

AGENDA

**THE TWENTIETH MEETING OF THE ONE HUNDRED AND TWENTY-SEVENTH
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 **APRIL 2ND, 2007**

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. Shackelton

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meetings held on March 19th and March 26th, 2007.

DEPUTATIONS

Wings & Wheels Air Show and Car Show - June 23rd & 24th, 2007

Mr. Peter Garland, Executive Director, Wings & Wheels, will be in attendance to update the members of the status of the Air Show and Car Show being held at the St. Thomas Municipal Airport.

Elgin County Primary Health Care Model

Ms. Dawn Maziak, Primary Care Consultant, Ministry of Health and Long Term Care, will be in attendance to provide an update regarding the Community Health Centre for St. Thomas and Elgin County.

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

Minimum Maintenance By-Law - Ontario Heritage Act

Bridge, Sewers and Water Capacity in Barwick Street Area

NEW BUSINESS

Draft Plan of Subdivision File #34T-07501 - Dalewood Meadows Development Area - Phase 2 - 30 Lots for Single-Detached Dwelling Units and 15 Lots (30 Units) for Semi-Detached Dwelling Units - Inn Services Inc.

Report PD-09-2007 of the Director, Planning. Pages 9 & 10

BUSINESS CONCLUDED

ENVIRONMENTAL SERVICES COMMITTEE - Chairman T. Johnston

UNFINISHED BUSINESS

Road and Sidewalk Reserve Fund

Proposed Playground Development - Feasibility Analysis of Proposed Public/Private Partnership between City of St. Thomas and Faith Baptist Church

Green Lane Landfill Purchase by the City of Toronto - Status Report - Possible Waste Management Contract Extension

NEW BUSINESS

Southdale Line Trunk Watermain (Penhale Avenue to Sunset Drive) - Tender Award

Report ES46-07 of the Manager of Engineering. Pages 11 to 14

Wellington Street (First Avenue to Fairview Avenue) - Watermain, Sewers and Road Reconstruction - Tender Award

Report ES47-07 of the Manager of Engineering. Pages 15 & 16

Talbot Street (Manor Road to approximately 400m Easterly) - Sanitary Sewage System Cost Sharing

Report ES48-07 of the Manager of Engineering to follow. Pages 17 to 19

West Nile Virus - 2007 Mosquito Control Program

Report ES51-07 of the Manager of Operations and Compliance. Pages 20 & 21

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman G. Campbell

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESSCash Advances & Expenses Reimbursement ReportSt. Thomas Consolidated Courthouse Project - Police FacilitiesMayor and Council ExpensesSt. Thomas-Elgin Public Art Centre - Grant Request for Special LevySt. Thomas Police Services Space NeedsCouncil Remuneration and Expenses - Section 284(1) Reporting under Municipal Act 2001**NEW BUSINESS****BUSINESS CONCLUDED****COMMUNITY SERVICES COMMITTEE** - Chairman B. Aarts**UNFINISHED BUSINESS**Parks Pavilion RenamingWalk of FameParalympics Ontario - Request for Hosting Bids**NEW BUSINESS****BUSINESS CONCLUDED****PROTECTIVE SERVICES AND TRANSPORTATION COMMITTEE** - Chairman D. Warden**UNFINISHED BUSINESS**Leash Free Dog ParkBus Services to 1063 Talbot Street and Shopping Complex near Elm Street and Wilson AvenueTransit System and CASO StationBy-Law for LoiteringReport CC 12-07 of the Deputy City Clerk. Pages *22 to 28*White Street Yield SignsWings & Wheels Fundraiser - June 22nd, 23rd and 24th, 2007Report CC-16-07 of the Airport Superintendent. Pages *29 & 30*Elgin Court Public School - Request for Handicap Accessible Curb Cuts on Holland StreetReport ES49-07 of the Supervisor of Roads and Transportation. Pages *31 to 34***NEW BUSINESS**Airport Certification - Airport Operations ManualReport CC-15-07 of the Airport Superintendent. Pages *35 & 36*

Economic Impact 2006/Economic Forecast 2010 - St. Thomas Municipal Airport

Report CC-14-07 of the Airport Superintendent. Page **37**

Overnight Parking Permit Policy - 63 Forest Avenue

Report ES50-07 of the Supervisor of Roads and Transportation. Pages **38 to 49**

BUSINESS CONCLUDED

SOCIAL SERVICES COMMITTEE - Chairman L. Baldwin-Sands

UNFINISHED BUSINESS

Valleyview Food Service Contract

NEW BUSINESS

BUSINESS CONCLUDED

REPORTS PENDING

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 T. Johnston

Personnel and Labour Relations Committee - Chairman G. Campbell

Finance and Administration Committee - Chairman T. Shackelton

Community Services Committee - Chairman B. Aarts

Protective Services and Transportation Committee - Chairman D. Warden

Social Services Committee - Chairman L. Baldwin-Sands

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 Regiment WW2 Veterans 60th Reunion - Proclamation - June 1st - 3rd, 2007
& Freedom of the City Parade

A letter has been received from Reverend Mark Sargent, Organizing Committee, Elgin Regiment World War Two 60th Reunion, requesting that Council proclaim June 1st to 3rd, 2007 as "A Weekend of Remembrance and Thanksgiving" in the City of St. Thomas and advising that the 31 Combat Engineer Regiment will be exercising its Freedom of the City during a parade on Saturday June 2nd, 2007, with a ceremony in front of City Hall at approximately 2:00 p.m.

National Organ and Tissue Donation Awareness Week - Proclamation - April 23rd to 29th, 2007

A letter has been received from Jane Tucker, President, London Transplant Gift of Life Association and Chair Trillium Gift of Life Network, requesting that Council proclaim the week of April 23rd to 29th, 2007 as "National Organ and Tissue Donation Awareness Week" and that the Trillium Gift of Life Network flag be flown at City Hall.

Tag Day - Daisy of Hope Campaign - May 25th and 26th, 2007

A letter has been received from Brianne Blackman and Lorri Donaldson, Campaign Co-Chairs, Daisy of Hope Campaign, requesting a tag day for the distribution of daisy pins on May 25th and 26th, 2007.

Grand Chapter of the Eastern Star of Ontario - Request for City Pins

A letter has been received from Ms. Helena Carver, on behalf of Past District Deputy Grand Matrons of St. Thomas District, requesting 140 St. Thomas city pins for distribution at the Grand Chapter of the Eastern Star of Ontario to be held in August 2007 in Toronto.

Heart and Stroke Foundation - Big Bike Event - May 22nd and 24th, 2007

A letter has been received from Lori Pallen, Area Coordinator and Patricia Gallin, Program Coordinator Heart and Stroke Foundation of Ontario, requesting permission to hold the Heart and Stroke "Big Bike Event" in the City of St. Thomas on May 22nd and May 24th, 2007. Page 50

Seniors' Month - Proclamation - June 2007

A letter has been received from Jim Bradley, Minister Responsible for Seniors, requesting that Council proclaim the month of June 2007 as "Seniors' Month" in the City of St. Thomas.

2007 Senior of the Year Awards

A letter has been received from Jim Bradley, Minister Responsible for Seniors, inviting Council to honour an outstanding local senior who has enriched the social, cultural or civic life of the community, without thought of personal or financial gain. The deadline for nominations is April 30th, 2007.

Paratransit Buses - Scooter Accommodation

A letter has been received from Mr. Scott Taylor, Chair Thumbs Up, St. Thomas Access and Awareness Committee, regarding accommodation of scooters on Paratransit buses. Page 51

Lear\CAW Local 2168 Adjustment Centre - Request for Temporary Office Equipment Use

A letter has been received from Ryan Dolby, Terry Berger, and Terry Jamieson, Adjustment Committee, Lear\CAW Local 2168, requesting use of surplus office equipment for approximately 11 months for an Adjustment Centre being opened for laid off employees of Lear. Council members are invited to attend the Centre's opening being held on April 16, 2007. Page 52

Proposed Fanshawe College Student Project - Railway Lands

A letter has been received from Laverne Kirkness, Coordinator and Russell Schnurr, Professor, GIS and Urban Planning Diploma Program, Fanshawe College, advising that Fanshawe College would be prepared to develop projects for students in the Diploma Program, in conjunction with the City, relating to the redevelopment of railway lands. Page 53

Alma College - Demolition Permit

A letter of response has been received from Caroline Di Cocco, Minister of Culture, advising that it would not be appropriate for the province to intervene or participate in the Ontario Municipal Board appeal regarding the Alma College demolition permit. Page 54

Downtown Revitalization Workshop - "Main Street Matters" - April 24th, 2007

The members are advised of a Downtown Revitalization Workshop entitled, "Main Street Matters" being held on April 24th, 2007 at the CASO Station, St. Thomas. Pages 55 & 56

Canada-Ontario Affordable Housing Program (AHP) - 153 Main Street, West Lorne

A letter has been received from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, confirming funding approval of \$1,167,892 for 16 units for the Heritage House Affordable Housing Program project at 153 Main Street, West Lorne under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program.

Canada-Ontario Affordable Housing Program (AHP) - County Road #2, Dutton

A letter has been received from the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, confirming funding approval of \$2,100,000 for 30 units for the Heritage House Affordable Housing Program project at County Road #2, Dutton under the Rental and Supportive component of the Canada-Ontario Affordable Housing Program and advising that the City's allocation has been increased from 50 to 80 units representing an increase in funding from \$3,500,000 to \$5,600,000.

Essential Level Emergency Management Program

A letter has been received from Dan Hefkey, Chief, Emergency Management Ontario, Ministry of Community Safety and Correctional Services, advising that the City has not completed all steps in 2006 that were necessary for the maintenance of the Essential Level Emergency Management Program. Pages 57 & 58

Catfish Creek Conservation Authority - 2006 Annual Report

A copy of the Catfish Creek Conservation Authority 2006 Annual Report is available for review at the City Clerk's office.

Friends of Lower Kettle Creek - Request for City of St. Thomas Staff Representation

A letter has been received from Betsy Wilcox, Stewardship Program Coordinator, Kettle Creek Conservation Authority, inviting a staff representative from the City of St. Thomas to join the Friends of Lower Kettle Creek Committee. Pages 59 to 64

CASO Lands

A copy of a letter addressed to CN has been received from Donna Cansfield, Minister, Ministry of Transportation, advising that the Government of Ontario declines to purchase the portion of the CASO railway line known as mile 113.64 to mile 117.49 in the City of St. Thomas. Page 65

UNFINISHED BUSINESSCanadian Championship - Acknowledgment SignageNEW BUSINESSBY-LAWSFirst, Second and Third Reading

1. A by-law to confirm the proceedings of the Council meeting held on the 2nd day of April, 2007.
2. 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 1412651 Ontario Limited. (SPC-23-04 - 9 Princess Avenue - Legends Tavern)

3. A by-law to repeal By-law 143-2006, being a by-law to authorize the execution of an agreement with Mike Hutchinson Properties Incorporated. (SPC-11-99 - 995-1009 Talbot Street - Tim Horton's plaza)
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 Mike Hutchinson Properties Incorporated, Michael Talbot Hutchinson and Mike Hutchinson Leasing and Acceptance Limited. (SPC 11-99 - 995-1009 Talbot Street - Tim Horton's plaza)
5. A by-law to prohibit loitering and the causing of disturbance or a public nuisance upon highways and other public places.
6. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain contract between the Corporation of the City of St. Thomas and Echologics Engineering Inc. (St. Thomas Area Secondary Water Supply System Leak Detection Study)
7. A by-law to amend By-Law 189-2002, being a by-law to impose fees or charges with respect to Treasury matters. (\$30.00 for Agreement Compliance Letters)

PUBLIC NOTICE

NOTICES OF MOTION

CLOSED SESSION

A resolution to close the meeting will be presented to deal with a proposed acquisition of land, a personal matter about an identifiable individual, a matter of potential litigation affecting the municipality and a matter protected under the Municipal Freedom of Information and Protection of Privacy Act.

OPEN SESSION

ADJOURNMENT

CLOSING PRAYER



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

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Report No.: PD-09-2007

File No.: 34T-07501

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

Date: March 23rd, 2007

Subject: Application by Inn Services Inc., Draft Plan of Subdivision, File 34T-07501, Dalewood Meadows Development Area - Phase 2 - 30 lots for single-detached dwelling units and 15 lots (30 units) for semi-detached dwelling units - Draft Plan Approval.

Department: Planning Department
Prepared by: P.J.C. Keenan, Director, Planning

Attachments:

RECOMMENDATION:

THAT: Report PD-09-2007 be received for information,

AND THAT: Council approve the Draft Plan of Subdivision File # 34T-07501 (Residential Plan of Subdivision) of lands owned by Inn Services Inc., which lands are legally described as Parts of Blocks 121 and 128 and all of Block 122, Registered Plan 11M-165, in the City of St. Thomas, County of Elgin, subject to the standard Municipal draft plan conditions including the requirement for the developer to enter into a subdivision agreement with the Corporation of the City of St. Thomas with respect to the provision of municipal services, financial, administrative and other matters related to the development of the Plan.

ANALYSIS:

Proposal:

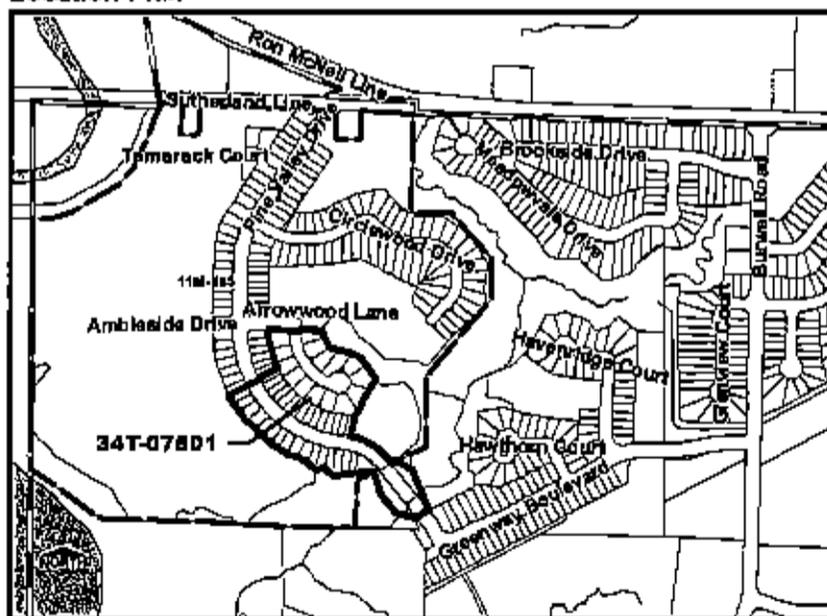
Council, on February 5th, approved in principle the draft plan of Subdivision application submitted by Inn Services Inc. for the development of 3.99 hectares (9.86 acres) of land in the Dalewood Meadows Development Area located south of Ron McNeil Line and Sutherland Line, in the north west quadrant of the City. The draft plan is Phase 2 of development in this area and the plan provides for the development of 30 lots for single-detached dwelling units and 15 lots (30 units) for semi-detached dwelling units, all of which will front onto proposed new streets.

The Phase 2 plan will result in the extension of Pine Valley Drive southerly across the valley lands where it will intersect with Greenway Boulevard, providing a second access to the Dalewood Meadows Development Area. New local streets within the Plan include 'Alderwood Court', which extends southerly from Arrowwood Lane ending in a cul-du-sac, and two street stubs which will provide access to future phases of development west of Pine Valley Drive (Report PD-04-2007).

The lands comprising the draft plan are legally described as Parts of Blocks 121 and 128 and all of Block 122, Registered Plan 11M-165, in the City of St. Thomas, County of Elgin.

