

AGENDA

THE THIRTY-THIRD MEETING OF THE ONE HUNDRED AND TWENTY-SEVENTH COUNCIL OF THE CORPORATION OF THE CITY OF ST. THOMAS

**COUNCIL CHAMBERS
CITY HALL**

**6:15 P.M. CLOSED SESSION
7:00 P.M. REGULAR SESSION**

JUNE 18TH, 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 D. Warden

DISCLOSURES OF INTEREST

MINUTES

Confirmation of the minutes of the meetings held on June 11th, 2007.

DEPUTATIONS

Police Services Report

A representative of the St. Thomas Police Department will be in attendance to present the Police Services Report for the month of May 2007.

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**St. Thomas Official Plan Review - Urban Area Expansion**

Report PD-14-2007 of the Director, Planning. Pages 8 to 55

Zoning By-law Amendment - Removal of Holding Zone Symbol - Blocks 43 & 44, Registered Plan 11M-152 - Doug. Tarry Limited

Report PD-15-2007 of the Director, Planning. Page 56

Draft Plan of Subdivision File #34T-07503 - Lake Margaret Estates Development Area - 31 Single-Detached Dwellings Units - Doug. Tarry Limited

Report PD-16-2007 of the Director, Planning. Pages 57 to 59

Minor Variance - Municipality of Central Elgin - 45621 Elm Line

Notice of a public hearing for a minor variance taking place on Monday, June 18th, 2007 at 7:00 p.m. in the Council Chambers, 450 Sunset Drive, has been received from the Municipality of Central Elgin to permit the housing of up to two horses within an existing shed on the 10-acre parcel at 45621 Elm Line whereas the zoning by-law requires a minimum lot area of 25 acres.

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

Report ES79-07 of the Manager of Engineering. Pages 60 & 61

Attachments.

Township of Southwold - Wastewater Master Planning Study

St. Thomas Trans Canada Trail Maintenance

Vacant Land Condominium - Fair and Equitable Taxing

NEW BUSINESS

Surface Hot-Mix Asphalt Placement on Burwell Road - Tender Award

Report ES78-07 of the Manager of Engineering. Page 62

Request for Approval to Install an Additional Pedestal Sign on the Properties at 1063 Talbot Street

Report ES82-07 of the Director, Environmental Services. Pages 63 to 67

SCADA WAN Construction Project

Report ES83-07 of the Compliance Coordinator. Pages 68 to 73

Regulation to License Municipal Drinking Water Systems - Ontario Regulation 188/07

Report ES85-07 of the Director, Environmental Services. Pages 74 to 82

Attachment.

Stormwater Management Requirement for South Half of Orchard Park Subdivision - Class Environmental Assessment Project Initiation Notice

Report ES86-07 of the Director, Environmental Services. Pages 83 to 86

BUSINESS CONCLUDED

PERSONNEL AND LABOUR RELATIONS COMMITTEE - Chairman G. Campbell

UNFINISHED BUSINESS

NEW BUSINESS

2006 Sick Day Usage

Report HR-06-07 of the Director, Human Resources. Pages 87 & 88

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

Report TR-30-07 of the Director of Finance & City Treasurer. Pages 89 & 90

NEW BUSINESS

Licence, Registration and Application Fees - City Clerk's Department

Report CC-31-07 of the City Clerk. Pages 91 & 92

Capital Project Status Update

Report TR-31-07 of the Manager of Accounting. Pages 93 to 95

2006 Audited Financial Statements

Report TR-27-07 of the Director of Finance & City Treasurer. Pages 96 to 117

Servicing Agreement - City of St. Thomas, Municipality of Central Elgin, and Shawside Development Limited - Shawside Phase II

Report TR-28-07 of the Director of Finance & City Treasurer. Pages 118 to 129

Water Needs and Financial Study Update - Final Report

Report ES84-07 of the Director, Environmental Services. Pages 130 to 147

Report is Attached.

BUSINESS CONCLUDED

COMMUNITY SERVICES COMMITTEE - Chairman B. Aarts

UNFINISHED BUSINESS

Parks Pavilion Renaming

Walk of Fame

Paralympics Ontario - Request for Hosting Bids

NEW BUSINESS

Memorandum of Understanding between the City of St. Thomas and the Thames Valley District School Board Pertaining to the Development of the School Grounds and Adjacent Park in the Orchard Park Development Area

Report PR-01-07 of the Director, Parks & Recreation. Pages 148 to 151

Proposal Award - Optimist Park Playground

Report PR02-07 of the Parks Supervisor & Purchasing Agent. Pages 152 to 154

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

Amendment to By-Law No. 96-97 Regulating the Sale and Discharge of Family Fireworks

Report FD-06-07 of the Fire Chief. Pages 155 to 162

BUSINESS CONCLUDED**SOCIAL SERVICES COMMITTEE** - Chairman L. Baldwin-Sands**UNFINISHED BUSINESS**Valleyview Food Service Contract

Report VV-004-07 of the Valleyview Administrator. Pages 163 & 164

NEW BUSINESSNature Trail - North of Valleyview

Report VV-005-07 of the Valleyview Administrator. Page 165

BUSINESS CONCLUDED**REPORTS PENDING**ROAD RESURFACING PROGRAM - BUDGET FORECASTS - J. Dewancker**COUNCIL**

Council will reconvene into regular session.

REPORT OF COMMITTEE OF THE WHOLEPlanning and Development Committee - Chairman H. ChapmanEnvironmental Services Committee - Chairman T. JohnstonPersonnel and Labour Relations Committee - Chairman G. CampbellFinance and Administration Committee - Chairman T. ShackeltonCommunity Services Committee - Chairman B. AartsProtective Services and Transportation Committee - Chairman D. WardenSocial 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**Kiwant Manors Limited - Seniors' Housing - 139 First Avenue

A letter has been received from Ellen Luft, President, Kiwanis Club of St. Thomas, requesting written confirmation that Kiwant Manors Ltd. has met all the obligations of its agreement with the City. Page 166

Note of Thanks - St. Joseph's Catholic High School 7th Annual Track and Field Meet - City Pins

A note has been received from Karyn Phillips, DSW, St. Joseph's Catholic High School, thanking Council for city pins in support of the St. Joseph's High School Annual Track and Field event.

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 18th 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 contract between the Corporation of the City of St. Thomas and Main Rehabilitation Co. Ltd. (2007 Annual Watermain Rehabilitation - \$425,486.60 plus gst)
3. A by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to a certain contract between the Corporation of the City of St. Thomas and TCG Asphalt & Construction Inc. (Surface Hot-Mix Asphalt Placement - Burwell Road - \$53,420 excluding gst)
4. A by-law to repeal By-Law 75-2006, being a by-law to authorize the execution of an agreement with 2096869 Ontario Inc. (SPC 10-05 - 400 Highbury Avenue - Commercial Development)
5. 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 2096869 Ontario Inc. (SPC 10-05 - 400 Highbury Avenue - Commercial Development)
6. 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 Doug. Tarry Limited. (Subdivision File #34T-06502 - Lake Margaret Development Area, Phase 10 - 25 Single Detached Residential Dwelling Units)
7. A by-law to amend By-Law 96-97, being a by-law to regulate the discharge and sale of fireworks. (Family Fireworks)
8. 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 Thames Valley District School Board. (Memorandum of Understanding - Joint Use of School Grounds and Adjacent Park - Orchard Park Development Area)
9. 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, the Corporation of the Municipality of Central Elgin and Shawside Development Limited. (Servicing - Shawside Phase II)
10. 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 Nutritional Management Services. (Valleyview Food Service Contract)

PUBLIC NOTICE**NOTICES OF MOTION****CLOSED SESSION**

This meeting be closed to deal with a personal matter about an identifiable individual, a matter of potential litigation affecting the municipality and a matter protected under the Municipal Freedom of Information and Protection of Privacy Act.

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



**The Corporation of the -8-
City of St. Thomas**

Report No.: PD-14-2007

File No.: 187

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

Date: June 11th, 2007

Subject: St. Thomas Official Plan Review - Urban Area Expansion

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

Attachments:

- Work Plan - Studies required to Support proposed Urban Area Expansion
- Letters from landowners supporting the Urban Area Expansion Work Plan

RECOMMENDATION:

THAT: Report PD-14-2007 be received;

THAT: Council approve the Work Plan to support the proposed St. Thomas Urban Area Expansion review and authorize engaging the services of the following consultants to complete the tasks identified in the Work Plan:

- Dillon Consulting
- Earthtech
- Paradigm
- IBI Group
- Cosburn Giberson
- Monteith Brown
- CN Watson;

AND THAT: Staff confirm a front ending arrangement with Doug. Tarry Limited and Springwater Developments Inc. and any other landowners who may be identified during the Level 1 evaluation process to cover the costs of the approved Work Plan.

ORIGIN:

The assessment of the City's future land needs to meet demands for growth is a fundamental component of the Official Plan Review Process. Council received a report on May 14th, 2007 (PD-10-2007) from Lapointe Consulting which highlights the strong growth experienced by the City since the last census and provides Population, Housing and Employment Projections for the City for the period 2006-2026. These projections are the foundation for developing and implementing the City's growth strategy through the Official Plan Review Process.

Currently, Planning staff and our Planning Consultant are preparing the land needs study component of the Official Plan Review. This analysis will determine the supply of vacant land within the City's urban growth boundary (lands within the City limits currently designated for urban use) that is available to meet future demands for residential, commercial and industrial land over the twenty year planning period. Based on the projected housing demand (Lapointe Consulting) we anticipate that there will be a need to designate additional lands outside the City's current urban growth boundary for residential use to accommodate the forecasted housing demand. The potential lack of a sufficient supply of residential land within the existing urban area to meet future housing demand has also been identified by some of the larger housing developers in the City.

In April 2007, staff met with representatives from Doug. Tarry Limited and Springwater Developments Inc. to discuss their interest in developing their lands currently located outside the existing urban growth boundary as designated in the City's Official Plan. Discussions centred on the requirements to adjust the Urban Area Boundary to accommodate new residential growth within the context of the 2005 Provincial Policy Statement. The developers expressed their interest in working cooperatively with the City and agreed in principle to a process where the City prepares the necessary foundation/technical studies and secondary plan/official plan amendment to support Provincial Approval of an Urban Area Expansion and the participating landowners fund the costs of the studies up-front and recover their portion of costs

through the development charge process as the lands develop. Staff agreed to prepare a rough cost estimate of the the foundation studies and planning documents to support the urban area expansion.

On May 3rd, 2007 the landowners met with the Official Plan Technical Steering Committee to review the rough costs estimates for the studies required to evaluate and support an Urban Area Expansion within the City. It was agreed that staff would prepare a detailed Work Plan and Budget and review it with the landowners and the Official Plan Technical Steering Committee on May 28, 2007. At the May 28th meeting, the landowners agreed to fund their proportionate share of the costs of the work plan. Letters of support from the landowners are attached to this report.

At the May 28th meeting the Official Plan Technical Steering Committee requested that staff proceed with a report to Council recommending that Council approve the work plan to undertake the studies necessary to evaluate and support an adjustment to the City's Urban Growth Boundary to ensure an adequate supply of land to meet future housing demand.

PROPOSED WORK PLAN:

The attached work plan report provides:

- the Provincial Policy context for undertaking an Urban Area Expansion;
- the actions required for the Official Plan Review to address consistency with the Provincial Policy Statement;
- the actions required for the proposed Urban Area Expansion to address consistency with the Provincial Policy Statement;
- the work plans and budgets required to prepare the studies for an urban area expansion, including the name of the consultant and the nature of the work they will be undertaking;
- a matrix table summarizes the Provincial Policy context for the various studies, their current status, the required follow-up actions for consultants and staff, and the costs associated with the studies required to support an Urban Area Expansion. Detailed work plans prepared by each of the consultants are attached as appendices to the report, and;
- a map (Map 1) which identifies the study area subject to an assessment for the purpose of recommending a preferred growth option.

It is proposed that the project will be carried out under the direction of the Official Plan Technical Steering Committee comprising: Mayor Barwick, Alderman Chapman – Chair, Alderman Shackelton, Planning Department Staff, Environmental Services Department Staff and Ron Shishido – Dillon Consulting (Project Management).

Representatives of the participating landowners will sit on a separate Landowners Subcommittee which will liaise with the Official Plan Technical Steering Committee as required. Staff and Consultant Team Representatives will attend the Official Plan Technical Steering Committee, Staff Technical Steering Committee meetings and/or Landowners Subcommittee meetings on an as-needed basis.

The following consultants were requested to provide Work Plans and Budgets to prepare the studies required to support an urban area expansion (see below). The consultants were chosen as a result of their working knowledge of the City, their involvement in the initial preparation of previous studies/master plans or their involvement in current studies being conducted for the City.

Dillon Consulting: Updating Residual Sewage Capacity and the Sewage Servicing Plan; the Subwatershed Scoping Exercise; the Growth Management Study, the Secondary Plan/Official Plan Amendment and overall project management.

Earthtech: Water Distribution Analysis

Paradigm: Transportation Master Plan Update

IBI Group: Transit Master Plan Update

Cosburn Giberson: Trails and Parks Master Plan Update

Monteith Brown: Leisure Master Plan Update

CN Watson: Municipal Finance Plan

-10-

PROJECT TIME LINE:

To address the Provincial Policy Statement, the analysis will be undertaken at two levels: the first step includes a high level strategic assessment of the study area (see Map 1) and will be followed by a more detailed assessment of the preferred growth option approved by Council. The evaluation criteria will reflect the policy requirements of Section 2 – Wise Use and Management of Resources and Section 3 - Protecting Public Health and Safety of the Provincial Policy Statement.

The first level of review will include:

- a startup meeting with Ministry of Municipal Affairs and Housing to review the Work Plan and confirm approach;
- a Public Information Centre - invite owners within the future growth lands to attend a PIC to obtain information on the Proposed Urban Area Expansion process, and;
- a report to Council by the Official Plan Technical Steering Committee which will: 1) confirm land need requirements for housing, 2) present the results of the first level evaluation of the study area with a recommendation of a preferred growth option for urban area expansion, and 3) request Council approval to initiate necessary secondary plan/Official Plan Amendment to advance the planning approvals for the preferred growth option.

The second level of study will include:

- the completion of a detailed evaluation of the preferred growth option;
- the preparation of the Official Plan Amendment and supporting background studies;
- an open house and a public meeting as required by the Planning Act;
- approval by Council of the proposed Official Plan Amendment, and;
- the submission of all documents to the Ministry of Municipal Affairs and Housing for final approval.

It is estimated that it will take eight months after project initiation for the various studies and the drafting of the Official Plan Amendment to be completed.

FINANCIAL CONSIDERATIONS:

All studies being completed as part of the Official Plan Review are approved in the City's Capital Budget .

The cost to undertake the additional work to support an Urban Area Expansion is \$322,100 as set out in the matrix table included in the attached report. This cost does not include additional Environmental study costs that will be identified during the study process.

The cost for the Urban Area Expansion work is proposed to be front ended by those landowners whose land may form part of the preferred growth option. Currently Doug. Tarry Limited and Springwater Developments Inc. have agreed to participate in the process and fund, up front, the costs of preparing the foundation/technical studies identified in the attached work plan. A letter from the landowners confirming this arrangement is attached.

The proposed study process will involve consultation with other landowners who have lands within the future growth lands identified on the map attached to the Work Plan Report. If additional landowners express an interest to participate they will be required to share the costs on a proportionate basis.


Respectfully submitted,


Patrick J. C. Keenan
Director of Planning

Reviewed By:


Env. Services


Treasury


City Clerk


Parks and Recreation

WORK PLAN

**STUDIES REQUIRED TO SUPPORT
PROPOSED URBAN AREA EXPANSION**

CITY OF ST. THOMAS

*City of St. Thomas Planning
Dillon Consulting Limited*

May 2007

TABLE OF CONTENTS

1. INTRODUCTION
2. PROVINCIAL POLICY CONTEXT FOR THE ST. THOMAS
URBAN AREA EXPANSION
3. REQUIRED ACTIONS FOR THE OFFICIAL PLAN REVIEW
TO ADDRESS CONSISTENCY WITH PROVINCIAL POLICY
4. REQUIRED ACTIONS FOR THE PROPOSED URBAN AREA EXPANSION
TO ADDRESS CONSISTENCY WITH PROVINCIAL POLICY
5. WORK PLANS TO PREPARE THE FOUNDATION STUDIES
6. PROJECT TIME-LINE
7. PROJECT DELIVERY

APPENDICES

Appendix A	Dillon Work Plan: Updating Residual Sewage Capacity, Sewage Servicing Plan, Subwatershed Scoping Exercise, Growth Management Study, Secondary Plan/Official Plan Amendment, Project Management
Appendix B	Earthtech Work Plan: Water Distribution Analysis
Appendix C	Paradigm Work Plan: Transportation Master Plan Update
Appendix D	IBI Work Plan: Transit Master Plan Update
Appendix E	Cosburn Giberson Work Plan: Trails and Parks Master Plan Update
Appendix F	Monteith Brown Work Plan: Leisure Master Plan Update
Appendix G	CN Watson Work Plan: Municipal Finance Plan

1. INTRODUCTION

On April 19, 2007, the Official Plan Technical Steering Committee met with St. Thomas developers to discuss their interest in developing their lands which are currently located outside the existing Urban Area as designated in the City's Official Plan. To facilitate development on those lands, an urban area expansion would be required within the context of the 2005 Provincial Policy Statement. The developers expressed their interest in working with the City to advance the planning status of their lands. The cooperative approach would be similar to the one used by the City and developers for the South Block lands. That is, the City prepares the necessary foundation studies and secondary plan/official plan amendment to advance the planning status of the applicable lands. The participating developers fund the costs of the required technical work up-front and recover their portion of recoverable costs as the surrounding lands develop. It was agreed that the City would identify the range and rough cost of preparing the foundation studies and planning documents to support the urban area expansion and meet with the developers on May 3, 2007 to further discuss. Based on the matrix table rough cost estimate, it was agreed that the City would prepare a more detailed Work Plan and Budget and review it with the developers on May 28, 2007. The developers have reviewed the Work Plan and Budget and have agreed to fund the upfront costs of the technical work. Representatives of the participating landowners will sit on a separate Landowners Subcommittee which will liaise with the Official Plan Technical Steering Committee as required. Staff and Consultant Team representatives will attend the Official Plan Technical Steering Committee, Staff Technical Steering Committee meetings and/or Landowners Subcommittee meetings on an as-needed basis. One of the first tasks will be to work out the financial arrangements. Letters of support from the participating developers have been attached to the staff report.

2. PROVINCIAL POLICY CONTEXT FOR THE ST. THOMAS URBAN AREA EXPANSION

The 2005 Provincial Policy Statement applies to all planning applications, matters or proceedings commenced on or after March 1, 2005. That means that all decisions of St. Thomas Council that pertain to planning matters "shall be consistent with" the Policy Statement.

Policy 1.1.3.9 of the Policy Statement addresses proposed urban area expansions. To be consistent with that policy:

- St. Thomas may only identify or allow an urban area expansion at the time of a comprehensive review of its Official Plan.
- St. Thomas must demonstrate that:
 - sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected 20 year growth;

- the existing or planned infrastructure and public service facilities are suitable for the proposed development;
 - there are no reasonable alternatives which avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas; and
 - impacts from the expanding urban areas on agricultural operations that are adjacent or close to the urban areas are mitigated to the extent possible.
- St. Thomas in determining the most appropriate direction for its urban area expansion, must evaluate that expansion against the policies in Section 2 – Wise Use and Management of Resources and Section 3 – Protecting Public Health and Safety of the Provincial Policy Statement.

3. REQUIRED ACTIONS FOR THE OFFICIAL PLAN REVIEW TO ADDRESS CONSISTENCY WITH PROVINCIAL POLICY

As part of its Comprehensive Review Program for the Official Plan Update, the City is undertaking or has completed the following basic foundation studies to address the Provincial Policy Statement:

- Updating of the 20 Year Population and Housing Projections – Completed
- Updating of the 20 Year Targets for Affordable Housing – Underway
- Updating of the 20 Year Employment Projections – Completed
- Updating of the 20 Housing and Employment Land Supply Requirements – Underway
- Preparation of an Intensification and Redevelopment Capacity Assessment for the Built-up Areas – Underway
- Updating the Regional Commercial System Study – Completed
- Preparation of the Planning Consistency Study to demonstrate Official Plan consistency with the Provincial Policy Statement – Underway
- Preparation of the updated Official Plan - Underway

The Population and Housing Projections and Employment Study dated May 2007 prepared by Lapointe Consulting and the Regional Commercial System Study Update dated May 2007

prepared by W. Scott Morgan were approved by City Council on May 14, 2007. The Affordable Housing Targets and Intensification Analysis are currently scheduled to be completed in July 2007.

Part 1 of the attached matrix table identifies the basic foundation studies (and their status) that are required to support the Official Plan Review achieving consistency with the Provincial Policy Statement.

4. REQUIRED ACTIONS FOR THE PROPOSED URBAN AREA EXPANSION TO ADDRESS CONSISTENCY WITH PROVINCIAL POLICY

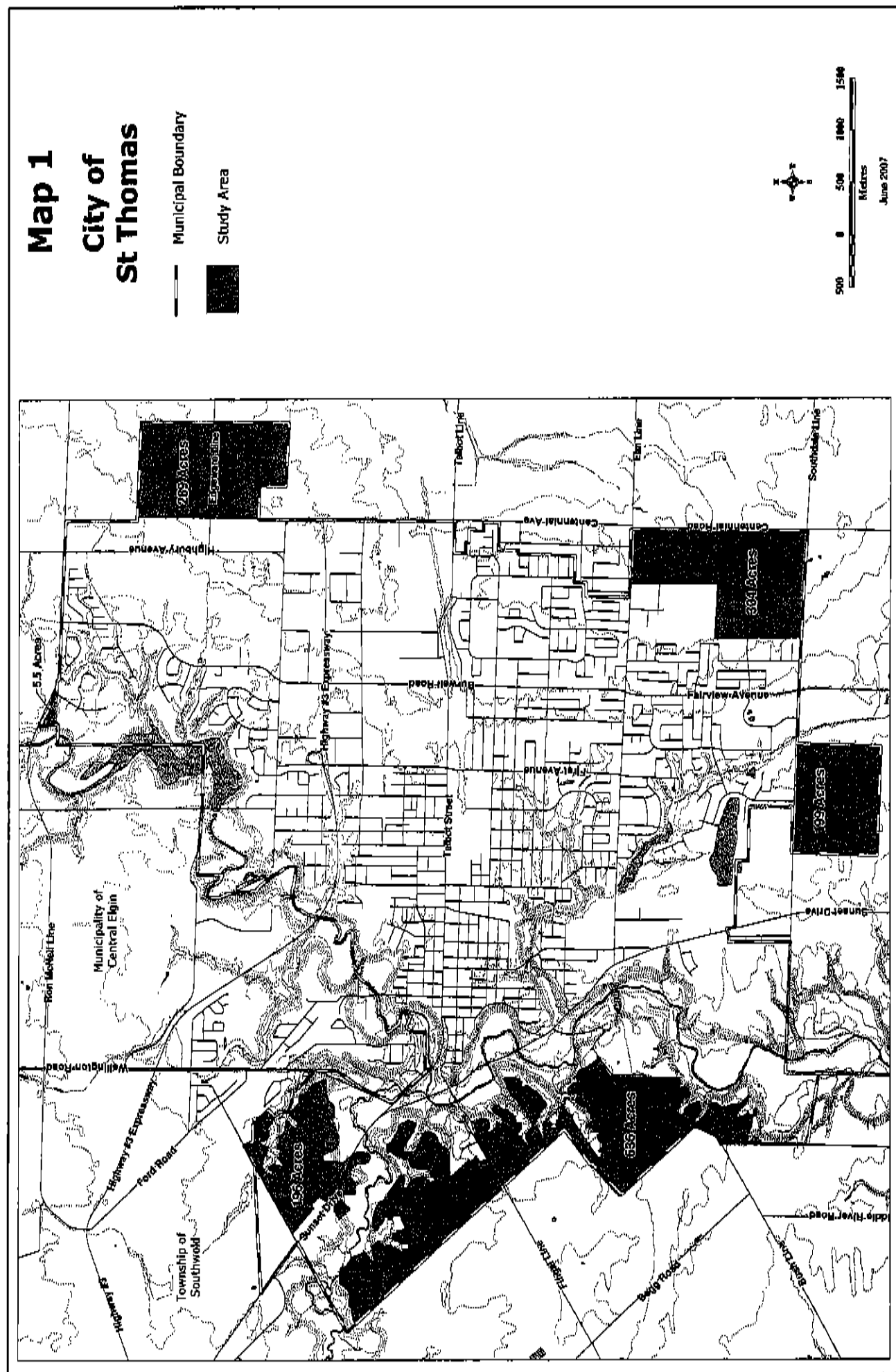
The proposed urban area expansion will be undertaken in parallel with the Comprehensive Review of the St. Thomas Official Plan to be consistent with the Provincial Policy Statement. A number of additional foundation studies are required to provide the necessary information to support the justification of the proposed urban area expansion within the context of Policy 1.1.3.9 of the Provincial Policy Statement including:

- Subwatershed analysis to assess environmental impacts of the proposed development on the natural heritage system.
- Analysis of the delivery of water supply, sanitary sewage, transportation/roads and transit services in the proposed urban areas.
- Analysis of stormwater management in the proposed urban areas.
- Analysis of the financial impact of the development on the City.
- Demonstration of how the proposed urban area expansion satisfies the requirements of the Provincial Policy Statement.

Part 2 of the attached matrix table identifies the foundation studies that are required to support the justification of the proposed urban area expansion within the context of the Provincial Policy Statement.

5. WORK PLANS TO PREPARE THE FOUNDATION STUDIES

As a result of their working knowledge of the City, their involvement in the initial preparation of a previous study/master plan or their involvement in current studies being conducted for the City and their ongoing working relationships with the staff, the following consultants were requested to provide Work Plans and Budgets to prepare the required foundation/technical studies for the urban area expansion:



Dillon Consulting:	Updating Residual Sewage Capacity and the Sewage Servicing Plan; the Subwatershed Scoping Exercise; the Growth Management Study and the Secondary Plan/Official Plan Amendment, Project Management.
Earthtech:	Water Distribution Analysis
Paradigm:	Transportation Master Plan Update
IBI Group:	Transit Master Plan Update
Cosburn Giberson:	Trails and Parks Master Plan Update
Monteith Brown:	Leisure Master Plan Update
CN Watson;	Municipal Finance Plan

Part 2 of the attached matrix table lists the foundation studies and planning policy documents (and budgets) that are required to support the justification of the proposed urban area expansion within the context of the Provincial Policy Statement. More detailed Work Plans are attached as appendices to this report.

To address Policy 1.1.3.9 in the Provincial Policy Statement, the analysis will be undertaken at two levels. Firstly, a higher level strategic assessment of five alternative growth areas (shown on the attached map) and then a more detailed assessment of the preferred growth option. The evaluation criteria will reflect the policy requirements of Section 2 – Wise Use and Management of Resources and Section 3- Protecting Public Health and Safety of the Provincial Policy Statement.

The total budget for carrying out the work in Part 2 – Studies to Support Urban Area Expansion on the attached table is \$322,100 (excluding GST). This budget includes an amount (\$7500) to conduct an environmental audit of existing subwatershed documents to determine the level of environmental work that may be required. Estimates of the additional cost for environmental work will be determine during the level one review through a scoping exercise with the appropriate Provincial Ministries and local Conservation Authorities.

As previously noted, the landowners group has reviewed the Work Plan and have agreed in writing (see attached letters) to fund up-front the cost of the Part 2 foundation/technical studies.

6. PROJECT TIME-LINE

With the exception of the Subwatershed Analysis, the Part 2 foundation work can be completed within an eight month time-line from project initiation. The time-line for the Subwatershed Studies will be confirmed through the project scoping exercise. The time-line will be determined based on the amount of field work that the Conservation Authorities and MNR will require.

7. PROJECT DELIVERY

The Urban Area Expansion Project will be carried out under the direction of the Official Plan Technical Steering Committee comprising:

- Mayor Barwick
- Alderman Chapman – Chair
- Alderman Shackelton
- Planning Department Staff
- Environmental Services Department Staff
- Ron Shishido – Dillon Consulting (Project Management)

Representatives of the participating landowners will sit on a separate Landowners Subcommittee. Consultant Team representatives will attend meetings with the Official Plan Technical Steering Committee, Landowners Subcommittee and the Staff Technical Steering Committee on an as-needed basis.

-19-

Appendix A
Dillon Consulting Work Plans

Requirement for Official Plan Review Foundation Studies to Address PPS

Part 1: Basic Foundation Studies to Support the Official Plan Review, June, 2007

PPS Requirements	Status	Follow-up Action	Work Plan Cost
1a 20-year population and housing projections (range of type and densities) to meet needs of municipality's share of the regional housing market.	Population and Housing Projections and Employment Study dated May 2007 prepared by Lapointe Consulting contains 20 Year (2006-2026) population and housing projections to address PPS. This was approved by Council on May 14, 2007.	Population and housing projections to be adopted by Council and included in the updated Official Plan.	Part of City OP Work Plan and Budget
1b Affordable housing targets for low and moderate income households	Consultant is preparing housing targets in accordance with MMAH Guidelines.	Review housing targets with City.	Part of City OP Work Plan and Budget
1c Sufficient land to accommodate 20-year housing requirements by density type through intensification, redevelopment and designated growth areas.	The 20 Year (2006-2026) land supply analysis to be prepared based on the Lapointe projections. The results of the analysis of physical intensification potential will need to be incorporated into the land supply analysis. Planning Staff and Dillon to carry out analysis.	Prepare land supply analysis and analysis of physical intensification potential.	Part of City OP Work Plan and Budget
1d 20-year employment projections of industrial, commercial and institutional uses and designation of sufficient land for employment opportunities required to meet 20-year employment projections	Population and Housing Projections and Employment Study dated May 2007 prepared by Lapointe Consulting contains 20 Year (2006-2026) employment projections. Regional Commercial System Study Update dated May 2007 prepared by W. Scott Morgan identifies 20 year residual demand for categories of commercial uses. This was approved by Council on May 14, 2007.	Employment projections to be adopted by Council and included in the updated Official Plan. Results of the commercial study to be included in the review of commercial policies in the updated Official Plan.	Part of City OP Work Plan and Budget Part of City OP Work Plan and Budget

Part 2: Foundations Studies to Support the Proposed Urban Area Expansion

PPS Requirements		Status	Follow-up Action	Work Plan Cost
1e	Targets for intensification and redevelopment within built-up areas	Planning Staff and Dillon to carry out analysis of physical potential for Intensification on infill lands and brownfield lands in the City.	Results of the intensification analysis to be incorporated in the residential land supply analysis.	Part of City OP Work Plan and Budget

-21-

Part 2: Foundations Studies to Support the Proposed Urban Area Expansion

PPS Requirements	Status	Follow-up Action	Work Plan Cost
2a Demonstration that sufficient opportunities for growth are not available through intensification, redevelopment and designated growth areas to accommodate the projected needs over the 20 Year (2006-2026) planning horizon.	The updated Residential Land Supply Analysis will address this requirement.	Complete the residential land supply analysis including incorporating the results of the analysis of physical potential for intensification.	Part of City OP Work Plan and Budget
2b Demonstration that the infrastructure (water supply, sanitary sewage, stormwater management, utilities, roads and transit) and public service facilities (parks and recreation, schools, fire, police, etc.) which are planned are suitable for the development over the long-term. Demonstration that the significant Natural Heritage features are protected.	<p>Need to update of the St. Thomas Water Pollution Control Plant Wastewater Management Master Plan.</p> <p>Need to update of the calculation of the committed/ uncommitted sewage treatment capacity at the Water Pollution Control Plant.</p> <p>Water Distribution Analysis – need to assess the delivery of the potable water to the alternative growth areas and prepare a water distribution plan for the selected growth area(s).</p> <p>Sewage Servicing Plan – need to assess the collection of waste water from the alternative growth areas and to determine the availability of downstream sewer capacity and/or upgrade needs for the selected growth area(s).</p> <p>Stormwater management requirements in the applicable Kettle Creek and Catfish Creek Subwatersheds need to be assessed.</p>	<p>Environmental Services Staff and consultants to update the Master Plan.</p> <p>Environmental Services Staff, Planning Staff and Dillon to prepare update.</p> <p>Environmental Services Staff and Earthtech to undertake the water distribution analysis and prepare the water distribution plan to service the selected growth area(s).</p> <p>Environmental Services Staff and Dillon to undertake the sewage collection analysis and prepare the sewage servicing plan to service the selected growth area(s).</p> <p>Environmental Services Staff, Planning Staff and Dillon to review stormwater management requirements and audit the South Block Subwatershed Study. Audit will identify costs to meet agency requirements and address PPS.</p>	<p>Included in the 2006 Capital Budget (\$200,000)</p> <p>10,000</p> <p>\$27,600</p> <p>\$54,000</p> <p>\$7,500 (audit South Block Subwatershed Study and meet with MMAH, MNR, KCCA & CCCA to confirm requirements to address new PPS)</p>

Part 2: Foundations Studies to Support the Proposed Urban Area Expansion

PPS Requirements	Status	Follow-up Action	Work Plan Cost
	Need to update the Transportation Master Plan to assess the movement of traffic to/from the alternative growth area(s).	Environmental Services Staff and Paradigm to review transportation requirements and update the Master Plan to address roadway requirements to serve the selected growth area(s).	\$27,000
	Need to update the Transit Master Plan to assess the provision of bus service to the alternative growth areas.	Environmental Services Staff and IBI to review transit requirements and update the Master Plan to address transit service to the selected growth area(s).	\$15,000
	Need to amend the Trails and Parks Master Plan to address growth in the selected growth areas.	Parks and Recreation Staff and Cosburn Giberson to amend the Master Plan.	\$12,000
	Leisure Master Plan needs to assess the provision of parks and recreational services in the alternative growth areas.	Parks and Recreation Staff and Monteith Brown to review parks and leisure service requirements and fold into the Master Plan project which is underway.	\$4,000
	Public and Separate School Boards, Utilities, Police and Fire Departments need to assess the provision of service in the alternative growth area(s).	Planning Staff to contact school boards, utilities and fire and police departments for comments.	No budget allocation.
	Municipal Finance Plan prepared as part of the South Block process needs to assess the impact of the expansion into the alternative growth areas.	Finance Staff and CN Watson to review municipal finance requirements for accommodating the new growth including development charges for paying for infrastructure to service the alternative growth areas. Review to include the assessment of costs of future operations and human resources.	\$50,000
2c Demonstration that in Prime Agricultural Areas that there are no reasonable alternatives which avoid prime agricultural areas and there are no reasonable alternatives on lower priority agricultural lands in prime agricultural areas.	Planning justification for taking prime agricultural lands out of production needs to be prepared.	Planning Staff and Dillon to prepare planning justification analysis.	Included in the budget for the Growth Management Report.

