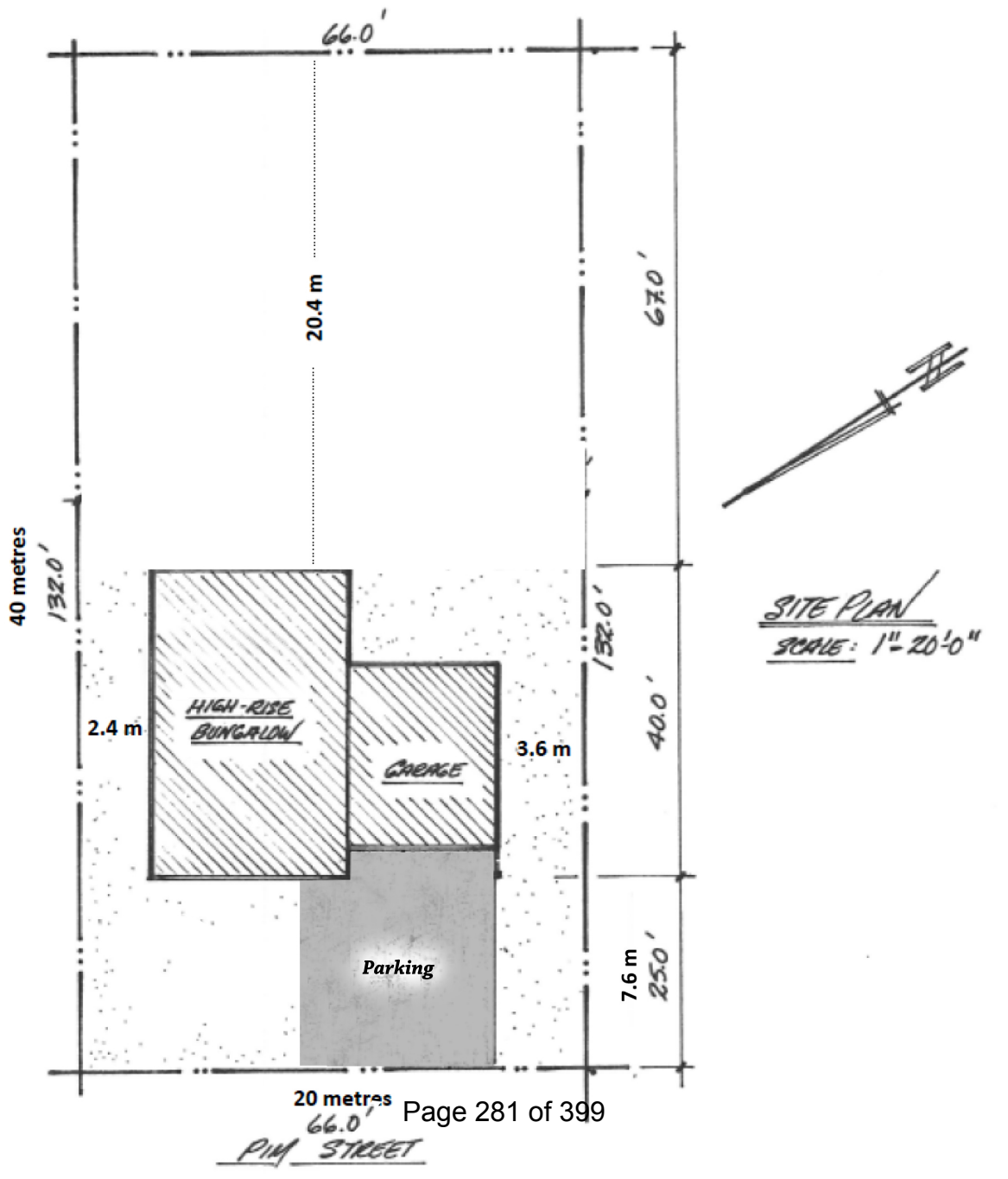
Resolved that the report of the Planner dated April 11, 2022, concerning rezoning application A-2-22-Z be received and that Council rezone 149 Pim Street from Low Density Residential Zone (R3) to Low Density Residential Zone (R3.S) with a Special Exception to permit, in addition to the uses permitted in an R3 zone, pet grooming services as a home-based business, subject to the following special provisions:

1. Prohibit the boarding and overnight accommodation of animals.
2. Permit parking in a required front yard as currently exists.

And that the Legal Department be requested to prepare the necessary by-law(s) to effect the same.

Respectfully submitted,

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


66.0'
20.4 m
67.0'
40 metres
132.0'
SITE PLAN
SCALE: 1"=20'-0"
2.4 m
HIGH-RISE BUNGALOW
GARAGE
3.6 m
132.0'
40.0'
Parking
7.6 m
25.0'
20 metres
66.0'
PINE STREET



Application Map Series

☐ Subject Property ☐ Official Plan Landuse
☐ Existing Zoning ☑ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 149 Pim Street
Roll No.: 020043136000000
Map No.: 8
Application No.: A-02-22-Z
Date Created: February 25, 2022

Legal Department Reference

Legend

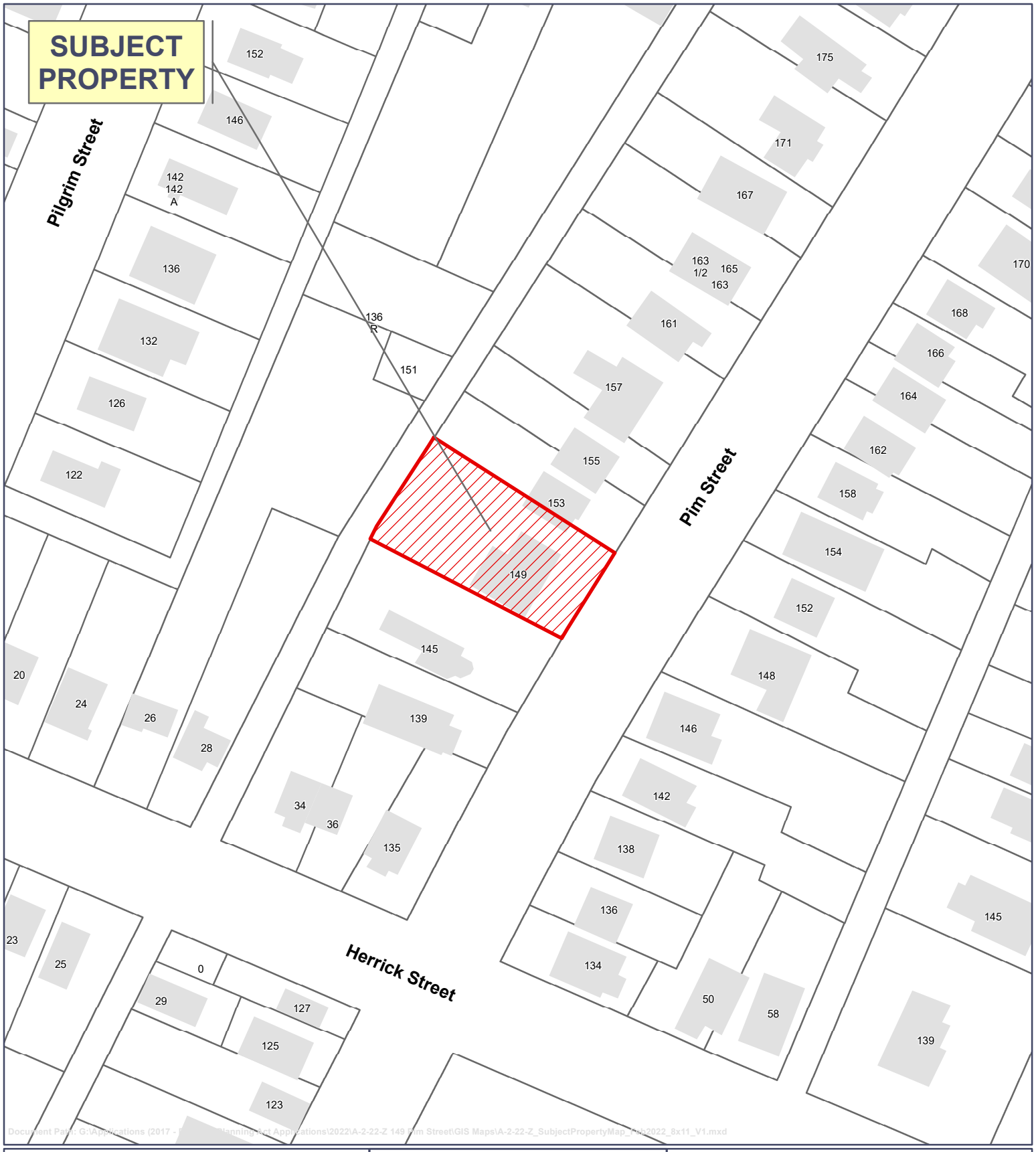
Subject Property: 149 Pim Street
Parcel Fabric

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

0 5 10 20 Meters
1:1,000

N



Application Map Series

☑ Subject Property ☐ Official Plan Landuse
☐ Existing Zoning ☐ Aerial Image
☐ Official Plan Amendment

Legal Department Reference

Property Information

Civic Address: 149 Pim Street
Roll No.: 020043136000000
Map No.: 8
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Date Created: February 25, 2022

Legend

Subject Property: 149 Pim Street

Parcel Fabric

SAULT STE.MARIE
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99 Foster Drive, Sault Ste Marie, ON P6A 5X6
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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

N



Application Map Series

☐ Subject Property ☐ Official Plan Landuse
☑ Existing Zoning ☐ Aerial Image
☐ Official Plan Amendment

Property Information

Civic Address: 149 Pim Street
Roll No.: 020043136000000
Map No.: 8
Application No.: A-02-22-Z
Date Created: February 25, 2022

Legend

- C1 - Traditional Commercial Zone
- C2 - Central Commercial Zone
- CT2 - Commercial Transitional Zone
- C3 - Riverfront Zone; C3hp
- C4 - General Commercial Zone; C4hp
- C5 - Shopping Centre Zone
- HZ - Highway Zone
- M1 - Light Industrial Zone
- M2 - Medium Industrial Zone; M2hp
- M3 - Heavy Industrial Zone
- R1 - Estate Residential Zone
- R2 - Single Detached Residential Zone; R2hp
- 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
- RP - Rural Precambrian Uplands Zone
- REX - Rural Aggregate Extraction Zone
- AIR - Airport Zone
- Named Use - Commercial Dock
- Parcel Fabric
- Subject Property

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

N

The Corporation of the City of Sault Ste. Marie
99 Foster Drive, Sault Ste. Marie, Ontario P6A 5X6
saultstemarie.ca | 705.759.2500 | info@cityssm.on.ca

NOTICE OF APPLICATION & PUBLIC MEETING

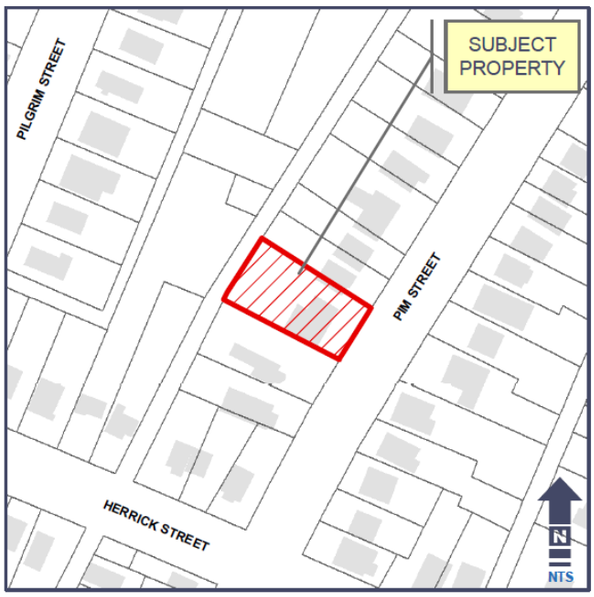
149 Pim Street
Application No.: A-2-22-Z
Applicant: Laura Scott

Date: Monday, April 11, 2022
Time: 5:30 PM

Location: City of Sault Ste. Marie
Civic Centre, Council Chambers
99 Foster Drive

PURPOSE

The applicant, Laura Scott, has submitted an application to permit pet grooming services as a home-based business at 149 Pim Street.



PROPOSED CHANGE

Rezone 149 Pim Street from Low Density Residential Zone (R3) to Low Density Residential Zone (R3.S) with a Special Exception to, in addition to the uses permitted in an R3 Zone:

1. Permit pet grooming services as a home-based business.
2. Prohibit the breeding, boarding, and overnight accommodation of animals.
3. Permit parking in a required front yard.

HAVE YOUR SAY

Input on the proposed Zoning By-Law amendment is welcome and encouraged. You can provide input by making a written submission or by making a public presentation.

TAKE NOTICE THAT the Council of The Corporation of the City of Sault Ste. Marie will hold a Public Meeting on Monday, April 11, 2022, at 5:30 p.m. to consider a Zoning By-law Amendment (under section 34 of the Planning Act, R.S.O 1990, c. P13, as amended). This meeting will be broadcast by Shaw Cable and may be viewed on Shaw Cable's Community Channel, Sootoday.com and on the City's YouTube Channel https://www.youtube.com/saultstemarieca

Any person wishing to present at the public meeting must contact the City Clerk at cityclerk@cityssm.on.ca or 705-759-5388 to register as a presenter. Any written submissions received in advance of the meeting will be included with Council's Agenda. Registered presenters will be provided with instructions as to how to join the meeting in advance. Only those individuals who wish to make a presentation need to register with the City Clerk.

MORE INFORMATION

The application may be reviewed upon request. The report of the Planning Division will be available on Friday, April 8, 2022 as part of City Council's Agenda. Please contact the Planning Division at 705-759-5368 or planning@cityssm.on.ca to request a digital copy. Please refer to the application file number.

WRITTEN SUBMISSION

To provide input in writing, or request notice if the proposed application is approved, please submit a letter to the Planning Division, 99 Foster Drive, Sault Ste. Marie, ON P6A 5X6, or e-mail to planning@cityssm.on.ca with your name, address and application file number on or before **Monday, April 11, 2022.**

If you wish to be notified of the Council of the City of Sault Ste. Marie decision to adopt or refuse the approval of an application, you must make a written request to the Planning Division at the address noted above.

LEGAL NOTICE CONCERNING YOUR RIGHT TO APPEAL

If a person or public body does not make oral submission at a public meeting or make written submission to the City of Sault Ste. Marie before the By-law is passed, the person or public body may not be entitled to appeal the decision of the Council of the City of Sault Ste. Marie to the Local Planning Appeal Tribunal.

If a person or public body does not make oral submissions at a public meeting, or make written submissions to the City of Sault Ste. Marie before the By-law is passed, the person or public body may not be added as a party to the hearing of an appeal before the Local Planning Appeal Tribunal unless, in the opinion of the Tribunal, there are reasonable grounds to add the person or public body as a party.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-35

AGREEMENT: A by-law to approve the name change from Superior Sports Training Incorporated to Superior Osteo Postural Clinic Inc. and to authorize the execution of the Agreement between the City and Superior Osteo Postural Clinic Inc. to extend the Lease at the John Rhodes Community Centre, 260-280 Elizabeth Street for one additional year.

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 April 11, 2022 between the City and Superior Osteo Postural Clinic Inc., a copy of which is attached as Schedule “A” hereto. This Agreement is to extend the Lease at the John Rhodes Community Centre, 260-280 Elizabeth Street for one additional year.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

lv \\citydata\LegalDept\Legal\Staff\COUNCIL\BY-LAWS\2022\2022-35 Superior Osteo Postural Clinic Agreement.docx

AMENDING AND EXTENSION AGREEMENT

THIS AGREEMENT made this 11TH day of April, 2022

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(the "City")

OF THE FIRST PART

-and-

SUPERIOR OSTEO POSTURAL CLINIC INC.

("Superior")

OF THE SECOND PART

WHEREAS the City and Superior Sports Training Inc. entered into a Lease Agreement made the 6th day of May, 2019 for the use of space in the John Rhodes Community Centre located at 260-280 Elizabeth Street, Sault Ste. Marie, Ontario, under the terms and conditions of the said Lease Agreement appended as Schedule "A" to this Agreement;

AND WHEREAS the term of the Lease Agreement is for a period of 3 years commencing May 6, 2019 and terminating May 5, 2022, with the option to extend as set out in Section 6.9 of the Lease Agreement as follows:

> "Provided the Tenant is not in material default in the performance of any obligations contained in the Lease, the Tenant shall have the option of extending the Term, on a year-to-year basis at the agreed upon rent, as is negotiated between the Parties (the "Extended Term").
>
> Such option shall be exercised by notice in writing given to the Landlord no later than two (2) months prior to the expiration of the Term. The Extended Term, unless the parties otherwise agree in writing, shall be on the same terms as in the Lease, except as to any further right of extension."

AND WHEREAS Superior Sports Training Inc. changed its name from Superior Sports Training Inc. to Superior Osteo Postural Clinic Inc. effective December 16, 2021;

AND WHEREAS pursuant to section 7.4 of the Lease Agreement, the Lease Agreement is binding upon any successors, assigns and other legal representatives as the case may be, and is therefore binding on Superior effective December 16, 2021;

AND WHEREAS Superior exercised its option to extend the Term for a period of one year in accordance with the Lease Agreement, and the City is agreeable to same, subject to terms and conditions set out herein;

NOW THEREFORE in consideration of the rents, covenants and agreements herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

1. SUCCESSOR – SUPERIOR OSTEO POSTURAL CLINIC INC.

The parties acknowledge and agree that Superior is the successor to Superior Sports Training Inc. and thereby is bound to all the terms and conditions of the Lease Agreement appended at Schedule "A" effective December 16, 2021. Any matters that arose prior to December 16, 2021 and ongoing during the original Term as set out in the Lease Agreement and the Extended Term as set out herein shall be the responsibility of Superior.

2. EXTENSION TERM

The Lease Agreement shall be extended for a period of one year, commencing May 6, 2022 and ending on May 5, 2023, with the continuing option to extend as set out in Section 6.9 of the original Lease Agreement.

3. PERMITTED USE – AMENDED

The parties acknowledge and agree that Section 4.1 Permitted Use of the original Lease Agreement shall be deleted and replaced with the following:

"***4.1 Permitted Use*** To use the Premises to fulfill the Tenant's mandate only; specifically, to use the Premises as athletic training space for:

(a) Superior Sports Training Inc. and all other uses ancillary thereto for the period commencing May 6, 2019 until December 16, 2021; and

(b) Superior Osteo Postural Clinic Inc. and all other uses ancillary thereto for the period commencing December 16, 2021 and the balance of the Term and any Extended Term(s)."

4. NOTICE – AMENDED

The parties acknowledge and agree that the portion related to the Tenant in "Section 6.10 Notice" of the original Lease Agreement shall be deleted and replaced with the following:

"In the case of the Tenant:

From May 6, 2019 to December 16, 2021 to Superior Sports Training Inc.
-AND-
From December 16, 2021 and continuing for the balance of the Term and any Extended Term to Superior Osteo Postural Clinic Inc.
A-150 McFadden Avenue
Sault Ste. Marie, Ontario P6C 4T2
Fax: 705-759-4816
Tel: 705-257-7690
Attention: John Parco"

5. MISCELLANEOUS

The parties hereto acknowledge and agree that the remaining terms and conditions of the Lease Agreement shall remain in place and in full force and effect during the Extended Term commencing May 6, 2022 and ending on May 5, 2023.

IN WITNESS WHEREOF the parties hereto have signed this Amending Agreement this 11th day of April, 2022.

SUPERIOR OSTEO POSTURAL CLINIC INC.

PER: John Parco
_____

Name:
Authorized Representative for Superior Osteo Postural Clinic Inc.
I have authority to bind the Corporation

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

PER:

_____
MAYOR – CHRISTIAN PROVENZANO

PER:

_____
CITY CLERK – RACHEL TYCZINSKI

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-59

AGREEMENT: A by-law to approve the Mill Market Sault Ste. Marie to issue a Request for Proposal for two (2) full food mobile units to be located at 35 Canal Drive and one (1) light duty food unit at Clergue Park for the summer of 2022 and to authorize the execution of the Second Amending Lease Agreement between the City and Mill Market Sault Ste. Marie to include two (2) mobile food vending units at 35 Canal Drive.

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 Second Amending Agreement dated April 11, 2022 between the City and Mill Market Sault Ste. Marie, a copy of which is attached as Schedule “A” hereto. This Second Amending Agreement is to include two (2) mobile food vending units at 35 Canal Drive.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

lv \\citydata\LegalDept\Legal\Staff\COUNCIL\BY-LAWS\2022\2022-59 Mill Market Mobile Food Vending Units Canal Drive.docx

SECOND AMENDING LEASE AGREEMENT

THIS SECOND AMENDING LEASE AGREEMENT made in duplicate this 11th day of April, 2022.

B E T W E E N:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
(hereinafter referred to as the "City")

- and –

MILL MARKET SAULT STE. MARIE
(hereinafter referred to as "Mill Market")

WHEREAS the City and Mill Market entered into a Lease Agreement dated the 15th day of July, 2019, as approved by City Council pursuant to By-law 2019-147, and amended July 13th, 2021;

WHEREAS pursuant to the Lease Agreement, Mill Market has permission to use the specific property of the City as set out in the Lease Agreement and on the terms and conditions set out therein;

WHEREAS the Mill Market is to prepare and complete an RFP for two mobile food vending units to be occupied by awarded proponents;

WHEREAS the City has purchased and will install (which installation includes, placement of the units and required power/water/sewer supply and connections) the mobile food vending units upon the area leased to Mill Market and to be occupied by the awarded proponents;

WHEREAS the parties hereto acknowledge the City's responsibility for the mobile food vending units does not extend past the installation phase, and that Mill Market will be responsible for the lawful uses of the mobile food vending units by it or any awarded proponent;

NOW THEREFORE in consideration of the mutual covenants set forth and other valuable consideration, the parties agree as follows:

1. The parties agree to the terms and conditions set out in Schedule "A" attached hereto.

2. The parties agree that the mobile food vending units shall be located as depicted in Schedule "A" and adhere to the terms and conditions as set out therein.

3. All other terms and conditions as set out in the Lease Agreement and amending lease agreement (dated July 13th, 2021) shall remain unchanged.