The location of the proposed subdivision and its relationship to the surrounding development is shown on the Location Plan.

Location Plan



Council's approval in principle was subject to the following conditions:

- a final staff report following the review of comments/recommendations received from agencies and City departments upon completion of the circulation of the draft plan,
- confirmation by the Director, Environmental Services that there is sufficient uncommitted reserve treatment capacity in the sanitary sewerage system to service the proposed development.

Draft Plan Circulation and Review:

The external circulation of the revised draft plan of subdivision has now been completed and a public meeting on the proposed Subdivision was held on March 5th, 2007. Staff have completed their review of the proposed Subdivision and have reviewed the comments received from the public and other agencies.

Municipal staff, outside agencies and utilities have indicated their approval of the draft plan application and have identified their conditions to final approval to ensure development proceeds in accordance with their standards and approved Municipal standards. The comments received, where required, will be incorporated into the draft plan conditions and will provide the basis for the development of the subdivision agreement.

The Department of Environmental Services has confirmed that full Municipal services are available to the development and the proposed Draft Plan of Subdivision meets municipal servicing standards. The Director also confirms that pursuant to recommendation #2 of Report TR-34-97, the estimated sewage flows to be generated from the development of the lands can be treated by the City's Water Pollution Control Plant.

The Plan conforms to the Official Plan and the proposed lot layout complies with Zoning By-law 50-88.

Draft Plan Approval with Conditions:

All of the conditions of approval in principle imposed by Council and the policies of the Corporation have been satisfactorily addressed through the draft Plan of Subdivision submission and circulation process. (Report PD-04-2007)

I am recommending draft plan approval of File # 34T-07501 subject to the standard municipal requirements and conditions and to the requirement for a subdivision development agreement with the City Corporation respecting the provision of municipal services, financial, administrative and other related matters respecting the development of the lands.

All costs associated with the development of the draft plan will be the responsibility of the Developer.

Respectfully submitted,



P.J.C. Keenan
Director of Planning

Reviewed By:

Env. Services

Treasury

City Clerk

Other



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Corporation of the
City of St. Thomas

Report No.

ES46-07

File No.

08-335

Directed to: Chairman Tom Johnston and Members of the Environmental Services Committee

Date

March 27, 2007

Department: Environmental Services

Attachment

Prepared By: Brian Clement, Manager of Engineering

Report ES112-06

Subject: Southdale Line Trunk Watermain (Penhale Avenue to Sunset Drive) - Tender Award

Recommendation:

THAT: Report No. ES46-07 be received for information.

THAT: The tender submitted by Van Bree Drainage and Bulldozing Limited in the amount of \$1,187,616.58, including GST, for the Southdale Line Trunk Watermain project from Penhale Avenue to Sunset Drive be accepted.

THAT: Source of funding for the project be the 2006 Part Two Capital Budget as approved by City Council.

THAT: Source of additional funding of \$238,222.68 for the project be the surplus derived from the water reserve supported portion of the Malakoff Street reconstruction project tendered in 2005.

THAT: A by-law to authorize a City Contract for this project be prepared for Council approval.

Origin:

A 400mm trunk watermain and appurtenances along Southdale Line between Penhale Avenue and Sunset Drive is necessary to provide an adequate water supply between the east and west servicing areas within the South Block Development Area.

The estimated budget for the project of \$1,100,200 excluding GST was determined in the South Block Area Development Charges Servicing Study Update completed by CCL/IBI in early 2006. Only a portion of the necessary funds were available from the development charges reserve, and therefore funds were required from the City water reserves. As additional development charges are collected, the water reserve will be refunded.

Due to the timing of the Sunset Drive Rehabilitation project initiated by the County of Elgin, the watermain installation at the intersection of Sunset Drive and Southdale Line was designed by Sprit Associates and constructed by Birnam Excavating Ltd in 2006.

The Earth Tech Canada Inc proposal was accepted by Council in Report No. ES112-06 (copy attached) to complete the engineering design, tender preparation, construction inspection and contract administration for the watermain project.

Analysis:

Tenders for the Southdale Line Trunk Watermain project were closed on March 13, 2007 and opened in public at 2 pm on the same date. Twelve bidders submitted tenders as follows:

<i>Bidder</i>	<i>Total Tender Price (Including 6% GST)</i>
Van Bree Drainage and Bulldozing Limited	\$1,187,616.58
Birnam Excavating	\$1,231,361.66
United Contracting (London)	\$1,246,743.27
Henry Heyink Construction	\$1,277,724.00
GW Clarke Drainage Contractor	\$1,296,481.66
PCN Construction Group	\$1,309,000.00
Omega Contractors	\$1,332,301.17
969774 Ontario Limited	\$1,350,767.44
Terra Infrastructure	\$1,452,107.72
L82 Construction	\$1,461,723.36
Miracle Construction	\$1,621,624.20
Anders Contracting	\$1,851,159.62

Earth Tech checked the tender documents and no errors or omissions were found.

Van Bree Drainage and Bulldozing Limited is the low bidder, and this Contractor has previously completed project work for the City.

Financial Considerations:

Following is a summary of the project expenditures along with the proposed sources of funding:

Expenditures (excluding GST)

Contract for Southdale Line trunk watermain	\$1,120,393.00*
Subconsultant Earth Tech	\$ 94,915.00
Contract for Sunset Drive intersection watermain work	\$ 99,464.68
Subconsultant Spriet Associates (estimate)	\$ 8,450.00
City Engineering/Operations charges (estimate)	\$ 15,000.00
	Total \$1,338,222.68

Funding (excluding GST)

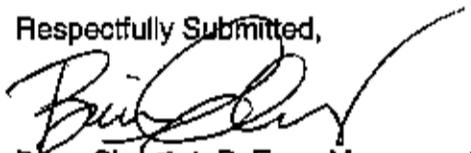
2006 Part Two Capital Budget	\$1,100,200.00
Surplus	\$ 238,022.68**
	Total \$1,338,222.68

* A contingency allowance of \$100,000 and provisional items in the amount of \$13,500 is included in the tender. As actual construction quantities will be paid per unit prices bid, the bulking of estimated quantities would result in a credit.

** This amount is derived from the current water reserve surplus amount of \$245,999.49 on the Malakoff Street reconstruction project tendered in 2005.

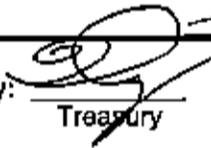
Any material produced by oil or oil by-products has been influenced by world price fluctuations; therefore construction prices have increased since the original project cost estimates were prepared. For example, the increase in the price of asphalt cement by asphalt producers has resulted in higher hot-mix asphalt placement costs and the increase in the price of PVC pipe by suppliers has resulted in higher watermain and sewer installation costs. Higher fuel and oil costs increase the cost of operating and maintaining construction equipment. Also construction labour costs have increased. In addition, a SCADA chamber was added to the scope of the project.

Respectfully Submitted,



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

Reviewed By:

 Treasury

 Env Services

Planning

City Clerk

HR

Other



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

Date
October 10, 2006

Department: Environmental Services

Attachment

Prepared By: Brian Clement, Manager of Engineering

Subject: Proposal Award – RFP No. R06-08-335
Southdale Line Trunk Watermain (Penhale Avenue to Sunset Drive)
- Engineering Design, Tender Preparation, Construction Inspection and Contract Administration

Recommendation:

That: Report No. ES112-06 is received for Information;
That: Council accept the proposal submission of Earth Tech Canada Inc., in the amount of \$100,609.90 including GST, to complete the engineering design, tender preparation, construction inspection and contract administration for the Southdale Line Trunk Watermain project from Penhale Avenue to Sunset Drive;
That: Source of funding for the project is the 2006 Part Two Capital Budget as approved by City Council;
That: A by-law be prepared to authorize the execution of an Agreement between Earth Tech Canada Inc. and the City of St. Thomas.

Origin:

A 400mm trunk watermain and appurtenances along Southdale Line between Penhale Avenue and Sunset Drive is necessary to provide an adequate water supply between the east and west servicing areas within the South Block Development Area.

A Request for Proposal was issued to three area Consultants who pre-qualified through Expression of Interest submissions for the engineering design, tender preparation, construction inspection and contract administration for the Southdale Line Trunk Watermain project from Penhale Avenue to Sunset Drive.

The Request for Proposal closed at 2 p.m. on Tuesday, October 10, 2006.

Analysis:

The following is a breakdown of submitted proposal prices:

Bidder Number	Consultant	Total Price (Including 6% GST)
1	Earth Tech Canada Inc.	\$100,609.90
2	Delcan Corporation	\$102,396.00
3	IBI GROUP	\$126,256.60

After the public opening, the proposals were checked for mandatory response requirements and calculation errors. A minor GST calculation was corrected on Earth Tech proposal. Purchasing and Environmental Services (Engineering and Operations) staff have reviewed and evaluated the proposals, and recommend award to Earth Tech.

Earth Tech is well known to the City of St. Thomas and has successfully completed a number of projects.

It is anticipated that the design of the project should be completed in fall 2006, and tendered during winter of 2006/2007, with construction to commence in spring 2007 as soon as practical. Once tenders have been called and received for the construction of the project, a subsequent report to Council will be issued recommending award to the successful Contractor.

A key design consideration includes a recommendation for trunk watermain installation on north side or south side (or combination of sides) of Southdale Line, supported by sound engineering practice and a costing analysis. This alignment decision should give due consideration to existing infrastructure/utility locations and future corridors, the inter-municipal boundary, the existing and ultimate road cross-section, water service provision to existing fronting residential properties, reconnection to existing developments, and new connections to planned developments, etc. A public information centre is required, and all appropriate approvals including MOE are to be obtained.



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Corporation of the
City of St. Thomas

Report No.

ES47-07

File No.

08-203

Directed to:

Chairman Tom Johnston and Members of the
Environmental Services Committee

Date

March 27, 2007

Department:

Environmental Services

Attachment

Prepared By:

Brian Clement, Manager of Engineering

Subject:

Wellington Street (First Avenue to Fairview Avenue)
Watermain, Sewers and Road Reconstruction - Tender Award

Recommendation:

THAT: Report No. ES47-07 be received for information.

THAT: The tender submitted by 969774 Ontario Limited in the amount of \$2,820,226.80 including GST, for the Wellington Street Watermain, Sewers and Road Reconstruction project from First Avenue to Fairview Avenue be accepted.

THAT: Source of funding for the project is the 2005 and 2006 and 2007 Capital Budget as approved by City Council, including COMRIF Intake One and Two contributions.

THAT: Source of additional funding of \$581,051.32 for the project be the surplus derived from the sewer reserve and tax supported portion of the Malakoff Street reconstruction project, tendered in 2005.

THAT: A by-law to authorize a City Contract for this project be prepared for Council approval.

Origin:

The reconstruction of Wellington Street from First Avenue to Fairview Avenue was submitted to COMRIF for both Intake One (roadwork portion) and Intake Two (underground services portion) for funding consideration as the City's top priority project for a total cost of \$2,094,540. The funding formula consisted of equal contributions from the Federal, Provincial and Municipal levels of government. The approval of complete funding for the project by COMRIF was finally received in July 2006.

Stantec Consulting Limited was retained by the City to prepare a Functional Design Report for the project and the final report was received in September 2003. Stantec also submitted an Engineering Design Report in February 2005 to the City in support of the COMRIF application. The submission to COMRIF included both Stantec reports and associated project cost estimates.

After COMRIF approval, ES staff completed the final detailed design in 2006/07 and the scope of work had increased to reflect the work necessary to complete the project.

Details of the additional work have been identified below:

The existing traffic signal infrastructure at Wellington Street and First Avenue intersection was found to be in poor condition and the existing underground ducts cannot be used for new electrical wiring. This intersection infrastructure has been identified for replacement within 1 to 5 years from the Interim Intersection Capacity Analysis and Ten Year Capital Improvement Plan Report prepared by Delcan Consultants dated February 2007. A full traffic signal upgrade that is required includes street light upgrades and new intersection duct crossings.

Additional storm sewer and lateral work was required due to the condition and/or undersizing of the existing storm drainage system. Video inspections of the two existing storm sewer systems revealed that substantial repairs were warranted. Also two storm treatment units were added to the project.

Additional roadwork was added to the project at the First Avenue and Wellington Street intersection. A 50m section of pavement easterly and westerly of First Avenue was included due to infrastructure upgrades and to improve the northeast turning movement in the intersection.

Also any material produced by oil or oil by-products has been influenced by world price fluctuations; therefore construction prices have increased since the original project cost estimates were prepared. For example, the increase in the price of asphalt cement by asphalt producers has resulted in higher hot-mix asphalt placement costs and the increase in the price of PVC pipe by suppliers has resulted in higher watermain and sewer installation costs. Higher fuel and oil costs increase the cost of operating and maintaining construction equipment. Also construction labour costs have increased.

Analysis:

Tenders for the Wellington Street Watermain, Sewers and Road Reconstruction project from First Avenue to Fairview Avenue were closed on March 15, 2007 and opened in public at 2 pm on the same date. Four bidders submitted tenders as follows:

Bidder

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**Corrected Total Tender Price - Part 2
(Including 6% GST)**

969774 Ontario Limited	\$2,820,226.80
Bre-Ex Limited	\$2,906,823.28
L-82 Construction Limited	\$3,244,819.00
Omega Contractors Inc.	\$3,376,345.92

The total for 969774 Ontario Limited did not change, however minor unit price/extension errors were corrected by the Purchasing Department for the other three bidders. The order of the bids was not affected. No other errors or omissions were found.

969774 Ontario Limited is the low bidder, and this Contractor is well known to the City having successfully completed similar project work in previous years.

Financial Considerations:

Following is a summary of the project expenditures along with the proposed sources of funding:

Expenditures (excluding GST)

Contract Part 1 (Watermain, Sewers, Roadworks)	\$2,535,158.31*
Contract Part 2 (Full Traffic Signal Upgrade)	\$ 125,433.01
Hydro Relocation by STEI (estimate)	\$ 100,000.00
Street Light Transfer by STEI (estimate)	\$ 10,000.00
City Engineering/Operations charges (estimate)	\$ 125,000.00
Total	\$2,895,591.32

Funding (excluding GST)

COMRIF Intake One - Federal/Provincial contribution	\$ 750,760.00***
COMRIF Intake One - City contribution	\$ 375,380.00
COMRIF Intake Two - Federal/Provincial contribution	\$ 605,600.00***
COMRIF Intake Two - City contribution	\$ 302,800.00
Wellington/First Avenue Intersection (U/G Upgrade)	\$ 280,000.00
Surplus	\$ 581,051.32**
Total	\$2,895,591.32

* A contingency allowance of \$150,000 is included. As actual construction quantities will be paid per unit prices bid, the bulking of estimated quantities would result in a credit.

** This amount is derived from the current sewer reserve and tax supported surplus amount of \$685,445.18 on the Malakoff Street reconstruction project tendered in 2005.

*** Claims made to the COMRIF program will be based on actual project costs. At this time, we are uncertain as to the level of financial participation by COMRIF with respect to increased scope of work and construction costs.

Respectfully Submitted,

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

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



-17-

Corporation of the
City of St. Thomas

Report No.

ES48-07

File No.

08-337

Directed to: Chairman Tom Johnston and Members of the Environmental Services Committee

Date

March 27, 2007

Department: Environmental Services

Attachment

Prepared By: Brian Clement, Manager of Engineering

Tables 1 & 2 Cost Sharing Assessments

Subject: Talbot Street (Manor Road to approximately 400m Easterly)
- Sanitary Sewage System Cost Sharing

Recommendation:

THAT: Report No ES48-07 be received for information.

