

AGENDA

THE FIFTY-FIFTH 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 DECEMBER 3RD, 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. Johnston

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meetings held on November 19, 2007.

DEPUTATIONS

Alzheimer Society Elgin - St. Thomas

Representatives from the Alzheimer Society Elgin - St. Thomas, will be in attendance to discuss upcoming events. Page 7

The North America Railway Hall of Fame

Chris Harvey, Executive Director, The North America Railway Hall of Fame, will be in attendance to discuss the development of a Heritage Master Plan. Pages 8 to 22

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

Report CC-49-2007 of the City Clerk. Pages 23 to 36

Development Agreement Policies

NEW BUSINESS

Zoning By-Law Amendment - Correction to Zoning Boundaries - Orchard Park Development Area - Doug Tarry Limited

Report PD-43-2007 of the Planner. Pages 37 to 39

Draft Plan of Condominium File#34CDM-07501 - Block IV Development Area - 100 Southgate Parkway - Springwater Developments Inc.

Report PD-44-2007 of the Director, Planning. Pages 40 to 42

Draft Plan of Subdivision File#34T-07505 - Orchard Park Development Area - Phase 2C - 32 Lots for Single Detached Dwellings - Doug Tarry Limited

Report PD-45-2007 of the Director, Planning. Pages 43 to 45

Street Naming Request - Correspondence

A letter has been received from Lew O. Shepherd, 64 Mandeville Road, St. Thomas requesting street names for future consideration in honour of the late Mr. Marshall Field. Pages 46 to 49

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

Dalewood Ravine Trail - Correspondence

Burwell Road between South Edgeware Road and Talbot Street - Sidewalk - Correspondence

Township of Southwold - Wastewater Master Planning Study

Vacant Land Condominium - Fair and Equitable Taxing

63 Mitchell Street - Driveway Request - Correspondence

NEW BUSINESS

Lake Erie Region Source Protection Committee Appointments - Grand River Conservation Authority

A letter has been received from Lorrie Minshall, Director, Source Protection Program, Lake Erie

Source Protection Region advising of appointments to the Lake Erie Region Source Protection Committee. Page 5

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman G. Campbell

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

FINANCE AND ADMINISTRATION COMMITTEE - Chairman T. Shackelton

UNFINISHED BUSINESS

Bridge, Sewers and Water Capacity in Barwick Street Area

Kiwit Manors Limited - Seniors' Housing - 139 First Avenue

Downtown Development Board - Horton Farmers' Market

Concession Services at the Douglas J. Tarry Sports Complex

2008 Capital Budget - Part 1 - Vehicle/Equipment

NEW BUSINESS

September 30, 2007 Current Budget Monitoring Report

Report TR-45-07 of the Director of Finance & City Treasurer. Pages 50 + 51

2008 Budget Development Timetable

Report TR-46-07 of the Director of Finance & City Treasurer. Pages 52 + 53

Canadian Owners and Pilots Association Flight 75 - National Convention - St. Thomas Municipal Airport - Grant Request

A letter has been received from Ian Basson, President and Charles Murray, Treasurer, COPA Flight 75, St. Thomas, requesting a grant of \$1,500.00 for the Canadian Owners and Pilots Association National convention to be held from July 11th to 13th, 2008. Pages 54 + 55

BUSINESS CONCLUDED

COMMUNITY SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

Recreation Facilities Comparative Financial Figures

Leash Free Dog Park

Summer Ice Rates and Usage

Draft Parks and Recreation By-Law

NEW BUSINESS

Recreation, Leisure and Parks Master Plan

Mr. Steve Langlois, Monteith Brown Planning Consultants will be in attendance to provide an update on the Master Plan.

BUSINESS CONCLUDED

PROTECTIVE SERVICES AND TRANSPORTATION COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

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

White Street Yield Signs

YWCA St. Thomas-Elgin Summer Camp - Reduced Rate Children's Bus Tickets

Taxis By-Law - Enforcement of Non-Licensed Taxis

Intersection of Chestnut Street and Fifth Avenue

Intersection of Fairview Avenue and Elm Street

Third Avenue Road Extension from Wellington Street to Talbot Street

NEW BUSINESS

Transit Terminal Building - Rehabilitation Project - North Wall Rebuild

Report ES141-07 of the Manager of Operations. colour copy attachment Pages *56 to 62*

Roads & Transportation Services - St. Thomas Transit Service Response to The Ontario Human Rights Commission Letter

Report ES129-07 of the Supervisor of Roads & Transportation. Pages *63 to 68*

2007/2008 Winter Maintenance Program - Update on Snow Plow & Operator Assignments

Report ES142-07 of the Supervisor of Roads & Transportation. colour copy attachment
Pages *69 to 70*

BUSINESS CONCLUDED

SOCIAL SERVICES COMMITTEE - Chairman L. Baldwin-Sands

UNFINISHED BUSINESS

NEW BUSINESS

BUSINESS CONCLUDED

REPORTS PENDING

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 COMMUNICATIONS

"The Municipal Climate: Adapting to Change" - Ontario Good Roads Association/Rural Ontario Municipal Association - 2008 Combined Conference

Correspondence has been received from the Ontario Good Roads Association and the Rural Ontario Municipal Association regarding the upcoming combined conference to take place in Toronto from February 24th to 27th, 2008. Pages 71 to 76

Ontario Good Roads Association - Board of Directors Committee Nominations

A letter has been received from J.W. Tiernay, Executive Director, Ontario Good Roads Association, regarding nominations to the Board of Directors. Nominations are due no later than December 21, 2007. Pages 77 & 78

City of St. Thomas Integrity Commissioner - Correspondence

A letter has been received from Bill Sandison, 144 Lake Margaret Trail, St. Thomas, regarding the appointment of an Integrity Commissioner to the City of St. Thomas. Page 79

UNFINISHED BUSINESS

NEW BUSINESS

BY-LAWS

First, Second and Third Reading

1. A by-law to confirm the proceedings of the Council meeting held on the 3rd day of December, 2007.
2. A by-law to remove certain lands from Part Lot Control. (Lots 31 to 45 Registered Plan 11M-65- semi detached lots - H.J. Hayhoe Ltd.)
3. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and the London District Catholic School Board. (File No.: SPC 08-07- 10 South Edgeware Rd)
4. A by-law to assume certain lands as part of the public highway. (Riverbank Drive)

PUBLIC NOTICE**2008 Water and Sewer Rates - Public Meeting**

A public meeting will be held on December 10, 2007 to consider proposed 2008 water and sewer rates.

NOTICES OF MOTION**CLOSED SESSION****OPEN SESSION****ADJOURNMENT****CLOSING PRAYER**

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Alzheimer Society

ELGIN - ST. THOMAS

November 26th, 2007

Clerk's Office
City of St. Thomas
545 Talbot St.
St. Thomas, ON N5P 1C5

Attention: Wendell Graves

On behalf of Alzheimer Elgin-St. Thomas, I would like the opportunity to address the Mayor and council. January is the Alzheimer Society's Awareness Month and we the staff/board of directors would very much appreciate if council would declare it Alzheimer Awareness Month for the city of St. Thomas. We also have some exciting events coming up in 2008 that we wish to encourage council and the residents of St. Thomas to actively support.

Sincerely,



Kale Kent
Public Education Coordinator

450 Sunset Dr., Suite #229, St. Thomas, Ontario N5R 5V1
Bus. (519) 633-4396 • 1-888-565-1111 • Fax. (519) 633-7028

Web Site: www.alzheimerelgin.ca

Charitable Registration No. 13498 3956 RR0001

City of St. Thomas

NOV 26 2007

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November 22, 2007

City of St. Thomas
Reception

NOV 22 2007

Mr. Wendell Graves
City Clerk
City of St. Thomas
545 Talbot Street
St. Thomas, Ontario
N5P 3V7

City of St. Thomas
Reception

Dear Wendell,

Through this letter I am requesting delegation status to address the St. Thomas City Council at the December 3, 2007 meeting.

The North America Railway Hall of Fame is committed to preserving railway heritage in St. Thomas and redeveloping the Canada Southern Railway Station, making it a catalyst for the revitalization of the downtown St. Thomas core and community.

The redevelopment continues to move forward with overwhelming success, something I would like to share with Council. I would also like to share the Hall of Fame's next priority in moving forward which is the development of a Heritage Master Plan.

I look forward to speaking with Council. If you have guidelines that delegations must adhere to or other questions please do not hesitate to contact me. Please confirm my appearance with Council at your earliest convenience.

Sincerely,

Chris Harvey
Executive Director



North America Railway Hall Of Fame

Canada Southern Railway Station (CASO)

Our Station Our Heritage Our Future

Presentation by:

Chris Harvey

Executive Director

North America Railway Hall of Fame

- Our mission is to preserve railway heritage in St. Thomas and ensure the future sustainability of the Canada Southern Railway Station



North America Railway Hall of Fame

- Our vision is to redevelop the Canada Southern Railway Station making it a catalyst for the revitalization of the downtown St. Thomas core and the community
- When completed, the station will be a mix of heritage, retail, banquet and office space. The building will be self-sustaining. Our goal is to:
 - *Preserve a beautiful and historically significant station*
 - *Create an attractive gateway to downtown St. Thomas*
 - *Incorporate the lands around the CASO station for more effective commercial purpose*
 - *Improve local economy by attracting visitors and residents to invest in St. Thomas*
 - *Enhance the downtown streetscape of St. Thomas*

Canada Southern Railway Station

A Boost for the Economy

- The station employs and provides training to 15 individuals through a partnership with HRSDC.
- The Station project has generated a cash flow of more than \$380,000 over the last year
These funds go towards:
 - Jobs and Training
 - Construction Materials
 - Operating Expenses

Canada Southern Railway Station *Building Success*

- New roof has been added and repair work to the soffit and fascia has begun
- Windows continue to be installed and is nearing completion
- Asbestos and environmental contaminants have been removed
- Washroom facilities have been improved
- Trim work and doors are being repaired
- Plaster work and painting have begun
- Removal of debris in basement is in progress

Canada Southern Railway Station *Partnerships*

- More than 350 members
- Feasibility Study and Innovation Team reports-steps outlined in study are being followed
- Partnership with the Ministry of Training, Colleges and Universities *Ontario Job Creation Program*
- Volunteer Elgin
- Partnership with the Ivey Business School-original business plan developed
- Partnership with Fanshawe College Urban Planning Department
- Partnership with Arthur Voaden Secondary School Co-op program

Canada Southern Railway Station *Partnerships*

- Grants from the Ontario Heritage Foundation and Alcoa Fujikura
- Grants from the Elgin-St. Thomas Community Foundation
- Three grants secured through the Ontario Trillium Foundation
- Adopt a Door and Window Campaigns - almost sold out
- Tours began in the fall of 2007

Canada Southern Railway Station

The Future Looks Bright

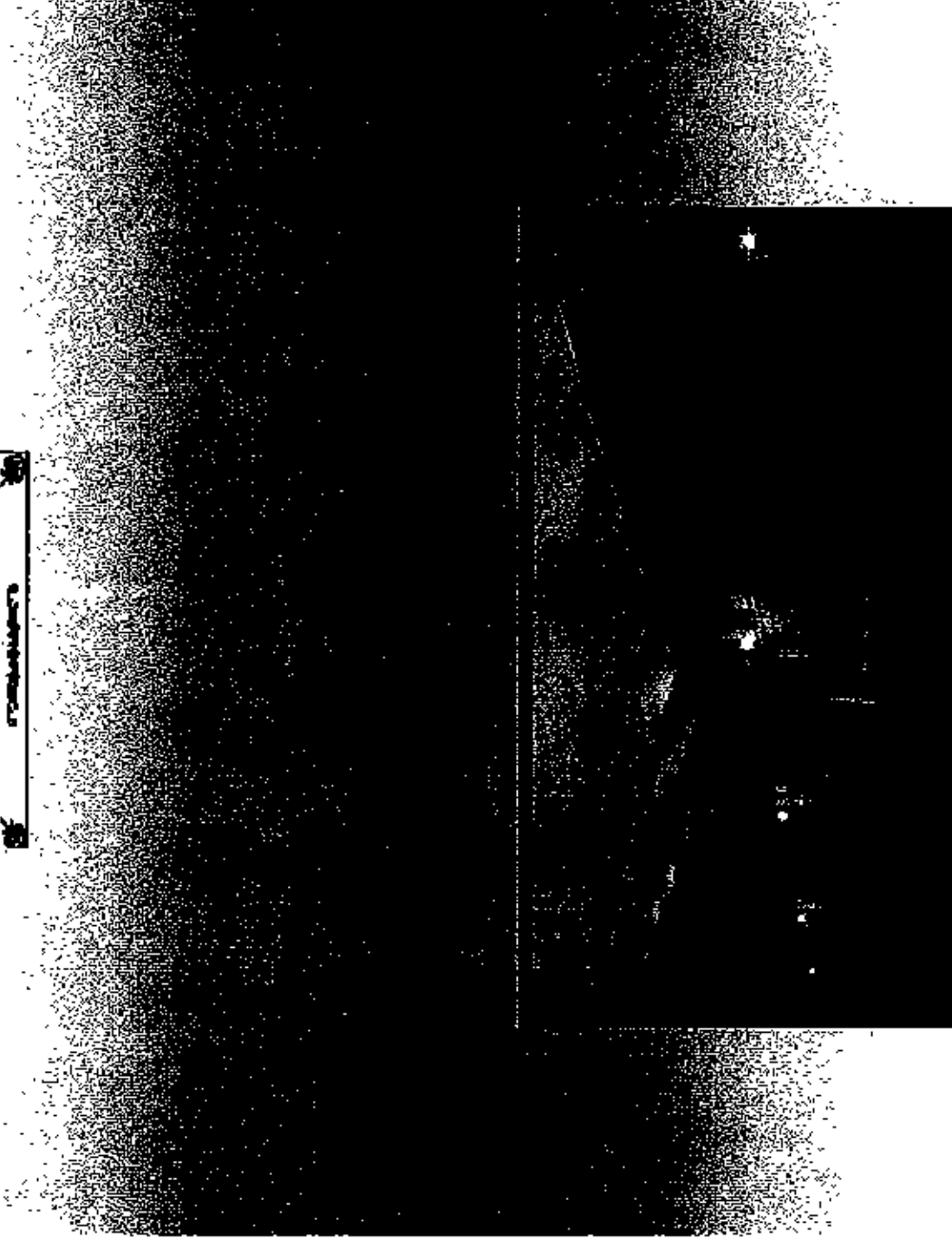
- Spring of 2008 will kick off a \$1 million dollar capital campaign
- Partnerships with the Ontario Trillium Foundation and the Ontario Job Creation Program will be continued
- The waiting room is being developed to display railway heritage memorabilia
- Tours are being promoted and ready to expand
- The dining hall is being rented on a regular basis to local community groups and organizations as well as individuals