Part 2: Foundations Studies to Support the Proposed Urban Area Expansion

- 24 -

PPS Requirements	Status	Follow-up Action	Work Plan Cost
2d Demonstration that impacts from expanding settlement areas on adjacent agricultural operations are mitigated to the extent possible.	Planning justification analysis needs to also address the impacts of settlement area expansion on existing agricultural operations.	Planning Staff and Dillon to prepare planning justification analysis.	Included in the budget for the Growth Management Report.
2e Demonstration of the most appropriate direction(s) for settlement area expansions applying the Section 2 – Wise Use and Management of Resources and Section 3 – Protecting Public Health and Safety policies in the PPS.	<p>Utilizing the findings from the above-noted foundation studies, the growth management analysis needs to address the environmental and hazard policies to justify the proposed direction(s) for the settlement area expansion. The justification needs to be documented in a Growth Management Study.</p> <p>The policy recommendations contained in the Growth Management Study are to be incorporated in a Secondary Plan prepared as an Amendment to the existing Official Plan in accordance with the Planning Act.</p> <p>Take the Secondary Plan/Official Plan Amendment and associated growth management study to the public in accordance with the Planning Act.</p>	<p>Planning Staff and Dillon to prepare the Growth Management Study.</p> <p>Planning Staff and Dillon to prepare the Secondary Plan/Official Plan Amendment.</p> <p>Planning Staff and Dillon to prepare for and attend pre-consultation meeting, public information centres/open houses and statutory public meeting.</p>	<p>\$50,000</p> <p>\$25,000</p> <p>\$10,000</p>
2f Secondary Plan Process Project Management		<p>Planning Staff and Dillon to prepare for and attend Steering Committee meetings, Council meetings, Landowners meetings, Provincial agency review meetings and staff/consultant team working meetings.</p> <p>Planning Department Reproduction Costs</p>	<p>\$15,000</p> <p>\$5,000</p>

Part 2: Foundations Studies to Support the Proposed Urban Area Expansion

PPS Requirements	Status	Follow-up Action	Work Plan Cost
		Project Management including overseeing work delivery and budgets of consultant team.	\$10,000
TOTAL COSTS FOR STUDIES			\$322,100

- 26 -

Appendix B

Earthtech Work Plan

-27-

June 11, 2007

City of St. Thomas
Environmental Services Department
545 Talbot Street
St. Thomas, Ontario
N5P 3V7

Attention: Mr. John Dewancker, P.Eng.
Director, Environmental Services

Subject: St. Thomas Urban Area Expansion
Water Servicing Planning

Dear Sir:

Further to Ron Shishido's (Dillon Consulting), email of May 9th, we provide the following Work Program, Schedule and Fees to undertake hydraulic modeling and an assessment of alternative water servicing scenarios to service various growth areas within the City and once confirmed, develop water distribution servicing planning for the chosen areas. Attached is the following:

- Table 1 - Work Program Activities
- Figure 1 - Work Program Schedule
- Table 2 - Fee and Expense Breakdown

Please review the attached to confirm we meet the requirements outlined in Mr. Shishido's email correspondence, and the related attachments for the St. Thomas Urban Area Expansion Work.

All work will be lead by myself as, Project Manager given my past experience on related projects for the City. Hydraulic Modeling will be carried out by Mr. Eppo Eerkes based on past work completed for the City. Servicing planning, and facility related aspects (pumping station/storage needs, Elgin Area Water Supply System, etc.) will be completed by Mr. Neil Awde based on past work for the City, and/or for the Elgin Area Water Supply System.

Should you have any questions or require any further information, or required revisions to the work program, schedule or fees please advise. Otherwise we look forward to working with you again on this project.

Very truly yours,

Earth Tech Canada Inc.

John H. Haasen, P.M.P., C.E.T.
Project Manager

JHH:dc

c: Ron Shishido, Dillon Consulting

File Location: P:\proposals\PRP07\St. Thomas Urban Area Expansion\Ltr-City of St. Thomas-May 23'07.doc

TABLE 1 WORK PROGRAM ACTIVITIES

OBJECTIVES:

Phase I – Alternative Growth Area Servicing

- Confirm service levels and planning/design criteria for alternative growth areas.
- Assess alternative growth area servicing based on serviceability, compatibility with the existing water system, capital work requirements, ultimate build-out, life cycle cost (capital/operating) aspects, etc. to support the selection of preferred growth areas.
- Run hydraulic model for alternative servicing. Confirm servicing preferred for growth areas.

Phase II – Water Servicing for Growth Area(s).

- Identify capital works necessary to service the selected growth area(s).
- Prepare water distribution plans for the selected growth area(s).

TECHNICAL ACTIVITIES:

Task 1 – Project Initiation

- **Meeting No. 1** – review work requirements and relationship with other City activities. Confirm team and approach. Confirm work program, schedule and deliverables with City staff to support PO issuance.
- Identify and request any additional information needed to complete the project.

Task 2 – Data Collection

- City to provide the following:
 - all recent water distribution works completed in part or in whole.
 - current work commitments for the above as outlined in subdivision agreements, draft plan applications, site plan applications, etc.
 - latest Area Plans.
 - identification of any interim water works identified by the City for development, safety and/or other purposes.
- All preliminary servicing, land use, survey and other pertinent information with regards to the alternative growth areas.
- Obtain and review all future growth information to be provided by the City. To be provided by future residential, institutional, commercial and industrial growth areas, complete with population projections in 5-year increments to 2026.
- Obtain the City's 2007 Capital Budget for Water Works.

Task 3 – Service Level/Criteria Confirmation

- Confirm past City service levels to be used (City direction).
- Confirm the planning versus design criteria to be used for this and future projects (pressure limits, velocities, headloss, PS suction/discharge, reservoir levels, hydro costs, etc.).

Task 4 – Phase 1 – Alternative Growth Area Servicing

- Confirm base conditions for 2007 (existing and identified water works).
- Amend/expand the WaterCad model to address future growth requirements as provided by the City of St. Thomas.
- Confirm the standard model scenarios to be used for future assessment. (Average day, max day, peak hour, etc.).
- Run future growth scenarios for each of the alternative growth areas based on build-out conditions, as provided by the City of St. Thomas as part of Task 2 and the service levels and planning/design criteria agreed upon for the scenarios confirmed.
- Assess alternative growth area servicing based on serviceability, compatibility with the existing distribution system, capital work requirements for system expansion, etc. to support the selection of preferred growth areas.
- **Meeting No. 2** – with the City to review/confirm modeling results and growth area servicability.

Task 5 – Phase 2 – Water Servicing for Growth Area(s)

- Reconfirm future growth requirements in 5-year increments to 2026 for the selected growth area(s).
- Incorporate Elgin Area Water Supply System Master Plan update information.
- Confirm preferred growth servicing for the selected growth area(s) based on 5-yr growth increments, as provided by the City of St. Thomas as part of Task 2 and the service levels and planning/design criteria agreed upon
- Preparation of a water distribution plans for each growth area).
- Confirm pumping station and storage needs for the City's water distribution system.
- Review and confirm correlation with other proposed transportation, stormwater drainage and management and sanitary sewerage works.
- *Meeting No. 3* – with the City to review/approve the draft water distribution plans for each growth area.

Task 6 – Reporting

- Develop and confirm estimated costs for the required works identified as part of Task 5 (based on 2007 unit costs).
- Identify long term operating costs for any recommended works, and long term capital cost requirements to maintain.
- Prepare draft report as per the outputs of Task 1 through 6 (5 copies).
- *Meeting No. 4* - with City personnel to review/confirm draft report outputs.
- Prepare final report as per the outputs of Meeting No.4 (5 copies).

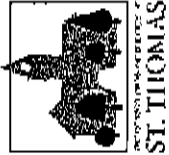
DELIVERABLES:

- Service level/planning design criteria confirmation.
- Required growth works to the existing system to accommodate each alternative growth area, with related costs in 2007 dollars.
- Alternative growth area servicing assessments based on serviceability, compatibility with the existing distribution system, capital work requirements for system expansion, etc. to support the selection of preferred growth areas.
- Draft and final water distribution plans for the preferred growth area(s).
- Draft and final reports (5 copies each).

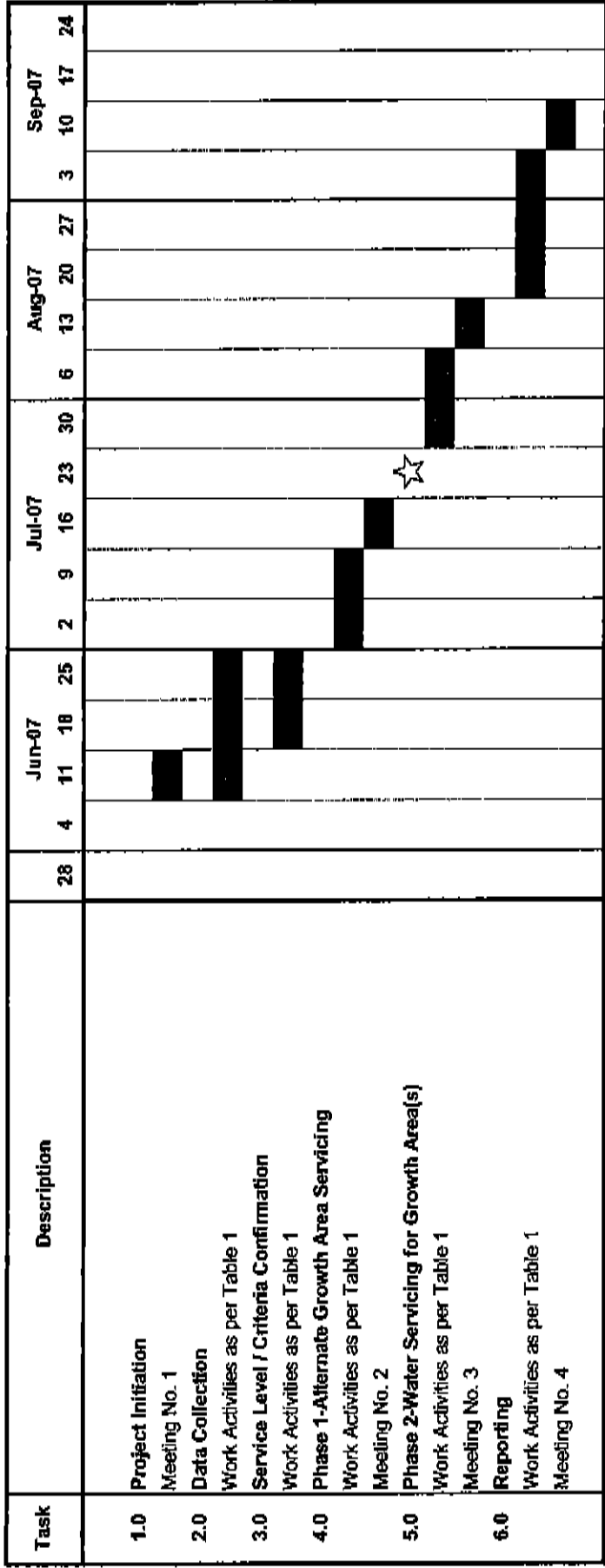
MILESTONES:

- Work program, schedule and fee confirmation with City.
- Data collection/delivery of all City to be provided materials in digital/hardcopy form three weeks upon project initiation.
- Service level/planning design criteria confirmation with City.
- Existing system assessment/evaluation output review with City for each of the alternative growth areas.
- Water Distribution Plan review with the City.
- Draft report submission and review.
- Final report completion and presentation.

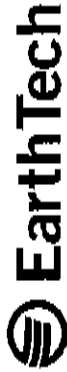
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Water Distribution Analysis
City of St. Thomas Urban Area



☆ City to provide direction regarding preferred growth areas.



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Figure 1
Work Program Schedule



Water Distribution Analysis
City of St. Thomas Urban Area

ST. THOMAS

Activity	Haasen PM	Markes Modeler	Awde	Technical Support	Administrative Support	Total Days	Total Fees	Expenses	Total Cost
Daily Rate	\$1,480	\$960	\$650	\$550	\$520				
Task 1.0 - Project Initiation									
Meeting No. 1	0.25		0.25		0.25	0.75	\$663	\$100	\$763
Task 2.0 - Data Collection									
Work Activities as per Table 1		0.50	1.50		1.00	3.00	\$663	\$100	\$763
Task 3.0 - Service Level / Criteria Confirmation									
Work Activities as per Table 1	0.25	0.50	1.00		1.00	2.75	\$1,975	\$0	\$1,975
Task 4.0 - Phase 1-Alternative Growth Area Servicing									
Work Activities as per Table 1	0.50	3.00	2.00	2.00		7.50	\$2,020	\$0	\$2,020
Meeting No. 2	0.25		0.25		0.25	0.75	\$663	\$100	\$763
Task 5.0 -Phase 2-Water Servicing for Growth Area(s)									
Work Activities as per Table 1	0.50	2.00	2.00	2.00	1.00	7.50	\$6,683	\$100	\$6,783
Meeting No. 3	0.25		0.25		0.25	0.75	\$5,580	\$200	\$5,780
Task 6.0 - Reporting									
Work Activities as per Table 1	1.00	1.00	2.00	1.00	1.00	6.00	\$6,243	\$300	\$6,543
Meeting No. 4	0.50		0.50		0.50	1.50	\$4,810	\$750	\$5,560
TOTALS	3.50	7.00	9.75	5.00	5.25	30.50	\$1,325	\$100	\$1,425
PERCENT TOTAL HOURS BY STAFF	11%	23%	32%	16%	17%		\$6,135	\$850	\$6,985
FEES							\$23,718	\$1,350	\$25,068
CONTINGENCY (10%)									
TOTAL	\$5,180.00	\$6,720.00	\$6,337.50	\$2,750.00	\$2,730.00				\$2,507
									\$27,574



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Table 2
Fee & Expense
Breakdown

-32-

Appendix C

Paradigm Work Plan

-33-



May 18, 2007

Dillon Consulting
235 Yorkland Blvd.
Suite 800
Toronto, Ontario M2J 4Y8

ATTENTION: RON SHISHIDO, OFFICIAL PLAN REVIEW PROJECT MANAGER

Dear Mr. Shishido:

**RE: ST. THOMAS URBAN EXPANSION - UPDATE OF TRANSPORTATION
MASTER PLAN**

Further to your request, we have prepared a suggested work plan and fee estimate to undertake the transportation master plan update. The following tasks are outlined in the two Phases identified.

Phase 1: Evaluate Alternative Growth Areas

1. *Task 1: Project Initiation and Data Gathering* Existing and projected population and employment forecasts will be obtained from the City, Dillon and/or Lapointe at the traffic zone (TAZ) level. Existing traffic data will be obtained where available from the City based on traffic counts conducted in recent years.
2. *Task 2: Network Conversion and Update* – Working with the City's GIS we will convert the model network from System II to TransCAD as the previous modeling software is now outdated. This will involve using the City's GIS base as the mapping platform and converting the dataset with the required fields for the model network including, lane capacity, number of lanes link volume-delay parameters, posted speed, and functional classification available in the existing modeling framework. The model network will be expanded to include the new growth areas and updated to reflect and changes to the road system that have been constructed since the last update. In addition new TAZ's will be added within these growth areas, as necessary.
3. *Task 3: Demand Verification* – Using the trip generation and distribution methods contained in the SYSTEM II model, the travel demand matrices by trip type for 2006 (based on the 2006 demographic data) will be converted to TransCad format. The trip matrices will then be assigned to the network and compared at strategic locations against available ground counts. Where necessary, adjustments will be made to ensure that the model's precision is within acceptable margins of error.

May 18, 2007

St. Thomas Urban Expansion- Transportation Master Plan Update

4. *Task 4: Revised Trip Forecasting* – Based on the new future population and employment forecasts for the alternative growth areas, future travel demands will be developed and assigned to the roadway network. Based on the assigned traffic volumes, corridor forecasts will be prepared for the various land use options identifying the number of additional lanes required.
5. *Task 5: Evaluate Alternative Growth Area Options* – We expect that up to three growth area options will be prepared for evaluation. The corridor forecasts obtained from Task 4 will be used to determine the roadway infrastructure impacts, upgrading requirements and an assessment of the relative cost implications for the options. These results will provide input into the selection of the preferred growth areas for more detailed evaluation in Phase 2.
6. *Meetings:* We have budgeted for up to two half day meetings in Phase 1 – a project initiation meeting and a meeting associated with the evaluation of growth area options.

Phase 2: Detailed Assessment of Preferred Growth Areas

1. *Update Traffic Counts:* Our understanding is that the City has a good inventory of recent traffic counts for the City. However, we have provided for an allowance of up to 5 additional 24 hour counts focused along the transportation corridors most impacted by the preferred growth scenario to assist in better model calibration.
2. *Undertake Detailed Modelling:* More detailed model calibration for the base year and the preferred growth area options at the link level to identify more specific roadway network improvement requirements.
3. *Determine Internal Roadway Network and Traffic Operational Requirements* – Based on the forecasts provide input on the internal secondary plan conceptual collector network, intersection locations and areas of direct property access. Identify the need for intersection improvements, signalization and/or roundabouts.
4. *Roadway Improvement Costs:* Prepare order of magnitude cost estimates for the roadway network improvements for input into an updated development cost charges bylaw.
5. *Report:* Prepare a report documenting the study process and results, recommendations and conclusions.
6. *Meetings:* Attend one additional meeting to provide input on the study and recommendations.

Paradigm Transportation Solutions Limited

Paradigm Transportation Solutions Limited is a consulting practice in the specialized field of transportation planning offering services to both public and private sector clients. The principals of Paradigm Transportation Solutions bring almost 60 years of transportation planning experience who have worked extensively providing transportation consulting services not only locally but on a national level. Paradigm's corporate mission is to provide cost effective, creative, innovative, technologically based and responsible transportation

-35-

May 18, 2007

St. Thomas Urban Expansion- Transportation Master Plan Update

solutions. The focus of the business is small to medium sized transportation projects which includes land development services and transportation technology applications.

As well as having completed the 1997 St. Thomas Transportation Study and the 2003 Transportation Study Update and Development Charges Forecasts our key personnel have also completed the following related studies.

1. North West Secondary Plan, Stratford
2. Commerce Way Industrial Park, Woodstock
3. North East Secondary Plan, City of Stratford
4. Airport South Area Study, London
5. Forest City Industrial Park, London
6. Collier Road Industrial Park, Thorold
7. Coldpoint Industrial Park, Guelph
8. Pinebush Road Industrial Park, Cambridge
9. South Gordon Community Plan, Guelph
10. Williamsburg Town Centre, Kitchener
11. Hespeler East Development Plan, Cambridge
12. Southeast Galt Development Plan, Cambridge
13. Meadowlands Secondary Plan, Ancaster
14. River Bend Community Plan, London
15. Hanlon Creek Business Park, Guelph
16. South Industrial Area Traffic Study, City of Guelph

Paradigm also brings to the team the development of long range city/region-wide transportation plans which provide a city/region wide perspective on transportation needs associated with community growth including development of comprehensive transportation policies and traffic calming plans.

Key Personnel

Phil Grubb, P.Eng.

Mr. Grubb is a Principal of Paradigm Transportation Solutions Limited in Cambridge. He will be the Project Manager for this project and provide the analysis related to the evaluation and formulation of the transportation requirements of the project. Phil undertook this same role as part of the previous St. Thomas Transportation Study Update, Stratford North East Secondary Plan and numerous other area plans. Phil has undertaken transportation, road network planning and/or traffic studies for the Forest City Industrial Park, Woodstock, Airport South Area Study, London, Forest City Industrial Park, London, Pinebush Road Industrial Park, Cambridge, South Gordon Community Plan, Guelph, Southeast Galt Development Plan, Cambridge, Meadowlands Secondary Plan, Ancaster, River Bend Community Plan, London, Hanlon Creek Business Park, Guelph and South Industrial Area Traffic Study, City of Guelph. He has undertaken over 20 Transportation Environmental Assessment/Preliminary Design projects, 15 traffic calming studies and 25 Comprehensive Transportation Master Planning Studies which provide the need and justification for road network improvements as required by Phase 1 and Phase 2 of the Municipal Class Environmental Assessment process.

-36-

May 18, 2007

St. Thomas Urban Expansion- Transportation Master Plan Update

Jim Mallet, P. Eng. PTOE

Jim Mallett, M.A.Sc., P.Eng. brings 16 years of professional practice in the transportation consulting industry with special emphasis on demand forecasting, modelling and transportation demand Management. He will be responsible for the demand forecasting part of the assignment including recalibration and updating of the transportation model.

Jim has designed and managed several data collection programs and was responsible for the traffic forecasting and model development components of numerous transportation studies including the City of Guelph, City of Peterborough, City of London, City of Brantford, City of Windsor, City of St. Thomas, Essex-Windsor Region and various sub-areas studies in the City of Guelph and Waterloo Region. He developed the City of St. Thomas Transportation Model for the 1997 St. Thomas Transportation Study and undertook the analysis for the South Block lands as part of that work. He also undertook the model forecasting for the 2003 St. Thomas Transportation Study update.

Cost Estimate

Based on the above work program, the cost to undertake the work is as follows:

Phase 1:	\$13,000
Phase 2:	\$12,000
Expenses	\$2000 (including traffic counts, printing 5 copies of the report, travel)
Total	\$27,000

We trust that this work program will meet the requirements of the City. Thank you for the opportunity to provide our services.

Yours very truly,

PARADIGM TRANSPORTATION SOLUTIONS LIMITED



Phil Grubb, P.Eng.

President

St. Thomas Urban Expansion

peg

-37-

Attachment A

PROFESSIONAL SERVICES AGREEMENT BETWEEN CITY OF ST. THOMAS AND PARADIGM TRANSPORTATION SOLUTIONS LIMITED

1. **Services To Be Provided:** As outlined in letter dated May 18, 2007 from Paradigm Transportation Solutions Limited to Dillon Consulting Engineers.
2. **Estimated Fees:** \$27 000 (excluding GST)
3. **Estimated Completion Date:** as required
4. **Number of Final Report copies:** 5 copies

SEND INVOICES TO: (PLEASE PRINT OR TYPE)

Firm:	
Street Address:	
City/Town:	
Postal Code	
Attention/(Title):	
Telephone:	
Fax:	

AGENT OF CLIENT WITH SIGNING AUTHORITY: (PLEASE PRINT OR TYPE)

Firm:	
Street Address:	
City/Town:	
Postal Code	
Attention/(Title):	
Telephone:	
Fax:	

-38-

Attachment A
Professional Services Agreement

TERMS AND CONDITIONS

- ▲ *Fees are non-refundable and invoices are payable upon receipt. Disbursements may include traffic surveys, travel, printing and communication costs which shall be billed at cost plus a 5% administration charge.*
- ▲ *We reserve the right to request full payment of outstanding amounts prior to submission of our Final Report. We reserve the right to stop work if invoices are not paid within thirty (30) days of being issued and charge interest on outstanding amounts.*
- ▲ *Meetings and any additional work not specifically described herein but requested by the client or his agents shall be performed on an hourly basis plus out-of-pocket expenses and applicable taxes. If the scope of work changes significantly once work has commenced we shall review the fee arrangement with the client.*
- ▲ *Approvals from any government authority are not guaranteed. The fees quoted above do not include services rendered in connection with any appeal to the Ontario Municipal Board or the preparation and attendance at City Council or any of its committees, the Committee of Adjustments and/or Land Division Committee or similar statutory meetings unless specifically stated in our proposal.*
- ▲ *The undersigned agrees to pay Paradigm Transportation Solutions Limited in full under this agreement for furnished services within 30 days of each invoice date. Interest shall be paid at the rate of 1.5 % per month on all accounts outstanding beyond 30 days. The undersigned will be responsible for collection of proportionate invoice payments from associated partners, clients, client group members and/or participants in this agreed upon assignment.*

We require signed authorization prior to commencing the work. If the suggested scope of work as well as the above Terms and Conditions are agreeable to you please sign and return one copy of this agreement to our office.

By their signatures, the undersigned confirm that they fully understand and accept the foregoing Terms and Conditions.

Signature:

Date:

Witness:

FOR OFFICE USE ONLY

PM:	BRC:	BT:	Start Date:	Target Date:
PEG/JJLM/WBO	STD/SPEC/RD	LS/HRLY		

Project Name: _____

Project Number: _____

Appendix D
IBI Work Plan

St. Thomas Urban Area Expansion

Transit Master Plan Up-Date

Work Plan and Budget

INTRODUCTION

The City of St. Thomas is considering development of four areas within its municipal boundaries to the west, south, east and northeast. For each of these areas, the ability to extend the City's public transit services must be assessed and approaches, impacts and potential costs to extend transit service must be identified as part of the process for selecting the preferred growth areas. The provision of public transit in urban areas is a priority with the Province of Ontario as part of its commitment to reducing Greenhouse Gas Emissions (GHG's) and to improving the quality of life in urban areas.

In this review and assessment, transit service includes both conventional, fixed route transit service as well as specialized transit service for persons with disabilities in accordance with the Accessibility for Ontarians with Disabilities Act legislation.

WORK PLAN

The work plan for up-dating the City's Transit Master Plan to include the potential new urban development areas will be conducted at two levels:

1. A high level, strategic, review of the alternative growth areas to identify issues, impacts, potential solutions and operational considerations associated with extending public transit service to the areas;
2. A detailed study of how the preferred growth area(s) would be served by public transit. This study would identify the type of transit service, service levels, physical requirements, potential costs and an implementation plan.

The tasks to be undertaken are summarized in the following sections for each Level of detail.

Level 1 – Strategic Planning

Task 1.1 – Project Initiation and Research

In this task we will meet with the client to review the specifics of the four growth areas and gather necessary details about each area. The information to be gathered will include size, development guidelines, land use, road network concept plans, population and employment estimates, travel demand estimates including projected origin-destination patterns, and development timelines. We will then review the City's existing Transportation Master Plan, Transit Master Plan and Ridership Growth and Asset Management Plan to confirm current service standards, the scope of current transit services including routes and service levels and the need to modify them to include the growth areas.



-41-

Task 1.2 – Transit Concept Plans

For each of the growth areas, concepts for extending transit service to the areas will be prepared. These concepts will include a general description of the available options (as applicable) for providing transit service to each area and will identify service standards and service levels consistent with the City's Transit Master Plan and Ridership Growth Plan, and the estimated resource requirements. A key element will be to identify how each new area would be linked to the rest of the municipality through extension of transit services. Exploring this aspect will help to quantify the issues and potential difficulties associated with each new development area.

Transit service requirements related to the road network design for each growth area will be identified consistent with the Transit Master Plan standards for accessibility, coverage and walking distance to transit.

Task 1.3 – Selection of Preferred Growth Area(s)

We will work with the Consulting Team and City staff to evaluate each growth area and provide advice and assistance to assess, from a transit perspective, the preferred growth area(s). A key element will be determining the road network design to meet transit service standards in order to maximize transit use and minimize transit operating and capital costs.

Task 1.4 – Up-Date Transit Master Plan

Based on the work undertaken in Tasks 1.2 and 1.3 above, the Transit Master Plan and its Ridership Growth and Asset Management Plan would be up-dated to incorporate the preferred growth area.

Level 2 – Detailed Design

In this phase of the work plan, we will develop the specific details of how transit services would be provided to the preferred development area(s).

Task 2.1 – Confirm Road Network

At the outset of the detailed design phase, we will work with the Consulting Team, City staff and Developers to refine and confirm the road network design to satisfy transit needs.

Task 2.2 – Service Plan

Consistent with the Transit Master Plan and Ridership Growth Plan and the results of Task 2.1, a service plan will be prepared. This will describe how conventional and specialized transit service would be provided to the preferred development area(s) and will include, in the case of the conventional transit service, details regarding the route structure, span of service, service frequencies by time and day of the week, resource requirements (vehicles, stops, shelters, terminals), accessibility requirements and cost estimates. For the specialized transit, details regarding the operation of this service to the area(s) will be described and a budget prepared.



- 42 -

Task 2.3 – Implementation Plan and Report

A plan to progressively introduce and extend transit service to the growth areas consistent with the timing of development will be prepared. A report summarizing the work undertaken in both work Levels and incorporating the transit service standards, service plan, resource requirements and operating and capital cost estimates will be prepared.

Budget

The following budget, totalling \$15,000, outlines the cost by Work Level and Task.

ACTIVITY	FEES
Level 1 – Strategic Planning	
Task 1.1 Project Initiation and Research	\$ 2,250.00
Task 1.2 Transit Service Concepts	\$ 2,500.00
Task 1.3 Selection of Preferred Growth Area(s)	\$ 1,500.00
Task 1.4 Up-date Transit Master Plan	\$ 1,000.00
Level 2 – Detailed Design	
Task 2.1 Confirm Road Network	\$ 1,000.00
Task 2.2 Transit Service Plan	\$ 3,500.00
Task 2.3 Implementation Plan and Report	\$ 2,500.00
Sub-Total	\$14,250.00
Expenses – travel, communications, printing	\$ 750.00
TOTAL	\$15,000.00

The foregoing budget includes attendance at two on-site meetings in St. Thomas.



