

AGENDA

THE THIRTY-FIRST 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 JUNE 11TH, 2007

ROUTINE PROCEEDINGS AND GENERAL ORDERS OF THE DAY

OPENING PRAYER

DISCLOSURES OF INTEREST

MINUTES

DEPUTATIONS

COMMITTEE OF THE WHOLE

REPORTS OF COMMITTEES

PETITIONS AND COMMUNICATIONS

UNFINISHED BUSINESS

NEW BUSINESS

BY-LAWS

PUBLIC NOTICE

NOTICES OF MOTION

ADJOURNMENT

CLOSING PRAYER

THE LORD'S PRAYER

Alderman T. Shackelton

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meeting held on May 28th and June 4th, 2007.

DEPUTATIONS

St. Thomas Public Library - 2006 Annual Report

Mr. Greg Grondin, Chair, St. Thomas Public Library Board, will be in attendance to discuss the St. Thomas Public Library - 2006 Annual Report.

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

NEW BUSINESS

CIP: Façade Improvement: 370 Talbot Street

Report CC-30-07 of the City Clerk. Page 6

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

Programs for the Enhancement of Drinking Water Quality in Homes with Lead Water Services

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

Forest Avenue Sidewalk

Township of Southwold - Wastewater Master Planning Study

NEW BUSINESS**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

Cash Advances & Expenses Reimbursement Report

St. Thomas Consolidated Courthouse Project - Police Facilities

St. Thomas Police Services Space Needs

Bridge, Sewers and Water Capacity in Barwick Street Area

Cell Phone Policy

Tender Award - Roof Replacement at the Colin C. McGregor Building

NEW BUSINESS**BUSINESS CONCLUDED**

COMMUNITY SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

Paralympics Ontario - Request for Hosting Bids

NEW BUSINESS

BUSINESS CONCLUDED

PROTECTIVE SERVICES AND TRANSPORTATION COMMITTEE - Chairman D. Warden

UNFINISHED BUSINESS

Leash Free Dog Park

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

White Street Yield Signs

Glanworth Avenue Traffic Study

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

Wellington Street Crosswalk - Elgin Mall

NEW BUSINESS

BUSINESS CONCLUDED

SOCIAL SERVICES COMMITTEE - Chairman L. Baldwin-Sands

UNFINISHED BUSINESS

Valleyview Food Service Contract

NEW BUSINESS

BUSINESS CONCLUDED

REPORTS PENDING

ROAD RESURFACING PROGRAM - BUDGET FORECASTS - J. Dewancker

COUNCIL

Council will reconvene into regular session.

REPORT OF COMMITTEE OF THE WHOLE

Planning and Development Committee - Chairman H. Chapman

Environmental Services Committee - Chairman T. Johnston

Personnel and Labour Relations Committee - Chairman G. Campbell

Finance and Administration Committee - Chairman T. Shackelton

Community Services Committee - Chairman B. Aarts

Protective Services and Transportation Committee - Chairman D. Warden

Social Services Committee - Chairman L. Baldwin-Sands

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

REPORTS OF COMMITTEES

PETITIONS AND COMMUNICATIONS

St. Thomas Trans Canada Trail Maintenance

A letter has been received from Marie Turvey, Chairman, Trans Canada Trail Committee, requesting that the City assume maintenance of the Trans Canada Trail within St. Thomas. **Pages** 7 & 8

Retail Closings on Canada Day

A news release has been received from the Ministry of Government Services reminding shoppers and merchants that for the purposes of the Retail Business Holidays Act, retail businesses are required to close on Monday July 2nd, 2007. **Page** 9

Vacant Land Condominium - Fair and Equitable Taxing

A letter has been received from Marion Vaughan, 12-16 Havenridge Court, St. Thomas, requesting that Council consider revising the tax rates for vacant land condominiums to ensure that these properties are taxed in a fair and equitable manner. **Pages** 10 to 12

Union Gas - Application to Ontario Energy Board

Notice has been received from Union Gas that it has applied for an order to the Ontario Energy Board approving a multi-year incentive rate mechanism to determine rates for the regulated distribution, transmission and storage of natural gas, effective January 1, 2008.