Canada Southern Railway Station

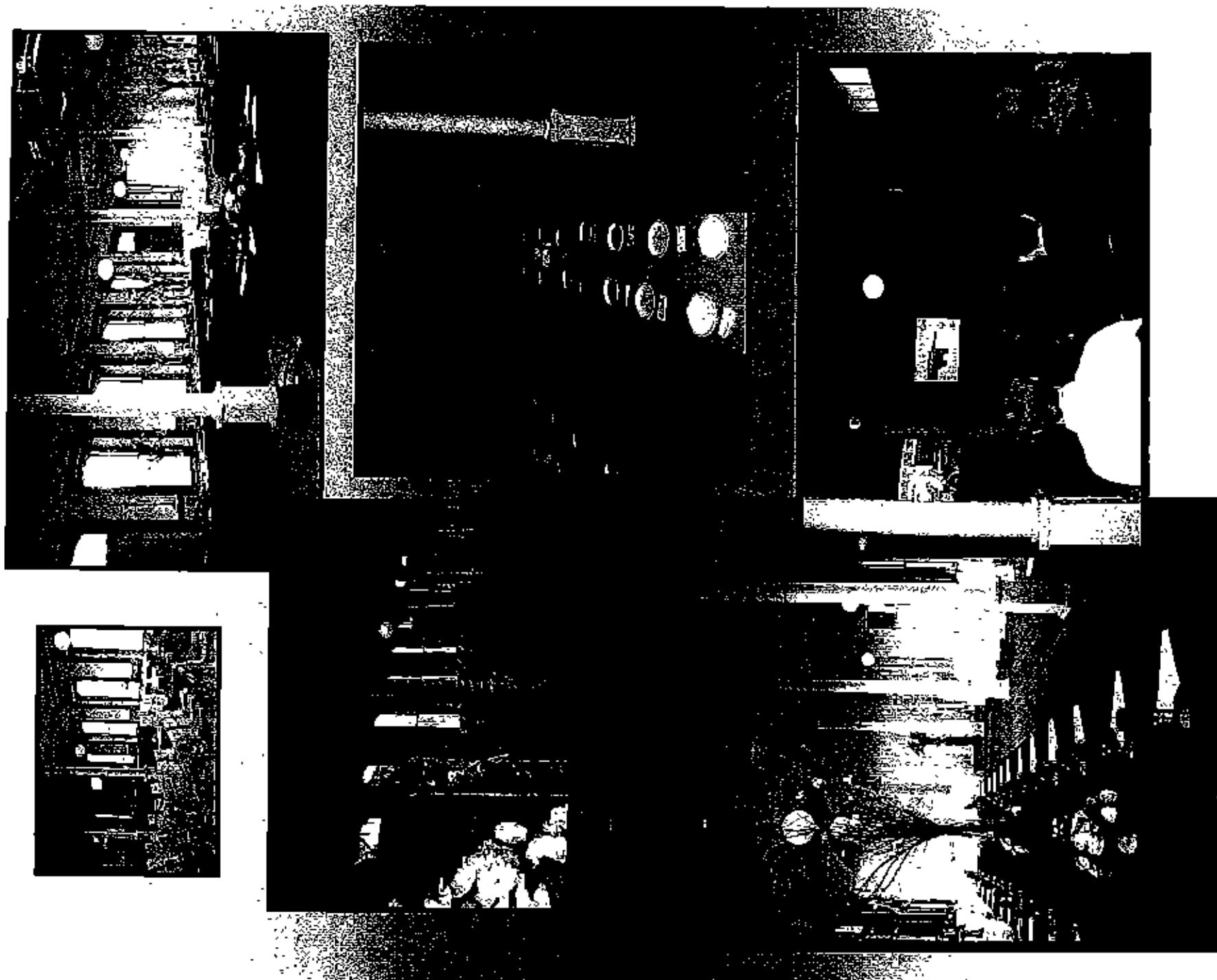
Our Next Step

- Development of a Heritage Master Plan

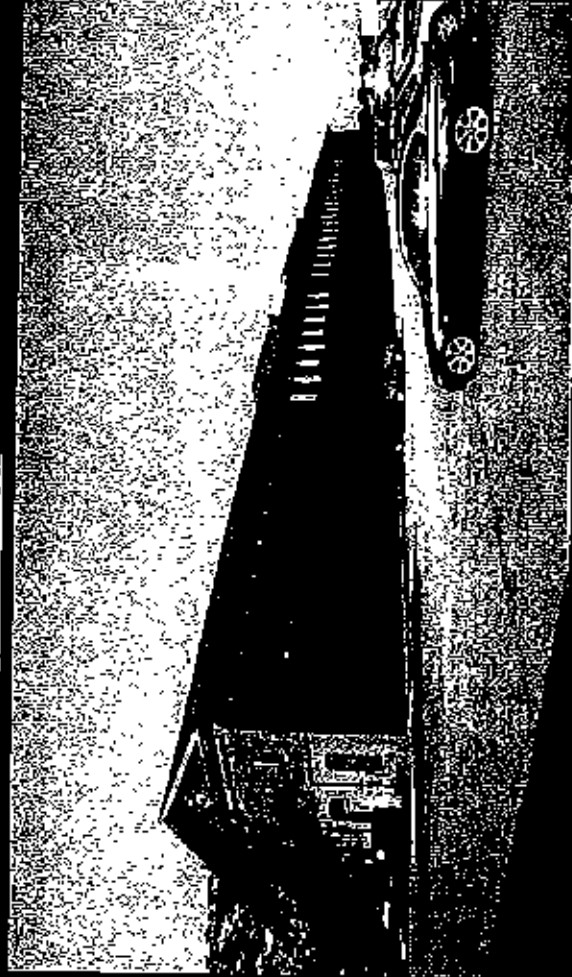
- The master plan dates the building to a specific period in history and is needed before the next major steps can be taken in the restoration process.
- The plan will be completed by a team of architects, mechanical and electrical engineers and a historical interpreter. This team will collaborate to determine the best point in history to date the building. They will research the floor plan, along with the exterior of the building to assist in the restoration process. The plan will also propose uses and adaptive re-uses of the building.
- The organization is currently in negotiations with possible tenants who will make the station self-sustaining over time. It is first necessary though to have the heritage master plan completed. The plan will be started as soon as funding is secured.
- Cost for Heritage Master Plan: \$100,000



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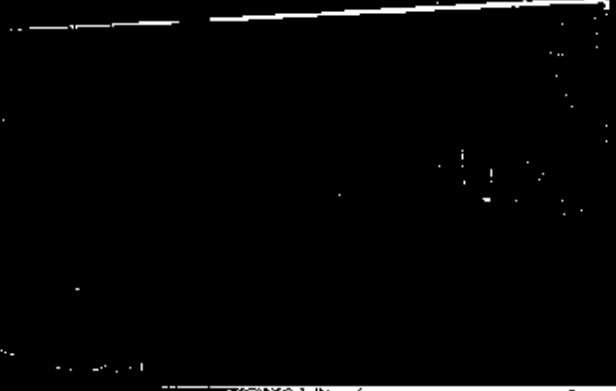
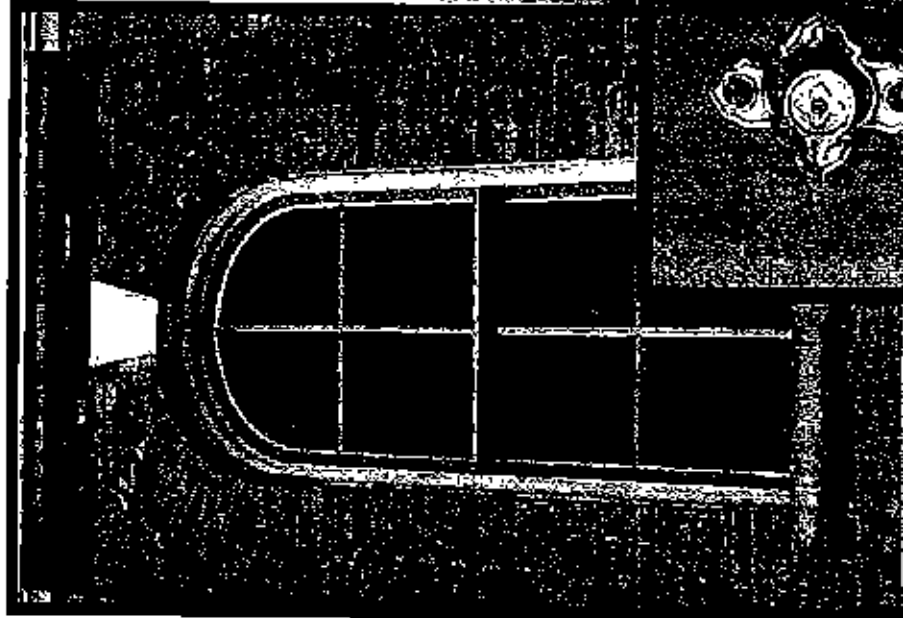
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Corporation of the
City of St. Thomas

-23-

Report No.

CC-49-07

File No.

Directed to:

Chairman H. Chapman and Members of the Planning and Development Committee

Date Authored:

October 18, 2007

Meeting Date:

November, 2007

Department:

City Clerk

Attachment

Proposed Minimum Maintenance By-law Correspondence from Patton, Cormier Correspondence from Gunn and Associates Correspondence from Municipal Heritage Committee

Prepared By:

Wendell Graves, City Clerk

Subject:

Ontario Heritage Act – Minimum Maintenance Standards By-law

Recommendation:

THAT: Report CC-49-07 be received for information, and further,

THAT: A by-law be prepared for Council's consideration relating to the provision of Minimum Maintenance Standards for designated heritage properties as provided under the Ontario Heritage Act.

Background:

In the spring of 2005 the Ontario Heritage Act was amended to include provisions whereby a municipality could develop a by-law which would add protection for designated heritage properties through minimum maintenance standards.

At the direction of Council the City developed a Minimum Maintenance By-law with the assistance of the City's Solicitor and in consultation with legal staff from the Ministry of Culture. As you are aware, that by-law was challenged in the courts and it was quashed in February 2007. In its decision, the Courts quashed the by-law in part because it felt the by-law went beyond the general protection of "heritage attributes" of designated properties.

Earlier in 2007 staff was directed by Council to develop a new Minimum Maintenance By-law for Council's consideration. With the assistance of Mr. Barry Card, who had represented the City in the court challenge of the previous by-law, a revised by-law was developed.

Although not required, a public consultation process was initiated to obtain comments relating to the proposed by-law. That consultation included sending a letter to property owners of the City's designated heritage properties as well as placing an advertisement in the local newspaper. Attached for your information is a copy of the comments that have been received. These comments have been reviewed by Mr. Card.

Council should be aware of the fact that the fundamental focus of the proposed Minimum Maintenance By-law relates to the protection of specific heritage attributes of designated properties. This principle will be fundamental to Council's consideration of future heritage properties in that any designating by-law will need to be very specific about the definition of heritage attributes. Further, should the proposed by-law need to be applied against any existing designated properties, enforcement would have to be directed towards heritage attributes that were defined in the designation of the property.

Recently the Ministry of Culture was contacted to determine how many municipalities had adopted a Minimum Maintenance By-law and staff were informed that it appeared that only one other, the City of Mississauga, had moved forward with a by-law.

Financial Considerations:

When the proposed by-law requires enforcement, the City will need to be prepared to fund any legal costs if required. Further, should an owner of a designated property not comply with the by-law, a default position that the City could find itself in would be for the City to undertake the required work and apply the costs, like taxes, against the property.

A by-law to amend By-Law 12-99, being a by-law to prescribe the standards of maintenance and occupancy for all properties.

WHEREAS under subsection 15.1 (3) of the Building Code Act, 1992, c.23, Council of The Corporation of the City of St. Thomas has enacted Property Standards By-law 12-99, as amended which prescribes the minimum standards for the maintenance and occupancy of property within the municipality;

AND WHEREAS under subsections 35.3 and 45.1 of the *Ontario Heritage Act*, R.S.O. 1990, c. O.18, as amended, a by-law may be passed by the Council of a municipality prescribing the minimum standards for the maintenance of the heritage attributes of designated properties or properties situated in a heritage conservation district provided that a by-law passed under section 15.1 of the *Building Code Act*, 1992 is in effect in the municipality;

AND WHEREAS the Council of the Corporation of the City of St. Thomas is desirous of amending Property Standards By-law 12-99, as amended to include minimum standard provisions for Heritage properties pursuant to subsections 35.3 and 45.1 of the *Ontario Heritage Act*;

NOW THEREFORE the Council of the Corporation of the City of St. Thomas hereby ENACTS as follows;

1. That By-law 12-99, as amended, is hereby amended by adding the following definitions to section 2:
"2.48

"designated heritage property" means a property, including real property, buildings, structures and personal property, in respect of which a by-law under Part IV or Part V of the *Ontario Heritage Act*, R.S.O. 1990, c.O.18, as amended or substituted from time to time, is in effect designating the property under section 29 or section 34.5 of said Act, or designating under section 41 of said Act a Heritage Conservation District, which includes the property.

2.49 "heritage attributes" means the attributes set out in the designating by-law for a designated heritage property, that contribute to the cultural heritage value or interest of the property.

2. That By-law 12-99, as amended, is hereby amended by adding the following as section 4.22:

"4.22 Designated Heritage Properties

4.22.1 In addition to the general occupancy and maintenance standards set out above, the following minimum standards shall apply to designated heritage properties.

4.22.2 The heritage attributes of designated heritage property shall be repaired and maintained in a manner which conserves and respects those attributes.

4.22.3 A designated heritage property which requires repair or maintenance shall not be altered in a manner which is likely to affect the property's heritage attributes, without consent in writing to the alteration, from the Council, pursuant to the Ontario Heritage Act.

4.22.4 The structural components of the designated heritage property shall be protected against deterioration to the extent necessary for the conservation of the heritage attributes, whether or not the building is occupied. Protection may consist of any or all of the following:

- measures to prevent the entry of water into the building,
- measures to prevent damage by the elements to the interior or exterior of the building,
- the replacement of failed or defective roofing material, glazing, doors and other structural components,

- measures to prevent unauthorized entry to the building.

3. That By-law 12-99 as amended is hereby amended by adding the following as section 9.8:

"9.8. Additional Enforcement, Designated Heritage Properties

9.8.1 In addition to the powers provided in section 9.2.4, if upon inspection of a designated heritage property a Property Standards Officer has concluded that the building or structure, or the heritage attributes thereof, are falling into a state of disrepair which may result in the deterioration of any feature or appurtenance that would alter or tend to detract from the cultural heritage value or interest of the designated heritage property, the Chief Building Official may make an order, in the manner described in section 9.2.4, containing particulars of the conditions of disrepair or deterioration and requiring remedial, protective or security measures, interim repairs or other works to be carried out forthwith to correct or retard the deterioration or damage to the building or structure and to reduce or eliminate the identified risks to heritage attributes, which order may require the property to be repaired and maintained to conform with the applicable standards in 4.22 for the maintenance of heritage attributes.

9.8.2 All other provisions of section 9 shall apply, to section 9.8.1 in like manner as to section 9.2.4 and upon failure to comply with the terms and conditions of the order within the notified time, the municipality may carry out the requirements of the order at the Owner's expense adding the reasonable cost thereof to the tax collection roll as deemed municipal real property taxes to be collected in the same manner and with the same priorities as municipal real property tax."

