

AGENDA

THE THIRTIETH MEETING OF THE ONE HUNDRED AND TWENTY-SIXTH COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS

COUNCIL CHAMBERS 6:00 P.M. CLOSED SESSION
CITY HALL 7:00 P.M. REGULAR SESSION SEPTEMBER 18TH, 2006

ROUTINE PROCEEDINGS AND GENERAL ORDERS OF THE DAY

OPENING PRAYER

DISCLOSURES OF INTEREST

MINUTES

DEPUTATIONS

COMMITTEE OF THE WHOLE

REPORTS OF COMMITTEES

PETITIONS AND COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

BY-LAWS

PUBLIC NOTICE

NOTICES OF MOTION

ADJOURNMENT

CLOSING PRAYER

THE LORD'S PRAYER

Alderman T. Johnston

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on September 11th, 2006.

DEPUTATIONS

Police Services Report

A representative of the St. Thomas Police Department will be in attendance to present the Police Services Report for the month of August 2006.

COMMITTEE OF THE WHOLE

Council will resolve itself into Committee of the Whole to deal with the following business.

PLANNING AND DEVELOPMENT COMMITTEE - Chairman H. Chapman

UNFINISHED BUSINESS

NEW BUSINESS

Application for Planning Act Approval to Convert Ownership of Existing 118 Apartment Rental Development to a Condominium Corporation - 104 Confederation Drive - 1525038 Ontario Inc.

Report PD-23-2006 of the Director of Planning. Pages 6 to 10

Application for Planning Act Approval to Convert Ownership of Existing 48 Apartment Rental Development to a Condominium Corporation - 20 Dunkirk Drive - D & B Developments

Report PD-24-2006 of the Director of Planning. Pages 11 to 15

Orchard Park Subdivision Street Names - Phase 1

Report CC-47-06 of the City Clerk. Pages 16 to 19

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman M. Turvey

UNFINISHED BUSINESS

Intersection of First Avenue and Edward Street

Intersection of Edward Street and Burwell Road

Road and Sidewalk Reserve Fund

NEW BUSINESS

Request for Proposal Award - No. R06-08-347 - Design, Contract Documents, Contract Inspection, and Administration - CASO/Talbot Street Rehabilitation Project

Report ES103-06 of the Manager of Operations & Compliance. Pages 20 to 28

Class Environmental Assessment - Twinning of Primary Water Transmission Main - Elgin Area Primary Water Supply System - Correspondence

A notice of study commencement has been received from Delcan Corporation and Lake Huron & Elgin Area Primary Water Supply Systems. Pages 29 to 30

Request for "Wear the Gear" Sign Placement - Elgin-St. Thomas Health Unit - Correspondence

A letter has been received from Katie Thrasher, Public Health Nurse, Injury Prevention, Elgin-St. Thomas Health Unit requesting that Council authorize the placement of "Wear the Gear" signs on municipal property. Pages 31 to 33

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman C. Barwick

UNFINISHED BUSINESS

Cash Advances & Expenses Reimbursement Report

St. Thomas Consolidated Courthouse Project - Police Facilities

Council Member Expenses

NEW BUSINESS

BUSINESS CONCLUDED

COMMUNITY AND SOCIAL SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

St. Thomas Community Centre - Deficiency List

St. Thomas Community Centre - Cost Analysis for Events Update

St. Thomas Community Centre Capital Campaign

St. Thomas Community Centre - Railings for Events

Report of the Director of Finance and City Treasurer to follow.

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES AND TRANSPORTATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Wellington Street/Stokes Road Intersection - Pedestrian Signal

Intersection of Manor Road and Chestnut Street

Leash Free Dog Park

Intersection of Chant Street and Lawrence Avenue

Bus Services to 1063 Talbot Street and Shopping Complex near Elm Street and Wilson Avenue

Request for Four-way Stop Signs - Intersection of White Street and Elizabeth Street

Transit System and CASO Station

NEW BUSINESS

BUSINESS CONCLUDED

REPORTS PENDING

ENVIRONMENTALLY SENSITIVE LAND USE - P. Keenan

REVIEW OF CITY BUS ROUTES - J. Dewancker

ALMA COLLEGE - Management Board

ROAD RESURFACING PROGRAM - BUDGET FORECASTS - J. Dewancker

COUNCIL

Council will reconvene into regular session.

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee - Chairman H. Chapman

Environmental Services Committee - Chairman M. Turvey

Personnel and Labour Relations Committee - Chairman D. Warden

Finance and Administration Committee - Chairman C. Barwick

Community and Social Services Committee - Chairman B. Aarts

Protective Services and Transportation Committee - Chairman T. Shackelton

A resolution stating that the recommendations, directions and actions of Council in Committee of the Whole as recorded in the minutes of this date be confirmed, ratified and adopted will be presented.

REPORTS OF COMMITTEES

PETITIONS AND COMMUNICATONS

Elgin Court Public School - Crosswalk & Signage Request

A letter has been received from Ms. Jackie Haskins, School Council Member, Elgin Court Public School, requesting that a crosswalk and appropriate signage be placed behind the school on Holland Street. **Page 34**

Waste Reduction Week - October 16 - 22, 2006 - Proclamation

A letter has been received from Greg McDonald, National Coordinator, Recycling Council of Ontario, requesting that Council proclaim the week of October 16th to 22nd, 2006 as "Waste Reduction Week" in the City of St. Thomas.

UNFINISHED BUSINESS

Minimum Maintenance Standards for Heritage Properties

NEW BUSINESS

BY-LAWS

First, Second and Third Reading

1. A by-law to confirm the proceedings of the Council meeting held on the 18th day of September, 2006.
2. A by-law to amend By-Law 50-88, being Zoning By-Law for the City of St. Thomas. (Removal of Holding Zone Symbol - Part Block 9, Concession 7 - Doug. Tarry Limited - 34T-05507).
3. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Calloway REIT (St. Thomas Inc.). (SPC 06-06 - 1063 Talbot St. - Building 'H' - Wendy's Restaurant)
4. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Bible Baptist Church (SPC 10-06 - 320 Highbury Avenue - Print Shop)

5. A by-law to amend By-Law 45-89, being the Traffic By-Law for the City of St. Thomas. (No Parking Zones - West side of Pullen Avenue from Aldborough Avenue to Elm Street and North side of Erie Street from Smith Avenue to First Avenue)

PUBLIC NOTICE

NOTICES OF MOTION

Management Board Reduction in Size

A notice of motion has been received from Alderman Cliff Barwick requesting that the new council (2006-2010) review the Management Board structure.

CLOSED SESSION

A resolution to close the meeting will be presented to deal with labour relations matters and a proposed or pending acquisition of land by the municipality.

OPEN SESSION

ADJOURNMENT

CLOSING PRAYER



**The Corporation of the
City of St. Thomas**

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Report No.: PD-23-2006

File No.: 34CDM-05501

Directed to: Chairman H. Chapman and Members of the
Planning and Development Committee

Date: September 11th, 2006

Subject: Application by 1525038 Ontario Inc. for Planning Act approval to convert the ownership of an existing 118 apartment rental development, located at 104 Confederation Drive, to a condominium corporation.

Department: Planning Department
Prepared by: Patrick J C Keenan, Director of Planning

Attachments:
- Appendix B - to Application form

RECOMMENDATION:

THAT: Report PD-23-2006 be received for information, and further;

THAT: The application by 1525038 Ontario Inc. for a Plan of Condominium comprised of 118 dwelling units located on Block E, Part Block D, Registered Plan 298, File 34CDM-05501, 104 Confederation Drive, be draft approved pursuant to Section 51 of the Planning Act, RSO 1990, as amended, subject to the conditions outlined in Report PD-23-2006.

PROPOSAL

McKenzie Lake Lawyers LLP, agent for 1525038 Ontario Inc., is seeking approval under Section 51, 51.1 and 51.2 of the Planning Act for the conversion of the rental property located at 104 Confederation Drive to a Condominium Corporation pursuant to the requirements of the Condominium Act 1998. No new development is proposed on the site. The existing floor plans and parking layout will remain in place. The effect of the application is to change the current ownership of the rental property to condominium ownership which would permit the sale of the individual apartment units.

The agent for the owner has indicated that the owner intends to continue renting the apartment units.