IN WITNESS WHEREOF, the Parties have executed this Amending Lease Agreement effective as of the date written above.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Per:

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

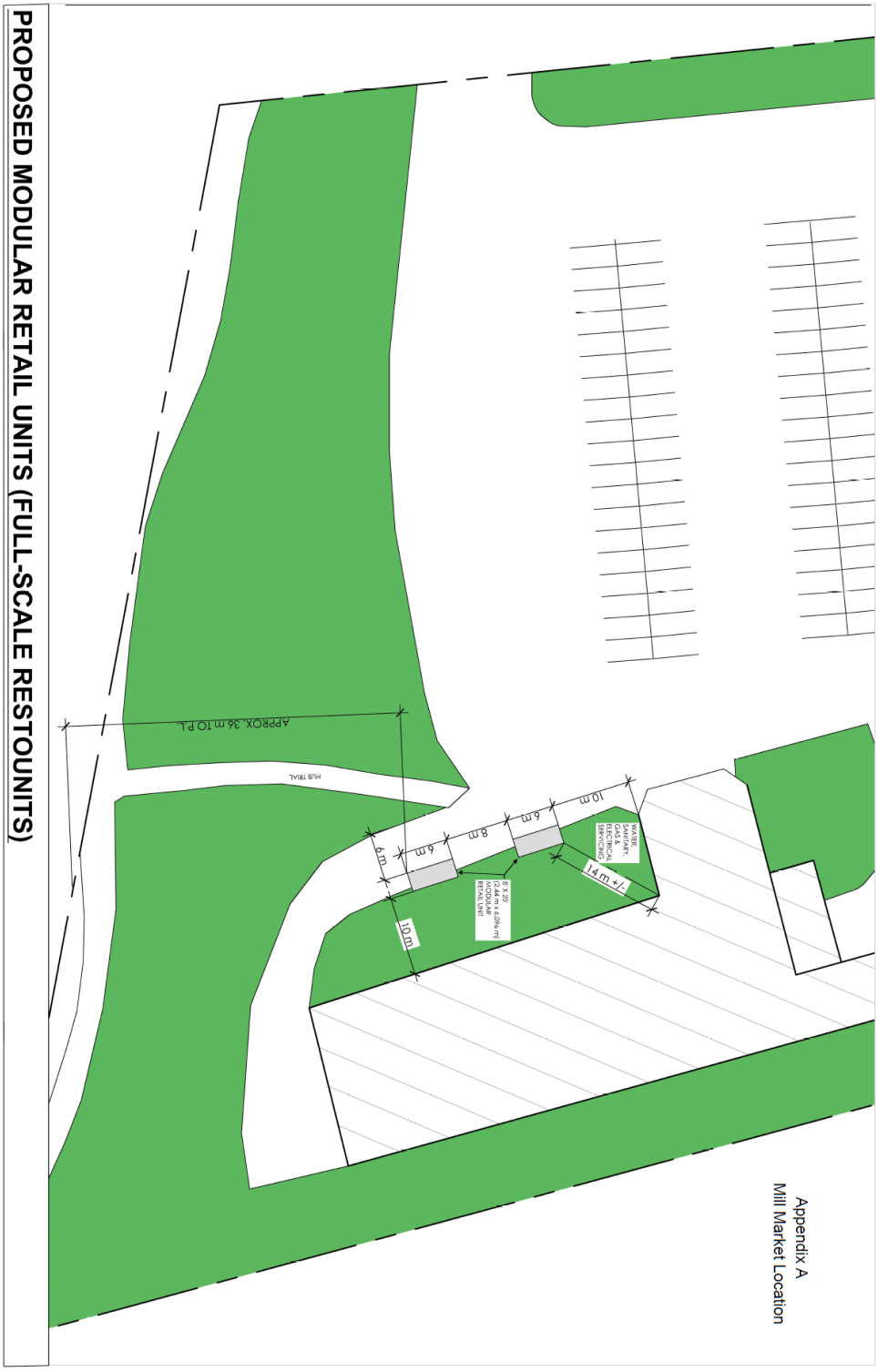
MILL MARKET SAULT STE. MARIE

Per:

NAME:
TITLE:
I have the authority to bind the corporation.

Schedule "A"

Two (2) mobile food vending units as depicted in grey



Terms and conditions specific to the use and occupancy upon any sublessee or licensee (hereinafter: "awarded proponent") pursuant to Section 14 of the Lease Agreement for use of the mobile food units:

1) Mill Market shall ensure that the use of the mobile food units adhere to the applicable terms under the Lease and any amendment thereof generally;
2) In the event the City wishes to deploy/use any of the mobile food units at an alternative location, other than as set out in this second amending lease, this second amending agreement may be terminated with 30 days written notice by the City to Mill Market and the mobile food units must be vacated within 15 days thereafter;
3) Mill Market or any awarded proponent shall, jointly or severely, have no right of action of any kind for damages against the City in the event the mobile food units are redeployed or delayed by either delivery or installation at the location by the desired date of occupancy;
4) Mill Market shall ensure that no awarded proponent uses the mobile food units for the sale or purchase of alcohol, unless approved by the AGCO for said use. Should alcohol be added to any use and occupancy of the mobile food units, the insurance requirements within this section shall be a minimum of $5millon dollars for the awarded proponent;
5) Mill Market shall ensure that TSSA approval is received in relation to the use and occupation of the mobile food units;
6) Mill Market shall ensure that collection and payment any and all fees related to electricity, water, or other services (commonly known collectively as "utilities"), are remit on a monthly to it by the awarded proponent as to not create any arrear owed by the City, the City shall not be responsible for these fees and may terminate the Lease in the event of any default by Mill Market;
7) Mill Market shall ensure that any and all *Fire Prevention and Protection Act* and *Fire Code* requirement are adhered to, including but not limited to, instillation of a "portable" Class K fire extinguisher within the unit that is sized and compatible with the Ansul R102 "fixed" system, and that the awarded proponent is trained on the use of both the portable and fixed systems.
8) Mill Market shall ensure that the use and occupation of the mobile food units adheres to any and all Ontario *Building Code* (OBCA) requirements;
9) Mill Market shall ensure that the mobile food units is approved for the use and occupation by APH before being put in service by any awarded proponent;
10) Mill Market shall ensure that no accessory power supply shall be connected to the mobile food units, included but not limited to a generator;
11) Subject to the hours of operation and dates of use of the mobile food units, Mill Market shall ensure that a Food Vendor Licence is obtained and remains current by the awarded proponent, as and if required;
12) Mill Market shall ensure that the awarded proponent shall indemnify and save harmless the City from all costs and expenses caused to or incurred by the City and from all claims and demands, awards, losses, costs, damages, actions, suits or other proceedings, by whomsoever made, brought or prosecuted in any manner based upon, arising out of or connected with, the installation, use, maintenance, presence or removal of the mobile food units covered under this Lease, the intent being that the City shall be at no risk or expense to which it would not have been put had the a mobile food units had not been so used or occupied;
13) Mill Market shall ensure that the awarded proponent will not use or permit the use of the City Property for any purpose other than the purpose herein set out;

14) Mill Market shall ensure that the awarded proponent has and maintains at all times during the currency of its occupation of the mobile food units a minimum of TWO MILLION ($2,000,000.00) Dollars comprehensive general liability insurance in respect of personal injury, death, loss or damage of or to any person or property of third parties, with insurers licenced to conduct business in Ontario. The City shall be added as an Additional Insured to the required liability insurance policy, or policies and no such policy shall be cancelled or allowed to lapse without at least thirty (30) days written notice having been given to the City. An Insurance Certificate, on the C.S.I.O. form and satisfactory to the City's Risk Manager, shall be provided to the City prior to any occupation by an awarded proponent of the mobile food units; and,
15) Mill Market shall ensure that the awarded proponent complies with all Laws, By-laws, Rules and Regulations of any governing body respecting the use and occupation of the mobile food units.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-60

AGREEMENT: A by-law to authorize the execution of the Licence To Occupy Agreement between the City and Mill Market Sault Ste. Marie for one (1) mobile food vending unit at Clergue Park.

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 April 11, 2022 between the City and Mill Market Sault Ste. Marie, a copy of which is attached as Schedule “A” hereto. This Agreement is for one (1) mobile food vending unit at Clergue Park.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

lv \\citydata\LegalDept\Legal\Staff\COUNCIL\BY-LAWS\2022\2022-60 Mill Market Mobile Food Vending Unit Clergue Park.docx

LICENCE TO OCCUPY CITY PROPERTY

THIS LICENCE made in duplicate this 11th day of April, 2022.

B E T W E E N:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(hereinafter referred to as the “City”)

- and -

MILL MARKET SAULT STE. MARIE

(hereinafter referred to as the “Licencee”)

The City grants to the Licencee the right to occupy the property of the City (“the City Property”) identified as Clergue Park as shown on the plan attached and marked Schedule "A" to this Licence to Occupy City Property for the purpose of locating and operating a mobile light duty food and retail unit.

This Licence is subject to the conditions set out in Schedule “B” attached.

In this Licence “City” means the “Council” of the City of Sault Ste. Marie and any person authorized to act on its behalf.

This Licence shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors and assigns.

IN WITNESS WHEREOF, the Parties have executed this Licence to Occupy City Property effective as of the date written above.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Per:

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

MILL MARKET SAULT STE. MARIE

Per:

NAME:
TITLE:

Per:

NAME:
TITLE:

I/We have the authority to bind the corporation.

SCHEDULE "A"

One (1) a mobile light duty food and retail unit south of Ken Danby Way as depicted in red



SCHEDULE "B"

This Licence is subject to the following conditions:

1. The City hereby grants the Licencee permission to occupy and maintain the City Property for the purposes of locating and operating a mobile light duty food and retail unit.

2. For the term, the City has no obligation to make any improvements or provide any maintenance to the City Property described in this Licence. These obligations are the Licencee's. Any required winter maintenance shall be discussed and approved by the City's Public Work Department.

3. **Term**

The Term of this Licence shall commence on the 1st day of May 2022, and shall be for a period of 1 year, terminating on April 30th, 2023. This Agreement shall renew annually thereafter along the same terms and conditions set out herein.

The City or the Licencee may cancel this Licence on giving thirty (30) days' written notice to the other party of their intention to do so.

Notices shall be deemed given if deposited in the mail with postage charges prepaid and address to the party for whom intended at such party's address herein specified.

CITY

Assistant City Solicitor/Senior Litigation Counsel

The Corporation of the

City of Sault Ste. Marie

99 Foster Drive

Sault Ste. Marie, ON P6A 5X6

LICENCEE

MILL MARKET Sault Ste. Marie

Director of

35 Canal Dr. Sault Ste. Marie ON

P6A 5P4

4. This Licence may not be assigned without the prior written permission of the City. Mill Market shall have the right to sublet or licence the mobile light duty food and retail unit to its members or third parties for purposes consistent with Mill Market's mission and operations. The Mill Market expressly acknowledges responsibility for any sublessee or licensee and shall ensure any sublessee or licensee adhere to the terms and conditions set out in section 12 of this Licence.

5. The Licencee shall indemnify and save harmless the City from all costs and expenses caused to or incurred by the City and from all claims and demands, awards, losses, costs, damages, actions, suits or other proceedings, by whomsoever made, brought or prosecuted in any manner based upon, arising out of or connected with, the installation, use, maintenance, presence or removal of the a mobile light duty food and retail unit covered under this Licence, the intent being that the City shall be at no risk or expense to which it would not have been put had the a mobile light duty food and retail unit not been so installed, used, maintained, occupied or been removed by the Licencee.

6. The Licencee will not use or permit the use of the City Property for any purpose other than the purpose herein set out. Only the following buildings or structures are permitted on the City Property one (1) mobile light duty food and retail unit.

7. The Licencee agrees to maintain at all times during the currency of this Licence hereinbefore described, a minimum of FIVE MILLION ($5,000,000.00) Dollars comprehensive general liability insurance in respect of personal injury, death, loss or damage of or to any person or property of third parties, with insurers licenced to conduct business in Ontario. The City shall be added as an Additional Insured to the required liability insurance policy, or policies and no such policy shall be cancelled or allowed to lapse without at least thirty (30) days written notice having been given to the City. An Insurance Certificate, on the C.S.I.O. form and satisfactory to the City's Risk Manager, shall be provided to the City prior to the commencement of the Licence Date.

8. The Licencee shall comply with all Laws, By-laws, Rules and Regulations of any governing body respecting the installation, maintenance, use, occupation and/or removal of the mobile light duty food and retail and will save harmless and fully indemnify the City from and against all losses, costs, damages and expenses, of every kind or nature which the City may suffer, be at or be put to by reason of or in consequence of the noncompliance by the Licencee with such Laws, By-laws, Rules and Regulations.

9. In the event the recognition of been a Municipal Capital Works Facility is not transposed to this Licence, the Licencee shall be liable for all taxes, permits, licences or assessments of every nature and kind whatsoever, in any way arising from the presence of the mobile light duty food and retail unit.

10. On termination of this Licence, the City may elect to forthwith remove the mobile light duty food and retail unit from the City Property.

11. The Licencee consents to the registration of this Licence on title to both the City Property and the Licencee's lands benefiting from the Licence. The Licencee shall be responsible for the costs of the said registration of this Licence.

12. Terms and conditions specific to the use and occupancy upon any sublessee or licensee (hereinafter: "awarded proponent") for use of the mobile light duty food and retail unit:

    1) Mill Market shall ensure that the use of the mobile light duty food and retail unit adhere to the applicable terms under this License generally;
    2) Mill Market or any awarded proponent shall, jointly or severely, have no right of action of any kind for damages against the City in the event the mobile light duty food and retail is redeployed or delayed by either delivery or installation at the location by the desired date of occupancy;
    3) Mill Market shall ensure that no awarded proponent uses the mobile light duty food and retail unit for the sale or purchase of alcohol, unless approved by the AGCO for said use. Should alcohol be added to any use and occupancy of the mobile light duty food and retail unit, the insurance requirements within this section shall be a minimum of $5millon dollars for the awarded proponent;
    4) Mill Market shall ensure that TSSA approval is received in relation to the use and occupation of the mobile light duty food and retail;
    5) Mill Market shall ensure that collection and payment any and all fees related to electricity, water, or other services (commonly known collectively as "utilities"), are remit on a monthly to it by the awarded proponent as to not create any arrear owed by the City, the City shall not be responsible for these fees and may terminate this License in the event of any default by Mill Market, such payments shall be remitted to Rotary as mutually agreed upon by said parties;
    6) Mill Market shall ensure that any and all *Fire Prevention and Protection Act* and *Fire Code* requirement are adhered to, including but not limited to, instillation of a "portable" Class K fire extinguisher within the unit that is sized and compatible with the Ansul R102 "fixed" system, and that the awarded proponent is trained on the use of both the portable and fixed systems.
    7) Mill Market shall ensure that the use and occupation of the mobile light duty food and retail adheres to any and all Ontario *Building Code* (OBCA) requirements;
    8) Mill Market shall ensure that the mobile light duty food and retail is approved for the use and occupation by APH before being put in service by any awarded proponent;
    9) Mill Market shall ensure that no accessory power supply shall be connected to the mobile light duty food and retail, included but not limited to a generator;
    10) Subject to the hours of operation and dates of use of the mobile light duty food and retail, Mill Market shall ensure that a Food Vendor Licence is obtained and remains current by the awarded proponent, as and if required;
    11) Should the awarded proponent wish to operate during any hosted Rotary event, Mill Market shall unsure this use is supported by Rotary, otherwise the proponent shall not operate during any Rotary event;
    12) Mill Market or any awarded proponent shall be responsible for holding tank use, including filling, emptying and all costs with the same and its maintenance;
    13) Mill Market shall ensure that the awarded proponent shall indemnify and save harmless the City from all costs and expenses caused to or incurred by the City and from all claims and demands, awards, losses, costs, damages, actions, suits or other proceedings, by whomsoever made, brought or prosecuted in any manner based upon, arising out of or connected with, the installation, use, maintenance, presence or removal of the mobile light duty food and retail unit covered under this Licence, the intent being that the City shall be at no risk or expense to which

it would not have been put had the a mobile light duty food and retail unit not been so used or occupied;

14) Mill Market shall ensure that the awarded proponent will not use or permit the use of the City Property for any purpose other than the purpose herein set out;
15) Mill Market shall ensure that the awarded proponent has and maintains at all times during the currency of its occupation of the mobile light duty food and retail unit a minimum of TWO MILLION ($2,000,000.00) Dollars comprehensive general liability insurance in respect of personal injury, death, loss or damage of or to any person or property of third parties, with insurers licenced to conduct business in Ontario. The City shall be added as an Additional Insured to the required liability insurance policy, or policies and no such policy shall be cancelled or allowed to lapse without at least thirty (30) days written notice having been given to the City. An Insurance Certificate, on the C.S.I.O. form and satisfactory to the City's Risk Manager, shall be provided to the City prior to any occupation by an awarded proponent of the mobile light duty food and retail unit; and,
16) Mill Market shall ensure that the awarded proponent complies with all Laws, By-laws, Rules and Regulations of any governing body respecting the use and occupation of the mobile light duty food and retail unit.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW NO. 2022-61

PROPERTY SALE: A by-law to declare the City owned property legally described as PIN 31603-0429 (LT), PT SEC 27, KORAH AS IN T64099 EXCEPT PT 2 1R1417; SAULT STE. MARIE being civic 740 Allen's Side Road as surplus to the City's needs and to authorize the disposition of the said property to the Estate of Joseph Mancuso or as otherwise directed.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie, pursuant to the *Municipal Act, 2001*, S.0. 2001, c. 25, **ENACTS** as follows:

1. **LANDS DECLARED SURPLUS**

   The lands more particularly described in Schedule "A" to this by-law are surplus to the requirements of the municipality.

2. **SALE AUTHORIZED**

   The Corporation of the City of Sault Ste. Marie shall sell the lands more particularly described in the attached Schedule "A" to the Estate of Joseph Mancuso or as otherwise directed at the consideration shown in Schedule "A".

3. **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 to affix the seal of the Corporation to all documents required to complete the sale.

4. **SCHEDULE "A"**

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

5. **EFFECTIVE DATE**

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

PASSED in open Council this 11th day of April, 2022.

MAYOR – CHRISTIAN PROVENZANO

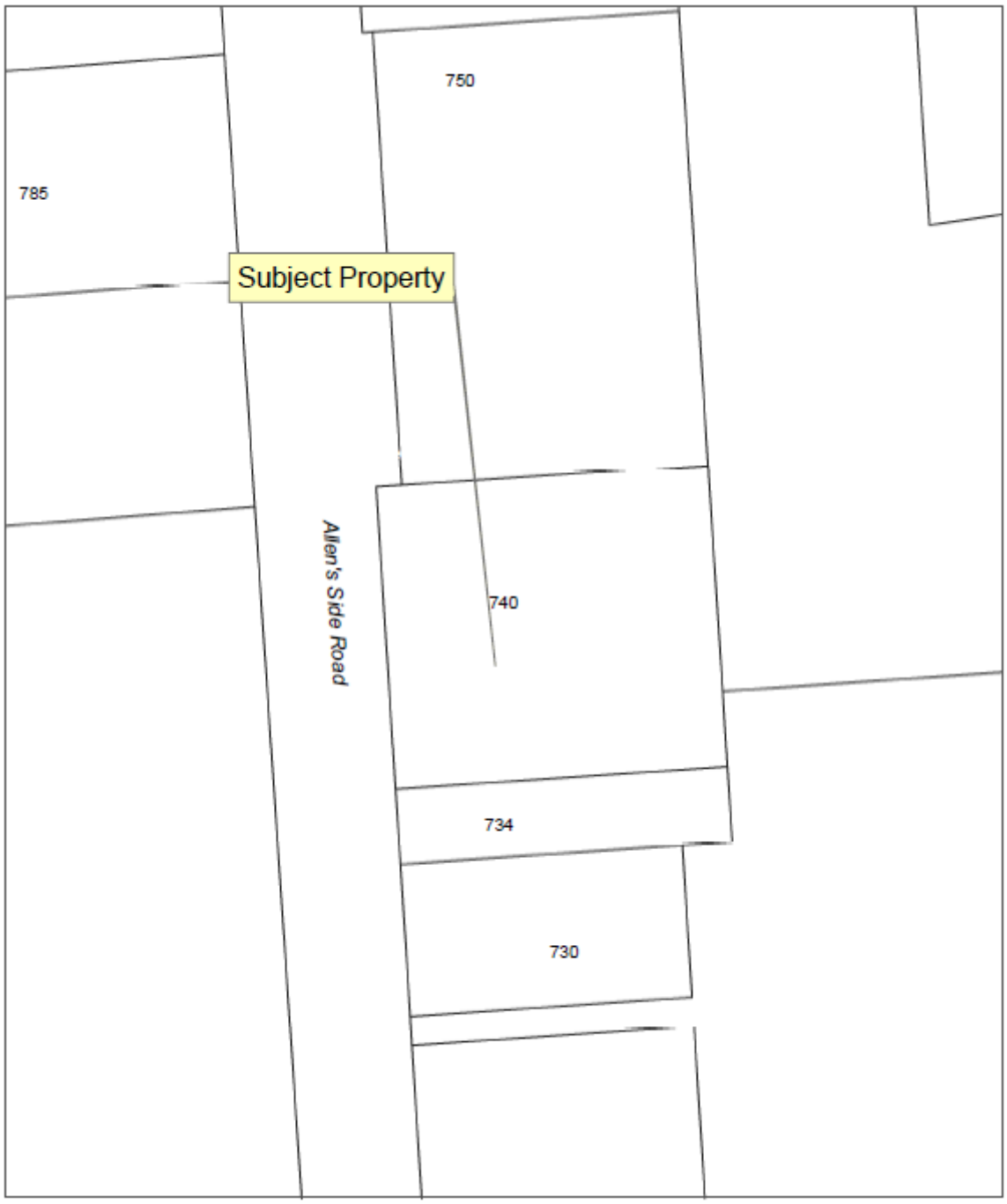
CITY CLERK – RACHEL TYCZINSKI

SCHEDULE "A" TO BY-LAW 2022-61

PURCHASER: Estate of Joseph Mancuso

LEGAL DESCRIPTION: PIN 31603-0429 (LT), PT SEC 27, KORAH AS IN T64099 EXCEPT PT 2 1R1417; SAULT STE. MARIE

CONSIDERATION: ONE ($1.00) DOLLAR



THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-62

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and Sault Amateur Soccer Association for the use of Strathclair Park, commencing on May 1, 2022 and terminating on April 30, 2027.

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 April 11, 2022 between the City and Sault Amateur Soccer Association, a copy of which is attached as Schedule “A” hereto. This Agreement is for the use of Strathclair Park, commencing on May 1, 2022 and terminating on April 30, 2027.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

lv\\citydata\LegalDept\Legal\Staff\COUNCIL\BY-LAWS\2022\2022-62 Sault Amateur Soccer Agreement.docx

THIS AMENDING AGREEMENT made in triplicate this 11th day of April, 2022.

B E T W E E N:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(hereinafter referred to as the "City")

-and-

SAULT AMATEUR SOCCER ASSOCIATION

(hereinafter referred to as “SASA”)

WHEREAS the City and SASA entered into a Main Agreement dated March 10, 2017 for the use of Strathclair Park;

AND WHEREAS the term of the Main Agreement commences on May 1, 2017 for a period of five (5) years ending April 30, 2022;

AND WHEREAS the parties consider it desirable to continue their participation in an Agreement on the same terms and conditions as set out in the Main Agreement for a further five (5) year term;

NOW THEREFORE in consideration of the promises, covenants and agreements herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

1. **TERM**

This Agreement shall be in effect for a term of five (5) years commencing on May 1, 2022, and terminating on April 30, 2027 (“Term”).

2. The parties acknowledge and agree that all other terms and conditions as set out in the Main Agreement shall apply to this Agreement for the Term.

IN WITNESS WHEREOF the parties hereto have duly executed this Amending Agreement as of the date and year first above written.

SIGNED, SEALED AND DELIVERED
in the presence of:

SAULT AMATEUR SOCCER ASSOCIATION

_____
President

_____
Secretary

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

_____
MAYOR – CHRISTIAN PROVENZANO

_____
CITY CLERK - RACHEL TYCZINSKI

in the presence of:

SAULT AMATEUR SOCCER ASSOCIATION

President

Secretary

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

MAYOR – CHRISTIAN PROVENZANO

CITY CLERK - RACHEL TYCZINSKI

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-63

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and Daniel Fremlin Holdings Inc. and the Huron Superior Catholic District School Board for access over the City property known as 273 Old Garden River 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. **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 April 1, 2022 between the City and Daniel Fremlin Holdings Inc. and the Huron Superior Catholic District School Board, a copy of which is attached as Schedule “A” hereto. This Agreement is for access over the City property known as 273 Old Garden River Road.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

tm\\citydata\LegalDept\Legal\Staff\COUNCIL\BY-LAWS\2022\2022-63 273 Old Garden River Road Agreement.docx

THIS AGREEMENT is dated April 1, 2022

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

("City")

and

HURON SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD

("HSCDSB")

and

DANIEL FREMLIN HOLDINGS INC.

("Fremlin")

WHEREAS the HSCDSB is the registered owner of the lands situate, lying and being in the City of Sault Ste. Marie, known municipally as 858 Second Line East, Sault Ste. Marie, Ontario, and more particularly described as PIN 31513-0262 "School Lands".

AND WHEREAS the Fremlin is the registered owner of the lands situate, lying and being in the City of Sault Ste. Marie, and more particularly described as PIN 31513-0169, 31513-0179 and 31513-0269 "Fremlin Lands".