READ a First and Second time this day of 2007.

READ a Third time and Finally passed this day of 2007.

Wendell Graves, City Clerk

Cliff Barwick, Mayor

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Barry R. Card

BARRISTER & SOLICITOR

Cardinal Specialist - Municipal Law; Local Government/ Land Use Planning & Development Law

232 PALL MALL STREET, SUITE 200

LONDON, ONTARIO N6A 5P6

TELEPHONE (519) 433-5117 • FACSIMILE (519) 963-0285

Internet Address: cardrlaw@rogers.com

May 8, 2007

VIA FAX - 519-633-9012

Wendell Graves, City Clerk
 City of St. Thomas
 P.O. Box 520
 545 Talbot Street
 St. Thomas, Ontario
 N5P 3V7

Copy of St. Thomas
Received

MAY 08 2007

City Clerk's Dept

Dear Mr. Graves:

Re: Revised Property Standards By-law

I have reviewed the draft By-law prepared by Ms. Dale. There is no material difference between the amendments proposed in our draft and the amendments proposed by Ms. Dale. In my opinion, the technical attributes of our draft are superior in that they offer more precision and do not direct the reader back to Section 35.3 of the *Ontario Heritage Act*.

Our Draft By-law	Ms. Dale's Proposed Draft By-law
1. That By-law 12-99, as amended, is hereby amended by adding the following definitions to section 2: 2.48 "designated heritage property" means a property, including real property, buildings, structures and personal property, in respect of which a by-law under Part IV or Part V of the <i>Ontario Heritage Act</i>, R.S.O. 1990, c. O.18, as amended or substituted from time to time, is in effect designating the property under section 29 or section 34.5 of said Act, or designating under section 41 of said Act a Heritage Conservation District, which includes the property.	1. That By-law 12-99, as amended, is hereby amended by adding the following definitions to section 2: 2.48 "designated property" means property designated by the Corporation under section 29 of the <i>Ontario Heritage Act</i>, R.S.O. 1990, c. O.18, as amended or substituted from time to time. (see 26(2) of the Act)

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May 8, 2007

Our Draft By-law	Ms. Dale's Proposed Draft By-law
2.49 "heritage attributes" means the attributes set out in the designating by-law for a designated heritage property, that contribute to the cultural heritage value or interest of the property.	2.49 "heritage attributes" means, in relation to real property, and to buildings and structures on the real property, the attributes of the property, buildings and structures that contribute to their cultural heritage value or interest. (see section 1 of the Act)
2. That By-law 12-99, as amended, is hereby amended by adding the following as section 4.22: 4.22 <u>Designated Heritage Properties</u>	2. That By-law 12-99, as amended, is hereby amended by adding the following as section 4.22: 4.22 <u>Standards for Maintenance of Heritage Attributes</u>
4.22.1 In addition to the general occupancy and maintenance standards set out above, the following minimum standards shall apply to designated heritage properties:	4.22.1 The heritage attributes of each designated property that do not comply with the standards set forth in 4.22.2 shall be repaired and maintained to conform to those standards. (see 35.3)
4.22.2 The heritage attributes of designated heritage property shall be repaired and maintained in a manner which conserves and respects those attributes.	4.22.2 The heritage attributes of each designated property shall be repaired and maintained so as to preserve and protect those attributes.
4.22.3 A designated heritage property which requires repair or maintenance shall not be altered in a manner which is likely to affect the property's heritage attributes, without consent in writing to the alteration, from the Council, pursuant to the <i>Ontario Heritage Act</i> .	4.22.3 All of the provisions of this by-law shall apply to each designated property, provided that if there is any conflict between the standards required by 4.22.1 and 4.22.2 in respect of heritage attributes and the standards otherwise required by this by-law, 4.22.1 and 4.22.2 shall apply.

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3.

May 8, 2007

Our Draft By-law	Ms. Dale's Proposed Draft By-law
4.22.4 The structural components of the designated heritage property shall be protected against deterioration to the extent necessary for the conservation of the heritage attributes, whether or not the building is occupied. Protection may consist of any or all of the following: • measures to prevent the entry of water into the building, • measures to prevent damage by the elements to the interior or exterior of the building, • the replacement of failed or defective roofing material, glazing, doors and other structural components, • measures to prevent unauthorized entry to the building.	
	<i>New</i> 3. That By-law 12-99, as amended, is hereby amended by adding the following as section 4.23: 4.23 <u>Alteration of Designated Property</u> 4.23.1 No owner of designated property shall alter the designated property or permit the alteration of the designation property if the alteration is likely to affect the designated property's heritage attributes as set out in the by-law designating the heritage attributes unless the owner applies to the Council of the Corporation and receives consent in writing to the alteration. (repetition of section 33)

The draft by Ms. Dale suggests a new provision, s. 4.23. This section would make it an offence to alter designated property without permission. It is noted at the conclusion of this Section "repetition of section 33" of the *Ontario Heritage Act*. It is the Act that makes alteration an offence. To enforce this provision, we would be relying upon the Act. Having the prohibition in the By-law is both unauthorized and inadvisable.

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-4-

May 8, 2007

The other proposed amendment is to Section 9.8.1.

Our Draft By-law	Ms. Dale's Proposed Draft By-law
3. That By-law 12-99, as amended, is hereby amended by adding the following as section 9.8: <u>9.8 Additional Enforcement. Designated Heritage Properties</u>	4. That By-law 12-99, as amended, is hereby amended by adding the following as section 9.8: <u>9.8 Additional Enforcement. Designated Properties</u>
9.8.1 In addition to the powers provided in section 9.2.4, if upon inspection of a designated heritage property a Property Standards Officer has concluded that the building or structure, or the heritage attributes thereof, are falling into a state of disrepair which may result in the deterioration of any feature or appurtenance that would alter or tend to detract from the cultural heritage value or interest of the designated heritage property, the Chief Building Official may make an order, in the manner described in section 9.2.4, containing particulars of the conditions of disrepair or deterioration and requiring remedial, protective or security measures, interim repairs or other works to be carried out forthwith to correct or retard the deterioration or damage to the building or structure and to reduce or eliminate the identified risks to heritage attributes, which order may require the property to be repaired and maintained to conform with the applicable standards in 4.22 for the maintenance of heritage attributes.	9.8.1 In addition to the powers provided in section 9.2.4, if upon inspection of a designated property, a Property Standards Officer concludes that the heritage attributes thereof do not comply with the standards prescribed in s. 4.22, the Chief Building Official may make an order requiring the designated property to be repaired and maintained to conform with the applicable standards in 4.22.

-5-30-

May 8, 2007

Our Draft By-law	Ms. Dale's Proposed Draft By-law
9.8.2 All other provisions of section 9 shall apply to section 9.8.1 in like manner as to section 9.2.4 and upon failure to comply with the terms and conditions of the order within the notified time, the municipality may carry out the requirements of the order at the Owner's expense adding the reasonable cost thereof to the tax collection roll as deemed municipal real property taxes to be collected in the same manner and with the same priorities as municipal real property tax.	<i>same as our draft</i>

The version proposed by Ms. Dale is simple and straightforward. However, the content is awkward. It relies upon a conclusion by a Property Standards Officer "that the heritage attributes (of the heritage building) do not comply with the standards in s. 4.22". That invites the same criticisms that brought down the previous amending By-law, namely, that it is not the heritage attributes of the building that are important but rather what is in the list.

It follows that I do not recommend that any of the proposed changes be made to our draft. However, I do note that Mr. Patton has expressed concerns that might best be discussed with him at one of our proposed meetings.

Yours very truly,



Barry R. Card

BRC:jmh

APR 24 2007

PATTON CORMIER & ASSOCIATES

Barristers & Solicitors

City Clerk's Dept.

ALAN R. PATTON, B.A., LL.B.

ELIZABETH K. CORMIER, B.A., LL.B.

STEVEN D.S. ROSS, B.A., LL.B.

ANALEE J.M. FERNANDEZ, B.A., LL.B.

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1512 - 140 Fullerton Street

London, ON N6A 5P2

Tel: (519) 432-8282

Fax: (519) 432-7285

City Hall, Office of the Clerk
545 Talbot Street
P.O. Box 520
St. Thomas ON
N5P 3V7

April 24, 2007
File No. 31919

Via Fax: (519) 633-9019

Attention: Wendall Graves, Clerk

Re: **City of St. Thomas Draft By-law;
Minimum maintenance standards for designated heritage properties;
Our Client: Alma Heritage Estates Corporation**

Further to your letter to our Client dated March 28, 2007 and our letter to you of April 10, 2007, we write to provide our present comments with respect to the City's draft by-law prescribing minimum maintenance standards for designated heritage properties.

Our only comment at this time is that s. 9.8 "Additional Enforcement, Designated Heritage Properties" is not in compliance with Mr. Justice Heeney's decision quashing By-law No. 142-2006 and should be re-drafted.

This letter should not be construed as an acceptance of the legality of this by-law by our Client, and we expressly reserve all rights and remedies available to our Client at law, on any grounds, with respect to this by-law, in the event that it is passed by Council.

Yours very truly
PATTON CORMIER & ASSOCIATES



ALAN R. PATTON

c.c. Alma Heritage Estates Corporation, Attention: Brian Worrad



Municipality of
St. Thomas

April 11, 2007

Wendell Graves
City Clerk's Department
545 Talbot Street
P. O. Box 520, City Hall
St. Thomas, Ontario N5P 3V7

City of St. Thomas
Received

APR 12 2007

City Clerk's Dept.

Dear Wendell,

Last evening, April 10, 2007, the St. Thomas Municipal Heritage Committee reviewed the draft copy of the revised minimum standards by-law, which was created to amend by-law No. 142 - 2006. The committee had a significant amount of discussion about the new by-law versus the previous by-law, No. 142 - 2006. There were no negative comments about the new by-law but some questions arose regarding some of the specific attributes being struck out that were included in the previous by-law.

The details struck out it was explained, were the type of attributes that would be included in a specific by-law, written to designate a specific heritage property.

At this time we find the amended draft by-law acceptable for further processing, to become the final minimum standards by-law.

Dean Paddon
MHC Chairman

"Preserving
Our
Community's
Heritage"

GUNN & ASSOCIATES

c/o Douglas George Gunn Professional Corporation
BARRISTERS, SOLICITORS & NOTARIES PUBLIC
108 CENTRE STREET
ST. THOMAS, ONTARIO
CANADA
N5R 2Z7

Telephone: 519-631-0700
Facsimiles: 519-631-1468
E-Mail: amydale@gunn.on.ca

April 10, 2007

OUR FILE NUMBER: 74854

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

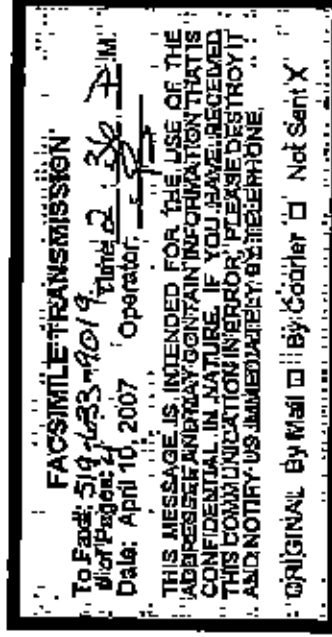
Attention: Wendell Graves, City Clerk

Re: Ontario Heritage Act
Proposed Minimum Maintenance Standards By-law

APR 10 2007

City of St. Thomas

City Clerk's Dept.



We have reviewed your proposed by-law, certain provisions in the Ontario Heritage Act (the Act) and the Building Code Act, 1992, the Alma Heritage Estate Corporation decision and certain parts of By-law 12-99.

Your proposed by-law gives us some concern. An alternative is attached. It is provided only for your assistance, is not intended to replace your proposal, may not deal with all issues and is not intended to serve as legal advice to the City. We leave it to you to prepare the by-law in final form so as to meet the problems encountered in respect of By-law 142-2006.

As to section 1 of your proposal, in view of the definition of "designated property" in section 26(2) of the Act, why does the proposal in 2.48 define "designated heritage property"? What useful purpose is served at this time in including the references to section 34.5 and 41? The former relates to designations by the Minister and the latter deals with heritage conservation districts.

In section 1 of your proposal, 2.49 is a definition of "heritage attributes". It seems to be at odds with the definition of heritage attributes as set forth in section 1 of the Act.

In 4.22.2, which is found in section 2 of your proposal, you require repairs and maintenance in a manner which "conserves and respects" the attributes. Where is the authority for those words? See our proposal which uses the words found in section 35.3(1) of the Act.

As to section 3 in your proposal, where is the authority for the building official to make an Order

DOUGLAS G. GUNN, LL.B., Q.C. (Also a Member of the Alberta Bar)
DONALD M. FERGUSON, B.COMM (HONS.), LL.B.
SANDRA L. WONGER, B.A. (HONS.), LL.B. REBECCA L. CAREY, B.A. (HONS.), LL.B. LISA N. GUNN, B.A. (HONS.), LL.B.

AMY G. DALE, B.A., LL.B.
WILLIAM K. A. MCKAY, LL.B. (Retired)

GUNN & ASSOCIATES

-34-
3.

requiring remedial, protective or security measures etc. as to heritage attributes. As we read 15.2 of the Building Code Act, 1992 it requires particulars of the "repairs" to be made.

You should consider whether there are any conflicts created by the balance of By-law 12-99 and perhaps deal with the same. In this regard, see the latter part of 1.5 and 2.37, which sections are not intended as an exhaustive list of the potential conflicts.

We would appreciate receiving a copy of the by-law as circulated to Council and a copy of the by-law as passed by Council.

Yours very truly,



Amy C. Dale
ACD:fs

c.c. Douglas G. Gunn, Q.C.
William K.A. McKay

DONALD M. FERGUSON, B.COMM. (HONS.), LL.B., Q.C. (Also a Member of the Alberta Bar)
SANDRA L. MONGER, B.A.(HONS.), LL.B. LISA N. GUNN, B.A. (HONS.), LL.B.
REBECCA L. CAREY, B.A. (HONS.), LL.B. WILLIAM K.A. MCKAY, B.A.Sc., LL.B. (Retired) AMY C. DALE, B.A., LL.B.

-35-

City of St. Thomas

By-law No. _____

A By-law to amend By-law 12-99, being
a by-law to prescribe the standards of maintenance
and occupancy for all properties

Whereas under subsection 15.1(3).....

And Whereas under subsection 35.3.....(delete reference to 45.1 of the Act and otherwise
amend as required)

And Whereas the Council of the Corporation.....(delete reference to 45.1 of the Act)

NOW THEREFORE.....ENACTS as follows

1. That By-law 12-99, as amended, is hereby amended by adding the following definitions
to section 2:

2.48

"designated property" means property designated by the Corporation under
section 29 of the Ontario Heritage Act, R.S.O. 1990, c.O.18, as amended or
substituted from time to time, (see 26(2) of the Act)

2.49

"heritage attributes" means, in relation to real property, and to buildings and
structures on the real property, the attributes of the property, buildings and
structures that contribute to their cultural heritage value or interest" (see section 1
of the Act)

2. That By-law 12-99, as amended, is hereby amended by adding the following as section
4.22:

4.22

Standards For Maintenance of Heritage Attributes

4.22.1

The heritage attributes of each designated property that do not comply with the
standards set forth in 4.22.2 shall be repaired and maintained to conform to those
standards. (see 35.3)

4.22.2

The heritage attributes of each designated property shall be repaired and
maintained so as to preserve and protect those attributes.