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 11th day of June, 2007.
2. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain agreement between the Corporation of the City of St. Thomas and Wallis Residential Homes Inc. (Residential Loan - 395-399 Talbot Street - \$42,500 - Community Improvement Plan)
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 1295113 Ontario Limited. (Facade Improvement Loan - 370 Talbot Street - \$19,500 - Community Improvement Plan)

PUBLIC NOTICE

Mutual Boundary Adjustment - Sutherland Line/Ron McNeil Line

A joint public meeting held by the City of St. Thomas, Municipality Of Central Elgin, and the County of Elgin will take place on June 18, 2007 at 6:00 p.m. in the Council Chamber, City Hall, 545 Talbot Street, St. Thomas.

City of St. Thomas Water Need & Financial Study and Consideration of Water Rates

A public meeting will take place on June 18, 2007 at 5:00 p.m. in the Council Chambers, City Hall, 545 Talbot Street, St. Thomas.

NOTICES OF MOTION**CLOSED SESSION**

A resolution to close the meeting will be presented to deal with a proposed acquisition of land and matters protected under the Municipal Freedom of Information and Protection of Privacy Act.

OPEN SESSION**ADJOURNMENT****CLOSING PRAYER**



Corporation of the

City of St. Thomas

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Report No.
CC-30-07

File No.

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

Date
June 4, 2007

Department: City Clerks Department

Attachment

Prepared By: Wendell Graves, City Clerk

Subject: CIP : Façade Improvement : 370 Talbot Street

Recommendation:

THAT: Council receive Report CC-30-07 as information, and further;

THAT: Application 2007-044 be approved as a CIP Project, and further;

THAT: a By-law be prepared to authorize the Mayor and Clerk to enter into a Façade Improvement Agreement (Loan) for CIP Application 2007-044 located at 370 Talbot Street with a loan amount of \$19,500.

Background:

The application for this project was submitted on March 30, 2007.

The property is located at 370 Talbot Street, on the south west corner of Talbot and Elgin Streets, and is owned by 1295113 Ontario Limited (Larry Rieger).

Scope of Work

The owners are proposing to upgrade the existing façade on the front and side of the building.

Major work tasks include:

- Installation of cultured stone on the bottom 3 feet of the façade
- Coloured stucco on the walls
- Upper levels to have brick work repaired and repainted
- Replace doors / signage

The total estimated cost for the work is \$38,944

Under the CIP Program this application is eligible to receive:

- 1) A Façade Improvement Loan in the maximum amount of \$19,500
- 2) A CIP grant in the amount of \$7,500 with the grant not to exceed 50 % of the project costs. The grant would be processed at the successful completion of the project.

Finally, this application has been reviewed and approved by the Urban Design Committee

Respectfully,

W. Graves, City Clerk

Reviewed By

Treasury

Env Services

Planning

City Clerk

Comm Services

Other



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City of St. Thomas
Recreation

JUN 05 2007

City Clerk's Dept

June 4, 2007

Dear Mayor and Members of City Council:

Trans Canada Trail Maintenance

The Corporation of the City of St. Thomas and the St. Thomas Trans Canada Trail Committee signed an agreement September 1, 2000 with CN/CP for the lease of land in the railway corridor for the Trans Canada Trail (TCT).

Clause 9 of the agreement says "The Lesser shall keep the leased premises in a clean and tidy condition..."

The committee's goal for the building of the TCT pavilion and trail from Stanley Street to Centennial Ave. was five (5) years and then the trail would be turned over to the City. This was common practice in municipalities. The Pavilion, by resolution, is now under the City's protection.

Building the trail and pavilion started in year 2001. The committee raised funds to completely pay for the pavilion and the trail, from Stanley Street to Park Ave. The City has capital budget money set aside to complete the trail to Centennial Ave. The committee has been approached by Formet Industries re the completion of the trail to Centennial Ave.; they would like to be in on the planning; their employees use this area to walk to work.

...2

*The Ontario Trillium Foundation, an agency of the Ministry of Tourism, Culture and Recreation, receives annually \$100 million in government funding generated through Ontario's lottery gaming.