AND WHEREAS the City is the owner of the lands situate, lying and being in the City of Sault Ste. Marie and more particularly described as PIN 31513-0166, PIN 31513-0207 and PIN 31513-0206 which lands are collectively referred to as the "Smyl Boulevard off Old Garden River Road ("OGR")" and which the parties agree form only a portion of Smyl Boulevard.

AND WHEREAS a PIN map and draft survey are attached hereto at Schedule "A" setting out the PINs noted above and the planned development of the Fremlin Lands

AND WHEREAS the HSCDSB requires road access to the School Lands by way of the Smyl Boulevard off OGR.

AND WHEREAS the HSCDSB and the City entered into a Development Control Agreement (DC-589) on February 13, 2015, including, but not limited to, the use and development of the Smyl Boulevard off OGR.

AND WHEREAS the HSCDSB has made an Agreement with the City registered on title to the School Lands as instrument number AL168553, a copy of which is appended as Schedule "A" to this Agreement ("Road Access Agreement") which granted the HSCDSB road access to the School Lands by way of Smyl Boulevard off OGR subject to the terms and conditions set out in the Road Access Agreement.

AND WHEREAS Fremlin now requires road access to the Fremlin Lands by way of the Smyl Boulevard off OGR.

AND WHEREAS the City is prepared grant Fremlin road access to the Fremlin Lands by way of Smyl Boulevard off OGR subject to the terms and conditions set out in this Agreement;

AND WHEREAS the City is prepared to also amend the terms and conditions of the Road Access Agreement given the access that shall be permitted to Fremlin as set out herein;

AND WHEREAS, City Council granted Draft Plan of Subdivision Approval for the surrounding lands on May 10, 2021;

NOW THEREFORE in consideration of the rents, covenants and agreements herein contained and hereby assumed, the parties for themselves and their respective successor and assigns do hereby covenant and agree with one another as follows:

GRANT OF ACCESS OVER SMYL BOULEVARD OFF OLD GARDEN RIVER ROAD

1. Pursuant to the Road Access Agreement, the City granted the HSCDSB road access to the School Lands by way of Smyl Boulevard off OGR subject to the terms and conditions set out in the Road Access Agreement. The City confirms that the road access granted therein shall remain in place and shall be, as it relates to the HSCDSB, for the sole purpose of the HSCDSB and its invitees, agents, successors and assigns and any mortgagee in possession:

   (a) to gain access to the School Lands from Smyl Boulevard off OGR; and
   (b) to develop, maintain and construct Smyl Boulevard off OGR as required in the Road Access Agreement and herein,

   and no other purpose.

2. The City hereby also grants Fremlin road access to the Fremlin Lands by way of Smyl Boulevard off OGR subject to the terms and conditions set out in herein commencing at such time as Fremlin requires such access for the purposes of the Fremlin Lands development (Fremlin Access Commencement Date). The City confirms that the road access granted herein shall remain in place from the Fremlin Access Commencement Date and shall be, as it relates to Fremlin, for the sole purpose of Fremlin and its invitees, agents, successors and assigns and any mortgagee in possession:

   (a) to gain access to the Fremlin Lands from Smyl Boulevard off OGR; and
   (b) to maintain and construct Smyl Boulevard off OGR as required herein,

   and no other purpose.

3. Fremlin shall not hinder, obstruct or delay or otherwise negatively impact the road access granted by the City to the HSCDSB and currently in progress. Fremlin shall work around HSCDSB's schedule for school access during the Term of this Agreement. Both Fremlin and HSCDSB acknowledge and agree that pedestrians may also access Smyl Boulevard off OGR. Both Fremlin and HSCDSB shall ensure that their respective access to Smyl Boulevard off OGR does not hinder, obstruct or delay such pedestrian access.

DESIGN, CONSTRUCTION AND REPAIR OF SMYL BOULEVARD

4. Pursuant to the Road Access Agreement, HSCDSB developed Smyl Boulevard off OGR, and any associated public sidewalk construction or repairs are in accordance and comply with the designs and regulations specified in the City's Street By-law 2008-131.

5. With respect to maintenance and repair of Smyl Boulevard off OGR:

   (a) In accordance with the Road Access Agreement, HSCDSB shall continue to be responsible for all costs, liabilities and expenses related to the maintenance and repair of Smyl Boulevard off OGR to the satisfaction of the City until the Fremlin Access Commencement Date;

   (b) From the Fremlin Access Commencement Date until such time as the City assumes Smyl Boulevard off OGR, which the City shall determine if/when at its sole discretion, the parties Fremlin/HSCDSB shall:

      (a) Always apportion equally, and at the sole cost, liability, and expense of the each of Fremlin/HSCDSB to maintain and repair the Smyl Boulevard off OGR to the satisfaction of the City.
      (b) each obtain consent of the other prior to making any changes and the City prior to making any changes to the maintenance/repair of Smyl Boulevard off OGR.
      (c) promptly maintain, repair and clean up Smyl Boulevard off OGR as a result of their respective use of same so as not to impede the other party's and pedestrian use of Smyl Boulevard off OGR and to the City's satisfaction and approval of the Director of Engineering or his/her designate.

6. Wish respect to the development and construction of Smyl Boulevard off OGR to Municipal Standards, the parties agree that:

   (a) in accordance with the Road Access Agreement, the HSCDSB shall be fully responsible for the development and construction of Smyl Boulevard off OGR to Municipal road standards to the satisfaction of the City and subject to the approval of the Director of Engineering or his/her designate until the Fremlin Access Commencement Date.
   (b) from the Fremlin Access Commencement Date until such time as the City assumes Smyl Boulevard off OGR, Fremlin/HSCDSB shall jointly develop and construct Smyl Boulevard off OGR to Municipal road standards to the satisfaction of the City and subject to the approval of the Director of Engineering or his/her designate. To this end, Fremlin/HSCDSB shall be jointly and equally responsible for all costs, liabilities and expenses associated with the development, construction, maintenance and repair of Smyl Boulevard off OGR.

7. Fremlin/HSCDSB acknowledges and agrees that the development, construction, repair and maintenance of the access point through Smyl Boulevard off OGR within the City road allowance shall be subject to the review and approval of the City's Director of Engineering or his/her designate.

8. Fremlin/HSCDSB shall provide to the City a complete set of engineered drawings showing the final plan and profile locations of all services, including, but not limited to, building connections. Fremlin/HSCDSB acknowledges and agrees that these drawings shall include all services installed by utility companies. Fremlin/HSCDSB acknowledges and agrees that the accuracy of these drawings shall be certified and stamped by the engineer supervising the construction.

9. Fremlin/HSCDSB shall at its sole cost, liability, and expense, obtain all necessary approvals and permits regarding the development, construction, use, maintenance and repair of the Smyl Boulevard off OGR. Fremlin's responsibility in this regard shall commence at the Fremlin Access Commencement Date and thereafter.

10. HSCDSB acknowledges and agrees that the HSCDSB is responsible for the winter maintenance and repair of the Smyl Boulevard off OGR until such time as Fremlin Access Commencement Date, at which point Fremlin/HSCDSB shall apportion equally between themselves the winter maintenance and repair responsibility.

11. Fremlin/HSCDSB acknowledges and agrees that at a date in the future, the date to be determined at the sole discretion of the City, the City may assume Smyl Boulevard off OGR as a municipal public street. The decision as to when and if the assumption should be completed by the City shall be at the sole discretion of the Director of Engineering or his/her designate, and in making his decision, the Director of Engineering or his/her designate shall consider if the Smyl Boulevard off OGR is constructed to Municipal road standards.

12. It is the responsibility of the HSCDSB to confirm the existence of any easements on the Smyl Boulevard off OGR. Further, it is the responsibility of the HSCDSB to ensure that any development or improvements on the Smyl Boulevard off OGR do not interfere with the terms contained in the easements and Fremlin/HSCDSB acknowledges and agree that development of the Fremlin Lands will not unreasonably interfere with the operations of HSCDSB in respect of Smyl Boulevard off OGR.

INDEMNITY

13. Pursuant to Section 6 of the Road Access Agreement, HSCDSB fully indemnify and save harmless the City from all matters as set out therein, the intent being that the City shall be at no risk or expense to which it would not have been put had the Road Access Agreement not been entered into. This indemnity shall remain in effect until such time as the Fremlin Access Commencement Date, at which time Section 6 of the Road Access Agreement shall be suspended and cease for any matters that arise thereafter, and Section 14 herein shall take its place.

14. From the Fremlin Access Commencement Date until such time as the City assumes Smyl Boulevard off OGR, both Fremlin/HSCDSB shall, at all times, indemnify and save harmless the City from all costs, liabilities and expenses caused to or incurred by the City (including legal, costs, fees and disbursements) and from all claims and demands, awards, losses, costs, damages, actions, suits or other proceedings of any nature or kind, by whomsoever made, brought or prosecuted, in any manner based upon, arising out of or connected with, the HSCDSB' s use, development, construction, maintenance and repair of the Smyl Boulevard off OGR, the intent being that the City shall be at no risk or expense to which it would not have been put had this Agreement not been entered into. Fremlin/HSCDSB shall apportion between themselves the indemnification risk, with Fremlin being responsible for all matters arising from this Agreement and relating to Fremlin's use of the Smyl Boulevard off OGR for access to the Fremlin Lands and its obligations set out herein, and HSCDSB being responsible for all matters arising from this Agreement and relating to HSCDSB's use of Smyl Boulevard off OGR for access to the School Lands and its obligations set out herein. Further, both Fremlin and HSCDSB shall be responsible for any pedestrian access issues that arise from their respective use, development, construction, maintenance and repair of Smyl Boulevard off OGR.

MISCELLANEOUS

15. Fremlin/HSCDSB shall not call into question, directly or indirectly in any proceedings whatsoever, in law or in equity or before any administrative tribunal, the right of the City to enter into this Agreement and to enforce every term, covenant and condition herein contained, and this Agreement may be pleaded as an estoppel against the HSCDSB in any such proceedings.

16. Fremlin/HSCDSB consents to the registration of this Agreement, on the title to the Fremlin Lands/School Lands and on the title to the Smyl Boulevard off OGR. The Fremlin/HSCDSB shall equally pay all costs associated with said registration.

17. All terms, covenants and conditions herein contained shall be deemed to be negative and shall run with the land comprising the Fremlin Lands/School Lands and Smyl Boulevard off OGR and be binding upon the HSCDSB/Fremlin as the case may be, and their respective heirs, assigns and administrators or successors as owners and/or occupiers of the said Subject Lands and the Smyl Boulevard off OGR from time to time and shall be appurtenant to the adjoining highways in the ownership of the City.

18. This Agreement shall enure to the benefit of and be binding upon the parties hereto, their heirs, successors, and assigns.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Name: Christian Provenzano
Title Mayor
I have the authority to bind the Corporation

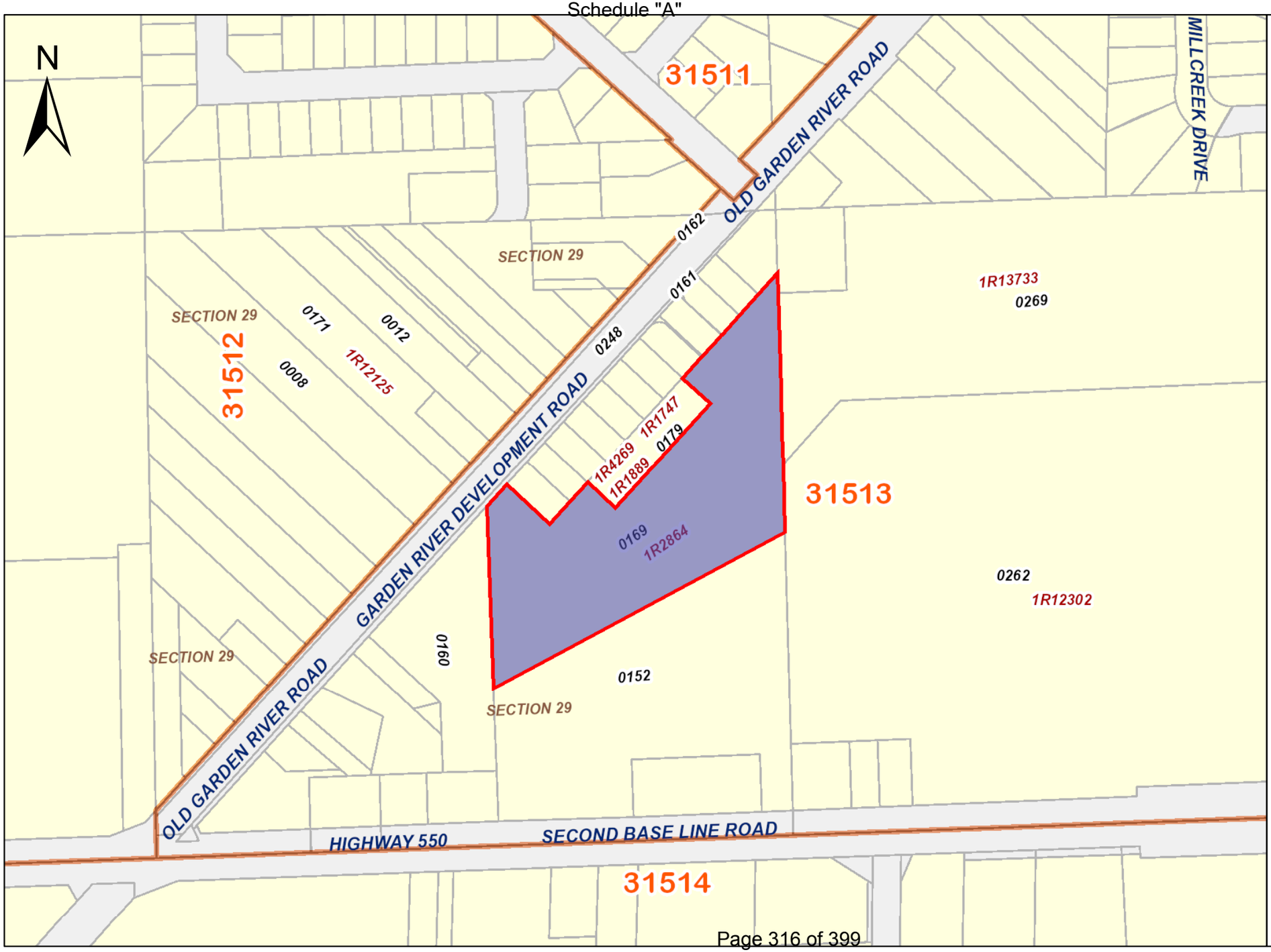
Name: Rachel Tyczinski
Title: City Clerk

HURON SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD

Name: Danny Viotto
Title Director of Education
I have the authority to bind the Corporation

DANIEL FREMLIN HOLDINGS INC.

Name:
Title
I have the authority to bind the Corporation



ServiceOntario

PRINTED ON 02 DEC, 2021 AT 12:19:26
FOR BRIGHT123

SCALE

0 30 60 90 120 meters

PROPERTY INDEX MAP

ALGOMA(No. 01)

LEGEND

FREEHOLD PROPERTY	
LEASEHOLD PROPERTY	
LIMITED INTEREST PROPERTY	
CONDOMINIUM PROPERTY	
RETIRED PIN (MAP UPDATE PENDING)	
PROPERTY NUMBER	*0449*
BLOCK NUMBER	**08050**
GEOGRAPHIC FABRIC	
EASEMENT	

THIS IS NOT A PLAN OF SURVEY

NOTES

REVIEW THE TITLE RECORDS FOR COMPLETE PROPERTY INFORMATION AS THIS MAP MAY NOT REFLECT RECENT REGISTRATIONS

THIS MAP WAS COMPILED FROM PLANS AND DOCUMENTS RECORDED IN THE LAND REGISTRATION SYSTEM AND HAS BEEN PREPARED FOR PROPERTY INDEXING PURPOSES ONLY

FOR DIMENSIONS OF PROPERTIES BOUNDARIES SEE RECORDED PLANS AND DOCUMENTS

ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED

Ontario

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ServiceOntario

PRINTED ON 07 DEC, 2021 AT 09:39:19
FOR BRIGHT123

SCALE

0 20 meters

PROPERTY INDEX MAP

ALGOMA(No. 01)

LEGEND

FREEHOLD PROPERTY	
LEASEHOLD PROPERTY	
LIMITED INTEREST PROPERTY	
CONDOMINIUM PROPERTY	
RETIRED PIN (MAP UPDATE PENDING)	
PROPERTY NUMBER	0449
BLOCK NUMBER	08050
GEOGRAPHIC FABRIC	
EASEMENT	

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ONLY MAJOR EASEMENTS ARE SHOWN

REFERENCE PLANS UNDERLYING MORE RECENT REFERENCE PLANS ARE NOT ILLUSTRATED

Ontario

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DRAFT PLAN OF SUBDIVISION
PART OF LOT 51
REGISTRAR'S COMPILED PLAN H-731
AND PART OF THE
SOUTHWEST QUARTER OF SECTION 29
IN THE
CITY OF SAULT STE. MARIE
DISTRICT OF ALGOMA

SCALE 1:1000
0 10 20 30 40 METRES

TULLOCH GEOMATICS INC., O.L.S.
2020

OWNER:
1564788 ONTARIO INC.
CHINA, CARLO BRUNO
164 RADIUS HILL PARK CRESCENT
SAULT STE. MARIE, ONTARIO
P6B 6A3

OWNER'S CERTIFICATE:
I HEREBY CONSENT TO THE MANNER IN WHICH THE LAND SHOWN ON THIS PLAN IS PROPOSED TO BE SUBDIVIDED AND REQUEST THE APPROVAL OF THE CITY OF SAULT STE. MARIE.

DATE _____ CARLO CHINA, AUTHORIZED SIGNING OFFICER (I HAVE THE AUTHORITY TO BIND THE CORPORATION)

ONTARIO LAND SURVEYOR:
BILL WEBB, O.L.S.
71 BLACK ROAD, UNIT 8
SAULT STE. MARIE, ONTARIO
P6B 0A3

SURVEYOR'S CERTIFICATE:
I CERTIFY THAT THE BOUNDARIES OF THE LANDS TO BE SUBDIVIDED AND THEIR RELATIONSHIP TO THE ADJACENT LANDS ARE ACCURATELY AND CORRECTLY SHOWN ON THIS PLAN.

January 18th, 2021 DATE — BILL WEBB, O.L.S.

BEARING NOTE:
BEARINGS ARE UTM GRID DERIVED BY REAL TIME KINEMATIC OBSERVATIONS AND ARE REFERRED TO THE CENTRAL MERIDIAN OF ZONE 16 (87° WEST LONGITUDE) NAD83 (CSRS) (2010).

CONVERGENCE NOTE:
A CONVERGENCE (ROTATION) FACTOR OF 1°35'00" COUNTERCLOCKWISE HAS BEEN APPLIED TO THE ASTRONOMIC BEARINGS OF UNDERLYING PLAN 1R-6746 AND PLAN 1R-6870 TO ACCOUNT FOR DIFFERENT REFERENCE MERIDIANS. NO CONVERGENCE FACTOR WAS APPLIED TO PLAN 1R-12349 AND PLAN 1R-12302.

METRIC:
DISTANCES AND COORDINATES SHOWN ON THIS PLAN ARE IN METRES AND CAN BE CONVERTED TO FEET BY DIVIDING BY 0.3048.

DISTANCE NOTE:
GROUND DISTANCES SHOWN HEREON CAN BE CONVERTED TO UTM GRID DISTANCES BY MULTIPLYING BY A COMBINED SCALE FACTOR OF 1.000016681

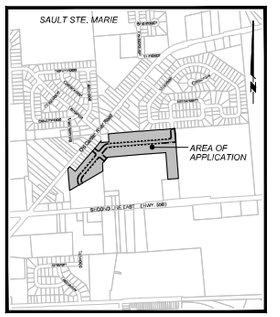
INTEGRATION COORDINATE TABLE

COORDINATES ARE DERIVED FROM GPS OBSERVATION USING THE PRECISE POINT POSITIONING (PPP) SERVICE AND ARE REFERRED TO UTM ZONE 16 (87° WEST LONGITUDE) NAD83(CSRS)(2010).

COORDINATE VALUES ARE TO URBAN ACCURACY IN ACCORDANCE WITH SECTION 14 (2) OF OREG 216/10.

OBSERVATION REFERENCE POINT	NORTHING	EASTING
ORP 'A'	5157446.83	706408.26
ORP 'B'	5157571.16	706503.20
ORP 'C'	5157831.53	706396.30

COORDINATES CANNOT, IN THEMSELVES, BE USED TO RE-ESTABLISH THE CORNERS OR BOUNDARIES SHOWN ON THIS PLAN.



KEY PLAN SCALE 1:7500

ADDITIONAL INFORMATION:
AS REQUIRED BY SECTION 51(17) OF THE PLANNING ACT

AREA OF APPLICATION = ±9.68 HECTARES

A) BOUNDARIES ARE AS SHOWN
B) ROADS AND HIGHWAYS ARE AS SHOWN
C) KEY PLAN AS SHOWN
D) BLOCK 56: SANITARY SEWER
BLOCK 57: STORM SEWER
BLOCK 58: STORM WATER MANAGEMENT POND
LOTS 1 -17 (INCLUSIVE) - SINGLE DETACHED RESIDENTIAL
LOTS 18 -34 (INCLUSIVE) - SEMI-DETACHED RESIDENTIAL
E) NORTH (R2) - SINGLE DETACHED RESIDENTIAL
SOUTH (I) - INSTITUTIONAL
EAST (PR) - PARKS AND RECREATION (S-73)
SOUTHEAST (RA) - RURAL AREA (LOT 56, R.C.P. H-731)
WEST (R2) - SINGLE DETACHED RESIDENTIAL
F) LAYOUT AND DIMENSIONS OF PROPOSED LOTS ARE AS SHOWN
G) FEATURES ARE AS SHOWN
H) EXISTING MUNICIPAL POTABLE WATER SUPPLY IS AVAILABLE.
WESTERN PORTION: 150mm TOPSOIL / ORGANICS OVER LYING SAND AND TILL
EASTERN PORTION: 100mm TOPSOIL / ORGANICS OVERLYING CLAYEY SILT & SILTY CLAY HEAVILY TREED PROPERTY - BEDROCK IS AS SHOWN
I) TOPOGRAPHY AS SHOWN (1m CONTOUR INTERVAL)
J) MUNICIPAL SERVICES AVAILABLE OR TO BE PROVIDED: STORM & SANITARY SEWER, MUNICIPAL WATER, POLLING, FIRE PROTECTION, AMBULANCE ETC..
K) RESTRICTIVE COVENANTS AND EASEMENTS
BLOCK 57: SANITARY EASEMENT AL128276 (IN FAVOUR OF PUC SERVICES INC.)
BLOCK 58: PROPOSED (UNREGISTERED) STORM EASEMENT (IN FAVOUR OF PUC SERVICES INC.)