4.22.3

All of the provisions of this by-law shall apply to each designated property,
provided that if there is any conflict between the standards required by 4.22.1 and
4.22.2 in respect of heritage attributes and the standards otherwise required by this
by-law, 4.22.1 and 4.22.2 shall apply.

3. That By-law 12-99, as amended, is hereby amended by adding the following as section
4.23:

4.23

Alteration of Designated Property

4.23.1

No owner of designated property shall alter the designated property or permit the

-36-
alteration of the designated property if the alteration is likely to affect the designated property's heritage attributes as set out in the by-law designating the heritage attributes unless the owner applies to the Council of the Corporation and receives consent in writing to the alteration. (repetition of section 33)

4. That By-law 12-99 as amended is hereby amended by adding the following as section 9.8:

9.8

Additional Enforcement. Designated Properties

9.8.1

In addition to the powers provided in section 9.2.4, if upon inspection of a designated property, a Property Standards Officer concludes that the heritage attributes thereof do not comply with the standards prescribed in s. 4.22, the Chief Building Official may make an order requiring the designated property to be repaired and maintained to conform with the applicable standards in 4.22.

9.8.2

All other provisions

5. That By-law 142-2006 is repealed.

READ a First and

READ a Third time.....

Wendell Graves...



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

Report No.: PD-43-2007

File No.: 2-20-07

Directed to:

**Chairman H. Chapman and Members of the
Planning and Development Committee**

Report Date: November 23rd, 2007
Council Meeting Date: December 3rd, 2007

Subject:

Application by Doug Tarry Limited for an Amendment to Zoning Bylaw 50-88, to correct zoning boundaries for certain lots within the Orchard Park Development Area included in Part of Blocks 76, 78, 79, 80 and 81 on Plan 11M-164, in the City of St. Thomas.

Department: Planning Department

Prepared by: Jim McCoomb, Planner

Attachments:

- Figure 1

RECOMMENDATION:

THAT: Report PD-43-2007 be received;

THAT: Council, pursuant to Section 34(10.4) of the Planning Act, R.S.O., 1990 as amended, direct the Clerk to notify the applicant (Doug Tarry Limited) that the information and material required under Subsections 34(10.1) and (10.2) of the Act has been provided and the application is thereby considered complete;

THAT: Direction be given to prepare a site specific draft amendment to the Zoning By-law to correct zoning boundaries for certain lots within the Orchard Park Development Area included in Part of Blocks 76, 78, 79, 80 and 81 on Plan 11M-164, in the City of St. Thomas;

AND THAT: A public meeting be set for *January 1st, 2008 @ 6:45 p.m.* in accordance with Ontario Regulation 545/06.

ORIGIN:

Doug Tarry Limited has made application to amend the City of St. Thomas Zoning By-law 50-88 to correct zoning boundaries for certain lots within the Orchard Park Development Area of St. Thomas. Staff have reviewed the application and all supporting documentation provided by the applicant and are satisfied that the application is complete relative to the requirements of Subsections 34(10.1) and (10.2) of the Planning Act, R.S.O., 1990 as amended. Staff are recommending that Council, pursuant to Section 34(10.4) of the Act, notify the applicant that the application is considered complete.

ANALYSIS:

Proposal:

Doug Tarry Limited has applied to amend the City of St. Thomas Zoning By-law 50-88 to correct zoning boundaries for certain lots within the Orchard Park Development Area in the City of St. Thomas. The particular lots that are subject to this proposed amendment are located in three areas of the Orchard Park Development Area, shown as Areas A, B and C on the attached Figure 1. The corrections are required to adjust zoning boundaries to match with the limits of the lots in the most recent draft plans of subdivision (application no.'s 34T-07504 & 34T-07505). The lotting patterns within those draft plans has been reconfigured by the applicant from the original lotting pattern that was envisioned when the zoning was approved. More recent changes to the lotting pattern were made necessary due to developments such as the changes to the southern leg of Peach Tree Boulevard to avoid the significant woodlot feature, and the addition of the new school block. In order to have the zone boundaries "fit" with the revised lotting pattern and avoid lots with dual zoning, an amendment to the by-law is being requested. The adjustments are intended to expand the limits of the existing R1 zones as follows:

- Adjust the easterly limit of the R1 zone (hR1-23) further east to coincide with the easterly limits of Lots 26 through 38 on draft plan 34T-07504, as illustrated by Area A on Figure 1.
- Adjust the easterly limit of the R1 zone (hR1-23) further east to include all of Lot 7 on draft plan 34T-07505, as illustrated by Area B on Figure 1.
- A minor adjustment to the easterly limit of the R1 zone (R1-21) to coincide with the easterly limits of Lot 6 on draft plan 34T-07504, as illustrated by Area C on Figure 1.

The lands subject to the proposed amendment may be legally described as Part of Blocks 76, 78, 79, 80 and 81 on Plan 11M-164, City of St. Thomas, County of Elgin.

2005 Provincial Policy Statement (PPS):

The Provincial Policy Statement 2005 (PPS) provides policy direction on matters of provincial interest related to

land use planning and development. The Planning Act requires that Council consider provincial interest when making planning decisions and to ensure that local planning decisions are "consistent with" Provincial planning interests.

-38-
The subject land is located within an area designated for residential use. The lands are serviced with full municipal sewer and water services.

I have reviewed the applicant's submission, which in accordance with new regulatory requirements provides information on how the Plan is consistent with Provincial interest. In this regard I am of the opinion that the proposed amendment to the By-law is consistent with Provincial interest as expressed in the current Policy Statement.

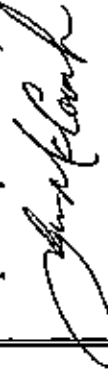
Official Plan Policies:

The subject property and surrounding lands are all designated for Residential use in the City of St. Thomas Official Plan. The policies of the Plan for the Residential designation permit a variety of residential dwelling types. In my opinion, the changes proposed through this amendment application conform to the policies of the Official Plan, are compatible with surrounding land uses, and represent good planning.

Zoning By-law:

The lands subject to the zoning by-law amendment are currently located within the First Residential Zone (R1-21, hR1-23) and the Third Residential Zone (hR3A-2). The proposed amendment is a minor technical amendment to expand the R1 zone boundaries to match with the revised lot lines from the most recent draft plan applications. An amendment to the by-law is required to correct the zone boundaries as proposed by the applicants.

Respectfully submitted,



Jim McCoomb
Planner



Reviewed By:

Env. Services

Treasury

City Clerk

Parks and Recreation

Other

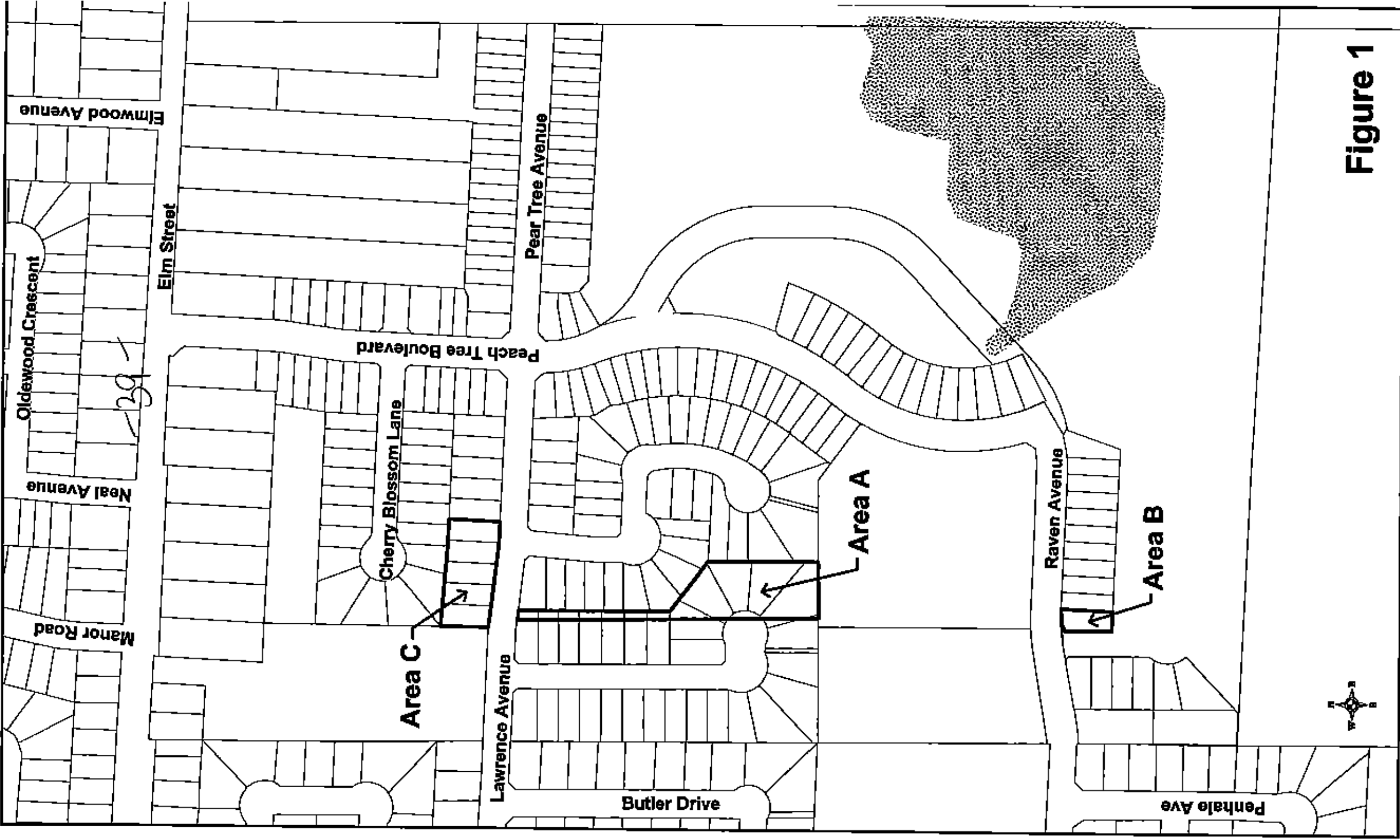


Figure 1



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

-40-

Report No.: PD-44-2007

File No.: 34CDM-07501

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

Report Date: November 26th, 2007
Council Meeting Date: December 3rd, 2007

Subject: Application by Springwater Developments Inc., Block IV Development Area, for approval
of Vacant Land Condominium, Block 36, Registered Plan 11M-146, 100 Southgate.

Department: Planning Department
Prepared by: P J C Keenan - Planning Director

Attachments:
- Draft Plan (reduction)

RECOMMENDATION:

THAT: Report PD-44-2007 be received for information,

AND THAT: Council approve the Draft Plan of Condominium File # 34CDM-07501 of lands owned by Springwater Developments Inc. which lands are legally described as Block 36 Registered Plan 11M-146 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.

ORIGIN:

Council on October 1st, 2007 approved in principle an application by Springwater Developments Inc. for subdivision/condominium approval pursuant to Section 51 of the Planning Act RSO 1990, as amended, for the purpose of registering a declaration and description for a Vacant Land Condominium Corporation on the lands described above. The lands are located on the south side of Southgate Parkway east of Penhale Avenue. (See location Plan)

The plan provides for the development of 34 detached dwellings (Report PD-33-2007). A reduced copy of the draft plan is attached.

ANALYSIS:

Approval in Principle:

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:

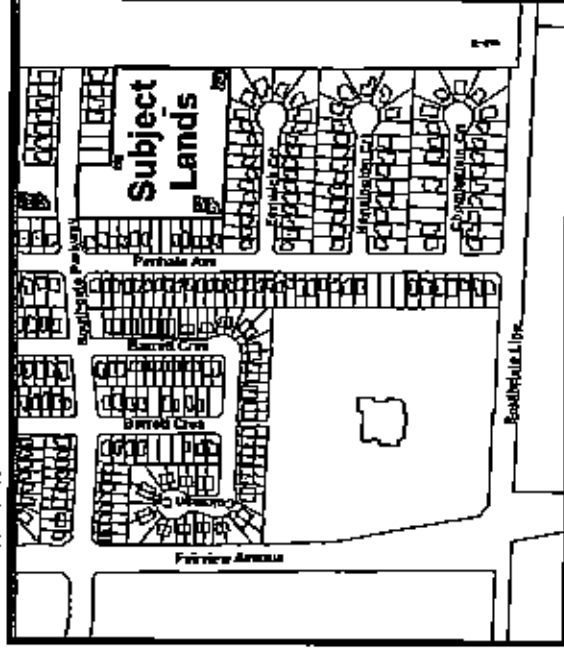
The external circulation of the draft plan of Condominium has been completed and a public meeting on the proposed Subdivision was held on November 5th, 2007. No concerns or objections were raised by the Public.

Staff have completed their review of the proposed Subdivision and have reviewed the comments received from other departments and 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

Location Plan



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 is consistent with Provincial interest as established by the Provincial Policy Statement (2005), conforms to the Official Plan and complies with Zoning By-law 50-88.

-41-

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 Condominium submission and circulation process.