-43-

Appendix E
Cosburn Giberson Work Plan

**Cosburn Giberson
Trails and Parks Master Plan**

1.0 Workplan

1.1 Initial Meeting Core Team

- review overall organization, timing and responsibilities
- confirm future key meeting dates
- define data & information sources
- preliminary discussion of possible major issues

1.2 Assess Future Development

- analyze and make recommendations for parkland in selected urban expansion area(s)
- specify, park size, location and purpose
- incorporate connectivity principles

1.3 Preliminary Plan and Options

- based on analysis, present opportunities and constraints.
- prepare a preliminary plan which maximizes land availability
- include options with a discussion of benefits or drawbacks
- integrate trailway typologies, linkages, parks, and open space
- present plan to client & receive feedback
- make revisions and resubmit

1.4 Trails and Parks Master Plan

- update Trails and Parks Master Plan, to include selected urban expansion area(s).

2.0 Meetings

2.1 We anticipate the following meetings:

- 2-3 meetings with consultants
- 2-3 meetings with the City of St. Thomas

3.0 Staff

3.1 The following staff members will be involved in the project:

-45-

Brian Giberson, OALA, CSLA

Partner

Brian Giberson is a founding partner of Cosburn Giberson Landscape Architects. Brian's professional role is frequently as a project co-ordinator, designer, and contract administrator. Brian has extensive experience in the field of Parks & Recreation Master Plans, and Trailway Design. With over 30 years of experience Brian has led numerous projects including large scale community design, commercial developments, athletic fields and facilities, and ecological preservation/restoration. Brian has experience working with both public and private sector clients.

Stephanie Fraser, OALA Associate

Intermediate Landscape Architect

Stephanie has been with CGLA for six years. She is responsible for background research, conceptual and detail design, presentation drawings and cost estimating. Stephanie has worked with Brian Giberson on projects relating to Open Space and Trails Master Plans, community design, commercial developments, urban design guidelines, and athletic fields.

4.0 Fee Budget: \$10,000 - \$12,000.00

-46-

Appendix F
Monteith Brown Work Plan

-47-

**Monteith Brown Planning Consultants
Parks & Leisure Requirements**

MONTEITH BROWN PLANNING CONSULTANTS

610 Princess Avenue
London, Ontario, Canada
N6B 2B9

Contact: Todd Brown or Steve Langlois
Telephone: (519) 686-1300
Fax: (519) 681-1690
e-mail: mbpc@mbpc.ca
Internet: www.mbpc.ca

Monteith Brown Planning Consultants (MBPC) is a multi-disciplinary consulting firm specializing in recreation and park planning, land use planning, project management, and public consultation. We offer a broad range of planning consulting services to all levels of government, including urban and rural municipalities, as well as not-for-profit organizations and senior government agencies.

We are a highly respected and award-winning firm, providing outstanding recreation and leisure planning services including:

- Parks and Recreation Master Plans
- Facility Provision Standards Development
- Recreation Facility Needs Assessments & Feasibility Studies
- Park and Open Space Design
- GIS Mapping and Graphics Production
- Public Participation and Consultation
- Demographics and Leisure Trend Analysis

Since 1977, MBPC has built an impressive reputation for excellence in consulting and for our forward-thinking approach to each project. As a multi-faceted consulting firm continually challenged by diverse planning projects, Monteith Brown Planning Consultants has been viewed as a leader in the preparation of effective and pragmatic master plans and feasibility studies. Over the past 30 years, MBPC has prepared hundreds of recreation and parks studies for over seventy municipalities and organizations throughout North America.

Key Personnel

Todd Brown, President & Principal Planner

Todd Brown holds a Bachelor of Environmental Studies (B.E.S.) Degree from the University of Waterloo and has been practicing land use and recreational planning since his career began with MBPC in 1988. In his 19 years with the firm, Todd has collected extensive experience in recreation and facility planning, having been actively involved in over 20 master plan studies and nearly 50 needs and feasibility studies for aquatic facilities, arenas, community centres, libraries, spray pads, outdoor sports fields, golf courses, etc. Mr. Brown is a member of CIP/OPPI and CPRA/PRO.

-48-

Steve Langlois, Senior Planner

Steve has assisted with the preparation of over 30 parks and recreation master plans, needs assessments, and feasibility studies since joining MBPC seven years ago. Steve is innovative and thorough in his efforts to determine the needs of a community and will utilize his expertise in leisure and parks planning through his role for this study. Steve is currently the Project Manager of the City of St. Thomas Leisure, Recreation & Parks Master Plan and was also involved in the development of the City's Trails & Parks Master Plan. Mr. Langlois is a member of CIP/OPPI and CPRA/PRO.

MBPC has additional professional, technical and clerical staff available to assist where necessary.

Representative Projects

Montelth Brown Planning Consultants has a considerable amount of directly relevant and up-to-date experience in parks and leisure planning. The following project briefs provide a sample of the projects MBPC has recently undertaken:

Leisure, Recreation & Parks Master Plan – City of St. Thomas

Currently underway with completion scheduled for Fall 2007, this Master Plan will define the needs of current and future residents for recreation, leisure and parks services by establishing appropriate standards that meet local needs and realities. Continued population growth and changes to service levels have necessitated the updating of the City's 10-year old Master Plan. To date, the process has involved a random sample household survey, focus groups sessions and stakeholder surveys, along with analyses of local leisure trends and demographic forecasts. Once completed, the Plan will provide the City with a clearly articulated and prioritized strategy for addressing recreation, leisure, and parks issues and needs.

Our company was also involved as a sub-consultant on the City's Trails and Parks Master Plan. Our primary involvement in this project was related to public consultation and policy considerations.

Parks & Trails Master Plan – Town of Saugeen Shores

The Master Plan provides the Town (which includes Port Elgin and Southampton) with a strategy and prioritized action plans for the development and management of the Town's parks, open space and trails system for the next 10 years. The Plan was designed to be flexible in order to deal with forces of change such as emerging socio-demographic and leisure trends, thereby ensuring that an appropriate level and variety of parks and trails facilities are sustained into the future. Monteith Brown Planning Consultants were the lead consultant and project managers for this study and were subsequently retained by the Town to develop their new Official Plan and Zoning By-law.

Parks Policy Plan – City of St. Catharines

MPBC recently completed a parks policy plan for the City of St. Catharines that followed a strategic approach to addressing gaps in the City's parks and trails linkage system. The project involved extensive public consultation (including a random sample household survey), data analysis, and trends research. A major aspect of the plan was a review of Official Plan parkland policies in other jurisdictions and a subsequent evaluation of St. Catharines' policies.

-49-

Parks, Open Space and Leisure Master Plan – City of Greater Sudbury

The purpose of this project was to develop policy and implementable action plans that will guide the delivery and provision of leisure services and facilities in the City for the next ten years and beyond. The key components of the study included the development of Official Plan policies for parks and leisure, and the preparation of a comprehensive parks and leisure Master Plan for the City. A focus of the project involved the identification of parkland gaps and surplus parks. We were subsequently retained by the City to assist in developing a Master Plan for Adanac Park.

References

We believe that the best indication of the quality of service that we offer is the satisfaction of our past and current municipal clients, and we encourage you to contact the following references:

Mr. Vic Hergott
Director of Parks &
Recreation
City of Brantford
(519) 756-1500

Mr. Mike Myatt
Director of Community
Services
Town of Saugeen Shores
(519) 832-2008 x.124

Mr. Andrew Goldie
Director of Parks and
Recreation
Township of Centre Wellington
(519) 843-2800

Proposed Work Plan

1) Review of Preferred Growth Option

We will liaise with the primary consultants to collect information on the recommended growth area(s). This will allow us to establish a baseline understanding of the characteristics of the expansion lands, including estimated population, density, form of development, timing, and environmental resources. Various constraints and opportunities will also be discussed. Each of these factors could impact the scope of local leisure requirements to varying degrees. Our experience in preparing Official Plans is also extremely relevant to this and following tasks (MBPC has prepared over 30 Official Plans, each requiring background justification studies).

2) Identification of Leisure and Parks Requirements

In concert with the Leisure, Recreation and Parks Master Plan for the City of St. Thomas currently being prepared by our company, we will identify leisure and parks requirements for the expansion lands. The scope of the analysis will include active parks, passive open space, and indoor leisure infrastructure. The identification of trail systems and environmental lands are outside the scope of our involvement.

This task will require an assessment of demographic and leisure trend projections, as well as an examination of leisure resources that are available in adjacent communities. The input collected from the Master Plan, including an understanding of local gaps and preferences from the public consultation program, will be highly beneficial to this analysis.

Ultimately, this task will culminate in the recommendation of park and leisure facility requirements in order to respond to the City's growth management objectives with regard to the nature, amount, location/distribution, and standards of leisure resources. The size, type, and probable amenity mix of each recommended park will be identified, in keeping with the

-50-

anticipated needs of each expansion area. The City's parks classification system will also be reviewed for its applicability to these new areas.

Coordination with the project team – particularly the trails consultant – will be required to ensure consistency with other demonstrated needs and provision strategies.

3) Meeting with City/Consultants

We will meet with the City and/or consultants to discuss the identified parks and leisure requirements. Recommendations will be finalized following this session. The outcomes of this study will be integrated into the City's Leisure, Recreation and Parks Master Plan as appropriate

Fee Proposal

MBPC can undertake the work described above for an upset limit of \$4,000 (excluding GST). Our fee proposal is based on our hourly rate schedules and the expected scope of work.

Mr. Todd Brown, President & Principal Planner	\$133/hour
Mr. Steve Langlois, Senior Planner	\$90/hour

51-

Appendix G
CN Watson Work Plan

**City of St. Thomas
Financial Master Plan Proposal**

Phase 1 – Expansion Area Growth Options – Financial Implications

A determination of the appropriate capital funding sources and related impacts of the 5 expansion area growth options will be undertaken by Watson & Associates Economists Ltd. The evaluation would primarily focus the determination of growth vs. non-growth related capital funding impacts on development and existing residents respectively. The growth-related impacts would consider the applicability of Development Charges (DC), Local Service Guidelines, front-ending financing and non-DC recoverable service funding options. The non-growth related impacts would consider the sufficiency of internal funding sources (i.e. reserves/reserve funds), Municipal Act capital charges, debt financing, and other potential revenue sources (e.g. grants, user fees, other contributions). The evaluation would compare the operating and capital cost effectiveness associated with the 5 expansion area growth options to provide recommendations on a preferred growth area expansion plan for the second phase of the project.

The analysis would be provided in a stand-alone report of the financial implications for input into Phase 2 of the undertaking. Results of the Phase 1 analysis would be presented to Council/Committee.

Phase 2 – Preferred Expansion Area(s) – Financial Implications

Once a preferred expansion area(s) (assumes maximum of two preferred areas) has been determined, Watson & Associates Economists Ltd. would undertake a detailed evaluation of the anticipated capital and operating cost impacts on the City. The evaluation would prepare a fiscal impact model to evaluate the assessment growth associated with preferred options by incorporating the 2007 Lapointe growth forecast and CVA market estimates, prepare a long-term capital plan to determine the anticipated capital needs and timing based on input of infrastructure and public service master plans, identify potential capital funding sources in conjunction with the City's base capital budget (assessing the impacts on Development Charges), assess the implication of infrastructure-related and population-related operating expenditures for the forecast period on the City's base operating budget, and forecast tax based and user fee impacts. The report would also address anticipated needs for front-end capital funding and potential alternatives.

A stand-alone report would be prepared to summarize the results of the fiscal impact modeling. Results of the Phase 2 report would be presented to Council/Committee

The budget for Watson & Associates Economists Ltd. to undertake both phases of the analysis is \$50,000 (excluding GST). This budget includes meetings with staff and associated project consultants, preparation and 15 bound copies of both the Phase 1 and 2 reports and presentation of report findings to Council/Committee.

We note that this budget does not include the calculation of the appropriate rates to be charged under the Development Charges Act (i.e. DC Background Study) or Municipal Act or assistance in preparing any agreements that may be required however, we would be pleased to undertake these matters and provide a corresponding budget at the City's request.

Staff Resources

Watson & Associates Economists Ltd.

Watson & Associates Economists Ltd., a leading economics consulting firm, has extensive experience in the preparation of municipal development charge and related studies, spanning a period of 25 years. The firm was first incorporated in 1982 and now includes a staff of twenty-two persons.

Our firm has undertaken over one-half of the consulting work done in Ontario in the DC field during the past decade. In addition to conducting policy studies and co-ordinating by-law preparation and adoption processes, we have carried out numerous special issue studies, provided continuing advice to municipalities on development charges in specific situations and have presented papers on the DCA at numerous municipal conferences. We have also participated in numerous OMB Hearings and processes thereon.

The firm has made a long term commitment to the interpretation of development charge legislation, development of implementation methodologies, and ongoing surveying to maintain data banks of information useful in DC matters. The knowledge gained from this investment, along with the wide-ranging experience of completing DC work in more than 100 municipalities and utility commissions would provide the County with a firm basis for the preparation of their DC by-law, and the development of DC policies and practices.

Staffing for the Assignment

Andrew Grunda, MBA, CMA – Manager, Financial Policy, would represent the firm as project manager and be responsible for all facets of the study. Mr. Grunda has been with the firm of Watson & Associates Economists Ltd. for more than 10 years before which he worked for the Regional Municipality of Hamilton-Wentworth, Finance Department. He is presently a member of the firm's senior management group, which develops interpretations of legislative requirements, as well as methodologies and formats and determines alternative policy strategies for all facets of the corporate assignments. He has completed numerous development charge studies for a wide variety of clients since joining the firm in 1996. His most recent experience with respect to DC assignments includes project management for St. Thomas, Whitechurch-Stouffville, Quinte West, and Kawartha Lakes. In recent years, Mr. Grunda has also assisted a number of municipalities in addressing financial matters arising from changes in the water and wastewater industry (Bills 175 and 195) and the development application approvals process (Bill 124). He has undertaken numerous lectures and seminars on

-54-

municipal finance strategies and policy for MFAO and AMCTO and has appeared before the OMB providing expert witness testimony.

Dan Wilson, BBA, CA - Senior Consultant, would assist in the preparation of the analysis, report documentation, data collection and compilation. Dan's career includes working for several municipalities (Centre Wellington and Woolwich) and a public accounting firm over a 7 year period. His work at CNWA has included Development Charges, PSAB compliance strategies, DAAP fee reviews, water and sewer rate studies and fiscal impact assessments.

-55-

06/01/2007 05:55 12508476109 GREG TARRY
06/01/2007 FRI 8:56 FAX 519 833 2037 Mayhoe Homes

PAGE 01
0001/001

June 1, 2007

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

Attn: Pat Keenan, Director of Planning, City of St. Thomas

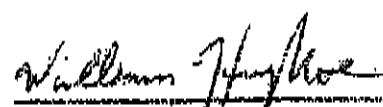
Re: Work Plan Proposed Urban Area Expansion

Dear Sir,

Springwater Developments Inc. and Doug Tarry Ltd. support the work plan for studies required to support the proposed urban area expansion as prepared by Dillon Consulting Limited dated May 2007.

We are prepared to pay our proportionate share of the cost as set out in the work plan as participating landowners. If other landowners become participating landowners then the costs will be prorated accordingly.


Doug Tarry Ltd.


Springwater Developments Inc.



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

-56-

Report No.: PD-15-2007

File No.: 2-05-07

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

Date: June 11, 2007

Subject: Application by Doug. Tarry Limited for an Amendment to Zoning Bylaw 50-88, to remove the Holding Zone symbol from Blocks 43 & 44, Registered Plan 11M-152, City of St. Thomas.

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

Attachments:

RECOMMENDATION:

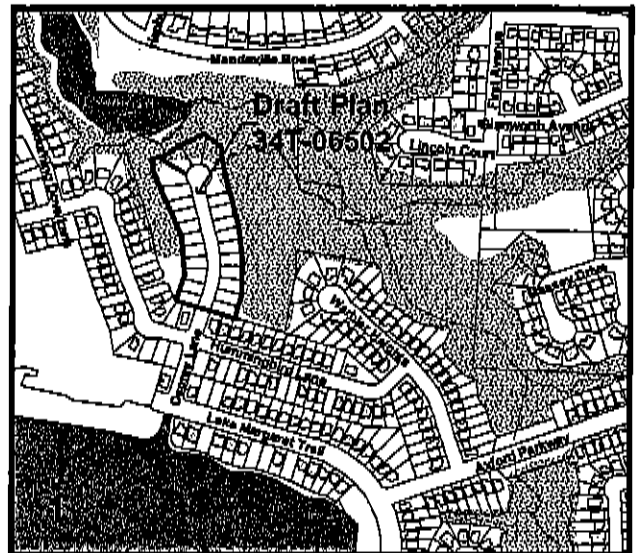
THAT: Report PD 15-2007 be received;

AND THAT: The application by Doug. Tarry Limited for an amendment to the City of St. Thomas Zoning By-law 50-88 to remove the holding symbol from Blocks 43 & 44, Registered Plan 11M-152, City of St. Thomas, County of Elgin, be approved and further that direction be given to prepare the necessary amending by-law for Council approval and the notice of Council's intention to pass a by-law to remove the holding symbol be given pursuant to Ontario Regulation 545/06.

ORIGIN:

Doug. Tarry Limited has applied to have the holding zone symbol removed from Zoning By-law 50-88 for a draft Plan of Subdivision within the Lake Margaret Estates Development Area - Subdivision File No. 34T-06502. The proposed subdivision is located north of Hummingbird Lane and provides for the extension of Osprey Lane northerly terminating in a cul de sac adjacent to Pinafore Lake. The lands proposed for development have an area of approximately 1.983 hectares and will provide for the development of 25 lots for single detached dwellings. (see Location Plan).

Location Plan



ANALYSIS:

The subject property is designated for Residential use in the City of St. Thomas Official Plan and is located within the Third Residential Zone, (hR3A-4) of the City of St. Thomas Zoning By-law 50-88. The development conforms to the Official Plan and complies with the Zoning for the property.

The subdivision plan was draft approved with conditions on May 22nd, 2007.

The lands are subject to the general holding provisions set out in Section 2.2 of By-law 50-88. The principle pre-development condition to be met for the removal of the holding zone is the execution of the subdivision agreement. Staff are bringing forward the request to remove the holding symbol and recommending that notice of Council's intent to remove the holding symbol be given and the necessary by-law prepared concurrent with the process of finalizing the subdivision agreement. It is anticipated that the subdivision agreement will be executed by Doug. Tarry Limited the week of June 11th, 2007. The by-law to remove the 'h' symbol from the lands will be placed on the July 16th, 2007 Council Agenda for consideration.

The removal of the holding symbol does not require Council to hold a public meeting. Notice is required to be given only to the owners of the lands affected advising them of the date of the meeting at which Council intends to pass the amending By-law to remove the "h" symbol. The By-law amendment process involves removing the "h" symbol from the Zoning Map Parts and approving new Zoning Map Parts.

Respectfully submitted,


Patrick J C Keenan
Director of Planning

Reviewed By:

Env. Services

Treasury

City Clerk

Other



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

Report No.: PD-16-2007

File No.: 34T-07503

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

Date: June 11th, 2007

Subject: Application by Doug. Tarry Limited, Draft Plan of Subdivision, File 34T-07503, Lake Margaret Estates Development Area, 31 Lots for single detached dwellings.

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

Attachments:
- draft plan (reduced)

RECOMMENDATION:

THAT: Report PD-16-2007 be received;

THAT: Council approve in principle the proposed Draft Plan of Subdivision File # 34T-07503 (Residential Plan of Subdivision) of lands owned by Doug. Tarry Limited which lands are legally described as Part of Block 6, Registered Plan 11M-105, City of St Thomas, County of Elgin and further that final approval be subject to:

- 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;

AND THAT: A public meeting date be set for *July 16th, 2007 @ 5:00 p.m.* in accordance with Ontario Regulation 545/06.

ORIGIN:

Doug. Tarry Limited has submitted an application for draft plan of subdivision approval of Phase 8 of the Lake Margaret Estates Development Area Block Plan. The proposed subdivision is located west of Hummingbird Lane, north of Lake Margaret and east of Pinafore Park. The lands proposed for development have an area of approximately 3.588 hectares (8.866 acres) and will provide for the development of 31 lots for single detached dwellings, 1 Block (Block 32) for park and open space use and another Block (Block 33) to provide for a temporary turning circle. Two new streets will be created by the Plan. Hummingbird lane will be extended westerly and southerly and a new cul de sac will be created running east from the Hummingbird lane extension. A reduced copy of the draft plan is attached.

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

The lands are legally described as Part of Block 6, Registered Plan 11M-105, City of St Thomas, County of Elgin.

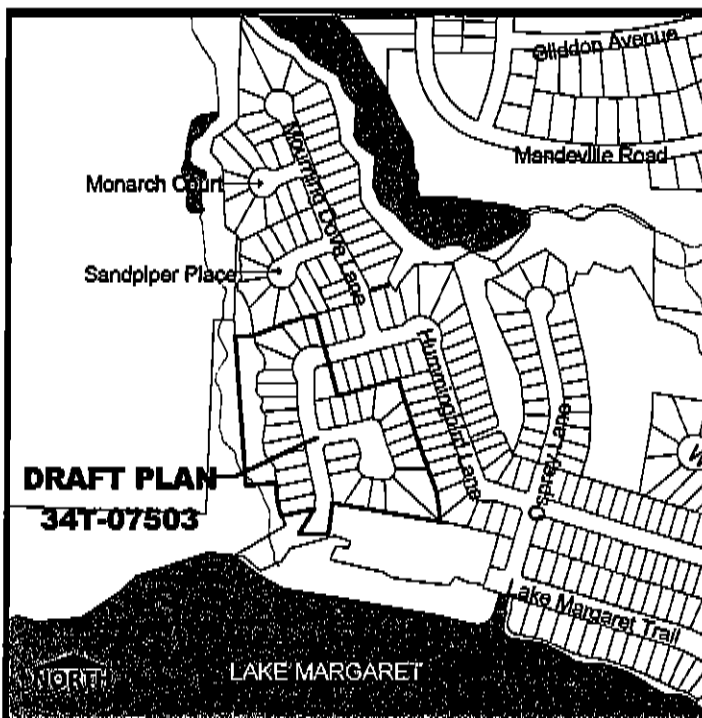
ANALYSIS:

Provincial Policy Statement

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 policy.

The proposed subdivision application being considered is located within the Lake Margaret Estates Development Area Block Plan. This proposal is Phase 8 of a comprehensively planned residential community. All matters of Provincial interest, in accordance with the Policy Statement in effect at the time were addressed with the approval

Location Plan



of the original amendment to the Official Plan and the approval of the original Block Plan of subdivision. I have reviewed the new 2005 Provincial Policy Statement in relation to this phase of development and in my opinion the development of the proposed plan is consistent with the 2005 Provincial Policy Statement.

Official Plan:

The subject property is designated for residential use in the City of St. Thomas Official Plan. The proposed draft plan of subdivision conforms to the policies of the Official Plan, (OPA #42 - South Block Development Area) and the design is compatible with the surrounding residential area.

Zoning By-law:

The property is currently located within the Third Residential Zone- (hR3A-11) - of By-law 50-88 of the City of St. Thomas. This zone permits the proposed single detached dwellings. The lands are also subject to the standard holding zone requirements of Zoning By-law 50-88 which must be met to the satisfaction of the Municipality prior to the development proceeding to the issuance of building permits.

Services:

Full Municipal Services are available to the proposed Subdivision. The design, and the installation of services required for this development will be in accordance with Municipal standards and comply with the objectives and recommendations contained within the South Block Servicing Studies. A full report on the servicing of these lands was provided by the developers and approved as part of the Lake Margaret Estates Development Area Block Plan approval (34T-99511).

It is recommended that Council's final approval of this plan be subject to the Director, Environmental Services recommendations on servicing and his confirmation upon completing his review of the circulated draft plan, that there is sufficient uncommitted reserve treatment capacity within the sanitary sewerage system to service the proposed development.

Financial Considerations:

All costs associated with the development of the draft plan of subdivision are the responsibility of the developer. The developer will be required to pay the approved development fees and charges in addition to the cost of the installation of municipal services, within the plan, in accordance with the standard practices and policies of the City as adopted by Council.

Respectfully submitted,



P.J.C. Keenan
Director of Planning

Reviewed By:

Env. Services

Treasury

City Clerk

Other



Corporation of the
City of St. Thomas

Report No.
ES79-07

File No.
08-322

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

Date
June 12, 2007

Department: Environmental Services

Attachments
Photo of existing tree at
#423 and #425 Forest
Avenue; Photos of front
yards of #439 to #417 Forest
Avenue inclusive; Sketch of
existing private sanitary
sewer system.

Prepared By: Brian Clement, Manager of Engineering

Subject: New Sidewalk on Forest Avenue (Fairview Avenue to Highview Drive)

Recommendation:

THAT: Report No. ES79-07 be received for information.

THAT: Engineering Division staff discuss options with residents/property owners from #417 to #439 Forest Avenue to resolve construction interface issues between the private walks and the new sidewalk.

Origin:

Council approved the installation of a new concrete sidewalk on the south side of Forest Avenue from Fairview Avenue to Highview Drive in the 2006 Part One Capital Budget. This project was included in the tender award to the Contractor, J. Franze Concrete Ltd. in Report ES59-06.

New sidewalks are proposed where requests have been made for installation due to high volume of pedestrian traffic and/or a safety issue is involved. The Forest Avenue sidewalk project derived from a request to the Mayor's office in 2005. Concern was expressed over children walking to Forest Park Public School and Forest Avenue Child Care Centre. The section on Forest Avenue from Fairview Avenue to Highview Avenue was a missing sidewalk link.

Issues were raised at Council Meeting of June 4, 2007 concerning this project.

Analysis:

The decision was made to locate the new sidewalk on the south side of Forest Avenue between Fairview Avenue and Highview Drive, which resulted in only 2 driveways and 12 private walks being crossed. Placing a new sidewalk on the north side meant crossing 10 driveways and 11 private walks, and thus more restoration would have been required. The potential for vehicular and pedestrian conflict was also reduced.

The decision to place the sidewalk adjacent to the existing curb and gutter, instead of the standard 1m offset from the property line, was made to avoid disturbance and/or removal of the existing trees and hedges, shrubs, gardens, utility plant, etc., and also to provide more continuous lawn in the front yards combined with the City boulevard.

Also to take advantage of St. Thomas Energy Inc. upgrading of their electrical distribution system in the area, the six existing wood streetlight poles were replaced with new aluminium poles and luminaries in conjunction with the new sidewalk installation.

In one location between #423 and #425 Forest Avenue, the new sidewalk was narrowed to minimize conflict with an existing tree within the City road allowance. Please refer to attached photo showing proximity of existing tree to new sidewalk. It is anticipated that this tree will survive given that only a small percentage of roots were disturbed. If this tree is deemed to be a hazard in the future, it will be removed by the Parks staff and a new tree planted. A small semi-circular retaining wall is proposed to prevent the tree roots from further damage especially from sidewalk snow ploughing.

The other considerations were that the grade of the new sidewalk had to match the existing elevations of the top of curb. Also the maximum crossfall of the new sidewalk was specified per engineering standards. In summary, the design of the new sidewalk was based on sound engineering practice and was confined by existing constraints for location and grade.

Two buildings of 2-storey townhouses with six units per building (#417 to #427 and #429 to #439) are situated on the south side of Forest Avenue. Parking lots are provided in the rear of the buildings. At the front of the buildings, private walks extended from the existing curb and gutter to three concrete steps plus another step into the front door of each unit.

The existing private walks are generally either patio stones (10) or poured concrete (2) with average slopes of 8.2% (range of minimum 6.6% at #437 to maximum of 9.1% at #427 & #429) from the property line to the existing top of curb. The existing condition is either good or poor for trip hazards depending on butt jointing, and some had grass strips growing between the joints. Please see attached photos of the front yard of all of the units.

Given that the existing slopes of some of the private walks were already steeper than the accepted norm of 1 in 12 gradient, the problem was compounded by the interface with the new sidewalk installation. Discussions were already underway with some residents when the issue was raised at Council.

Options Include:

1. Regrading the patio stones from edge of new sidewalk back to property line, but still having a slope exceedance of more than 8.33% on some of the walks.
2. Adding one new concrete step about 1m from the new sidewalk and regrading the patio stones from the step back to the property line, and achieving the desired slope of less than 8.33%.

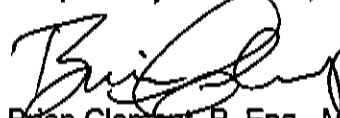
Discussions will be held with the residents/property owners to determine individual solutions.

The following documents the investigation of another concern raised at Council. The existing sanitary manhole in front of #421 Forest Avenue is located on private property, and actually serves as an outlet for private sanitary sewers collecting sewage from private drain connections from all twelve townhouse units of the development. Please see attached sketch of existing sanitary sewer system. This infrastructure is not municipally owned, and is the responsibility of the private development to operate and maintain.

Financial Considerations:

The current uncommitted amount in Account #0608-322 is \$38,264.26 to complete the Forest Avenue new sidewalk project. It is difficult to estimate whether additional funds will be required to complete the remedial work necessary on the twelve private walks to interface with the new sidewalk until individual solutions are determined. Also negotiations for extra work with the Contractor will be necessary. Another report to Council will be submitted for approval if more funds are required.

Respectfully Submitted,



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

Reviewed By:

Treasury

Env. Services

Planning

City Clerk

HR

Other



Corporation of the

City of St. Thomas**-62-**

Report No.

ES78-07

File No.

08-333

Directed to:

Chairman Tom Johnston and Members of the
Environmental Services Committee

Date

June 12, 2007

Department:

Environmental Services

Prepared By:

Brian Clement, Manager of Engineering

Attachment

Subject:

Surface Hot-Mix Asphalt Placement on Burwell Road (The Gap) – Tender Award

Recommendation:

THAT: Report No. ES78-07 be received for information.

THAT: The tender submitted by TCG Asphalt & Construction Inc. in the amount of \$53,420.00, excluding GST, be accepted.

THAT: Source of funding for the surface hot-mix asphalt placement on Burwell Road (The Gap) be the 2007 Part One Capital Budget as approved by City Council.

THAT: A by-law to execute a Contract Agreement be prepared for Council approval.

Origin:

Placement of surface hot-mix asphalt is anticipated for the summer/fall of 2007 on Burwell Road from Donker Drive north to Deer Trail Condominiums (commonly known as The Gap), adjacent to the Dennis Farm industrial area and in front of the Valleyview Home. The restoration and surface works within the Burwell Road right-of-way due to the Dennis Road construction project needs to be completed by another Contractor in advance.

This work is to be planned in conjunction with the placement of the surface hot-mix asphalt on the Developer's portion of Burwell Road from Deer Trail Condominiums north to Ron McNeil Line.

Therefore in an attempt to achieve better prices by allowing more work to be coordinated at the same time by a Contractor working in the area, a tender was called by CJDLC Consulting Engineers for 2007 Subdivision Roadwork in St. Thomas, Copenhagen, Tillsonburg, Port Stanley and Port Burwell. The Gap, although a City responsibility, was identified in the tender as Part 13 Burwell Road – Dennis Farm under the Surface Hot-Mix Asphalt section.

Analysis:

Tenders for the 2007 Subdivision Roadwork were closed at the CJDLC office on April 4, 2007. Three Contractors submitted bids. TCG Asphalt & Construction Inc. was the overall low bidder, and this Contractor is well known to the City having successfully completed similar project work in previous years.

The results only for Surface Hot-mix Asphalt - Part 13 Burwell Road - Dennis Farm were as follows:

<u>Bidder</u>	<u>Tender Price (excluding 6% GST)</u>
TCG Asphalt & Construction Inc.	\$53,420.00
Lafarge Paving & Construction Limited	\$57,724.67
Del-Ko Paving & Construction Co. Ltd.	\$58,581.00

Financial Considerations:

Following is a summary of the project expenditures and the proposed source of funding:

Expenditures (excluding GST)

Contract (Part 13 Burwell Road – Dennis Farm)	\$ 53,420.00
Contingency Allowance	\$ 7,500.00
Pavement Markings by Operations (estimate)	\$ 4,080.00
Engineering/Contract Administration/Site Inspection (estimate)	\$ 5,000.00
Total	\$ 70,000.00

Funding (excluding GST)

2007 Part One Capital Budget	\$ 70,000.00
Total	\$ 70,000.00

Respectfully Submitted,

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

Reviewed By:

Treasury

Env. Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

-63-

Report No.