P.O. Box 20006, St. Thomas ON N5P 4H4
FAX: (519) 631-2778 INFORMATION (519) 631-0936

CN/CP had abandoned the corridor from Centennial Ave. to just West of the Talbot Bridge; they also pulled the track to West of the Fairview Bridge. This opened the area for the trail to be completed.

The committee, in 2005, was prepared to complete the trail but was denied access to the corridor in St. Thomas due to the 'abandonment process'.

The committee has looked after the trail while the trail was being built. Due to the pause in the process, we are asking the City to now look after the weeds and assume maintenance of the trail.

The trail is maximum recreation for minimum cost; another community partnership for the benefit of the citizens of St. Thomas.

Sincerely,

Marie A. Turvey

Marie A. Turvey
Chairman

c: Kent McVittie
John Dewancker

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REFERRED TO	
Kent McVittie, Parks & Recreation	
John Dewancker, Environmental Services	
FROM	A. Garza

News Release Communiqué

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Ministry of Government Services Ministère des Services gouvernementaux

For Immediate Release
May 31, 2007

RETAIL CLOSINGS ON CANADA DAY

Ontario Government Reminds Consumers And Businesses Of Closings Under Retail Business Holidays Act

TORONTO — Shoppers and merchants are reminded that under the Retail Business Holidays Act (RBHA), Canada Day is one of the eight days per year when most stores in Ontario must be closed.

When July 1 is a Sunday, the federal Holidays Act requires that Canada Day is the following day. Therefore, this year Canada Day will be Monday, July 2, and for the purposes of the act, retail businesses are required to close on Monday, July 2, 2007. Stores may remain open on Sunday, July 1, 2007. This is consistent with the RBHA closing requirements in 2001 when July 1 fell on a Sunday.

Exempt from the act are book or magazine stores under 2,400 square feet with a maximum of three employees, pharmacies under 7,500 square feet, flower shops and gas stations.

Stores may also be open on this holiday if exempted under specific municipal bylaws for tourism purposes. Any questions about tourism designations or local hours of retail operation should be directed to the municipal clerk's office in your municipality.

Minimum fines for opening businesses on prohibited days of retail operation are \$500 for the first offence, \$2,000 for a second offence and \$5,000 for a third or subsequent offence. Retail outlets may be fined up to \$50,000 or the total amount of gross sales for the holiday, whichever is greater.

The RBHA is administered by the Ministry of Government Services and enforced by local police services in all municipalities except for the City of Toronto. Under the Stronger City of Toronto for a Stronger Ontario Act, 2006, the city now has its own closing requirements under an interim bylaw. The city has indicated that the same closing requirements will apply to retail businesses in Toronto to close on Monday, July 2, 2007.

The RBHA strikes the appropriate balance between allowing businesses to remain open and providing employees and consumers with a common day of pause. To inquire about which types of retail operations are exempt from the act, please call the ministry at 416-326-8800 or toll-free at 1-800-889-9768.

Additional information

Contacts:

Ref: Store Openings
Public Inquiries:
416-326-8800 or 1-800-889-9768

Ref: Rates of pay and other labour-related issues
Public Inquiries (Employers and Workers):
416-326-7160 or 1-800-531-5551

Ciaran Ganley
Ministry of Government Services
416-325-8659

Belinda Sutton
Ministry of Labour

MAY-30-2007 07:47 FROM: BRIAN VAUGHAN

6318255

TO: 5196319970

P.1

BRIAN AND MARION VAUGHAN
 12-16 Havenridge Court
 St. Thomas ON N5P 4P6

RECEIVED

MAY 30 2007

Mayor of the City of St. Thomas
 and City Council
 P. O. Box 520
 St. Thomas ON N5P 3V7

Via Facsimile Transmission (519) 631-9970

Attention: Alderman Tom Johnston



Dear Sirs/Mesdames:

RE: 12-16 Havenridge Court, City of St. Thomas
 Evergreen Terrace

This correspondence is further to a recent telephone conversation with Mayor Cliff Barwick, who requested that our concerns be set out in correspondence addressed to the Mayor and City Council.

We are the owners of the above-noted vacant land condominium.