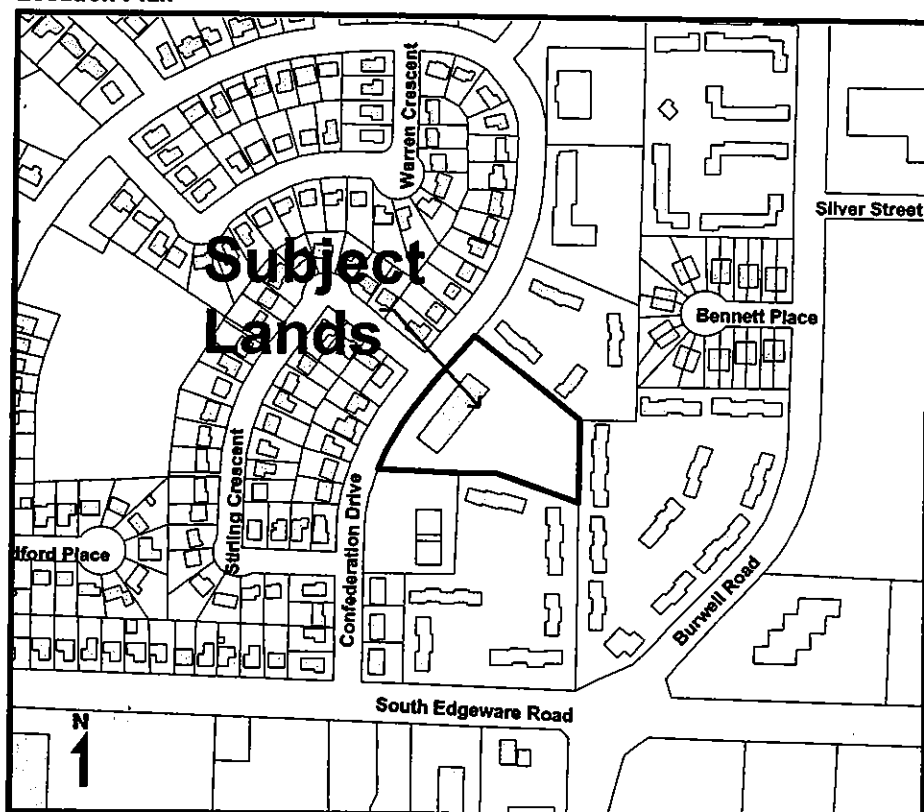
LOCATION AND DESCRIPTION OF THE SUBJECT PROPERTY

The subject property has an area of 0.39 hectares (.96 acres) and is located within the north-east section of the City of St. Thomas on the east side of Confederation Drive. Located on the property is an existing 10 storey apartment building containing 118 rental apartments comprised of 4 Bachelor Units, 38 1-Bedroom Units and 76 2-Bedroom Units. Constructed in 1978 the existing apartment building is the only building located on the site. An above ground parking garage was demolished in 1997-98 and the parking lot was reconstructed to provide a total of 137 surface parking spaces including 14 handicap spaces. Access to the site is from Confederation Drive.

No physical additions, enlargements or external changes to the existing building or property are proposed by the applicant.

Surrounding land uses are residential and include apartments, townhouses and single detached dwellings. The location of the property and the surrounding land uses are shown on the Location Plan.

Location Plan



Full municipal services are available to the property.

The subject property is legally described as being Block E, Part Block D, Registered Plan 298 and known municipally as 104 Confederation Drive, City of St. Thomas.

PLANNING POLICIES

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS) and staff note that the application to convert the existing building to Condominium ownership is consistent with the Policies of the PPS.

Official Plan Policies:

The subject property is designated, "Residential" on Schedule "A", Land Use Plan, of the City of St. Thomas Official Plan. The proposal conforms to the general policies of the Official Plan.

The Official Plan also provides Policy guidance in assessing the merits of proposed Condominium conversions under Subsection 6.2.11 (OPA #30).

The policies of the Official Plan respecting condominium conversions are intended to foster a healthy rental market within the City. To this end the policies identify the rental market vacancy rate as the trigger for considering a condominium conversion. The Official Plan policies require the following conditions be satisfied in support of an application: "The City shall consider the conversion of rental buildings to condominium tenure only when the vacancy rate in the City is above 3% for the past two CMHC rental surveys. If the conversion results in a vacancy rate below 3% then the conversions shall not be permitted."

The rental market vacancy rate is currently prepared by Canada Mortgage and Housing Corporation (CMHC) on an annual basis. At the time the Official Plan policy was approved, rental surveys were conducted twice yearly. Based on the published reports, the vacancy rate has been 4.8 and 4.3 for the preceding two annual reporting periods 2004 and 2005 respectively.

After consultation with the CMHC, staff have not been able to determine whether or not the removal of the subject property from the rental market will reduce the vacancy rate below 3%. CMHC has advised that vacancy information is confidential and it is not possible to determine the impact of the removal of one building on a rental market's overall vacancy rate.

Staff are satisfied that the Official Plan requirement for the reported vacancy rate to be above 3% for two reporting periods has been met. However, staff are unable to confirm whether or not the removal of these units will reduce the vacancy rate below 3%.

Zoning:

The subject property is located within the Fifth Residential Zone (R5) of the City of St. Thomas Zoning By-law 50-88. The subject property complies with Zoning By-law 50-88.

Site Plan Control:

The site is subject to a site plan control approval, application SPC 08-97, to permit the demolition of the parking garage and the reconstruction of the parking lot.

APPLICATION CIRCULATION AND AGENCY CONSULTATION:

The application process for applications for approval of a Condominium description requires the circulation of the proposal and supporting documentation to City Departments and outside agencies.

The application was circulated for comments to the following departments and agencies:

Department of Environmental Services, City of St. Thomas
Clerk, City of St. Thomas
Ontario Works
Municipality of Central Elgin
County of Elgin
Kettle Creek Conservation Authority
St. Thomas Energy Inc.
Union Gas Ltd.
Hydro One Networks Inc.
Ontario Power Generation Inc.
Bell Canada
City Solicitor
Fire Department, City of St. Thomas
Police Department, City of St. Thomas
London Regional Assessment Office
Rogers Cable

The following supporting documents have been submitted to the City for review as part of the application process:

- Rent / Tenant Information
- Plan of Survey
- Condition Assessment
- Phase 1 Environmental Assessment
- Mechanical Condition Evaluation
- Fire Code Retrofit Evaluation
- Fire Inspection Letter
- Mold Investigation
- Site Servicing Report
- CCTV Assessment
- Boiler and Pressure Vessel Certificate of Inspection

Circulation of the application and all supporting documentation for review and comment has been completed. The following agencies have provided comments on the application:

- Fire Department, City of St. Thomas
- Environmental Services Department, City of St. Thomas
- Kettle Creek Conservation Authority
- County of Elgin
- Police Department, City of St. Thomas
- Housing Administrator, Ontario Works
- Canada Post

The comments received, where required, will be incorporated into the draft conditions and will provide the basis for the recommended development agreement.

Departmental and Agency Comments:

- The Housing Administrator, Ontario Works, has expressed concern about the long term impact of condominium conversions on the supply of rental housing within the City. Specific issues identified include: loss of rental units; no guarantees that the owner will continue to rent units following conversion; and, a continual loss through conversion may have a cumulative detrimental impact on the provision of affordable housing. Suggested alternative actions include; placing a moratorium on conversions until comprehensive rental housing protection legislation is put in place; collaboration among departments to encourage new rental development and revising the Official Plan policies regarding condominium conversions.
- Planning and Housing staff are concerned that the use of the vacancy rate is not the appropriate policy trigger for assessing the impact of a conversion on the rental housing market. Ontario Works has engaged the services of La Pointe Consulting to undertake a Condominium Conversion Study to assess the impact of conversions on the rental housing market. This study will guide the development of recommendations for appropriate Official Plan policies for assessing future applications for condominium conversions (Report CR-06-07 of the July 17th, 2006 Council).
- Pursuant to subsection 9(4) of the Condominium Act 1998 the applicant has been required to engage a qualified consultant(s) to inspect the property and prepare a report(s) addressing matters including but not limited to: a life safety audit, structural, mechanical and site servicing. A list of the supporting documentation submitted by the applicant is noted above. The details of the work to be completed is contained in Appendix B to the subdivision/condominium application form and a copy of this appendix is attached to this report for information. Environmental Services have reviewed the report(s) submitted and are making recommendations to ensure that any identified deficiencies are rectified by the owner to ensure compliance with relevant codes and standards of the City. These works are to be completed prior to registration of the Condominium agreement.

TENANT PROTECTION

The City's application requests that the tenants be notified of the owner's application for conversion of the property to condominium ownership. The City is not yet in receipt of documentation that indicates that such notification has occurred.

The Planning Act does not require a notice of Public meeting for approval of a Condominium description.

The Tenant Protection Act while not specifically targeting conversions, provides protection for tenants if conversion does occur. If the application for condominium conversion is permitted it would not impact on the security of tenure of existing tenants. Under the Act, where a rental unit is converted to condominium, tenants who occupy a unit at the time of the conversion cannot be evicted on the basis that the owner of the unit requires personal use of the unit for themselves or a member of their family. Protection of this tenancy is in perpetuity as

long as the tenant resides in the unit. Once the tenant leaves any future tenant is not provided with security of tenure. In addition, if an offer is received on the unit by a third party, the original tenant has first right of refusal to match the offer. If the tenant elects not to purchase based on the first right of refusal, and the unit is purchased by a 3rd party, the tenant can remain in the unit in perpetuity.

FINANCIAL CONSIDERATIONS

The Treasury Department advises that the property is currently taxed at the “multi residential tax rate”. When the 118 units are converted to units in condominium ownership each unit will be taxed at the lower “residential tax rate”. At this time there is no information to determine the assessed value of the units following conversion or the tax impact resulting from the property changing tax classes.