THAT: The contributions by benefiting property owners towards the capital cost of the proposed new sanitary sewer installation along Talbot Street from Manor Road to 400m east, be limited to a total property owner contribution of \$200,000.

THAT: The balance of the required capital funds, needed to pay for this new sanitary sewer installation, estimated at \$170,000 be sourced by Federal Gas Tax contributions.

THAT: This project and the associated Federal Gas Tax contributions budgeted at \$170,000 be considered as a committed project as part of the preparation by the City of St. Thomas of the impending Capital Investment Plan under the Federal Gas Tax Agreement.

THAT: This sanitary servicing project proceed on the basis of a cost recovery of contributions by the twenty (20) benefiting property owners on the basis of a property area share contribution and the use of Federal Gas Tax funds as shown in appended Table 2 (Alternative 4 in report).

THAT: No further capital projects be authorized for funding from Federal Gas Tax Revenue until the capital investment plan has been approved by City Council.

Origin:

Report No. ES40-07 presented the results of the Public Information Centre including the comment sheets and a second petition that were received.

At the Council Meeting of March 19, 2007, Council authorized ES staff to prepare a report for consideration to assess implications of using a property area cost sharing calculation instead of an individual property connection charge for recovery of the capital cost for the sanitary sewage system from twenty (20) benefiting property owners. Council also directed ES staff for figures to be included in the calculation, which reflect contributions from the Federal Gas Tax program.

Council passed the resolution that the deferred benefit from the East Side Development Area (ESDA) be limited to sanitary sewer oversizing costs only. This information was presented in both Report Nos. ES05-07 and ES40-07.

Analysis:

As stated in Report No. ES40-07, the method of using the individual property connection charge for each of the benefiting properties is simple and works well when the properties are similar in size and land uses are consistent. Due to the fact that although the subject Talbot Street Phase One properties are zoned commercial, several properties are just used as residential, therefore use of the property area method was given serious consideration. Also the subject properties evident on Talbot Street were unusually shaped and sized.

Table 1 (attached) presents the results of assessed costs per benefiting property using the area calculation with the estimated total construction cost of \$370,000 to be paid by benefiting property owners. Therefore the estimated range of charges is from \$6,031.00 to \$43,105.00.

Council directed ES staff to include contributions from Federal Gas Tax program to reduce costs to benefiting property owners.

Table 2 (attached) presents the results of assessed costs per benefiting property using the area calculation and applying \$170,000 from the Federal Gas Tax program leaving a net construction cost of \$200,000 to be paid by benefiting property owners. Therefore the estimated range of charges is from \$3,260.00 to \$23,300.00. Please note that when using this specified amount of gas tax funds, the average assessment charge using the property area calculation is \$10,000 per property, or a maximum assessment of \$10,000 if individual property connection is used regardless of lot size.

It is recommended that the net construction cost of \$200,000 be recovered from the twenty (20) benefiting property owners, notwithstanding the final construction cost based on actual quantities of items for tendered unit prices for sanitary sewage system works.

Special attention is highlighted to the use of the funds generated from the Federal Gas Tax program for this particular project. This program has been confirmed for four years until 2009 and most recently, the Federal Government has announced its commitment to extend the Gas Tax funding program beyond 2009 (likely until 2014). The amounts provided by the program must be audited for use on prioritized projects qualifying under several conditions. The sustainability of this program in the future is unknown. The use of Federal Gas Tax funds on projects to construct new sanitary sewage systems to reduce costs for benefiting property owners sets a precedent.

As noted in Report No. ES135-06 for similar projects to be undertaken in the near or mid-term, and in Report No. ES78-05 for the over 200 properties still using private sewage disposal systems within the City, the use of Federal Gas Tax funds will likely similarly be requested.

If the Federal Gas Tax program is discontinued or funds are committed and assigned to other projects, then a recovery mechanism from other sources such as sewer reserves will be necessary to similarly reduce the costs for future benefiting property owners. The purpose of sewer reserves is for the rehabilitation and renewal of the existing sewer system.

It should be noted that the individual assessed cost per property varies greatly for every project due to the type of land use, density of development, size and shape of lots, length of sanitary sewer required, easement or property acquisition, etc. In some cases, significant sanitary sewer extension works are required before the development is even reached. Also some projects may involve the modification of existing pumping stations or even need a new pumping station to be constructed. Therefore capping the contribution by benefiting property owners at \$10,000 per individual connection or average \$10,000 per property area calculation may result in large costs to be funded by Federal Gas Tax program, and if not available, potentially by City sewer reserves.

On another issue, the installation of private drain connections to the property line only has been clearly identified in Report Nos. ES05-07 and ES40-07 and in the Public information Centre notification and handout. The City only inspects building drain installation for Ontario Building Code compliance and does not guarantee any private work undertaken on private property. For information purposes, the estimated cost for installation of a 150mm PVC pipe using sand backfill with minor landscaping restoration is \$200 per metre. If minimum zoning setback of 6m used, then cost is approximately \$1,200. The building setbacks from the road allowance on the subject Talbot Street Phase One properties vary greatly resulting in non-standard installation cost.

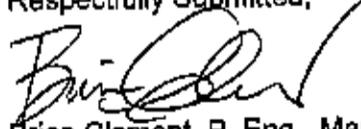
Alternatives:

1. Proceed with project based on recovery of capital cost of sanitary sewage system from twenty (20) benefiting property owners as presented in Report ES05-07 by property connection and ESDA oversizing.
2. Proceed with project based on recovery of capital cost of sanitary sewage system from twenty (20) benefiting property owners by property area share and ESDA oversizing.
3. Proceed with project based on recovery of capital cost of sanitary sewage system from twenty (20) benefiting property owners as presented in Report ES05-07 by property connection and ESDA oversizing, and use Federal Gas Tax funds so that maximum connection charge is \$10,000.
4. Proceed with project based on recovery of capital cost of sanitary sewage system from twenty (20) benefiting property owners by property area share and ESDA oversizing, and use Federal Gas Tax funds so that average area connection charge is \$10,000.
5. Do nothing. Cancel project. Return previously approved funds to specific reserves.

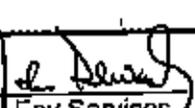
Financial Considerations:

A future report will be submitted to Council addressing the tender results/award with respect to 2007 Part One Capital Budget approval, if the project proceeds with an approved mechanism for capital cost recovery of sanitary sewage system from benefiting property owners.

Respectfully Submitted,


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

cc: Mr. Murray Watson

Reviewed By:  Treasury  Env Services Planning City Clerk HR Other

**Talbot Street from Manor Road to approximately 400 metres easterly
Cost Sharing Assessments for Sanitary Sewage System**

Table 1 - Assessment to benefiting properties calculated by property area

Assessment Roll #	Area (sq. ft.)	% lot area / entire area	net cost	Assessment per lot based on area	Assessment per lot based on connection
342102018024300	3,572	7.720%	\$370,000.00	\$28,564.00	\$18,500.00
342102018024400	4,130	1.760%	\$370,000.00	\$6,512.00	\$18,500.00
342102018024500	4,030	4.200%	\$370,000.00	\$15,540.00	\$18,500.00
342102018024600	4,142	4.340%	\$370,000.00	\$16,058.00	\$18,500.00
342102018024700	4,248	3.790%	\$370,000.00	\$14,023.00	\$18,500.00
342102018024800	4,217	4.740%	\$370,000.00	\$17,538.00	\$18,500.00
342102018024900	4,224	2.980%	\$370,000.00	\$11,026.00	\$18,500.00
342102018025000	4,341	7.320%	\$370,000.00	\$27,084.00	\$18,500.00
342102018025100	4,249	3.930%	\$370,000.00	\$14,541.00	\$18,500.00
342102018025200	4,556	7.590%	\$370,000.00	\$28,093.00	\$18,500.00
342102018025305	4,338	5.150%	\$370,000.00	\$18,055.00	\$18,500.00
342102018025500	4,422	1.630%	\$370,000.00	\$6,031.00	\$18,500.00
342104055013400	4,304	5.150%	\$370,000.00	\$19,055.00	\$18,500.00
342104055013900	4,335	5.280%	\$370,000.00	\$19,536.00	\$18,500.00
342104055014000	4,228	3.790%	\$370,000.00	\$14,023.00	\$18,500.00
342104052570000	4,271	2.850%	\$370,000.00	\$10,545.00	\$18,500.00
342104052571000	4,310	4.070%	\$370,000.00	\$15,059.00	\$18,500.00
342104052572000	4,365	8.940%	\$370,000.00	\$33,078.00	\$18,500.00
342104052580000	4,228	3.120%	\$370,000.00	\$11,544.00	\$18,500.00
342104052573000	4,361	11.650%	\$370,000.00	\$43,105.00	\$18,500.00
	7.38	100.000%		\$370,000.00	\$370,000.00

Table 2 - Assessment to benefiting properties calculated by property area after applying \$170,000 from Federal Gas Tax Program to reduce costs.

Assessment Roll #	Area (sq. ft.)	% lot area / entire area	net cost \$370,000 - \$170,000 gas tax	Assessment per lot based on area	Assessment per lot based on connection
342102018024300	3,572	7.720%	\$200,000.00	\$15,440.00	\$10,000.00
342102018024400	4,130	1.760%	\$200,000.00	\$3,520.00	\$10,000.00
342102018024500	4,030	4.200%	\$200,000.00	\$8,400.00	\$10,000.00
342102018024600	4,142	4.340%	\$200,000.00	\$8,680.00	\$10,000.00
342102018024700	4,248	3.790%	\$200,000.00	\$7,580.00	\$10,000.00
342102018024800	4,217	4.740%	\$200,000.00	\$9,480.00	\$10,000.00
342102018024900	4,224	2.980%	\$200,000.00	\$5,960.00	\$10,000.00
342102018025000	4,341	7.320%	\$200,000.00	\$14,640.00	\$10,000.00
342102018025100	4,249	3.930%	\$200,000.00	\$7,860.00	\$10,000.00
342102018025200	4,556	7.590%	\$200,000.00	\$15,180.00	\$10,000.00
342102018025305	4,338	5.150%	\$200,000.00	\$10,900.00	\$10,000.00
342102018025500	4,422	1.630%	\$200,000.00	\$3,260.00	\$10,000.00
342104055013400	4,304	5.150%	\$200,000.00	\$10,300.00	\$10,000.00
342104055013900	4,335	5.280%	\$200,000.00	\$10,560.00	\$10,000.00
342104055014000	4,228	3.790%	\$200,000.00	\$7,580.00	\$10,000.00
342104052570000	4,271	2.850%	\$200,000.00	\$5,700.00	\$10,000.00
342104052571000	4,310	4.070%	\$200,000.00	\$8,140.00	\$10,000.00
342104052572000	4,365	8.940%	\$200,000.00	\$17,880.00	\$10,000.00
342104052580000	4,228	3.120%	\$200,000.00	\$6,240.00	\$10,000.00
342104052573000	4,361	11.650%	\$200,000.00	\$23,300.00	\$10,000.00
	7.38	100.000%		\$200,000.00	\$200,000.00



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Corporation of the
City of St. Thomas

Report No.

ES51-07

File No.

04-097-00

Directed to: Chairman Tom Johnson and Members of the Environmental Services Committee

Date

April 2, 2007

Department: Environmental Services

Attachments

Prepared By: Ivar Andersen, Manager of Operations and Compliance

Health Unit Letter

Subject: West Nile Virus – 2007 Mosquito Control Program

RECOMMENDATION

It is recommended that;

1. This report ES51-07 be approved and received as Information by Council.
2. Council endorse the award of the regional mosquito control contract to Pestallo Environmental Products Inc. by the Elgin St. Thomas Health Unit
3. That the Mayor and City Clerk be authorised to execute the contract with Pestallo Environmental Products Inc. along with the Elgin St. Thomas Health Unit and other agencies.

ORIGIN:

In prior years, the Elgin St. Thomas Health Unit, with the approval of the City of St. Thomas, has retained a contractor to conduct a mosquito control program within the City for the extermination of mosquitoes. This program should reduce the risk of the proliferation of the West Nile Virus. The City continues to be identified "as a population of concern" because of "the size of the risk population along with the population density, warrants measures be taken to reduce the risk of the residents being exposed to the West Nile Virus". The Health Unit also conducts this program on behalf of the Town of Aylmer and Elgin County.

ANALYSIS:

For 2007, as per the attached letter, the Health Unit has awarded a contract to Pestallo Environmental Products Inc. As in 2005, the Health Unit is willing to facilitate the retention of a contractor who will work in Elgin County, including St. Thomas. Mosquito control work conducted by this contractor in St. Thomas will be charged to the City.

Ontario Regulation 199/03 requires that the medical officer of health determine whether action is required by a municipality to decrease the risk of West Nile Virus based upon a risk assessment. Where the medical officer of health has determined that action is required, he or she may give notice to the municipality which must be complied with. The action required may include a number of things such as public awareness campaigns, larviciding and adulticiding.

The contractor retained in 2005 and 2006 was Pestallo Environmental Products Ltd. As in previous years, only larviciding is expected to be required in this area.

FINANCIAL CONSIDERATIONS:

The attached letter from the Health Unit outlines the expected costs for the larviciding program in 2007. The estimated St. Thomas cost of \$5,810 has been allocated in the 2007 Operating Budget. Note that this is 25% of the actual cost with the remaining 75% subsidized by the Ministry of Health and Long Term Care.

Respectfully submitted,

Ivar Andersen, P.Eng.,
Manager of Operations and Compliance

cc: Elgin St. Thomas Health Unit.

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



**elgin
st.thomas
health unit**

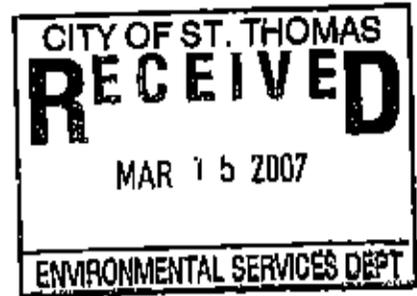
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99 Edward Street
St. Thomas, Ontario
N5P 1Y8

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

March 12, 2007

Mr. Ivar Andersen
Manager of Operations and Compliance
Environmental Services
P.O. Box 520, City Hall
St. Thomas, ON
N5P 3V7



Dear Ivar,

Re: West Nile Virus Larviciding Budget – 2007

We have completed the process of selecting a service provider for the 2007 larviciding program in the City of St. Thomas. Pestallo Environmental Products, Inc. is the successful bidder.

We recognize that it is important for you to know what the cost is for larviciding as you are currently involved in developing the 2007 budget for the City of St. Thomas. As the 2006 audited financial statements for the Elgin St. Thomas Health Unit will not be approved until April 2007, we cannot factor in the impact of any surplus or deficit from the 2006 West Nile virus program towards the amount owed for the 2007 larviciding.

The Ministry of Health and Long Term Care has increased its proportion of funding in 2007 to 75% leaving 25% of costs to be paid by the municipality. The City of St. Thomas' larviciding costs for 2007, prior to any adjustments needed for 2006, will be \$5,810.00.

If you have any questions regarding the above information, please contact me at 519-631-3159, ext. 202.

Sincerely,

Cynthia St. John
Executive Director
Elgin St. Thomas Health Unit

- c. Laura McLachlin, Director, Health Protection Department
Mary Ens, Accounting Supervisor



Corporation of the
City of St. Thomas

Report No.
CC 12-07
File No.

Directed to: Alderman D. Warden and Members of the Protective Services and Transportation Committee
Department: Clerk's Department
Prepared By: Richard Beachey, Deputy City Clerk
Subject: By-Law for Loitering

Date
March 23, 2007
Attachments
- Report CC 55-06
- By-Law for Loitering

Recommendation

That report CC 12-07 in regards to the By-Law for loitering be received and;
That a by-law be forwarded to Council for adoption.