ES-82-07

File No.

1063 Talbot Street

Date

June 11, 2007

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

Department: Environmental Services

Prepared by: John Dewancker, Director

Attachment

-Request of May 28/07 for
approval to install a pedestal sign
at the proposed Wendy's
Restaurant at the Smart Centres
Shopping Plaza

Subject: Request for approval to install an additional pedestal sign on the properties at 1063
Talbot Street

Recommendation:

- That report ES-82-07 be received as information.
- That request for the installation of a fifth pedestal sign on the property at 1063 Talbot Street, as outlined in report ES82-07, be approved.

Origin:

Receipt of a request by Wendy's for City approval for the installation of a pedestal sign at 1063 Talbot Street .

A copy of this request is attached herewith for the information of the Members.

Analysis:

Section 3.2(i) of the City's sign by-law 6-2006 limits the allowed signage on any property in the City to one pedestal sign. Notwithstanding this by-law clause, Section 3.2 (iv) of the by-law allows for an exemption to section 3.2 (iv) to be considered by city Council on a case by case basis upon a written request being made to the City and a subsequent staff recommendation to Council.

Upon review of the application for an additional pedestal sign on the property at 1063 Talbot Street, it is recommended that such installation be approved. This recommendation is based on the fact that this property is very large (47 acres), it has multiple property ownerships within the site and it has exposure to two major arterial roads. While the proposed sign height is within the height limit as specified by the by-law, the proposed sign area is 17.84 m² which is above the maximum area size included in the by-law. It is recommended at this sign area restriction also be waved by City Council. Further there are no visual or safety impediments to the proposed construction of a sign at the additional location, as shown on the attached site plan.

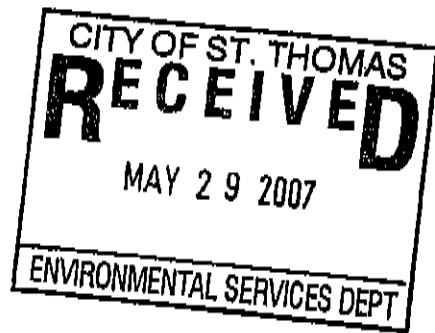
Respectfully submitted


John Dewancker, P.Eng Director
Environmental Services

Reviewed By: Treasury Env Services Planning City Clerk HR Other

cc: Ms Nancy Pearse, Managing Partner Wendy's

-64-



Wendy's
960 Talbot St
St. Thomas Ontario
N5P 1E7
(519)631-8410

May 28, 2007

To Whom It May Concern:

I am writing this letter to ask for your consideration in the approval of a sign. We understand that a business may only have 4 signs. We (Wendy's) will be located on the Walmart site. This is a big site. We will have a sign on the Walmart pylon and the front fascia of the building. We ask that we could have special consideration and approval for a pylon sign. This will hopefully help us grow within our business.

Thank you for your consideration in this important matter.

Sincerely,

Marcy Pearse

Marcy Pearse
Managing Partner

ENVIRONMENTAL SERVICES		
JD	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>
IA	<input type="checkbox"/>	<input type="checkbox"/>
BC	<input type="checkbox"/>	<input type="checkbox"/>
CF	<input type="checkbox"/>	<input type="checkbox"/>
DW	<input type="checkbox"/>	<input type="checkbox"/>
RT	<input type="checkbox"/>	<input type="checkbox"/>
JF	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
	<input type="checkbox"/>	<input type="checkbox"/>
FILE	<input type="checkbox"/>	<input type="checkbox"/>

10/29/2007 10:10 PM 318 220 0000 PRIDE SIGNS

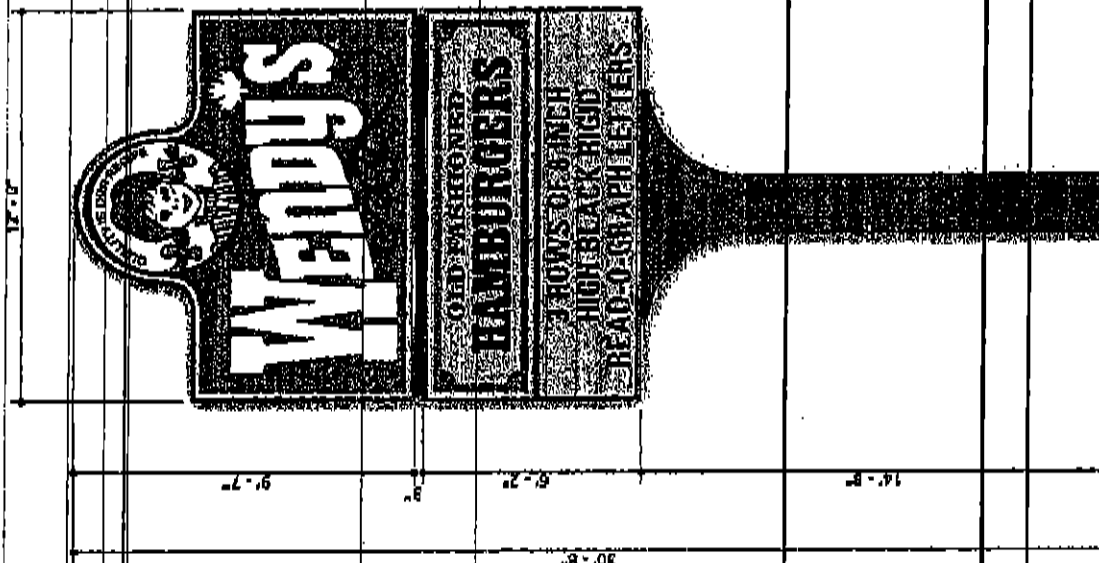
Att: John DeWacker

#WEN-PY30x12

REQ & STRUCTURAL #020821

D/S ILLUMINATED PYLON SIGN

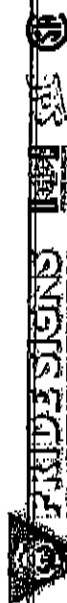
SCALE 1/8"=1'-0"



Sign Height: 9.35 m
Sign Area: 17.84 m²

- TOP SIGN BOX**
- ALUMINUM CONSTRUCTED RULER AND PRIDE PTS COVER FRAME PAINTED K-40 BRONZE
 - RED FLEX FACE (NIGHTGLO #2682) WITH TRANSLUCENT VINYL APPLIED TO ENLARGED SURFACES
- CAMEO COLORS**
- RED 3M #9630-33 HMR
 - RED 3M #9630-57 (BLACK KEYLINE)
 - RIBBONS TO BE BLUE 3M #9630-004 WITH BLACK FEATURES
 - FACE AND NECK TO BE MARY 3M #9630-004 WITH BLACK FEATURES
 - BLOUSE TO HAVE WHITE AND BLUE 3M #9630-57 STRIPES (BLACK KEYLINE)
 - BACKGROUND TO BE WHITE WITH A BLACK OUTLINE
- "WENDY'S" MAPLE LEAF AND REGISTRATION MARK TO BE WHITE
- SCROLL TO BE BLACK 3M #9630-22
 - RED BACKGROUND TO HAVE A GOLDEN YELLOW 3M #9630-125 BORDER
- BOTTOM SIGN BOX**
- ALUMINUM CONSTRUCTED RULER, RETAINER AND "H" DIVIDER BAR PAINTED K-40 BRONZE
 - 276" CLEAR ACRYLIC WITH 2ND SURFACE TRANSLUCENT VINYL GRAPHICS
- GRAPHIC COLORS**
- "OLD FASHIONED HAMBURGERS" TO BE BLACK
 - RED 3M #9630-33 DECORATIVE BORDER
 - GOLDEN YELLOW 3M #9630-125 BACKGROUND
 - WHITE VINYL DEFOSSER BEHIND ALL VINYL
- 3" ALUMINUM CONSTRUCTED REVEAL PAINTED K-40 BRONZE
 - ALUMINUM CONSTRUCTED DECORATIVE POLE COVER PAINTED K-40 BRONZE WITH CENTER SECTION TO BE PAINTED "WENDY'S COPPER" PMS #6076C (SEE BACK 1")

- ☐ VECTOR ARTWORK REQUIRED.
- ☐ DIGITAL IMAGE FOR PRINTING REQUIRED.
- ☐ FINAL COLOUR SPECIFICATIONS REQUIRED.
- ☐ SITE CHECK REQUIRED.
- ☐ PRELIMINARY WORK
- ☒ APPROVED FOR PRODUCTION



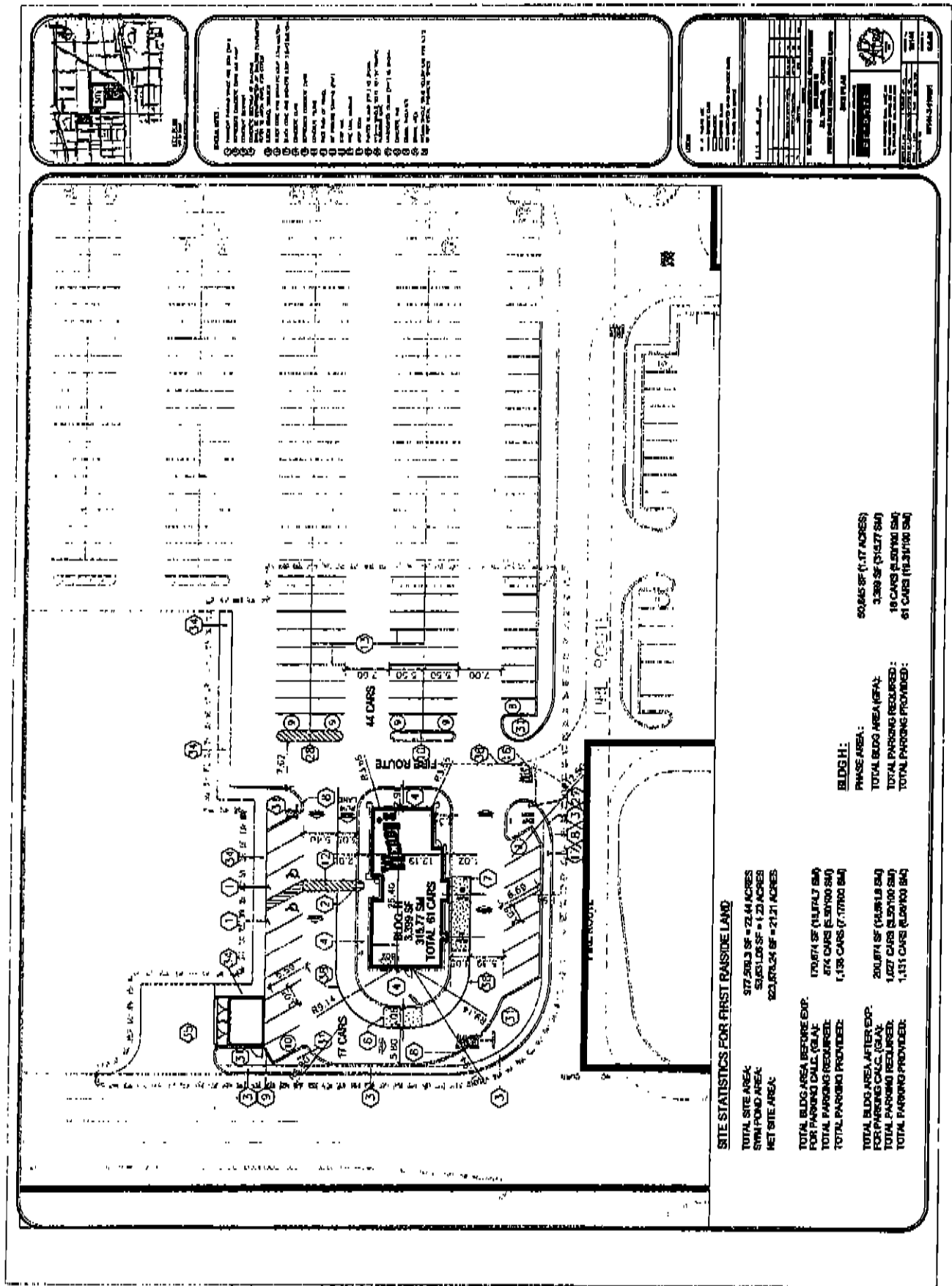
VARIOUS LOCATIONS
CANADA

SALES: JIM FARMELL
DRAWN BY: JIM FARMELL
DATE: MARCH 1, 2004

REVISION DATES

0000 020

Schedule B: Site Plan





Corporation of the
City of St. Thomas

-68-

Report No.

ES83-07

File No.

06-107-00

Directed to:

Chairman Tom Johnston and Members of the
Environmental Services Committee

Date

June 11, 2007

Department:

Environmental Services

Attachment

Prepared By:

John Walker, Compliance Coordinator

Appendix "A"

Subject:

SCADA WAN Construction Project

Recommendation:

It is recommended that:

1. Council receive Report ES83-07 for information.
2. The tender submitted by Execulink Telecom for the St. Thomas Water and Sewage System's Portion of the SCADA (Supervisory Control And Data Acquisition) System WAN (Wide Area Network) Construction Project in the total amounts of \$24,703 and \$76,052 respectively, be accepted.
3. The source of the funding be Part 1 of the 2007 Capital Budget as outlined in report ES35-07 and the remainder of the costs (\$4,703. and \$6,052.) be funded from the Water Reserve and Sewer Reserve respectively.
4. Council approve the signing of a five (5) year contract with Execulink for the monthly operating cost of \$3,208 noting that this funding is contained in the 2007 Operating Budget.
5. A by-law be passed authorizing the Mayor and City Clerk to execute the contract.

Origin:

Earlier this year, Council approved Report ES35-07 which recommended replacement and augmentation of the existing SCADA network. This system is required to monitor and record various water quality control parameters such as chlorine residuals, turbidity, pressures and flows throughout the water system many times a second. These recorded values are saved on a computer server and are required under Ontario Government Regulations. This data is used by Ministry of Environment Inspectors to ensure compliance with said regulations as well as proof of competency for the Drinking Water Quality Management System amongst other things. This network, which has been in place since the early 1990's has reached the end of its serviceable life and is scheduled for a rebuild. The communications network in place for the system is also quite intermingled between various owners and operating authorities as a result of the provincial transfer of those assets during 2001, and is ready for modern technological input.

The Sewage communications network is of 1950's vintage Bell Telephone lines, and will only tell operators if an alarm is received. It has no capability to instruct the operators as to the nature and severity of any alarms. This communication system has also reached the end of its serviceable life and the information it sends is now obsolete.

The Wide Area Network (WAN) is the communication network that still needs to be constructed. It is what will link all the sites together and enable them to communicate with a central monitoring station. It will be constructed by using Internet protocols such as fibre optic cables and wireless signals.

Analysis:

Our Contract Administrator, Insyght Systems, on June 5, 2007 submitted the WAN tender price breakdown to the City for review. Insyght has made the recommendation that Execulink be contracted based upon substantial cost savings, their technical compliance to the RFP as well as their corporate experience.

Financial Considerations:

The list of the estimated expenditures for the construction of the WAN construction are noted below:

St. Thomas Water WAN Construction: \$24,702.90
Monthly Operating Costs (based upon a 5-year contract): \$750.00

St. Thomas Sewage WAN Construction: \$76,051.60
Monthly Operating Costs (based upon a 5-year contract): \$2,458.00

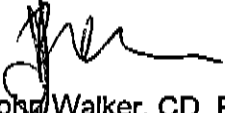
Funding for the St. Thomas Water System's portion of the WAN Construction Project, in the amount of \$24,703 of which \$20,000 was approved on February 27th, 2007 by Council's approval of Report ES35-07. The remaining difference of \$4,703 to be taken from the Water Reserve.

-69-

Funding for the St. Thomas Sewage System's portion of the WAN Construction Project, in the amount of \$76,052 of which \$70,000 was approved on February 27th, 2007 by Council's approval of Report ES35-07. The remaining difference of \$6,052 to be taken from the Sewer Reserve.

Funding for the Monthly Operating Costs will come from the 2007 Operating Budget.

Respectfully Submitted,

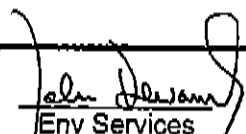


John Walker, CD, B. Sc., Compliance Coordinator
Environmental Services

Reviewed By



Treasury



Env Services

Planning

City Clerk

HR

Other

MEMORANDUM

TO : John Walker, St. Thomas

CC : Tim McKenna, Primary Board
Carlos Zuriga, Insyght

FROM : Mark Robertson, Insyght

DATE : June 5, 2007

REFERENCE: St. Thomas SCADA WAN RFP Review
Lake Huron & Elgin Area Water Supply SCADA System Upgrades

We have completed our review of the Elgin and Lake Huron Area municipalities, SCADA WAN RFP, which also includes the St. Thomas sites. Two companies responded to the RFP- Execulink Telecom and Hatch Mott McDonald-Rogers. We have analyzed both proposals from the three different aspects of corporate qualifications, technical compliance, and price. A meeting was also held with Execulink to confirm minor details of their response

Corporate Qualifications and Technical Compliance

Execulink

1. Execulink is a very well established company, with several years of experience in telecommunications within Southwestern Ontario
2. They have a good reputation as a service provider, including the work that they've completed with the City of London.
3. Their project resources are highly qualified.
4. As an integrator and service provider, they presented an entire solution to the installation and network service.
5. Their technical solution complies with most of the technical requirements. However, there are certain questions that arose regarding the implementation. A meeting is recommended in order to clarify their solution.

Hatch Mott McDonald - Rogers

1. Both Hatch Mott McDonald and Rogers are large companies with significant financial strength to complete a project of this magnitude.
2. The first disadvantage that arose regarding this proponent is that Hatch Mott McDonald is the prime respondent versus Rogers. Hatch Mott's project references are not relevant to this type of long term contract. They are not a wide area service provider, and do not have the credentials for this type of project. Rogers does have the credentials and the WAN infrastructure to provide the necessary solution. However, with Rogers as the primary service provider with Hatch Mott leading the contract, the Primary Board will always have a middle Company to deal with, without adding an extra value to the service. However, it will increase the price of service, both initially and in the long term.
3. The projects that HMM are referring as related experience are not similar to the current project. The focus of these projects are mainly SCADA integration and not WAN services. Therefore, this experience is less relevant.
4. The project resources presented by HMM are highly qualified. However, they are qualified as a SCADA integration team, but do not have service provider related experience.
5. The technical solution presented by HMM/Rogers that meets the requirements is very expensive, so they also provided an alternative that does not comply with the technical requirements. For every site, according to their proposal, the maximum bandwidth that they can achieve is 240 kbps. According to our technical requirement the Centrals must be 2 Mbps and remote sites 256 kbps. This is not a very large difference, but does raise some concerns,

Price Analysis

The following tables presents a description of the base prices from both companies, as well as the optional price presented by HMM/Rogers.

Execulink		
	Five Year Contract	Ten Year Contract
Capital Cost	\$ 403,200.00	\$ 374,400.00
Monthly Operating Cost	\$ 22,342.00	\$ 19,260.00
Total Value over Time Period	\$ 1,743,720.00	\$ 2,685,600.00

Hatch Mott McDonald /Rogers				
	Base Price		Optional Price	
	Five Year Contract	Ten Year Contract	Five Year Contract	Ten Year Contract
Capital Cost	\$ 269,030.00	\$ 269,030.00	\$ 269,030.00	\$ 269,030.00
Monthly Operating Cost	\$ 115,653.00	\$ 115,653.00	\$ 41,421.00	\$ 41,421.00
Total Value over Time Period	\$ 7,235,219.00	\$ 14,147,390.00	\$ 2,754,290.00	\$ 5,239,550.00

The Execulink price is substantially lower than HMM/Rogers for both the base and optional price.

From the comparison between Execulink prices for the five and ten year contract, we found that the area municipalities could save \$213,720 the first five years. This is not substantial, compared with the risk of engaging in a ten year contract. At our meeting with Execulink, they are prepared to sign a five year contract with the option for extending the contract for an additional 5 years. The cost for the additional 5 years would be based on the lower, 10 year operating cost within their proposal.

From this analysis we have concluded that the proposal submitted by Execulink presents more advantages than HMM-Rogers, considering their lower price, technical compliance and corporate experience. We therefore recommend awarding a five year contract to Execulink, with the option to extend the contract for an additional five years.

St. Thomas Secondary Water Supply Costs

From the attached table, the St. Thomas Secondary Water Supply portion of the capital and monthly operating costs (for 5 years) will be \$26,784.50 and \$1,446.50 respectively. This includes-

- half the costs for the WPCP SCADA link, WPCP Operations WAN link, and the City Hall link
- all of the Ford Tower and Ford Meter Chamber costs quoted by Execulink
- the City Hall link was upgraded to 10MB, with Execulink confirming that the same unit rate as the other 10Mb costs apply

Separate from the Execulink contract, we recommend also including a monthly cost allowance of \$60 for a back-up, dial up telephone circuit at the Ford Tower.

St. Thomas Water Supply Costs

From the attached table, the St. Thomas Water Supply portion of the capital and monthly operating costs (for 5 years) will be \$24,702.90 and \$750 respectively. This includes-

- 10% of the costs for the WPCP SCADA link, WPCP Operations WAN link, and the City Hall link
- all of the Albert Roberts Booster Station, West Chamber, Southwold, and Wellington PRV costs quoted by Execulink
- the City Hall link was upgraded to 10MB, with Execulink confirming that the same unit rate as the other 10Mb costs apply

Separate from the Execulink contract, we recommend also including a monthly cost allowance of \$60 for a back-up, dial up telephone circuit at the Albert Roberts Booster Station.

St. Thomas Sewage Costs

From the attached table, the St. Thomas Sewage portion of the capital and monthly operating costs (for 5 years) will be \$76,051.60 and \$2,458 respectively. This includes-

- 40% of the costs for the WPCP SCADA link, WPCP Operations WAN link, and the City Hall link
- all of the Sewage Pump Station costs quoted by Execulink
- the City Hall link was upgraded to 10MB, with Execulink confirming that the same unit rate as the other 10Mb costs apply

City Hall-to-WPCP Link

For the City Hall-to-WPCP link, we appreciate that Execulink's costs are substantial. We also recommend investigating the use of other vendors for this specific link, which will become part of the City's overall corporate network. The most likely choices are St. Thomas Energy and Bell telephone. Nevertheless, for budgeting purposes, we recommend proceeding as recommended above.

We trust that we have addressed the issues. Please feel free to contact us at your convenience should further details be required.

List of Wide Area Network Sites

Site Code	Network Connection Code	Name	Site Address	GPS Coordinates (N)	GPS Coordinates (W)	Minimum Required Bandwidth	Proposed Technology	Bandwidth Proposed	Comments	Five Year Contract Construction Capital Cost	Five Year Contract Monthly Cost	Five Year Contract Construction Capital Cost	Five Year Contract Monthly Cost
WCP	WCP-1	St Thomas WPCP	40389 Buckline	N 42° 46' 17"	W 81° 12' 33"	1 MB	Wireless	2 MB Synchronous		\$	\$ 5,443.00	\$	\$ 250.00
EMP	EMP-3	St. Thomas Link at Elgin-Hickman Pumping Station (EMPS)	400 Edgewood Road	N 42° 47' 37"	W 81° 08' 45"	256 KB	Wireless	768 KB / 384 KB	There are 4 links at this site	\$	\$ 5,690.00	\$	\$ 135.50
WD1	WD1-1	St. Thomas West Chamber		N 42° 47' 36"	W 81° 11' 12"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
WD3	WD3-1	Albert Roberts Boulder Station	8754 TBA Road	N 42° 45' 42"	W 81° 08' 45"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
WS4	WS4-1	St. Thomas - Ford Tower		N 42° 47' 53"	W 81° 11' 5"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
WS1	WS1-1	Ford Meter Chamber		N 42° 45' 35"	W 81° 14' 15"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
WS2	WS2-1	Southwell Meter Chamber WPS		N 42° 48' 17"	W 81° 13' 46"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
WS3	WS3-1	St. Thomas Wellington PRV		N 42° 47' 43"	W 81° 12' 33"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SS7	SS7-1	Sunset SPS	66 Sunset Drive	N 42° 46' 35"	W 81° 12' 50"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD1	SD1-1	Dalewood SPS	315 Burnell Road	N 42° 47' 59"	W 81° 09' 35"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD2	SD2-1	Confederation SPS	19 Confederation Drive	N 42° 47' 36"	W 81° 10' 18"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD3	SD3-1	Harpe SPS	130 Harpe Road	N 42° 47' 54"	W 81° 09' 35"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD5	SD5-1	Woodmark	4 Joyce Street	N 42° 47' 27"	W 81° 10' 50"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD6	SD6-1	St. George SPS	95 St. George St.	N 42° 47' 05"	W 81° 12' 07"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD8	SD8-1	Parkside SPS	95 Parkside Drive	N 42° 45' 58"	W 81° 11' 57"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SD9	SD9-1	Arlford SPS	111 Arford Parkway	N 42° 45' 21"	W 81° 10' 34"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SC1	SC1-1	Lynhurst SPS	22A Edgewood Crescent	N 42° 47' 51"	W 81° 12' 28"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SC2	SC2-1	Crescent SPS	95A Crescent Ave	N 42° 47' 30"	W 81° 12' 33"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SC3	SC3-1	Woodland SPS	35 Woodland Road	N 42° 46' 57"	W 81° 12' 39"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
SS4	SS4-1	Wells SPS	42863 Tabbot Lane	N 42° 47' 16"	W 81° 11' 12"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
WCP	WCP-2	St Thomas WPCP	40389 Buckline	N 42° 46' 17"	W 81° 12' 33"	10 MB	Wireless	10 MB Synchronous		\$	\$ 6,793.00	\$	\$ 915.00
CH1	CH1-1	St Thomas City Hall	545 Tabbot St., St. Thomas	N 42° 45' 16"	W 81° 11' 40"	256 KB	Wireless	768 KB / 384 KB		\$	\$ 5,690.00	\$	\$ 135.50
		Option 2						10 MB Synchronous		\$	\$ 6,793.00	\$	\$ 915.00
									St. Thomas Secondary Total	\$	\$ 26,764.50	\$	\$ 1,448.50
									St. Thomas Water Total	\$	\$ 24,702.90	\$	\$ 750.00
									St. Thomas Sewerage Total	\$	\$ 76,051.80	\$	\$ 2,458.00
									St. Thomas Total	\$	\$ 127,519.00	\$	\$ 4,654.50

73



Corporation of the
City of St. Thomas

-74-

Report No.

ES85-07

File No.

06-114

Date

June 12, 2007

Attachment

- May 17 communication from MOE Chief Drinking Water Inspector.
- O.R. 188/07
- License/Accreditation Model

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

Department: Environmental Services

Prepared by: John Dewancker, Director

Subject: Regulation to License
Municipal Drinking Water Systems – O.R. 188/07

Recommendations

- That Report ES85-07 be received for information.
- That the Notice of May 17, 2007 by Ontario Chief Drinking Water Inspector regarding O.R. 188/07, the Licensing of Municipal Drinking Water Systems Regulation be received for compliance and follow up by the City of St. Thomas in its capacity of Drinking Water Provider.

Origin:

On May 17, 2007, the Licensing of Municipal Drinking Water Systems Regulation (OR 188/07) was finalized and posted on the Environmental Bill of Rights.

A notice was sent by the MOE Chief Drinking Water Inspector and Assistant Deputy Minister to all Owners of Municipal Drinking Water Systems to advise of the new Drinking Water Regulation.

Analysis:

O.R. 188/07 requires the owners of Municipal Drinking Water Systems to prepare and submit an Operational Plan for their municipal water supply system before a date as stipulated in the Regulation.

The preparation of the Operation Plan is one of 5 pre-requisite requirements before a Municipality, in its capacity of Water Provider, may, in the future, receive a Municipal Drinking Water License from the MOE.

These requirements are schematically depicted on the attached license/accreditation model that is appended to this report.

This Operational Plan for the provision of water services to the community will identify all the requirements of the Operating Authority's Quality Management System and document how the City will conform to its adopted Drinking Water Quality Management Standards. The Plan will also include policies and procedures as well as references to an Emergency Response Plan. (to be completed) Finally, the Operational Plan will identify any system hazards, rate them and provide procedures for system protection where any hazards, have been rated "high" or above.

The submission date for the City's Operational Plan to the Ministry of the Environment as well as the date for which application must be made for a drinking-water works permit and a municipal drinking water-water license is (on or before) April 1, 2009, as outlined in Schedule 4 of the attached Regulation.

The Operational Plan will be developed in house with the assistance of the ES Water operations staff and Compliance Coordinator. It will be submitted to City Council for information and review prior to submission to the Ministry of the Environment for approval.

Respectfully submitted


John Dewancker, P.Eng Director
Environmental Services

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other

Levine -75-
@cmwa.org

RECEIVED
MAY 29 2007

ENVIRONMENTAL SERVICES DEPT

The following communication regarding The Licensing of Municipal Drinking Water Systems Regulation (O. Reg. 188.07) was issued by Jim Smith, the Chief Drinking Water Inspector of Ontario.

From: Smith, Jim (ENE) [mailto:Jim.Smith@ontario.ca]
Sent: Thursday, May 17, 2007 1:47 PM
To: billbalfour@rogers.com; dparker@omwa.org; jeff_seaton@l-zoom.net
Subject: EBR Notice: The Licensing of Municipal Drinking Water Systems Regulation (O.Reg. 188/07)

Bill Balfour, Executive Director, Ontario Water Works Association
Douglas Parker, Executive Director, Ontario Municipal Water Association
Jeff Seaton, Executive Director, Municipal Engineers Association

The Ministry of the Environment is moving ahead with the Municipal Drinking-Water Licensing Program. The Licensing of Municipal Drinking-Water Systems Regulation (O. Reg. 188/07) has been finalized and posted on the Environmental Bill of Rights (EBR) Registry. The EBR decision notice can be found at www.ontario.ca/environmentalregistry (Registry # RA06E0015) and the regulation at www.e-laws.gov.on.ca/DBLaws/Regs/English/070188_e.htm. If possible, please post the link to the EBR Registry and e-laws on your website so your membership can find out about the regulation.

Along with the Licensing Regulation, the government recently proclaimed sections of the *Safe Drinking Water Act, 2002* related to the Licensing Program. The development and implementation of the Municipal Drinking-Water Licensing Program is based on 14 recommendations from Justice O'Connor's Part II Walkerton Report. Justice O'Connor

recommended that the Ministry require all owners of municipal drinking-water systems to obtain a licence to operate their systems. Justice O'Connor also recommended that the owners and operating authorities of these systems implement a quality management approach to operations and management.

Additional information on the Licensing Program will be forthcoming in summer 2007, including EBR decision notices for other elements of the program that were previously posted for comment, as well as additional stakeholder outreach information.

Jim Smith
Chief Drinking Water Inspector &
Assistant Deputy Minister
Drinking Water Management Division

Safe Drinking Water Act, 2002
Loi de 2002 sur la salubrité de l'eau potable

ONTARIO REGULATION 188/07

No Amendments

LICENSING OF MUNICIPAL DRINKING-WATER SYSTEMS

Notice of Currency:* This document is up to date.

*This notice is usually current to within two business days of accessing this document. For more current amendment information, see the Table of Regulations – Legislative History Overview.

This Regulation is made in English only.

Date — accredited operating authorities

1. The day that a municipal drinking-water licence is first issued to the owner of a municipal drinking-water system is specified as the day on and after which the owner shall ensure that an accredited operating authority is in charge of the system under subsection 13 (1) of the Act. O. Reg. 188/07, s. 1.

Date — directions governing operational plans

2. January 1, 2009 is prescribed as the date on or before which the Director shall issue directions governing the preparation and content of operational plans for municipal drinking-water systems under subsection 15 (1) of the Act. O. Reg. 188/07, s. 2.