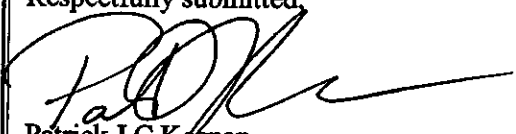
All costs associated with the approval of the condominium conversion are the ultimate responsibility of the owner. The owner will be required as a condition of approval to pay all the costs of the City associated with approval of the application including legal fees.

RECOMMENDATION FOR DRAFT APPROVAL

Planning Staff recommends approval of the condominium conversion for the property located municipally at 104 Confederation Drive, subject to the general conditions outlined below.

- That the owner enters into a subdivision agreement, pursuant to the authority of Section 51(26) of the Planning Act R.S.O. 1990, as amended, with the City of St. Thomas (Municipality) wherein the owner agrees to satisfy all the requirements, financial and otherwise, of the City of St. Thomas.
- That prior to final approval, the Owner/Applicant obtain all necessary permits and complete any outstanding work identified in the technical audit reports ensuring that the existing building on the subject site meet all requirements of the Ontario Building Code and Ontario Fire Code, and complies with the servicing standards of the City. Consideration may be given to address outstanding matters within the development agreement provided adequate security is provided to secure the costs of the works.
- That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority in a form satisfactory to the municipality or utility
- That the subdivision agreement between the owner and the municipality be registered against the lands to which it applies once the declaration and description have been registered.
- Prior to final approval and the registration of the declaration and description the owner shall ensure that declaration being submitted for registration contains a statement mentioning the conditions of this draft approval. A copy of the draft declaration shall be provided to the City for review prior to final approval.

Respectfully submitted,


Patrick J C Keenan
Director of Planning

Reviewed By: _____ _____ _____ _____
 Env. Services Treasury City Clerk Other



Corporation of the City of St. Thomas

Application Form - Subdivision/Condominium

Appendix B - Residential Condominium Conversion - Supporting Documentation Requirements

The following should be provided for applications involving the conversion of rental housing to Condominium tenure:

- a list containing the names and addresses of tenants in the rental property.
- rents in the property listed by unit number and type (i.e., bachelor, one bedroom)
- tenants in possession of the units notified of the application for a plan of condominium
- the number of rental units that tenants in possession of the units have indicated in writing they wish to purchase as condominium units.
- estimates of the selling prices for condominium units

Pursuant to subsection 9(4) of the Condominium Act 1998, the Approval Authority will require an applicant to have a person who holds a certificate of authorization within the meaning of the Professional Engineers Act or a certificate of practice within the meaning of the Architects Act or another qualified person, inspect the property and report to the Approval Authority. The report shall address the matters as set out below:

- a report prepared by an architect that provides a life safety audit of the building(s) to confirm that all life safety systems, such as fire separations, means of egress, exits, emergency, lighting, fire alarms, suppression systems, handrail guards, etc., are in place and functional to protect the occupants of the building. Further, the report is to address any building retrofit requirements under the Ontario Fire Code.
- a structural report prepared by a Professional Engineer to assess the structural adequacy of the building roof(s), balconies, parking structure, exterior veneer, windows, etc.
- a mechanical report prepared by a Professional Engineer to confirm that the building mechanical systems, such as HVAC, pumps, etc., are in good working order.
- an electrical report prepared by a Professional Engineer to confirm that the building electrical system(s) are in good working order.
- a site servicing report prepared by a Professional Engineer to document the condition of all site servicing, including any on-site underground services, stormwater management facilities, drainage and grading. The report must include a site plan and site servicing grading/drainage plan that documents the location and pertinent characteristics of each site feature.

Any deficiencies or works to be completed as noted in the above reports, in order that the building(s) and on-site services may comply with the applicable standards, will need to be rectified by the Property Owner prior to the registration of the condominium agreement. In this regard, the Declaration must include certificates by the above noted Architect and Professional Engineers to certify that all building components and site services comply with the applicable regulations and standards, and that all deficiencies and works to be completed, as documented in their reports, have been remediated and completed.



The Corporation of the City of St. Thomas

Report No.: PD-24-2006

File No.: 34CDM-06501

Directed to: Chairman H. Chapman and Members of the
Planning and Development Committee

Date: September 11th, 2006

Subject: Application by D& B Developments for Planning Act approval to convert the ownership of an existing 48 apartment rental development, located at 20 Dunkirk Drive, to a condominium corporation.

Department: Planning Department
Prepared by: Patrick J C Keenan, Director of Planning

Attachments:
- Appendix B - to Application form

RECOMMENDATION:

THAT: Report PD-24-2006 be received for information, and further;

THAT: The application by D& B Developments for a Plan of Condominium comprised of 48 dwelling units located on Lots 57 and 58, Plan 235; Lots 2, 3, 4, & 5 and Pt Lots 1 & 5 Block 40, Plan 65, File 34CDM-06501, 20 Dunkirk Drive, be draft approved pursuant to Section 51 of the Planning Act, RSO 1990, as amended, subject to the conditions outlined in Report PD-24-2006.

PROPOSAL

Siskinds, agent for D&B Developments, is seeking approval under Section 51, 51.1 and 51.2 of the Planning Act for the conversion of the rental property located at 20 Dunkirk Drive to a Condominium Corporation pursuant to the requirements of the Condominium Act 1998. No new development is proposed on the site. The existing floor plans and parking layout will remain in place. The effect of the application is to change the current ownership of the rental property to condominium ownership which would permit the sale of the individual apartment units.

LOCATION AND DESCRIPTION OF THE SUBJECT PROPERTY

The subject property has an area of 0.59 hectares (1.45 acres) and is located at the intersection of Dunkirk Drive and Fifth Avenue. Located on the property is an existing 4 storey apartment building containing 48 rental apartments comprised of 4 1-Bedroom Units, 41 2-Bedroom Units and 3 3-Bedroom Units. Constructed in 1978, the existing apartment building is the only building located on the site. Surface parking is provided at the rear of the building. Access to the site is from Dunkirk Drive.

No physical additions, enlargements or external changes to the existing building or property are proposed by the applicant.

Surrounding land uses are residential single detached dwellings and a commercial plaza to the south. The location of the property and the surrounding land uses are shown on the Location Plan.

Full municipal services are available to the property.

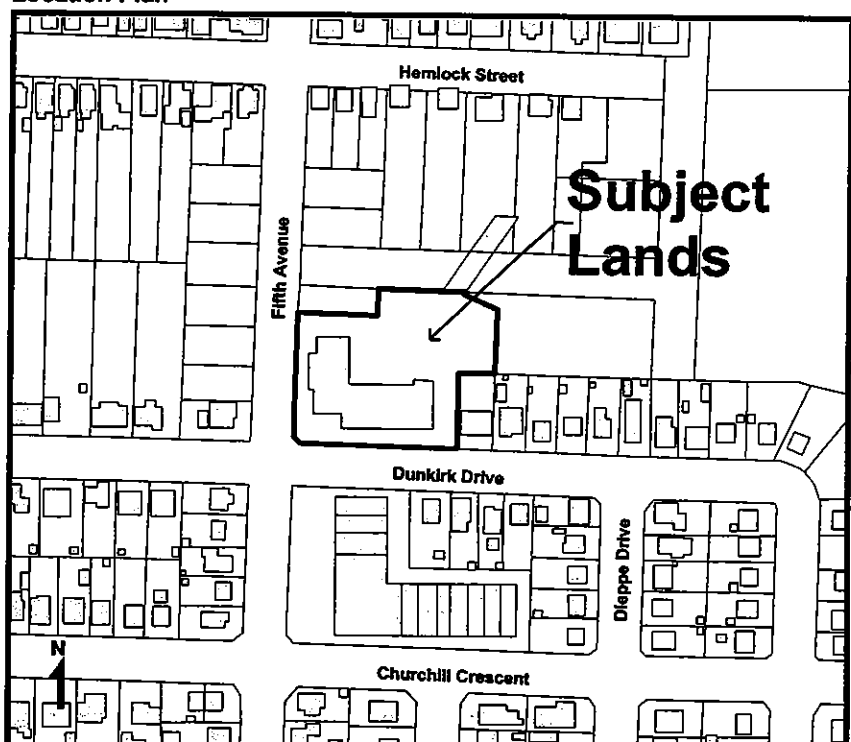
The subject property is legally described as being Lots 57 and 58, Plan 235; Lots 2, 3, 4, & 5 and Pt Lots 1 & 5 Block 40, Plan 65, City of St. Thomas.

PLANNING POLICIES

Provincial Policy Statement

The application has been reviewed with respect to the Provincial Policy Statement (PPS) and staff note that the application to convert the existing building to Condominium ownership is consistent with the Policies of the PPS.

Location Plan



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Official Plan Policies:

The subject property is designated, "Residential" on Schedule "A", Land Use Plan, of the City of St. Thomas Official Plan. The proposal conforms to the general policies of the Official Plan.

The Official Plan also provides Policy guidance in assessing the merits of proposed Condominium conversions under Subsection 6.2.11 (OPA #30).