Origin:

Pursuant to Council direction from the meeting of December 11, 2006, the draft loitering by-law was provided to the City Solicitor for final preparation.

Analysis

As requested at the meeting of December 11, the draft by-law was amended to account for legal strike activity. The wording for the by-law definitions of "strike" and "lockout" was derived precisely from the Labour Relations Act. The by-law is now in final form and is provided to Council for adoption. The amounts proposed for the set fine schedule are viewed as deterrence against bad behaviour.

Financial Considerations:

None that can be seen.

Alternatives:

The Committee may:

- 1. Proceed with the By-law.
- 2. Not proceed with the By-law.

Respectfully,

Richard Beachey, Deputy City Clerk
City Clerk's Department

Reviewed By: Treasury Env Services Planning City Clerk HR Other



Corporation of the
City of St. Thomas

Report No.

CC 55-08

File No.

Directed to: Alderman D. Warden and Members of the Protective Services and Transportation Committee

Date
December 5, 2006

Department: Clerk's Department

Attachments
- draft loitering by-law
- By-Law 57-94

Prepared By: Richard Beachey, Deputy City Clerk

Subject: By-Law for Loitering

Recommendation

That report CC 55-08 in regards to the By-Law for loitering be received and;
That the loitering by-law be forwarded to the City Solicitor for review and final wording.

Origin:

City By-law Enforcement Services has received two separate inquiries from Talbot Street business operations (EKG Marketing (381 Talbot Street) and, Talbot Teen Centre (745 Talbot Street)) within the past few weeks indicating a desire for a loitering by-law.

Analysis

The City does have an existing loitering by-law that was instituted to address a concern at the City Hall. By-Law 57-94 is enforced by the City Police. In an effort to address the recent concerns, both the existing by-law and a number of municipal by-laws were reviewed. A by-law has been developed based on a recent model from the Town of Innisfil. This draft was circulated to the Police to poll their support and determine the need for a more comprehensive tool. The Police have indicated their support.

The draft by-law includes the statutory authority for the by-law, and has a series of set fines for violations.

The draft by-law would replace By-Law 57-94.

Financial Considerations:

None that can be seen.

Alternatives:

The Committee may:

1. Proceed with the By-Law.
2. Not proceed with the By-Law.

Respectfully,

Richard Beachey, Deputy City Clerk
City Clerk's Department

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other

BY-LAW NO. -2007

A By-law to prohibit loitering and the causing of disturbance or a public nuisance upon highways and other public places.

WHEREAS Section 130 of the *Municipal Act, 2001*, S.O. 2001, c.25, as amended, ("*Municipal Act*") provides that a municipality may regulate matters related to the health, safety and welfare of the inhabitants of the municipality; and

WHEREAS Section 128 of the *Municipal Act* provides that a municipality may prohibit and regulate with respect to public nuisances, including matters that, in the opinion of council are or could become or cause public nuisances; and

WHEREAS Section 8 of the *Municipal Act* provides that a municipality has the capacity, rights, powers and privileges of a natural Person for the purpose of exercising its authority under this Act; and

WHEREAS Section 9 of the *Municipal Act* provides that sections 8 and 11 shall be interpreted broadly so as to confer broad authority on municipalities to (a) enable municipalities to govern their affairs as they consider appropriate and (b) enhance their ability to respond to municipal issues including authority to regulate or prohibit; and

WHEREAS Section 11 of the *Municipal Act* provides that a single-tier municipality may pass by-laws respecting matters within the spheres of jurisdiction set out therein, inter alia; highways, and parks; and

WHEREAS Section 26 of the *Municipal Act* provides that the following are highways unless they have been closed:

1. All highways that existed on December 31, 2002.
2. All highways established by by-law of a municipality on or after January 1, 2003.
3. All highways transferred to a municipality under the *Public Transportation and Highway Improvement Act*.
4. All road allowances made by the Crown surveyors that are located in municipalities.
5. All road allowances, highways, streets and lanes shown on a registered plan of subdivision; and

WHEREAS Section 425(1) of the *Municipal Act* provides that a by-law of a municipality, passed according to the provisions of the *Municipal Act*, may provide that a person who contravenes that by-law is guilty of an offence; and

WHEREAS Sections 3 to 13 inclusive of the *Provincial Offences Act*, R.S.O.1990, c.P.33, as amended, ("*Provincial Offences Act*") sets out provisions relating to the procedure for commencing a proceeding by certificate of offence; and

WHEREAS Section 93 of the *Provincial Offences Act* sets out special provisions for dealing with offences that are committed by a young person within the definition of the *Provincial Offences Act*; and

WHEREAS the Council of the City deems it necessary for the health, safety and welfare of the inhabitants of the City to enact a by-law prohibiting loitering and the causing of disturbances or public nuisances upon highways and other public places within the City.

NOW THEREFORE THE COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS ENACTS AS FOLLOWS:

1.0 SHORT TITLE

- 1.1 This By-Law shall be cited as the Loitering and Public Disturbance By-Law.

2.0 INTERPRETATION

- 2.1 Wherever this By-law refers to a person or thing with reference to gender or the gender neutral, the intention is to read the By-law with the gender applicable to the circumstances.
- 2.2 References to items in the plural include the singular, as applicable.
- 2.3 The words "include", "including", and "includes" are not to be read as limiting the phrases or descriptions that precede them.
- 2.4 Headings are inserted for ease of reference only and are not to be used as interpretation aids.
- 2.5 Specific references to laws in this By-law are printed in italic font and are meant to refer to the current laws applicable within the Province of Ontario as at the time the By-law was enacted, as they are amended from time to time. For Provincial laws, the reference is to the relevant chapter of the R.S.O. 1990 edition, as amended from time to time, including successor legislation.

3.0 DEFINITIONS

- 3.1 In this By-law, unless the context otherwise requires:
 - a) "Council" means the elected Council of the Corporation of the City of St. Thomas.
 - b) "Disturbance" means the interruption of the peace, quiet and good order of a neighborhood or public place, including unnecessary distracting noises, language or behavior of a nature which may annoy or disturb reasonable persons.
 - c) "Highway" means all areas constituted as highways pursuant to the Municipal Act including the traveled and untraveled portions of all road allowances opened for public highways and streets within the City as laid out on the City of St. Thomas registered plans or registered plans of subdivision, or on provincial highway plans, whether known as a street, common or public highway, avenue, crescent, place, boulevard, parkway, driveway, or otherwise, and including any median, shoulder, boulevard, island, square, bridge, viaduct, trestle or other structure thereon and any sidewalk, pathway, footpath or vacant area located thereon.
 - d) "Lock-out" includes the closing of a place of employment, a suspension of work or a refusal by an employer to continue to employ a number of employees, with a view to compel or induce the employees, or to aid another employer to compel or induce that employer's employees, to refrain from exercising any rights or privileges or to agree to provisions or changes in provisions respecting terms or conditions of employment or the rights, privileges or duties of the employer, an employers' organization, the trade union, or the employees as authorized by law.
 - e) "Loiter" includes standing idly around, milling about, lingering aimlessly or spending time idly.
 - f) "Officer" means a police officer as defined in Section 2 of the *Police Services Act*, R.S.O. 1990, c. P. 15 and subsection 15(1) of the *Police Services Act*, R.S.O. 1990, c. P.15.
 - g) "Person" includes any individual, corporation, partnership, company, association or party and the heirs, successors, trustees, administrators, or other legal representative of such Person, to whom the context can apply

- h) according to law and shall include any group of Persons comprising a society or other organization.
- h) **"Public Nuisance"** means any activity, undertaking or conduct in a Highway or other Public Place which disturbs, annoys or is offensive to reasonable persons, or is of a nature which may offend, annoy or disturb such Persons.
- i) **"Public Place"** includes a Highway and all open spaces and covered places to which the general public has a right to resort or has access in common with other users, whether as of right or by the express or implied consent of the owner of any particular property and includes a place where the public gathers or passes to and from, but in respect to loitering does not include public parklands except to the extent of those areas of public parks which are posted with signage indicating loitering is prohibited.
- j) **"Strike"** includes a cessation of work, a refusal to work or to continue to work by employees in combination or in concert or in accordance with a common understanding, or a slow-down or other concerted activity on the part of employees designed to restrict or limit output as authorized by law.
- k) **"City"** means the Corporation of the City of St. Thomas and area within the territorial limits of the geographic City of St. Thomas

4.0 GENERAL PROVISIONS

- 4.1 This by-law shall not apply to any person engaged in a strike or under lock-out when:
 - a) the strike or lock-out activity occurs within 30 meters of the property of the employer, and
 - b) there is free and uninterrupted passage of vehicles, traffic or pedestrians on any publicly owned and traveled portion of a Highway adjacent to the property of the employer,falling which this by-law shall apply.
- 4.2 No Person in the City shall by himself/herself or with other Persons:
 - a) use any Public Place so as to obstruct or impede access to the public entrances or customer entrances of any premises, unless permission to do so is granted;
 - b) Loiter in a Public Place in such a manner as is likely to obstruct other Persons by hindering or impeding the free and uninterrupted passage of vehicles, traffic or pedestrians;
 - c) Loiter on any property where the Person in authority of the property prohibits Loitering on the property and has made the prohibition known by posting notices or signage or by directly informing affected Persons at the property.
- 4.3 No Person shall Loiter or cause a Disturbance or Public Nuisance in a Public Place within the City.
- 4.4 No Person shall, by using obscene language or gesture or by spitting, interfere unreasonably with the lawful use and enjoyment of a Public Place by other Persons.

4.5 Any Person shall be deemed to be Loitering within the meaning of this by-law when he or she is standing or sitting in any Public Place, and fails to vacate the area when requested to do so by an Officer.

4.6 Any Person shall be presumed to be a causing a Public Nuisance or Disturbance within the meaning of this By-law if, while in a Public Place, he or she is screaming or loudly using profane language, or appears to be under the influence of alcohol or a controlled substance, which presumption may be rebutted by evidence to the contrary.

5.0 ENFORCEMENT

5.1 Officers have the authority to enforce this By-law.

5.2 When an Officer finds any Person Loitering contrary to the General Provisions section 3, the Officer may direct such Person to cease such Loitering and vacate the area, and any Person so directed shall forthwith cease such Loitering and vacate.

6.0 PENALTY

6.1 Every Person who contravenes any of the provisions of this By-Law is guilty of an offence and upon conviction is liable to a fine:

- a) as set by the Chief Justice of the Ontario Court of Justice for the purpose of proceedings commenced under Part 1 of the *Provincial Offences Act*, attached to this By-law as Schedule "A"; or
- b) as provided in the *Provincial Offences Act* for the purpose of proceedings commenced under Part 3 of the *Provincial Offences Act*.

7.0 CONFLICT

7.1 Where a provision of this By-law conflicts with the provision of any other by-law of the City or any applicable government legislation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

8.1 SEVERABILITY

8.1 If a court of competent jurisdiction should declare any section of this By-law, or part thereof, to be invalid, such section or part thereof is deemed severable from this By-law and shall not be construed as having influenced Council to pass the remainder of this By-law and it is the intention of Council that the remainder of this By-law shall survive and remain in force.

9.0 ENACTMENT

9.1 This By-Law shall come into full force and effect upon the day of final passage thereof.

10.0 INCONSISTANT BY-LAWS REPEALED

10.1 By-Law No. 57-94 is hereby repealed.

READ a First and Second time this 2nd day of April, 2007.

READ a Third time and Finally passed this 2nd day of April, 2007.

By-law No. - 2007

A By-law of The Corporation of the City of St. Thomas, being a by-law to prohibit loitering and the causing of a disturbance or a public nuisance upon highways and other public places.

**Part 1 Provincial Offences Act
Set Fine Schedule**

Item	Short-form wording	Provision creating or defining offence	Set Fine
1.	Obstruct or impede access to premises	4.2(a)	\$75.00
2.	Loiter in a Public Place as to obstruct passage of vehicles, traffic or pedestrians.	4.2(b)	\$75.00
3.	Loiter on property when Loitering prohibited by person in authority of the property.	4.2(c)	\$75.00
4.	Loiter or cause Disturbance or Public Nuisance in Public Place.	4.3	\$75.00
5.	Use of obscene language or gesture, or spitting	4.4	\$125.00

NOTE: The general penalty provision for the offences listed above is found in Section 61 of the Provincial Offences Act, RSO 1990, c. P.33.



Corporation of the
City of St. Thomas

-29-

Report No.

CC-16-07

File No.

Directed to:	Chairman David Warden and Members of Committee of the Whole (Protective Services and Transportation)	Date	April, 2 2007
Department:	City Clerk's	Attachment	
Prepared By:	Dale Arndt, Airport Superintendent		
Subject:	Wings 'n Wheels Event June 23 rd 24 th 2007		

Recommendation:

THAT: Report CC-16-07 relating to the Wings and Wheels Event be received, and further,

THAT: The Wings and Wheels Event be formally approved.

Background:

The Wings & Wheels event will exhibit of some the world's most spectacular aircraft, including the world's best military team - the Canadian Forces "Snowbirds". Additionally, there will be a selection of elite classic cars and Canadian Forces military vehicles showcased at the St. Thomas Municipal Airport.

The organizing committee's goal is to host a safe, family-friendly show.

Non-Profit Event

All of the funds, after expenses, will be donated to St John Ambulance (St. Thomas and London Branches) and secondary charities, Jesse's Journey, Air Cadets (St-Thomas and London) and the RCAF Association 427 Wing.

The St Thomas Airport was selected because of the following:

- The aviation history associated this area -specifically, RCAF Detachment St. Thomas, and its history as part of the British Commonwealth Air Training Plan
- The site itself has ample parking and spectator viewing areas
- The proximity to major arteries providing for an efficient traffic flow in and out
- The close location to downtown St Thomas and its variety of restaurants and other venues
- The lack of 'commercial flight' show - interruption. (e.g. In London, the air shows came to a complete halt while commercial aircraft landed or took off. This makes for a very long air show - not "family-friendly" on a sunny, hot day.)

Event Committee

- ▲ Tom Lawson, Honorary Colonel of 22 London Service Battalion, a component of 31 Brigade. Chair of the Senate of Honorary Snowbirds and President and CEO of Empire Aviation.
- ▲ Ed Holder, President of Stevenson and Hunt Insurance. They will jointly hold the title "Director-Wings & Wheels".
- ▲ Peter Garland, a broadcaster known through out this area was recruited to serve as Executive Director. Peter served as an air show director for ten years and is a former 12 -year member of the RCAF. Peter is the President of the Board at Jesse's Journey, The Foundation for Gene and Cell Therapy.
- ▲ Gerry Vanderhoek, Regional Manager for Air Canada Jazz is the aircraft coordinator. Gerry has acted in this role for many previous airs shows and currently volunteers with the Halifax Air Show in that capacity.
- ▲ Don Hunter, a classic car show organizer and owner of the Husky Travel Centre on the 401 east is "Wheels" coordinator, responsible for the display of automobiles.
- ▲ Lt/Col. Kevin Doyle, Chief of Staff of 31 Brigade, London. Coordinate the display of Canadian Forces military vehicles, classic and 21st century. He will also arrange for a Canadian Forces Recruiting display to be on-site.
- ▲ Deborah McGee, Treasurer

Event Overview

Operations - An Operations Plan is being developed and it will address : safety, security, traffic, parking, admissions, concessions, emergency procedures, fire, police and EMS Services.

A committee has been comprised of O.P.P., Central Elgin Fire, Elgin St.Thomas EMS, St-Thomas Fire Department, MTO and Municipality Central Elgin.