Date — copies of operational plans and applications for permits and licences

3. (1) In this section,

"application date" means the day on or before which the owner of a municipal drinking-water system shall apply for a drinking-water works permit and a municipal drinking-water licence under section 33 of the Act;

"operational plans date" means the day on or before which the owner of a municipal drinking-water system shall provide a copy of all operational plans for the system to the Director under subsection 16 (2) of the Act. O. Reg. 188/07, s. 3 (1).

(2) If the owner of one or more municipal drinking-water systems is listed in a Schedule to this Regulation, the day set out in the heading to that Schedule is prescribed as the application date and as the operational plans date for those systems. O. Reg. 188/07, s. 3 (2).

(3) Despite subsection (2), if a municipal drinking-water system has more than one owner and two or more of the owners are listed in different Schedules to this Regulation, the earliest day set out in the headings to the Schedules in which the owners are listed is prescribed as the application date and as the operational plans date for the system. O. Reg. 188/07, s. 3 (3).

(4) If a person that is listed in a Schedule to this Regulation transfers ownership of a municipal drinking-water system before the day set out in the heading to that Schedule to a corporation established under section 203 of the *Municipal Act, 2001* and the corporation is not listed in any of the Schedules to this Regulation, the day set out in the heading to the Schedule in which the transferor is listed is prescribed as the application date and as the operational plans date for the system. O. Reg. 188/07, s. 3 (4).

(5) Despite subsection (2) but subject to subsection (4), if the owner of a municipal drinking-water system changes after this section comes into force and before June 2, 2010, June 1, 2010 is prescribed as the application date and as the operational plans date for the system, even if the previous owner complied with subsection 16 (2) or section 33 of the Act. O. Reg. 188/07, s. 3 (5).

(6) June 1, 2010 is prescribed as the application date and as the operational plans date for every municipal drinking-water system to which subsections (2) to (5) do not apply. O. Reg. 188/07, s. 3 (6).

Exemption

4. Subsections 13 (1), 15 (1) and 16 (2) and section 33 of the Act do not apply to a municipal drinking-water system if subsection 31 (1) of the Act does not apply to the system pursuant to subsection 9 (1) or (3) of Ontario Regulation 170/03 (Drinking-Water Systems) made under the Act or section 8 of Ontario Regulation 252/05 (Non-Residential and Non-Municipal Seasonal Residential Systems that Do Not Serve Designated Facilities) made under the Act. O. Reg. 188/07, s. 4.

5. OMITTED (PROVIDES FOR COMING INTO FORCE OF PROVISIONS OF THIS REGULATION). O. Reg. 188/07, s. 5.

- 77 -

SCHEDULE 1
JANUARY 1, 2009

Item	Owner
1.	Durham, The Regional Municipality of
2.	Halton, The Regional Municipality of
3.	Hamilton, City of
4.	Lake Huron Primary Water Supply System Joint Board of Management
5.	London, City of
6.	Niagara, The Regional Municipality of
7.	Ottawa, City of
8.	Peel, The Corporation of the Regional Municipality of
9.	Toronto, City of
10.	Vaughan, The Corporation of the City of
11.	Waterloo, The Corporation of the Regional Municipality of
12.	York, The Regional Municipality of

O. Reg. 188/07, Sched. 1.

SCHEDULE 2
FEBRUARY 1, 2009

Item	Owner
1.	Barrie, Corporation of the City of
2.	Cambridge, The Corporation of the City of
3.	Greater Sudbury, City of
4.	Guelph, The Corporation of the City of
5.	Kingston, City of
6.	Kitchener, The Corporation of the City of
7.	Lambton Area Water Supply Joint Management Board
8.	Markham, The Corporation of the Town of
9.	Richmond Hill, The Corporation of the Town of
10.	St. Catharines, The Corporation of the City of
11.	Thunder Bay, The Corporation of the City of
12.	Windsor, The Corporation of the City of

O. Reg. 188/07, Sched. 2.

SCHEDULE 3
MARCH 1, 2009

Item	Owner
1.	Amherstburg, The Corporation of the Town of
2.	Chatham-Kent, The Corporation of the Municipality of
3.	Enniskillen, The Corporation of the Township of
4.	Essex, The Corporation of the Town of
5.	Kingsville, The Corporation of the Town of
6.	Lakeshore, The Corporation of the Town of
7.	Lasalle, The Corporation of the Town of
8.	Leamington, The Corporation of the Municipality of
9.	Petrolia, The Corporation of the Town of
10.	Plympton-Wyoming, The Corporation of the Town of
11.	Point Edward, The Corporation of the Village of
12.	Sarnia, The City of
13.	Southwest Middlesex, The Corporation of the Municipality of
14.	St. Clair, The Corporation of the Township of
15.	Tecumseh, The Corporation of the Town of
16.	Union Water System Joint Board of Management
17.	Warwick, The Corporation of the Township of
18.	West Elgin, The Corporation of the Municipality of

O. Reg. 188/07, Sched. 3.

SCHEDULE 4
APRIL 1, 2009

Item	Owner
1.	Aylmer, The Corporation of the Town of

- 78 -

2.	Bluewater, The Corporation of the Municipality of
3.	Central Elgin, The Corporation of the Municipality of
4.	Dutton-Dunwich, The Corporation of the Municipality of
5.	Elgin Area Primary Water Supply System Joint Board of Management
6.	Lambton Shores, The Corporation of the Municipality of
7.	Lucan Biddulph, The Corporation of the Township of
8.	Malahide, The Corporation of the Township of
9.	Middlesex Centre, The Corporation of the Municipality of
10.	North Middlesex, The Corporation of the Municipality of
11.	Perth East, The Corporation of the Township of
12.	South Huron, The Corporation of the Municipality of
13.	Southwold, The Corporation of the Township of
14.	St. Marys, The Corporation of the Town of
15.	St. Thomas, The Corporation of the City of
16.	Strathroy-Caradoc, The Corporation of the Township of
17.	Thames Centre, The Corporation of the Municipality of
18.	West Perth, The Corporation of the Municipality of

O. Reg. 188/07, Sched. 4.

SCHEDULE 5
MAY 1, 2009

Item	Owner
1.	Bayham, The Corporation of the Municipality of
2.	Brant, The Corporation of the County of
3.	Brantford, The Corporation of the City of
4.	Fort Erie, The Corporation of the Town of
5.	Grimsby, The Corporation of the Town of
6.	Haldimand, The Corporation of the County of
7.	Lincoln, The Corporation of the Town of
8.	Niagara Falls, City of
9.	Niagara-on-the-Lake, The Corporation of the Town of
10.	Norfolk County, The Corporation of
11.	Oxford, The Corporation of the County of
12.	Pelham, The Corporation of the Town of
13.	Port Colborne, The Corporation of the City of
14.	Stratford, The Corporation of the City of
15.	Thorold, The Corporation of the City of
16.	Welland, The Corporation of the City of
17.	West Lincoln, The Corporation of the Township of
18.	Wilmot, The Corporation of the Township of

O. Reg. 188/07, Sched. 5.

SCHEDULE 6
JUNE 1, 2009

Item	Owner
1.	Arran-Elderslie, The Corporation of the Municipality of
2.	Ashfield-Colborne-Wawanosh, The Corporation of the Township of
3.	Brockton, The Corporation of the Municipality of
4.	Central Huron, The Corporation of the Municipality of
5.	Georgian Bluffs, The Corporation of the Township of
6.	Goderich, The Corporation of the Town of
7.	Hanover, The Corporation of the Town of
8.	Huron East, The Corporation of the Municipality of
9.	Huron-Kinloss, The Corporation of the Township of
10.	Kincardine, The Corporation of the Municipality of
11.	Meaford, The Corporation of the Municipality of
12.	North Huron, The Corporation of the Township of
13.	North Perth, The Municipality of
14.	Owen Sound, The Corporation of the City of
15.	Saugeen Shores, The Corporation of the Town of
16.	South Bruce Peninsula, The Corporation of the Town of
17.	South Bruce, The Corporation of the Municipality of

- 79 -

18.	West Grey, The Corporation of the Municipality of
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O. Reg. 188/07, Sched. 6.

SCHEDULE 7
JULY 1, 2009

Item	Owner
1.	Adjala-Tosorontio, The Corporation of the Township of
2.	Centre Wellington, The Corporation of the Township of
3.	Clearview, The Corporation of the Township of
4.	Collingwood, The Corporation of the Town of
5.	East Luther Grand Valley, The Corporation of the Township of
6.	Erin, The Corporation of the Town of
7.	Grey Highlands, The Corporation of the Municipality of
8.	Guelph/Bramosa, The Corporation of the Township of
9.	Mapleton, The Corporation of the Township of
10.	Minto, The Corporation of the Town of
11.	Mono, The Corporation of the Town of
12.	Orangeville, The Corporation of the Town of
13.	Shelburne, The Corporation of the Town of
14.	Southgate, The Corporation of the Township of
15.	The Blue Mountains, The Corporation of the Town of
16.	Waterloo, The Corporation of the City of
17.	Wellington North, The Corporation of the Township of
18.	Woolwich, The Corporation of the Township of

O. Reg. 188/07, Sched. 7.

SCHEDULE 8
AUGUST 1, 2009

Item	Owner
1.	Aurora, The Corporation of the Town of
2.	Bradford West Gwillimbury, The Corporation of the Town of
3.	East Gwillimbury, The Corporation of the Town of
4.	Essa, The Corporation of the Township of
5.	Georgina, The Corporation of the Town of
6.	Innisfil, The Corporation of the Town of
7.	King, The Corporation of the Township of
8.	Midland, The Corporation of the Town of
9.	New Tecumseth, The Corporation of the Town of
10.	Newmarket, The Corporation of the Town of
11.	Orillia, The Corporation of the City of
12.	Oro-Medonte, The Corporation of the Township of
13.	Penetanguishene, The Corporation of the Town of
14.	Springwater, The Corporation of the Township of
15.	Tay, The Corporation of the Township of
16.	Tiny, The Corporation of the Township of
17.	Wasaga Beach, The Corporation of the Town of
18.	Whitchurch-Stouffville, The Corporation of the Town of

O. Reg. 188/07, Sched. 8.

SCHEDULE 9
SEPTEMBER 1, 2009

Item	Owner
1.	Asphodel-Norwood, The Corporation of the Township of
2.	Bancroft, The Corporation of the Town of
3.	Brighton, The Corporation of the Municipality of
4.	Cavan-Millbrook-North Monaghan, The Corporation of the Township of
5.	Cobourg, The Corporation of the Town of
6.	Cramahe, The Corporation of the Township of
7.	Hamilton, The Corporation of the Township of
8.	Havelock-Belmont-Methuen, The Corporation of the Township of
9.	Kawartha Lakes, The Corporation of the City of

- 80 -

10.	Marmora and Lake, Municipality of
11.	Muskoka, The Corporation of the District Municipality of
12.	Parry Sound, The Corporation of the Town of
13.	Peterborough Utilities Commission
14.	Port Hope, The Corporation of the Municipality of
15.	Ramara, The Corporation of the Township of
16.	Severn, The Corporation of the Township of
17.	Smith-Ennismore-Lakefield, The Corporation of the Township of
18.	Trent Hills, The Corporation of the Municipality of

O. Reg. 188/07, Sched. 9.

SCHEDULE 10
OCTOBER 1, 2009

Item	Owner
1.	Belleville, The Corporation of the City of
2.	Brockville, The Corporation of the City of
3.	Centre Hastings, The Corporation of the Municipality of
4.	Deseronto, The Corporation of the Town of
5.	Edwardsburgh/Cardinal, The Corporation of the Township of
6.	Gananoque, The Corporation of the Town of
7.	Greater Napanee, The Corporation of the Town of
8.	Loyalist, The Corporation of the Township of
9.	North Grenville, The Corporation of the Municipality of
10.	Perth, The Corporation of the Town of
11.	Prescott, The Corporation of the Town of
12.	Prince Edward County, The Corporation of
13.	Quinte West, The Corporation of the City of
14.	Smiths Falls, The Corporation of the Town of
15.	South Dundas, The Corporation of the Township of
16.	South Frontenac, The Corporation of the Township of
17.	Stirling-Rawdon, The Corporation of the Township of
18.	Tweed, The Corporation of the Municipality of

O. Reg. 188/07, Sched. 10.

SCHEDULE 11
NOVEMBER 1, 2009

Item	Owner
1.	Alfred and Plantagenet, The Corporation of the Township of
2.	Arnprior, The Corporation of the Town of
3.	Bonnechere Valley, The Corporation of the Township of
4.	Carleton Place, The Corporation of the Town of
5.	Casselman, The Corporation of the Village of
6.	Champlain, The Corporation of the Township of
7.	Clarence-Rockland, The Corporation of the City of
8.	Cornwall, The Corporation of the City of
9.	Hawkesbury, The Corporation of the Town of
10.	Mississippi Mills, The Corporation of the Town of
11.	North Dundas, The Corporation of the Township of
12.	North Glengarry, The Corporation of the Township of
13.	North Stormont, The Corporation of the Township of
14.	Renfrew, The Corporation of the Town of
15.	Russell, The Corporation of the Township of
16.	South Glengarry, The Corporation of the Township of
17.	South Stormont, The Corporation of the Township of
18.	The Nation Municipality, The Corporation of

O. Reg. 188/07, Sched. 11.

SCHEDULE 12
DECEMBER 1, 2009

Item	Owner
1.	Callander, The Corporation of the Municipality of

2.	Central Manitoulin, The Corporation of the Township of
3.	Deep River, The Corporation of the Town of
4.	Falconbridge Limited
5.	Inco Ontario Division Limited
6.	Laurentian Valley, The Corporation of the Township of
7.	Madawaska Valley, Township of
8.	Markstay-Warren, The Corporation of the Municipality of
9.	Mattawa, Corporation of the Town of
10.	North Bay, The Corporation of the City of
11.	Northeastern Manitoulin and the Islands, The Corporation of the Town of
12.	Pembroke, The Corporation of the City of
13.	Petawawa, The Corporation of the Town of
14.	South River, The Corporation of the Village of
15.	Temagami, The Corporation of the Municipality of
16.	West Nipissing, The Corporation of the Municipality of
17.	Whitewater Region, Township of

O. Reg. 188/07, Sched. 12.

SCHEDULE 13
JANUARY 1, 2010

Item	Owner
1.	Black River-Matheson, The Corporation of the Township of
2.	Blind River, The Corporation of the Town of
3.	Cobalt, The Corporation of the Town of
4.	Cochrane, The Corporation of the Town of
5.	Elliot Lake, The Corporation of the City of
6.	Englehart, The Corporation of the Town of
7.	Espanola, The Corporation of the Town of
8.	Hearst, The Corporation of the Town of
9.	Iroquois Falls, The Corporation of the Town of
10.	Kapuskasing, The Corporation of the Town of
11.	Kirkland Lake, The Corporation of the Town of
12.	Sables-Spanish Rivers, The Corporation of the Township of
13.	Sault Ste. Marie, The Corporation of the City of
14.	Smooth Rock Falls, The Corporation of the Town of
15.	Temiskaming Shores, The Corporation of the City of
16.	Thessalon, The Corporation of the Town of
17.	Timmins, City of

O. Reg. 188/07, Sched. 13.

SCHEDULE 14
FEBRUARY 1, 2010

Item	Owner
1.	Atikokan, The Corporation of the Township of
2.	Chapleau, The Corporation of the Township of
3.	Dryden, The Corporation of the City of
4.	Fort Frances, The Corporation of the Town of
5.	Greenstone, The Corporation of the Municipality of
6.	Hornepayne, The Corporation of the Township of
7.	Ignace, The Corporation of the Township of
8.	Kenora, The Corporation of the City of
9.	Manitouwadge, The Corporation of the Township of
10.	Marathon, The Corporation of the Town of
11.	Michipicoten, The Corporation of the Township of
12.	Moosonee, The Corporation of the Town of
13.	Nipigon, The Corporation of the Township of
14.	Red Lake, The Corporation of the Municipality of
15.	Schreiber, The Corporation of the Township of
16.	Sioux Lookout, The Corporation of the Municipality of
17.	Terrace Bay, The Corporation of the Township of

O. Reg. 188/07, Sched. 14.

SCHEDULE 15
MARCH 1, 2010

-82-

Item	Owner
1.	Alnwick/Haldimand, The Corporation of the Township of
2.	Amaranth, The Corporation of the Township of
3.	Brooke-Alvinston, The Corporation of the Municipality of
4.	Chatsworth, The Corporation of the Township of
5.	Dawn-Euphemia, The Corporation of the Township of
6.	East Garafraxa, The Corporation of the Township of
7.	Galway-Cavendish-Harvey, The Corporation of the Township of
8.	Highlands East, The Corporation of the Municipality of
9.	Minden Hills, The Corporation of the Township of
10.	Morris-Turnberry, The Corporation of the Municipality of
11.	Mulmur, The Corporation of the Township of
12.	Newbury, The Corporation of the Village of
13.	Northern Bruce Peninsula, The Corporation of the Municipality of
14.	Oil Springs, The Corporation of the Village of
15.	Otonabee-South Monaghan, The Corporation of the Township of
16.	Perth South, The Corporation of the Township of

O. Reg. 188/07, Sched. 15.

SCHEDULE 16
APRIL 1, 2010

Item	Owner
1.	Assigniack, The Corporation of the Township of
2.	Billings, The Corporation of the Township of
3.	Burk's Falls, The Corporation of the Village of
4.	Elizabethtown-Kitley, The Corporation of the Township of
5.	Gore Bay, The Corporation of the Town of
6.	Killaloe, Hagarty and Richards, The Corporation of the Township of
7.	Killarney, The Corporation of the Municipality of
8.	Laurentian Hills, The Corporation of the Town of
9.	Leeds and the Thousand Islands, The Corporation of the Township of
10.	McDougall, The Corporation of the Municipality of
11.	Merrickville-Wolford, The Corporation of the Village of
12.	Montague, The Corporation of the Township of
13.	Powassan, The Corporation of the Municipality of
14.	Tehkummah, The Corporation of the Township of
15.	Westport, The Corporation of the Village of

O. Reg. 188/07, Sched. 16.

SCHEDULE 17
MAY 1, 2010

Item	Owner
1.	Armstrong, The Corporation of the Township of
2.	Bruce Mines, The Corporation of the Town of
3.	Charlton and Dack, The Corporation of the Municipality of
4.	Coleman, The Corporation of the Township of
5.	Hilton Beach, The Incorporated Village of
6.	James, The Corporation of the Township of
7.	Johnson, The Corporation of the Township of
8.	Larder Lake, The Corporation of the Township of
9.	Latchford, The Corporation of the Town of
10.	Macdonald, Meredith & Aberdeen Additional, The Corporation of the Township of
11.	Matachewan, The Corporation of the Township of
12.	McGarry, The Corporation of the Township of
13.	Nairn and Hyman, The Corporation of the Township of
14.	Spanish, The Corporation of the Town of
15.	St. Joseph, The Corporation of the Township of
16.	The North Shore, The Corporation of the Township of

O. Reg. 188/07, Sched. 17.

SCHEDULE 18
JUNE 1, 2010

Item	Owner
1.	Chapple, The Corporation of the Township of
2.	Dubreuilville, The Corporation of the Township of
3.	Ear Falls, The Corporation of the Township of
4.	Emo, The Corporation of the Township of
5.	Fauguer-Strickland, The Corporation of the Township of
6.	Machin, The Corporation of the Township of
7.	Mattice-Val Cote, The Corporation of the Township of
8.	Moonbeam, The Corporation of the Township of
9.	Oliver Paipoonge, The Corporation of the Municipality of
10.	Opasatika, The Corporation of the Township of
11.	Pickle Lake, The Corporation of the Township of
12.	Ruiny River, The Corporation of the Town of
13.	Red Rock, The Corporation of the Township of
14.	Val Rita-Harty, The Corporation of the Township of
15.	White River, The Corporation of the Township of

O. Reg. 188/07, Sched. 18.



Corporation of the
City of St. Thomas

-83-

Report No.

ES86-07

File No.

09-182

Date

June 12, 2007

Directed to:

Chairman Tom Johnston and Members of the
Environmental Services Committee of Council

Department:

Environmental Services

Prepared by:

John Dewancker, Director

Attachment

- Project Initiation Notice by D.Tarry Limited & CJ Demeyere Consulting Engineers
- Storm drainage area and study area
- Existing on storm sewer plans (Raven/Leger catchment area)

Subject:

**Stormwater Management requirement for south half of Orchard Park Subdivision –
Class Environmental Assessment Project Initiation Notice.**

Recommendation:

- That report ES86-07 be received as information.
- That the Project Initiation Notice for a Class Environmental Assessment for the establishment of an off-site storm water management facility required in conjunction with the development of the South half of the Orchard Park residential subdivision development be received for information.

Origin:

June 12, 2007 receipt from D. Tarry Limited of the Project Initiation Notice of a Class Environmental Assessment for the establishment of an off-site stormwater management quality control facility in conjunction with the development of the south half of the Orchard Park Subdivision.

Analysis:

The provision of stormwater management for the development of the south half of the Orchard Park Residential Subdivision may be achieved either through an on-site stormwater management facility to be incorporated into the draft plan of subdivision development or it may be achieved through the establishment of an off-site SWM facility.

The need for a stormwater management facility was established in the 1997 Mill Creek – South Block Area Subwatershed Study and its associated urban stormwater management strategy.

At this time, D. Tarry Limited is proceeding with a class EA study project to assess the feasibility of locating the required SWM facility in a location that is off-site to the proposed subdivision development.

Environmental, economic and social aspects will be considered for any options that are identified and these will be documented with input by the Public and Agencies. Staff will be available at the Council meeting of June 18, 2007, to answer any question by the Members.

Respectfully submitted


John Dewancker, P.Eng Director
Environmental Services

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other

cc: G. Tarry, D. Tarry Limited
J. W. [unclear], CJDL Consulting Engineer

12 June 2007

0610EA

DOUG TARRY LIMITED
CITY OF ST. THOMAS
STORMWATER MANAGEMENT CONTROL FACILITY
CLASS ENVIRONMENTAL ASSESSMENT
PROJECT INITIATION NOTICE

Doug Tarry Limited has retained CJDL to prepare an Environmental Assessment for an off-site stormwater management quality control facility for the south half of Orchard Park Subdivision.

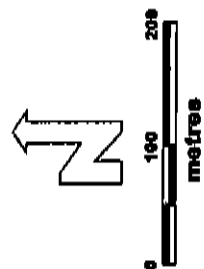
The study will be undertaken as a Class Environmental Assessment (EA) according to the requirements of the "Municipal Class Environmental Assessment" as a Schedule "B" project. This type of project is approved under the *Environmental Assessment Act* provided it is "screened". The screening process involves the identification and evaluation of design options, the preparation of an inventory of the "environment" potentially affected by the project, public and agency consultation and an assessment of the impacts of the preferred design, including measures to mitigate adverse impacts.

A Public Information Centre will be held in Summer of 2007 to present the options being considered and, subsequently, the recommended Detailed Design. The notice will include the date and location of the Public Information Centre. If you have any questions, comments or concerns, please contact:

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Doug Tarry Limited
358 Elm Street
St. Thomas, Ontario
N5R 1K1
Tel: (519)631-9300
Fax: (519)633-3583
E-mail: gregtarry@dougarryhomes.com

John D. Wiebe, P. Eng.
Cyril J. Demeyere Limited
261 Broadway, P.O. Box 606
Tillsonburg, Ontario
N4G 4J1
Tel: (519)688-1000
Fax: (519)842-3235
E-mail: jwiebe@cjdle.com

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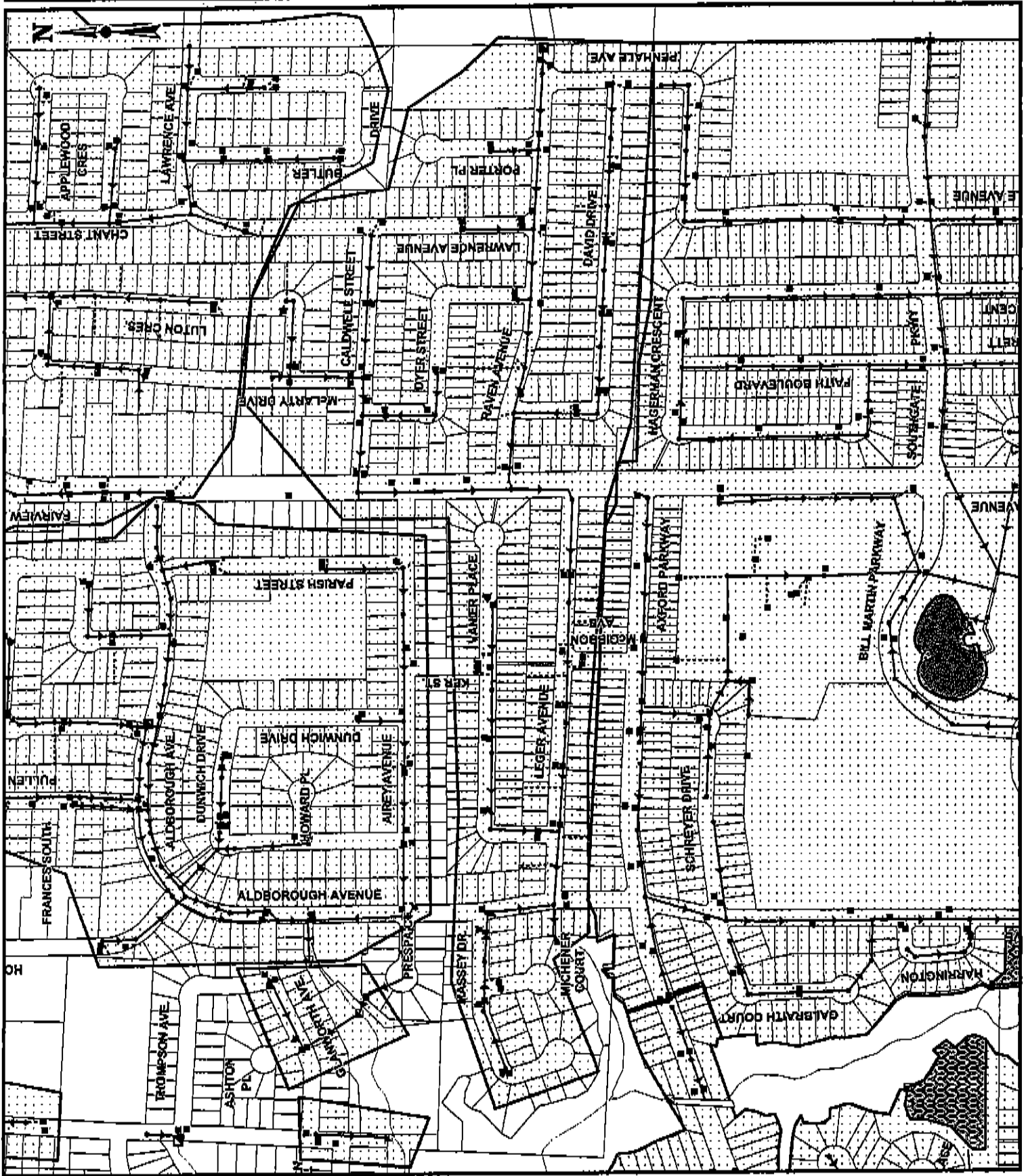


STRUCTURES BELONGS TO

- [illegible]



THE CORPORATION OF THE CITY OF
ST. THOMAS





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

-87-

Report No.: HR-06-07

File No.:

Directed to: Alderman Gord Campbell and Members of the
Personnel & Labour Relations Committee

Date: June 6, 2007

Subject: 2006 SICK DAY USAGE

Department: Human Resources

Attachment:

Prepared By: Graham Dart

Recommendation:

That Council receive Report # HR-06-07 for information purposes.

REPORT:

Attached please find the summary of the 2006 sick leave usage. The average sick day per employee for 2006 was 4.97 days.

I am pleased to report that there was a .32 of a day decrease from 2005 even though the number of employees increased by 12.

This decrease is attributable to the effort by the employees to control sick leave, their awareness of the impact of sick leave on the workplace and by the proactive approach to monitoring and addressing chronic sick leave issues.

A comparison of the past four (4) years is provided:

YEAR	# OF EMPLOYEES	AVG. SICK DAYS
2006	366	4.97
2005	354	5.29
2004	342	5.52
2003	342	5.06

Respectfully submitted

Graham Dart, AMCT, CMM III
Director, Human Resources

Reviewed by:

Treasury

Env. Services

Planning

City Clerk

Valleyview

Fire

THE CORPORATION OF THE CITY OF ST. THOMAS					
2006 SICK DAY USAGE					
TOTAL NO. FULL TIME EMPLOYEES: 366					
TOTAL CORPORATE SICK DAYS USED: 1818.98					
CORPORATE AVERAGE: 4.97 DAYS					
BY-LAW/UNION/ASSOCIATION	TOTAL SICK DAYS USED	NO. EMPLOYEES	UNION/DEPT. AVERAGE DAYS	CORPORATE AVERAGE	
ADMINISTRATION/NON UNION	127.55	62	2.06	41.45%	
C.U.P.E. 841 (INSIDE WORKERS)	315.07	59	5.34	107.44%	
C.U.P.E. 35 (OUTSIDE WORKERS)	263.24	50	5.26	105.84%	
CAW (VALLEYVIEW HOME)	545.91	59	9.25	186.12%	
FIREFIGHTERS ASSOCIATION	397.35	55	7.22	145.27%	
POLICE ASSOCIATION					
(UNIFORM & CIVILIAN)	131.73	76	1.73	34.81%	
POLICE ADMINISTRATION	0	5	0	0%	
DEPARTMENTS:					
CLERKS	40.33	11	3.66	73.64%	
ECONOMIC DEVELOPMENT	0	2	0	0%	
ENVIRONMENTAL SERVICES	326.45	63	5.18	104.23%	
HUMAN RESOURCES	1	5	0.2	4.02%	
ONTARIO WORKS	253.67	39	6.5	130.78%	
PLANNING	0	5	0	0%	
TREASURY	47.38	27	1.75	35.21%	
VALLEYVIEW HOME	583.5	75	7.78	156.54%	
FIRE	426.86	58	7.36	148.09%	
POLICE	139.79	81	1.73	34.81%	



Corporation of the

City of St. Thomas

-89-

Report No.

TR-30-07

File No.

T07-721

Directed to:

Chairman Terry Shackelton and Members of the Finance and Administration Committee

Meeting Date

June 18, 2007

Department:

Treasury

Attachments:

Report TR 25-07

Prepared By:

William J. Day

Subject:

Tender Award - Roof Replacement at the Colin McGregor Justice Building

Recommendation:

It is recommended that Council:

1. Receive Report No. TR-30-07 for Information.
2. Accept the Tender submitted by LaFleche Roofing (1992) Ltd. in the amount of \$137,000 (plus GST) for the replacement of the entire roof at the Colin McGregor Justice Building.
3. Approve that additional funding required for this project in the amount of \$2,000 be drawn from the Capital Reserve.

Background:

At its June 4, 2007 meeting Council postponed their decision on Report TR 25-07 (attached) pending further information from administration regarding the costs and implications of temporary repair work as an alternative to roof replacement.

There are approximately 420 blisters in the roof membrane that range in size from small to very large. There are also roughly 380 lineal feet of ridges where the roof membrane has buckled. The perimeter membranes have shrunk away from the metal flashing and are another source of water entry into the building. In summary, the amount of work that is going to be required is significant. We estimate the cost of tar and patch temporary repair work to be in the range of \$65,000 to \$80,000. Given the effects of sun blistering and cracking it would be typical for such repair work to be an effective remedy for up to 1-year.

The building is presently experiencing leaks around the roof drains and water stains on ceiling tiles due to the deficiencies of the roof. Council is advised that the Building Condition Assessment Study undertaken in 2003 recommended the replacement of the roof within 3-years time. The replacement project was approved by Council in the 2007 Capital Budget and the tender price is in line with the budget estimate.