The policies of the Official Plan respecting condominium conversions are intended to foster a healthy rental market within the City. To this end the policies identify the rental market vacancy rate as the trigger for considering a condominium conversion. The Official Plan policies require the following conditions be satisfied in support of an application: "The City shall consider the conversion of rental buildings to condominium tenure only when the vacancy rate in the City is above 3% for the past two CMHC rental surveys. If the conversion results in a vacancy rate below 3% then the conversions shall not be permitted."

The rental market vacancy rate is currently prepared by Canada Mortgage and Housing Corporation (CMHC) on an annual basis. At the time the Official Plan policy was approved, rental surveys were conducted twice yearly. Based on the published reports, the vacancy rate has been 4.8 and 4.3 for the preceding two annual reporting periods 2004 and 2005 respectively.

After consultation with the CMHC, staff have not been able to determine whether or not the removal of the subject property from the rental market will reduce the vacancy rate below 3%. CMHC has advised that vacancy information is confidential and it is not possible to determine the impact of the removal of one building on a rental market's overall vacancy rate.

Staff are satisfied that the Official Plan requirement for the reported vacancy rate to be above 3% for two reporting periods has been met. However, staff are unable to confirm whether or not the removal of these units will reduce the vacancy rate below 3%.

Zoning:

The subject property is located within the Fifth Residential Zone (R5-16) of the City of St. Thomas Zoning By-law 50-88. The subject property complies with Zoning By-law 50-88.

Site Plan Control:

The site is subject to site plan control however there is currently no site plan approval for the property.

APPLICATION CIRCULATION AND AGENCY CONSULTATION:

The application process for approval of applications for approval of a Condominium description requires the circulation of the proposal and supporting documentation to City Departments and outside agencies.

The application was circulated for comments to the following departments and agencies:

Department of Environmental Services, City of St. Thomas
Clerk, City of St. Thomas
Ontario Works
Municipality of Central Elgin
County of Elgin
Kettle Creek Conservation Authority
St. Thomas Energy Inc.
Union Gas Ltd.
Hydro One Networks Inc.
Ontario Power Generation Inc.
Bell Canada
City Solicitor
Fire Department, City of St. Thomas
Police Department, City of St. Thomas
London Regional Assessment Office
Rogers Cable

The following supporting documents have been submitted to the City for review as part of the application process:

- Rent / Tenant Information
- Plan of Survey
- Engineering Report
- Notice to Tenants Advising of Application

Circulation of the application and all supporting documentation for review and comment has been completed. The following agencies have provided comments on the application:

- Fire Department, City of St. Thomas
- St. Thomas Energy Inc.
- Municipality of Central Elgin
- Kettle Creek Conservation Authority
- County of Elgin
- Police Department, City of St. Thomas
- Housing Administrator, Ontario Works
- Canada Post
- John Sanders, City Solicitor

The comments received, where required, will be incorporated into the draft conditions and will provide the basis for the recommended development agreement.

Departmental and Agency Comments:

- The Housing Administrator, Ontario Works, has expressed concern about the long term impact of condominium conversions on the supply of rental housing within the City. Specific issues identified include: loss of rental units; no guarantees that the owner will continue to rent units following conversion; and, a continual loss through conversion may have a cumulative detrimental impact on the provision of affordable housing. Suggested alternative actions include; placing a moratorium on conversions until comprehensive rental housing protection legislation is put in place; collaboration among departments to encourage new rental development and revising the Official Plan policies regarding condominium conversions.
- Planning and Housing staff are concerned that the use of the vacancy rate is not the appropriate policy trigger for assessing the impact of a conversion on the rental housing market. Ontario Works has engaged the services of La Pointe Consulting to undertake a Condominium Conversion Study to assess the impact of conversions on the rental housing market. This study will guide the development of recommendations for appropriate Official Plan policies for assessing future applications for condominium conversions (Report CR-06-07 of the July 17th, 2006 Council).
- Pursuant to subsection 9(4) of the Condominium Act 1998 the applicant has been required to engage a qualified consultant(s) to inspect the property and prepare a report(s) addressing matters including but not limited to: a life safety audit, structural, mechanical and site servicing. A list of the supporting documentation submitted by the applicant is noted above. The details of the work to be completed is contained in Appendix B to the subdivision/condominium application form and a copy of this appendix is attached to this report for information. Environmental Services have reviewed the report(s) submitted and are making recommendations to ensure that any identified deficiencies are rectified by the owner to ensure compliance with relevant codes and standards of the City. These works are to be completed prior to registration of the Condominium agreement.
- The City Solicitor has advised that a portion of the lands subject to this application: encroaches onto City property (road allowance for Cherry Street), and benefits from an easement (for drains) across City property, granted by the City in 1979. Consideration should be given to altering the north boundary of the parking lot southward off City land and the transfer of the easement rights to the condominium corporation in the future.

TENANT PROTECTION

The City's application requests that the tenants be notified of the owner's application for conversion of the property to condominium ownership. The City is in receipt of documentation indicating that such notification has occurred.

The Planning Act does not require a notice of Public meeting for approval of a Condominium description.

The Tenant Protection Act while not specifically targeting conversions, provides protection for tenants if conversion does occur. If the application for condominium conversion is permitted it would not impact on the security of tenure of existing tenants. Under the Act, where a rental unit is converted to condominium, tenants who occupy a unit at the time of the conversion cannot be evicted on the basis that the owner of the unit requires personal use of the unit for themselves or a member of their family. Protection of this tenancy is in perpetuity as long as the tenant resides in the unit. Once the tenant leaves any future tenant is not provided with security of tenure. In addition, if an offer is received on the unit by a third party, the original tenant has first right of refusal to match the offer. If the tenant elects not to purchase based on the first right of refusal, and the unit is purchased by a 3rd party, the tenant can remain in the unit in perpetuity.

FINANCIAL CONSIDERATIONS


The Treasury Department advises that the property is currently taxed at the "multi residential tax rate". When the

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RECOMMENDATION FOR DRAFT APPROVAL

- That the owner enters into a subdivision agreement, pursuant to the authority of Section 51(26) of the Planning Act R.S.O. 1990, as amended, with the City of St. Thomas (Municipality) wherein the owner agrees to satisfy all the requirements, financial and otherwise, of the City of St. Thomas.
- That prior to final approval, the Owner/Applicant obtain all necessary permits and complete any outstanding work identified in the technical audit reports ensuring that the existing building on the subject site meet all requirements of the Ontario Building Code and Ontario Fire Code, and complies with the servicing standards of the City. Consideration may be given to address outstanding matters within the development agreement provided adequate security is provided to secure the costs of the works.
- That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority in a form satisfactory to the municipality or utility
- That the subdivision agreement between the owner and the municipality be registered against the lands to which it applies once the declaration and description have been registered.
- Prior to final approval and the registration of the declaration and description the owner shall ensure that declaration being submitted for registration contains a statement mentioning the conditions of this draft approval. A copy of the draft declaration shall be provided to the City for review prior to final approval.

Respectfully submitted,



Patrick J. Keenan

Patrick J C Keenan
Director of Planning

Env. Services

Treasury

City Clerk

Other



Corporation of the City of St. Thomas

Application Form - Subdivision/Condominium

Appendix B - Residential Condominium Conversion - Supporting Documentation Requirements

The following should be provided for applications involving the conversion of rental housing to Condominium tenure:

- a list containing the names and addresses of tenants in the rental property.
- rents in the property listed by unit number and type (i.e., bachelor, one bedroom)
- tenants in possession of the units notified of the application for a plan of condominium
- the number of rental units that tenants in possession of the units have indicated in writing they wish to purchase as condominium units.
- estimates of the selling prices for condominium units

Pursuant to subsection 9(4) of the Condominium Act 1998, the Approval Authority will require an applicant to have a person who holds a certificate of authorization within the meaning of the Professional Engineers Act or a certificate of practice within the meaning of the Architects Act or another qualified person, inspect the property and report to the Approval Authority. The report shall address the matters as set out below:

- a report prepared by an architect that provides a life safety audit of the building(s) to confirm that all life safety systems, such as fire separations, means of egress, exits, emergency, lighting, fire alarms, suppression systems, handrail guards, etc., are in place and functional to protect the occupants of the building. Further, the report is to address any building retrofit requirements under the Ontario Fire Code.
- a structural report prepared by a Professional Engineer to assess the structural adequacy of the building roof(s), balconies, parking structure, exterior veneer, windows, etc.
- a mechanical report prepared by a Professional Engineer to confirm that the building mechanical systems, such as HVAC, pumps, etc., are in good working order.
- an electrical report prepared by a Professional Engineer to confirm that the building electrical system(s) are in good working order.
- a site servicing report prepared by a Professional Engineer to document the condition of all site servicing, including any on-site underground services, stormwater management facilities, drainage and grading. The report must include a site plan and site servicing grading/drainage plan that documents the location and pertinent characteristics of each site feature.

Any deficiencies or works to be completed as noted in the above reports, in order that the building(s) and on-site services may comply with the applicable standards, will need to be rectified by the Property Owner prior to the registration of the condominium agreement. In this regard, the Declaration must include certificates by the above noted Architect and Professional Engineers to certify that all building components and site services comply with the applicable regulations and standards, and that all deficiencies and works to be completed, as documented in their reports, have been remediated and completed.