Staff and management will facilitate the majority of fuel sales .The criteria for aircraft that will base at the airport will be coordinated with the Airport Superintendent.

The Airport Superintendent must review all aspects of the show.

Duration of show - Saturday and Sunday June 23rd and 24th show encompassing a 9 a.m. gate opening, a ground display of aircraft and classic autos, a 1-3 pm air show and car viewing all day.

The gates would close at 5 p.m. each day.

Insurance- the show will be fully insured through Marsh Canada for \$20,000,000. The Corporation of the City of St-Thomas and the Municipality of Central Elgin will be named as an additional insured and any other relevant community participant will be included.

Budget- Some of the sponsors of the airshow include Diamond Aircraft, Shell Canada, and the Ontario Lottery and Gaming Corporation (Slots at Western Fair).

Budgeted revenue approx \$300,000
Budgeted expense approx \$180,000
Anticipated revenue for local charities \$120,000

The Airshow Committee is budgeting for an anticipated crowd of 20,000 over the run of the show. They expect that there is a good chance they would exceed this, weather permitting of course.

Application to Special Events Committee- application and approval was completed November 2006.

Financial Considerations

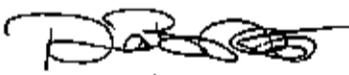
The Wings n Wheels Airshow Committee will reimburse any financial cost to the St-Thomas Municipal Airport.

A financial contribution from the City is not required.

Over a four day period the airport will add an additional 50,000 L of Jet A fuel, a revenue gain of approx \$12,500.

More info www.wingsnwheels.ca

Respectfully submitted,



Dale Arndt,
Airport Superintendent

Reviewed By:

Treasury Env Services Planning City Clerk Comm Services Other



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Corporation of the
City of St. Thomas

Report No.

ES49-07

File No.

05-014-00

Directed to:

Alderman Dave Warden Chair and Members of the Protective Services Committee of Council

Date

April 2, 2007

Department:

Environmental Services Department

Attachment

Prepared By:

Dave White - Supervisor of Roads and Transportation

Letter from Linda Chule & Email from Val Morrison.

Subject:

Elgin Court Public School – Request for Curb Cuts on Holland Avenue Support for Existing Safety Patroller Program

Recommendation:

THAT: Report ES49-07 be received for Information; and further,

THAT: Council endorse the Installation of two accessible curb cuts and a pavement pad at the Safety Patroller Crossing on Holland Avenue by Roads Maintenance staff as soon as practicable.

Report:

Origin

At it's meeting of March 5, 2007 the following resolution was passed by Council:

"THAT: The correspondence from Linda Chule, regarding the handicap accessible curb cuts and a permanent pavement pad at the new crosswalk on Holland Street be referred to the Environmental Services Department."

This report provides a follow up on this resolution. A copy of the request is attached.

Analysis

It has been confirmed by the Elgin Court Public School staff that they will support the Safety Patroller Program at the new crosswalk on Holland Street indefinitely (see email from Valerie Morrison, Principal of Elgin Court PS. With this confirmed, It is recommended that the curb cuts and asphalt pad be installed by Roads Maintenance staff as soon as practicable.



Financial Considerations

The cost of installing the curb cuts and asphalt pad are included the Environmental Services Operating Budget.

Alternatives

None provided at this time.

Respectfully,


Dave White, C. Tech - Supervisor of Roads and Transportation
Environmental Services

Reviewed By:

Treasury

 Env Services

Planning

City Clerk

HR

Other

FEB 28 2007



Elgin Court Public School

254 First Avenue
St. Thomas, Ontario N5R 4P6
631-7118

City Clerk's Office

Mrs. A. Luce
Vice-Principal

Mrs. V. Morrison
Principal

Mrs. P. Butler
Secretary

February 12th, 2007

St. Thomas City Council,

I am writing on behalf of Elgin Court Public School to thank City Council for our new crosswalk that was installed back in the late fall. It was installed so quickly! The next day, in fact. It has been such a beneficial safety feature for the children of our school. Children are dropped off and picked up from St. Mark's United Church across the street and are safely supervised across this crosswalk. The roadside crosswalk signs have slowed traffic down quite considerably on Holland Ave. which has also been a blessing.

Although our School Council is so pleased with our crosswalk improvement, we are asking for yet another request. We are asking if the city would approve to have the curbs of this crosswalk be changed to handicapped accessible (i.e. curbs are sloped) and if the small portion of boulevard, on the school side of the crosswalk, could be permanently asphalted or cemented. Please see the illustration attached.

As you can well imagine, we have many strollers, wagons, bicycles and wheelchairs using this crosswalk now. It would certainly be an improvement to have it accessible for everyone's use. The small portion of boulevard we believe is City property. Our concern here, is that it is not cemented and is quite often very mucky. It would be lovely if people could exit off of the crosswalk and onto solid ground to get to the main sidewalk of Holland Ave.

The attached diagram will give you the dimensions of the boulevard portion in question. It is not large by any means, but nonetheless, extremely difficult to manoeuvre wheelchairs and strollers through the mud to get to the sidewalk.

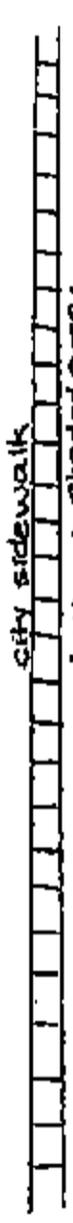
Our School Council thank you very much for your time and consideration of this request.

Yours warmly,
Linda Chute
Linda Chute
School Council Chairperson
(519) 631-3387

REFERRED TO	
J. DEWANCKER	MA
FOR	
DECISION	<input type="checkbox"/>
REPLY OR COMMENT	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
FROM	MARIA KOWALCZAK

Home of the Coyotes Club and Peace Officers

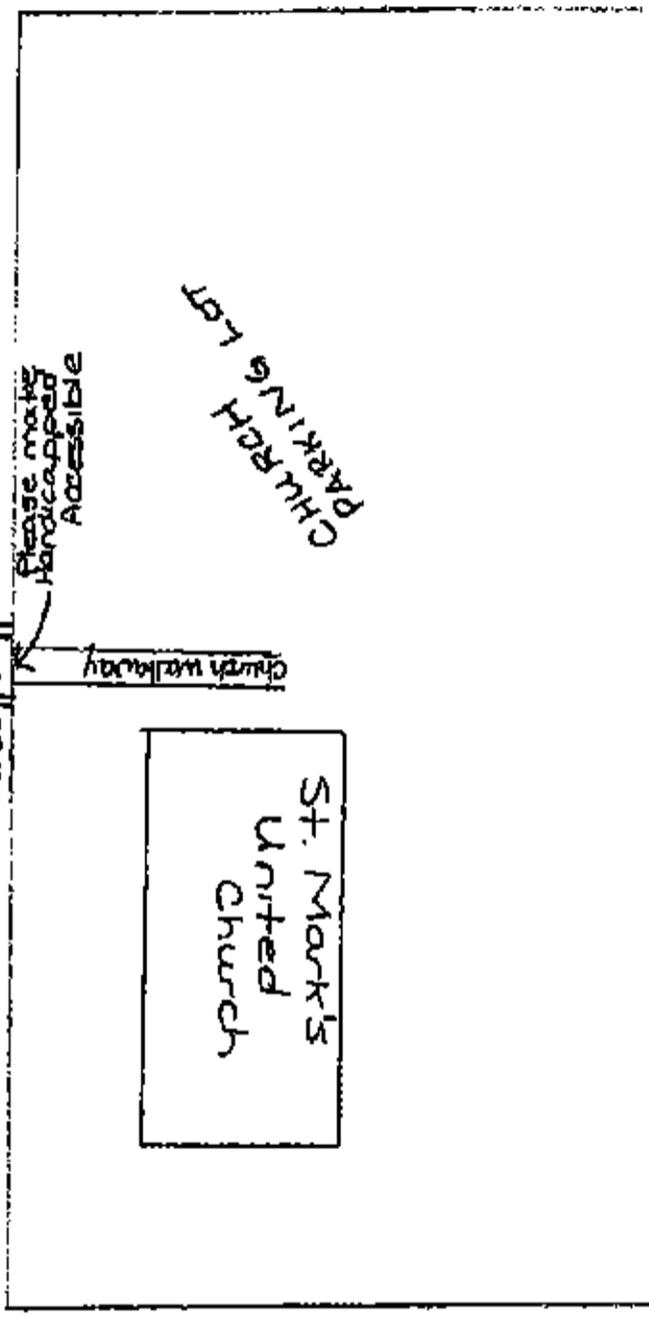
Elgin Court
Public School



city sidewalk
be it shaded area:
please asphalt

Holland Ave →

← Elm St →



CHURCH
PARKING LOT

Please make
Handicapped
Accessible

church walkway

St. Mark's
United
Church

Please
make
Handicapped
Accessible

← Aldborough →

LEGEND

 shaded area
to be asphalted
dimensions are:
6ft x 12ft

-34-

From: Valerie Morrison [v.morrison@tvdsb.on.ca]

Sent: Friday, March 23, 2007 5:06 PM

To: White, David

Subject: Crosswalk at Elgin Court

Dear Dave

Thank you for the support for another crosswalk at Elgin Court. The signs and the designated area already alerts drivers to be careful and our parents appreciate the opportunity to park behind the school and cross into the safety of the school yard. The handicapped access will make it even more useful for us.

Yes, we will run our full safety patrol program at the front and back of the school (at both crosswalks) for many years to come. It is part of our student leadership training program here at the school and supports the safety of arrival and departure.

Let me know if I can be of further assistance and thank you again for this helpful project for Elgin Court students.

Val Morrison

Val Morrison
Principal
Elgin Court Public School
St. Thomas, Ontario N5R 4P5

519-631-7118

Life's a dance you learn as you go.



Corporation of the

City of St. Thomas

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Report No.

CC-15-07

File No.

Directed to: Chairman David Warden and Members of
Committee of the Whole (Protective Services and
Transportation)

Date
March 27, 2007

Department: City Clerk's

Attachment

Prepared By: Dale Arndt, Airport Superintendent

1

Subject: Airport Certification- Airport Operations Manual.

Recommendation:

THAT: Report CC-15-07 be received for information, and further,

THAT: That the Civil Aviation Airport Certificate 5151-1-179 St. Thomas Municipal Airport be received and filed as information.

Background:

In 2006 the Airport management and staff underwent a full review and update of the airports' certification which was last written and issued as an interim certificate in 1997.

The process included an in-depth review by Transport Canada of the City's current operating and emergency procedures.

As a result a new and fully modified operations manual was created through the process. This manual falls into 4 sections:

- 1- Airport Operations Manual
- 2- Airport Emergency Response plan
- 3- Apron Management and Apron Safety Plan
- 4- Snow removal and Ice Control Plan

Analysis:

Three of the four plans, the A.O.M Plan, the Emergency Plan and the Snow and Ice Removal Plan have been circulated and adopted by key players (emergency responders and aircraft operators). The Apron Management and Apron Safety Plan involves some physical changes to entrances and fencing. Once these changes have been made the plan can be implemented to suit Transport Canada.

A copy of the manual is located in the Clerk's office.

Financial Considerations:

Financial impacts are always a consideration during a process like this however in the majority of cases the documents promote safety and flow of information.

The Apron Plan will require approx \$6000 in new equipment including automated gates /fence repair which are included in the 2007 operations budget.

Respectfully Submitted,
Dale Arndt
St. Thomas Municipal Airport

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**CIVIL AVIATION
AIRPORT CERTIFICATE**

**AVIATION CIVILE
CERTIFICAT D'AÉROPORT**

5151-1-179

CERTIFICATE NO. / N° DU CERTIFICAT

ST. THOMAS AIRPORT

NAME OF AIRPORT / NOM DE L'AÉROPORT

N42°46'12" W81°06'39"

LATITUDE / LONGITUDE

This airport certificate is issued by the Minister pursuant to Part III of the *Canadian Aviation Regulations* under authority of the *Aeronautics Act* and authorizes the operator named in the approved Airport Operations Manual to operate this airport.

Ce certificat d'aéroport est délivré par le ministre en vertu de la *Partie III du Règlement de l'aviation canadien* sous l'autorité de la *Loi sur l'aéronautique* et il autorise l'exploitant, tel que l'établit le manuel d'exploitation d'aéroport approuvé, à exploiter ledit aéroport.

The Minister may suspend or cancel this airport certificate at any time where the airport operator fails to comply with the provisions set forth in the Act, the Regulations or for other grounds as set out in the Act.

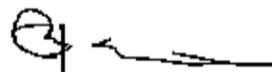
Le ministre peut suspendre ou annuler ce certificat d'aéroport en tout temps si l'exploitant de l'aéroport ne se conforme pas aux dispositions établies dans la *Loi*, le *Règlement* ou pour toutes autres raisons tel que l'énonce la *Loi*.

This certificate is subject to any conditions established by the Minister pursuant to Section 302.03(3) of the Regulations and set out in the approved Airport Operations Manual.

Ce certificat est sujet à toutes les conditions fixées par le ministre en vertu du paragraphe 302.03(3) du *Règlement* et tel que l'établit le manuel d'exploitation d'aéroport approuvé.

This airport certificate is not transferable and shall remain in effect until transferred, suspended or cancelled.

Ce certificat d'aéroport doit demeurer en vigueur jusqu'à son transfert, sa suspension ou son annulation.

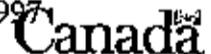


MINISTER OF TRANSPORT - MINISTRE DES TRANSPORTS

NOVEMBER 30, 2006

CERTIFICATE DATE OF ISSUE
DATE DE DÉLIVRANCE DU CERTIFICAT

REPLACES INTERIM AIRPORT CERTIFICATE ISSUED OCTOBER 02, 1997





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Corporation of the
City of St. Thomas

Report No.

CC-14-07

File No.

Directed to:	Chairman David Warden and Members of Committee of the Whole (Protective Services and Transportation)	Date	March 27, 2007
Department:	City Clerk's	Attachment	Economic Impact Reports
Prepared By:	Dale Arndt, Airport Superintendent		
Subject:	Economic Impact 2006 /Economic Forecast 2010 St-Thomas Airport		

Recommendation:

THAT: Report CC-14-07 be received for information, and further,

THAT: That the "St. Thomas Municipal Airport Economic Impact Study"- Final Report February 2007 and St-Thomas Municipal Airport Economic Impact Forecast 2010 be received for information.

Background:

The subject reports are part of a three part comprehensive review, which are aimed at identifying the airport's direct and indirect economic impact within the community it serves. The reports also supply forecasted economic impacts given a reasonable investment to facilitate specific business opportunities at the airport.

The strategic review includes:

1-Current Status Economic Impact Study

2-Economic Impact Forecast 2010

*note this forecast is based on the completion of a Terminal Building Structure that can accommodate the new businesses recommended in the terminal building feasibility study.

3- Terminal building feasibility study

Currently in process

In the studies the St. Thomas Municipal Airport is identified as an important economic driver for Elgin County, currently generating a total \$12 million dollars annually in economic benefit and sustaining the equivalent of 65.8 full-time jobs throughout the region.

The economic impact forecast illustrates how the addition of new businesses at St. Thomas Municipal Airport could create jobs and generate revenue throughout the community. However, these forecasts must be weighed carefully against the costs to ensure that that net gain is sufficient to support any proposed initiatives. A feasibility study and business plan is required for each new business, and discussions should take place with stakeholders and interested parties to assess the viability of the airport's development plan.

Although the current economic environment provides many challenges for the aviation industry the potential exists for the airport to make an even greater contribution to the economic health of St. Thomas and the surrounding communities.

Financial Considerations

Funding for the economic and forecast reports were allocated during 2006 capital under "Terminal Building Feasibility Study".