It is likely that the building will remain in use for Police Services and Provincial Court Services for a period of two to three years. At that time, the City may resolve to declare the property surplus to its needs and dispose of it. Certainly the building would be more attractive to a potential purchaser if it were to have a new roof. In fact, should Council choose not to replace the roof, it is likely that any potential purchaser would discount their offer price by the roof replacement cost.

It is important to note that the prices as tendered are valid until July 6, 2007.

Respectfully submitted,

William J. Day
City Treasurer



Corporation of the
City of St. Thomas

-90-

Report No.

TR-25-07

File No.

T07-721

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

Meeting Date

June 4, 2007

Department: Treasury

Attachments:

Prepared By: Mike Hoogstra, Purchasing Agent

None

Subject: Tender Award - Roof Replacement at the Colin McGregor Justice Building

Recommendation:

THAT: Council receive Report No. TR-25-07.

THAT: Council accept the Tender submitted by LaFleche Roofing (1992) Ltd. in the amount of \$137,000 (plus GST) for the replacement of the entire roof at the Colln McGregor Justice Building.

THAT: Council approve that additional funding required for this project in the amount of \$2,000 be drawn from the Capital Reserve.

Background:

The Tender for the Roof Replacement at the Colln McGregor Justice Building was advertised in the St. Thomas Times Journal on Saturday, April 28, 2007. Tender documents were couriered to Interested Bidders and a notice was posted on the City's website.

The Tender closed on Wednesday, May 16, 2007 at 2:00:00 p.m. and all bids received were immediately opened in public in Committee Room #204. Six (6) bids were received from the following companies:

	<u>Tender Amount (Including PST; GST Extra)</u>
LaFleche Roofing (1992) Ltd.	\$ 137,000.00
Simple-Gooder Roofing Limited	\$ 157,800.00
Thomas Roofing London	\$ 163,072.00
Nedlaw Roofing Limited	\$ 178,385.00
Flynn Canada Ltd.	\$ 185,660.00
Keller Roofing and Sheet Metal Inc.	\$ 195,000.00

The bids were checked for the mandatory response requirements and were checked for calculation errors. All bids received were compliant with our requirements and no calculation errors were found. Purchasing and Facilities staff reviewed the bid responses and recommend the contract be awarded to the low bidder LaFleche Roofing (1992) Ltd., in the amount of \$137,000.00.

Due to the noise concerns and type of work required contractors were advised that because of the busy court schedule, work must be conducted on Thursday July 12, Friday July 13, Saturday July 14 and Sunday July 15. This is the only block of time other than weekends that Court sessions are not scheduled. LaFleche Roofing may have to work additional weekends to complete the project.

Financial Considerations:

The 2007 Capital Budget, Part 1, as approved by City Council, has an allocation of \$135,000.00 for this project. A further \$2,000.00 is required to fund this project; therefore staff recommends the additional funding source be the Capital Reserve.

Staff are available to answer any questions members may have.

Respectfully submitted,

Mike Hoogstra
Purchasing Agent

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

Report No.
CC-31-07

File No.

Directed to: Chairman T. Shackelton and Members of the Finance and Administration Committee

Date
June 11, 2007

Department: City Clerks Department

Prepared By: Wendell Graves, City Clerk

Attachment
Schedule A – Proposed Fees

Subject: Licence, Registration and Application Fees

Recommendation:

THAT: Report CC-31-07 be received for information, and further,

THAT: The revised charges for the issuance of licenses, registrations and applications identified in Schedule A attached to Report CC-31-07 be approved effective September 1, 2007.

Background:

It has been a number of years since a review has taken place with regard to the charges being assessed for documents being processed within the Clerks Department.

Staff have conducted a review of the City's existing charges and have done a comparative analysis relating to other area municipalities.

As a result, increases are being proposed in the following areas, as seen in the attached schedule:

Commissioning of Document
Marriage License
Birth Registration
Death Registration
Out of Town Death Registration
Committee of Adjustment

It is proposed that any rate increases would become effective September 1, 2007.

Respectfully,


W. Graves, City Clerk

Reviewed By:


Treasury

Env Services

Planning

City Clerk

Comm Services

Other



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

Report No.: TR-31-07

File No.:

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

Date: June 18, 2007

Subject: Capital Project Status Update

Department: Treasury

Prepared By: Tracy Johnson,
Manager of Accounting

Attachment: Schedule A

Recommendation:

THAT Report TR-31-07 be received;

AND THAT the Capital Projects listed on Schedule A of this Report be closed where indicated;

AND THAT the Capital Projects funded annually be reallocated to the current year project;

Report:

Through this Report, the Treasury Department intends to close projects based on departmental commentary, along with the Policies adopted by Council in August 2002.

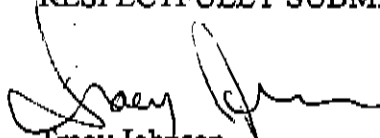
The Treasury Department feels that the closing of these Capital Projects maintains our good control over the financial aspects of individual Capital Projects as noted by our external Auditors.

Capital Projects Reserve	Transfer Between Projects	Sewer Reserve	Water Reserve	Vehicle/ Equipment Reserve	Other Reserves	Parkland Reserve Fund	Develop. Charges	Total
--------------------------------	---------------------------------	------------------	------------------	----------------------------------	-------------------	-----------------------------	---------------------	-------

-921,992	0	-210,936	-109,820	-103,867	-2,707	-1,758	29,289	-1,321,791
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Staff are pleased to address any questions Members may have on this matter.

RESPECTFULLY SUBMITTED,


Tracy Johnson
Manager of Accounting



	Transfer (To)From								Total
	Capital Projects	Transfer Between	Sewer	Water	Vehicle/ Equipment	Other Reserves	Parkland Reserve	Develop. Charges	
2006 Capital Jobs									
Building Condition Assessment-Sra. Centre	-7,955								-7,955
Building Condition Assessment-Memorial Arena	-15,955								-15,955
City Hall Condition Report	-6,031								-6,031
Auditorium & Office Furniture	8,558								8,558
Council Chambers HVAC System	-2,130								-2,130
10 Ton HVAC Unit-Complex	-575								-575
Ashpall-Complex	-4,590								-4,590
Memorial Arena Painting	272								272
City Hall Brick Repair	-6,453								-6,453
Animal Control Vehicle-Animal Shelter Reserve					-5,861	-851			-6,813
Aircraft De-Icing Equipment	-5								-5
Haydon Woodlot Purchase-Property Reserve						-379			-379
Jel Vacuum Machine				12,830					12,830
Small Cargo Van-Replace PW225					-6,759				-6,759
Ford Plow/Sander-Replace PW238					-14,548				-14,548
Road Sweeper-Replace PW247					28,368				28,368
Tractor & Reel Replace PK284					-38,883				-38,883
Riding Mower-Replace PK403					-4,889				-4,889
Gator-Replace PK408					-9,289				-9,289
Aerifier-Replace Pk472					-6,209				-6,209
Orion Bus-Replace TR9001-Gas Tax	-268					-539			-805
Culway Para Transit-Replace TR9703-Gas Tax	-282					-572			-853
Culway Para Transit-Replace TR9704-Gas Tax	-282					-572			-853
Truck & Snow Plow	-69,669								-69,669
Annual Sidewalk Program		-27,112							-27,112
Ashpall Padding Burwell Rd Donker-Deer Trail		-7,269							-7,269
Scott Street Storm Sewer		-308,567							-308,567
MOP- Road Slurry Seal Application	-220								-220
Intersection-Elm St/Peach Tree Blvd		-153,007							-153,007
Watermeter Replacement		-154,339							-154,339
Water main Lining		-239,708							-239,708
Inkerman Water main Upsizing		56							56
Blower Overhaul Inspection, WPCP			4,449						4,449
Mainline Sewer Lining		-258,975							-258,975
As Builds-Previous Capital Jobs		-29,185							-29,185
Talbot Street Streetscape		-28,964							-28,964
Mullt Purpose Trails		-25,000							-25,000
Forensic Light Source	-5,531								-5,531
Total 2006 Closures	+103,103	+1,231,148	4,449	12,830	-56,089	-2,707	0	0	-1,375,748
St. Thomas Cemetery Riding Law Tractor	-3,336								-3,336
John Deer ATV/Double Seat					-4,254				-4,254
Bobcat Riding Lawn Mower					-8,088				-8,088
Lely Fertilizer Spreader					-5,011				-5,011
Airport Fork Lift					-2,823				-2,823
Transferred from 2008 Programs		1,268,204							1,268,204
Transferred from 2005 Capital Jobs		62,158							62,158
Total 2007 Closures	-3,336	1,328,362	0	0	-18,156	0	0	0	1,308,870
Reserve Totals	-921,992	0	-210,938	-109,820	-103,867	-2,707	-1,758	29,289	-1,321,791



Corporation of the
City of St. Thomas

-96-

Report No.

TR 27-07

File No.

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

Department: Treasury

Prepared By: William J. Day, City Treasurer

Meeting Date

June 18, 2007

Attachment:

2006 Financial
Statements

Audit Findings Letter

Subject: 2006 Audited Financial Statements

Recommendation:

It is recommended that:

1. Council receive Report TR 27-07 as information
2. Council approve the 2006 audited Financial Statements.

Report:

Attached are the audited Financial Statements for the Corporation of the City of St. Thomas for the year 2006. These Financial Statements have been prepared in accordance with prescribed government reporting requirements and have been audited by Graham Scott Enns.

It should be noted that Administration has previously reported to Council the highlights of the 2006 year end as part of the 2007 Budget presentation. Such highlights included the 2006 surplus from operations, Reserve and Reserve Fund balances and our Long Term Debt obligations as at December 31, 2006.

We have also attached a copy of the Audit Findings Letter, a requirement by the Canadian Institute of Chartered Accountants pursuant to generally accepted standards for audit engagements.

In addition to the above we wish to draw Council's attention to new financial reporting requirements as mandated by the Canadian Institute of Chartered Accountants Public Sector Accounting Board (PSAB). Commencing with the publication of our December 31, 2009 financial statements we are required to conform to Section 3150. Section 3150 requires that we account for and report tangible capital assets at historical cost and amortize this cost over the estimated useful life of the assets. All other forms of government within North America have previously adopted a similar standard. Once implemented, our financial statements will more closely mirror those of private sector entities. Our challenge will be to develop an inventory of assets to be capitalized, determine original costs, and calculate accumulated amortization from the time of acquisition. City assets to be capitalized include road, water and wastewater infrastructure, buildings, land, vehicles and equipment. Once inventoried, all capital assets will be valued through the use of historical records. Where original cost information is not available, appropriate valuation methods will be employed. Amortization rates will be established for various asset classes based on estimated useful lives and industry standards. Although, we are not required to report capital assets in our financial statements until 2009 we are presently initiating the process internally. It is likely that some external consulting expertise will be required from time to time over the next 3-years in order to meet the new requirements.

Respectfully submitted,

William J. Day
Director of Finance and City Treasurer

- 97 -

**The Corporation of the
City of St. Thomas
Consolidated Financial Statements
December 31, 2006**

Draft

THE CORPORATION OF THE CITY OF ST. THOMAS

Consolidated Financial Statements

Year Ended December 31, 2006

Table of Contents

PAGE

Auditors' Report	1
Statement of Financial Position	2
Statement of Financial Activities	3
Statement of Changes in Financial Position	4
Notes to the Financial Statements	5 - 13
Schedule of Current Fund Operations	14
Schedule of Capital Fund Operations	15
Schedule of Reserve and Reserve Funds	16

-99-



William A. Graham*
John M. Scott*
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AUDITORS' REPORT

To the Members of Council, Inhabitants and Ratepayers of
The Corporation of the City of St. Thomas

We have audited the consolidated balance sheet of **The Corporation of the City of St. Thomas** as at December 31, 2006 and the consolidated statement of financial activities and changes in financial position for the year then ended. These financial statements are the responsibility of the Corporation's management. Our responsibility is to express an opinion on these financial statements based on our audit.

We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we plan and perform an audit to obtain reasonable assurance whether the financial statements are free of material misstatement. An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements. An audit also includes assessing the accounting principles used and significant estimates made by management, as well as evaluating the overall financial statement presentation.

In our opinion, these consolidated financial statements present fairly, in all material respects, the financial position of The Corporation of the City of St. Thomas as at December 31, 2006 and the results of its operations and changes in financial position for the year then ended in accordance with Canadian generally accepted accounting principles.

St. Thomas, Ontario
March 10, 2007

Graham Scott Enns LLP
CHARTERED ACCOUNTANTS
Licensed Public Accountants

-100-

THE CORPORATION OF THE CITY OF ST. THOMAS

**Consolidated Statement of Financial Position
December 31, 2006**

	2006 \$	2005 \$
ASSETS		
Financial Assets		
Cash and short term deposits	38,973,365	17,290,928
Loan receivable (Note 2)	7,714,426	7,714,426
Taxes receivable	1,550,689	1,866,417
Accounts receivable (Note 16)	4,039,280	6,145,076
Other current assets	725,835	655,981
Investment in St. Thomas Holding Inc. (Note 10)	15,181,571	14,752,853
Total	68,185,166	48,425,681
LIABILITIES		
Deferred revenue (Note 12)	10,424,935	8,541,574
Accounts payable and accrued liabilities	9,830,435	13,114,585
Employee benefits and other liabilities (Note 8)	6,294,499	5,997,397
Net long-term liabilities (Note 5)	26,634,769	11,443,487
	53,184,638	39,097,043
TOTAL NET ASSETS	15,000,528	9,328,638
MUNICIPAL POSITION		
FUND BALANCES		
Current fund (Note 6)	2,703,246	4,172,357
Capital fund (See schedule page 15)	11,418,189	(8,738,400)
Reserves (See schedule page 16)	8,778,070	6,987,456
Reserve funds (See schedule page 16)	1,803,716	1,420,697
St. Thomas Holding Inc. net investment	22,895,997	22,467,279
	47,599,218	26,309,389
AMOUNTS TO BE RECOVERED		
From reserves and reserve funds on hand	(1,065,157)	(882,133)
From future revenues	(31,533,533)	(16,098,618)
TOTAL MUNICIPAL POSITION	15,000,528	9,328,638

The accompanying notes are an integral part of these financial statements

-101-

THE CORPORATION OF THE CITY OF ST. THOMAS

**Consolidated Statement of Financial Activities
Year Ended December 31, 2006**

	2006	2005
	\$	\$
REVENUES		
Property taxation	33,649,339	32,237,518
Taxation from other governments	223,393	229,722
User charges and other revenues (Note 7)	19,607,037	18,899,472
Government grants	30,094,497	30,473,399
Contribution from developers	1,830,095	815,153
Investment income	3,309,290	1,403,056
Penalties and interest on taxes	430,689	419,883
St. Thomas Holding Inc. net income	928,718	1,494,077
Total Revenues	90,073,058	85,972,280
EXPENDITURES		
Current		
General government	4,380,501	4,344,541
Protection to persons and property	14,549,549	13,576,851
Transportation services	4,486,760	4,512,989
Environmental services	8,565,721	7,997,615
Health services	4,274,920	4,419,869
Social and family services	25,345,005	23,924,287
Social housing	6,123,395	6,156,859
Recreation and cultural services	4,925,378	4,194,605
Planning and development	958,533	824,499
Total current expenditures	73,609,762	69,952,115
Capital		
General government	588,168	478,731
Protection to persons and property	1,601,402	562,315
Transportation services	2,745,044	1,855,208
Environmental services	1,921,631	3,236,140
Social and family services	2,437,677	11,306,110
Social housing	365,888	364,649
Recreation and cultural services	1,069,418	8,299,199
Planning and development	62,178	55,684
Total capital expenditures	10,791,406	26,158,036
Total Expenditures	84,401,168	96,110,151
NET REVENUES/(EXPENDITURES)	5,671,890	(10,137,871)
Increase (decrease) in amounts to be recovered (note 15)	15,617,939	7,264,259
CHANGE IN FUND BALANCES	21,289,829	(2,873,612)

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

-102-

THE CORPORATION OF THE CITY OF ST. THOMAS

**Consolidated Statement of Changes in Financial Position
Year Ended December 31, 2006**

	2006 \$	2005 \$
OPERATIONS		
Net revenues	5,671,890	(10,137,871)
Uses:		
Increase in accounts receivable	-	(1,198,273)
Increase in other current assets	(69,854)	-
Decrease in accounts payable and accrued liabilities	(3,284,150)	-
	<u>(3,354,004)</u>	<u>(1,198,273)</u>
Sources:		
Decrease in taxes receivable	315,728	51,239
Decrease in accounts receivable	2,105,796	-
Decrease in other current assets	-	36,119
Increase in accounts payable and accrued liabilities	-	4,579,806
Increase in deferred revenue - obligatory reserve funds	1,883,361	2,884,885
Increase in employee benefits and other liabilities	297,102	284,258
	<u>4,601,987</u>	<u>7,836,307</u>
Net change in cash from operations	<u>6,919,873</u>	<u>(3,499,837)</u>
INVESTING		
(Increase) in investment in St. Thomas Holding Inc. (Note 10)	<u>(428,718)</u>	<u>(1,494,077)</u>
Net change in cash from investing	<u>(428,718)</u>	<u>(1,494,077)</u>
FINANCING		
Long-term debt principal repayment	(1,808,718)	(1,149,103)
Proceeds from issue of long-term debt	17,000,000	8,000,000
Net change in cash from financing	<u>15,191,282</u>	<u>6,850,897</u>
NET CHANGE IN CASH AND CASH EQUIVALENTS	21,682,437	1,856,983
OPENING CASH AND CASH EQUIVALENTS	<u>17,290,928</u>	<u>15,433,945</u>
CLOSING CASH AND CASH EQUIVALENTS	<u>38,973,365</u>	<u>17,290,928</u>

The accompanying notes are an integral part of these financial statements

-103-

THE CORPORATION OF THE CITY OF ST. THOMAS

Notes to the Consolidated Financial Statements Year Ended December 31, 2006

The City of St. Thomas is a municipality in the Province of Ontario. It conducts its operations guided by the provisions of provincial statutes such as the Municipal Act, the Municipal Affairs Act and related legislation.

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

The consolidated financial statements of the Corporation of the City of St. Thomas are prepared by management in accordance with Canadian generally accepted accounting principles for local governments as recommended by the Public Sector Accounting Board (PSAB) of the Canadian Institute of Chartered Accountants. Significant aspects of the accounting policies adopted by the City are as follows:

Reporting Entity

The consolidated financial statements reflect the assets, liabilities, revenues, expenditures and fund balances of the reporting entity. The reporting entity is comprised of all organizations, committees and local boards accountable for the administration of their financial affairs and resources to the City and which are 100% owned or controlled by the City. These financial statements include:

The St. Thomas Public Library Board
St. Thomas Economic Development Corporation
Board of Management for the St. Thomas Downtown Improvement Area
Elgin and St. Thomas Housing Corporation

Interdepartmental and inter-organizational transactions and balances between these organizations are eliminated.

The Elgin-St. Thomas Health Unit, Elgin Area Primary Water Board and Elgin Area Secondary Water Board have been consolidated on a proportionate basis. The Elgin-St. Thomas Health Unit is proportionately consolidated based on the Municipalities share of contributions which amount to 41%. The Elgin Area Primary Water Board and Elgin Area Secondary Water Board are proportionately consolidated based upon the water flow used by our Municipality in proportion to the entire flows provided by the joint boards. This amounts to 30.92% and 53.57% respectively.

The investment in St. Thomas Holding Inc. is accounted for on a modified equity basis, consistent with the generally accepted accounting treatment for government business enterprises. Under the modified equity basis, the business enterprise's accounting principles are not adjusted to conform with those of the City, and inter-organizational transactions and balances are not eliminated.

THE CORPORATION OF THE CITY OF ST. THOMAS

Notes to the Consolidated Financial Statements Year Ended December 31, 2006

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Use of Estimates

The preparation of financial statements in conformity with Canadian generally accepted accounting principles requires management to make estimates and assumptions that affect the reported amounts of assets and liabilities and disclosure of contingent assets and liabilities at the date of the financial statements, and the reported amounts of revenues and expenditures during the period. Actual results could differ from these estimates.

Accrual Accounting

Sources of financing and expenditures are reported on the accrual basis of accounting with the exception of principal charges on long-term liabilities which are charged against operations in the periods in which they are paid.

The accrual basis of accounting recognizes revenues as they become available and measurable; expenditures are recognized as they are incurred and measurable as a result of receipt of goods or services and creation of legal obligation to pay.

Capital Assets

Expenditures made on capital assets are reported as capital expenditures on the statement of financial activities in the period incurred.

Reserves and Reserve Funds

Certain amounts, as approved by City Council, are set aside in reserves and reserve funds for future operating and capital purposes. Transfers to and/or from reserves and reserve funds are an adjustment to the respective fund when approved by City Council.

Government Transfers

Government transfers are recognized in the financial statements as revenues in the period in which events giving rise to the transfer occur, providing the transfers are authorized, any eligibility criteria have been met, and reasonable estimates of the amounts can be made.

Deferred Revenue

Deferred revenues represent user charges and fees and development charges which have been collected but for which the related services or expenditures have yet to be performed. These amounts will be recognized as revenues in the fiscal year the services or expenditures are performed.

THE CORPORATION OF THE CITY OF ST. THOMAS

**Notes to the Consolidated Financial Statements
Year Ended December 31, 2006**

1. SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

Fund Accounting

Funds within the consolidated financial statements consist of current, capital and reserve funds. Transfers between funds are recorded as adjustments to the appropriate municipal fund balance.

Trust funds and their related operations administered by the city are not included in these financial statements but are reported on separately on the Trust Funds Statement of Continuity and Balance Sheet.

2. LOAN RECEIVABLE

The loan arose on Nov. 7, 2000 as a result of restructuring of the St. Thomas Public Utilities Commission under Bill 35. The loan is receivable from St. Thomas Energy Inc., is interest only, payable semi-annual at 7.25% and is due December 2010. Annual interest of \$559,296 was received on this loan in 2006.

3. OPERATION OF SCHOOL BOARDS

During 2006 the amounts billed and remitted are summarized below:

	<u>2006</u> <u>\$</u>	<u>2005</u> <u>\$</u>
Property taxation	12,111,262	12,277,256
Share of payments in lieu of taxes	-	-
Amounts requisitioned	<u>12,111,262</u>	<u>12,277,256</u>

The taxation, other revenues, expenditures, assets and liabilities with respect to the operations of the school boards are not reflected in the municipal fund balances of these financial statements.

4. TRUST FUNDS

Trust funds administered by the City amounting to \$132,468 (2005 - \$120,595) are presented in a separate financial statement of trust fund balances and operations. As such balances are held in trust by the City for the benefit of others, they are not presented as part of the City's financial position or financial activities.

-106-

THE CORPORATION OF THE CITY OF ST. THOMAS

Notes to the Consolidated Financial Statements Year Ended December 31, 2006

5. NET LONG-TERM LIABILITIES

- a) The balance of net long-term liabilities reported on the Consolidated Statement of Financial Position is made up of the following:

	2006 \$	2005 \$
Long-term liabilities incurred by the municipality and outstanding at the end of the year amount to	24,153,677	8,820,177
Long-term liabilities assumed by the city	<u>2,481,092</u>	<u>2,623,310</u>
Total long-term liabilities at the end of the year	<u>26,634,769</u>	<u>11,443,487</u>

Principal repayments are summarized as follows:

Recoverable From	2007 \$	2008 \$	2009 \$	2010 \$	2011 \$	Beyond \$	Total \$
General taxation	1,294,050	1,294,810	1,348,980	1,409,570	1,472,910	17,123,007	23,943,327
User charges	<u>382,350</u>	<u>218,720</u>	<u>167,710</u>	<u>177,320</u>	<u>193,930</u>	<u>1,551,412</u>	<u>2,691,442</u>
	<u>1,676,400</u>	<u>1,513,530</u>	<u>1,516,690</u>	<u>1,586,890</u>	<u>1,666,840</u>	<u>18,674,419</u>	<u>26,634,769</u>

- b) All long-term liabilities issued on or before December 31, 1992 have received approval of the Ontario Municipal Board. Long-term liabilities issued after January 1, 1993 have been approved by by-law. The annual principal and interest payments required to service these liabilities are within the annual debt repayment limit prescribed by the Ministry of Municipal Affairs and Housing

- c) Interest expense on long-term liabilities in 2006 amounted to \$1,351,691 (2005 - \$424,018).

6. CURRENT FUND BALANCES AT THE END OF THE YEAR

The city's fund balances are comprised of the following:

	2006 \$	2005 \$
For general reduction of taxation and user charges:		
General Operations	3,065,676	2,168,055
Sewer Operations	(224,131)	1,014,768
Water Operations	(262,435)	873,930
Elgin and St. Thomas Housing Corporation	-	-
Elgin-St. Thomas Health Unit	83,491	69,665
Downtown Development Board (BIA)	<u>40,645</u>	<u>45,939</u>
	<u>2,703,246</u>	<u>4,172,357</u>

-107-

THE CORPORATION OF THE CITY OF ST. THOMAS

**Notes to the Consolidated Financial Statements
Year Ended December 31, 2006**

7. USER CHARGES AND OTHER REVENUES

The largest components of user charges and other revenues are water rates \$5,586,500 (2005- \$5,587,970), sewer rates \$5,192,535 (2005 - \$5,297,640), Valleyview resident fees of \$2,179,225 (2005 - \$2,116,500) and Geared-to-income housing rental fees of \$1,751,245 (2005 - 1,704,055).

8. EMPLOYEE BENEFITS PAYABLE

Employee future benefits are liabilities of the Corporation to its employees and early retirees for benefits earned but not taken as at December 31, 2006. Details are as follows:

		<u>2006</u>	<u>2005</u>
		<u>\$</u>	<u>\$</u>
Future payments required to WSIB	a)	2,015,552	1,895,105
Accumulated sick leave benefit plan entitlements	b)	779,990	737,298
Post employment and retirement benefits	c)	<u>3,498,957</u>	<u>3,364,994</u>
		<u>6,294,499</u>	<u>5,997,397</u>

a) Future payment required to WSIB

With respect to responsibilities under provisions of the Workplace Safety and Insurance Board Act, the city has elected to be treated as a Schedule 2 employer and remits payments to the WSIB as required to fund disability payments.

The benefit obligation continuity is as follows:

	<u>2006</u>	<u>2005</u>
	<u>\$</u>	<u>\$</u>
Accrued benefit obligation, January 1	2,392,693	1,782,004
Expense	361,472	349,794
Payment	(296,312)	(291,981)
Actuarial loss due to revaluation	<u>-</u>	<u>552,876</u>
Actual accrued benefit obligation	2,457,853	2,392,693
Less: unamortized actuarial loss (straight-line, ten years)	<u>(442,301)</u>	<u>(497,588)</u>
Accrued benefit obligation, December 31	<u>2,015,552</u>	<u>1,895,105</u>

THE CORPORATION OF THE CITY OF ST. THOMAS

**Notes to the Consolidated Financial Statements
Year Ended December 31, 2006**

8. EMPLOYEE BENEFITS PAYABLE (CONTINUED)

b) Liability for vested sick leave benefits

Under the sick leave benefit plan, unused sick leave can accumulate and employees may become entitled to a cash payment when they leave the Corporation's employment. The liability for these accumulated days, to the extent that they have vested and could be taken in cash by an employee on termination, death or retirement, amounted to \$779,990 (2005 - \$737,298) at the end of the year. An amount of \$43,383 (2005 - \$41,714) was paid to employees who left the Corporation's employment during the current year.

c) Post employment and retirement benefits

The Corporation provides certain employee medical and life insurance benefits on behalf of its retired and current employees.

Significant assumptions are as follows:

General Inflation	3.0%
Discount rate	6.0%
Rate of compensation increase	4.0%
Healthcare cost increase	5.0% - 10%
Dental cost increase	5.0%

The benefit obligation continuity is as follows:

	2006 \$	2005 \$
Accrued benefit obligation, January 1	3,364,994	3,233,229
Expense	339,018	323,405
Payment	(205,055)	(191,640)
Accrued benefit obligation, December 31	3,498,957	3,364,994
Amounts previously funded from current fund	(388,306)	(521,083)
Unfunded benefit obligation, December 31	<u>3,110,651</u>	<u>2,843,911</u>

9. PENSION AGREEMENTS

The Municipality makes contributions to the Ontario Municipal Employees Retirement Fund (OMERS), which is a multi-employer plan, on behalf of approximately 419 members of its staff. The Plan is a defined benefit plan which specifies the amount of the retirement benefit to be received by the employees based on the length of service and rates of pay.

The amount contributed to OMERS for 2006 was \$1,669,099 (2005 - \$1,412,938).

THE CORPORATION OF THE CITY OF ST. THOMAS

**Notes to the Consolidated Financial Statements
Year Ended December 31, 2006**

10. INVESTMENT IN ST. THOMAS HOLDING INC.

The City of St. Thomas owns 100% of St. Thomas Holding Inc. which in turn owns 100% of St. Thomas Energy Inc. and St. Thomas Energy Services Inc. As business enterprises of the City of St. Thomas, they are accounted for on a Modified Equity basis in these financial statements. The Corporations are the electricity distribution utilities for the city's residents. The following table provides condensed supplementary financial information for the Corporation for the year ended December 31:

	2006	2005
	\$	\$
Financial Position:		
Current assets	11,042,755	11,695,966
Capital assets	19,992,254	19,568,660
Deferred charges and other assets	<u>656,673</u>	<u>904,167</u>
Total assets	<u>31,691,682</u>	<u>32,168,793</u>
Current liabilities	7,088,596	8,103,274
Other long-term liabilities	<u>9,421,515</u>	<u>9,312,666</u>
Total Liabilities	<u>16,510,111</u>	<u>17,415,940</u>
Net Assets	<u>15,181,571</u>	<u>14,752,853</u>
Results of operations:		
Revenues	34,066,846	35,954,549
Operating expenses	<u>33,138,128</u>	<u>34,785,616</u>
Net income	<u>928,718</u>	<u>1,168,933</u>

Total dividends received in the year from St. Thomas Holding Inc. was \$500,000.

11. BUDGET FIGURES

The Council of the City of St. Thomas completes separate budget reviews for its operating and capital funds each year. The approved operating budget for 2006 has been reflected on the Schedule of Current Fund Activities, in addition, the budgets of all consolidated organizations have been included in the budget numbers presented. For capital spending, budgets are set for individual projects and funding for these activities is determined annually and made by transfers from reserve and reserve funds and by the application of applicable grants or other funds available to apply to capital projects. As many capital projects are carried out over one or more years, the annualized budget information on the Schedule of Capital Operations represents the budget portion of expenditures in the current year only.

THE CORPORATION OF THE CITY OF ST. THOMAS

**Notes to the Consolidated Financial Statements
Year Ended December 31, 2006**

12. DEFERRED REVENUE

A requirement of the PSAB recommendations is that obligatory reserve funds be reported as deferred revenue. This requirement is in place as provincial legislation restricts how these funds may be used and under certain circumstances these funds may possibly be refunded. The balances in the obligatory reserve funds of the City are summarized below:

	<u>2006</u>	<u>2005</u>
	<u>\$</u>	<u>\$</u>
Development Charges	8,215,337	6,808,385
Parkland	191,859	271,000
Parking	568	546
Federal and Provincial gas taxes	1,252,960	787,993
Other	<u>764,211</u>	<u>673,650</u>
	<u>10,424,935</u>	<u>8,541,574</u>

13. CONTINGENT LIABILITIES

As at December 31, 2006 certain legal actions are pending against the municipality. An estimate of any contingency cannot be made since the outcome of these matters is indeterminate at this time.

14. SOCIAL HOUSING ADMINISTRATION

On July 26, 2002 the Ministry of Municipal Affairs and Housing issued a letter of direction for the treatment of the debentures relating to the properties transferred to the Local Housing Corporations on January 1, 2001. As these debentures were unsecured and could not be transferred by the Province to the Local Housing Corporation or the Service Manager, the Ministry's position is not to treat these debentures as a liability of the Local Housing Corporation. Further, the Ministry will fund these debenture payments from Federal social housing funds. The outstanding debentures related to the housing corporation will continue to be disclosed in the notes to the financial statements as well as any debenture payments made on behalf of the corporation by the Ministry. As at December 31, 2006 the outstanding debentures totalled \$4,999,128 (2005, \$5,188,151) and \$535,009 in Ministry funding was applied to the debenture payment of \$535,009 paid in the year.