Corporation of the

City of St. Thomas

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Report No.
CC-47-06

File No.

Directed to: Chairman H. Chapman and Members of the Planning and Development Committee

Date
September 8, 2006

Department: City Clerks Department

Prepared By: Wendell Graves, City Clerk

Attachment
Report CC-41-06
Correspondence from
Doug Tarry Ltd. Aug.
31, 2006

Subject: **Orchard Park Subdivision Phase 1**

Recommendation:

THAT: Report CC-47-06 be received for information, and further,

THAT: the following street names be approved:

Street A – Peach Tree Boulevard
Street B – Cherry Blossom Lane
Street C – Pear Tree Avenue

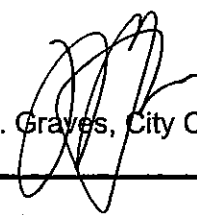
Background:

On August 21, 2006, Council approved a list of names for use in Orchard Park Subdivision as contained within Report CC-41-06.

As this development progresses, the Developer would like to now specify specific street names as shown on the attached map.

Circulation of the street names to the appropriate approval agencies has taken place and there have been no concerns raised.

Respectfully,


W. Graves, City Clerk

Reviewed By:

Treasury

Env Services

Planning

City Clerk

Comm Services

Other



Corporation of the

City of St. Thomas

-17-

Report No.

CC-41-06

File No.

Directed to: Chairman H. Chapman and Members of the Planning and Development Committee

Date

August 8, 2006

Department: City Clerks Department

Attachment

Prepared By: Wendell Graves, City Clerk

June 19, 2006
correspondence from
James Carrie, Doug Tarry
Limited

Subject: Orchard Park Subdivision Street Names

Recommendation:

THAT: Report CC-41-06 be received for information, and further,

THAT: Council approve the following street names to be used in the Orchard Park Subdivision development area:

Peach Tree Boulevard
Cider Mill Lane
Harvest Court
Majestic Court
Bridle Path
Pear Tree Avenue

Background:

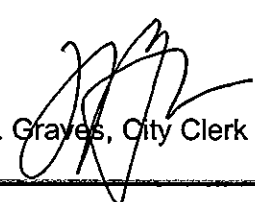
Currently, Doug Tarry Ltd. is preparing to develop the residential area of Orchard Park.

As Council is aware, the planning process is underway to provide subdivision approval for the development.

The Developer would like to pursue the marketing of the area including the production of marketing material. As such, he is requesting approval for the subject street names.

The street names have been circulated to the appropriate departments and to the Municipality of Central Elgin for review.

Respectfully,


W. Graves, City Clerk

Reviewed By:

Treasury

Env Services

Planning

City Clerk

Comm Services

Other

-18-

Doug Tarry LTD.

New Home Construction & Land Development

The Corporation of the City of St. Thomas
P.O. Box 520
545 Talbot Street
St. Thomas, Ontario
N5P 3V7

August 31, 2006

Attention: Wendell Graves, City Clerk

RE: Orchard Park Subdivision File #34T05507, Doug Tarry Limited Street Names

Dear Sir:

Following council approval on August 21, 2006 of the street name list submitted by Doug Tarry Limited for Orchard Park Phase I, please be advised Doug Tarry Limited has chosen the following names to replace Streets 'A', 'B' and 'C':

Street 'A' will be named Peach Tree Boulevard;
Street 'B' will be named Cherry Blossom Lane;
Street 'C' will be named Pear Tree Avenue.

Sincerely,



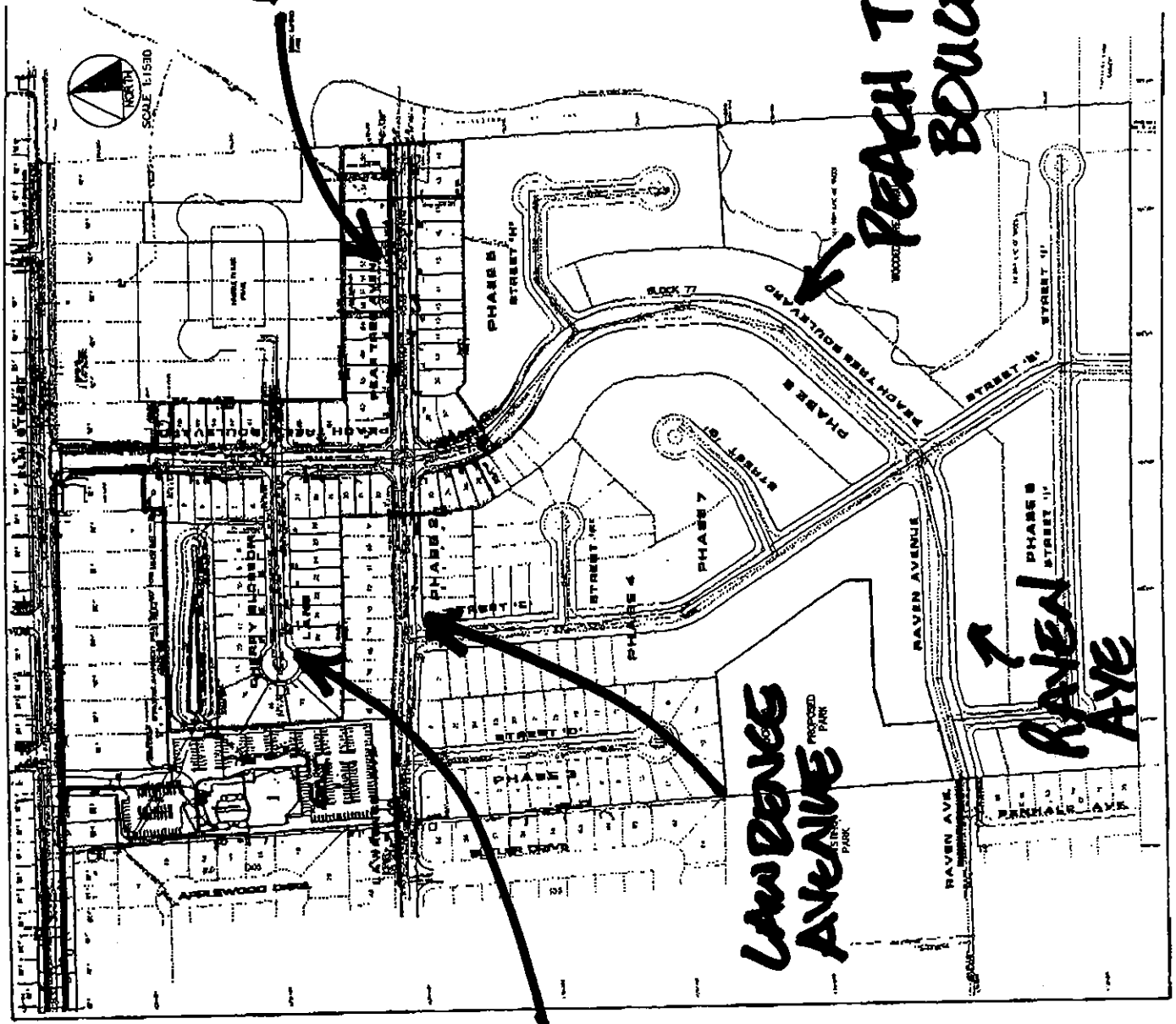
Greg Tarry



Awarded by the Ontario New Home Warranty Program

358 Elm Street, St. Thomas N5R 1K1
519-631-9300 Fax 519-631-3583







Corporation of the

City of St. Thomas

Report No.

ES103-06

File No.

08-347

Directed to:

Chairman Marie Turvey and Members of the Environmental Services Committee of Council

Date

September 18, 2006

Department:

Environmental Services

Attachment

Report ES45-06

Prepared By:

Ivar Andersen, Manager of Operations & Compliance

Subject:

Request for Proposal Award – No. R06-08-347

The Design, Contract Documents, Contract Inspection & Administration of the CASO/Talbot Street Rehabilitation Project

RECOMMENDATIONS

It is recommended that:

1. Report No. ES103-06 be received for information,
2. Council accept the proposal submission of Earth Tech Canada Inc. in the amount of \$75,200 plus GST for design, contract documents, inspection and contract administration of the CASO/Talbot Street Rehabilitation project,
3. The source of funding is the Provincial Move Ontario allocation for the City of St. Thomas.
4. A bylaw be prepared to authorize the execution of a Consulting Services agreement between Earth Tech Canada and the City of St. Thomas.

Origin

In April of 2006 Council approved Report ES45-06, attached, which authorized utilizing \$600,000 of the Move Ontario funding allocation for the City of St. Thomas for the CASO/Talbot Street Bridge Rehabilitation project. As a result, a Request for Proposal was issued to pre-qualified area consultants to provide design, contract documents, inspection and contract administration of the CASO/Talbot Street Rehabilitation project.

The Request for Proposal closed at 2 p.m. on Thursday September 7, 2006.