PIN SUMMARY

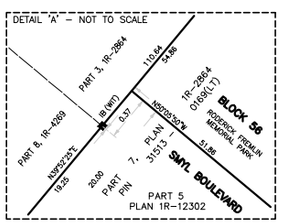
PIN	LOTS / BLOCKS / STREETS	PLAN / LOCATION
PART OF PIN 31515-0081	ALL OF LOTS 1-17 INCLUSIVE	PART OF LOT 51 REGISTRAR'S COMPILED PLAN (R.C.P.) H-731
PART OF PIN 31515-0081	ALL BLOCKS 56&58 INCLUSIVE	PART OF LOT 51 REGISTRAR'S COMPILED PLAN (R.C.P.) H-731
PART OF PIN 31515-0169 AND PART OF PIN 31515-0081	LOT 38, SMYL BOULEVARD, BLOCK 55 AND STREET 'A'	PART OF LOT 51, REGISTRAR'S COMPILED PLAN (R.C.P.) H-731 AND PART OF THE SOUTH WEST 1/4 OF SECTION 29
PART OF PIN 31515-0169	ALL OF LOTS 39-54 INCLUSIVE	PART OF THE SOUTH WEST 1/4 OF SECTION 29

CURVE SCHEDULE

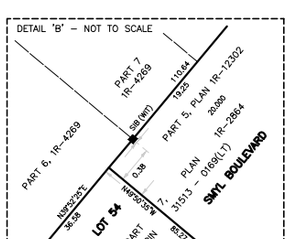
CURVE	RADIUS (m)	ARC (m)	CHORD (m)	BEARING
(A)	40.60	35.17	27.79	N19°11'05"E
(B)	40.60	3.82	3.82	N37°43'20"E
(C)	7.62	11.83	10.75	N41°59'00"W
(D)	7.62	12.00	10.80	N85°01'00"E
(E)	7.62	11.96	10.76	N40°38'10"E

LEGEND:
■ DENOTES FOUND MONUMENT
□ DENOTES PLANTED MONUMENT
SIB DENOTES STANDARD IRON BAR 0.025 x 0.025 x 1.22
SSIB DENOTES SHORT STANDARD IRON BAR 0.025 x 0.025 x 0.61
IB DENOTES IRON BAR 0.015 x 0.015 x 0.30
ORP DENOTES OBSERVED REFERENCE POINT
PIN DENOTES PROPERTY IDENTIFICATION NUMBER
WIT DENOTES WITNESS
M DENOTES MEASURED
S DENOTES SET
P DENOTES PLAN 1R-12349
P1 DENOTES PLAN 1R-12302
P2 DENOTES PLAN 1R-2864
P3 DENOTES PLAN 1R-4269
P4 DENOTES PLAN 1R-6678
1676 DENOTES D.S. 1R-1676, O.L.S.
622 DENOTES J.B. CHAMBERS, O.L.S.
1604 DENOTES TULLOCH GEOMATICS INC., O.L.S.
OU DENOTES OHBDH UNKNOWN
DENOTES EXISTING TREE LINE
DENOTES EXISTING FENCE LINE

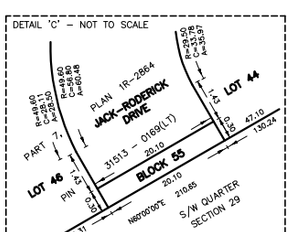
DETAIL 'A' - NOT TO SCALE



DETAIL 'B' - NOT TO SCALE



DETAIL 'C' - NOT TO SCALE



PREPARED FOR:

DANIEL J. FREMLIN BUILDING GROUP

PREPARED BY:

TULLOCH
71 BLACK ROAD SAULT STE. MARIE, ONTARIO
UNIT 8 P6B 0A3 705-949-1457

DWG. BY: K. NOTT SURVEYOR: BILL WEBB, OLS FILE 191791

ACAD FILE:K:\Jobs\2019\ENGINEERING\191791 DANIEL FREMLIN BLDING GRP - FREMLIN SUBDIVISION\DWG\19-1791 DRAFT PLAN KTN_JAN18 2021.dwg

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-66

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and the Algoma District School Board to conduct elections under their jurisdiction in territories without municipal organization in the Algoma District.

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 April 11, 2022 between the City and the Algoma District School Board, a copy of which is attached as Schedule “A” hereto. This Agreement is to conduct elections under their jurisdiction in territories without municipal organization in the Algoma District.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

tm\\citydata\LegalDept\Legal\Staff\COUNCIL\BY-LAWS\2022\2022-66 ADSB Election.docx

Schedule “A”

Service Agreement

This agreement is made this 11th day of April, 2022.

Between:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE (the "City")

and

ALGOMA DISTRICT SCHOOL BOARD (the "ADSB")

WHEREAS the ADSB conducts the election of trustees within the unorganized areas (areas without municipal organization), including: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Sault Locality, Central Algoma Locality and North Shore Locality.

AND WHEREAS pursuant to section 15(2) of the *Municipal Elections Act,* 1996, S.O. 1996, c. 32 (the "Act") the clerk may delegate to a deputy returning officer or other election official any of the clerk's powers and duties in relation to an election, as he or she considers necessary, and further pursuant to section 15(3) the clerk may continue to exercise the delegated powers and duties, despite the delegation;

AND WHEREAS the ADSB has approached the City to request consideration of the City taking over the election administration role for the above-referenced localities on a full recovery cost basis;

AND WHEREAS the City has agreed to provide such service subject to the terms and conditions as set out in this Agreement;

NOW THEREFORE in consideration of the mutual covenants, provisos, and conditions herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

SCOPE OF SERVICES

1. The City, namely the City Clerk, shall administer the election of trustees for the ADSB within the unorganized areas, including Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Sault Locality, Central Algoma Locality and North Shore Locality, in accordance with the Vote by Mail Procedures and Rules (with necessary modifications) attached as Schedule "A" to this Agreement (collectively referred to as the "Services").
2. The said Services shall be performed by duly qualified City employees and delegated persons and such City employees and delegated persons shall be subject to direction from the City only.
3. The City's Compliance Audit Committee will act as the Compliance Audit Committee for the school board within the unorganized areas, including: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Sault Locality, Central Algoma Locality and North Shore Locality.

COST OF SERVICES

4. The City shall receive full reimbursement from the ADSB for the direct and indirect costs of providing the Services and such costs shall be quantified at a future date.

TERM

5. This Agreement shall commence on the 11th day of April 2022 and shall conclude on the 27th day of October 2023 (the "Term").

6. The City may terminate this Agreement at any time and for any reason upon one hundred and twenty (120) days written notice of termination to the ADSB.

LIMITED LIABILITY AND RELEASE

7. The ADSB hereby releases and forever discharges the City, including its elected officials, officers, employees, agents and contractors; and the ADSB further agrees that notwithstanding anything to the contrary contained herein, the City, including elected officials, officers, employees, agents and contractors shall not be liable to the ADSB or to anyone for whom the ADSB may be in law responsible for any loss of or damage to property, personal injury or death or any other losses, actions, claims, causes of action, damages, both direct or indirect and such other costs and expenses, however and whatsoever incurred, suffered or sustained by the ADSB or any of the ADSB's agents, employees and contractors in relation to or in connection with the City performing their duties contained herein, except where the action, claim, demand, cost, loss or expense was solely caused by or contributed to by an intentional act of the City.

INDEMNITY

8. The ADSB will at all times indemnify and hold harmless the City against and from all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained or prosecuted in any manner based upon, related to, occasioned by or attributable to any service provided to the ADSB by the City under the provisions of this Agreement.

NOTICE

9. All correspondence or other notices related to the terms of the Agreement shall be delivered as set forth below:

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

Lucia Reese
Director
Algoma District School Board
644 Albert Street East
Sault Ste. Marie ON P6A 2K7

GENERAL PROVISIONS

10. 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.

11. 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. Any amendment to this Agreement must be in writing, duly executed by the parties.

12. The parties hereby acknowledge and agree that any future amendments to this Agreement must be made in writing and signed by both parties.

13. This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals attested by the signatures of their duly authorized signing officers to be effective as of the 11th day of April, 2022.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

_____
Mayor – Christian Provenzano

_____
City Clerk – Rachel Tyczinski
We have authority to bind the Corporation.

ALGOMA DISTRICT SCHOOL BOARD
Per:

_____
Name:
Position:
I have authority to bind the ADSB.

Schedule “A”

City of Sault Ste. Marie Vote by Mail Procedure

in Territories Without Municipal Organization

1 Definitions 2
2 Election Personnel 3
3 Notices 3
4 Ballot Return Station 3
5 Revision of Voters List Procedure 4
6 Vote by Mail Procedure 4
7 Rejection of Ballots 6
8 Counting Procedures 6
9 Tabulation of Results 8
10 Security of the Ballot Prior to Voting 8
11 Security of the Ballot During and After the Vote 9
12 Form of Ballot 9
13 Scrutineers 9
14 Emergencies 10
15 Amendments to this Document 10

1 Definitions

1.1 *Act* – means the *Municipal Elections Act, 1996*, as amended.

1.2 *Ballot* – means the paper used by an elector to mark their vote or vote(s) for the office of school board trustee and (if applicable) in accordance with section 41 of the Act.

1.3 *Ballot Box* – means an apparatus in which marked ballots are received and transferred from the Ballot Return Station to the vault in the City Clerk's Office and to the Ballot Counting Centre.

1.4 *Ballot Return Station* – means the location in which the a drop box is located for the collection of return Vote by Mail envelopes. For the purpose of the 2022 Municipal Election, this location shall be the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie.

1.5 *Candidate* – means a person who has been nominated under section 33 of the *Municipal Elections Act, 1996.*

1.6 *Close of Voting* – means the end of voting hours as prescribed in the Act which states that voting locations shall remain open until 8:00 p.m. on Voting Day. In accordance with the Act, an elector within the voting location at the close of voting is entitled to cast their ballot.

1.7 *Election Period* – means the period beginning when the Vote by Mail kits, ballots, and supplies are delivered to City Hall and ends on Voting Day. For the purposes of the 2022 Municipal Election, this period will be from July 2022 to October 24, 2022.

1.8 *Elector* – means a person who is entitled to be an elector if they reside in the Algoma District or is the owner or tenant of land, or the spouse of the such owner or tenant; is a Canadian citizen; is at least 18 years old; and is not prohibited from voting under the Act or otherwise by law as specified in section 17 of the Act.

1.9 *Returning Officer* – means the City Clerk of the City of Sault Ste. Marie.

1.10 *Scrutineer* – means an individual, appointed in writing by a certified Candidate, to represent them during the voting process.

1.11 *Vote by Mail Kit* – means the package forwarded to the elector consisting of the following items:

- Voter Instruction Sheet
- Ballot (composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Any other necessary material as the City Clerk determines

1.12 *Vote by Mail Period* – means the time period in which special Vote by Mail Ballots may be acted upon by Election Officials and Voters. For the 2022 Municipal Election, this time period is Saturday, October 1, 2022 – Monday, October 24, 2022 until 8:00 p.m.

1.13 *Voting Day* – means the day on which the final vote is to be taken in an election. For the purposes of the 2022 Municipal Election, this day is Monday, October 24, 2022.

2 Election Personnel

2.1 The Secretary of the School Board is responsible to conduct elections of members of the board. The *Municipal Elections Act* applies as if the Secretary were the Clerk, the board were the council of a local municipality, and the locality were the geographic area of a local municipality. The Clerk is to establish the procedures and rules as authorized and approved in accordance to the *Municipal Elections Act*, and to interpret the procedures and rules except as varied by a Court.

2.2 The Clerk may appoint in writing a Returning Officer and such other officials as required to assist in the administration, management, security and control of the election process, including but not limited to revising the Voters List, management and control of the Vote by Mail election system, security of the election, counting of ballots, tabulating results, issuance of notices, and printing of materials.

2.3 Written appointments and delegation of duties of Deputy Returning Officers (DROs) and election officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996.*

2.4 The City Clerk of the City of Sault Ste. Marie is hereby delegated as the official Returning Officer of the Algoma District School Board, the Huron-Superior Catholic District School Board, Ie Conseil Scolaire de District Catholique du Nouvel-Ontario and Ie Conseil Scolaire de District Du Grand Nord de L'Ontario for the 2022 municipal election in: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Central Algoma Locality, North Shore Locality and Sault Locality.

3 Notices

3.1 Notice of Revision of the Voters List is to be published and posted before the date specified by the Returning Officer. The revision period is from September 1, 2022 to the close of voting on Voting Day, Monday, October 24, 2022 at 8:00 p.m.

3.2 Notice of Nomination is to be published and posted before Nomination Day. Nomination period will be consistent with municipal elections (May 2, 2022 until August 19, 2022 at 2 p.m.

4 Ballot Return Station

4.1 The Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario, P6A 5X6 shall be established as a Ballot Return Station and shall be open as follows:

Monday to Friday from 8:30 a.m. to 4:30 p.m. until Friday, October 19, 2022
Closed Thanksgiving Monday, October 11, 2022
Monday, October 24, 2022 only – 10 a.m. to 8 p.m.

5 Revision of Voters List Procedure

5.1 The period for revisions to the Voters list is from September 1, 2022 until the close of voting on October 24, 2022. An elector, upon application in writing on the appropriate form established by the Clerk, may have their name added, removed or their information added or amended on the Voters List.

5.2 Applications to remove another person's name from the Voters List must be made in writing on the appropriate form established by the Clerk.

5.3 Revisions to the Voters List will be conducted at the Clerk's Office during regular office hours (Monday to Friday, 8:30 a.m.to 4:30 p.m. except as varied in paragraph 3.1) or electronically through www.voterlookup.ca

5.4 Electors added to the Voters List up to September 12, 2022 will receive their Vote by Mail Kit by mail from DataFix.

5.5 Electors added to the Voters List from September 12, 2022 to October 24, 2022 may pick up their Vote by Mail Kit beginning October 3, 2022 until October 24, 2022 at 8:00 p.m. at a Ballot Return Station at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

5.6 Electors added to the Voters List from September 1, 2022 to the close of voting on October 24, 2022 will be provided with a Vote by Mail Kit. Electors will have the option of returning the ballot via mail or delivering their ballot to the Ballot Return Station by leaving the Ballot Secrecy Envelope with the Returning Officer or designate.

6 Vote by Mail Procedure

6.1 The City of Sault Ste. Marie in conjunction with DataFix will provide the Vote by Mail Kit to every person who qualifies to be an elector up to the close of voting on October 24, 2022 at 8:00 p.m.

6.2 The Vote by Mail Kit shall consist of:

- Voter Instruction Sheet
- Ballot (Composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Such other material as the Clerk may determine

6.3 The Returning Officer, during the week of October 3, 2022, shall cause to be mailed to every elector who had qualified to be on the Voters List by September 12, 2022, a Vote by Mail Kit to the elector's address as shown on the Voters List.

6.4 If a qualified elector does not receive a Vote by Mail Kit or if the Vote by Mail Kit is lost or destroyed, a new Vote by Mail Kit may be issued by attending at the Ballot Return Station after October 11, 2022. The Returning Officer will confirm that the elector is qualified and will have the elector or agent sign a statement and a new Vote by Mail Kit will be issued. It shall be noted on the Voters List that the elector/agent was issued a new Vote by Mail Kit.

6.5 Upon receipt of the Vote by Mail Kit, the elector shall:

- complete the ballot
- place the ballot in the white Ballot Secrecy Envelope and seal the envelope
- sign the Voter Declaration Form
- place the Voter Declaration Form along with the sealed Ballot Secrecy Envelope, in the yellow prepaid business reply Election Return Envelope
- seal the yellow envelope.

6.6 If an elector requires assistance in voting, they may make their mark (i.e. an "X") on the signature line and have a witness sign in the signature area of the Voter Declaration Form.

6.7 The yellow prepaid business reply Election Return Envelope may be mailed or delivered to the Ballot Return Station. Envelopes mailed in Canada are prepaid.

6.8 The final day to deposit the Election Return Envelope in the mail to ensure delivery to the Clerk is October 11, 2022 by 4:00 pm. Following this date, electors are encouraged to deposit their Return Voting Envelope at the Ballot Return Station on or before Monday, October 24, 2022 by 8:00 pm.

6.9 Election Return Envelopes deposited at the Ballot Return Station until October 24, 2022 by 8:00 p.m. will be considered as having been mailed.

6.10 Any Election Return Envelope containing more than one Voter Declaration Form or more than one Inner Ballot Secrecy Envelope shall be treated in the following manner:

6.10.1 Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declarations will be COUNTED

6.10.2 Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes will be REJECTED.

6.11 Each day as Election Return Envelopes are received, either by mail or at the Ballot Return Station, the Returning Officer will remove the sealed Inner Ballot Secrecy Envelope and Voter Declaration Form and update the Voters List by striking through the name of the elector and assigning a number beside the elector's name on both the Voters List and the elector's Declaration Form.

6.12 A master Voters List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued Vote by Mail Kits will be maintained by the Returning Officer. Candidates and Scrutineers may inspect this list at any time during regular office working hours and on October 24, 2022 up to 8:00 p.m.

6.13 If, upon opening the yellow Election Return Envelope, the Ballot Secrecy Envelope has not been sealed, the Returning Officer or designate may seal the envelope without examining the ballot.

6.14 The sealed inner Ballot Secrecy Envelopes will be sorted according to ward and/or school board in bundles of twenty-five (25) and placed in a secure location under the control of the Returning Officer. On October 24, 2022, the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Civic Centre, as designated by the Returning Officer.

6.15 Ballots received by the Returning Officer after 8:00 p.m. on Voting Day shall not be counted, but shall be date stamped and retained for the statutory document retention period.

7 Rejection of Ballots

7.1 In addition to rejecting cast ballots for violations of the *Municipal Elections Act* the following conditions will also cause a ballot to be considered rejected if:

- 7.1.1 Upon opening the Election Return Envelope there is no Voter Declaration Form.
- 7.1.2 Upon opening the Election Return Envelope the Voter Declaration Form is not signed.
- 7.1.3 Upon opening the Election Return Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms.
- 7.1.4 There are identifiable marks on the sealed Ballot Secrecy Envelope.
- 7.1.5 Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot.

7.2 In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996* the following condition will cause a Ballot to be considered “Used but Unmarked” if, upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked.

8 Counting Procedures

8.1 A meeting room in the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario will be established as the Ballot Counting Centre. Only the Secretary of the Board, Returning Officer, Assistant Returning Officers, Deputy Returning Officers, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre.

8.2 The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on October 24, 2022 and only Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Ballot Counting Centre after 8:00 p.m. will not be permitted to return.

8.3 The Ballot Counting Centre will be designated as a "non-smoking area".

8.4 Scrutineers will be provided with an area for their use away from the Counting Stations. Cell phones or other equipment will not be permitted in the Ballot Counting Centre other than for Election Officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

8.5 No campaign material will be allowed within the Ballot Counting Centre.

8.6 Prior to 8:00 p.m. on October 24, 2022, the secured sealed Ballot Secrecy Envelopes received by the Returning Officer or designate will be delivered to the Ballot Counting Centre. Sealed Ballot Secrecy Envelopes received at the Ballot Return Station after the initial ballot transfer and prior to the close of voting on October 24, 2022, will be delivered to the Ballot Counting Centre immediately after the close of voting. Scrutineers will be allowed to view the sealing of the ballot boxes prior to this transfer.

8.7 After 8:00 p.m. on October 24, 2022, the sealed ballot boxes will be opened. Inside each ballot box will be the Ballot Secrecy Envelopes. The Ballot Secrecy Envelopes will be opened, the ballots counted, and the statement of results taken. Ballot Secrecy Envelopes will already have been sorted according to ward and/or school board. Ballot Secrecy Envelopes will already have been grouped into bundles of twenty-five (25) and delivered to the appropriate Deputy Returning Officer and Election Official for counting of the ballots. Ballot Secrecy Envelopes will be opened in the bundles of twenty-five (25) at each counting station. Once all bundles are opened at each counting station all ballots will be counted.

8.8 In the event that a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the Election Official shall repair the ballot and attach a notice advising that the Election Official caused the damage to the ballot.

8.9 The Deputy Returning Officer and Election Official shall count the ballots in the following order:

- 8.9.1 English Language Public School Trustee
- 8.9.2 English Language Separate School Trustee
- 8.9.3 French Language Public School Trustee
- 8.9.4 French Language Separate School Trustee
- 8.9.5 Sault Ste. Marie District Social Service Administration Board

8.10 Any part of any ballot rejected shall not invalidate the remainder of the ballot, except if there are identifying marks, in which case the entire ballot shall be rejected.

8.11 All UNUSED ballots will be placed in the envelope provided with the Ballot Box. The numbers of USED envelopes will be noted on the envelope.

8.12 All REJECTED, CANCELLED, and DECLINED ballots will be placed in the envelope provided with the ballot box. The number of REJECTED, CANCELLED, and DECLINED ballots will be noted on the envelope.

8.13 After the completion of the count of each counting station, a Statement of Results for that ward/school board shall be completed, signed by the Deputy Returning Officer and Election Official and if desired, initialled by any Scrutineer present for the count.

8.14 The original Statement of Results will be provided to the Election Official for tabulation. The duplicate Statement of Results will remain affixed to the ballots and stored by ward/school board in a secure place under the control of the Returning Officer.

8.15 Once all ballots have been counted, the ballots will be secured, the ballot boxes sealed and returned to the Returning Officer for secure storage.

9 Tabulation of Results

9.1 Tabulation of the Statements of Results will be conducted at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

9.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Ballot Counting Centre.

9.3 The initial results will be unofficial.

9.4 As the duplicate copy of the Statement of Results from each bundle of votes counted is recorded, these results will be entered and once certified by the Returning Officer, will be the official results.

10 Security of the Ballot Prior to Voting

10.1 Ballots will be printed under the supervision of DataFix and the number of ballots printed will be forwarded to the Returning Officer.

10.2 DataFix will mail a ballot to each person identified on the Revised Voters List as of September 12, 2022 and the number of ballots used will be forwarded to the Returning Officer.

10.3 In addition to the ballots mailed, the Returning Officer will receive approximately 5 ballots for each ward/school board. Once received, the ballots will be counted and the numbers recorded.

10.4 The number of ballots distributed by the Returning Officer to eligible electors after October 1, 2022 will be recorded.

10.5 If the Returning Officer runs out of ballots printed by DataFix, as many ballots as deemed necessary may be photocopied. The Returning Officer shall initial the back of such ballots. The number of ballots copied and initialled will be recorded.

11 Security of the Ballot During and After the Vote

11.1 Upon receiving the prepaid yellow Election Return Envelope by mail or from the Ballot Return Station, the yellow envelope will be opened. An Election Official will verify an equal amount of signed Declaration Forms to the number of sealed Ballot Secrecy Envelopes. Upon verification, the sealed Ballot Secrecy Envelope will be stored in ballot boxes labelled by school board/ward. The number of Ballot Secrecy Envelopes entered into the container each day will be recorded and bundles into packages of twenty-five (25).

11.2 At the end of each day the Returning Officer or designate shall affix a seal to each of the labelled ballot boxes, initial the seal and place the sealed drop boxes in the City Clerk's vault. Each morning the Returning Officer or designate shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another Election Official, break the seals to access the slots for use during the day. A separate ballot box shall be maintained on Voting Day at the Ballot Return Station from 10:00 a.m. to 8:00 pm. After 8:00 p.m. on Voting Day, the Voting Day box shall be sealed and initialled by the Returning Officer or designate and delivered to the Ballot Counting Centre. At the close of voting at 8:00 p.m. the ballot boxes maintained at the Ballot Return Station during Voting Day shall be opened and counted.

11.3 The ballot boxes, once sealed, will be transported to the Ballot Counting Centre. The ballot boxes shall be opened, the Ballot Secrecy Envelopes shall be opened, and the ballots shall be counted.

11.4 After the count, each bundle of ballots and the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialled by the Returning Officer or designate prior to transfer to a secure place under the control of the Returning Officer.

12 Form of Ballot

12.1 The form of ballot may be a composite ballot.

13 Scrutineers

13.1 Each Candidate may appoint, in writing, Scrutineers to be present during the voting, which may take place at the Ballot Return Station and during the counting of ballots at the Ballot Counting Centre. At the Ballot Counting Centre, a Scrutineer representing a candidate may be present at each counting table and at the ballot opening table to oversee the count, upon submission of their written appointment. Only one Scrutineer per candidate may be present at one time at each of the tables.

13.2 All Scrutineers must comply with the procedures set out on their Appointment Form.

14 Emergencies

14.1 In the event of any condition of an emergency or any circumstances that will undermine the integrity of the election, the Returning Officer has the discretion to declare an emergency and make any arrangements they deem necessary for the conduct of the election.

15 Amendments to this Document

15.1 The Returning Officer at any time has the right to amend this document to facilitate the vote, count, and tabulation of the votes and security. The Returning Officer's ruling on any interpretation of this document is final.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-67

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and Conseil Scolaire de District Catholique du Nouvel-Ontario to conduct elections under their jurisdiction in territories without municipal organization in the Algoma District.

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 April 11, 2022 between the City and AECOM Canada Ltd., a copy of which is attached as Schedule “A” hereto. This Agreement is to conduct elections under their jurisdiction in territories without municipal organization in the Algoma District.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

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Schedule “A”

Service Agreement

This agreement is made this 11th day of April, 2022.