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

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

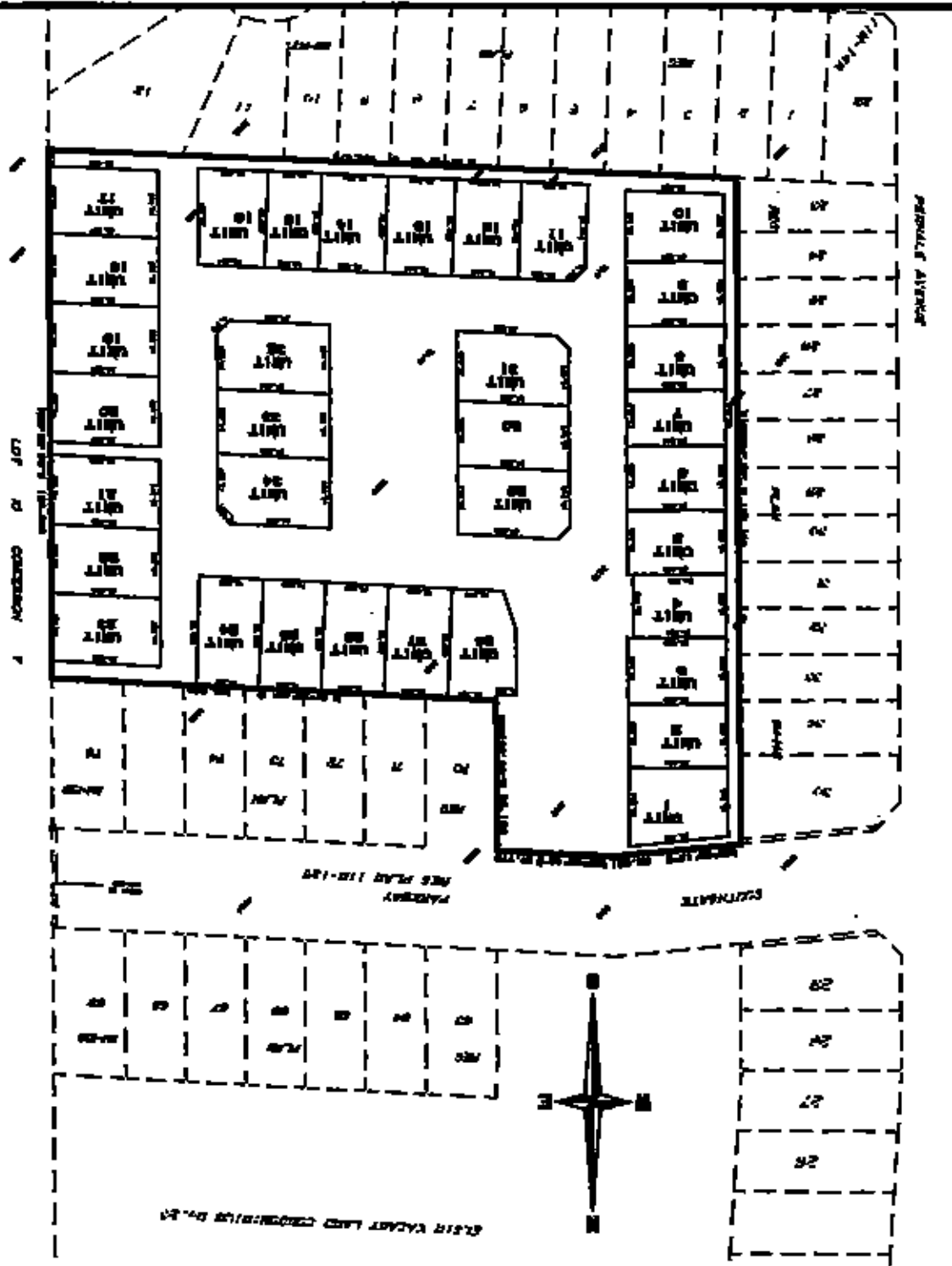
Respectfully submitted,



P.J.C. Keenan
Director of Planning

Reviewed By:

Env. Services Treasury City Clerk Other

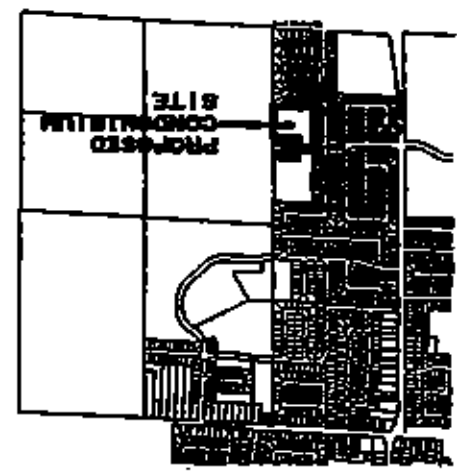


DRAFT PLAN OF CONDOMINIUM
OF
BLOCK 46 REGISTERED PLAN 11M-146
CITY OF ST. THOMAS
COUNTY OF ELGIN
SCALE 1 : 500
METRIC

J. & RUPERT LTD.
ONTARIO LAND SURVEYORS

LEGEND

1. EXISTING BUILDING
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The Corporation of the City of St. Thomas

Report No.: PD-45-2007

File No.: 34T-07505

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

Report Date: November 26th, 2007
Council Meeting Date: December 3rd, 2007

Subject: Application by Doug Tarry Limited, Draft Plan of Subdivision, File 34T-07505, Orchard Park Development Area - Phase 2C -32 Lots for single detached dwellings.

Department: Planning Department
Prepared by: P J C Keenan - Planning Director

Attachments:
- Draft Plan (reduction)

RECOMMENDATION:

THAT: Report PD-45-2007 be received;

THAT: Council approve the Draft Plan of Subdivision File # 34T-07505 (Residential Plan of Subdivision) of lands owned by Doug Tarry Limited which lands are legally described as Parts of Blocks 76, 80 & 81 Registered Plan 11M-164, 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.

ORIGIN:

Council on October 1st, 2007 approved in principle an application by Doug Tarry Limited for approval of a draft plan of subdivision pursuant to Section 51 of the Planning Act RSO 1990, as amended. The proposed draft plan is Phase 2C of the Orchard Park Development Area. The proposed subdivision is located south of Raven Avenue and, east of Peach Tree Boulevard. (See Location Plan)

ANALYSIS:

Proposal:

The proposed subdivision comprises an area of approximately 1.996 hectares and will provide for the development of 32 lots for single detached dwellings. Six of the 32 lots will front onto a new Street "A" which extends southerly from Raven Avenue. The balance of the lots will front onto the new sections of Raven Avenue (11 lots) and Peach Tree Boulevard (15 lots) which

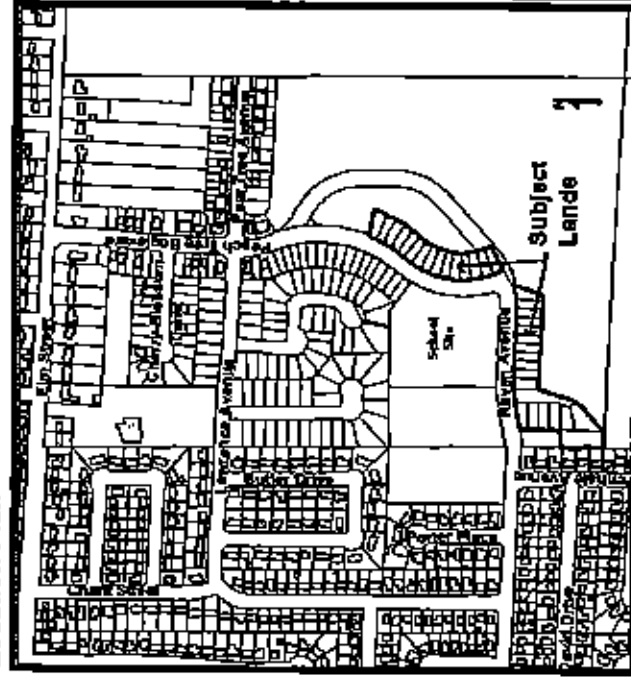
were dedicated as Municipal Streets on Plan 11M-169 (Park/School Subdivision). The plan also provides a Block (33) for an expansion of the Stormwater Management facility established by Plan 11M-169. (Report PD-34-2007)

Approval in Principle:

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

Location Plan



Draft Plan Circulation and Review:

The external circulation of the draft plan of Subdivision has been completed and a public meeting on the proposed Subdivision was held on November 5th, 2007. No concerns or objections were raised by the Public.

Staff have completed their review of the proposed Subdivision and have reviewed the comments received from other departments and 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 is consistent with Provincial interest as established by the Provincial Policy Statement (2005), conforms to the Official Plan and 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 Condominium submission and circulation process.

I am recommending draft plan approval of File # 34T-07505 subject to the standard municipal requirements and conditions and to the requirement for a subdivision development agreement with the Corporation respecting the provision of municipal services, financial, administrative and other 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 Parks and Recreation

-46-

Cliff

RECEIVED
NOV 16 2007

64 Mandeville Road,
St. Thomas, Ontario
November 15, 2007

His Worship,
Mayor of St. Thomas
Mr. Cliff Barwick

Re: The late ~~Mr.~~ Marshall Field.

Dear Cliff,

Today I attended the funeral of Mr. Marshall Field, a stalwart citizen of St. Thomas. A native son, a war veteran, a very popular, and well known gentleman of our city.

The attached obituary is a great contribution of Marsh's involvement with local activities, over many years of service to our community.

Cliff I am on a crusade, and I am asking for your assistance, and advice, in putting your "ear" in my boat.

It would be a proper, and a great memento to Marsh, if whatever clout or influence you may entertain, in naming an upscale street or area, in his name. Commemorate any memorabilia for Marsh would be a formal, and a lasting reminder of one of our local gentlemen, who has made a difference, plus a step in the right direction working for St. Thomas, and molding it into such beautiful surroundings, making it one of the most attractive cities in the province. A great city ~~to~~ to call home.

Thank you for your time, and your concern, as I am not familiar with the proper channels, nor the persons who are influenced with the new street names, for our new sections of the city, that contribute to the growth areas of our expanding urban areas.

Thanks once again in directing my request, in the right direction. It is most sincerely appreciated.

Lew O. Shepherd
Sincerely,

(Lew O. Shepherd)

P/S

Some choices that could be entertained;

MARSH FIELD MEADOWS

MARSHALL FIELD CRESENT

MARSHALL FIELD PLACE

MARSHALL FIELD ARBOR

St. THOMAS owes a great deal for the work, and the skill, and the many many years of dedicated service, just to name a few manifestations, the stately beauty, quiet peaceful Pinafore Park, plus the many, many perfed floral beds that dotted our boulevards, and walk ways, compelling all those who pass by, to take notice. All of this just did not happen-----Marsh Field was the master gardener & horticulturist. He was an "Icon", very few people can walk in his footsteps-----no matter what effort is manifested.

Thank you

LOS. *Leif*

-48-



Grand River Conservation Authority

400 Clyde Road, P.O. Box 728
Cambridge, Ontario N1R 5W6

Telephone (519) 821-2761

Fax (519) 821-4844

Internet: <http://www.grandriver.ca>

November 22, 2007

Mr. Wendell Graves, City Clerk
City of St. Thomas
545 Talbot Street
St. Thomas, ON N5P 3V7

City of St. Thomas
RC-0162C

NOV 26 2007

Dear Mr. Graves,

Re: Notification of Source Protection Committee Membership for the Lake Erie Source Protection Region

As you are aware, conservation authorities across Ontario are finalizing the appointment of Drinking Water Source Protection Committees (SPC), as required under Regulation 288/07 of the *Clean Water Act, 2006*. The regulation requires that the Lake Erie Region Source Protection Committee have 21 members, representing municipalities, economic sectors and the public, with an additional 3 seats allocated to First Nations communities.

The selection process in the Lake Erie Region included a two-month public call for applications for economic sector and public interest seats from August 3 to October 4, 2007. In addition, each municipality in the Lake Erie Region was arranged into one of seven groups, and municipalities in each group were asked to jointly select one representative for their group.

Having carefully considered all applications received, the Lake Erie Region Management Committee recommended a list of members to the Grand River Source Protection Authority on November 20, 2007. The Grand River SPA Board appointed the Committee as recommended, and listed below:

Municipal Representatives:

Dale Murray
Janet Laird
Thomas Schmidt
Roy Haggart
Jim Oliver
Howard Cornwell
Lloyd Parrin

Wellington, Dufferin, Grey and Halton
City of Guelph
Region of Waterloo
Brant, Brantford and Hamilton
Haldimand and Norfolk
Oxford and Perth
Elgin, Middlesex, St. Thomas and London



INTERNATIONAL RIVERPRIZE WINNER
For Excellence in Watershed Management



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Sector Representatives:

Bill Ungar, Aylmer	Business and Industry
Ralph Krueger, Caledonia	Business and Industry
Ian Macdonald, Kitchener	Business and Industry
Mark Wales, Port Bruce	Agriculture
Ken Hunsberger, Baden	Agriculture
David Parker, Belwood	Agriculture
Richard Seibel, Fergus	Aggregate Industry

Public Interest Representatives:

Marguerite Ceschi-Smith, Brantford	Public Interest
Don Woolcott, Bright	Public Interest
Wendy Wright-Cascaden, Waterloo	Public Interest
John Harrison, Delhi	Public Interest
Mark Goldberg, Guelph	Public Interest
Andrew Henry, London	Elgin Area Primary Water Board

First Nations:

Chief Bryan LaForme, Hagersville Mississaugas of the New Credit

The appointment of 2 additional seats for First Nations was deferred until Six Nations of the Grand River forward names of representatives to the Grand River Source Protection Authority. An additional public interest appointment was deferred, awaiting a nomination by the Nanticoke-Grand Valley Partnership.

The inaugural meeting of the Lake Erie Region Source Protection Committee will be held on **Thursday, December 20, 2007 from 1:00 pm until 3:30 pm** at the Grand River Conservation Authority Head Office (400 Clyde Road, Cambridge). Source Protection Committee meetings are open to the public.

If you have any questions regarding the appointment of Committee representatives, please contact me.

Sincerely,



Lorrie Minshall
Director, Source Protection Program
Lake Erie Source Protection Region
c/o Grand River Conservation Authority
400 Clyde Road, Cambridge ON, N1R 5W6
Tel: 519-621-2763 ext. 2231
lminshall@grandriver.ca



Corporation of the
City of St. Thomas

Report No.

TR 45-07

File No.

Directed to: Chairman Terry Shackelton and Members of the Finance & Administration Committee

Meeting Date 12/03/07
Date Authored 11/27/07

Department: Treasury

Attachment:

Prepared By: William J. Day, City Treasurer

Schedule A

Subject: September 30, 2007 Current Budget Monitoring Report

Recommendation:

In connection with Report TR 45-07, it is recommended that Council approve the September 30, 2007 current budget monitoring report.

Report:

Background

Council requires that Administration provide a June 30 and September 30 current budget monitoring report each year.

Accordingly, we have developed this current budget monitoring report using financial information and other knowledge available to project the operating surplus/deficit for the year.

September 30, 2007 Current Budget Monitoring Report

Attached Schedule "A" identifies projected operating surplus and deficit information by functional area for 2007. It is noted that functional areas not identified on the Schedule are projected to be in line with approved budget estimates. At this time we forecast a 2007 operating surplus of \$380,443. The following items are noteworthy.

- The timing of expenditures associated with previously approved capital projects coupled with higher investment interest rates will result in a significant surplus in investment income earned this year.
- Increased supplementary property taxation revenues are projected as the City continues to realize the monetary benefits of a strong local economy over the past several years.
- Police services project a significant deficit due to increased staff costs resulting from negotiated experiential pay, overtime required for various investigations, legal fees, fuel costs and other miscellaneous expenses.
- The Fire Department projects a significant deficit as a result of negotiated experiential pay as well as overtime costs incurred due to staff sick time.

2008 Current Budget and Property Tax Impacts

We are presently forecasting a 2007-operating surplus of \$380,443. Prevailing legislation requires that any operating surplus or deficit be carried forward to the subsequent years operating budget. Council will recall that the Financial Forecast - 2008 to 2011 estimated an actual surplus carryforward amount of \$500,000 for use in 2008. Anything short of \$500,000 may require an additional increase in the tax levy and resultant property taxes.

Conclusion

We presently project a \$380,443 operating surplus for 2007. This represents our final formal report to Council on operating budget performance this year.