Respectfully Submitted,
Dale Arndt
St. Thomas Municipal Airport


W.S. GRAVES
CITY CLERK



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Corporation of the
City of St. Thomas

Report No.
ES50-07

File No.
05-014-00

Directed to: Alderman Dave Warden Chair and Members of the Transportation and Protective Services Committee

Date
April 2, 2007

Department: Environmental Services Department

Attachment

Prepared By: Dave White, Supervisor of Roads and Transportation

Letter from Nancy Barnes,
Copies of letters to Nancy Barnes & Report ES103-05.

Subject: Overnight Parking Permit Policy – Letter from Resident

Recommendation:

THAT: Report ES50-07 be received for information; and further,

THAT: Council continue to endorse the consistent application of the Overnight Parking Permit Policy as approved on November 21, 2005 within report ES103-05.

Origin:

A letter was received March 16, 2007 from Nancy Barnes, 63 Forest Avenue regarding the Overnight Parking Permit Policy.

At the meeting of September 11, 2006 Council approved the advertisement of the Overnight Parking Permit Policy contained within report ES98-06.

At the meeting of November 21, 2005 Council approved the Overnight Parking Permit Policy contained within report ES103-05.

The policy is attached for the information of the Members.

Analysis:

An On Street Parking Permit request was made by Nancy Barnes, 63 Forest Avenue for the 2005/2006 Winter Maintenance season. The home was inspected by the Roads Maintenance Foreman for available on site parking. At that time, there were two or more parking spaces available on the property. As a result of the Council Approved Policy modification, those properties that were previously given a parking permit were given a one years' grace period and notified by letter giving advance notice that for the 2006/2007 Winter Maintenance season. In addition, they were notified that they would not be issued an On Street Parking Permit in 2006/2007. Copies of the letters delivered to 63 Forest Avenue are attached.

Since the November 21, 2005 approval of the Overnight Parking Permit Policy we have consistently applied the policy to all residents that have requested permits.

The parking situation at 63 Forest Avenue allows for one vehicle in the rear carport and one vehicle on the front yard. 63 & 65 Forest has a joint arrangement thereby sharing the driveway to their rear carports. The laneway on the front yard is partially developed with gravel material. Several years ago, a laneway permit was issued for one vehicle on the front lawn, which would have had that condition attached to it. They have not requested a second laneway permit for the front lawn.



COPY OF LETTER RECIEVED

-40-

RECEIVED
MAR 16 2007

*Conrad
Crawth
Barnes
Crawth*

Dear Mr. Barwick;

With this letter I have enclosed pictures of my front lawn after having to park on it all winter. You know this issue is due to the fact that city hall will not issue parking permits in the winter months. I have spoken with you regarding this before and you know how upset this matter has made me. I believe the snowplows went down our street twice this year. The city of St. Thomas wants the residents to make our city look picturesque all year round. This costs us money each year to replant our front lawn, when it gets to the point where it gets looking good again it's time to park on it for the winter once again. This is just a vicious circle we are in. They say there is more life in St. Thomas, but if I were looking to buy here I would think twice after seeing people's lawns all tore up.

You can see the pictures for yourself do you think my lawn looks nice? I'm guessing you would think it looks disgusting. I take pride in my home but this is very discouraging for me and the other people that are in the same situation. Most people have more than one vehicle but as you know this is a necessary evil, there just isn't enough parking especially in the older neighbourhoods like mine.

I am just asking you to please put this matter on your agenda and take it as seriously as we do, after all we are taxpayers and we are constantly being dictated to. If we don't abide by the rules we get a fine, whenever I approach the people in charge they just dismiss my situation like it means nothing. Well it means a lot to me and the other residents that have to fix their lawns each year. I feel like I'm banging my head against a brick wall. Why can't we all work together and see if we can all solve this problem before next winter is here.

Thank you for your time, I look forward to hearing from you.

RECEIVED
MAR 21 2007
ENVIRONMENTAL SERVICES DEPT

Nancy Barnes

Nancy Barnes
63 Forest Avenue
St. Thomas, ON
N5R2J4
519-831-3702

ENVIRONMENTAL SERVICES	
JD	
IA	
BC	
GF	
DW	
RT	
JF	
FILE	

REFERRED TO
J. DEWANCKER

FOR

COMMENT

FILE *MARIA KONEFAL*

COPIES OF TWO LETTERS SENT (TWO PAGES)

-41-

JOHN DEWANCKER, P.Eng
Director, Environmental Services &
City Engineer

IVAR ANDERSEN, P.Eng
Manager of Operations & Compliance

BRIAN CLEMENT, P.Eng
Manager of Engineering



All correspondence
to be addressed to:
P.O. Box 520, City Hall Annex
St. Thomas, ON N5R 3J7
Telephone: (519) 631-1880
Fax: (610) 631-2130

Effective November 9, 2005

Dear Nancy BARNES

Re: Your 2005 / 2006 on street parking permit request

Your request for an on street parking permit has been approved for the 2005 / 2006 season (November 15, 2005 to March 16, 2006) with the following conditions:

The current policy by which all requests are assessed is based on:

1. If a property has two or more parking spaces (including a garage(s)), a permit is not issued.
2. If a property has one parking space but has the potential for a total of two parking spaces on the subject property, a permit is issued for the 2005 / 2006 season but the applicant is required to supply a second parking space on their property before the 2006 / 2007 winter maintenance season (working with Roads and Transportation staff).
3. If a permit was issued to you last year, you are issued a permit for the 2005 / 2006 season only. You will not be issued a permit for the 2006 / 2007 winter maintenance season.

Your property has two or more parking spaces therefore you are issued a permit for the 2005 / 2006 season based on the above condition #3, but WILL NOT BE ISSUED a permit for the 2006 / 2007 winter maintenance season.

Yours truly

Dave White

Dave White, C. Tech
Supervisor of Roads and Transportation

cc: Ivar Andersen, Manager of Operations and Compliance

-42-

Reference: Letter #2

JOHN DEWANCKER, P.Eng
Director, Environmental Services &
City Engineer

IVAR ANDERSEN, P. Eng
Manager of Operations & Compliance

BRIAN CLEMENT, P.Eng.
Manager of Engineering



THE CORPORATION OF THE CITY OF
ST. THOMAS

All correspondence
to be addressed to:
P.O. Box 520, City Hall Annex
St. Thomas ON N5P 3V7

Telephone: (519) 631-1680
Fax (519) 631-2130

Date: SEPT 26 2006

Dear: Homeowner/Tenant of 623 FOREST AVE.

Re: **Traffic By-Law # 45-89 & On Street Parking Permit Policy.**

As you know, Traffic By-Law # 45-89 states that no person shall park a vehicle or allow to stand a vehicle upon any part of any street in the City of St. Thomas between the hours of 3:00 a.m. and 5:00 a.m. from November 15th to March 15th of the following year. A permit may be obtained and the current traffic policy determines eligibility.

The Intent of the By-law and Traffic Policy is to keep the streets clear of vehicles and to only allow parking permits for those properties that didn't have any parking spaces on their property AND those properties that didn't have the potential for two or more parking spaces within approved policies and By-laws.

As you will recall, the On Street Parking Permit Policy was revised during the last winter maintenance season. The attached letter was submitted to you when you picked up your parking permit and there were conditions attached to your permit last year.

Your property has two or more parking spaces therefore you **WILL NOT BE ISSUED** a permit for the 2006/2007 winter maintenance season.

Yours truly

Dave White

Dave White, C. Tech
Supervisor of Roads and Transportation

cc: Ivar Andersen, Manager of Operations and Compliance

**Please see the reverse side of this for last years' communication.

COPY OF APPROVAL REPORT (FOUR PAGES)

-43-

 <p>Corporation of the City of St. Thomas</p>	Report No. ES103-05
	File No. 05-014-00
Directed to: Chairmen Terry Shackleton and Members of the Transportation and Protective Services Committee	Date November 21, 2005
Department: Environmental Services Department	Attachment Overnight Parking Permits Policy
Prepared By: Dave White, Supervisor of Roads and Transportation	
Subject: Environmental Services – Revision to Overnight Parking Permit Policy	

RECOMMENDATION

It is recommended that:

1. The recommended amendments to the City's Overnight Parking Permit Policy, as outlined in report ES103-05, be approved.
2. The amended policy be effective immediately.

Report:

Origin

The current policy on Overnight Parking Permits was last revised on October 20, 1997. In the past several years, the practice of issuing permits has evolved away from the policy for a number of reasons. During the assessment of the applicants for the 2005 / 2006 winter maintenance season, a number of issues and inconsistencies have come to our attention. Therefore a revision of the policy and approval from Council is required.

The number of complaints received in previous years with respect to winter maintenance can be directly linked to the fact that the approved Winter Maintenance Program and Quality Standards could not always be reached as a result of vehicles being parked on residential streets. This is a traffic and public safety issue (emergency vehicle access), which is being addressed solely by the Traffic and Parking By-law, Enforcement and approved Traffic Policies.

Also, to increase traffic and public safety on City of St-Thomas streets with an overall width of 9.9m or less, Environmental Services staff recently has been required to act on complaints and remove parking from one side of these streets to allow for emergency vehicle access and in support of the approved Winter Maintenance Program and Quality Standards.

Analysis

The 2005 / 2006 winter maintenance period is upon us. On November 7, 2005 Council approved the recommendations contained in report ES98-05 - Winter Maintenance Program and Quality Standards – 2005/2006 Season. The success of the program rests on the effectiveness of the Parking By-law, enforcement of the By-law and the supporting policy to keep all City of St.Thomas streets as clear as possible of vehicles during the winter maintenance period of November 15 to March 15 of each year.

Current By-law No. 45-89 – Regulating Traffic and the Parking of Motor Vehicles

The current by-law reads;

No person shall park a vehicle or allow to stand a vehicle upon any part of any street in the City of St. Thomas between the hours of 3:00 a.m. and 6:00 a.m. from November 15th to March 15th of the following year. It also covers the fact that a permit may be obtained and the current traffic policy would be implemented in determining eligibility.

Current Policy and Procedures

The current traffic policy on permit eligibility (1997) reads;

To be eligible for an overnight parking permit, the property in question must not have off street parking and must not have space to construct an off street parking space with the minimum width of 2.75 m and a minimum length of 5.50 m.

Only two permits may be issued to each eligible property.

-44-

The Original Intent of the By-law and Traffic Policies -

The original intent of the By-law and Traffic Policy was to keep the streets clear of vehicles and to only allow parking permits for those properties that didn't have any parking spaces on their property AND those properties that didn't have the potential for parking spaces within approved policies and By-laws.

Other Municipalities

The City of London has an overnight parking restriction for the entire year that does not allow for overnight parking permits. This restriction is strictly enforced.

Conclusion

The Suggested Overnight Parking Permit Policy - Revision

Each application for a permit will / has been assessed based on the attached policy with the following revisions;

- If the property had a permit last year, a permit for 2005 / 2006 may be issued with the condition that the property will be assessed based on the policy revision for all future years.
- If the property has two or more parking spaces (including garage(s)), a permit will not be issued for all future years.
- If the property has the potential for two parking spaces, a permit may be issued for one year only on the condition that the property owner will develop the second parking space while also complying with the City Zoning By-law and policies (50% of front yard used for parking & a minimum of 2.76m wide and 5.50m long parking space).

Subject to the approval by City Council of this amendment to the policy, a letter will be issued to those permit holders who will not be eligible for a permit next winter season.

Alternatives

Should the policy not be revised, any property that has a parking space will need to have their permit revoked (not be issued a permit).

While there may be other alternatives, the most cost effective approach in support of the Winter Maintenance Program and Quality Standards is being recommended.

Financial Implications:

Approval of the amendment to the policy will not result in a financial implication to Roads and Transportation operating budget. Each vehicle parked on the street has the potential of increasing the cost and/or effectiveness of the Winter Maintenance Program and Quality Standards.

Respectfully submitted

Dave White, Supervisor of Roads and Transportation
Environmental Services

Reviewed By: _____

Treasury	Env Services	Planning	City Clerk	HR	Other
----------	--------------	----------	------------	----	-------



The Corporation of the
City of St. Thomas

Policy No:

Page: 1 of 2

<p>TRAFFIC DIVISION POLICY AND PROCEDURES MANUAL</p>	SECTION: Traffic
	SUBJECT: Overnight Parking Permits

- Purpose - To outline the procedures for requesting and issuing overnight parking permits.
 - Policy Statement - Overnight on street parking will be allowed to those vehicles displaying an overnight parking permit issued in accordance with the following procedures:
 - PROCEDURE:**
 - Applications - St. Thomas Residents who require overnight on street parking may make application in writing to the Director of Public Works and Engineering for an overnight parking permit.
 - Permit Eligibility - To be eligible for an overnight parking permit, the property in question must not have off street parking and must not have space to construct an off street parking space with the minimum width of 2.75 metres and a minimum length of 5.50 metres.
- "The Zoning By-law permits 50% of the front yard to be used for parking".
- Number of Permits - Only two (2) permits may be issued to each eligible property.
 - Non Issue of Permit - Permits will not be issued to properties where two or more parking spaces can be constructed.
 - Approvals - All applications will be reviewed by the Director of Public Works and Engineering and the Chief of Police or their designates. Applications which meet the established criteria will be approved.
 - Issue of Permit - Permits will be issued by the Engineer's Office upon receipt of an approved application and payment of all fees. Permits will not be issued for Talbot Street.

Effective Date	Supersedes
Oct. 20, 1997	Nov. 15, 1995

Policy No:	
Page:	2 of 2
Section:	Traffic
Subject: Overnight Parking Permits	

- Applications - If an application is turned down, the applicant may ask the Director of Public Works and Engineering or Police Chief to review the application and explain in writing why they feel it should be approved. Applications for review should be submitted within 7 days of receiving notification of permit denial.

- Duties of Holder - The permit holder shall enter the licence plate Permit numbers of vehicles being used in the appropriate section on the permit. The permit shall be placed in the left rear window of the vehicle with the expiry date facing out. The permit is to be clearly visible to someone viewing the permit from outside the vehicle. If not affixed in compliance the vehicle is subject to receiving a parking violation.

- Transference - Permits may be transferred from one property owner to another property owner upon transferring property ownership, or from one tenant to another for the same property.

- Permit Costs - \$ 50.00 per season or prorated at \$0.50 per day for any portion thereof.

- Temporary Permits - Temporary permits will be issued to applicants who, because of driveway construction, City or utility construction, are prevented access to their driveway or to persons who require temporary overnight parking for guests.

- Temporary Student Permits - Temporary student permits will be issued to applicants who are returning home from school and have no place to park their vehicle at their parents residence.

- Number of Temporary Permits - All vehicles displaced due to construction shall be eligible for a temporary permit.
- Where a guest permit is requested, only 1 permit shall be issued per property.
- All student who do not have parking for their vehicles at their parents residence shall be eligible for a temporary permit.

- Temporary Permit Costs - \$2.00 per night per permit.
Permits not to be issued for more than 5 consecutive days.

-47-

RECEIVED
MAR 16 2007

Dear Mr. Barwick;

With this letter I have enclosed pictures of my front lawn after having to park on it all winter. You know this issue is due to the fact that city hall will not issue parking permits in the winter months. I have spoken with you regarding this before and you know how upset this matter has made me. I believe the snowplows went down our street twice this year. The city of St. Thomas wants the residents to make our city look picturesque all year round. This costs us money each year to replant our front lawn, when it gets to the point where it gets looking good again it's time to park on it for the winter once again. This is just a vicious circle we are in. They say there is more life in St. Thomas, but if I were looking to buy here I would think twice after seeing people's lawns all tore up.