Between:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE (the "City")

and

CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DU NOUVEL-ONTARIO (the "CSDCNO")

WHEREAS the CSDCNO conducts the election of trustees within the unorganized areas (areas without municipal organization), including: Chapleau Locality, Missanabie, North Shore Locality and Sault Locality.

AND WHEREAS pursuant to section 15(2) of the *Municipal Elections Act,* 1996, S.O. 1996, c. 32 (the "Act") the clerk may delegate to a deputy returning officer or other election official any of the clerk's powers and duties in relation to an election, as he or she considers necessary, and further pursuant to section 15(3) the clerk may continue to exercise the delegated powers and duties, despite the delegation;

AND WHEREAS the CSDCNO has approached the City to request consideration of the City taking over the election administration role for the above-referenced localities on a full recovery cost basis;

AND WHEREAS the City has agreed to provide such service subject to the terms and conditions as set out in this Agreement;

NOW THEREFORE in consideration of the mutual covenants, provisos, and conditions herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

SCOPE OF SERVICES

1. The City, namely the City Clerk, shall administer the election of trustees for the CSDCNO within the unorganized areas, including Chapleau Locality, Missanabie, North Shore Locality and Sault Locality, in accordance with the Vote by Mail Procedures and Rules (with necessary modifications) attached as Schedule "A" to this Agreement (collectively referred to as the "Services").
2. The said Services shall be performed by duly qualified City employees and delegated persons and such City employees and delegated persons shall be subject to direction from the City only.
3. The City's Compliance Audit Committee will act as the Compliance Audit Committee for all school board within the unorganized areas, including Chapleau Locality, Missanabie, North Shore Locality and Sault Locality.

COST OF SERVICES

4. The City shall receive full reimbursement from the CSDCNO for the direct and indirect costs of providing the Services and such costs shall be quantified at a future date.

TERM

5. This Agreement shall commence on the 11th day of April 2022 and shall conclude on the 27th day of October 2023 (the "Term").

6. The City may terminate this Agreement at any time and for any reason upon one hundred and twenty (120) days written notice of termination to the CSDCNO.

LIMITED LIABILITY AND RELEASE

7. The CSDCNO hereby releases and forever discharges the City, including its elected officials, officers, employees, agents and contractors; and the CSDCNO further agrees that notwithstanding anything to the contrary contained herein, the City, including elected officials, officers, employees, agents and contractors shall not be liable to the CSDCNO or to anyone for whom the CSDCNO may be in law responsible for any loss of or damage to property, personal injury or death or any other losses, actions, claims, causes of action, damages, both direct or indirect and such other costs and expenses, however and whatsoever incurred, suffered or sustained by the CSDCNO or any of the CSDCNO's agents, employees and contractors in relation to or in connection with the City performing their duties contained herein, except where the action, claim, demand, cost, loss or expense was solely caused by or contributed to by an intentional act of the City.

INDEMNITY

8. The CSDCNO will at all times indemnify and hold harmless the City against and from all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained or prosecuted in any manner based upon, related to, occasioned by or attributable to any service provided to the CSDCNO by the City under the provisions of this Agreement.

NOTICE

9. All correspondence or other notices related to the terms of the Agreement shall be delivered as set forth below:

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

Maryse Barrette
Surintendante d’affaires et de finances
Conseil scolaire de district catholique du Nouvel-Ontario
201 rue Jogues
Sudbury ON P3C 5L7

GENERAL PROVISIONS

10. 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.

11. 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. Any amendment to this Agreement must be in writing, duly executed by the parties.

12. The parties hereby acknowledge and agree that any future amendments to this Agreement must be made in writing and signed by both parties.

13. This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals attested by the signatures of their duly authorized signing officers to be effective as of the 11th day of April 2022.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

_____
Mayor – Christian Provenzano

_____
City Clerk – Rachel Tyczinski
We have authority to bind the Corporation.

CONSEIL SCOLAIRE DE DISTRICT CATHOLIQUE DU NOUVEL-ONTARIO
Per:

_____
Name:
Position:
I have authority to bind the CSDCNO.

Schedule “A”

City of Sault Ste. Marie Vote by Mail Procedure

in Territories Without Municipal Organization

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1 Definitions

1.1 *Act* – means the *Municipal Elections Act, 1996*, as amended.

1.2 *Ballot* – means the paper used by an elector to mark their vote or vote(s) for the office of school board trustee and (if applicable) in accordance with section 41 of the Act.

1.3 *Ballot Box* – means an apparatus in which marked ballots are received and transferred from the Ballot Return Station to the vault in the City Clerk's Office and to the Ballot Counting Centre.

1.4 *Ballot Return Station* – means the location in which the a drop box is located for the collection of return Vote by Mail envelopes. For the purpose of the 2022 Municipal Election, this location shall be the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie.

1.5 *Candidate* – means a person who has been nominated under section 33 of the *Municipal Elections Act, 1996.*

1.6 *Close of Voting* – means the end of voting hours as prescribed in the Act which states that voting locations shall remain open until 8:00 p.m. on Voting Day. In accordance with the Act, an elector within the voting location at the close of voting is entitled to cast their ballot.

1.7 *Election Period* – means the period beginning when the Vote by Mail kits, ballots, and supplies are delivered to City Hall and ends on Voting Day. For the purposes of the 2022 Municipal Election, this period will be from July 2022 to October 24, 2022.

1.8 *Elector* – means a person who is entitled to be an elector if they reside in the Algoma District or is the owner or tenant of land, or the spouse of the such owner or tenant; is a Canadian citizen; is at least 18 years old; and is not prohibited from voting under the Act or otherwise by law as specified in section 17 of the Act.

1.9 *Returning Officer* – means the City Clerk of the City of Sault Ste. Marie.

1.10 *Scrutineer* – means an individual, appointed in writing by a certified Candidate, to represent them during the voting process.

1.11 *Vote by Mail Kit* – means the package forwarded to the elector consisting of the following items:

- Voter Instruction Sheet
- Ballot (composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Any other necessary material as the City Clerk determines

1.12 *Vote by Mail Period* – means the time period in which special Vote by Mail Ballots may be acted upon by Election Officials and Voters. For the 2022 Municipal Election, this time period is Saturday, October 1, 2022 – Monday, October 24, 2022 until 8:00 p.m.

1.13 *Voting Day* – means the day on which the final vote is to be taken in an election. For the purposes of the 2022 Municipal Election, this day is Monday, October 24, 2022.

2 Election Personnel

2.1 The Secretary of the School Board is responsible to conduct elections of members of the board. The *Municipal Elections Act* applies as if the Secretary were the Clerk, the board were the council of a local municipality, and the locality were the geographic area of a local municipality. The Clerk is to establish the procedures and rules as authorized and approved in accordance to the *Municipal Elections Act*, and to interpret the procedures and rules except as varied by a Court.

2.2 The Clerk may appoint in writing a Returning Officer and such other officials as required to assist in the administration, management, security and control of the election process, including but not limited to revising the Voters List, management and control of the Vote by Mail election system, security of the election, counting of ballots, tabulating results, issuance of notices, and printing of materials.

2.3 Written appointments and delegation of duties of Deputy Returning Officers (DROs) and election officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996.*

2.4 The City Clerk of the City of Sault Ste. Marie is hereby delegated as the official Returning Officer of the Algoma District School Board, the Huron-Superior Catholic District School Board, Ie Conseil Scolaire de District Catholique du Nouvel-Ontario and Ie Conseil Scolaire de District Du Grand Nord de L'Ontario for the 2022 municipal election in: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Central Algoma Locality, North Shore Locality and Sault Locality.

3 Notices

3.1 Notice of Revision of the Voters List is to be published and posted before the date specified by the Returning Officer. The revision period is from September 1, 2022 to the close of voting on Voting Day, Monday, October 24, 2022 at 8:00 p.m.

3.2 Notice of Nomination is to be published and posted before Nomination Day. Nomination period will be consistent with municipal elections (May 2, 2022 until August 19, 2022 at 2 p.m.

4 Ballot Return Station

4.1 The Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario, P6A 5X6 shall be established as a Ballot Return Station and shall be open as follows:

Monday to Friday from 8:30 a.m. to 4:30 p.m. until Friday, October 19, 2022
Closed Thanksgiving Monday, October 11, 2022
Monday, October 24, 2022 only – 10 a.m. to 8 p.m.

5 Revision of Voters List Procedure

5.1 The period for revisions to the Voters list is from September 1, 2022 until the close of voting on October 24, 2022. An elector, upon application in writing on the appropriate form established by the Clerk, may have their name added, removed or their information added or amended on the Voters List.

5.2 Applications to remove another person's name from the Voters List must be made in writing on the appropriate form established by the Clerk.

5.3 Revisions to the Voters List will be conducted at the Clerk's Office during regular office hours (Monday to Friday, 8:30 a.m.to 4:30 p.m. except as varied in paragraph 3.1) or electronically through www.voterlookup.ca

5.4 Electors added to the Voters List up to September 12, 2022 will receive their Vote by Mail Kit by mail from DataFix.

5.5 Electors added to the Voters List from September 12, 2022 to October 24, 2022 may pick up their Vote by Mail Kit beginning October 3, 2022 until October 24, 2022 at 8:00 p.m. at a Ballot Return Station at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

5.6 Electors added to the Voters List from September 1, 2022 to the close of voting on October 24, 2022 will be provided with a Vote by Mail Kit. Electors will have the option of returning the ballot via mail or delivering their ballot to the Ballot Return Station by leaving the Ballot Secrecy Envelope with the Returning Officer or designate.

6 Vote by Mail Procedure

6.1 The City of Sault Ste. Marie in conjunction with DataFix will provide the Vote by Mail Kit to every person who qualifies to be an elector up to the close of voting on October 24, 2022 at 8:00 p.m.

6.2 The Vote by Mail Kit shall consist of:

- Voter Instruction Sheet
- Ballot (Composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Such other material as the Clerk may determine

6.3 The Returning Officer, during the week of October 3, 2022, shall cause to be mailed to every elector who had qualified to be on the Voters List by September 12, 2022, a Vote by Mail Kit to the elector's address as shown on the Voters List.

6.4 If a qualified elector does not receive a Vote by Mail Kit or if the Vote by Mail Kit is lost or destroyed, a new Vote by Mail Kit may be issued by attending at the Ballot Return Station after October 11, 2022. The Returning Officer will confirm that the elector is qualified and will have the elector or agent sign a statement and a new Vote by Mail Kit will be issued. It shall be noted on the Voters List that the elector/agent was issued a new Vote by Mail Kit.

6.5 Upon receipt of the Vote by Mail Kit, the elector shall:

- complete the ballot
- place the ballot in the white Ballot Secrecy Envelope and seal the envelope
- sign the Voter Declaration Form
- place the Voter Declaration Form along with the sealed Ballot Secrecy Envelope, in the yellow prepaid business reply Election Return Envelope
- seal the yellow envelope.

6.6 If an elector requires assistance in voting, they may make their mark (i.e. an "X") on the signature line and have a witness sign in the signature area of the Voter Declaration Form.

6.7 The yellow prepaid business reply Election Return Envelope may be mailed or delivered to the Ballot Return Station. Envelopes mailed in Canada are prepaid.

6.8 The final day to deposit the Election Return Envelope in the mail to ensure delivery to the Clerk is October 11, 2022 by 4:00 pm. Following this date, electors are encouraged to deposit their Return Voting Envelope at the Ballot Return Station on or before Monday, October 24, 2022 by 8:00 pm.

6.9 Election Return Envelopes deposited at the Ballot Return Station until October 24, 2022 by 8:00 p.m. will be considered as having been mailed.

6.10 Any Election Return Envelope containing more than one Voter Declaration Form or more than one Inner Ballot Secrecy Envelope shall be treated in the following manner:

6.10.1 Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declarations will be COUNTED

6.10.2 Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes will be REJECTED.

6.11 Each day as Election Return Envelopes are received, either by mail or at the Ballot Return Station, the Returning Officer will remove the sealed Inner Ballot Secrecy Envelope and Voter Declaration Form and update the Voters List by striking through the name of the elector and assigning a number beside the elector's name on both the Voters List and the elector's Declaration Form.

6.12 A master Voters List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued Vote by Mail Kits will be maintained by the Returning Officer. Candidates and Scrutineers may inspect this list at any time during regular office working hours and on October 24, 2022 up to 8:00 p.m.

6.13 If, upon opening the yellow Election Return Envelope, the Ballot Secrecy Envelope has not been sealed, the Returning Officer or designate may seal the envelope without examining the ballot.

6.14 The sealed inner Ballot Secrecy Envelopes will be sorted according to ward and/or school board in bundles of twenty-five (25) and placed in a secure location under the control of the Returning Officer. On October 24, 2022, the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Civic Centre, as designated by the Returning Officer.

6.15 Ballots received by the Returning Officer after 8:00 p.m. on Voting Day shall not be counted, but shall be date stamped and retained for the statutory document retention period.

7 Rejection of Ballots

7.1 In addition to rejecting cast ballots for violations of the *Municipal Elections Act* the following conditions will also cause a ballot to be considered rejected if:

- 7.1.1 Upon opening the Election Return Envelope there is no Voter Declaration Form.
- 7.1.2 Upon opening the Election Return Envelope the Voter Declaration Form is not signed.
- 7.1.3 Upon opening the Election Return Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms.
- 7.1.4 There are identifiable marks on the sealed Ballot Secrecy Envelope.
- 7.1.5 Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot.

7.2 In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996* the following condition will cause a Ballot to be considered “Used but Unmarked” if, upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked.

8 Counting Procedures

8.1 A meeting room in the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario will be established as the Ballot Counting Centre. Only the Secretary of the Board, Returning Officer, Assistant Returning Officers, Deputy Returning Officers, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre.

8.2 The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on October 24, 2022 and only Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Ballot Counting Centre after 8:00 p.m. will not be permitted to return.

8.3 The Ballot Counting Centre will be designated as a "non-smoking area".

8.4 Scrutineers will be provided with an area for their use away from the Counting Stations. Cell phones or other equipment will not be permitted in the Ballot Counting Centre other than for Election Officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

8.5 No campaign material will be allowed within the Ballot Counting Centre.

8.6 Prior to 8:00 p.m. on October 24, 2022, the secured sealed Ballot Secrecy Envelopes received by the Returning Officer or designate will be delivered to the Ballot Counting Centre. Sealed Ballot Secrecy Envelopes received at the Ballot Return Station after the initial ballot transfer and prior to the close of voting on October 24, 2022, will be delivered to the Ballot Counting Centre immediately after the close of voting. Scrutineers will be allowed to view the sealing of the ballot boxes prior to this transfer.

8.7 After 8:00 p.m. on October 24, 2022, the sealed ballot boxes will be opened. Inside each ballot box will be the Ballot Secrecy Envelopes. The Ballot Secrecy Envelopes will be opened, the ballots counted, and the statement of results taken. Ballot Secrecy Envelopes will already have been sorted according to ward and/or school board. Ballot Secrecy Envelopes will already have been grouped into bundles of twenty-five (25) and delivered to the appropriate Deputy Returning Officer and Election Official for counting of the ballots. Ballot Secrecy Envelopes will be opened in the bundles of twenty-five (25) at each counting station. Once all bundles are opened at each counting station all ballots will be counted.

8.8 In the event that a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the Election Official shall repair the ballot and attach a notice advising that the Election Official caused the damage to the ballot.

8.9 The Deputy Returning Officer and Election Official shall count the ballots in the following order:

- 8.9.1 English Language Public School Trustee
- 8.9.2 English Language Separate School Trustee
- 8.9.3 French Language Public School Trustee
- 8.9.4 French Language Separate School Trustee
- 8.9.5 Sault Ste. Marie District Social Service Administration Board

8.10 Any part of any ballot rejected shall not invalidate the remainder of the ballot, except if there are identifying marks, in which case the entire ballot shall be rejected.

8.11 All UNUSED ballots will be placed in the envelope provided with the Ballot Box. The numbers of USED envelopes will be noted on the envelope.

8.12 All REJECTED, CANCELLED, and DECLINED ballots will be placed in the envelope provided with the ballot box. The number of REJECTED, CANCELLED, and DECLINED ballots will be noted on the envelope.

8.13 After the completion of the count of each counting station, a Statement of Results for that ward/school board shall be completed, signed by the Deputy Returning Officer and Election Official and if desired, initialled by any Scrutineer present for the count.

8.14 The original Statement of Results will be provided to the Election Official for tabulation. The duplicate Statement of Results will remain affixed to the ballots and stored by ward/school board in a secure place under the control of the Returning Officer.

8.15 Once all ballots have been counted, the ballots will be secured, the ballot boxes sealed and returned to the Returning Officer for secure storage.

9 Tabulation of Results

9.1 Tabulation of the Statements of Results will be conducted at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

9.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Ballot Counting Centre.

9.3 The initial results will be unofficial.

9.4 As the duplicate copy of the Statement of Results from each bundle of votes counted is recorded, these results will be entered and once certified by the Returning Officer, will be the official results.

10 Security of the Ballot Prior to Voting

10.1 Ballots will be printed under the supervision of DataFix and the number of ballots printed will be forwarded to the Returning Officer.

10.2 DataFix will mail a ballot to each person identified on the Revised Voters List as of September 12, 2022 and the number of ballots used will be forwarded to the Returning Officer.

10.3 In addition to the ballots mailed, the Returning Officer will receive approximately 5 ballots for each ward/school board. Once received, the ballots will be counted and the numbers recorded.

10.4 The number of ballots distributed by the Returning Officer to eligible electors after October 1, 2022 will be recorded.

10.5 If the Returning Officer runs out of ballots printed by DataFix, as many ballots as deemed necessary may be photocopied. The Returning Officer shall initial the back of such ballots. The number of ballots copied and initialled will be recorded.

11 Security of the Ballot During and After the Vote

11.1 Upon receiving the prepaid yellow Election Return Envelope by mail or from the Ballot Return Station, the yellow envelope will be opened. An Election Official will verify an equal amount of signed Declaration Forms to the number of sealed Ballot Secrecy Envelopes. Upon verification, the sealed Ballot Secrecy Envelope will be stored in ballot boxes labelled by school board/ward. The number of Ballot Secrecy Envelopes entered into the container each day will be recorded and bundles into packages of twenty-five (25).

11.2 At the end of each day the Returning Officer or designate shall affix a seal to each of the labelled ballot boxes, initial the seal and place the sealed drop boxes in the City Clerk's vault. Each morning the Returning Officer or designate shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another Election Official, break the seals to access the slots for use during the day. A separate ballot box shall be maintained on Voting Day at the Ballot Return Station from 10:00 a.m. to 8:00 pm. After 8:00 p.m. on Voting Day, the Voting Day box shall be sealed and initialled by the Returning Officer or designate and delivered to the Ballot Counting Centre. At the close of voting at 8:00 p.m. the ballot boxes maintained at the Ballot Return Station during Voting Day shall be opened and counted.

11.3 The ballot boxes, once sealed, will be transported to the Ballot Counting Centre. The ballot boxes shall be opened, the Ballot Secrecy Envelopes shall be opened, and the ballots shall be counted.

11.4 After the count, each bundle of ballots and the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialled by the Returning Officer or designate prior to transfer to a secure place under the control of the Returning Officer.

12 Form of Ballot

12.1 The form of ballot may be a composite ballot.

13 Scrutineers

13.1 Each Candidate may appoint, in writing, Scrutineers to be present during the voting, which may take place at the Ballot Return Station and during the counting of ballots at the Ballot Counting Centre. At the Ballot Counting Centre, a Scrutineer representing a candidate may be present at each counting table and at the ballot opening table to oversee the count, upon submission of their written appointment. Only one Scrutineer per candidate may be present at one time at each of the tables.

13.2 All Scrutineers must comply with the procedures set out on their Appointment Form.

14 Emergencies

14.1 In the event of any condition of an emergency or any circumstances that will undermine the integrity of the election, the Returning Officer has the discretion to declare an emergency and make any arrangements they deem necessary for the conduct of the election.

15 Amendments to this Document

15.1 The Returning Officer at any time has the right to amend this document to facilitate the vote, count, and tabulation of the votes and security. The Returning Officer's ruling on any interpretation of this document is final.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-68

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and Conseil Scolaire Public Du Grand Nord De L'Ontario to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

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 April 11, 2022 between the City and Conseil Scolaire Public Du Grand Nord De L'Ontario, a copy of which is attached as Schedule "A" hereto. This Agreement is to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

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Schedule “A”

Service Agreement

This agreement is made this 11th day of April, 2022.

Between:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE (the "City")

and

CONSEIL SCOLAIRE PUBLIC DU GRAND NORD DE L’ONTARIO (the "CSPGNO")

WHEREAS the CSPGNO conducts the election of trustees within the unorganized areas (areas without municipal organization), including: Chapleau Locality, Missanabie, North Shore Locality and Sault Locality;

AND WHEREAS pursuant to section 15(2) of the *Municipal Elections Act,* 1996, S.O. 1996, c. 32 (the "Act") the clerk may delegate to a deputy returning officer or other election official any of the clerk's powers and duties in relation to an election, as he or she considers necessary, and further pursuant to section 15(3) the clerk may continue to exercise the delegated powers and duties, despite the delegation;

AND WHEREAS the CSPGNO has approached the City to request consideration of the City taking over the election administration role for the above-referenced localities on a full recovery cost basis;

AND WHEREAS the City has agreed to provide such service subject to the terms and conditions as set out in this Agreement;

NOW THEREFORE in consideration of the mutual covenants, provisos, and conditions herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

SCOPE OF SERVICES

1. The City, namely the City Clerk, shall administer the election of trustees the CSPGNO within the unorganized areas, including Chapleau Locality, Missanabie, North Shore Locality and Sault Locality in accordance with the Vote by Mail Procedures and Rules (with necessary modifications) attached as Schedule "A" to this Agreement (collectively referred to as the "Services").
2. The said Services shall be performed by duly qualified City employees and delegated persons and such City employees and delegated persons shall be subject to direction from the City only.
3. The City's Compliance Audit Committee will act as the Compliance Audit Committee for the CSPGNO within the unorganized areas, including Chapleau Locality, Missanabie, North Shore Locality and Sault Locality.

COST OF SERVICES

4. The City shall receive full reimbursement from the CSPGNO for the direct and indirect costs of providing the Services and such costs shall be quantified at a future date.

TERM

5. This Agreement shall commence on the 11th day of April 2022 and shall conclude on the 27th day of October 2023 (the "Term").

6. The City may terminate this Agreement at any time and for any reason upon one hundred and twenty (120) days written notice of termination to the CSPGNO.

LIMITED LIABILITY AND RELEASE

7. The CSPGNO hereby releases and forever discharges the City, including its elected officials, officers, employees, agents and contractors; and the CSPGNO further agrees that notwithstanding anything to the contrary contained herein, the City, including elected officials, officers, employees, agents and contractors shall not be liable to the CSPGNO or to anyone for whom the CSPGNO may be in law responsible for any loss of or damage to property, personal injury or death or any other losses, actions, claims, causes of action, damages, both direct or indirect and such other costs and expenses, however and whatsoever incurred, suffered or sustained by the CSPGNO or any of the CSPGNO's agents, employees and contractors in relation to or in connection with the City performing their duties contained herein, except where the action, claim, demand, cost, loss or expense was solely caused by or contributed to by an intentional act of the City.

INDEMNITY

8. The CSPGNO will at all times indemnify and hold harmless the City against and from all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained or prosecuted in any manner based upon, related to, occasioned by or attributable to any service provided to the CSPGNO by the City under the provisions of this Agreement.

NOTICE

9. All correspondence or other notices related to the terms of the Agreement shall be delivered as set forth below:

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

Marc Gauthier, Director
Conseil scolaire public du Grand Nord de l’Ontario

296 Van Horne Street
Sudbury ON P3B 1H9

GENERAL PROVISIONS

10. 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.

11. 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. Any amendment to this Agreement must be in writing, duly executed by the parties.