Respectfully submitted,


W. J. Day
Director of Finance and City Treasurer

Schedule A		
September 30, 2007 Current Budget Monitoring Report		
Department	Surplus (Deficit)	Description of Surplus (Deficit) Item
Retired Employees	(15,000)	Increased benefit costs associated with staff retirements
Corporate Services	(13,177)	City portion - COMRIF Asset Management Program
	75,000	Legal expenses projected to be under budget
	20,000	Insurance claims projected to be under budget
	600,000	Increased investment income due to higher interest rates and improved cash flow related to the limiting of capital expenditures
	90,000	Increased interest and penalty charges on property tax arrears
	80,000	2006 Health Unit surplus
	7,000	Cemetery loan repayment re columbarium project
	(44,133)	CASO costs per June 4, 2007 Council direction
Taxation	500,000	Increased supplementary property tax revenues net of reductions
	50,000	Vacancy and charity rebate programs under budget
City Hall	10,000	Part time staff cost savings
Mayor & Council	(2,500)	Solid waste management symposium
	3,150	Cancellation of 2007 Med Quest camp
	10,000	Projected cost savings in various expenditure accounts
Clerk's Department	6,000	Staff cost savings - Community Investment Plan program
City Property Maintenance	(7,000)	Rental revenues decreased due to Dennis Road construction
Treasury Department	25,000	Licensing fees, contracted services and staff cost savings
Human Resources	(20,000)	Increased Workers Compensation costs/increased legal fees
	(36,000)	Impact of Employee Group Benefit Plan renewal
Police Services	(470,000)	Increase in wage and benefit costs due to experiential pay award; Additional overtime costs, legal expenses and fuel costs
Justice Building	(15,000)	Increased cleaning costs
Fire Department	(317,000)	Increase in wage and benefit costs due to experiential pay award; Additional overtime costs due to staff sick time
Provincial Offences Act	35,000	Increase in POA revenues
Recreation Department	(18,500)	Part-time/casual staff costs
Airport	50,000	Additional revenue realized from rental of runway
Sanitation	(20,000)	Collection contract, royalties and fuel price adjustment
Ontario Works	(81,897)	Increase in OW client caseload costs
Valley View	(113,000)	Increase in wage and benefit costs resulting from CAW settlement; Increase in building operations costs; Decrease in Provincial funding
Health Services	(9,500)	Health Recruitment Partnership
Total Surplus/(Deficit)	390,443	
Note:		
Functional areas not identified on this schedule are projected to have no surplus or deficit for 2007.		



Corporation of the
City of St. Thomas

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Report No.

TR 46-07

File No.

Directed to: Chairman Terry Shackelton and Members of the Finance & Administration Committee

Date Authored: 11/27/07

Meeting Date: 12/03/07

Department: Treasury

Attachment:

2008 Budget Development
Timetable

Prepared By: William J. Day, City Treasurer

Subject: 2008 Budget Development Timetable

Recommendation:

It is recommended that the 2008 Budget Development Timetable pursuant to Report No. TR 46-07 be approved and that the Timetable and appropriate Budget Instructions be circulated by the City Treasurer to all applicable City Departments and Boards.

Background:

In preparation for the adoption of the 2008 Operating Budget and Part 2 of the 2008 Capital Budget, the Budget Development Timetable should be approved by Council and circulated to appropriate parties at this time.

Comments:

In order to meet budget development timeline objectives it is important to adopt and circulate expectations to those providing input to the process. The proposed Timetable requires the initiation of the process at this time with final Council approval on Tuesday March 25, 2008.

Along with the Budget Development Timetable we will be circulating detailed budget development instructions to Departments and Boards. We will ask that Departments and City Boards develop 2008 operating budget requests based on the provision of service levels received by the public in 2007. Where it is felt that an enhanced or reduced service level adjustment is warranted, the associated net cost or savings will accompany such request. Furthermore, any 2009 flow through costs associated with such service level adjustments will be clearly stated.

Conclusion:

The Budget Development Timetable calls for the adoption of the 2008 Budget on Monday March 25, 2008. In order to achieve this end result it is important for Administration to initiate the Budget Development process at this time.

Respectfully submitted,

W. J. Day
Director of Finance and City Treasurer

2008 BUDGET DEVELOPMENT TIMETABLE

Description of Activity	Timeframe
Treasury to circulate 2008 Budget Development instructions and working template	Friday December 14
Treasury staff to meet with departments to ensure accuracy of account descriptions and 2007 account balances	January 2 – February 8
Human Resources to provide departments with projected salary and benefit costs for 2008	Monday January 21
Operating departments to electronically submit 2008 budgets to Treasury	By Friday, February 15
Treasury to consolidate information and quantify impacts of draft budget on property taxes, reserves, reserve funds and long term debt	February 18 - March 5
Treasury to circulate Draft Budgets to Departments	By Friday, March 7
Treasury to review draft budget and related impacts with Finance Chairman	By Friday, March 7
Treasury and Finance Chairman to review budgets and meet with individual Departments/Boards as required	March 10 – 14
Provide public notification of intention to adopt 2008 Budget	Monday, March 17
Draft Budget document to be circulated to Council	By Wednesday, March 19
Council to receive report and recommendations from Treasurer and Finance Chairman and adopt 2008 Budget	Tuesday, March 25

Notes:

March break is March 10 to 14, 2008

Easter Sunday is March 23, 2008

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City of St. Thomas
Ontario

NOV 21 2007

Flight 75, St. Thomas

Nov 12, 2007

Mayor & Council
City of St. Thomas

Planning for the Canadian Owners and Pilots Association National convention to be held at our airport July 11, 12 & 13, 2008 is well under way..

The convention program will, in addition to items pertaining to aviation, cater to those delegates wishing to tour and take advantage of the areas attractions.

Every effort will be made to encourage delegates to spend a few extra days in Elgin to enjoy our beaches, bistros, vineyards and railroad heritage.

It is to be expected that every hotel room in the City will be utilized with spillover going to London South. Local rent-a-car agencies and restaurants should be kept busy.

A conservative estimate of monies which will remain in the City and Elgin (including aircraft fuel sales) is in excess of \$150,000.00

Unfortunately none of this revenue will be generated before early to mid June of 2008. Consequently C.O.P.A. Flight 75 is in process of canvassing major corporations for sponsorship funds for the event. A successful sponsorship drive will ensure a successful convention.

Advertising and promotion costs will run in to many hundreds of dollars.

The tentative keynote speaker, Brian Udell, is well capable of drawing a capacity crowd and will require an expenditure of \$4,000.00 alone.

Previous conventions have been sponsored in their early stages by the host City.

Flight 75 is hereby requesting the City of St. Thomas to consider a token sponsorship of \$1,500.00 to assist with the early drive to make this event an enjoyable and profitable one for all concerned. All book keeping, invoices and receipts will be handled through C.O.P.A. National headquarters, 207-75 Albert St., Ottawa.

C.O.P.A. National will be responsible for all accounting and records of note. They will guarantee that Flight 75 will not suffer financial loss on the event. In return, any profit will be shared equally between Flight 75 and COPA National. Flight 75 will in turn and as usual spend any surplus funds on items that will be of mutual benefit to the airport community.

Yours truly

Ian Basson
President

Charles Murray
Treasurer

631-7051

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Flight 75 airport contributions.

Nursery trees for 'parkette' to be used as under wing camping area for national convention if successfully bid.	\$850.00
Purchased six picnic tables for general use	\$600.00
Replaced maintenance garage freezer with energy efficient unit	\$400.00
Support posts for Airport entrance signs	\$300.00
Provided partial payment for emergency generator shed	\$1,000.00
Provided food and refreshments for 'Snowbird' volunteers	\$ 350.00
Loaned two 10' x 20' and two 10' x 10' shelter tents for V.I.P. area of June 24 air show.	
Provided barbecues, and manpower to serve 'snowbirds' and other air show performers	
1999 - 2007 Flown missing man formation over remembrance day ceremonies	
1996 - 2007 Provided introductory flights to approximately 1,500 area youth.	

\$ Priceless



Corporation of the

City of St. Thomas

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Report No.

ES141-07

File No.

08-315-00

Directed to:

Chairman Dave Warden and Members of the Protective
Services & Transportation Committee of Council

Date

December 3, 2007

Department:

Environmental Services

Attachment

SPH Engineering Report

Prepared By:

Ivar Andersen, Manager of Operations & Compliance

Subject:

Transit Terminal Building Rehabilitation Project - North Wall Rebuild & Parapet
Reinforcement

RECOMMENDATIONS

It is recommended that:

1. Report ES141-07 be received for information.
2. Council approve the complete rebuilding of the north wall of the transit terminal building as well as the reinforcement of the roof parapet wall at an estimated cost of \$80,000 including contingencies.
3. The cost of this additional work be funded by the City's Capital Reserve.
4. That the project budget of the existing contract with HIRA Contracting Ltd. be increased by \$80,000 to \$569,844, excluding GST.

Origin:

In August of 2007, Council approved Report ES101-07 which awarded the contract to rehabilitate the transit terminal building to HIRA Construction Ltd. Work has started on the contract and is progressing satisfactorily. While undertaking the required demolition to complete the work, the north exterior bearing wall on the front of the building, was found to be structurally deficient. The roof parapet was also found to be loose in a number of locations. As a result, the City's consultant was requested to undertake a detailed inspection and advise on the best course of action.

Analysis:

Attached is the inspection report completed by SPH Engineering Inc., the City's consultant. This report details the consultant's findings on the condition of the north wall and recommends that the wall be completely reconstructed. The original design of the building rehabilitation only included the replacement of the exterior brick facing of this wall, however, as noted in the SPH report, the structural block wall behind the exterior brick facing, was found to have sections constructed of brick rubble. These sections of rubble wall construction were not discovered during the design phase even though representative spot sections of the block wall were uncovered and inspected prior to tender development. These rubble sections have compromised the structural integrity of the entire wall and the consultant is recommending that the block wall be completely reconstructed. Other alternatives were considered, however, complete reconstruction was found to be the only safe and practical solution to the problem.

As well, sections of block at the roof parapet were found to be loose. The consultant is recommending that these sections be suitably reinforced.

Financial Considerations:

The consultant has estimated that approximately \$63,000 in additional funding is required to complete the additional work, however, it is recommended that an additional \$80,000 be allocated to the project to allow for some contingency. It is recommended that the source of funding for this additional construction work be the City's Capital Reserve.

Respectfully,

Ivar Andersen, Manager of Operations & Construction
Environmental Services

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



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November 26, 2007

Transit Building Rehabilitation

Subject: Review of Conditions Found during Construction

1. Background

The St. Thomas Transit Building at 614 Talbot Street is currently undergoing renovations to update the interior and exterior of the building. Part of the scope of the project included renovation to the existing north wall facing Talbot Street.



North Wall Prior to Renovation

The renovation included removal of the existing siding that had been placed over the original brick cladding, removal of the original brick cladding and re-cladding the wall with new brick selected to return the to its original appearance.

Phone: (519) 539 5700
Facsimile: (519) 539 5775

Authorized by the Association of
Professional Engineers of Ontario
to offer professional engineering services



Professional Engineers
Ontario

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Prior to tendering of the project, the drawings of the original building were reviewed to verify the design of the building walls. In addition, a number of openings were made in the wall to confirm that the wall was constructed of concrete block.

As part of the renovation, the exterior siding has been removed from the north wall. Removal of the brick was begun and the block wall behind was exposed. A portion of the brick, approximately 6 feet by 7 feet was removed from the block. (As shown below.)



2. Actual Conditions

The condition of the block behind the brick was different than that exposed in the test areas. Entire rows of blocks were replaced with bricks that were loosely placed and mortared poorly. In addition, several loose pieces of brick, block and mortar were able to be removed by hand. The following pictures show the condition of the existing block wall behind the brick.

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Transit Building North Wall Photo 3



Transit Building North Wall Photo 4



Transit Building North Wall Photo 5



Transit Building North Wall Photo 6

3. Building Parapet

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The scope of the project also included replacement of the built-up roof system. This included removal of the existing parapet caps and replacing them with new material. Removal of the caps revealed loose blocks in a number of locations below the parapet.

4. Recommendations

It is my recommendation that the block wall that supports the north end of the transit building be removed and rebuilt. To accomplish this, a design is being prepared that will permit removal of the block wall by shoring the existing second floor and roof structure and replacement of the existing wall with a new wall constructed of wood. The new brick can then be placed against the new wall. This uses the original building foundations and provides the required gravity and lateral load carrying capability.

It is also recommended that the loose blocks in the parapet be repaired and that the parapet blocks be filled with grout and reinforcing to prevent future loosening.

5. Estimated Costs

Costs to replace the front wall structure are estimated to be approximately \$63,000 including the temporary shoring system and the parapet reinforcing. (See attached detail.)

Report Prepared by



Paul Harris, P. Eng.,
SPH Engineering Inc.



SPH Engineering Inc.

1-65 Springbank Ave. N., Woodstock Ontario N4S 6V8

Phone 519-639-5700

Fax 519-639-5775

PROJECT	6102 TRANSIT TERMINAL BUILDING REHABILITATION PROJ	Date Prepared	11/26/2007
		Date Printed	11/26/2007

Front wall Replacement Cost Estimate

ITEM	DESCRIPTION	COST
1	Demolition Labour Disposal Lifts	\$ 18,900.00
2	Shoring Material Labour	\$ 8,760.00
3	New Wall Labour Material Wood Studs (Includes credit for new stud walls) Air/Vapour Barrier Insulation Plywood	\$ 24,400.00
4	Shelter and Heat for Brick placement	\$ 3,000.00
4	Parapet Reinforcing	\$ 4,000.00
SUB TOTAL		\$ 59,060.00
ENGINEERING		\$ 3,800.00
TOTAL		\$ 62,860.00



Corporation of the
City of St. Thomas

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Report No.

ES129-07

File No.

05-047-01

Directed to: Chairman David Warden, Members of the Protective Services and Transportation Committee

Date

November 19, 2007

Department: Environmental Services

Attachments

- 1) letter of October 17/07 from Chief Commissioner Barbara Hall
- 2) Response letter.

Prepared By: Dave White C. Tech, Supervisor of Roads & Transportation

Subject: Roads & Transportation Services - St. Thomas Transit Service Response to The Ontario Human Rights Commission Letter

Recommendation:

THAT: Report ES129-07 be received for information; and further,

THAT: The October 17, 2007 correspondence from the Ontario Human Rights Commission Chief Commissioner be received; and further,

THAT: The draft City of St. Thomas response, attached to Report ES129-07, be forwarded to the Ontario Human Rights Commission by December 10, 2007; and further,

THAT: Upon receipt by the City of St. Thomas of the Final AODA Transportation Accessibility Standard or Regulation, a further report be provided to Council on the implementation phase of the accessibility standard.

Origin

Two years ago, the Ontario government proclaimed the landmark Accessibility for Ontarians with Disabilities Act, 2005, which requires the province to develop accessibility standards that will apply to the private and public sector across the entire province, in order to address and remove barriers for people with disabilities.

Proposed standards have been drafted by the AODA Transportation Committee, which was made up of representatives from the disability community as well as the public and private sectors, and service providers from the appropriate sectors. The initial proposed standard was posted by the Ontario government on June 27, 2007 for public review and feedback. The public review period ended on September 28, 2007. The committee members are now using that feedback to assist them in modifying the proposed standard before they submit it to the Minister. Once the Minister receives the final proposed standard, she has 90 days to advise the committee whether she will recommend that the proposed standard be adopted in regulation, in whole, in part, or with changes.