Analysis

The following is a breakdown of submitted prices;

Bidder Number	Bidder	Proposal Cost Excluding GST
1	Earth Tech Canada Inc.	\$75,200.00
2	Stantec Consulting Ltd.	\$110,000.00

After the public opening, the proposals were checked for mandatory response requirements and calculation errors. Purchasing and Environmental Services staff has reviewed the proposals and recommend award to the low bidder, Earth Tech Canada Inc.

It is anticipated that the design of the project will be completed in the fall and winter of 2006/2007 and that construction will take place early in 2007. Once tenders have been called and received for the construction of the project, a further report to Council will be issued recommending the successful contractor.

Financial Considerations:

City Council allocated \$600,000 of the Move Ontario funding for the design and construction of this project out of a total Move Ontario allocation to the City of St. Thomas of \$1,412,434.

Respectfully,

Ivar Andersen, Manager of Operations & Construction
Environmental Services

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

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Report No.

ES45-06

File No.

08-321

Directed to: Chairman Marie Turvey and Members of the Environmental Services Committee

Department: Environmental Services

Prepared By: Brian Clement, Manager of Engineering

Subject: Project Recommendations for Move Ontario Roads and Bridges Funding

Date

April 11, 2006

Attachment

Report No. ES44-06

Recommendation:

It is recommended that:

1. Report No. ES45-06 be received for information, and
2. That Council approve the expenditure of \$1,412,434 from one-time grant monies already received under the Move Ontario funding initiative to implement the recommended list of municipal roads and bridges projects.

Origin:

The City of St. Thomas received a one-time funding grant of \$1,412,434 on March 30, 2006 under the Move Ontario initiative for investment in municipal roads and bridges. The City is allowed to determine their own priorities for roads and bridges projects.

At the April 10, 2006 meeting, Council approved Report ES44-06 by the Director of Environmental Services outlining suggested categories of projects, and that a detailed cost summary of such candidate projects be prepared.

Analysis:

The following projects are being recommended for implementation through the use of the subject funds made available to the City of St. Thomas.

1. Talbot Street/CASO Bridge (estimated cost \$600,000)
Implement Option 1 rehabilitation of existing bridge from 2004 Class Environmental Assessment Study. Work included deck repairs and waterproofing, rehabilitation of all deteriorated/spalled concrete areas, abutment repairs and railing replacement. A consultant engineer will need to be hired to reconfirm study findings and prepare drawings/tender documents.
2. Bridge Study Update (estimated cost \$8,000)
The City's bridge infrastructure information is located on a web-based server maintained by Engineered Management Systems. The proposed allocation for 2006 will update this information that will be used as a guide for future maintenance activities on the City's bridge infrastructure.
3. CP Rail Crossing on Talbot Street (estimated cost \$15,000)
CP Rail will be releveling their crossing on Talbot between First and Burwell in 2006. This proposed allocation would fund the material cost of railseals to be installed along the tracks. These rubber flanges prolong the performance and life of the asphalt/track interface at railway crossings. CP Rail will pay for labour costs associated with this railseal installation.
4. Conversion of Traffic Signal Lights to Light Emitting Diodes (estimated cost \$149,500)
The original request of \$200,000 for this project was reduced to \$50,500 in the 2006 Part Two capital budget approval. However this project is considered to be a very worthwhile initiative and the remaining funding is required, since LED lights create a very significant energy savings (8,000 kwh/intersection/year), they last up to 10 times longer and therefore create a cost savings of \$400/intersection/year and a significant reduction in maintenance costs.
5. Traffic Signal Controllers Replacement (estimated cost \$100,000)
Replacement of six or seven aged and potentially unreliable traffic controllers is required, which includes installation by St. Thomas Energy Inc. Delcan recommended this work in the 1999 Signal Warrant and Optimization Review report prepared for the City. The priority locations are: Talbot at Hiawatha, Talbot at Manitoba, Wellington at Fairview, First at Elm, Elm at Fairview, Sunset at Fingal, and Talbot at Sunset/Wellington.
6. Road Resurfacing by Slurry Seal Application (estimated cost \$58,275)
Slurry seal is a low cost paving and surface maintenance procedure, which should significantly extend the life of existing pavements. It corrects surface cracking, raveling, loss of matrix, and increases water and air permeability, as well as reducing slipperiness. It should provide an all-weather, long-lasting surface that offers skid resistance and improved handling characteristics for drivers.

Two candidates are being recommended for this new City initiative due to considered suitability (subject to confirmation) of base pavement structure:

Talbot – First to Yarmouth (\$43,050)

Edward – Barrie to Gaylord (\$15,225)

7. Road Resurfacing by Pulverize and Pave Method (estimated cost \$481,659)

The City has used the pulverize and pave rehabilitation method in the last four years exclusively, as opposed to the shave and pave method, to extend the service life of existing roads. It offers an opportunity to improve the base pavement structure by using the existing materials on the site. It can defer more costly complete road reconstructions by adding 10 to 15 years of pavement life with minimal maintenance.

Four candidates are recommended:

Elm – Mandeville to Rapelje (\$222,268) including curb work

Elgin – Talbot to Wellington (\$155,726) including curb work

Princess – Centre to Wellington (\$106,512) including curb and sidewalk work

Princess – Wellington to Rosebery (\$72,276) including curb and sidewalk work

These four candidates are all rated red as deficient for roads, and are considered as significant in the City's transportation network. There are underground infrastructure needs on these road sections, however upgrading will be stalled, and not take place for at least 10 years.

It should be noted that further field investigations are required prior to tendering these candidates to check existing asphalt and granular depths, conducting surveys to determine the extent of curb, sidewalk, driveway, and boulevard reconstruction work required, as well as confirming grades to ensure positive roadway drainage.

The above-noted road resurfacing cost estimates have been developed using projected tender prices. The exact project listing and requirements will vary depending on actual tender results. Contractors are expected to be very busy satisfying all area municipalities for this grant program, which might drive up unit prices. Although the total \$556,782 of these four projects exceeds the remaining amount by \$75,123, the last project would be included in the tender as a Provisional item.

Three other road candidates, also rated red as deficient, at total estimated cost of \$107,470 can also be considered if tender prices are favorable, or if other categories experience reduced costs:

Hincks – Talbot to Centre (\$25,641)

Metcalfe – Talbot to Centre (\$25,641)

Southwick – Talbot to Centre (\$56,188) including curb and sidewalk work

Roads rated as Deficient or Poor planned for improvement in next 5-year Capital Budget Program

These projects are considered as integrated meeting a number of above- and under-ground infrastructure needs within the right-of-way. Funding is assumed to be available from all reserves and any other programs, e.g. gas tax (with proof of sustainability).

Street	From	To
Manitoba	Kains	Barwick
Wellington	Elgin	Princess
Elgin	Wellington	Rosebery
Inkerman	Edward	Hwy 3
Oliver	College	Leila
College	Oliver	Ross
Myrtle	First	Ravine
First	Elm	Intersection
Edward	Burwell	Intersection
Talbot	Fairview	Centennial
Hiawatha	Scott	Owaissa
Jackson	Scott	northerly
Manor	Highview	Wellington
White	Mitchell	Elizabeth
Wellington	Stanley	Elgin
East Pearl	End	Elysian
Southwick	Wellington	Rosebery
Erie	Ross	Fourth
Chestnut	First	Third
Old Talbot	Sunset	Stanley
Alexandria	Talbot	Redan
Stanley	Sunset	Victoria
Queen	Centre	Wellington
S. Edgeware	Burwell	Harper
Hepburn	Elm	Gliddon
Arthur	Talbot	Redan
Redan	Inkerman	First
Chestnut	Ross	Churchill
Flora	Baldwin	Barwick
Fairview	Elm	Axford

Roads rated as Deficient or Poor planned for improvement as Road Resurfacing candidates in 2007 and in subsequent years, or as an Integrated Needs Project "beyond" 5-year Capital Budget Program

This partial list of road sections need further evaluation and decision-making for a number of reasons, which include:

The updated Water Needs and Financial Study to be completed in 2006.

The Elgin Street/Wellington Street Storm Water Drainage Area study to be completed in 2006 to determine trunk sewer locations and outlets to either Mill or Kettle Creeks.

Annual ratings for 2006 are conducted jointly by Operations and Engineering staff for existing condition of roads, curb/gutters, sidewalks, watermains, sanitary sewers, and storm sewers. This also involves CCTV of existing sewers, hydrant flushing and flow testing of existing watermains, and exercising of existing water valves.

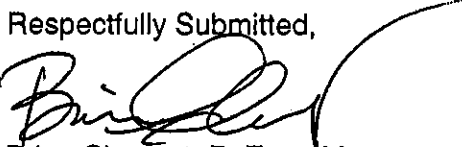
The estimated costs of these road sections, just for resurfacing, including some curbs and sidewalks, and not addressing other needs is in the order of \$3,640,000.