12. The parties hereby acknowledge and agree that any future amendments to this Agreement must be made in writing and signed by both parties.

13. This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals attested by the signatures of their duly authorized signing officers to be effective as of the 11th day of April 2022.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

_____
Mayor – Christian Provenzano

_____
City Clerk – Rachel Tyczinski
We have authority to bind the Corporation.

CONSEIL SCOLAIRE PUBLIC DU GRAND NORD DE L'ONTARIO
Per:

_____
Name:
Position:
I have authority to bind the CSPGNO.

Schedule “A”

City of Sault Ste. Marie Vote by Mail Procedure

in Territories Without Municipal Organization

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1 Definitions

1.1 *Act* – means the *Municipal Elections Act, 1996*, as amended.

1.2 *Ballot* – means the paper used by an elector to mark their vote or vote(s) for the office of school board trustee and (if applicable) in accordance with section 41 of the Act.

1.3 *Ballot Box* – means an apparatus in which marked ballots are received and transferred from the Ballot Return Station to the vault in the City Clerk's Office and to the Ballot Counting Centre.

1.4 *Ballot Return Station* – means the location in which the a drop box is located for the collection of return Vote by Mail envelopes. For the purpose of the 2022 Municipal Election, this location shall be the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie.

1.5 *Candidate* – means a person who has been nominated under section 33 of the *Municipal Elections Act, 1996.*

1.6 *Close of Voting* – means the end of voting hours as prescribed in the Act which states that voting locations shall remain open until 8:00 p.m. on Voting Day. In accordance with the Act, an elector within the voting location at the close of voting is entitled to cast their ballot.

1.7 *Election Period* – means the period beginning when the Vote by Mail kits, ballots, and supplies are delivered to City Hall and ends on Voting Day. For the purposes of the 2022 Municipal Election, this period will be from July 2022 to October 24, 2022.

1.8 *Elector* – means a person who is entitled to be an elector if they reside in the Algoma District or is the owner or tenant of land, or the spouse of the such owner or tenant; is a Canadian citizen; is at least 18 years old; and is not prohibited from voting under the Act or otherwise by law as specified in section 17 of the Act.

1.9 *Returning Officer* – means the City Clerk of the City of Sault Ste. Marie.

1.10 *Scrutineer* – means an individual, appointed in writing by a certified Candidate, to represent them during the voting process.

1.11 *Vote by Mail Kit* – means the package forwarded to the elector consisting of the following items:

- Voter Instruction Sheet
- Ballot (composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Any other necessary material as the City Clerk determines

1.12 *Vote by Mail Period* – means the time period in which special Vote by Mail Ballots may be acted upon by Election Officials and Voters. For the 2022 Municipal Election, this time period is Saturday, October 1, 2022 – Monday, October 24, 2022 until 8:00 p.m.

1.13 *Voting Day* – means the day on which the final vote is to be taken in an election. For the purposes of the 2022 Municipal Election, this day is Monday, October 24, 2022.

2 Election Personnel

2.1 The Secretary of the School Board is responsible to conduct elections of members of the board. The *Municipal Elections Act* applies as if the Secretary were the Clerk, the board were the council of a local municipality, and the locality were the geographic area of a local municipality. The Clerk is to establish the procedures and rules as authorized and approved in accordance to the *Municipal Elections Act*, and to interpret the procedures and rules except as varied by a Court.

2.2 The Clerk may appoint in writing a Returning Officer and such other officials as required to assist in the administration, management, security and control of the election process, including but not limited to revising the Voters List, management and control of the Vote by Mail election system, security of the election, counting of ballots, tabulating results, issuance of notices, and printing of materials.

2.3 Written appointments and delegation of duties of Deputy Returning Officers (DROs) and election officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996.*

2.4 The City Clerk of the City of Sault Ste. Marie is hereby delegated as the official Returning Officer of the Algoma District School Board, the Huron-Superior Catholic District School Board, Ie Conseil Scolaire de District Catholique du Nouvel-Ontario and Ie Conseil Scolaire de District Du Grand Nord de L'Ontario for the 2022 municipal election in: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Central Algoma Locality, North Shore Locality and Sault Locality.

3 Notices

3.1 Notice of Revision of the Voters List is to be published and posted before the date specified by the Returning Officer. The revision period is from September 1, 2022 to the close of voting on Voting Day, Monday, October 24, 2022 at 8:00 p.m.

3.2 Notice of Nomination is to be published and posted before Nomination Day. Nomination period will be consistent with municipal elections (May 2, 2022 until August 19, 2022 at 2 p.m.

4 Ballot Return Station

4.1 The Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario, P6A 5X6 shall be established as a Ballot Return Station and shall be open as follows:

Monday to Friday from 8:30 a.m. to 4:30 p.m. until Friday, October 19, 2022
Closed Thanksgiving Monday, October 11, 2022
Monday, October 24, 2022 only – 10 a.m. to 8 p.m.

5 Revision of Voters List Procedure

5.1 The period for revisions to the Voters list is from September 1, 2022 until the close of voting on October 24, 2022. An elector, upon application in writing on the appropriate form established by the Clerk, may have their name added, removed or their information added or amended on the Voters List.

5.2 Applications to remove another person's name from the Voters List must be made in writing on the appropriate form established by the Clerk.

5.3 Revisions to the Voters List will be conducted at the Clerk's Office during regular office hours (Monday to Friday, 8:30 a.m.to 4:30 p.m. except as varied in paragraph 3.1) or electronically through www.voterlookup.ca

5.4 Electors added to the Voters List up to September 12, 2022 will receive their Vote by Mail Kit by mail from DataFix.

5.5 Electors added to the Voters List from September 12, 2022 to October 24, 2022 may pick up their Vote by Mail Kit beginning October 3, 2022 until October 24, 2022 at 8:00 p.m. at a Ballot Return Station at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

5.6 Electors added to the Voters List from September 1, 2022 to the close of voting on October 24, 2022 will be provided with a Vote by Mail Kit. Electors will have the option of returning the ballot via mail or delivering their ballot to the Ballot Return Station by leaving the Ballot Secrecy Envelope with the Returning Officer or designate.

6 Vote by Mail Procedure

6.1 The City of Sault Ste. Marie in conjunction with DataFix will provide the Vote by Mail Kit to every person who qualifies to be an elector up to the close of voting on October 24, 2022 at 8:00 p.m.

6.2 The Vote by Mail Kit shall consist of:

- Voter Instruction Sheet
- Ballot (Composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Such other material as the Clerk may determine

6.3 The Returning Officer, during the week of October 3, 2022, shall cause to be mailed to every elector who had qualified to be on the Voters List by September 12, 2022, a Vote by Mail Kit to the elector's address as shown on the Voters List.

6.4 If a qualified elector does not receive a Vote by Mail Kit or if the Vote by Mail Kit is lost or destroyed, a new Vote by Mail Kit may be issued by attending at the Ballot Return Station after October 11, 2022. The Returning Officer will confirm that the elector is qualified and will have the elector or agent sign a statement and a new Vote by Mail Kit will be issued. It shall be noted on the Voters List that the elector/agent was issued a new Vote by Mail Kit.

6.5 Upon receipt of the Vote by Mail Kit, the elector shall:

- complete the ballot
- place the ballot in the white Ballot Secrecy Envelope and seal the envelope
- sign the Voter Declaration Form
- place the Voter Declaration Form along with the sealed Ballot Secrecy Envelope, in the yellow prepaid business reply Election Return Envelope
- seal the yellow envelope.

6.6 If an elector requires assistance in voting, they may make their mark (i.e. an "X") on the signature line and have a witness sign in the signature area of the Voter Declaration Form.

6.7 The yellow prepaid business reply Election Return Envelope may be mailed or delivered to the Ballot Return Station. Envelopes mailed in Canada are prepaid.

6.8 The final day to deposit the Election Return Envelope in the mail to ensure delivery to the Clerk is October 11, 2022 by 4:00 pm. Following this date, electors are encouraged to deposit their Return Voting Envelope at the Ballot Return Station on or before Monday, October 24, 2022 by 8:00 pm.

6.9 Election Return Envelopes deposited at the Ballot Return Station until October 24, 2022 by 8:00 p.m. will be considered as having been mailed.

6.10 Any Election Return Envelope containing more than one Voter Declaration Form or more than one Inner Ballot Secrecy Envelope shall be treated in the following manner:

6.10.1 Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declarations will be COUNTED

6.10.2 Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes will be REJECTED.

6.11 Each day as Election Return Envelopes are received, either by mail or at the Ballot Return Station, the Returning Officer will remove the sealed Inner Ballot Secrecy Envelope and Voter Declaration Form and update the Voters List by striking through the name of the elector and assigning a number beside the elector's name on both the Voters List and the elector's Declaration Form.

6.12 A master Voters List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued Vote by Mail Kits will be maintained by the Returning Officer. Candidates and Scrutineers may inspect this list at any time during regular office working hours and on October 24, 2022 up to 8:00 p.m.

6.13 If, upon opening the yellow Election Return Envelope, the Ballot Secrecy Envelope has not been sealed, the Returning Officer or designate may seal the envelope without examining the ballot.

6.14 The sealed inner Ballot Secrecy Envelopes will be sorted according to ward and/or school board in bundles of twenty-five (25) and placed in a secure location under the control of the Returning Officer. On October 24, 2022, the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Civic Centre, as designated by the Returning Officer.

6.15 Ballots received by the Returning Officer after 8:00 p.m. on Voting Day shall not be counted, but shall be date stamped and retained for the statutory document retention period.

7 Rejection of Ballots

7.1 In addition to rejecting cast ballots for violations of the *Municipal Elections Act* the following conditions will also cause a ballot to be considered rejected if:

- 7.1.1 Upon opening the Election Return Envelope there is no Voter Declaration Form.
- 7.1.2 Upon opening the Election Return Envelope the Voter Declaration Form is not signed.
- 7.1.3 Upon opening the Election Return Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms.
- 7.1.4 There are identifiable marks on the sealed Ballot Secrecy Envelope.
- 7.1.5 Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot.

7.2 In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996* the following condition will cause a Ballot to be considered “Used but Unmarked” if, upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked.

8 Counting Procedures

8.1 A meeting room in the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario will be established as the Ballot Counting Centre. Only the Secretary of the Board, Returning Officer, Assistant Returning Officers, Deputy Returning Officers, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre.

8.2 The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on October 24, 2022 and only Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Ballot Counting Centre after 8:00 p.m. will not be permitted to return.

8.3 The Ballot Counting Centre will be designated as a "non-smoking area".

8.4 Scrutineers will be provided with an area for their use away from the Counting Stations. Cell phones or other equipment will not be permitted in the Ballot Counting Centre other than for Election Officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

8.5 No campaign material will be allowed within the Ballot Counting Centre.

8.6 Prior to 8:00 p.m. on October 24, 2022, the secured sealed Ballot Secrecy Envelopes received by the Returning Officer or designate will be delivered to the Ballot Counting Centre. Sealed Ballot Secrecy Envelopes received at the Ballot Return Station after the initial ballot transfer and prior to the close of voting on October 24, 2022, will be delivered to the Ballot Counting Centre immediately after the close of voting. Scrutineers will be allowed to view the sealing of the ballot boxes prior to this transfer.

8.7 After 8:00 p.m. on October 24, 2022, the sealed ballot boxes will be opened. Inside each ballot box will be the Ballot Secrecy Envelopes. The Ballot Secrecy Envelopes will be opened, the ballots counted, and the statement of results taken. Ballot Secrecy Envelopes will already have been sorted according to ward and/or school board. Ballot Secrecy Envelopes will already have been grouped into bundles of twenty-five (25) and delivered to the appropriate Deputy Returning Officer and Election Official for counting of the ballots. Ballot Secrecy Envelopes will be opened in the bundles of twenty-five (25) at each counting station. Once all bundles are opened at each counting station all ballots will be counted.

8.8 In the event that a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the Election Official shall repair the ballot and attach a notice advising that the Election Official caused the damage to the ballot.

8.9 The Deputy Returning Officer and Election Official shall count the ballots in the following order:

8.9.1 English Language Public School Trustee

8.9.2 English Language Separate School Trustee

8.9.3 French Language Public School Trustee

8.9.4 French Language Separate School Trustee

8.9.5 Sault Ste. Marie District Social Service Administration Board

8.10 Any part of any ballot rejected shall not invalidate the remainder of the ballot, except if there are identifying marks, in which case the entire ballot shall be rejected.

8.11 All UNUSED ballots will be placed in the envelope provided with the Ballot Box. The numbers of USED envelopes will be noted on the envelope.

8.12 All REJECTED, CANCELLED, and DECLINED ballots will be placed in the envelope provided with the ballot box. The number of REJECTED, CANCELLED, and DECLINED ballots will be noted on the envelope.

8.13 After the completion of the count of each counting station, a Statement of Results for that ward/school board shall be completed, signed by the Deputy Returning Officer and Election Official and if desired, initialled by any Scrutineer present for the count.

8.14 The original Statement of Results will be provided to the Election Official for tabulation. The duplicate Statement of Results will remain affixed to the ballots and stored by ward/school board in a secure place under the control of the Returning Officer.

8.15 Once all ballots have been counted, the ballots will be secured, the ballot boxes sealed and returned to the Returning Officer for secure storage.

9 Tabulation of Results

9.1 Tabulation of the Statements of Results will be conducted at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

9.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Ballot Counting Centre.

9.3 The initial results will be unofficial.

9.4 As the duplicate copy of the Statement of Results from each bundle of votes counted is recorded, these results will be entered and once certified by the Returning Officer, will be the official results.

10 Security of the Ballot Prior to Voting

10.1 Ballots will be printed under the supervision of DataFix and the number of ballots printed will be forwarded to the Returning Officer.

10.2 DataFix will mail a ballot to each person identified on the Revised Voters List as of September 12, 2022 and the number of ballots used will be forwarded to the Returning Officer.

10.3 In addition to the ballots mailed, the Returning Officer will receive approximately 5 ballots for each ward/school board. Once received, the ballots will be counted and the numbers recorded.

10.4 The number of ballots distributed by the Returning Officer to eligible electors after October 1, 2022 will be recorded.

10.5 If the Returning Officer runs out of ballots printed by DataFix, as many ballots as deemed necessary may be photocopied. The Returning Officer shall initial the back of such ballots. The number of ballots copied and initialled will be recorded.

11 Security of the Ballot During and After the Vote

11.1 Upon receiving the prepaid yellow Election Return Envelope by mail or from the Ballot Return Station, the yellow envelope will be opened. An Election Official will verify an equal amount of signed Declaration Forms to the number of sealed Ballot Secrecy Envelopes. Upon verification, the sealed Ballot Secrecy Envelope will be stored in ballot boxes labelled by school board/ward. The number of Ballot Secrecy Envelopes entered into the container each day will be recorded and bundles into packages of twenty-five (25).

11.2 At the end of each day the Returning Officer or designate shall affix a seal to each of the labelled ballot boxes, initial the seal and place the sealed drop boxes in the City Clerk's vault. Each morning the Returning Officer or designate shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another Election Official, break the seals to access the slots for use during the day. A separate ballot box shall be maintained on Voting Day at the Ballot Return Station from 10:00 a.m. to 8:00 pm. After 8:00 p.m. on Voting Day, the Voting Day box shall be sealed and initialled by the Returning Officer or designate and delivered to the Ballot Counting Centre. At the close of voting at 8:00 p.m. the ballot boxes maintained at the Ballot Return Station during Voting Day shall be opened and counted.

11.3 The ballot boxes, once sealed, will be transported to the Ballot Counting Centre. The ballot boxes shall be opened, the Ballot Secrecy Envelopes shall be opened, and the ballots shall be counted.

11.4 After the count, each bundle of ballots and the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialled by the Returning Officer or designate prior to transfer to a secure place under the control of the Returning Officer.

12 Form of Ballot

12.1 The form of ballot may be a composite ballot.

13 Scrutineers

13.1 Each Candidate may appoint, in writing, Scrutineers to be present during the voting, which may take place at the Ballot Return Station and during the counting of ballots at the Ballot Counting Centre. At the Ballot Counting Centre, a Scrutineer representing a candidate may be present at each counting table and at the ballot opening table to oversee the count, upon submission of their written appointment. Only one Scrutineer per candidate may be present at one time at each of the tables.

13.2 All Scrutineers must comply with the procedures set out on their Appointment Form.

14 Emergencies

14.1 In the event of any condition of an emergency or any circumstances that will undermine the integrity of the election, the Returning Officer has the discretion to declare an emergency and make any arrangements they deem necessary for the conduct of the election.

15 Amendments to this Document

15.1 The Returning Officer at any time has the right to amend this document to facilitate the vote, count, and tabulation of the votes and security. The Returning Officer's ruling on any interpretation of this document is final.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-69

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and Sault Ste. Marie District Social Services Administration Board to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

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 April 11, 2022 between the City and Sault Ste. Marie District Social Services Administration Board, a copy of which is attached as Schedule “A” hereto. This Agreement is to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

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Schedule “A”

Service Agreement

This agreement is made this 11th day of April, 2022.

Between:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE (the "City")

and

SAULT STE. MARIE DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD (the "SSMDSSAB")

WHEREAS the SSMDSSAB is responsible to conduct the election of two members within the unorganized area (area without municipal organization) within the planning area for the Sault North Planning Board;

AND WHEREAS the SSMDSSAB has approached the City to request consideration of the City taking over the election administration role for the above-referenced area on a full recovery cost basis;

AND WHEREAS the City has agreed to provide such service subject to the terms and conditions as set out in this Agreement;

NOW THEREFORE in consideration of the mutual covenants, provisos, and conditions herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

SCOPE OF SERVICES

1. The City, namely the City Clerk, shall administer the election of members for the SSMDSSAB within the unorganized area within the planning area for the Sault North Planning Board. in accordance with the Vote by Mail Procedures and Rules (with necessary modifications) attached as Schedule "A" to this Agreement (collectively referred to as the "Services").
2. The said Services shall be performed by duly qualified City employees and delegated persons and such City employees and delegated persons shall be subject to direction from the City only.
3. The City's Compliance Audit Committee will act as the Compliance Audit Committee for the board within the unorganized area within the planning area for the Sault North Planning Board.

COST OF SERVICES

4. The City shall receive full reimbursement from the SSMDSSAB for the direct and indirect costs of providing the Services and such costs shall be quantified at a future date.

TERM

5. This Agreement shall commence on the 11th day of April 2022 and shall conclude on the 27th day of October 2023 (the "Term").

6. The City may terminate this Agreement at any time and for any reason upon one hundred and twenty (120) days written notice of termination to the SSMDSSAB.

LIMITED LIABILITY AND RELEASE

7. The SSMDSSAB hereby releases and forever discharges the City, including its elected officials, officers, employees, agents and contractors; and the SSMDSSAB further agrees that notwithstanding anything to the contrary contained herein, the City, including elected officials, officers, employees, agents and contractors shall not be liable to the SSMDSSAB or to anyone for whom the SSMDSSAB may be in law responsible for any loss of or damage to property, personal injury or death or any other losses, actions, claims, causes of action, damages, both direct or indirect and such other costs and expenses, however and whatsoever incurred, suffered or sustained by the SSMDSSAB or any of the SSMDSSAB's agents, employees and contractors in relation to or in connection with the City performing their duties contained herein, except where the action, claim, demand, cost, loss or expense was solely caused by or contributed to by an intentional negligent act of the City.

INDEMNITY

8. The SSMDSSAB will at all times indemnify and hold harmless the City against and from all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained or prosecuted in any manner based upon, related to, occasioned by or attributable to any service provided to the SSMDSSAB by the City under the provisions of this Agreement.

NOTICE

9. All correspondence or other notices related to the terms of the Agreement shall be delivered as set forth below:

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

Mike Nadeau
Chief Executive Officer
Sault Ste. Marie District Social Services Administration Board
405-390 Bay Street
Sault Ste. Marie ON P6A 5L8

GENERAL PROVISIONS

10. 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.
11. 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. Any amendment to this Agreement must be in writing, duly executed by the parties.
12. The parties hereby acknowledge and agree that any future amendments to this Agreement must be made in writing and signed by both parties.
13. This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals attested by the signatures of their duly authorized signing officers to be effective as of the 11th day of April, 2022.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

_____
Mayor – Christian Provenzano

_____
City Clerk – Rachel Tyczinski
We have authority to bind the Corporation.

SAULT STE. MARIE DISTRICT SOCIAL SERVICES ADMINISTRATION BOARD
Per:

_____
Name:
Position:
I have authority to bind the SSMDSSAB.

Schedule “A”

City of Sault Ste. Marie Vote by Mail Procedure

Sault Ste. Marie District Social Services Administration Board

in Territories Without Municipal Organization

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1 Definitions

1.1 *Act* – means the *Municipal Elections Act, 1996*, as amended.

1.2 *Ballot* – means the paper used by an elector to mark their vote or vote(s) for the office of school board trustee and (if applicable) in accordance with section 41 of the Act.

1.3 *Ballot Box* – means an apparatus in which marked ballots are received and transferred from the Ballot Return Station to the vault in the City Clerk's Office and to the Ballot Counting Centre.

1.4 *Ballot Return Station* – means the location in which the a drop box is located for the collection of return Vote by Mail envelopes. For the purpose of the 2022 Municipal Election, this location shall be the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie.

1.5 *Candidate* – means a person who has been nominated to be a member representing territory without municipal organization under OReg 278/98 of the *District Social Services Administration Board Act.*

1.6 *Close of Voting* – means the end of voting hours as prescribed in the Act which states that voting locations shall remain open until 8:00 p.m. on Voting Day. In accordance with the Act, an elector within the voting location at the close of voting is entitled to cast their ballot.

1.7 *Election Period* – means the period beginning when the Vote by Mail kits, ballots, and supplies are delivered to City Hall and ends on Voting Day. For the purposes of the 2022 Municipal Election, this period will be from July 2022 to October 24, 2022.

1.8 *Elector* – means a person who is entitled to be an elector if they reside in the Algoma District or is the owner or tenant of land, or the spouse of the such owner or tenant; is a Canadian citizen; and is at least 18 years old;

1.9 *Returning Officer* – means the City Clerk of the City of Sault Ste. Marie.

1.10 *Scrutineer* – means an individual, appointed in writing by a certified Candidate, to represent them during the voting process.

1.11 *Vote by Mail Kit* – means the package forwarded to the elector consisting of the following items:

- Voter Instruction Sheet
- Ballot (composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Any other necessary material as the City Clerk determines

1.12 *Vote by Mail Period* – means the time period in which special Vote by Mail Ballots may be acted upon by Election Officials and Voters. For the 2022 Municipal Election, this time period is Saturday, October 1, 2022 – Monday, October 24, 2022 until 8:00 p.m.

1.13 *Voting Day* – means the day on which the final vote is to be taken in an election. For the purposes of the 2022 Municipal Election, this day is Monday, October 24, 2022.

2 Election Personnel

2.1 The City Clerk of the City of Sault Ste. Marie is hereby delegated as the official Returning Officer for the election of members representing territories without municipal organization in the Sault North Planning area.

2.2 The Clerk is to establish procedures and rules governing the election of members representing territories without municipal organization in the Sault North Planning area and to interpret the procedures and rules except as varied by a Court.

2.3 The Clerk may appoint in writing a Returning Officer and such other officials as required to assist in the administration, management, security and control of the election process, including but not limited to revising the Voters List, management and control of the Vote by Mail election system, security of the election, counting of ballots, tabulating results, issuance of notices, and printing of materials.

2.4 Written appointments and delegation of duties of Deputy Returning Officers (DROs) and election officials shall include the authority to require any person to furnish proof of identity or qualifications.

3 Notices

3.1 Notice of Revision of the Voters List is to be published and posted before the date specified by the Returning Officer. The revision period is from September 1, 2022 to the close of voting on Voting Day, Monday, October 24, 2022 at 8:00 p.m.

3.2 Notice of Nomination is to be published and posted before Nomination Day. Nomination period will be consistent with municipal elections (May 2, 2022 until August 19, 2022 at 2 p.m.