The initial proposed transportation accessibility standard specifies long-term objectives and technical requirements to prevent and remove barriers to persons with disabilities in the use of passenger transportation services in the Province of Ontario by January 1, 2025.

A final AODA Transportation Accessibility Standard or Regulation is expected early in 2008.

Analysis

On July 26, 2007 the Toronto Transit Commission was ordered by the Ontario Human Rights Tribunal of Ontario to announce all stops clearly and consistently within 30 days of the order (Lepofsky v. TTC).

On October 26, 2007 it was brought to the City's attention that a letter from the Chief Commissioner of the Ontario Human Rights Commission was circulated to all transit services providers. Not having officially received the letter at that time, staff reviewed the Human Resources webpage and the generic October 17th, 2007 letter which is attached for information. The City of St. Thomas is required to respond to the letter by December 10, 2007, a sample of that response is attached for Council approval.

In summary, the response letter indicates that although all stops are not currently being announced on St. Thomas Conventional Transit System, it is the current practice of St. Thomas Transit drivers to announce the stops if requested by a boarding client. The City is not aware of any complaints with respect to the courteousness or cooperativeness of our contracted drivers when requested to announce stops on the Conventional Transit System. *64*

It is recommended that once staff receives the Final AODA Transportation Accessibility Standard or Regulation, a future report be provided to Council elaborating on the Implementation plans as they may affect future Capital and Operating Budgets

Financial Considerations:

There is no affect on current Capital or Operating Budgets from the recommendations in this report.

Alternatives:

There are no alternatives provided at this time.

Respectfully,

Dave White

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

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other

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 N5P 3V7

Phone: (519) 631-1680 ext 4165
Fax (519) 631-2130

THE CORPORATION OF THE CITY OF
ST. THOMAS

File: 05-047-01

November 19, 2007

Ontario Human Rights Commission
Policy and Education Branch
180 Dundas Street West, 8th Floor
Toronto ON
M7A 2R9

Attention: Jacquelin Pegg, Policy Analyst

Subject: Interim Response to the October 17, 2007 Letter from the Chief Commissioner

Dear Jacquelin:

Please consider this as an interim response to your October 17, 2007 letter to Transit Services Providers.

As you may know, the City of St. Thomas operates a Four Route Conventional Transit System within the City boundaries. We would like to confirm support in principal of all consistent Accessibility Standards or Regulations that are provided to the City, and we provide the following information as per your request.

Currently within the St. Thomas Transit - Conventional Transit System;

- all stops are not currently and consistently being announced
- our current practice is that if requested by a boarding client our contracted drivers will announce the stops as requested,
- the City is not aware of any complaints with respect to the courteousness or cooperativeness of our contracted drivers when requested to announce stops on the Conventional Transit System,

As a result of the City of St. Thomas not currently and consistently announcing all stops on the Conventional Transit System, you have asked us to take this opportunity to develop plans and provide information to the Commission about:

- Question: What is the City's intention with regard to making stop announcements?

Answer: We have completed a listing of stops for each of the Conventional Transit System Routes and instructed the Contractor that their drivers must comply with all passenger requests regarding the announcement of stops on the Conventional Transit System.

- Question: Steps the City has taken and will take to ensure all stops are announced?

Answer: We have compiled as much background information as we are able to at this time and until the AODA Transportation Accessibility Standard or Regulation is released we are unable to proceed any further as the Initial Proposed Transportation Standard does not contain sufficient or consistent specifications for announcing all stops.

- Question: Timelines for the implementation of the plan.

Answer: The City of St. Thomas does not currently have a timeline for implementation since we are not in possession of the final AODA Transportation Accessibility Standard or Regulation. We share the opinion of the Ontario Public Transit Association that the City of St. Thomas is not subject to the HRC ruling against the TTC. We expect that the AODA Transportation Accessibility Standard or Regulation is a few short months away. From an economic standpoint The City of St. Thomas' preference is to wait for the Standard or Regulation, which we anticipate will contain more detailed specifications that can be used in a cost effective manner and in future Capital Budget decisions.

We trust this information to be satisfactory and look forward to contributing further to an Accessible Ontario.

Yours truly,

John Dewanker, P. Eng
Director, Environmental Services & City Engineer

- c. The Mayor and Members of Council
Ivar Andersen, Manager of Operations and Compliance
Dave White, Supervisor of Roads & Transportation

Dear Transit Services Provider:

Ontario Human
Rights Commission
Office of the Chief Commissioner

180 Dundas Street West, 8th Floor
Toronto ON M7A 2R9
Courier postal code: M5G 1Z8
Tel.: (416) 314-4537
Fax.: (416) 314-7752



Commission ontarienne
des droits de la personne
Office of the Chief Commissioner

180 rue Dundas Street ouest, 8e étage
Toronto ON M7A 2R9
Courier postal pour livraison : M5G 1Z8
Tel. : (416) 314-4537
Fax. : (416) 314-7752

October 17, 2007

Dear Transit Services Provider:

Re: Transportation Services and Human Rights

The Ontario *Human Rights Code* guarantees the rights of persons with disabilities to equal access to adequate, dignified transportation. For the reasons set out in its 2002 consultation report, *Human Rights and Public Transit in Ontario*, the Ontario Human Rights Commission has long been concerned by the significant barriers that persons with disabilities face when attempting to access transportation services. I am writing to share two recent developments in the area of transit and human rights, and to request that you provide the Commission with information on your organization's accessibility efforts with regard to the announcement of transit stops.

First, in August 2007, the Commission made a submission to the Accessibility Directorate of Ontario's consultation on the *Initial Proposed Transportation Accessibility Standard*, a copy of which is enclosed. While the Commission believes that the *Accessibility for Ontarians with Disabilities Act* has the potential to have a profound positive impact on the lives of Ontarians with disabilities, the Commission has significant concerns regarding the proposed standard. In a number of areas, it falls far short of fundamental human rights standards, and not only fails to make progress towards equality for persons with disabilities, but regresses on some gains previously made. The Commission believes that it is essential that these standards be harmonized with the requirements of the Ontario *Human Rights Code*. Failure to do so may result in human rights complaints and the attendant costs for the responsible organizations and individuals, rights-seekers and society as a whole.

In another development, this past July, the Human Rights Tribunal of Ontario released an important decision, *Lepofsky v. Toronto Transit Commission*, a copy of which is enclosed for your information. The Tribunal held that the failure of the Toronto Transit Commission to ensure announcement of all stops on buses and streetcars violated the human rights of persons with disabilities, and ordered the commencement of announcements within thirty days of the decision. The Commission believes that the finding in this decision applies to other transit providers, and encourages all transit service providers to immediately consider how they can quickly begin to provide stop announcements to avoid facing human rights complaints.

To this end, and pursuant to its powers under section 29 of the *Code*, the Commission is requesting that you provide us with information regarding your efforts to ensure this aspect of accessibility. Please send your response to the

Commission in writing by December 10, 2007, to the attention of Jacqueline Pegg, Policy Analyst, Policy and Education Branch.

Please provide materials detailing:

- Whether all stops are currently and consistently being announced
- Any policies and/or practices currently in place for announcement of stops
- Steps taken to ensure the policy or practice is carried out

If your organization is not currently and consistently announcing all stops, please take this opportunity to develop plans to implement the **Lepofsky v. TTC decision**, and provide information to the Commission about:

- Your organization's intentions with regard to making stop announcements
- Steps your organization has taken and will take to ensure all stops are announced, and
- Timelines for implementation

Over the years, we have appreciated your support of our initiatives, and we hope to be able to showcase your efforts in this area when we report publicly this winter on the responses we receive.

If you have any questions about this letter, or the information requested, please do not hesitate to contact Jacqueline Pegg, by telephone at (416) 314-3574, or by e-mail at <mailto:ohrc.on.ca> Thank you in advance for your cooperation.

Yours sincerely,
Barbara Hall, B.A., LL.B., Ph.D. (hon.)
Chief Commissioner

encl.

c.c. : Beatrice Schmied, Executive Director, Ontario Community Transportation Association Michael Roschlen,
President and CEO, Canadian Urban Transit Association



ST. THOMAS

Corporation of the

City of St. Thomas 69-

Report No.

ES142-07

File No.

Directed to:

Chairman David Warden, Members of the Protective Services and Transportation Committee

Date

December 3, 2007

Department:

Environmental Services

Attachments

Plan showing snow plow routes

Prepared By:

Dave White C. Tech - Supervisor of Roads & Transportation

Subject:

2007/2008 - Winter Maintenance Program Update on Snow Plow & Operator Assignments

Recommendation:

THAT: Report ES142-07 be received for information.

Origin

In order to comply to Ministry Regulations and City Standards for the Winter Maintenance period and in addition to the current staff and equipment, there is the requirement to hire stand-by Contractors for;

- Plowing On-Street Municipal Roads (4 vehicles and operators for 4 existing routes) and,
- Plowing Off-Street (Municipal Parking lots/Fire Lanes) (2 vehicles and operators, one for the north side and one for the south side parking lots/fire lanes).

At it's meeting of October 1, 2007 Council approved Berdan Paving Ltd. with 3 vehicles and operators and Brian Coultis with 2 vehicles and operators in report ES113-07.

We have been soliciting the other bidder for plowing on-street municipal roads and have since confirmed a contractor (BLR Contracting, Belmont) for the remaining route at \$105.00 / hour.

Analysis

There are currently 11 snow plow routes and 2 parking lot assignments in the City of St. Thomas. The route and lot assignments are now as follows;

Route 1 - City Unit #237, 1996 Freightliner five ton with combination water dump spreader, reversible front plow
 Route 2 - New Contractor (BLR Contracting) - (1) 8 ton 4 wheel drive tractor and 12' 2-way plow
 Route 3 - Contractor (Berdan Paving) - (1) 5 ton with plow
 Route 4 - Contractor (Berdan Paving) - (1) 5 ton with plow
 Route 5 - Contractor (Berdan Paving) - (1) 5 ton with plow
 Route 6 - City Unit #265, 2000 International five ton with combination dump spreader, reversible front plow
 Route 7 - City Unit #260, 1978 John Deer Articulated Grader (125hp)
 Route 8 - City Unit #238, 2006 Sterling 5 Ton, Viking Plow/Wing & Sander/Spreader
 Route 9 - City Unit #286, 1999 International five ton with combination dump spreader, reversible plow 3m blade
 Route 10 - City Unit #239, 2007 Sterling 5 Ton, Larochelle Plow/Wing & Sander/Spreader
 Route 11 - City Unit #258, 1988 International five ton with combination dump spreader, reversible front plow

North Side Parking Lots - Contractor (Brian Coultis) (1) Tractor/Blade
 South Side Parking Lots - Contractor (Brian Coultis) (1) Tractor/Blade

Financial Considerations:

The costs associated with this report are within the 2007 Roads Maintenance Operating budget and a component of the upcoming 2008 Roads Maintenance Operating budget.

Alternatives:

There are no alternatives suggested 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

CITY OF ST. THOMAS 2007 - 2008 Plow Routes

- LEGEND**
- Route 1 - City Unit 237
 - Route 2 - BLR Contracting
 - Route 3 - Berdan Paving
 - Route 4 - Berdan Paving
 - Route 5 - Berdan Paving
 - Route 6 - City Unit 265
 - Route 7 - City Unit 260
 - Route 8 - City Unit 238
 - Route 9 - City Unit 286
 - Route 10 - City Unit 239
 - Route 11 - City Unit 258

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Municipal Delegations

to be able to hold the conference with grace. A second annual delegation of superintendents conference. A form of the conference is to be held in the fall of 1944, and the conference will be held in the fall of 1944 and 1945.

- ## Workshops

- Ministers' Forum

Entertainment

Municipal Delegations

Housing Information

Opens at 9:00 a.m. on Tuesday November 20, 2007

Rooms are blocked at the following hotels:

- Fairmont Royal York (Hotel, Conference Center)
- Intercontinental Toronto Centre
- Sheraton Centre Toronto
- The Stratcona Hotel

To book a room:

Access the online housing reservation system by clicking on the link at www.ogra.org and download the housing form from the OGRA website. Once downloaded, fill out the form and fax or mail it to the housing bureau. To book a room, you will need to provide your name, company, address, and fax or mail the form to the housing bureau. You will also need to provide your contact information for online reservation.

Can't access the internet?

Call 905-795-2555 after 5:00 p.m. on November 20, 2007. The faxing of forms that are faxed to you. For more information, contact the OGRA website at www.ogra.org or email rayna@ogra.org.

NOTE: A new non-refundable cancellation policy is being implemented at the OGRA Royal York Hotel for 2008 conference room reservations. If you cancel your reservation from the time of booking, you will be charged for more than one night.

For a schedule of hotel rates and information on accommodations, visit www.ogra.org or email rayna@ogra.org.

Long-term Service Awards

Ontario Good Roads Association is now accepting nominations for Long-term Service Awards. The awards are given to individuals who have provided exceptional service to the association for 10 or more years.

ELIGIBILITY: Recognition is given to individuals who have provided exceptional service to the association for 10 or more years. The awards are given to individuals who have provided exceptional service to the association for 10 or more years. The awards are given to individuals who have provided exceptional service to the association for 10 or more years.

To nominate an eligible employee, contact the OGRA website at www.ogra.org or email rayna@ogra.org. The nomination form is available on the website. The nomination form is available on the website. The nomination form is available on the website.

Question Box

Fred Dean, Municipal Solutions, is the panelist for the question box. He will be answering questions about municipal issues. He will be answering questions about municipal issues. He will be answering questions about municipal issues.

NOTE: Conference program subject to change.



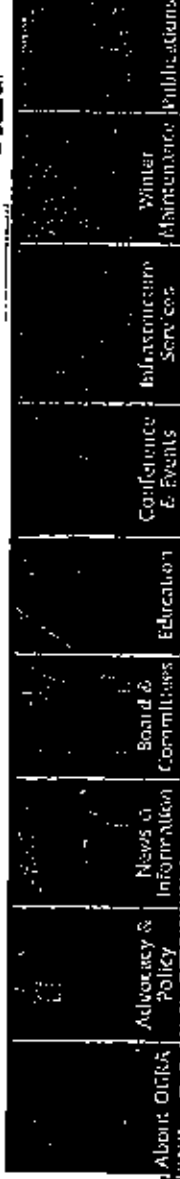
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ONTARIO GOOD ROADS ASSOCIATION

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Conference

- [Sponsors](#)
- [Workshop Presentations](#)
- [Conference Image Gallery](#)

Other Municipal Events

FAQs

2008 OGRA/ROMA Combined Conference Program Information
Wednesday, November 07, 2007

2008 OGRA/ROMA Combined Conference THE MUNICIPAL CLIMATE: ADAPTING TO CHANGE

Your First Opportunity to Talk to Ontario's New Government

The OGRA/ROMA combined conference brings municipalities, municipal suppliers, service providers, and Ontario's government together to discuss the issues facing the ever-changing municipal environment. This year's conference closely follows the fall election, providing your first opportunity to talk to Ontario's new government.