You can see the pictures for yourself do you think my lawn looks nice? I'm guessing you would think it looks disgusting. I take pride in my home but this is very discouraging for me and the other people that are in the same situation. Most people have more than one vehicle but as you know this is a necessary evil, there just isn't enough parking especially in the older neighbourhoods like mine.

I am just asking you to please put this matter on your agenda and take it as seriously as we do, after all we are taxpayers and we are constantly being dictated to. If we don't abide by the rules we get a fine, whenever I approach the people in charge they just dismiss my situation like it means nothing, well it means a lot to me and the other residents that have to fix their lawns each year. I feel like I'm banging my head against a brick wall. Why can't we all work together and see if we can all solve this problem before next winter rolls around?

Thank you for your time, I look forward to hearing from you.

Nancy Barnes

Nancy Barnes
63 Forest Avenue
St. Thomas, ON
N5R2J4
519-631-3702

REFERRED TO	
<i>J. DEWANCKER</i>	
FOR	
COMMENT	<input checked="" type="checkbox"/>
FROM	<i>MARIA KONECAL</i>



119

63 Forest Ave. Front lawn

63 Forest Ave. Front lawn



-49-

63 Forest Ave. Front Lawn





-50-

CITY OF ST. THOMAS
RECEIVED

MAR 28 2007

Purchasing/Licensing

March 27, 2007

City of St. Thomas.
Clerk's Office
1st Floor City Hall
545 Talbot Street
St. Thomas, ON N5P 3V7
Attention: Wendell Graves, City Clerk

LONDON AREA OFFICE
817 Wellington Street
London, ON N6A 3R8

Tel: (819) 679-0841
Fax: (618) 678-6898

SENIOR AREA MANAGER
Cheryl Curtis X226

AREA ADMINISTRATOR
Connie Ford X223

AREA CO-ORDINATOR
Sharonne MacDonald X227

AREA CO-ORDINATOR
Lori Pallen X228

PROGRAM CO-ORDINATOR
Patricia Gallin X229

PROGRAM CO-ORDINATOR
Colleen Quinn X228

EVENT ASSISTANT
Paula Verbrugge

Chapter Volunteer President
Peter Mastorakos

Chief Executive Officer
Rocco Rossi

Dear Mr. Graves,

Thank you to the City of St. Thomas for the continued support of the Heart and Stroke Big Bike™ event. This one of a kind 30-seat bicycle travels to large and small communities throughout Ontario to raise funds for research into the root causes of heart disease and stroke. Each 29-person team rides a course that covers approximately 3 kilometres of scenic terrain in the downtown area of St. Thomas. The dates of the 2007 event for St Thomas are **Tuesday May 22 & Thursday 24** from approximately noon to 7:00 PM. We are requesting permission to ride the route outlined below:

Leaving from the Legends Tavern parking lot located at 600 Talbot Street at Moore, the bike leaves from Moore Street travels south on Moore Street to Wellington Street. At Wellington, it turns right and follows Wellington to Metcalfe Street. At Metcalfe, the bike turns right and travels north to Talbot Street. It turns right onto Talbot Street and continues to the starting point at the parking lot on Moore Street.

We have also requested a voluntary police escort to assist with this event.

In the past, the City of St. Thomas and the St. Thomas Police Department have been most helpful in assisting with the Big Bike. We look forward to your continued cooperation in accommodating this charitable fundraising event. Our partner's efforts keep our vision alive and our mandate strong. It gives survivors hope and provides information to help prevent and manage heart disease and stroke.

We would be truly grateful for your continued participation. Please advise us, either by fax or letter, of your decision in this matter.

With heartfelt thanks,

Lori Pallen
Area Coordinator ext 228
lpallen@hsf.on.ca

Patricia Gallin
Program Coordinator ext 229
pgallin@hsf.on.ca



-51-

RECEIVED
MAR 23 2007

Thumbs Up!
ACCESS AND AWARENESS COMMITTEE
ST THOMAS - ELGIN

St. Thomas City Council,
City of St. Thomas,
P.O. Box 520, City Hall,
545 Talbot Street,
St. Thomas, Ontario
N5P 3V7

February 15, 2007

Dear Mayor Cliff Barwick and Aldermen,

Recently one of our members brought an application for a Paratransit pass to our meeting. It was noted that the application specifically said that scooters were not allowed on the Paratransit buses.

It was our understanding that the new buses would take scooters, especially when scooters cannot be used in inclement weather on city streets. We understood that the new buses would have the correct tie downs due to the fact that the City consults with the Municipal O.D.A. Committee which has expertise in this area.

Could you please clarify why scooters cannot be used on the St. Thomas bus system, and if not when this problem will be addressed so that all disabled persons have an equal opportunity to use St. Thomas Paratransit system.

It also came to our attention, that the seat beats on the buses, have become a tripping hazard to the riders. Quite frequently they are left hanging over into the aisles.

Thank you for your co-operation.

Yours truly,

Scott Taylor
Chair
St. Thomas Access Awareness Committee

st/ct

REFERRED TO	
J. DEWANCKER	<i>mlt</i>
FOR	
DISCUSSION	<input type="checkbox"/>
REQUEST OR COMMENT	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
FROM MARIA KONEFAL	

-52-

Lear\CAW Local 2168
Adjustment Centre

RECEIVED
MAR 23 2007

To Mayor Barwick and Council

Lear Corporation has been providing Ford with well built high quality seats for 13 years. As you all may be aware that Ford Talbotville is being downsized to a 1 shift operation as of April 10\07. This is a big impact for our workers here at Lear as we are a Tier 1 supplier and is our only customer. As a result approximately and up to 140 EE's will Be affected by this reduction.

During our last set of negotiations the Co. and the CAW had negotiated an Adjustment Centre is developed to provide essential services such as needs assessments, resume writing, and various employment workshops.

As of April 16\07 the Lear\Caw Local 2168 Adjustment Centre is scheduled to officially open and to provide our laid off Brothers & Sisters a place to seek such services to help them with there future employment opportunities. This is a very difficult task to accomplish with such a limited operating budget.

With the help of The City of St Thomas we would like to take this opportunity to ask City Council for the loan of any unused desks, chairs, computers and related office items For approximately 11 months to help us help others during these very difficult times that lay before us.

Let us also take this opprutunity to invite All of City Council to attend our GRAND OPENING on April 16\07 time to be determined ASAP and will be forwarded.

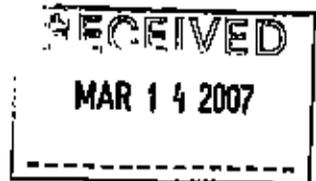
In Solidarity

The Adjustment Committee

Ryan Dolby
Terry Berger
Terry Jamieson

REFERRED TO	
W. DAY	MLL
FOR	
DISCUSSION	<input type="checkbox"/>
RECOMMENDATION	<input checked="" type="checkbox"/>
REVISION	<input type="checkbox"/>
FROM MARIA KONEFAL	

-53-



March 13, 2007

Mayor Barwick and Councilors
P.O Box 520
545 Talbot Street
St. Thomas, ON
N5P 3V7

Fax: (519) 623-0019 — 1 page

Re: Railway lands, City of St. Thomas – Fanshawe College student project.

Community Driven...
Student Focused

www.fanshawec.ca

1460 Oxford Street, East
P.O. Box 7005
London, Ontario
N5Y 5R8
Tel: (519) 452-4430

James N. Allan Campus
634 Ireland Road, Box 10
Simcoe, Ontario
N5Y 4K8
Tel: (519) 426-8260
Fax: (519) 426-3112

St. Thomas/Elgin Campus
120 Bill Martin Parkway
St. Thomas, Ontario
N5R 6A7
Tel: (519) 633-2030
Fax: (519) 633-0043

Woodstock Campus
359 Finkie Street
Woodstock, Ontario
N4V 1A3
Tel: (519) 421-0144
Fax: (519) 539-3870

Strathroy Centre
10 Melrose Place, Unit B-5
Strathroy, Ontario
N7B 3Z1
Tel: (519) 245-8432
Fax: (519) 245-8845

Livingston Centre
80 Tilson Avenue
Tilsonburg, Ontario
N4G 3A1
Tel: (519) 842-8000
Fax: (519) 842-4727

Dear Mayor Barwick and Councilors:

It is understood that the City will be considering the purchase of the subject lands from CN Rail over the next while.

The redevelopment of the Railway Lands would make for a very excellent project for students enrolled in the GIS and Urban Planning Diploma Program, as well as the Integrated Land Planning Degree Program. As Professors within these two programs, we are always looking for such interesting projects and learning opportunity for our students. We would be prepared to develop projects for the students in conjunction with the City. It would be appreciated if this letter could be put before Council.

We would like to take this opportunity to thank the City for employing Fanshawe students over the years.

Respectfully

Laverne Kirkness BES., RPP., MCIP.

Coordinator

GIS and Urban Planning

Russell Schnurr

Professor

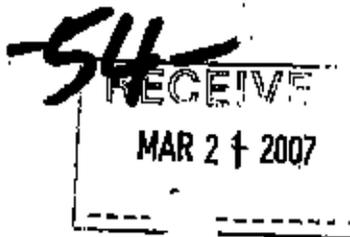
GIS and Urban Planning

Ministry of Culture
Minister

5th Floor, Mowat Block
900 Bay Street
Toronto ON M7A 1L2
Tel: (416) 325-1660
Fax: (416) 325-1726

Ministère de la Culture
Ministre

5^e étage, édifice Mowat
900, rue Bay
Toronto (Ontario) M7A 1L2
Tél: (416) 325-1660
Télééc: (416) 325-1726



M2007-9800

MAR 15 2007

His Worship Cliff Barwick
Mayor of St. Thomas
545 Talbot Street
PO Box 520, City Hall
St. Thomas, ON N5P 3V7

Dear Mayor Barwick:

Thank you for your letter regarding Alma College in St. Thomas.

The *Ontario Heritage Act* gives all municipalities the tools they need to identify and protect heritage property should they choose to use them. The City of St. Thomas has used its power under the Act to stop the demolition of this designated heritage building.

I understand that the owners have appealed council's decision on the demolition permit to the Ontario Municipal Board. As this matter will go before the board in March, it would not be appropriate for the Province to intervene or participate in the appeal. I have asked ministry staff to monitor this matter.

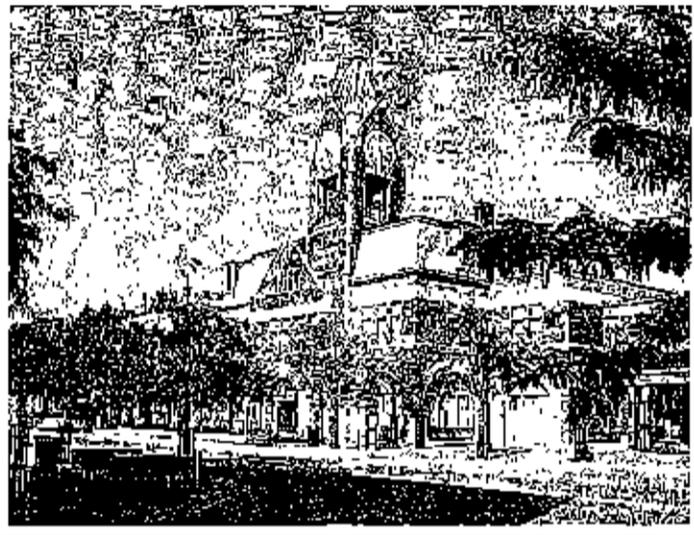
Provincial powers under the *Ontario Heritage Act* will be used only in rare circumstances. The primary responsibility to identify and protect cultural heritage property continues to rest with the municipality.

Once again, thank you for your commitment and support in conserving Ontario's cultural heritage.

Sincerely,

Caroline Di Cocco
Minister

c: Steve Peters, MPP
Elgin-Middlesex-London



COMMUNITY FUTURES DEVELOPMENT CORPORATION Downtown Main Street Revitalization Workshops

St. Thomas

April 24, 2007

9:30 a.m. - 3:30 p.m.
Canada Southern Railway Station
750 Talbot Street

Cambridge

April 25, 2007

9:30 a.m. - 3:30 p.m.
University of Waterloo
School of Architecture
7 Melville Street South

Collingwood

April 26, 2007

9:30 a.m. - 3:30 p.m.
Town Hall, Council Chambers
97 Hurontario Street

This workshop is a must attend
for those involved in Downtown Revitalization!

Keynote Speakers:



Kennedy Lawson Smith -
One of the nation's
foremost experts on
downtown revitalization
and development.
Formerly, Director of the
US National Main Street
centre for 13 years.



Derek Nighbor -
Vice President - National
Affairs with the Retail
Council of Canada (RCC).
Derek has been the
"Voice of Retail" in
Canada representing
over 40 thousand retail
storefronts across the
country.



Andrew Redden -
Provisional member of
the Canadian Institute of
Planners and is
coordinating a multi-year
Main Street Revitalization
Initiative in four Eastern
Ontario Municipalities.



COMMUNITY FUTURES DEVELOPMENT CORPORATION
Chatham Kent
Collingwood
North Simcoe
Orillia
Saugeen
Windsor/Lambton



Downtown Revitalization Workshops "Main Street Matters"

Program

- 9:00 a.m. Registration
- 9:30 a.m. Kennedy Smith
Principal and Co-founder, CLUE Group
Former Director - National Main Street Centre - Main Street Program
- 10:45 a.m. Break and Networking
- 11:00 a.m. Kennedy Smith
- 12:00 p.m. Lunch and Networking
- 1:00 p.m. Derek Nighbor, Retail Council of Canada (St. Thomas & Cambridge only)
"Future of Rural Retailers - How do they Compete"
John Finley, Economic Development - Huntsville (Collingwood only)
"The Journey to Huntsville's Vibrant Downtown"
- 1:45 p.m. Chris Fullerton, Assistant Professor - Brock University (St. Thomas & Collingwood only)
"Creating a Strong, Positive Sense of Place"
Laurel Davies Snyder - Cambridge Core Area Project Manager (Cambridge only)
"How Downtown CIP's can work for your Community"
- 2:30 p.m. Break and Networking
- 2:45 p.m. Andrew Redden - Project Coordinator,
Downtown Revitalization in Central Hastings County
"The Marmora, Madoc, Stirling and Tweed Experience"
- 3:30 p.m. Safe Journey Home!

Registration Fee: **\$40** (includes Conference, Lunch, Handouts & GST)
(Receipts provided the day of each workshop)

Cheques payable to: CFDC - Chatham Kent
P.O. Box 192,
Blenheim, Ontario N0P 1A0
Phone (519) 676-9775 Fax (519) 676-9732

Registration: (Check preferred location) St. Thomas Cambridge Collingwood
of attendees _____ @ \$40 Total: \$ _____

Registrant(s): _____

Title/Organization: _____

Phone: _____ E-mail: _____

Dietary Restrictions: _____

Registration Deadline: April 16, 2007

Ministry of Community Safety
and Correctional Services

Emergency Management Ontario
77 Wellesley Street West
Box 222
Toronto ON M7A 1N3
Office of the Chief

Telephone/Téléphone
Facsimile/ Télécopieur
E-mail

File Reference/Référence EMO07-00029

Ministère de la Sécurité communautaire
et des Services correctionnels

Gestion des situations d'urgence Ontario
77, rue Wellesley Ouest
C.P. 222
Toronto ON M7A 1N3
Bureau du chef

(416) 212-3526
(416) 212-3498
Information.EMO@jus.gov.on.ca

RECEIVED

MAR 16 2007



March 9, 2007

Head of Council
City of St. Thomas

Dear Head of Council:

As you are aware, the *Emergency Management and Civil Protection Act* requires the implementation of a mandatory Essential Level emergency management program by all Ontario municipalities. In my legislated role as Chief, I am responsible for the monitoring, coordinating and assisting in the development and implementation of emergency management programs provincially. Since the inception of this legislation Emergency Management Ontario (EMO) has provided guidance, resources, and tools to all communities to assist them in meeting the requirements of the Act, and of the associated Ontario Regulation 380/04. Both the Act and the Regulation specify activities that must be conducted on an annual basis by municipalities in order to maintain full compliance.