4 Ballot Return Station

4.1 The Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario, P6A 5X6 shall be established as a Ballot Return Station and shall be open as follows:

Monday to Friday from 8:30 a.m. to 4:30 p.m. until Friday, October 19, 2022
Closed Thanksgiving Monday, October 11, 2022
Monday, October 24, 2022 only – 10 a.m. to 8 p.m.

5 Revision of Voters List Procedure

5.1 The period for revisions to the Voters list is from September 1, 2022 until the close of voting on October 24, 2022. An elector, upon application in writing on the

appropriate form established by the Clerk, may have their name added, removed or their information added or amended on the Voters List.

5.2 Applications to remove another person's name from the Voters List must be made in writing on the appropriate form established by the Clerk.

5.3 Revisions to the Voters List will be conducted at the Clerk's Office during regular office hours (Monday to Friday, 8:30 a.m.to 4:30 p.m. except as varied in paragraph 3.1) or electronically through www.voterlookup.ca

5.4 Electors added to the Voters List up to September 12, 2022 will receive their Vote by Mail Kit by mail from DataFix.

5.5 Electors added to the Voters List from September 12, 2022 to October 24, 2022 may pick up their Vote by Mail Kit beginning October 3, 2022 until October 24, 2022 at 8:00 p.m. at a Ballot Return Station at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

5.6 Electors added to the Voters List from September 1, 2022 to the close of voting on October 24, 2022 will be provided with a Vote by Mail Kit. Electors will have the option of returning the ballot via mail or delivering their ballot to the Ballot Return Station by leaving the Ballot Secrecy Envelope with the Returning Officer or designate.

6 Vote by Mail Procedure

6.1 The City of Sault Ste. Marie in conjunction with DataFix will provide the Vote by Mail Kit to every person who qualifies to be an elector up to the close of voting on October 24, 2022 at 8:00 p.m.

6.2 The Vote by Mail Kit shall consist of:

- Voter Instruction Sheet
- Ballot (Composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Such other material as the Clerk may determine

6.3 The Returning Officer, during the week of October 3, 2022, shall cause to be mailed to every elector who had qualified to be on the Voters List by September 12, 2022, a Vote by Mail Kit to the elector's address as shown on the Voters List.

6.4 If a qualified elector does not receive a Vote by Mail Kit or if the Vote by Mail Kit is lost or destroyed, a new Vote by Mail Kit may be issued by attending at the Ballot Return Station after October 11, 2022. The Returning Officer will confirm that the elector is qualified and will have the elector or agent sign a statement and a new Vote by Mail Kit will be issued. It shall be noted on the Voters List that the elector/agent was issued a new Vote by Mail Kit.

6.5 Upon receipt of the Vote by Mail Kit, the elector shall:

- complete the ballot
- place the ballot in the white Ballot Secrecy Envelope and seal the envelope
- sign the Voter Declaration Form
- place the Voter Declaration Form along with the sealed Ballot Secrecy Envelope, in the yellow prepaid business reply Election Return Envelope
- seal the yellow envelope.

6.6 If an elector requires assistance in voting, they may make their mark (i.e. an "X") on the signature line and have a witness sign in the signature area of the Voter Declaration Form.

6.7 The yellow prepaid business reply Election Return Envelope may be mailed or delivered to the Ballot Return Station. Envelopes mailed in Canada are prepaid.

6.8 The final day to deposit the Election Return Envelope in the mail to ensure delivery to the Clerk is October 11, 2022 by 4:00 pm. Following this date, electors are encouraged to deposit their Return Voting Envelope at the Ballot Return Station on or before Monday, October 24, 2022 by 8:00 pm.

6.9 Election Return Envelopes deposited at the Ballot Return Station until October 24, 2022 by 8:00 p.m. will be considered as having been mailed.

6.10 Any Election Return Envelope containing more than one Voter Declaration Form or more than one Inner Ballot Secrecy Envelope shall be treated in the following manner:

6.10.1 Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declarations will be COUNTED

6.10.2 Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes will be REJECTED.

6.11 Each day as Election Return Envelopes are received, either by mail or at the Ballot Return Station, the Returning Officer will remove the sealed Inner Ballot Secrecy Envelope and Voter Declaration Form and update the Voters List by striking through the name of the elector and assigning a number beside the elector's name on both the Voters List and the elector's Declaration Form.

6.12 A master Voters List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued Vote by Mail Kits will be maintained by the Returning Officer. Candidates and Scrutineers may inspect this list at any time during regular office working hours and on October 24, 2022 up to 8:00 p.m.

6.13 If, upon opening the yellow Election Return Envelope, the Ballot Secrecy Envelope has not been sealed, the Returning Officer or designate may seal the envelope without examining the ballot.

6.14 The sealed inner Ballot Secrecy Envelopes will be sorted according to ward and/or school board in bundles of twenty-five (25) and placed in a secure location under the control of the Returning Officer. On October 24, 2022, the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Civic Centre, as designated by the Returning Officer.

6.15 Ballots received by the Returning Officer after 8:00 p.m. on Voting Day shall not be counted, but shall be date stamped and retained for the statutory document retention period.

7 Rejection of Ballots

7.1 In addition to rejecting cast ballots for violations as prescribed by the *Municipal Elections Act* the following conditions will also cause a ballot to be considered rejected if:

- 7.1.1 Upon opening the Election Return Envelope there is no Voter Declaration Form.
- 7.1.2 Upon opening the Election Return Envelope the Voter Declaration Form is not signed.
- 7.1.3 Upon opening the Election Return Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms.
- 7.1.4 There are identifiable marks on the sealed Ballot Secrecy Envelope.
- 7.1.5 Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot.

7.2 In addition to rejecting cast ballots for violations as prescribed by the *Municipal Elections Act, 1996* the following condition will cause a Ballot to be considered “Used but Unmarked” if, upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked.

8 Counting Procedures

8.1 A meeting room in the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario will be established as the Ballot Counting Centre. Only the Secretary of the Board, Returning Officer, Assistant Returning Officers, Deputy Returning Officers, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre.

8.2 The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on October 24, 2022 and only Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Ballot Counting Centre after 8:00 p.m. will not be permitted to return.

8.3 The Ballot Counting Centre will be designated as a "non-smoking area".

8.4 Scrutineers will be provided with an area for their use away from the Counting Stations. Cell phones or other equipment will not be permitted in the Ballot Counting Centre other than for Election Officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

8.5 No campaign material will be allowed within the Ballot Counting Centre.

8.6 Prior to 8:00 p.m. on October 24, 2022, the secured sealed Ballot Secrecy Envelopes received by the Returning Officer or designate will be delivered to the Ballot Counting Centre. Sealed Ballot Secrecy Envelopes received at the Ballot Return Station after the initial ballot transfer and prior to the close of voting on October 24, 2022, will be delivered to the Ballot Counting Centre immediately after the close of voting. Scrutineers will be allowed to view the sealing of the ballot boxes prior to this transfer.

8.7 After 8:00 p.m. on October 24, 2022, the sealed ballot boxes will be opened. Inside each ballot box will be the Ballot Secrecy Envelopes. The Ballot Secrecy Envelopes will be opened, the ballots counted, and the statement of results taken. Ballot Secrecy Envelopes will already have been sorted according to ward and/or school board. Ballot Secrecy Envelopes will already have been grouped into bundles of twenty-five (25) and delivered to the appropriate Deputy Returning Officer and Election Official for counting of the ballots. Ballot Secrecy Envelopes will be opened in the bundles of twenty-five (25) at each counting station. Once all bundles are opened at each counting station all ballots will be counted.

8.8 In the event that a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the Election Official shall repair the ballot and attach a notice advising that the Election Official caused the damage to the ballot.

8.9 The Deputy Returning Officer and Election Official shall count the ballots.

8.10 Any part of any ballot rejected shall not invalidate the remainder of the ballot, except if there are identifying marks, in which case the entire ballot shall be rejected.

8.11 All UNUSED ballots will be placed in the envelope provided with the Ballot Box. The numbers of USED envelopes will be noted on the envelope.

8.12 All REJECTED, CANCELLED, and DECLINED ballots will be placed in the envelope provided with the ballot box. The number of REJECTED, CANCELLED, and DECLINED ballots will be noted on the envelope.

8.13 After the completion of the count of each counting station, a Statement of Results for that shall be completed, signed by the Deputy Returning Officer and Election Official and if desired, initialled by any Scrutineer present for the count.

8.14 The original Statement of Results will be provided to the Election Official for tabulation. The duplicate Statement of Results will remain affixed to the ballots and stored in a secure place under the control of the Returning Officer.

8.15 Once all ballots have been counted, the ballots will be secured, the ballot boxes sealed and returned to the Returning Officer for secure storage.

9 Tabulation of Results

9.1 Tabulation of the Statements of Results will be conducted at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

9.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Ballot Counting Centre.

9.3 The initial results will be unofficial.

9.4 As the duplicate copy of the Statement of Results from each bundle of votes counted is recorded, these results will be entered and once certified by the Returning Officer, will be the official results.

10 Security of the Ballot Prior to Voting

10.1 Ballots will be printed under the supervision of DataFix and the number of ballots printed will be forwarded to the Returning Officer.

10.2 DataFix will mail a ballot to each person identified on the Revised Voters List as of September 12, 2022 and the number of ballots used will be forwarded to the Returning Officer.

10.3 In addition to the ballots mailed, the Returning Officer will receive approximately 5 ballots for each ward/school board. Once received, the ballots will be counted and the numbers recorded.

10.4 The number of ballots distributed by the Returning Officer to eligible electors after October 1, 2022 will be recorded.

10.5 If the Returning Officer runs out of ballots printed by DataFix, as many ballots as deemed necessary may be photocopied. The Returning Officer shall initial the back of such ballots. The number of ballots copied and initialled will be recorded.

11 Security of the Ballot During and After the Vote

11.1 Upon receiving the prepaid yellow Election Return Envelope by mail or from the Ballot Return Station, the yellow envelope will be opened. An Election Official will verify an equal amount of signed Declaration Forms to the number of sealed Ballot Secrecy Envelopes. Upon verification, the sealed Ballot Secrecy Envelope will be stored in ballot boxes labelled by school board/ward. The number of Ballot Secrecy Envelopes entered into the container each day will be recorded and bundles into packages of twenty-five (25).

11.2 At the end of each day the Returning Officer or designate shall affix a seal to each

of the labelled ballot boxes, initial the seal and place the sealed drop boxes in the City Clerk's vault. Each morning the Returning Officer or designate shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another Election Official, break the seals to access the slots for use during the day. A separate ballot box shall be maintained on Voting Day at the Ballot Return Station from 10:00 a.m. to 8:00 pm. After 8:00 p.m. on Voting Day, the Voting Day box shall be sealed and initialled by the Returning Officer or designate and delivered to the Ballot Counting Centre. At the close of voting at 8:00 p.m. the ballot boxes maintained at the Ballot Return Station during Voting Day shall be opened and counted.

11.3 The ballot boxes, once sealed, will be transported to the Ballot Counting Centre. The ballot boxes shall be opened, the Ballot Secrecy Envelopes shall be opened, and the ballots shall be counted.

11.4 After the count, each bundle of ballots and the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialled by the Returning Officer or designate prior to transfer to a secure place under the control of the Returning Officer.

12 Form of Ballot

12.1 The form of ballot may be a composite ballot.

13 Scrutineers

13.1 Each Candidate may appoint, in writing, Scrutineers to be present during the voting, which may take place at the Ballot Return Station and during the counting of ballots at the Ballot Counting Centre. At the Ballot Counting Centre, a Scrutineer representing a candidate may be present at each counting table and at the ballot opening table to oversee the count, upon submission of their written appointment. Only one Scrutineer per candidate may be present at one time at each of the tables.

13.2 All Scrutineers must comply with the procedures set out on their Appointment Form.

14 Emergencies

14.1 In the event of any condition of an emergency or any circumstances that will undermine the integrity of the election, the Returning Officer has the discretion to declare an emergency and make any arrangements they deem necessary for the conduct of the election.

15 Amendments to this Document

15.1 The Returning Officer at any time has the right to amend this document to facilitate the vote, count, and tabulation of the votes and security. The Returning Officer's ruling on any interpretation of this document is final.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-70

AGREEMENT: A by-law to authorize the execution of the Agreement between the City and Huron Superior Catholic District School Board to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

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 April 11, 2022 between the City and Huron Superior Catholic District School Board, a copy of which is attached as Schedule “A” hereto. This Agreement is to conduct elections under their jurisdictions in territories without municipal organization in the Algoma District.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

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Schedule “A”

Service Agreement

This agreement is made this 11th day of April, 2022.

Between:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE (the "City")

and

HURON SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD (the "HSCDSB")

WHEREAS the HSCDSB conducts the election of trustees within the unorganized areas (areas without municipal organization), including: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, North Shore Locality and Sault Locality.

AND WHEREAS pursuant to section 15(2) of the *Municipal Elections Act,* 1996, S.O. 1996, c. 32 (the "Act") the clerk may delegate to a deputy returning officer or other election official any of the clerk's powers and duties in relation to an election, as he or she considers necessary, and further pursuant to section 15(3) the clerk may continue to exercise the delegated powers and duties, despite the delegation;

AND WHEREAS the HSCDSB has approached the City to request consideration of the City taking over the election administration role for the above-referenced localities on a full recovery cost basis;

AND WHEREAS the City has agreed to provide such service subject to the terms and conditions as set out in this Agreement;

NOW THEREFORE in consideration of the mutual covenants, provisos, and conditions herein contained and hereby assumed, the parties for themselves and their respective successors and assigns do hereby covenant and agree with one another as follows:

SCOPE OF SERVICES

1. The City, namely the City Clerk, shall administer the election of trustees the HSCDSB within the unorganized areas, including: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, North Shore Locality and Sault Locality in accordance with the Vote by Mail Procedures and Rules (with necessary modifications) attached as Schedule "A" to this Agreement (collectively referred to as the "Services").
2. The said Services shall be performed by duly qualified City employees and delegated persons and such City employees and delegated persons shall be subject to direction from the City only.
3. The City's Compliance Audit Committee will act as the Compliance Audit Committee for the HSCDSB within the unorganized areas, including: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, North Shore Locality and Sault Locality.

COST OF SERVICES

4. The City shall receive full reimbursement from the HSCDSB for the direct and indirect costs of providing the Services and such costs shall be quantified at a future date.

TERM

5. This Agreement shall commence on the 11th day of April 2022 and shall conclude on the 27th day of October 2023 (the "Term").

6. The City may terminate this Agreement at any time and for any reason upon one hundred and twenty (120) days written notice of termination to the HSCDSB.

LIMITED LIABILITY AND RELEASE

7. The HSCDSB hereby releases and forever discharges the City, including its elected officials, officers, employees, agents and contractors; and the HSCDSB further agrees that notwithstanding anything to the contrary contained herein, the City, including elected officials, officers, employees, agents and contractors shall not be liable to the HSCDSB or to anyone for whom the HSCDSB may be in law responsible for any loss of or damage to property, personal injury or death or any other losses, actions, claims, causes of action, damages, both direct or indirect and such other costs and expenses, however and whatsoever incurred, suffered or sustained by the HSCDSB or any of the HSCDSB's agents, employees and contractors in relation to or in connection with the City performing their duties contained herein, except where the action, claim, demand, cost, loss or expense was solely caused by or contributed to by an intentional act of the City.

INDEMNITY

8. The HSCDSB will at all times indemnify and hold harmless the City against and from all claims, demands, loss, costs, damages, actions, suits or other proceedings by whomsoever made, sustained or prosecuted in any manner based upon, related to, occasioned by or attributable to any service provided to the HSCDSB by the City under the provisions of this Agreement.

NOTICE

9. All correspondence or other notices related to the terms of the Agreement shall be delivered as set forth below:

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

Danny Viotto

Director
Huron Superior Catholic District School Board
90 Ontario Avenue
Sault Ste. Marie ON P6B 6G7

GENERAL PROVISIONS

10. 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.

11. 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. Any amendment to this Agreement must be in writing, duly executed by the parties.

12. The parties hereby acknowledge and agree that any future amendments to this Agreement must be made in writing and signed by both parties.

13. This Agreement shall enure to the benefit of and be binding upon the respective successors and assigns of the parties hereto.

IN WITNESS WHEREOF the parties hereto have affixed their Corporate Seals attested by the signatures of their duly authorized signing officers to be effective as of the 11th day of April 2022.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE
Per:

_____
Mayor – Christian Provenzano

_____
City Clerk – Rachel Tyczinski
We have authority to bind the Corporation.

HURON SUPERIOR CATHOLIC DISTRICT SCHOOL BOARD
Per:

_____
Name:
Position:
I have authority to bind the HSCDSB.

Schedule “A”

City of Sault Ste. Marie Vote by Mail Procedure

in Territories Without Municipal Organization

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1 Definitions

1.1 *Act* – means the *Municipal Elections Act, 1996*, as amended.

1.2 *Ballot* – means the paper used by an elector to mark their vote or vote(s) for the office of school board trustee and (if applicable) in accordance with section 41 of the Act.

1.3 *Ballot Box* – means an apparatus in which marked ballots are received and transferred from the Ballot Return Station to the vault in the City Clerk's Office and to the Ballot Counting Centre.

1.4 *Ballot Return Station* – means the location in which the a drop box is located for the collection of return Vote by Mail envelopes. For the purpose of the 2022 Municipal Election, this location shall be the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie.

1.5 *Candidate* – means a person who has been nominated under section 33 of the *Municipal Elections Act, 1996.*

1.6 *Close of Voting* – means the end of voting hours as prescribed in the Act which states that voting locations shall remain open until 8:00 p.m. on Voting Day. In accordance with the Act, an elector within the voting location at the close of voting is entitled to cast their ballot.

1.7 *Election Period* – means the period beginning when the Vote by Mail kits, ballots, and supplies are delivered to City Hall and ends on Voting Day. For the purposes of the 2022 Municipal Election, this period will be from July 2022 to October 24, 2022.

1.8 *Elector* – means a person who is entitled to be an elector if they reside in the Algoma District or is the owner or tenant of land, or the spouse of the such owner or tenant; is a Canadian citizen; is at least 18 years old; and is not prohibited from voting under the Act or otherwise by law as specified in section 17 of the Act.

1.9 *Returning Officer* – means the City Clerk of the City of Sault Ste. Marie.

1.10 *Scrutineer* – means an individual, appointed in writing by a certified Candidate, to represent them during the voting process.

1.11 *Vote by Mail Kit* – means the package forwarded to the elector consisting of the following items:

- Voter Instruction Sheet
- Ballot (composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Any other necessary material as the City Clerk determines

1.12 *Vote by Mail Period* – means the time period in which special Vote by Mail Ballots may be acted upon by Election Officials and Voters. For the 2022 Municipal Election, this time period is Saturday, October 1, 2022 – Monday, October 24, 2022 until 8:00 p.m.

1.13 *Voting Day* – means the day on which the final vote is to be taken in an election. For the purposes of the 2022 Municipal Election, this day is Monday, October 24, 2022.

2 Election Personnel

2.1 The Secretary of the School Board is responsible to conduct elections of members of the board. The *Municipal Elections Act* applies as if the Secretary were the Clerk, the board were the council of a local municipality, and the locality were the geographic area of a local municipality. The Clerk is to establish the procedures and rules as authorized and approved in accordance to the *Municipal Elections Act*, and to interpret the procedures and rules except as varied by a Court.

2.2 The Clerk may appoint in writing a Returning Officer and such other officials as required to assist in the administration, management, security and control of the election process, including but not limited to revising the Voters List, management and control of the Vote by Mail election system, security of the election, counting of ballots, tabulating results, issuance of notices, and printing of materials.

2.3 Written appointments and delegation of duties of Deputy Returning Officers (DROs) and election officials shall include the authority to require any person to furnish proof of identity or qualifications pursuant to the *Municipal Elections Act, 1996.*

2.4 The City Clerk of the City of Sault Ste. Marie is hereby delegated as the official Returning Officer of the Algoma District School Board, the Huron-Superior Catholic District School Board, Ie Conseil Scolaire de District Catholique du Nouvel-Ontario and Ie Conseil Scolaire de District Du Grand Nord de L'Ontario for the 2022 municipal election in: Chapleau Locality, Missanabie, Missarenda Locality, Michipicoten Locality, Central Algoma Locality, North Shore Locality and Sault Locality.

3 Notices

3.1 Notice of Revision of the Voters List is to be published and posted before the date specified by the Returning Officer. The revision period is from September 1, 2022 to the close of voting on Voting Day, Monday, October 24, 2022 at 8:00 p.m.

3.2 Notice of Nomination is to be published and posted before Nomination Day. Nomination period will be consistent with municipal elections (May 2, 2022 until August 19, 2022 at 2 p.m.

4 Ballot Return Station

4.1 The Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario, P6A 5X6 shall be established as a Ballot Return Station and shall be open as follows:

Monday to Friday from 8:30 a.m. to 4:30 p.m. until Friday, October 19, 2022
Closed Thanksgiving Monday, October 11, 2022
Monday, October 24, 2022 only – 10 a.m. to 8 p.m.

5 Revision of Voters List Procedure

5.1 The period for revisions to the Voters list is from September 1, 2022 until the close of voting on October 24, 2022. An elector, upon application in writing on the appropriate form established by the Clerk, may have their name added, removed or their information added or amended on the Voters List.

5.2 Applications to remove another person's name from the Voters List must be made in writing on the appropriate form established by the Clerk.

5.3 Revisions to the Voters List will be conducted at the Clerk's Office during regular office hours (Monday to Friday, 8:30 a.m.to 4:30 p.m. except as varied in paragraph 3.1) or electronically through www.voterlookup.ca

5.4 Electors added to the Voters List up to September 12, 2022 will receive their Vote by Mail Kit by mail from DataFix.

5.5 Electors added to the Voters List from September 12, 2022 to October 24, 2022 may pick up their Vote by Mail Kit beginning October 3, 2022 until October 24, 2022 at 8:00 p.m. at a Ballot Return Station at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

5.6 Electors added to the Voters List from September 1, 2022 to the close of voting on October 24, 2022 will be provided with a Vote by Mail Kit. Electors will have the option of returning the ballot via mail or delivering their ballot to the Ballot Return Station by leaving the Ballot Secrecy Envelope with the Returning Officer or designate.

6 Vote by Mail Procedure

6.1 The City of Sault Ste. Marie in conjunction with DataFix will provide the Vote by Mail Kit to every person who qualifies to be an elector up to the close of voting on October 24, 2022 at 8:00 p.m.

6.2 The Vote by Mail Kit shall consist of:

- Voter Instruction Sheet
- Ballot (Composite if applicable)
- Ballot Secrecy Envelope
- Voter Declaration Form
- Outer Return Envelope (yellow) with prepaid postage
- Such other material as the Clerk may determine

6.3 The Returning Officer, during the week of October 3, 2022, shall cause to be mailed to every elector who had qualified to be on the Voters List by September 12, 2022, a Vote by Mail Kit to the elector's address as shown on the Voters List.

6.4 If a qualified elector does not receive a Vote by Mail Kit or if the Vote by Mail Kit is lost or destroyed, a new Vote by Mail Kit may be issued by attending at the Ballot Return Station after October 11, 2022. The Returning Officer will confirm that the elector is qualified and will have the elector or agent sign a statement and a new Vote by Mail Kit will be issued. It shall be noted on the Voters List that the elector/agent was issued a new Vote by Mail Kit.

6.5 Upon receipt of the Vote by Mail Kit, the elector shall:

- complete the ballot
- place the ballot in the white Ballot Secrecy Envelope and seal the envelope
- sign the Voter Declaration Form
- place the Voter Declaration Form along with the sealed Ballot Secrecy Envelope, in the yellow prepaid business reply Election Return Envelope
- seal the yellow envelope.

6.6 If an elector requires assistance in voting, they may make their mark (i.e. an "X") on the signature line and have a witness sign in the signature area of the Voter Declaration Form.

6.7 The yellow prepaid business reply Election Return Envelope may be mailed or delivered to the Ballot Return Station. Envelopes mailed in Canada are prepaid.