15. AMOUNTS TO BE RECOVERED

	<u>2006</u>	<u>2005</u>
	<u>\$</u>	<u>\$</u>
Employee future benefits	5,906,193	5,476,314
Interest on long-term liabilities	57,728	60,950
Net long term liabilities	<u>26,634,769</u>	<u>11,443,487</u>
	<u>32,598,690</u>	<u>16,980,751</u>

- 111 -

THE CORPORATION OF THE CITY OF ST. THOMAS

Notes to the Consolidated Financial Statements Year Ended December 31, 2006

16. RELATED PARTY TRANSACTIONS

During the year, the Municipality had business transactions with St. Thomas Energy Services Inc. (the Municipality's subsidiary). The Municipality has contracted St. Thomas Energy Services Inc. to provide billing and collection services for water and sewer user charges.

The particulars of these transactions and balances owing to the Municipality for the years ended December 31, was as follows:

	2006 \$	2005 \$
Transactions during the year:		
Purchase of services	<u>519,797</u>	<u>513,557</u>
Balances at end of year:		
Amounts due from St. Thomas Energy Services Inc	<u>1,699,718</u>	<u>1,657,690</u>

The above amount is included in accounts receivable on the balance sheet. In addition to the above transactions the City received interest payments totaling \$559,296 from St. Thomas Energy Inc. on its note receivable as disclosed in Note 2, and \$500,000 in dividend payments.

17. SUPPLEMENTARY INFORMATION:

	2006 \$	2005 \$
Current fund expenditures by object:		
Salaries, wages and employees benefits	32,427,646	31,084,413
Long-term debt interest expense	1,351,691	424,018
Materials	6,866,368	6,800,923
Contracted services	18,753,837	14,735,369
Rents and financial expenses	499,660	630,373
Transfer to others	<u>13,710,560</u>	<u>16,277,019</u>
	<u>73,609,762</u>	<u>69,952,115</u>

- 112 -

THE CORPORATION OF THE CITY OF ST. THOMAS

**Consolidated Schedule of Current Fund Operations
Year Ended December 31, 2006**

	Unaudited Budget 2006 \$	Actual 2006 \$	Actual 2005 \$
REVENUES			
Property taxation	33,233,000	33,649,339	32,237,518
Taxation from other governments	282,560	223,393	229,722
User charges and other revenues (Note 8)	19,668,980	19,542,383	18,429,052
Government grants	29,551,818	28,554,395	30,349,557
Contribution from developers	25,000	83,557	10,000
Investment income	1,356,199	2,309,719	1,354,029
Penalties and interest on taxes	325,000	430,689	419,883
Total Revenues	84,442,557	84,793,475	83,029,761
EXPENDITURES			
General government	4,731,701	4,380,501	4,344,541
Protection to persons and property	14,012,051	14,549,549	13,576,851
Transportation services	4,041,216	4,486,760	4,512,989
Environmental services	8,879,634	8,565,721	7,997,615
Health service	4,781,190	4,274,920	4,419,869
Social and family services	27,426,657	25,345,005	23,924,287
Social housing	6,320,021	6,123,395	6,156,859
Recreation and cultural services	4,923,286	4,925,378	4,194,605
Planning and development	965,917	958,533	824,499
Total Expenditures	76,081,673	73,609,762	69,952,115
NET REVENUES	8,360,884	11,183,713	13,077,646
FINANCING AND TRANSFERS			
Transfers to reserves and reserve funds	(10,801,180)	(10,920,763)	(9,809,737)
Transfers to capital fund	(350,000)	(350,000)	(350,000)
Employee benefits and other liabilities	426,657	426,657	413,363
Debt principal repayment	(1,808,718)	(1,808,718)	(1,149,103)
Net financing and transfers	(12,533,241)	(12,652,824)	(10,895,477)
CHANGE IN CURRENT FUND BALANCE	(4,172,357)	(1,469,111)	2,182,169
OPENING CURRENT FUND BALANCE	4,172,357	4,172,357	1,990,188
CLOSING CURRENT FUND BALANCE	-	2,703,246	4,172,357

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- 113 -

THE CORPORATION OF THE CITY OF ST. THOMAS

**Consolidated Schedule of Capital Fund Operations
Year Ended December 31, 2006**

	Unaudited Budget 2006 \$	Actual 2006 \$	Actual 2005 \$
REVENUES			
Government grants	255,000	1,540,102	123,842
Contribution from developers	1,283,255	1,646,688	566,178
Donations	-	1,311,742	-
User charges and other revenues	-	64,654	470,420
Total Revenues	<u>1,538,255</u>	<u>4,563,186</u>	<u>1,160,440</u>
EXPENDITURES			
General government	32,000	588,168	478,731
Protection to persons and property	1,043,183	1,601,402	562,315
Transportation services	3,672,000	2,745,044	1,855,208
Environmental services	4,071,000	1,921,631	3,236,140
Health Services	26,000	-	-
Social and family services	-	2,437,677	11,306,110
Social housing	350,000	365,888	364,649
Recreation and cultural services	358,000	1,069,418	8,299,199
Planning and development	180,000	62,178	55,684
Total Expenditures	<u>9,732,183</u>	<u>10,791,406</u>	<u>26,158,036</u>
NET EXPENDITURES	<u>(8,193,928)</u>	<u>(6,228,220)</u>	<u>(24,997,596)</u>
FINANCING AND TRANSFERS			
Transfers from reserves and reserve funds	10,004,129	9,034,809	7,676,221
Transfers from operating fund	350,000	350,000	350,000
Proceeds of long term debt	17,000,000	17,000,000	8,000,000
Net financing and transfers	<u>27,354,129</u>	<u>26,384,809</u>	<u>16,026,221</u>
CHANGE IN CAPITAL FUND BALANCE	19,160,201	20,156,589	(8,971,375)
OPENING CAPITAL FUND BALANCE	<u>(8,738,400)</u>	<u>(8,738,400)</u>	<u>232,975</u>
CLOSING CAPITAL FUND BALANCE	<u>10,421,801</u>	<u>11,418,189</u>	<u>(8,738,400)</u>

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-114-

THE CORPORATION OF THE CITY OF ST. THOMAS

**Consolidated Schedule of Reserves and Reserve Funds
Year Ended December 31, 2006**

	2006 <u>\$</u>	2005 <u>\$</u>
REVENUES		
Contribution from developers	99,850	238,974
Investment income	<u>187,829</u>	<u>49,027</u>
Net revenues	<u>287,679</u>	<u>288,001</u>
FINANCING AND TRANSFERS		
Transfers to capital fund	(9,034,809)	(7,676,221)
Transfer from current fund	<u>10,920,763</u>	<u>9,809,737</u>
Net transfers	<u>1,885,954</u>	<u>2,133,516</u>
CHANGE IN RESERVE AND RESERVE FUND BALANCES	2,173,633	2,421,517
OPENING RESERVE AND RESERVE FUND BALANCE	<u>8,408,153</u>	<u>5,986,636</u>
CLOSING RESERVE AND RESERVE FUND BALANCE	<u>10,581,786</u>	<u>8,408,153</u>
ANALYZED AS FOLLOWS:		
Reserves set aside for specific purposes by Council:		
- for working capital and contingencies	5,069,402	6,511,517
- for human resource issues	1,044,675	820,489
- for acquisition of capital assets		
general operations	334,891	379,609
sewer operations	1,984,572	(157,724)
water operations	<u>344,530</u>	<u>(566,435)</u>
Total reserves	<u>8,778,070</u>	<u>6,987,456</u>
Reserve funds set aside for specific purposes by Council and Joint Boards:		
- general operations	231	7,707
- water operations	1,783,003	1,351,346
- for human resource issues	<u>20,482</u>	<u>61,644</u>
Total reserve funds	<u>1,803,716</u>	<u>1,420,697</u>
TOTAL RESERVES AND RESERVE FUNDS	<u>10,581,786</u>	<u>8,408,153</u>

-115-



William A. Graham*
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450 Sunset Drive, St. Thomas, ON N5R 5V1
www.grahamscottenns.com

June 7, 2007

The Corporation of the City of St. Thomas
545 Talbot Street
St. Thomas Ontario
N5P 3V7

Dear Members of Council:

We have been engaged to audit the financial statements of The Corporation of the City of St. Thomas for the year ending December 31, 2006. Canadian generally accepted auditing standards require that we communicate the following information with you in relation to your audit.

Evaluation of Internal Controls

Audits include a review and evaluation of the system of internal controls to assist in determining the level of reliance that may or should be placed on the system in assessing the nature and extent of audit procedures to be undertaken.

During the course of our audit, we encountered the following specific internal control matters that we wish to bring to your attention:

We noted weaknesses in the corporations information technology disaster plan and back up tape storage. These weaknesses were immediately corrected by management after our discussions.

Significant Accounting Principles

Management is responsible for the appropriate selection and application of accounting policies. Our role is to re-view the appropriateness and application as part of our audit. The accounting policies used by The Corporation of the City of St. Thomas are described in Note [1], Summary of Significant Accounting policies, in the financial statements.

There were no new accounting policies adopted or changes to the application of accounting policies of The Corporation of the City of St. Thomas during the year.

Significant Unusual Transactions

We are not aware of any significant or unusual transactions entered into by The Corporation of the City of St. Thomas that you should be informed about.

- 116 -

Accounting Estimates

Management is responsible for the accounting estimates included in financial statements. Estimates and the related judgments and assumptions are based on management's knowledge of the business and past experience about current and future events.

Our responsibility as auditors is to obtain sufficient appropriate evidence to provide reasonable assurance that management's accounting estimates are reasonable within the context of the financial statements as a whole. An audit includes performing appropriate procedures to verify the:

- Calculation of accounting estimates;
- Analyzing of key factors such as underlying management assumptions;
- Materiality of estimates individually and in the aggregate in relation to the financial statements as a whole;
- Estimate's sensitivity to variation and deviation from historical patterns;
- Estimate's consistency with the entity's business plans; and
- Other audit evidence.

Disagreements with Management

We are required to communicate any disagreements with management, whether or not resolved, about matters that are individually or in aggregate significant to the Municipality's financial statements or auditor's report. Disagreements may arise over:

- Selection or application of accounting principles;
- Assumptions and related judgments for accounting estimates;
- Financial statement disclosures;
- Scope of the audit; or
- Wording of the auditor's report.

We are pleased to inform you that we had no disagreements with management during the course of our audit.

Consultation with Other Accountants (Second Opinions)

Management may consult with other accountants about auditing and accounting matters to obtain a "second opinion". When an entity requests that another accountant provide a written report or oral advice on the application of accounting principles to a specific transaction or the type of opinion that may be rendered on the entity's financial statements, we are required to ensure that the accountant has ensured that the reporting accountant has knowledge of all facts and circumstances and has conducted the engagement in accordance with Canadian generally accepted auditing standards on the Reports on the Application of Accounting Principles.

We are not aware of any consultations that have taken place with other accountants.

Issues Discussed

The auditor generally discusses among other matters, the application of accounting principles and auditing standards, and fees, etc. with management in during the initial or recurring appointment of the auditor during the normal course of business. There were no major issues discussed during our audit with regards to our retention that were not in the normal course of business.

-117-

Difficulties Encountered During the Audit

We encountered no significant difficulties during our audit that should be brought to the attention of the audit committee.

We shall be pleased to discuss with you further any matters mentioned above, at your convenience.

This communication is prepared solely for the information of the audit committee and is not intended for any other purpose. We accept no responsibility to a third party who uses this communication.

To ensure there is a clear understanding and record of the matters discussed, we ask that members of the audit committee sign their acknowledgement in the spaces provided below. Should any member of the audit committee wish to discuss or review any matter addressed in this letter or any other matters related to financial reporting, please do not hesitate to contact us at any time.

Yours truly,


GRAHAM • SCOTT • ENNS LLP




Robert Foster, C.A.
Partner

Acknowledgement of Council:

We have read and reviewed the above disclosures and understand and agree with the comments therein.

Per:  Title: CITY TREASURER Date: JUNE 12, 2007

Per:  Title: Manager of Accounting Date: June 12/07



Corporation of the
City of St. Thomas

-118-

Report No.

TR 28-07

File No.

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

Department: Treasury

Prepared By: William J. Day, City Treasurer

Meeting Date

June 18, 2007

Attachment:

Draft Agreement

Subject: **Agreement - Shawside Development**

Recommendation:

It is recommended that:

1. Council receive Report TR 28-07 as information
2. Council approve a by-law to authorize the Mayor and Clerk to execute and affix the Seal of the Corporation to an agreement between the City, the Municipality of Central Elgin and Shawside Development Limited.

Report:

Shawside Development Limited is proceeding with the development of Phase Two of the Shawside Lands located in the southwest section of the City. Services required in order to proceed with the development include sanitary sewage works, road reconstruction and a storm water management system.

The services will be constructed and financed by Shawside. Since the services will ultimately provide benefit to other developments in the area, a method of proportionate cost recovery is needed. Accordingly, an Agreement has been drafted for Council's consideration. The Agreement is between the City, the Municipality of Central Elgin and Shawside. The Municipality of Central Elgin is included since some of the lands benefiting from the services to be installed exist within their municipal boundary.

The services to be constructed and initially financed by Shawside are detailed in Schedule "D" of the attached draft Agreement. The pumping station, force main, road reconstruction and land costs are all included within the South Block Development Charges by-law and will be recovered from future development charges. Once collected by the City, the funds will be distributed to Shawside in accordance with the terms of the Agreement. The cost of the storm water management system will be apportioned between developers discharging storm water to the ponds and recovered through future subdivision development agreements. As the City collects these monies, they will be paid over to Shawside in order to allow them full recovery of their initial costs.

The Agreement is proposed to continue for a term of 20-years or less, depending upon the pace of development in the area and the time it takes for Shawside to have recovered their Initial costs.

Respectfully submitted,

William J. Day
Director of Finance and City Treasurer

-119-

THIS AGREEMENT made as of the day of , 2007

BETWEEN:

THE CORPORATION OF THE CITY OF ST. THOMAS,

(the "City")

- and -

THE CORPORATION OF THE MUNICIPALITY OF CENTRAL ELGIN,

("Central Elgin")

- and -

SHAWSIDE DEVELOPMENT LIMITED,

(the "Developer")

WHEREAS the Developer is the owner of certain lands located in the City of St. Thomas and more particularly described in Schedule "A" hereto (the "Shawside Lands");

AND WHEREAS pursuant to development approvals granted by the City to the Developer, the Developer developed Phase One of the Shawside Lands and is proceeding with the development of Phase Two of the Shawside Lands;

AND WHEREAS the Developer has covenanted, in a Subdivision Agreement executed in 2001 and registered on 29th November, 2001 as Instrument Number 40564 in the Land Titles Office for Elgin, No. 11, to construct certain of the Municipal Services hereinafter defined;

AND WHEREAS the Developer has agreed to construct certain further Municipal Services as hereinafter defined and is covenanting in a Subdivision Agreement with the City, (Shawside Phase II), to be executed concurrently, to "front end" the cost of certain services and to complete same in accordance with the requirements of the City;

AND WHEREAS to the extent that any of the said Municipal Services are located in the Municipality of Central Elgin, such services must be completed in accordance with the requirements of Central Elgin, acting reasonably;

AND WHEREAS certain other Municipal Capital Facilities and Services have been identified in a study by C.N. Watson and Associates Ltd. dated April 5, 2006, (the "C.N. Watson Study") which the City has caused to be completed under the *Development Charges Act, R.S.O. 1997, c. 27*, and said report relates to the provision of services for which there will be an increased need as a result of development and which will benefit both development lands and existing residences and other premises within the benefiting lands described in this Agreement as the Area 1 Benefiting Lands - City and the Area 2 Benefiting Lands - Central Elgin;

AND WHEREAS on or about the 21st day of November 2005, Central Elgin and the City entered into an agreement containing covenants by each of said municipalities and providing for acceptance of sanitary sewage from Central Elgin to the City's sewage collection system, including provisions for Growth Related Capital Charges and Reserves for Development Charges.

AND WHEREAS the Municipal Services described in the following Agreement will benefit certain lands within the geographic boundaries of the City of St. Thomas, which

lands are delineated in heavy dark outline on the map attached hereto as Schedule "B" (the "Area 1 Benefiting Lands - City");

AND WHEREAS in addition to the Area 1 Benefiting Lands - City, there are lands within the geographic boundaries of The Corporation of the Municipality of Central Elgin which will also benefit from the said Municipal Services, which lands are delineated in heavy dark outline on the map attached hereto as Schedule "C" (the "Area 2 Benefiting Lands - Central Elgin");

AND WHEREAS section 110 of the *Municipal Act*, 2001, as amended, provides that a municipality may enter into agreements with developers or with other municipalities for the provision of Municipal Capital Facilities, and the Municipal Services to be constructed by the Developer pursuant to this agreement are Municipal Capital Facilities under section 110 of the *Municipal Act* and *Ontario Regulation 46/94* as amended;

AND WHEREAS pursuant to the section 2 of the *Development Charges Act*, R.S.O., 1997, as amended, the City has enacted a by-law which imposes an area-specific Development Charge for the Municipal Services which are the subject of the following Agreement. The area-specific Development Charge for the Municipal Services hereinafter defined is imposed in City By-law 44-2006 which was enacted on the 18th day of April, 2006;

AND WHEREAS pursuant to said *Development Charges Act*, Central Elgin has in like manner enacted a by-law which, inter alia, imposes an area-specific Development Charge for Municipal Services including some of the herein defined Municipal Services within some of the areas defined in the Central Elgin by-law, being By-Law 887 of the Municipality of Central Elgin, enacted the 12th day of June, 2006;

AND WHEREAS, on or about April 6, 2006, the municipal Councils of the City and of Central Elgin received the aforesaid report from C.N. Watson & Associates Ltd. with respect to the Municipal Services for the Area 1 Benefiting Lands - City and the Area 2 Benefiting Lands - Central Elgin, which report established the financial plan and the costs associated with the construction of the subject Municipal Services and the allocations by which those costs are to be apportioned between the Area 1 Benefiting Lands - City and the Area 2 Benefiting Lands - Central Elgin;

AND WHEREAS the parties have agreed to certain matters as hereinafter set forth;

NOW THEREFORE in consideration of the mutual covenants contained herein and other good and valuable consideration, (the receipt and sufficiency of which are hereby acknowledged by each party hereto), the parties hereby covenant and agree with each other as follows:

1. DEFINITIONS

In this Agreement:

- 1.1 "Agreement" means this Agreement;
- 1.2 "Area 1 Benefiting Lands -City" means the area shown as Area 1 on Schedule "B" attached to this Agreement, being the area within the territorial limits of the City of St. Thomas that will receive a benefit from the Municipal Services described in Schedule "D" to this Agreement;
- 1.3 "Area 2 Benefiting Lands -Central Elgin" means the area shown as Area 2 on Schedule "C" attached to this Agreement, being the area within the territorial limits of the Municipality of Central Elgin that will receive a benefit from the Municipal Services described in Schedule "D" to this Agreement;
- 1.4 "Benefiting Owner" means any owner or developer of land within the Area 1 Benefiting Lands -City or within the Area 2 Benefiting Lands -Central Elgin;
- 1.5 "City By-Law" means City By-Law 44-2006, and such other By-Law(s) by which it may be amended, re-enacted or replaced from time to time;

- 1.6 "Central Elgin By-Law" means Municipality of Central Elgin By-Law 887 and such other By-Law(s) by which it may be amended, re-enacted or replaced from time to time;
- 1.7 "Development Charge" means charges imposed for the Recoverable Costs of those Municipal Services described in this Agreement, pursuant to the City By-Law with respect to the Area 1 Benefiting Lands-City, or pursuant to the Central Elgin By-Law with respect to the Area 2 Benefiting Lands - Central Elgin, and by respective successor by-laws pertaining to the same Municipal Services, as the case may be.
- 1.8 "Director" means the Director of Environmental Services and City Engineer of the City or such other person as he may designate from time to time;
- 1.9 "Municipal Services" means:
- (a) the Shaw Valley Pump Station and Force Main, including the Developer's land contribution;
 - (b) the Glenwood Street reconstruction to urban standard (as incorrectly identified in the C.N. Watson April, 2006 study and the City By-Law as "Lyndale Avenue/Glendale Avenue/Glenwood Drive"); and
 - (c) the storm water management system as constructed or to be constructed

which services are more particularly described and detailed in Schedule "D" hereto;

- 1.10 "Recoverable Costs" means the actual construction costs of the Municipal Services described in Schedule "D" and the reasonable costs for engineering costs and fees for designs, approvals, tendering, supervision, administration of the contracts for the work, advertising costs for the environmental assessment process, public notices and Ministry of Environment Certificates of Approval(s) required for the Municipal Services, all to the satisfaction of the Director, and as approved by Central Elgin with respect to those of the described Municipal Services that are located within the territorial limits of Central Elgin, plus interest at a rate which shall be the rate per annum which is the interest component factored into the C.N. Watson Study calculation of the Development Charge prescribed by the City By-Law and the Central Elgin By-Law;
- 1.11 "Unit" means a dwelling for "Residential Uses", either "Single", "Multiple", or "Semi-detached", a "Residential Care Dwelling" or a building or structure for "Non-Residential Use", including but not limited to "Commercial", "Industrial", or "Institutional" uses, all as defined in the City By-Law, or for property owners in Central Elgin, a Unit as defined by the Central Elgin By-Law, which Unit is:
- (a) existing as of the date of execution of this Agreement;
 - (b) within a proposed Plan of Subdivision or subsequently constructed within such Plan; or
 - (c) any other building or structure constructed or to be constructed

within the Area 1 Benefiting Lands - City, or within the Area 2 Benefiting Lands - Central Elgin,

2. GENERAL PROVISIONS

- 2.1 The recitals stated above are true and correct and form part of this Agreement.
- 2.2 Schedules "A", "B", "C", and "D" appended hereto form part of this Agreement.
- 2.3 The parties acknowledge that the Municipal Services set out in Schedule "D" hereto are to be or have been constructed by the Developer, and the Developer covenants to complete same and to do so in accordance with the provisions of the Shawside Block Plan Agreement, the Shawside Phase I Subdivision Agreement, and the Shawside Phase II Subdivision Agreement, all being agreements between Developer and the City, and subject to approval of Central

Elgin with respect to any part of the Municipal Services to be located within the territorial limits of Central Elgin.

- 2.4 The parties agree that the City will receive and accumulate the costs recovered as Development Charges, as respectively collected by the City and Central Elgin, and from the proceeds of those recoveries the City will be responsible for making such payments to the Developer as are collected under the City By-Law and the Central Elgin By-Law, (to the extent that such recoveries are for the Municipal Services described in this Agreement). For this purpose Central Elgin agrees to remit to the City on a quarterly basis, payable not more than thirty days after each quarter of the calendar year, all payments collected for the Recoverable Costs (as defined in this agreement) under the Central Elgin By-Law.

3. RECOVERABLE COSTS - MUNICIPAL SERVICES

- 3.1 Each Benefiting Owner shall pay part of the Recoverable Costs when such Benefiting Owner develops lands within the Area 1 Benefiting Lands - City, or within the Area 2 Benefiting Lands - Central Elgin.
- 3.2 Subject to collection of Development Charges, all in accordance with paragraph 3.4 below, the City shall pay to the Developer the Recoverable Costs in the manner described in the City By-law.
- 3.3 With respect to the stormwater management pond previously constructed by the Developer pursuant to the Mill Creek South Block Area Sub Watershed Study, the City agrees to require each Benefiting Owner who enters into a subdivision agreement with the City and who proposes to discharge stormwater to any stormwater management pond within Plan 11M-108, to pay to the City, on the execution of such an agreement, such amount as shall be determined by the Director, acting reasonably, but excluding any interest or other return on investment. In determining such amount, the Director shall have regard for:
- (a) the cost of the pond, which shall be the cost of said works as set out in Schedule "D" hereto;
 - (b) the area, if any, within the Benefiting Owner's subdivision discharging to the pond in relation to the area of the Developer's lands discharging to the stormwater management pond;
 - (c) the increase in the cost of the pond if the cost were indexed annually in the period between the time of completion of the construction of the pond and the date of the Director's determination based on the changes in the Statistics Canada Quarterly Construction Price Statistics; and
 - (d) such other matters as the Director thinks fit.
- 3.4 The City and Central Elgin agree to collect and to require each Benefiting Owner located within the territorial limits of the City or Central Elgin, respectively, to pay a portion of the Recoverable Costs in the amount and manner, and at the times, described below:
- (a) When any Benefiting Owner develops lands within the Area 1 Benefiting Lands- City, the City shall, at the time of execution of a Subdivision Agreement for any proposed Plan of Subdivision or at the time of issuance of the first building permit in any other development in the Area 1 Benefiting Land- City, collect an amount equal to the Sanitary Sewerage Services-PS (S2) and the Shaw Valley Dr. (S4) portion of the Development Charge and an amount equal to the Roads Services - Glendale Ave. (R1) portion of the Development Charge multiplied by the total number of Units within the said Plan of Subdivision or being created in such development.
 - (b) Central Elgin shall, upon the execution of a Subdivision Agreement for any proposed Plan of Subdivision or at the time of issuance of the first building permit in any other development

within the Area 2 Benefiting Lands -Central Elgin, collect an amount equal to the Sanitary Sewerage Services-PS (S2) and the Shaw Valley Dr. (S4) portion of the Development Charge multiplied by the total number of Units within the said Plan of Subdivision or being created in such development, and thereafter, in the manner provided in this Agreement, Central Elgin shall remit or transfer to the City all such amounts collected to pay for the Recoverable Costs described in this Agreement.

(c) With respect to a Unit within the Area 1 Benefiting Lands - City, that exists as of the date of the execution of this Agreement, the City shall, prior to the issuance of a sewer connection permit for connection of any such existing Unit to the municipal sanitary sewer system, collect an amount equal to the Sanitary Sewerage Services-PS (S2) and the Shaw Valley Dr. (S4) portion of the Development Charge.

(d) With respect to a Unit within the Area 2 Benefiting Lands -Central Elgin that exists as of the date of execution of this Agreement, Central Elgin shall, at the time of the issuance by Central Elgin of a sewer connection permit for connection of any such existing Unit to the municipal sanitary sewer system, collect an amount equal to the Sanitary Sewerage Services-PS (S2) and the Shaw Valley Dr. (S4) portion of the Development Charge, and thereafter, in the manner provided in this Agreement, Central Elgin shall remit or transfer to the City all such amounts collected to pay for the Recoverable Costs described in this Agreement.

3.5 The City shall place all money received by it pursuant to paragraph 3.3 hereof (stormwater pond services) in a reserve fund and, within 30 days of the end of each quarter of each calendar year, shall pay the Developer the amount received in such quarter, or shall pay such amount to others in accordance with any Direction received from the Developer prior to such payment.

3.6 The City shall pay all money received by it pursuant to paragraph 3.4 hereof to the Developer in the manner described in the City By-law, until such time as the Developer has been paid back all of the Recoverable Costs, (which amounts shall include the interest component of the Development Charge as provided under the background study to the City By-Law), or shall pay such amounts to others in accordance with any written direction received from the Developer prior to such payment. In the event that the City By-Law and /or the Central Elgin By-Law is amended, re-enacted or replaced, the City payments shall include interest at a rate not less than whichever of the following shall be the higher rate:

(a) the rate provided in the interest calculation component of the C.N. Watson background study to the City By-Law and the Central Elgin By-Law, (currently 5%) where respectively applicable, or provided in such subsequent professional study as may be commissioned for such purpose (which rate may be more or less than the current 5%); or

(b) the Canadian Chartered Bank-Administered Prime Business Lending Rate less 1.00%,

on the outstanding unrecovered balance of the actual construction costs of the Municipal Services, and the monies collected by the City together with such interest shall be paid to the Developer at the times and in the manner described in the City By-law. For clarity, the parties agree that the interest to be paid to the Developer pursuant to the herein paragraph is interest on the decreasing balance of the actual construction costs of the Municipal Services and not interest on the monies held in the reserve funds. Interest on the reserve funds shall not be paid to the Developer so long as the monies in the reserve funds are paid out in the manner set out in the City By-law.

3.7 Where the Developer is also a Benefiting Owner, (to the extent that the Developer may later develop lands within the Area 1 Benefiting Lands - City or the Area 2 Benefiting Lands - Central Elgin), such status as a Benefiting Owner

shall not prevent the Developer from being reimbursed for the Municipal Services detailed in this Agreement.

4. TERM

- 4.1 This Agreement shall commence on the date the Agreement is fully executed and shall continue for a term of twenty years from the date of commencement or until such earlier date as the Recoverable Costs have been paid in full to the Developer.
- 4.2 This Agreement shall continue in full force and effect despite any expiry or Appeal of the City By-Law or the Central Elgin By-Law or the enactment of any replacement or amending By-Law(s).

5. SUCCESSORS AND ASSIGNS

- 5.1 This Agreement shall be binding upon and enure to the benefit to the parties hereto and their respective successors and assigns;
- 5.2 The Agreement may be assigned by the Developer with the consent of the City and Central Elgin, which consents shall not be unreasonably withheld.

6. NOTICE

- 6.1 If notice is required to be given by any of the Parties to any of the other Parties hereto, such notice shall be sent by prepaid registered mail delivered to the Parties at the following addresses:

(a) the Developer -

Shawside Development Limited	-and-	Mandarin Creek Developments Ltd.
12 Costello Court		Suite 210, 95 Barber Greene Road
St. Thomas, Ontario		Don Mills, Ontario
N5R 6B8		M3C 3E9

(b) the City -

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

(c) Central Elgin -

The Corporation of the Municipality of Central Elgin
450 Sunset Drive
St. Thomas, Ontario
N5R 5V1

or to any such other addresses as the Party may notify the other Parties in writing, and any such notice mailed or delivered as provided shall be deemed good and sufficient notice under the terms of this Agreement.

7. INTERPRETATION

- 7.1 The headings are inserted for the convenience of reference only and shall not affect the construction or interpretation of this Agreement.