Monday, February 25, 2008

Premier McGuinty has been invited to speak at the Opening Session and the Honourable Hon. Jim Watson, Minister of Municipal Affairs and Housing has been invited to speak

Workshop Topics : Monday, Feb. 25 10 a.m. to 11:20 a.m.

- Waste management
- Aboriginal affairs
- Risk management/minimum maintenance standards
- Alternative financing of public infrastructure projects
- Contract management

11:30 a.m.

Hon. Jim Bradley, Minister of Transportation has been invited to speak

Workshop Topics: Monday, Feb. 25 1:30 p.m. to 2:55 p.m.

- Alternative energy
- Bridges
- Public art
- Impact of climate change on public works
- Energy program of LAS (Local Authority Services)

Plenary session 3:00 p.m. to 4:30 p.m. TBA

Tuesday, February 26, 2008

8:15 a.m.

The Honourable Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs has been invited to speak.

ROMA AGM
OGRA AGM

Workshop Topics: Tuesday, Feb. 26 10:30 a.m. to noon

- The economy of northern Ontario
- Great Lakes and Cities Initiative
- Workplace Safety and Insurance Board Chair Steve Mahoney
- Municipal DataWorks
- Proposed regulatory framework for municipal wastewater

Awards Luncheon (noon)

The Minister of Transportation has been invited to present the awards.

John Tory, Leader of the Opposition and Leader of the Ontario PC Party has been invited to speak at 2:15 p.m.

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Howard Hampton, Leader of the Ontario NDP confirmed to speak at 2:45 p.m.

Minister's Forum - 3:30 p.m. (approx)

Moderator: Nigel Bellchamber has agreed to moderate the Forum

Invited Ministers:

Hon. Rick Bartolucci, Minister of Community Safety and Correctional Services
Hon. Chris Bentley, Attorney General
Hon. Jim Bradley, Minister of Transportation
Hon. Michael Bryant, Minister of Aboriginal Affairs
Hon. Donna Cansfield, Minister of Natural Resources
Hon. David Caplan, Minister of Public Infrastructure Renewal
Hon. Leona Dombrowsky, Minister of Agriculture, Food and Rural Affairs
Hon. Brad Duguid, Minister of Labour
Hon. Dwight Duncan, Minister of Finance
Hon. Peter Fonseca, Minister of Tourism
Hon. John Gerreisen, Minister of the Environment
Hon. Michael Gravelle, Minister of Northern Development and Mines
Hon. Deb Matthews, Minister of Children and Youth Services
Hon. Madeleine Meillon, Minister of Community and Social Services
Hon. Gerry Phillips, Minister of Energy
Hon. Sandra Pupatello, Minister of Economic Development and Trade
Hon. George Smitherman, Minister of Health
Hon. Jim Watson, Minister of Municipal Affairs and Housing
Hon. Kathleen Wynne, Minister of Education

Wednesday, February 27, 2008

Question Box panel: Fred Dean will chair.

OPP Commissioner Julian Fantino confirmed to speak at 10:30 a.m.

Closing Session

- Installation of 2008-2009 ROMA Chair
- Installation of 2008-2009 OGRA President
- Conference adjourns

The following information rooms have been scheduled to date:

- TORC (The Ontario Rural Council)
- Great Lakes and Cities Initiative
- Municipal Data Works
- Infrastructure Ontario

Entertainment

Simon Maxwell and the Starlight Orchestra. For years Simon Maxwell has been thrilling audiences with his interpretation of song and melody. Enthusiastic, energetic and always lyrical best describe Simon's unique performance style. His flair for comedy and the twinkle in his eye will leave you to laugh or sigh as he works the room. In the time you will be tapping your foot and singing along!

Municipal Delegations

Provincial ministers will meet with municipal delegates during the conference. A forum concerning a meeting with ministers will be available through the OGRA and ROMA websites as of December 3, 2007.

NOTE: Program subject to change.

Additional Information

 2008 Registration Form

 Preliminary Conference Program

(About Adobe Acrobat PDF™ viewer.)



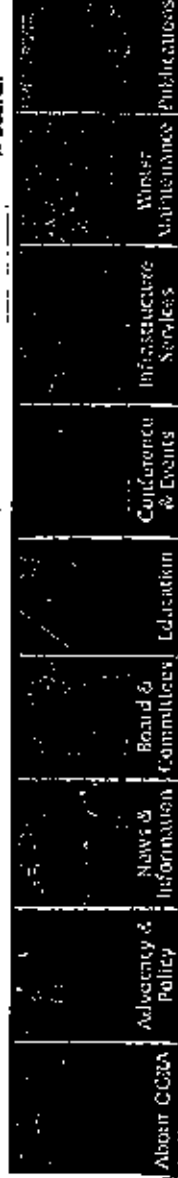
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ONTARIO GOOD ROADS ASSOCIATION

—Working for Municipalities—

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2008 Combined Companions' Program Information
Wednesday, November 07, 2007

COMPANIONS' PROGRAM HIGHLIGHTS
Monday February 25 & Tuesday February 26, 2008

Conference

- Sponsors
- Workshop Presentations
- Conference Image Gallery

Other Municipal Events

FAQs

Famous People Players

Canada's internationally renowned black light theatre company's live performance combines music, dance and dazzling special effects. Life-sized characters pay tribute to the music and artistry of your favourite singers, stars and dreamers. What you see is sensational... What you don't see is inspirational!

Barn Shoe Museum

Discover the treasures of North America's unique shoe museum. Over 10,000 shoes are housed in architect Raymond Moriyama's award-winning four-storey structure. The museum celebrates the style and function of footwear in four impressive galleries.

The Tea Emporium

We would like to invite you into the fascinating world of fine loose leaf teas. Some of you may be familiar with loose leaf teas, and for some of you this may be a whole new experience. Either way, sit back, relax, and take pleasure in a smooth cup of tea.

Great Cooks Cooking Class

Great Cooks offers an informative and interesting array of both demonstration and hands on cooking classes by celebrity and resident chefs and casual dining in a stylish, modern and warm environment. Be inspired, fed and entertained by the best!

Shopping at Vaughan Mills

There's something for everyone at this mega mall located north of Toronto occupying 200 acres. Fifteen anchor retailers are present, including Bass Pro Shops Outdoor World, H&M, One's Better Living, and Urban Behaviour. Entertainment located on the site includes Lucky Strike Lanes and NASCAR Speedpark.

Plus: A tour of The Weather Network, yoga class, scrapbooking, and Royal York tours!

Contact *Rayna Griffin of OGRA* for more information: rayna@ogra.org or 905-795-2555.

NOTE: Program subject to change.

Additional Information

[2008 Registration Form](#)

[Preliminary Companions' Program](#)

(About Adobe Acrobat PDF*™* viewer.)

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Images Courtesy of the Ontario Tourism Marketing Partnership Corporation.



February 24-27, 2008 – Fairmont Royal York Hotel, Toronto, ON

MUNICIPALITY/ORGANIZATION:

MAILING ADDRESS:

TEL: _____ FAX: _____

TIME

[illegible]

Registration forms cannot be processed unless accompanied with

Registration forms cannot be processed unless accompanied with payment. Only payments made by VISA or MASTERCARD can be faxed. In 905-795-2660.

905-795-2660

 CARD

CARD 4

התאחדות המורים

Expiry Date:

Signatures

☐ CHEQUE (Payable to OGRA/ROMA Combined Conference)

REGISTRATION INQUIRIES

Carsten Soltis, 905-795-2555 e-mail: carsten@carb.on.ca

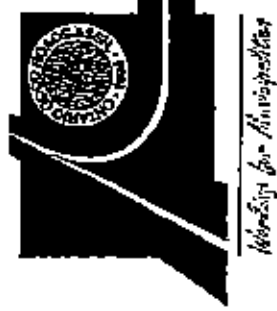
REFUND POLICY

Full refunds on pre-registration fees ONLY will be issued until February 1, 2008. Refunds of 75% will be issued from February 4 to February 15. NO REFUNDS AFTER FEBRUARY 15. All Requests must be in writing.

PLEASE MAKE A COPY FOR YOUR RECORDS.

REGISTRATION TYPE		(Does not include function tickets)		OSRA/ROMA Members		Provincial/Federal Governments		Non-Members		FEES (enclosed)	
Early Bird Before Jan 31st	Regular After Jan 31st	Early Bird Before Jan 31st	Regular After Jan 31st	Early Bird Before Jan 31st	Regular After Jan 31st	Early Bird Before Jan 31st	Regular After Jan 31st	Early Bird Before Jan 31st	Regular After Jan 31st		
\$450	\$490	\$470	\$510	\$565	\$605			@	=		
B One Day - Monday	\$250	\$290	\$310	\$315	\$355	@	=				
C One Day - Tuesday	\$250	\$290	\$310	\$315	\$355	@	=				
D Half Day - Wednesday	\$125	\$165	\$145	\$185	\$195	@	=				
Companion Registration	\$150	\$150	\$150	\$185	\$185	@	=				
Luncheon Tickets	\$60	\$80	\$60	\$80	\$60	@	=				
Banquet Tickets	\$90	\$90	\$90	\$90	\$90	@	=				
<i>Special dietary requirements, including food allergies, should be forwarded in writing to Bruce Kellogg at the Fairmont Royal York Hotel by fax: 416-368-8148 or email: bruce.kellogg@fairmont.com</i>											
Subtotal = +8% GST (GST # R123456789) = GRAND TOTAL =											

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ONTARIO GOOD ROADS ASSOCIATION

10-115 KENNEDY ROAD, UNIT 2
MISSISSAUGA, ONTARIO
L5T 2L5
TELEPHONE 905-789-2555
FAX 905-789-2560

November 19, 2007

To the Head & Members of Council:

Re: Report of the OGRA Nominating Committee

The OGRA Nominating Committee met on November 14, 2007 and recommended a slate of candidates to the Board of Directors. The Board at its meeting of November 16, 2007 adopted the report as presented. The recommended slate is as follows:

Northern Zone
John Curley, Councillor,
City of Timmins

Alan Kozell, Director of Public Works,
City of North Bay

Rick Champagne, Councillor
Township of East Ferris

Southwest Zone
Tom Bateman, County Engineer
County of Essex

Joanne Vanderheyden, Deputy Mayor
Township of Strathroy-Carleton

South Central Zone
Damian Albanese, Director, Transportation Div.
Region of Peel

Dave Pawcett, Deputy Mayor,
Municipality of Grey Highlands

Paul Johnson, Operations Manager
County of Wellington

Southeast Zone
Ken Hill, Mayor
Township of Russell

Don McDonald, County Engineer
County of Stormont Dundas & Glengarry

Toronto
Mark Grimes, Councillor
City of Toronto

John Niedra, Director, Transportation Services
City of Toronto

The above slate of candidates will be ratified at the Annual Meeting in February. If any municipal member would still like to put their name forward for a position on the Board of Directors they must fill out and return the attached Nomination Form. All nominations must be postmarked or received by fax or e-mail no later than December 21, 2007 and sent to:

Tony Provedel, Chair
Nominating Committee
6355 Kennedy Road
Unit 2,
Mississauga, Ontario
L5T 2L5

Please be advised that if any additional nominations are received by the deadline noted that an election will be required at the OGRA/ROMA Annual Conference.

Any questions regarding the Nomination process or serving on the Board of Directors can be directed to the undersigned at joe@ogra.org.

Yours truly,

T. W. Tlennay,
Executive Director

c. Tony Provedel, Chair, Nominating Committee

*Working for Municipalities***ONTARIO
GOOD ROADS
ASSOCIATION**

8355 KENNEDY ROAD, UNIT 2
MISSISSAUGA, ONTARIO
L5T 2L6
TELEPHONE 905-795-2855
FAX 905-795-2860

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NOMINATION/CONSENT FORM*Please Print***Candidate for 2008-2009 OGRA Board of Directors**

Name	Position	Municipality
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Nominated by

Name	Position	Municipality
------	----------	--------------

Seconded by

Name	Position	Municipality
------	----------	--------------

Candidate's Consent

Candidate's Signature

Date

This form must be received by fax 905-795-2860, e-mail (joe@ogra.org) or mail to Unit 2, 8355 Kennedy Road, Mississauga, Ont. L5T 2L6 to the attention of Tony Prevedel, Chair of the Nominating Committee, by 4:00 p.m. on December 21, 2007.

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November 15th, 2007

Corporation of the City of St. Thomas
Office of the Clerk
545 Talbot Street
St. Thomas, ON N5P 3V7
Attention: Wendell Graves, City Clerk

City of St. Thomas
Received

NOV 15 2007

Subject: A City of St. Thomas Integrity Commissioner

On the heels of becoming elected in November 2006, our City Council knows only too well the public response to a lack of integrity and/or poor judgment in the case of credit card misuse.

On January 1st, 2007 changes to the Municipal Act gave cities broader permissive power and greater flexibility to manage the affairs of their community. Specifically, Section 223.3 of the revised Municipal Act, 2001 enables a municipality to appoint an Integrity Commissioner to address the application of the Code of Conduct for elected officials and/or members of local boards. Similar changes were introduced within the public enterprise sector, with the Sarbanes-Oxley Act of 2002 to cover such issues as corporate governance, internal control assessment, and enhanced financial disclosure.

Mr. Ray H. Galloway pointed out recently that Woodstock has appointed an Integrity Commissioner. Why has the St. Thomas City Council been slow to appoint an Integrity Commissioner? Doing so would be a progressive initiative to ensure transparency, increased accountability, and good government.

Why should St. Thomas appoint an Integrity Commissioner, you ask?

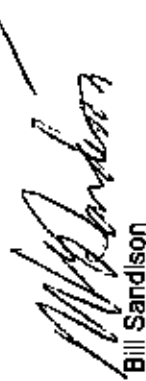
- Recent credit card abuse by Members of Council, and suspicion that there may still be open and unresolved incidents of abuse
- Failure to understand policies and practices associated to Contract Law, as seen in the 8-0 vote in favor of the bid submitted by St. Thomas Energy, in lieu of the lowest bid put forth by Stacey Electric of Toronto. Then a full reversal of their decision when the City Treasurer Bill Day points out the error of their ways
- Votes on issues like Alma College Meetings are to be open to the public. Closed meetings for a vote are intended for procedural matters or for giving directions to managers or staff
- To ensure the highest standard of ethical behavior and financial discretion

As a taxpayer, I for one am in favor of appointing an Integrity Commissioner to ensure people like Mayor Barwick are dissuaded from trying to find ways to "wiggle" around the law. I believe that was his expressed intent when Dan Reith asked him about reviewing purchasing policies at City Hall last week on Politically Speaking - Rogers Television.

St. Thomas needs an Integrity Commissioner and it is time that City Council restored public confidence and acted in their best interests and those of the citizens of St. Thomas by appointing an Integrity Commissioner, as soon as possible.

Please table for discussion at the next City Council Meeting.

Regards,


Bill Sandison

Cc: Ian McCallum, St. Thomas Times-Journal
Dan Reith, Reith & Associates Insurance and Financial Services Limited