6.8 The final day to deposit the Election Return Envelope in the mail to ensure delivery to the Clerk is October 11, 2022 by 4:00 pm. Following this date, electors are encouraged to deposit their Return Voting Envelope at the Ballot Return Station on or before Monday, October 24, 2022 by 8:00 pm.

6.9 Election Return Envelopes deposited at the Ballot Return Station until October 24, 2022 by 8:00 p.m. will be considered as having been mailed.

6.10 Any Election Return Envelope containing more than one Voter Declaration Form or more than one Inner Ballot Secrecy Envelope shall be treated in the following manner:

6.10.1 Envelopes containing equal numbers of Ballot Secrecy Envelopes to Voter Declarations will be COUNTED

6.10.2 Envelopes containing more Ballot Secrecy Envelopes to Voter Declaration Forms or more Voter Declaration Forms to Ballot Secrecy Envelopes will be REJECTED.

6.11 Each day as Election Return Envelopes are received, either by mail or at the Ballot Return Station, the Returning Officer will remove the sealed Inner Ballot Secrecy Envelope and Voter Declaration Form and update the Voters List by striking through the name of the elector and assigning a number beside the elector's name on both the Voters List and the elector's Declaration Form.

6.12 A master Voters List containing deletions, amendments and additions, along with those persons who have voted to date and those persons who have been issued Vote by Mail Kits will be maintained by the Returning Officer. Candidates and Scrutineers may inspect this list at any time during regular office working hours and on October 24, 2022 up to 8:00 p.m.

6.13 If, upon opening the yellow Election Return Envelope, the Ballot Secrecy Envelope has not been sealed, the Returning Officer or designate may seal the envelope without examining the ballot.

6.14 The sealed inner Ballot Secrecy Envelopes will be sorted according to ward and/or school board in bundles of twenty-five (25) and placed in a secure location under the control of the Returning Officer. On October 24, 2022, the sealed Ballot Secrecy Envelopes will be transported to the Counting Centre located in the Civic Centre, as designated by the Returning Officer.

6.15 Ballots received by the Returning Officer after 8:00 p.m. on Voting Day shall not be counted, but shall be date stamped and retained for the statutory document retention period.

7 Rejection of Ballots

7.1 In addition to rejecting cast ballots for violations of the *Municipal Elections Act* the following conditions will also cause a ballot to be considered rejected if:

- 7.1.1 Upon opening the Election Return Envelope there is no Voter Declaration Form.
- 7.1.2 Upon opening the Election Return Envelope the Voter Declaration Form is not signed.
- 7.1.3 Upon opening the Election Return Envelope there is a different number of Ballot Secrecy Envelopes to Voter Declaration Forms.
- 7.1.4 There are identifiable marks on the sealed Ballot Secrecy Envelope.
- 7.1.5 Upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains more than one ballot.

7.2 In addition to rejecting cast ballots for violations of the *Municipal Elections Act, 1996* the following condition will cause a Ballot to be considered “Used but Unmarked” if, upon opening the sealed Ballot Secrecy Envelope at the Counting Centre, the envelope contains a ballot which has not been marked.

8 Counting Procedures

8.1 A meeting room in the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario will be established as the Ballot Counting Centre. Only the Secretary of the Board, Returning Officer, Assistant Returning Officers, Deputy Returning Officers, appointed Election Officials, certified Candidates and authorized Scrutineers will be permitted to remain in the Ballot Counting Centre.

8.2 The doors to the Ballot Counting Centre will be locked at 8:00 p.m. on October 24, 2022 and only Election Officials will be allowed to enter thereafter. Candidates and Scrutineers leaving the Ballot Counting Centre after 8:00 p.m. will not be permitted to return.

8.3 The Ballot Counting Centre will be designated as a "non-smoking area".

8.4 Scrutineers will be provided with an area for their use away from the Counting Stations. Cell phones or other equipment will not be permitted in the Ballot Counting Centre other than for Election Officials. Scrutineers shall not interfere with the vote count in any manner. Should they do so, they shall be required to leave the facility when so requested by an Election Official.

8.5 No campaign material will be allowed within the Ballot Counting Centre.

8.6 Prior to 8:00 p.m. on October 24, 2022, the secured sealed Ballot Secrecy Envelopes received by the Returning Officer or designate will be delivered to the Ballot Counting Centre. Sealed Ballot Secrecy Envelopes received at the Ballot Return Station after the initial ballot transfer and prior to the close of voting on October 24, 2022, will be delivered to the Ballot Counting Centre immediately after the close of voting. Scrutineers will be allowed to view the sealing of the ballot boxes prior to this transfer.

8.7 After 8:00 p.m. on October 24, 2022, the sealed ballot boxes will be opened. Inside each ballot box will be the Ballot Secrecy Envelopes. The Ballot Secrecy Envelopes will be opened, the ballots counted, and the statement of results taken. Ballot Secrecy Envelopes will already have been sorted according to ward and/or school board. Ballot Secrecy Envelopes will already have been grouped into bundles of twenty-five (25) and delivered to the appropriate Deputy Returning Officer and Election Official for counting of the ballots. Ballot Secrecy Envelopes will be opened in the bundles of twenty-five (25) at each counting station. Once all bundles are opened at each counting station all ballots will be counted.

8.8 In the event that a ballot is accidentally cut when the sealed Ballot Secrecy Envelope is opened, the Election Official shall repair the ballot and attach a notice advising that the Election Official caused the damage to the ballot.

8.9 The Deputy Returning Officer and Election Official shall count the ballots in the following order:

8.9.1 English Language Public School Trustee

8.9.2 English Language Separate School Trustee

8.9.3 French Language Public School Trustee

8.9.4 French Language Separate School Trustee

8.9.5 Sault Ste. Marie District Social Service Administration Board

8.10 Any part of any ballot rejected shall not invalidate the remainder of the ballot, except if there are identifying marks, in which case the entire ballot shall be rejected.

8.11 All UNUSED ballots will be placed in the envelope provided with the Ballot Box. The numbers of USED envelopes will be noted on the envelope.

8.12 All REJECTED, CANCELLED, and DECLINED ballots will be placed in the envelope provided with the ballot box. The number of REJECTED, CANCELLED, and DECLINED ballots will be noted on the envelope.

8.13 After the completion of the count of each counting station, a Statement of Results for that ward/school board shall be completed, signed by the Deputy Returning Officer and Election Official and if desired, initialled by any Scrutineer present for the count.

8.14 The original Statement of Results will be provided to the Election Official for tabulation. The duplicate Statement of Results will remain affixed to the ballots and stored by ward/school board in a secure place under the control of the Returning Officer.

8.15 Once all ballots have been counted, the ballots will be secured, the ballot boxes sealed and returned to the Returning Officer for secure storage.

9 Tabulation of Results

9.1 Tabulation of the Statements of Results will be conducted at the Ronald A. Irwin Civic Centre, 99 Foster Drive, Sault Ste. Marie, Ontario.

9.2 Tabulation of results for each elected position will be calculated and posted as the information is received from the Ballot Counting Centre.

9.3 The initial results will be unofficial.

9.4 As the duplicate copy of the Statement of Results from each bundle of votes counted is recorded, these results will be entered and once certified by the Returning Officer, will be the official results.

10 Security of the Ballot Prior to Voting

10.1 Ballots will be printed under the supervision of DataFix and the number of ballots printed will be forwarded to the Returning Officer.

10.2 DataFix will mail a ballot to each person identified on the Revised Voters List as of September 12, 2022 and the number of ballots used will be forwarded to the Returning Officer.

10.3 In addition to the ballots mailed, the Returning Officer will receive approximately 5 ballots for each ward/school board. Once received, the ballots will be counted and the numbers recorded.

10.4 The number of ballots distributed by the Returning Officer to eligible electors after October 1, 2022 will be recorded.

10.5 If the Returning Officer runs out of ballots printed by DataFix, as many ballots as deemed necessary may be photocopied. The Returning Officer shall initial the back of such ballots. The number of ballots copied and initialled will be recorded.

11 Security of the Ballot During and After the Vote

11.1 Upon receiving the prepaid yellow Election Return Envelope by mail or from the Ballot Return Station, the yellow envelope will be opened. An Election Official will verify an equal amount of signed Declaration Forms to the number of sealed Ballot Secrecy Envelopes. Upon verification, the sealed Ballot Secrecy Envelope will be stored in ballot boxes labelled by school board/ward. The number of Ballot Secrecy Envelopes entered into the container each day will be recorded and bundles into packages of twenty-five (25).

11.2 At the end of each day the Returning Officer or designate shall affix a seal to each of the labelled ballot boxes, initial the seal and place the sealed drop boxes in the City Clerk's vault. Each morning the Returning Officer or designate shall retrieve the drop boxes, inspect the seals to ensure they are intact, and in the presence of another Election Official, break the seals to access the slots for use during the day. A separate ballot box shall be maintained on Voting Day at the Ballot Return Station from 10:00 a.m. to 8:00 pm. After 8:00 p.m. on Voting Day, the Voting Day box shall be sealed and initialled by the Returning Officer or designate and delivered to the Ballot Counting Centre. At the close of voting at 8:00 p.m. the ballot boxes maintained at the Ballot Return Station during Voting Day shall be opened and counted.

11.3 The ballot boxes, once sealed, will be transported to the Ballot Counting Centre. The ballot boxes shall be opened, the Ballot Secrecy Envelopes shall be opened, and the ballots shall be counted.

11.4 After the count, each bundle of ballots and the duplicate original Statement of Results will be placed back into the ballot box. When the vote is complete, the ballot boxes will be sealed and initialled by the Returning Officer or designate prior to transfer to a secure place under the control of the Returning Officer.

12 Form of Ballot

12.1 The form of ballot may be a composite ballot.

13 Scrutineers

13.1 Each Candidate may appoint, in writing, Scrutineers to be present during the voting, which may take place at the Ballot Return Station and during the counting of ballots at the Ballot Counting Centre. At the Ballot Counting Centre, a Scrutineer representing a candidate may be present at each counting table and at the ballot opening table to oversee the count, upon submission of their written appointment. Only one Scrutineer per candidate may be present at one time at each of the tables.

13.2 All Scrutineers must comply with the procedures set out on their Appointment Form.

14 Emergencies

14.1 In the event of any condition of an emergency or any circumstances that will undermine the integrity of the election, the Returning Officer has the discretion to declare an emergency and make any arrangements they deem necessary for the conduct of the election.

15 Amendments to this Document

15.1 The Returning Officer at any time has the right to amend this document to facilitate the vote, count, and tabulation of the votes and security. The Returning Officer's ruling on any interpretation of this document is final.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-71

ADMINISTRATION: A by-law to amend By-law 2015-147 (being a by-law to authorize payment of membership fees, registration fees and travel expenses incurred by members of the Council and employees of the Corporation while travelling on the business of the Corporation).

THE COUNCIL of The Corporation of the City of Sault Ste. Marie pursuant to Section 283 of the *Municipal Act,* 2001 W.O., c. 25 enacts as follows:

1. **BY-LAW 2015-147 AMENDED**

By-law 2015-147 is amended as follows:

(a) Delete Paragraph 4(1) **AUTHORIZATION FOR PAYMENT** and replace it with the following Paragraph 4(1) "**AUTHORIZATION FOR PAYMENT:**

Requests for travel by members of Council shall be submitted to the Mayor's Office for approval. Requests for travel by staff shall be submitted to the department head and CAO for approval."

(b) Delete Paragraph 4(2).

(c) In Paragraph 4(3) delete "This section of the by-law shall not apply to travel undertaken on official City business." Replace with "Members of Council may be permitted to travel on official City business."

(d) Delete Paragraph 5(10).

(e) In Paragraph 5(12) delete "Council" and replace with "Chief Financial Officer".

(f) In Paragraph 5(13) delete "A copy of the City Councillor expense report Claim Form will be filed with the City Clerk;"

(g) In Paragraph 10 delete the heading "**DIRECTION TO COMMISSIONER OF FINANCE/TREASURER**". Replace with the heading "**CHIEF FINANCIAL OFFICER/TREASURER**".

(h) In Paragraph 10 delete "The Commissioner of Finance/Treasurer" and replace with "The Chief Financial Officer/Treasurer".

2. **EFFECTIVE DATE**

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

PASSED in open Council this 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

da STAFF\COUNCIL\BY-LAWS\2022\2022-71 AMEND ADMINISTRATION BY-LAW 2015-147.DOCX

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-72

ELECTIONS: A by-law to adopt a policy regarding the use of corporate resources during a municipal election.

THE COUNCIL of The Corporation of the City of Sault Ste. Marie pursuant to the *Municipal Act,* 2001 and amendments thereto enacts as follows:

1. **POLICY REGARDING THE USE OF MUNICIPAL RESOURCES DURING THE ELECTION CAMPAIGN PERIOD IS ADOPTED**

   The Corporation of the City of Sault Ste. Marie adopts the policies regarding the use of municipal resources during the election campaign period for the City of Sault Ste. Marie in the form of Schedule "A" attached hereto.

2. **SCHEDULE "A"**

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

3. **EFFECTIVE DATE**

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

PASSED in open Council this 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

da LEGAL\STAFF\COUNCIL\BY-LAWS\2022\2022-72 POLICY USE OF CORPORATE RESOURCES DURING A MUNICIPAL ELECTION.DOCX

Subject: Use of Corporate Resources for Election Purposes
Service Area: City Clerk
Source: Municipal Elections Act 1996
Date: April 11, 2022

Purpose:
The purpose of this policy is to clarify that all election candidates, including members of City Council, are required to follow the provisions of the *Municipal Elections Act, 1996* and that:

- No candidate shall use the facilities, equipment, supplies, services, staff or other resources of the City for any election campaign or campaign-related activities
- No candidate shall undertake campaign-related activities on City property except all-candidate forums sponsored by third parties
- No candidate shall use the services of persons during hours in which those persons receive any compensation from the City

This policy provides direction to candidates, third party advertisers, members of Council and all City staff on the administration of corporate resources with respect to election-related matters.

Definitions:
“Act” means the *Municipal Elections Act, 1996*, as amended, and includes any regulation made thereunder**.**

“Campaign Period – Candidates” begins the date a candidate files their nomination and ends on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election, unless the candidate applies to extend the campaign period. The campaign period also ends on the day a nomination is withdrawn, on nomination day if the nomination is rejected, or on the day the candidate files their financial statement. For federal and provincial elections the campaign period begins with the issuance of the writ through to voting day.

“Campaign Period – Third Party Advertisers” begins the date an individual, corporation or trade union is registered and ends on December 31 in the case of a regular election and 45 days after voting day in the case of a by-election, unless the candidate applies to extend the campaign period.

“Candidate” means a person who is running or has expressed an intention to run in a municipal, provincial or federal election, and shall be deemed to include a person seeking to influence other persons to vote for or against any candidate or any question or by-law submitted to the electors under section 8 of the Municipal Elections Act, 1996.

“City of Sault Ste. Marie” means The Corporation of the City of Sault Ste. Marie.

“Corporate Resources” includes but is not limited City of Sault Ste. Marie employees, events, funds, information and assets.

“Election Year” or “Election Period” means January 1 through to Voting Day during a regular municipal election year.

“Employees” includes full-time, part-time, and contract employees paid by the City of Sault Ste. Marie.

“Nomination Day” for a regular municipal election is the third Friday in August in the year of the election.

“Third Party Advertiser” means any individual, corporation or trade union registered in accordance with section 88.6 of the *Municipal Elections Act*, section 37.5 of the *Election Finances Act,* R.S.O. 1990, c.E.7, or section 353 of the *Canada Elections Act*, S. C. 2000, c. 9.

Legislative Authority:
It is necessary to establish guidelines regarding the appropriate use of corporate resources during an election period to protect the interests of both the members of Council and the Corporation. The *Municipal Elections Act, 1996* prohibits a municipality from making a contribution to a candidate. The Act also prohibits a candidate or someone acting on the candidate’s behalf from accepting a contribution from a person who is not entitled to make a contribution.

As a contribution may take the form of money, goods or services, any use by a member of Council of City resources for their election campaign would be viewed as a contribution by the City to the member which is a violation of the Act.

Application:
This policy applies to:

- Any acclaimed member of Council
- Any member of Council not seeking re-election
- Any member of Council seeking re-election
- Any other election candidate
- Any employee of the Corporation of the City of Sault Ste. Marie

Consistent with the City’s Code of Conduct and Computer Usage Policy and in accordance with the provisions of the *Municipal Election Act, 1996,* corporate resources, assets and funding shall not be used for any election-related purposes.

Technology Related Provisions:

Candidates, third party advertisers and members of Council shall not use corporate resources for any election-related purposes, including computers, cell/smart phones, tablets, printers, scanners, or other services such as email, internet, and file storage.

Websites or domain names that are funded by the City of Sault Ste. Marie shall not include any election-related campaign material or links to sites that feature election-related campaign material.

Links to external election campaign websites will not be posted during the campaign period.

Social media accounts hosted by members of Council are not sponsored by the City. Once a member of Council registers to be a candidate, all links to their Twitter, Facebook, and/or other social media accounts, as well as links to personal external websites will be removed from all City of Sault Ste. Marie web pages. In addition, any website activity such as a blog account for a member of Council will be deactivated and their page will be removed. Any election-related social media activity using City resources is prohibited.

In an election year, Mayor and Council biographies will remain static, and no changes to these pages will be allowed.

During the election period, Mayor and Council biographies on the municipal website shall be reduced to Council-related contact information only.

Candidates shall not create, print, publish sponsor or distribute any election campaign-related materials using municipal funds. This prohibition also applies to the use of any City equipment, facilities, social media or websites, if the access is City-sponsored/funded.

Photographs produced for and owned by the City of Sault Ste. Marie shall not be used for any election campaign-related purposes.

Photographs taken utilizing City equipment or sent through City accounts shall not be utilized.

Candidates and third party advertisers are not permitted to engage in election campaign-related activities directed at City employees while those employees are at their workplace or engaged in work for the City.

The City of Sault Ste. Marie’s voice mail system shall not be used to record election related messages nor shall the computer network, including the City of Sault Ste. Marie’s email system be used to distribute election related correspondence.

Where an incumbent member of Council has registered to be a candidate and subsequently receives election-related communications (for example phone calls or emails) through the City of Sault Ste. Marie’s voicemail system or computer network the member of Council is obligated to provide the individual with campaign-related contact information without embellishment.

Facilities Related Provisions:

Candidates and third party advertisers shall not campaign and/or distribute campaign literature during any event hosted by the City of Sault Ste. Marie, whether on municipal property or not.

Candidates and third party advertisers shall not use any municipally provided facilities for any election-related purposes unless rented in accordance with the City of Sault Ste. Marie rental procedures.

In accordance with the Election Signs By-law, no campaign related signs nor any other election-related material shall be displayed in any municipally owned facilities. Election signs are permitted to be placed in municipally-owned buildings that are leased to another person or entity.

Notwithstanding the ability to use the interior of any City-owned or run facility for election related purposes, if rented in accordance with the provisions noted above, no election-related activities, including campaigning and the distribution of campaign literature are permitted to take place inside or on the property of the City of Sault Ste. Marie Civic Centre.

Candidate debates maybe held at a City facility provided that all candidates or political parties for an office are invited to attend.

Communications Related Provisions:

Members of Council are responsible for ensuring that the content of any communication material, printed, hosted or distributed by the City of Sault Ste. Marie is not election campaign related.

Candidates and third party advertisers shall not print or distribute any election campaign related material using municipal funds. The City of Sault Ste. Marie will not distribute material, through electronic or non-electronic means which it determines is election campaign related.

The City of Sault Ste. Marie’s logo, crest, coat of arms, or slogan may not appear on any campaign materials whether electronic or printed. Other images or text that suggests

endorsement by the City are similarly prohibited. Links to the City’s election website using the link provided by the City Clerk is not subject to this prohibition.

Photographs produced for and owned by the City of Sault Ste. Marie shall not be used by candidates or third party advertisers for any election purposes.

No advertising paid for by the City of Sault Ste. Marie shall contain the name of a Councillor or the Mayor unless consistent with their duties as an elected official.

In a municipal election year, City of Sault Ste. Marie resources and budgets shall not be used to sponsor any advertisements, flyers, newsletters or householders from the day after Nomination Day up to and including voting day. This prohibition also applies to the use of any City of Sault Ste. Marie equipment, facilities or City-sponsored websites.

Employee Provisions:
Employees engaged in political activities must take care to separate those personal activities from their official positions. Employees may participate in political activity at the federal, provincial and municipal levels providing that such activity does not take place during normal working hours or use corporate assets, resources, or property. Notices, posters or similar material in support of a particular candidate, third party advertiser or political party are not to be produced, displayed or distributed by employees on City of Sault Ste. Marie work sites or property.

Employees shall not canvass or actively work in support of a municipal candidate, third party advertiser or party during normal working hours unless they are on a leave of absence without pay, lieu time, flex day, or vacation leave.

Employees shall not canvass or actively work in support of a municipal candidate, third party advertiser or political party while wearing a uniform, badge, logo or any other item identifying them as an employee of the Corporation, or using a vehicle owned or leased by the Corporation.

Employees wishing to run for federal, provincial or municipal office must request and obtain a leave of absence without pay and abide by the respective legislation governing such elections.

Limitation:
Nothing in this policy shall preclude a member of Council from performing their role as a Councillor nor inhibit them from representing the interests of the constituents who elected them.

Responsibilities:

The City Clerk (or designate) is responsible for communicating the policy to members of Council, candidates, third party advertisers and City staff.

Members of Council, candidates, third party advertisers and City employees are accountable to comply with this policy.

In accordance with the *Municipal Elections Act,* the City Clerk is authorized and directed to take the necessary action to give effect to this policy.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

BY-LAW 2022-73

AGREEMENT: A by-law to authorize the execution of the Extending Agreement between the City and Sault Ste. Marie Innovation Centre to amend the Lease Agreement for a portion of 99 Foster Drive to extend the termination date to April 30, 2023.

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 March 11, 2022 between the City and Sault Ste. Marie Innovation Centre, a copy of which is attached as Schedule “A” hereto. This Agreement is to amend THE Lease Agreement for a portion of Foster Drive to extend the termination date to April 30, 2023.

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 11th day of April, 2022.

MAYOR - CHRISTIAN PROVENZANO

CITY CLERK – RACHEL TYCZINSKI

da LEGAL\STAFF\COUNCIL\BY-LAWS\2022\2022-73 SSM INNOVATION CENTRE - EXTEND LEASE AGREEMENT - PART 99 FOSTER DRIVE.DOCX

SCHEDULE “A”

This Extending Agreement is made effective the 11th day of March, 2022.

BETWEEN:

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

(hereinafter referred to as the "Landlord")

– and –

SAULT STE. MARIE INNOVATION CENTRE

(Hereinafter referred to as "Tenant")

(Each a "Party/' and collectively, the "Parties")

WHEREAS the City and the Sault Ste. Marie Innovation Centre entered into a Lease Agreement on May 1, 2017 by By-law 2017-32; and amended the Lease on February 11, 2019 by By-law 2019-31;

AND WHEREAS the agreement is set to expire on April 30, 2022;

AND WHEREAS the parties wish to extend the termination date now to April 30, 2023;

NOW THEREFORE the parties agree as follows:

1. That paragraph 2 Term of Lease in the Lease Agreement be amended to read as follows:

   “The Term of this Lease shall commence on May 1, 2017 and shall be for a period of six (6) years, terminating April 30, 2023 with the option to extend as contained herein.”

2. The remaining paragraphs, terms and conditions of the Lease Agreement remain the same.

IN WITNESS WHEREOF, the Parties have executed this Amending Agreement effective as of the date written above.

THE CORPORATION OF THE CITY OF SAULT STE. MARIE

Per:

_____

MAYOR – CHRISTIAN PROVENZANO

_____

CITY CLERK – RACHEL TYCZINSKI

SAULT STE. MARIE INNOVATION CENTRE

Per:

_____

NAME:
TITLE:

_____

NAME:
TITLE:

I/We have the authority to bind the Corporation