Street	From	To
Meehan	Elm	Churchill
Flex-O-Lite	S. Edgeware	Hwy 3
Forest	Fifth	First
Talbot	Stanley	St George
Elm	First	Holland
Burwell	Talbot	Edward
Woodworth	Talbot	Malakoff
Coyne	Churchill	Churchill
N/S Frances	Pullen	End
Gladstone	Elgin	Princes
Hemlock	Fifth	End
Hincks	Rosebery	Centre
Hughes	Kains	CNR
Inkerman	Talbot	CNR
Mondamin	Talbot	Scott
Pearl	Scott	End
Simcoe	First	Churchill
Brant	First	Churchill
Alma	Nolan	Hwy 3
Amelia	Moore	Ross
Churchill	Elmina	Coyne
Elysian	W Pearl	East
Ermatinger	Churchill	Montgomery
Fourth	Erie	Locust
Hiawatha	Curtis	North End
Elm	Mandeville	Pinafore Park
Locust	Ross	Fourth
Major	Sunset	Tracks
Mandeville	Hepburn	Wood
Meda	St Catherine	Hiawatha
Miller	Redan	CNR
Montgomery	Churchill	West End
Penwarden	Scott	Jessie
St Catherine	Eagle	North End
St George	Talbot	Curtis
Stanley	Centre	St Annes
Trafalgar	Nelson	Woodworth
Ukranian	Nelson	Woodworth
Weldon	Inkerman	Woodworth
White	Centre	Mitchell
Wolfe	Flora	Hughes

Financial Considerations:

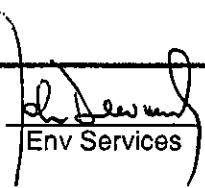
Monies are immediately available from the Treasury Department to fund the projects listed in items 1 to 7, inclusive, to a combined total of \$1,412,434.

Respectfully Submitted,


Brian Clement, P. Eng., Manager of Engineering
Environmental Services

Reviewed By:

Treasury


Env Services

Planning

City Clerk

HR

Other



Corporation of the

City of St. Thomas

-25

Report No.

ES44-06

File No.

08-332

Directed to:

Ald. Marie Turvey, Chair and Members of the Environmental Services Committee of Council

Date

April 4, 2006

Department:

Environmental Services

Prepared By:

John Dewancker, Director

Attachment

- Notice of Payment by the Province of Ontario of a one-time funding for Roads and Bridges under the Ontario Move initiative
- Excerpt from Website referencing the initiative in the Ontario 2006 budget

Subject:

Move Ontario – Roads and Bridges Funding

Recommendation:

- That the payment by the Province of Ontario of a one time investment of \$1,412,434 to the City of St. Thomas under the Move Ontario initiative be used to fund the municipal roads and bridge projects as outlined in report ES44-06.
- That a detailed cost summary of these municipal roads and bridge projects be prepared for report back and approval by City Council.

Origin

On March 30, 2006, the City of St. Thomas received a one-time grant of \$1,412,434 under the Move Ontario initiative for City roads and bridges.

Analysis

Upon review of the attached announcement and Notice of Payment by the Province and the preliminary understanding that the proposed funds need to be used by the benefitting Municipalities in the near future (1 year subject to confirmation) the following projects are being recommended for implementation through use of the funds that are being made available to the City under the Move Ontario initiative.

1. Talbot Street/CASO Bridge – Rehabilitation of the existing bridge

A Class Environmental Assessment Study project was completed during 2004. The following options were reviewed in detail as part of this study project

- Rehabilitation of the existing bridge
- Removal of the bridge deck and replacement with an earth embankment and pedestrian walkway culvert.
- Removal of the entire bridge and the lowering of the Talbot Street road profile on both bridge approaches to create a level crossing of Talbot Street at the CASO corridor.

As confirmed through the preparation of previous reports to City Council, to-date the implementation of option 2., as the preferred alternative, has been pursued by the City. The preference of this option has been based primarily on the opportunity to eliminate a bridge structure from the City's bridge inventory, thereby avoiding future bridge repair and maintenance costs. However, the approval by CN/CP, as owners of the CASO property, has not been forthcoming and also, the cost estimate of this option has risen significantly during the preparation of the final engineering design of this option.

As a result and to achieve a due diligence action on the part of the City, as owner of this deteriorating bridge structure, it is recommended that the implementation of option 1 noted above be pursued and that a component of the Move Ontario funds be allocated towards the rehabilitation of this bridge (deck repairs including waterproofing, rehabilitation of all deteriorated/spalled concrete areas, abutment repairs and railing replacement).

2. Road Resurfacing Projects

Report E23-06 provided Council with an overview of the current roadway resurfacing needs (27km of roads rated as deficient and 26km of roads rated as poor). As requested by Council, Environmental Services Staff is currently preparing a supplementary detailed list of road

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- i. Road resurfacing only
- ii. Road reconstruction integrated with other capital infrastructure needs
- iii. Road reconstruction integrated with other capital infrastructure needs, BUT at least 10 to 15 years away due to any restrictions, such as funding limitations or issues such as lack of a storm outlet. Therefore the road resurfacing project should proceed now due to the deficient roadway conditions.

The list of road resurfacing projects that will be recommended for implementation and funding under the Move Ontario initiative will be sourced from the above noted categories 1 and 3 projects.

3. Conversion of the City's traffic signal lights to LED (light emitting diodes)

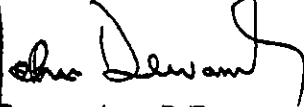
This project was included in the 2006 capital budget submission (Part 2). The original request of \$200,000 was reduced to \$67,000, however it would be very worthwhile to increase the currently approved funding amount, using this Provincial funding source, since the LED lights create a very significant energy savings (8,000 kwh/intersection/year), they last up to 10 times longer and therefore create a cost savings of \$400/intersection/year and a significant reduction in maintenance costs. The overall pay back period of this energy savings investment is in the order of 3.5 years

4. Replacement of aged and unreliable traffic controllers at signalized Intersections

As reported previously, there continues to be a backlog of traffic controllers that need to be replaced to enhance system reliability. A portion of the Provincial funds would assist with the replacement of such controllers.

Upon review by Council of the above suggested categories of projects which would benefit from the Provincial investment funds that are being made available under the Move Ontario initiative and subject to the receipt of any other suggested category of projects by the Members, the concurrence with the above noted outline of project types is respectfully requested. Upon receipt of Council's concurrence, an itemized list of the individual projects, including project locations and cost estimates will be prepared for approval at the Council meeting of April 18, 2006.

Respectfully Submitted,



John Dewancker, P.Eng.,
Director, Environmental Services

Reviewed By:



Treasury

Env Services

Planning

City Clerk

HR

Other

-27-

Roads and Bridges Funding
March 2006 Notice of Payment



Ontario

City of St Thomas

CC: J.D. 44101
rec'd MARCH 30/06

One-time Roads and Bridges Funding

\$1,412,434

Note

Under Move Ontario, the government is making an immediate, one-time investment of \$400 million to help municipalities primarily outside of the GTA - with emphasis on rural and northern communities - invest in municipal roads and bridges. Municipalities will determine their own roads and bridges priorities.

Key Data Inputs

Population
RSCM

33,236
0.0%

Data Sources

Population 2001 Census, Statistics Canada.

RSCM The Rural and Small Community Measure represents the proportion of a municipality's population residing in areas classified by Statistics Canada as being rural or small communities.

The McGuinty government's third Budget continues to strengthen Ontario's economic advantage by strengthening its people and investing in their priorities.

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Highlights of the 2006 Budget include:

- Move Ontario — a new \$1.2 billion investment in transit, roads and bridges;
- No new taxes or tax increases;
- Investing an additional \$1.9 billion in health, including increasing the number of Family Health Teams and reducing wait times;
- \$30 million by 2008-09 to fund the purchase of insulin pumps and related supplies for about 6,500 children with Type 1 diabetes;
- \$7 million annually to enhance newborn screening and support the creation of a new screening facility at the Children's Hospital of Eastern Ontario;
- Expanding breast screening for women between ages 50 and 74;
- An additional \$218 million in 2006-07 to help at-risk youth and vulnerable adults and families;
- Ensuring more postsecondary students qualify for upfront grants by doubling the family income threshold for a family with two children to \$75,000;
- Covering the full cost of books for 138,000 students — 75 per cent of all student aid recipients;
- Increasing funding for school boards in 2006-07 by \$424 million to help support smaller JK to Grade 3 class sizes and higher literacy and math scores for Grades 3 and 6
- A projected interim deficit of \$1.4 billion for 2005-06, down 75 per cent from the \$5.5 billion inherited in 2003-04. The budget will be balanced in 2008-09 at the latest, or a year earlier if the reserve is not required.

Move Ontario: Strengthening Ontario's Transportation Infrastructure

- Move Ontario, a new \$1.2 billion investment in transit, roads and bridges, including:
- \$400 million for municipal roads and bridges — primarily outside the GTA — with emphasis on rural and northern communities;
 - \$670 million to allow Toronto and York Region to extend the subway to the Vaughan Corporate Centre at Highway 7;
 - \$95 million to allow Brampton to make dedicated bus lanes available through the Brampton AcceleRide project;
 - \$65 million to allow Mississauga to develop the Mississauga Transitway, a separate bus right-of-way with 14 stations;
 - \$7 million for the planning of Phase II of VIVA Transit in York Region;
 - \$1 million towards an environmental assessment relating to the future of the Scarborough subway.