The purpose for this letter is to bring to the attention of the City of St. Thomas our concerns and request that the City ensure the owners of vacant land condominiums in the City of St. Thomas are taxed in a fair and equitable manner by the City.

Enclosed is a copy of correspondence dated December 17, 204 from John Dewanker, P.Eng., Director, Environmental Services for the City of St. Thomas directed to Donwest Construction Ltd., developer of our condominium. We assume this correspondence to be standard correspondence sent regarding all vacant land condominiums in the City.

Of particular concern is the statement that "Upon completion of the Evergreen Terrace project on the above-noted property, the City of St. Thomas agrees to provide municipal services that are currently being provided to all other properties in the City of St. Thomas, with the exception of the maintenance and operation of any underground servicing and road infrastructure, internal to the subject development, and the collection/disposal of any waste material generated by the subject development. The maintenance and operation of such infrastructure, and the collection/disposal of such waste materials, is the responsibility of the Condominium Corporation for the subject development."

Since the City of St. Thomas has indicated its intention not to provide the services as noted above (services being provided to "all other properties in the City of St. Thomas") we are of the opinion that the City should lower the tax rate for vacant land

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MAY-30-2007 07:48 FROM: BRIAN VAUGHAN

6318255

TO: 5196319970

P.3

condominiums. This could be achieved by creating a separate zone for vacant land condominiums. The rate of tax paid by the new zone created for vacant land condominiums should take into consideration the services not being provided to vacant land condominiums which are provided to "all other properties in the City of St. Thomas".


Frankly we are somewhat surprised this issue was not considered prior to the City issuing the aforesaid correspondence.

We are of the further opinion that the City is prejudicing vacant land condominium owners by charging for services not being provided thereby forcing the owners of vacant land condominiums to pay for these service twice.

On the surface, we are paying twice for garbage collection and disposal, service and maintenance to all underground, hydro, water and sewer lines, maintenance of the road, curbs and snow plowing, maintenance of the light standard and fire hydrant and no doubt, other services not included in this list.

We thank you for considering this matter and look forward to receiving your response setting out what actions are being taken by the City regarding our concerns.

Your very truly


Marion Vaughan

REFERRED TO	
J. DEWANCKER	mk
W. DAY	
FOR	
DEFLECTION	<input type="checkbox"/>
REVIEW FOR COMMENT	<input checked="" type="checkbox"/>
INFORMATION	<input type="checkbox"/>
FROM MARIA KONEFAL	

12

MAY-30-2007 07:47 FROM: BRIAN VAUHAN

6318255

TO: 5196319970

P.2

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

BURT LONG
Manager of Operations

PETER HEGLER M.A.Sc. P.Eng.,
Manager, Engineering & Transportation



THE CORPORATION OF THE CITY OF
ST. THOMAS

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

Telephone: (519) 631-1680
Fax (510) 631-2130

December 17, 2004

Donwest Construction Ltd
P O Box 113
Talbotville ON N0L 2K0

File No: 16 Havenridge Court

Attention: Mr. Dick Greenway, President

Dear Mr. Greenway

RE: Evergreen Terrace Condominium Project
Block 46, Plan IIM-1-16 Havenridge Court, City of St. Thomas

Further to your letter and request of December 17, 2004, under Section 181 of the Condominium Act, the following provides a statement of the services that are being provided by the City of St. Thomas:

Upon completion of the Evergreen Terrace Project on the above noted property, the City of St. Thomas will provide the municipal services that are currently being provided to all other properties in the City of St. Thomas, with the exception of the maintenance and operation of any underground servicing and road infrastructure, internal to the subject development, and the collection/disposal of any waste material generated by the subject development. The maintenance and operation of such infrastructure, and the collection/disposal of such waste materials, is the responsibility of the Condominium Corporation for the subject development.

Cal.
Tax
Rate
Lower

We trust the above statement is adequate for your present purposes. Please contact the undersigned at 631-1680 (165), if you have any questions or require any further information.

Yours very truly

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

cc: P. Keenan, Director of Planning
I. Andersen, Manager of Operations and Compliance
P. Hegler, Manager, Engineering & Transportation
G. Rau, Technician, Water & Development