At this time I am writing to advise you that a review of our records indicates that in 2006 your municipality did not complete all of the steps that are necessary for the maintenance of the Essential Level Emergency Management Program required by this legislation. These records show that while some of the mandatory program activities were completed, some of the municipal standards were not met (the attached document refers). Please contact your local EMO Field Officer if you require additional details.

It is the responsibility of municipalities to ensure that they are compliant with Provincial legislation and regulated standards at all times. EMO is committed to working with your community and staff to assist you in maintaining your program in 2007.

The implementation of sound community emergency management programs, which are integrated with those of other levels of government, is a key element of our shared responsibility to the residents of Ontario. Such a partnership will lead to our mutual goal, which is the creation of safer and more disaster-resilient communities.

Sincerely,

Dan Hefkey, Chief

c.c. CEMC
EMO Field Officer

REFERRED TO	
R. BARBER	<i>[Signature]</i>
R. ORMEROD	<i>[Signature]</i>
FOR	
DIRECTION	<input type="checkbox"/>
REPORT OR COMMENT	<input checked="" type="checkbox"/>
	<input type="checkbox"/>
FROM: MARIA KONEFA	

www.kettlecreekconservation.org



44015 Ferguson Line
St. Thomas, ON
N5P 3T3
Tel: 519-631-1270
Fax: 519-631-5026

Member Municipalities:

- Central Elgin
- City of London
- City of St. Thomas
- Middlesex Centre
- Thames Centre
- Malahide Township
- Southwold Township



March 22, 2007
Wendell Graves
City of St. Thomas
PO Box 520
545 Talbot St.
St. Thomas, ON
N5P 3V7

City of St. Thomas
Receives

MAR 27 2007

City of St. Thomas

RE: Staff Representation on Friends of Lower Kettle Creek

Dear Mr. Graves:

Stemming from the Public Meeting held on November 29, 2006 to initiate the Lower Kettle Creek Community Based Watershed Strategy, the Friends of Lower Kettle Creek has been formed. This group is comprised of landowners, business owners and concerned citizens of the Lower Kettle Creek watershed. Currently, a staff representative of the Municipality of Central Elgin also sits on this committee.

The Friends of Lower Kettle Creek meets regularly to discuss the environmental priorities identified at the public meeting and establish action plans to address these issues for inclusion in the strategy. The committee suggested at its inaugural meeting on February 22, 2007 that a staff representative from the City of St. Thomas and the Township of Southwold also be invited to join the group. This would provide municipal representation by all of the municipalities within the Lower Kettle Creek watershed.

Please see the attached minutes from the November 29, 2006 public meeting and the February 22, 2007 Friends of Lower Kettle Creek meeting.

The next meeting of the Friends of Lower Kettle Creek is scheduled for Thursday, April 5, 2007 at 7:00 p.m. in the basement of the Elgin County Administration Building.

If you have any further questions about the Lower Kettle Creek Community Based Watershed Strategy or the Friends of Lower Kettle Creek, please do not hesitate to contact me.

Thank you,
B. Wilcox
Betsy Wilcox
Stewardship Program Coordinator

cc: Alderman Heather Chapman
Alderman Lori Baldwin-Sands

REFERRED TO	
<i>J. DEWANCKER</i>	
FOR	
DIRECTION	<input type="checkbox"/>
REPORT OR COMMENT	<input type="checkbox"/>
INFORMATION	<input checked="" type="checkbox"/>
FROM <i>MARIA KONEFAL</i>	



**PUBLIC MEETING
November 29, 2006
Elgin County Administration Building**

A meeting of the Lower Kettle Creek Community was held on Wednesday, November 29, 2006 at 6:00 p.m. at the Elgin County Administration Building.

of People Attending Meeting: 51

of People Interested in being a Member of the Local Advisory Committee (LAC): 11

1. Open House

Lower Kettle Creek maps, displays on Source Water Protection, KCCA's Reforestation Program and the Elgin Landscape Strategy were set up for attendees to view. There was also a variety of brochures, pamphlets and information packages laid out for attendees to take home with them on topics ranging from shelterbelts to wells.

2. Welcome/Introductions

Betsy Wilcox, Stewardship Program Coordinator for KCCA, welcomed all those in attendance. Those in attendance were reminded to submit their completed questionnaires.

3. Presentation on the Lower Kettle Creek Watershed

Betsy Wilcox gave a presentation on the Lower Kettle Creek watershed, including information about: origins of the project, watershed location, vegetation, aquatic resources, water quality and how the community can get involved.

4. Facilitated Group Session

Bryan Hall and Betsy Wilcox acted as facilitators for the group discussions. Participants were encouraged to discuss what they felt were the predominant environmental concerns/issues in the Lower Kettle Creek watershed and ways to address those issues. (see attached summary)

5. Meeting Adjournment

Betsy Wilcox adjourned the meeting by thanking all those in attendance at the meeting for supporting the new project. All participants were encouraged once again to submit their questionnaires to provide further feedback to the project. Door prizes were awarded to the winners.

The meeting adjourned at 9:15 p.m.

SUMMARY OF GROUP SESSIONS

Water

- Contaminants from Kettle Creek into Lake Erie – beach postings, intake pipe – use wetlands to help alleviate issues
- Do a study along Kettle Creek to identify the sources of contamination – compare with report done in 1990s
- Water quality
- Use trench for flood control – ie. McGregor Drain
- Encroachment into stream areas – residents are cutting trees and having manicured grass up to the edge – keep to what the law allows – also runoff and pesticide issues associated with that
- Creek water temperatures
- Die offs of fish at hatchery
- Actions on land are impacting Lake and drinking water source
- Watercourse replenishment – maintaining adequate amounts
- Promote and use road salt alternatives
- Stop cosmetic use of pesticides
- Aesthetics of the creek – sediment, muddy, brown
- Livestock access to watercourses – what happened with the NMA?
- Sewage treatment – effluent discharges (urban or rural) – not just St. Thomas, other Sewage Treatment Plants and septic beds etc.
- Raw water quality (Intake pipe) – streams and tributaries have poor water quality which is feeding into the intake pipe
- Clean up tar deposit
- Elimination of all negative discharges (mainly e.coli related) that reach Kettle Creek
- Improve municipal drainage practices to reach environment objectives – don't just focus on getting the water off the land, manage the drains comprehensively for environmental objectives as well

Natural Areas/Woodlots

- Protect wild areas – green space
- Restore important areas of the watershed ie. Beaver Creek
- Protect South Mill Creek – one of few coldwater streams
- Ash Borer – logging of big trees, leaving only ash – what if borer hits?
- Make changes to the tree cutting bylaw
- Increase tree cover in the watershed (ie. woodlots and along streams)
- Maintain native plant/tree species and control invasives

Education/Public Awareness

- Education program for urban residents – household hazardous waste
- Educate media – beach postings are not always from farmers and agricultural sector
- Educate rural residents
- Educate ATV users on their impacts and improper use of private property
- Create a brochure with widespread distribution – identify issues of the watershed ie. ATVs, garbage/illegal dumping, household hazardous waste, dumping grass clippings over bank, intake pipe boaters being responsible with waste water, Farming BMPs
- Education – use local papers
- Target elementary school children – tie to the curriculum
- Yellow fish road program – marking drains with yellow fish as education tool
- Advertise in local media
- Relate materials to kids ie. colouring and activity books
- Presentation for schools – have various organizations/groups present
- Awareness and education of landowners – people need to know more about the environment and what should and should not be done

Erosion/Sediment

- Sediment concerns
- Erosion – caused by the highs and lows of Kettle Creek and ATVs
- Streambank erosion
- Harbour siltation
- Shoreline erosion – bluffs, gullying
- Erosion control through naturalization – vegetation (grasses, buffers, shrubs, trees)
- Shoreline protection – Dunes (value of dunes, beach management, creating dunes)
- Create watercourse buffers and compensate farmers for doing so

Garbage/Dumping

- Funding for no dumping signs through CA or municipality, provide alternatives to dumping, fines
- Garbage dumping in valleylands
- Enforcement of garbage issues - changing mind sets
- Community clean up efforts
- White plastic wrap on hay and straw bails – no collection system for the wrap and it ends up getting buried or burned

Other

- Financial assistance for farmers to do BMPs, assistance in implementing
- Responsible use of funding – get things done
- By knowing where the issues are, we can then tackle the problems – will help people/groups accept responsibility
- Partner with businesses
- Incentives for environmentally responsible behaviour
- Promote environmental programs
- Failure of governing bodies to protect landowners – want CA's and other agencies to enforce regulations
- High bar watershed plan/strategy – needs to set a watershed vision and have active involvement of community/municipalities
- Single point of contact for any environmental issues in the watershed – “one window approach” – if there is a water quality or spill concern, who do they call and can that person/agency do anything about it
- Strengthen environmental regulations (water quality regulations)

Based upon this extensive list, each participant identified their top priorities. The top priorities expressed by the people attending the meeting included:

- Source Water Protection
- Education and Public Awareness
- Erosion/Sediment Issues
- Studies/Watershed Management Plans
- Regulations (stronger regulations, better enforcement, “one-window approach”)
- Reforestation/Buffers

Results of Questionnaires

(as of January 16, 2007)

of Questionnaires = 28

Environmental Concern	Total Number	Percentage
Watercourse erosion	17	61
Soil erosion from fields	14	50
Shoreline/Bluff erosion	14	50
Valleyland erosion	9	32
Groundwater quality	19	68
Groundwater quantity	11	39
Forest management	13	46
Reforestation	13	46
Wetland protection	18	64
Wetland creation	13	46
Public awareness	13	46
Outdoor recreation	10	36
Surface water quality	17	61
Surface water quantity	8	29
Flooding	5	18
Drought	7	25
Aesthetics	6	21
Other	5	18

Other:

- Preventable pollution
- Pollution of the creek and beach
- Garbage dumping
- ATV caused erosion
- Beach harbour

Environmental Priorities from Questionnaires:

1. Groundwater Quality (68%)
2. Wetland Protection (64%)
3. Watercourse Erosion, Surface Water Quality (61%)
4. Soil Erosion, Shoreline/Bluff Erosion (50%)
5. Forest Management, Reforestation, Wetland Creation, Public Awareness (46%)

General Priority Categories:

- Source Water Protection
- Erosion Prevention
- Wetland Protection and Creation
- Reforestation
- Public Awareness

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Lower Kettle Creek

Community Based Watershed Strategy

Friends of Lower Kettle Creek Meeting
Thursday, February 22, 2007
KCCA Administration Office

A meeting of the Friends of Lower Kettle Creek Watershed Council was held on Thursday, February 22, 2007 at 7:00 p.m. at the KCCA Administration Office.

Committee Members Present:

Ron Casler
Francie Dennison
Linda Easton
David Greaves

Andrew Gunn
Mike Intven
Lloyd Perrin
Betsy Wilcox

Welcome, Introductions

Betsy Wilcox welcomed all those in attendance and Committee members then introduced themselves and explained their reasons for becoming involved in the project.

Summary of November 29, 2006 Public Meeting

The public meeting was very well attended with over 50 people in attendance. Based upon the group discussions at the public meeting, there were some issues that came forth as priorities.

The priority issues from the meeting and questionnaires were:

- Source Water Protection (water quality/quantity issues)
- Education and Public Awareness
- Erosion/Sediment Issues
- Reforestation
- Wetland Creation and Protection
- Studies/Watershed Management Plans
- Regulations

LAC Logistics

Should anyone else be involved or present at this meeting?

- Staff member of City of St. Thomas Environmental Services Department
- Staff member of Township of Southwold

When should the group meet?

- Thursday evenings, 7:00 p.m.
- Meeting can be held at the boardroom at the Elgin County Admin Building

What would you like to happen at meetings?

- Tours – St. Thomas Sewage Treatment Plant, Port Stanley Sewage Lagoons, Elgin Area Primary Water Supply, Green Lane Leachate Treatment System
- Presentations – wetlands, MNR's buffer project

Group Name and Mission Statement Development

Based upon consensus, the group name of the committee is the "Friends of Lower Kettle Creek"

A brainstorming session was also held to generate ideas and concepts to be included in the group's mission statement. This discussion included:

- Investigating source protection
- Putting solutions in place
- What can we do along the creek
- Evolving
- Local – people within the watershed are involved
- Education
- One-window approach
- Preserving and enhancing (restoring) our natural watershed environment
- Protecting wildlife and humans
- Keep local – Lower Kettle Creek and Kettle Creek
- Raising awareness
- Innovative
- Practical solutions
- Protecting drinking water
- Awareness of humans' actions on water (people/land/water)
- Involvement
- Fostering public involvement
- Water usage/conservation

Priorities Discussion

A brainstorming discussion was also held to flesh out information for each of the priorities issues for inclusion in the action plan section of the watershed strategy.

Source Water Protection

- Household hazardous waste
 - easier, more frequent, affordable, easily accessible collections
 - potential partner – municipalities
 - local collection depot
 - reduce amounts of household hazardous wastes – public awareness and education
 - provide a household hazardous waste container to households – they can store the wastes in it and then bring it to the depot
 - have a box for batteries at local businesses for drop off
 - initiate the yellow fish road program in the watershed
- Industrial wastes
- Public education about private septic systems – ie. maintenance, proper usage and pumping
- Decreasing in permit fee for repairing septic systems
- Sedimentation/erosion
 - deal with sedimentation and erosion to help with e.coli issues
 - buffer strips, natural filters
 - fence cattle, restrict access
 - financial compensation for farmers for land loss
 - proper manure storage
 - septic systems
- Create a brochure with BMPs

Other Business

- Provide the Task Force report to the committee (created in the 90s)
- Central Elgin will be putting out information about their recycling program “think green, go blue”

Next Meeting

The next Friends of Lower Kettle Creek meeting is scheduled for Thursday, April 5th at 7:00 p.m. in the boardroom in the North wing of the basement in the Elgin County Administration Building on Sunset Drive.

Ministry of
Transportation
Office of the Minister
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77 Wellesley St. West
Toronto, Ontario
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416 327-9200
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MAR 23 2007

City of St. Thomas
Received

MAR 28 2007

Mr. Jean D. Patenaude
Assistant General Counsel
Canadian National
935 de La Gauchetière Street West
Montreal, Quebec
H3B 2M9

001

Dear Mr. Patenaude:

Thank you for your letter of January 29, 2007, offering to sell your CASO Subdivision railway line from mile 113.64 to mile 117.49 in the City of St. Thomas, Ontario, a distance of 3.85 miles, to the Ontario government. I welcome the opportunity to respond.

It is my understanding that this offer is made pursuant to Section 145 of the *Canada Transportation Act*. The section sets out a process to be followed by railways under the jurisdiction of the Parliament of Canada that wish to discontinue railway operations over a rail line and have not reached an agreement with any party for the continued operation of the rail line.

This is to advise you that the Government of Ontario declines to purchase the above-noted portion of CN's CASO Subdivision railway line.

Thank you again for your letter.

Sincerely,

Donna Cansfield
Minister

- c: The Honourable Steve Peters, MPP, Elgin-Middlesex-London
Wendell Graves, City Clerk, Corporation of the City of St. Thomas
Mark McDonald, CAO, County of Elgin
David Aristone, CAO-Clerk, Southwold Township
Marc Shannon, Canadian Pacific Railway