Other Investments Include:

- Improved border crossings — \$300 million in the Windsor Gateway and \$323 million in Niagara and Sarnia;
- A total of \$3.4 billion for highways in southern Ontario and \$1.8 billion for highways in northern Ontario.

A Strong Economy

Almost 200,000 net new jobs have been created in Ontario since October 2003. The 2006 Budget builds on Ontario's economic strength through:

- The intention to eliminate the capital tax sooner — in 2010 — if the fiscal plan allows, starting with a proposed five per cent rate cut in 2007 — two years earlier than planned;
- Investing \$1.7 billion in research and commercialization over five years through the new Ministry of Research and Innovation;
- The \$6.2 billion Reaching Higher investment in postsecondary education;
- Creating a \$2.1 billion Jobs and Skills Renewal Strategy to expand services for the unemployed, underemployed, new Canadians, the working poor and social assistance recipients;
- Support for entertainment and cultural industries, including \$49 million in capital support for major cultural agencies, plus proposals to improve tax credits;
- Targeting investments to other key sectors, including forestry, mining and agriculture;
- Support for municipalities, through Move Ontario, plus \$2.4 billion in low-cost, long-term loans, \$300 million to support land ambulance services and more than \$1.4 billion in gas tax revenues over five years;
- The government's comprehensive energy plan, which provides for one of North America's most ambitious building programs for electricity generation, adding 11,000 megawatts of supply and conservation over the next five years;
- Support for manufacturing through the Ontario Automotive Investment Strategy and \$500 million through the Advanced Manufacturing Investment Strategy.

<http://www.ontariobudget.ca/english/index.html>



Notice of Study Commencement
EA 4024 / EM 3525- Elgin Area Primary Water Supply System
Class Environmental Assessment
Twinning of Primary Transmission Main



**CLASS ENVIRONMENTAL ASSESSMENT
TWINNING OF PRIMARY WATER TRANSMISSION MAIN
ELGIN AREA PRIMARY WATER SUPPLY SYSTEM**

NOTICE OF STUDY COMMENCEMENT

The Elgin Area Primary Water Supply Systems, c/o the Regional Water Supply Division, City of London, has retained Delcan Corporation to conduct an environmental study of alternative options for augmenting the municipal water supply from Lake Erie to the Terminal Reservoir and Pumping Station near St. Thomas. The study area includes a wide corridor of lands from the east side of St. Thomas southward to the Elgin Area Water Treatment Plant on Dexter Line just north of the Lake Erie Shoreline. The project will include the proposed future twinning of the existing water supply main, potentially within the existing easement corridor, or within such other alignment as is to be determined by the study. The proposed additional water supply is required to meet anticipated demand for potable water consumption within Elgin Area Primary Water Supply System servicing area, including the City of St. Thomas, parts of Elgin County, and the City of London.

Preliminary conceptual alternatives for solving the problem of providing additional municipal water supply to meet future demands which could be investigated include:

- twinning the existing 750mm water main pipeline entirely within the existing pipeline easement;
- creating a new alignment for a new pipeline entirely outside the existing pipeline easement, roughly following a similar north-south alignment;
- utilizing the existing pipeline easement as much as practical and re-aligning the sections of the new pipeline to avoid potential environmentally sensitive areas;
- augmenting municipal water supply from sources of water other than the Elgin Area Water Treatment Facility;
- a combination of elements of the above schemes;
- do nothing to provide additional municipal water supply to the Terminal Reservoir and Pumping Station.

The study process will follow the planned and design process of the 'Municipal Class Environmental Assessment' for municipal water servicing projects, which was approved under the Environmental Assessment Act. Public Information meetings are planned for this study and the public will be notified of such public meetings by advertisements in the London Free Press and St. Thomas Times-Journal. Following the study, an Environmental Study Report will be prepared and made available for a 30 day public review period.

The study team is interested in hearing from anyone with interests in the study area or if you have any concerns or comments that relate to the project. Comments regarding this study are being collected to assist the study team in meeting the requirements of the Municipal Class Environmental Assessment process.



Notice of Study Commencement
EA 4024 / EM 3525- Elgin Area Primary Water Supply System
Class Environmental Assessment
Twinning of Primary Transmission Main



Elgin Area
Primary Water Supply System

Please direct any comments or questions to the following:

Mr. Ken Hodges, Project Manager

Delcan Corporation
1069 Wellington Road South
London, Ontario N6E 2H6
Tel.: (519) 681-8771
Fax.: (519) 681-4995

Email: K.hodges@delcan.com

or

Mr. Brian Lima
Lake Huron & Elgin Area Primary Water Supply Systems
29 Kilworth Park Drive
RR5 Komoka, Ontario N0L 1R0
Tel.: (519) 661-2500 XT 2714
Fax: (519) 474-0451

Email: watersupply@london.ca

Further information on this project will be posted at the following website:
www.watersupply.london.ca.

This Notice is issued on August 8th, 2006.

Estimated cost \$ 37 M (ES-14-04)
~ Source of funding?



**elgin
st.thomas
health unit**

99 Edward Street
St. Thomas, Ontario
N5P 1Y8

Telephone: (519) 631-9900
Toll Free Telephone: 1-800-922-0096
Fax: (519) 633-0468
www.elginhealth.on.ca

Alderman Marie Turvey
Chair of the Environmental Services Committee
City Hall
P.O. Box 520
545 Talbot Street
St. Thomas, ON
N5P 3V7

*Received
Sept 6, 2006
mrs.*

Dear Mrs. Turvey

I am writing to request that three new "Wear the Gear" signs be put up in St. Thomas. This is a metal sign with the words "think first, be safe" written across the top and "wear the gear" written in the centre. In the four corners of the sign are four cartoons depicting children wearing the correct gear, while they are participating in wheeled activities. The Elgin St Thomas Health Unit will happily donate these signs to be placed in three suggested locations. These three locations are as follows: The entrance of Waterworks Park, on the pole on then left, across from the park entrance sign. The pole on the left hand side at the entrance to the path through Pinafore Park, and one more placed at the skateboard park. If these suggestions do not work, please feel free to make other suggestions regarding placement of the signs.

I am also requesting that the city put up these signs. While most of the "Wear the Gear" signs that are currently up have only two screws holding them in place, I would suggest using four screws to keep these new signs from being taken down.

By making three more "Wear the Gear" signs visible in the community, we are helping to create awareness of appropriate protective gear for various activities.

Thank you for taking the time to consider this request. I look forward to hearing from you.

Regards,

Katie Thrasher, RN
Katie Thrasher, RN, BScN
Public Health Nurse, Injury Prevention

Think First, Be Safe!



***Wear
the
Gear***



SAFE KIDS CANADA 1-888-SAFE-TIPS www.safekidscanada.ca



elgin
st.thomas
health unit

Plan for locations of “Wear the Gear” signs:

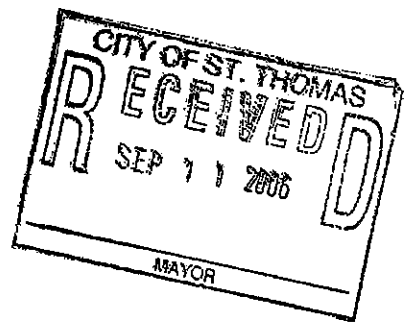
1. Waterworks Park – on the pole on the left at the entrance, across from the park entrance sign
2. Pinafore Park – the pole on the left at the beginning of the path that runs through the park (off Elm St.)
3. One more at the skateboard park

Details for the sign:

- Metal
- 12 in X 12 in
- Picture attached
- Suggestion to mount it with 4 bolts – to protect it from being torn down



Elgin Court Public School
254 First Avenue
St. Thomas, Ontario N5R 4P5
631-7118



Mrs. A. Luce
Vice-Principal

Mrs. V. Morrison
Principal

Mrs. P. Butler
Secretary

September 10, 2006

Mayor Jeff Kohler
Corporation of the
City of St. Thomas
545 Talbot Street
St. Thomas, Ont. N5P 3V7

SEP 11 2006

Dear Mayor Kohler,

I am writing you as a member of School Council at Elgin Court Public School. We have over 500 students at our school this year. The Kiss and Ride Program that operated at the front of the school to allow student drop off and pick up was terminated later last year due to a lack of volunteers. As a result a large percentage of the students arrive and depart at the back of the school on Holland Avenue. The congregation of St. Mark's United Church, on Holland Avenue graciously allow us to use their parking lot for parents and caregivers to park their vehicles while they drop off and pick-up the students. This poses a safety concern as there is no crosswalk at this location.

Currently our Principal, Miss Morrison stands at the back of the school on Holland Avenue and acts as a crossing guard to ensure our children get across the street safely. We respectfully request that a crosswalk and appropriate signage be put in place directly behind the school to facilitate a safer crossing.

Thank you for your consideration. If you have any further questions or comments please feel free to contact me at 519-633-9672.

Sincerely,

Mrs. Jackie Haskins

Mrs. Jackie Haskins