- 7.2 All references to sections and subsections, unless otherwise specified, are to paragraphs and subparagraphs of this Agreement.
- 7.3 In this Agreement, unless the context otherwise requires, words importing the singular include the plural and vice versa and that words according to gender include all genders;
- 7.4 References herein to any statute or any provision thereof include such statute or provision thereof as amended, or revised, re-enacted and/or consolidated from time to time and any successor statute thereto;
- 7.5 If any provision hereof is prohibited or unenforceable, such provision shall be deemed severable and shall not invalidate or render unenforceable the remainder of this Agreement;
- 7.6 No amendment, supplement, waiver or consent provided for the provisions of this Agreement shall be effected unless it is in writing and signed by the party against whom enforcement of the amendment, supplement, waiver or consent is sought;
- 7.7 Time shall be of the essence of this Agreement;
- 7.8 This Agreement constitutes the entire Agreement between the parties hereto with respect to the subject matter hereof and supersedes any prior Agreements, undertakings, declarations or representations, written or verbal, in respect thereof. This Agreement may be executed in multiple original counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

Executed this ____ day of _____, 2007)

SHAWSIDE DEVELOPMENT LIMITED

James M.S. Hennessey, President

Maurice Beaudry, Vice President

We have authority to bind the Corporation

Executed this ____ day of _____, 2007)

**THE CORPORATION OF THE
MUNICIPALITY OF CENTRAL ELGIN**

Sylvia Hofhuis, Mayor

Donald Leitch, Chief Administrative Officer

Executed this ____ day of _____, 2007)

**THE CORPORATION OF THE CITY OF
ST. THOMAS**

Clifford Barwick, Mayor

Wendell Graves, City Clerk

-126-

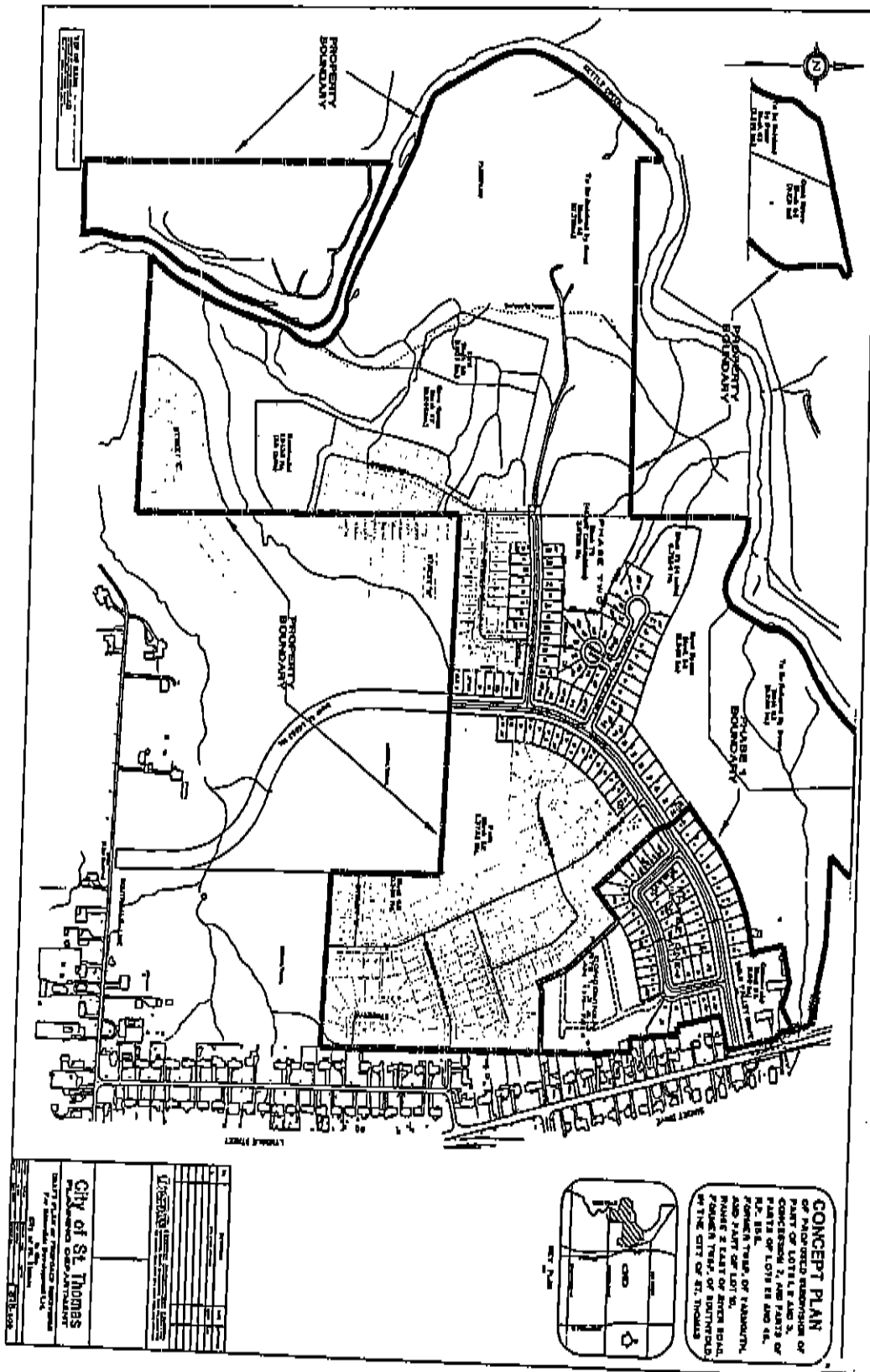
SCHEDULE A -
Legal Description of Shawside Lands

FIRSTLY:

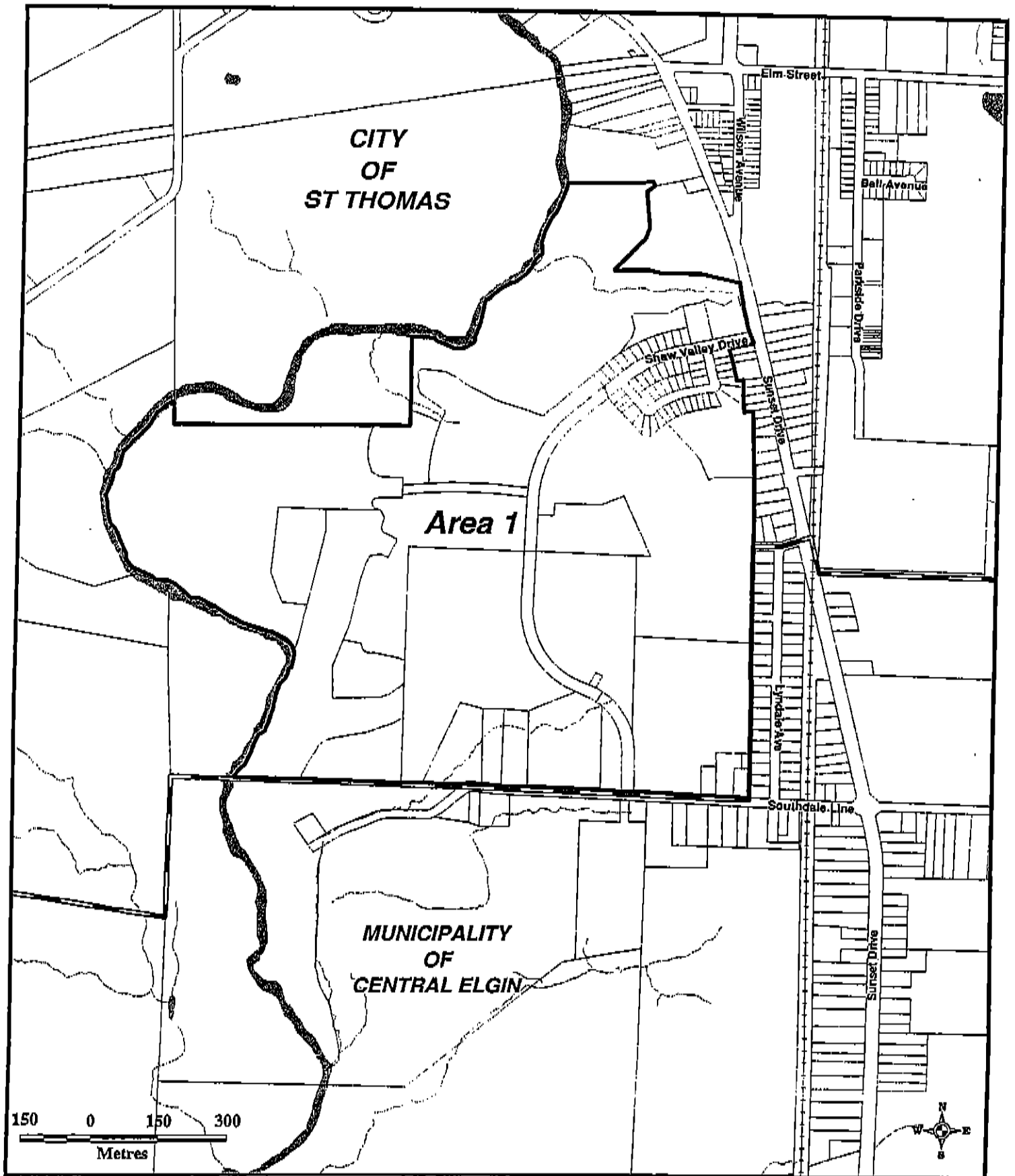
Part lots 26 and 46, Registered Plan 256 and Part of Lot 10, range 2, east of River Road, Geographic Township of Southwold and Part of Lots 1, 2 and 3, Concession 7, Geographic Township of Yarmouth and part of the road allowance between the Township of Yarmouth and part of the road allowance between the Townships of Southwold and Yarmouth, City of St. Thomas, County of Elgin, being Blocks 2, 3, 4, 5, 6, 7, 8, 9 and 10, Plan 11M-108.

SECONDLY:

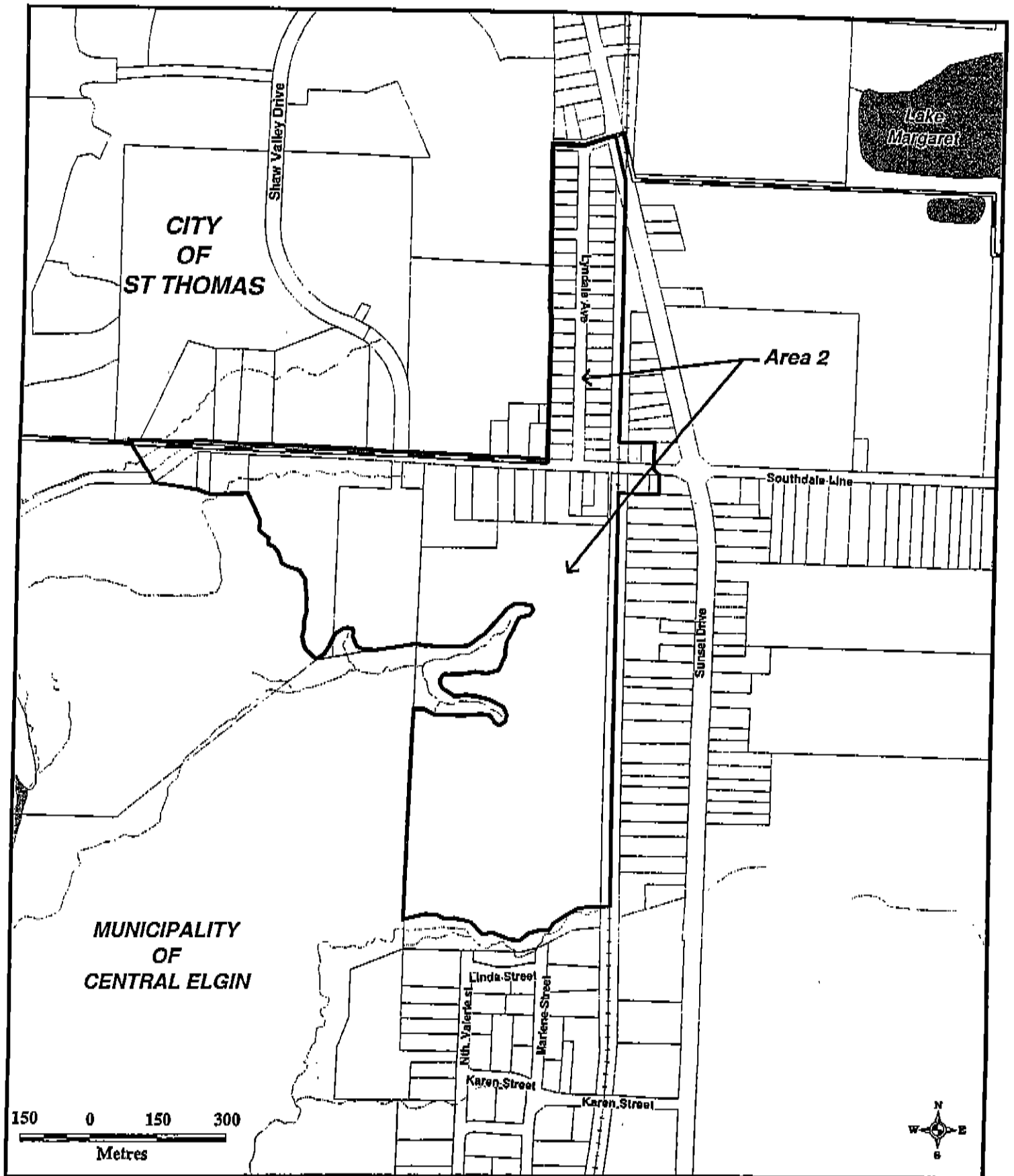
Part of Lot 1, Concession 7, Geographic Township of Yarmouth, County of Elgin, City of St. Thomas, as previously described in Instrument Number 99682.



SCHEDULE "B" **127-**
"Area 1 Benefiting Lands - City"



SCHEDULE "C" -128-
"Area 2 Benefiting Lands - Central Elgin"



-129-
SCHEDULE D -
Municipal Services

1. Sanitary Sewerage Services - Shaw Valley P.S. and Force Main

Cost of Works: \$633,673.00 - Pumping Station
 \$ 70,000.00 - Force Main
 \$ 105,550.95 - Engineering and Permits - 15%
 \$ 809,223.95

2. Roads - Glenwood Avenue - Reconstruction to Urban Standard

Cost of Works: \$126,500.00

3. Storm water Management System

Cost of Works: \$222,154.00 - Cost of Works done in 2002
 \$164,136.00 - Cost of Proposed Works
 \$386,290.00

4. Land Contribution from Developer

Cost of Contribution: \$78,500.00



Corporation of the
City of St. Thomas

-130-

Report No.

ES84-07

File No.

Directed to:

Chairman Terry Shackelton and Members of the
Finance and Administration Committee of Council

Date
June 12, 2007

Department:

Environmental Services

Prepared by:

John Dewancker, Director

Attachment

- Report by CN Watson & Assoc. and Earth Tech Canada Inc.
- Draft Water By-law

Subject:

Water Needs and Financial Study Update – Final Report

Recommendation:

- That report ES84-07 be received as information.
- That the final report of the Water Needs and Financial Study update attached to report ES84-07 to be approved.
- That the draft amended water by-law 44-2000, attached to report ES84-07, be submitted to Council for approval.
- That the new water rate be effective on October 1, 2007.

Origin:

During 2006, the City of St. Thomas retained the firm of CN Watson and Associates Economists in association with the Consulting Engineering firm of Earth Tech (Canada) Inc. to prepare an update of the Water Needs and Financial Study. A project steering committee with Membership of the City of St. Thomas, the Municipality of Central Elgin and the Township of Southwold was created to guide and oversee this study project. At this time, a final report and draft water by-law has been prepared for presentation at the Public Meeting of June 18, 2007.

Analysis:

The attached report provides an overview of the Study objectives.

Also, the water rate has been calculated in compliance with the provisions of the 2006 suburban water agreement between the City of St. Thomas and the Municipality of Central Elgin and which provides for the constituent components of the rate to be as follows:

- A common water rate to fund the operating cost of the entire St. Thomas and suburban area water distribution system including the capital needs of all watermains with a size equal or greater than 300mm.
- A St. Thomas Capital Charge rate to fund the capital needs of the St. Thomas Water mains with a size less than 300mm.
- A Central Elgin Capital Charge for the capital needs and reserve fund needs related to the components of the water distribution system that are located within the suburban areas of St. Thomas and that are being supplied with water from the St. Thomas Water Distribution System.. The Municipality of Central Elgin capital charge component of the water rate that will be payable by the suburban water customers will be confirmed by the Municipality of Central Elgin upon MCE finalizing a consolidated capital rate and water rate study for the entire municipality. Similarly, a capital charge for the capital needs of the suburban water distribution system that is located within the Township of Southwold would need to be confirmed upon the Township finalizing a consolidated capital water rate for the entire water distribution system within the Township of Southwold.

The attached final report format has been structured to comply with the provisions of the Sustainable Water and Sewage Systems Act and which requires that the Financial Plan for the provision of water services consists of a **Full Cost of Services Report** that identifies all needs (operating and capital) of the water supply system and a **Cost Recovery Plan** to establish the means by which the cost of the water provision will be funded.

The attached report also complies with the provisions of the Safe Drinking Water Act as it will serve as the Financial Plan that is to be prepared by each Owner of Water Works as one of five conditions that are to be met in order that the Municipality, in its capacity of Water Provider, may in the future, receive a Municipal Drinking Water License from the Ministry of the Environment.

The attached report is a comprehensive document that establishes all system needs and costs (operating and capital) based on an in depth review with the Environmental Services staff (operating and engineering), consulting engineering and financial planning staff. The final document provides the City with a long term implementation plan for the continued provision of service while maintaining the financial health of the water reserve. A capital plan for the rehabilitation and reconstruction of various

watermain works is also included in the report. (Appendix A4)

-131-

The cost recovery plan initially provided for a number of rate options (table 3-3) that reflect different financing requirements. These will be explained in the presentation by Mr. Andrew Grunda, Study Project Manager with CN Watson and Associates. Upon review by the project steering committee, Option 1A was selected for implementation of the water rate during the next 5 years.

Rate Schedule

The table below provides the water rate schedule that is being recommended for implementation during the next 5 years:

Metered Rates (\$/m3)

Water consumption by City user and for municipalities or persons outside of the City of St. Thomas connected to the Waterworks	2007	2008	2009	2010	2011
Blended Water Supply Rate	0.4180	0.4479	0.4776	0.5094	0.5434
Common Infrastructure Rate	0.2138	0.1966	0.1777	0.1567	0.1339
Subtotal – St. Thomas and Suburban Area Rate	0.6318	0.6445	0.6553	0.6661	0.6773
St. Thomas Capital Infrastructure Rate – applicable for Water consumption by City user only	0.2166	0.3312	0.3601	0.3755	0.3911
Note: the charge may increased where the actual Statistics Canada Non-Residential Construction Price Index is greater than 2.8%					
Total – City of St. Thomas Rate	0.8484	0.9757	1.0154	1.0416	1.0684

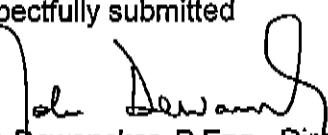
This table has been included in the attached draft water by-law. The monthly base charge expressed as a fixed cost per month for each water meter are proposed to be maintained and kept constant during the next 5 years.

It must be noted that the water rate is also dependent on the water supply rates as determined by the Elgin Area Primary Water Supply System and the St. Thomas Area Secondary Water Supply System. While a rate analysis and rate schedule has been completed and approved for the St. Thomas Area Secondary Water Supply System, a rate schedule for the Elgin Area Primary Water Supply System is currently being studied and reviewed.

It is recommended that, upon receipt of the approval by City Council of the attached Study report and by-law, the new water rate becomes effective on October 1, 2007.

Environmental Services Staff, Treasury Staff and consultant will be please to answer any questions Council and the Public at the Public Meeting of June 18, 2007.

Respectfully submitted


John Dewancker, P.Eng., Director
Environmental Services


B. Day, C.A.
Director of Finance and City Treasurer

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other

-132-

CITY OF ST. THOMAS

By-Law No. _____

A by-law to provide for the regulation of
Water Supply in the City of St. Thomas.

BY-LAW INDEX
Part 1
DEFINITIONS

1.1	Definitions
	Building - defined
	City - defined
	Contractor - defined
	Cross connection - defined
	Customer - defined
	Developer - defined
	Engineer - defined
	External use of water – defined
	Hydrant or Fire Hydrant - defined
	Main - defined
	Meter - defined
	Meter Pit - defined
	Municipal Address - defined
	Occupant - defined
	Owner - defined
	Plumbing System - defined
	Potable Water - defined
	Premises - defined
	Private Main - defined
	Remote Read-out Unit - defined
	Service Extension - defined
	Service Stub - defined
	Shut-off valve - defined
	Single Detached Residence - defined
	Subdivider - defined
	Water - defined
	Water Distribution System - defined
	Water Related Services - defined
	Water Service Pipe - defined
	Waterworks - defined

Part 2
APPLICATION FOR WATER SERVICE

2.1	Application and payment prior to installation
2.2	Installation - payment required
2.3	Disconnection of service - payment

Part 3
WATER RATES AND CHARGES

3.1	Application for Water supply
3.2	Water measured by Meters
3.3	Meter reading and billing
3.4	Late payment charge and overdue notice
3.5	Notice of disconnection
3.6	Collection - charge

- 3.7 Non-payment - Water shut off - lien
- 3.8 Reconnection - charge
- 3.9 Change of occupancy - charge
- 3.10 Temporary removal and reinstallation of Meter - charge
- 3.11 Minimum monthly charge - who payable by
- 3.12 Service installation charge
- 3.13 Temporary Water supply - application and charge
- 3.14 Meter testing charge

Part 4 SECURITY DEPOSITS

- 4.1 Deposit is security for payment
- 4.2 Deposit applied as payment

Part 5 OPERATION OF WATER SYSTEM

- 5.1 Conditions on Water supply
- 5.2 Authority for Water supply
- 5.3 Unauthorised operation of Fire Hydrants - offence
- 5.4 Unauthorized operation or interference - offence
- 5.5 Use of Water from hydrants
- 5.6 Improper use of Water from fire service - offence

Part 6 WATER SERVICES

- 6.1 Installation - by City - by Contractor
- 6.2 Installation - to City specifications
- 6.3 Connection to Main - prior application
- 6.4 Installation - alteration - approval by City
- 6.5 Installation inspection by City
- 6.6 Installation - access for inspection
- 6.7 Disconnection of service
- 6.8 Maintenance of Service Stub - City
- 6.9 Maintenance of Service Extension and Private Main - Owner
- 6.10 Operation of Shut-off valve
- 6.11 Access to Shut-off valves
- 6.12 Responsibility for protection, Water loss, damage
- 6.13 Responsibility - vacant and unheated Premises
- 6.14 Responsibility - Water damage
- 6.15 Responsibility for frozen pipes - City - Owner
- 6.16 Responsibility for hydrant maintenance
- 6.17 Renewal of service - City - Owner
- 6.18 Access - removal - inspection - fittings

Part 7 WATER METERS

- 7.1 Water to be metered - remedy for violation
- 7.2 Supply - installation - ownership - replacement
- 7.3 Installation - maintenance - repair - access
- 7.4 Notice required - access
- 7.5 No shut off - reasonable effort - gain access
- 7.6 Restoration of Water supply - as soon as practicable
- 7.7 Charges - Meters - Owner to pay
- 7.8 Every Building metered - Engineer's discretion
- 7.9 Installation to City Specifications

- 7.10 Meter location - Engineer to consent to change
- 7.11 Private Meters - Owner responsible
- 7.12 Reading Meter - access
- 7.13 Valve maintenance - responsibility of Owner
- 7.14 Leaks must be reported
- 7.15 Interference with Meter not permitted
- 7.16 Owner responsible to repair piping
- 7.17 Non-functioning Meter - amount of Water estimated
- 7.18 Meter testing for Customer - deposit - conditions
- 7.19 Meter reading supersedes remote device reading

Part 8
CROSS CONNECTIONS AND BACKFLOW PREVENTION

- 8.1 Foreign substances not to enter Water
- 8.2 Inspection for Cross Connections - access
- 8.3 Access to be provided on written notice
- 8.4 Order to install control device
- 8.5 Failure to install - notice - Water shut-off
- 8.6 Additional device on service
- 8.7 Installation to City specification
- 8.8 Inspection and testing - paid by Customer
- 8.9 Failure to test device - notification - Water shut-off
- 8.10 Repair - replacement - by Customer
- 8.11 Removal of device - permission by City

Part 9
PROHIBITIONS

- 9.1 Prohibitions under this by-law

Part 10
ENFORCEMENT

- 10.1 Fine - for contravention
- 10.2 Continuation - repetition - prohibited - by order
- 10.3 Offence - additional - damage to Waterworks
- 10.4 Offence - additional - wilful damage
- 10.5 Offence - additional - injuring Waterworks

Part 11
EFFECTIVE DATE

- 11.1 Effective date

Schedule "A"
WATER BY-LAW SCHEDULE OF RATES AND CHARGES, 2007-2011

WHEREAS s.11(4) of the Municipal Act, 2001, S.O. 2001, c.25 (the "Act") provides that a single tier municipality may pass bylaws respecting water distribution;

AND WHEREAS s. 9 of the "Act" provides as follows:

(1) That sections 8 and 11 (of the "Act") shall be interpreted broadly so as to confer broad authority on municipalities,

- a) to enable them to govern their affairs as they consider appropriate; and
- b) to enhance their ability to respond to municipal issues.

(2) That in the event of ambiguity in section 8 and 11 (of the "Act"), those sections shall be interpreted broadly to include, rather than exclude, municipal powers that existed on December 31, 2002

(3) That without limited the generality of subsections (1) and (2), a by-law under section 11 (of the "Act") respecting any matter may,

- a) regulate or prohibit respecting the matter; and
- b) as part of the power to regulate or prohibit respecting the matter, require persons to do things respecting the matter, provide for a system of licences, permits, approvals or registrations respecting the matter and impose conditions as a requirement of obtaining, continuing to hold or renewing a licence, permit, approval or registration;

AND WHEREAS section 78 through 90 of the "Act" include provisions pertinent to a water public utility provided by a municipality;

AND WHEREAS the Council of the Corporation of the City of St. Thomas wishes to regulate the time, manner, extent and nature of the supply of water, the building or person to which and to whom the water shall be furnished and the price to be paid thereof and every other matter or thing related to or connected therewith that it may be necessary or proper to regulate, in order to secure to the inhabitants of the municipality a continued and abundant supply of pure and wholesome water and to prevent the practicing of frauds upon the City with regard to the water so supplied and for providing that for a contravention of any such by-law the offender is guilty of an offence;

THEREFORE the Municipal Council of The Corporation of the City of St. Thomas enacts as follows:

Part 1 DEFINITIONS

1.1 Definitions

In this by-law:

Building - defined

"Building" shall mean a structure supplied with Water by the City of St. Thomas.

City - defined

"City" shall mean The Corporation of the City of St. Thomas.

Contractor - defined

"Contractor" shall mean a person, partnership, or corporation who contracts to undertake the execution of work commissioned by the Owner or the City to install or maintain Mains, service Mains, services, hydrants and other appurtenances.

Cross Connection - defined

"Cross Connection" shall mean any actual or potential connection between the potable water supply and non-potable or potentially non-potable systems, and any temporary, permanent or potential Water connection that may allow backflow of contaminants, pollutants, infectious agents, other material or substance that will change the Water quality in the Waterworks distribution system and includes swivel or changeover devices, removable sections, jumper connections and bypass arrangements.

Customer - defined

"Customer" shall mean any person who enters into a verbal or written contract with the City to take Water from the City or to receive Water Related Services from the City.

Developer - defined

"Developer" shall mean the Owner or party specifically named in a Development Agreement or in a Subdivision Agreement.

Engineer - defined

"Engineer" shall mean the Director of Environmental Service and City Engineer for the City of St. Thomas or the City Engineer's authorized representative.

External use of Water - defined

"External use of Water" shall mean the use of Water for any purpose outside the walls of any Building located at a Municipal Address.

Hydrant and Fire Hydrant - defined

"Hydrant" and "Fire Hydrant" means fire plugs or stand pipes to be installed for the use of municipal fire departments or any other City department.

Main - defined

"Main" shall mean every Water pipe, except services and portions of Private Mains as herein defined, installed on the public road allowance or on any other land upon which the City has obtained easements.

Meter - defined

"Meter" shall mean the Water Meter supplied and owned by the City to measure the quantity of Water used by the Customer and includes the wiring and dials for remote reading.

Meter Pit - defined

"Meter Pit" shall mean any exterior chamber or pit approved by the Engineer for the purpose of containing a Water Meter.

Municipal Address - defined

"Municipal Address" shall mean a Building or Buildings identified by a number pursuant to City of St. Thomas By-Law 147-95, as amended, or as provided for in any successor by-law thereto.

Occupant - defined

"Occupant" shall include any lessee, tenant, Owner, the agent of a lessee, tenant or Owner, or any person in possession of Premises.

Owner - defined

"Owner" shall include any person who or any firm or corporation that is the registered Owner of the property under consideration or any agent thereof, a person entitled to a limited estate in land, a trustee in whom land is vested, a committee of the estate of a mentally incompetent person, an executor, an administrator and a guardian of property.

Plumbing System - defined

"Plumbing System" shall mean the system of connected piping, fittings, valves, equipment, fixtures and appurtenances contained in plumbing that begins, is located and is connected immediately after the meter.

Potable Water - defined

"Potable Water" shall mean Water that is fit for human consumption.

Premises - defined

"Premises" shall mean any house, tenement, Building, lot, or part of a lot, or both, in, through, or past which Water Service Pipes run.

Private Main - defined

"Private Main" shall mean a pipe connected to a Main and installed on private property and from which more than one service and/or hydrant lateral are connected.

Remote Read-Out Unit - defined

"Remote Read-out Unit" shall mean the device installed at a separate location from the Water Meter and used to record the consumption reading of the Meter.

Service Extension - defined

"Service Extension" shall mean the portion of a Water Service Pipe from the property line to the Meter location, or for a fire service to the inside of the exterior wall of a structure, ie. an extension of a Service Stub.

Service Stub - defined

"Service Stub" shall mean the portion of a Water Service Pipe from a Main to the property line, which will always include one control valve.

Shut-Off Valve - defined

"Shut-off Valve" shall mean the valve on the Water service or Private Main owned and used by the City to shut off or turn on the Water supply from the City's Waterworks distribution system to any Premises.

Single Detached Residence - defined

"Single Detached Residence" shall mean a single dwelling, which is freestanding, separate and detached from other Main Buildings or Main structures, including a split-level dwelling, but does not include a mobile home.

-137-

Subdivider - defined

"Subdivider" shall mean the Owner or party specifically named in a Subdivision Agreement.

Water - defined

"Water" shall mean Potable Water supplied by the City.

Water Distribution System - defined

"Water Distribution System" shall mean Mains with connections to feeder Mains, feeder Mains within subdivision lands, Private Mains, services, Fire Hydrants, and Shut-off valves and all other appurtenances thereto.

Water Related Services - defined

"Water Related Services" shall include but not be limited to those items set out under the heading "Miscellaneous Charges" in Schedule "A" of this by-law.

Water Service Pipe - defined

"Water Service Pipe" shall mean the pipe and fittings that convey Potable Water from a connection on a Main or Private Main to the Meter location, or, for a fire service, to the inside of the exterior wall of a structure.

Waterworks - defined

"Waterworks" shall mean any works for the collection, production, treatment, storage, supply and distribution of Water, or any part of any such works, but does not include plumbing to which the *Building Code Act, 1997* applies, or any amendments thereto apply.

Part 2

APPLICATION FOR WATER SERVICE

2.1 Application and payment prior to installation

The Owner or their agent shall apply to the City for a Water service and before the service is installed, shall pay for it at the rates shown in Schedule "A" of this by-law or on such other basis as the Engineer may at any time or from time to time determine.

2.2 Installation - payment required

The installation of the Water service will not be scheduled or commenced in any way until the application and payment have been made.

2.3 Disconnection of service - payment

When an Owner discontinues the use of a Water service for Water supply to a Premise, the Owner shall pay to the City a charge as shown in Schedule "A" of this by-law for disconnecting the Meter for such service from the Water Distribution System.

Part 3

WATER RATES AND CHARGES

3.1 Application for Water supply

Before the initial supply of Water or any subsequent reconnection to any Premises in the City, the Owner shall make application for the same, and the Owner shall be governed by the requirements of this by-law.

3.2 Rates for Water measured by Meters

The Water consumed on all Premises in the City and for municipalities or persons outside of the City of St. Thomas connected to the Waterworks shall be charged for as indicated by the Meter on each respective property at rates shown in Schedule "A" of this by-law.

3.3 Meter reading and billing

Water Meters may be read and accounts may be rendered monthly, bi-monthly or on any other basis at the discretion of the City. The bill shall be deemed to be served upon the Customer if it is delivered or sent by mail to the Premises supplied.

3.4 Late payment charge and overdue notice

When an account is not paid by the due date stated on the bill, a late payment charge, as shown in Schedule "A" of this by-law, will be assessed to the account and, not less than seven (7) days after that date, an overdue notice will be sent by mail reminding the Customer of the outstanding account.

3.5 Notice of disconnection

Not less than fourteen (14) days after the overdue notice is mailed, should the account remain unpaid, the Engineer will deliver or cause to be delivered a notice of discontinuation to the service address, advising the Customer that unless payment is received within 48 hours, service will be disconnected.

3.6 Collection - charge

When it has been necessary for a notice of disconnection to be delivered as set out in section 3.5 of this Part of this by-law, a collection charge shall be applied to the outstanding account. Where two (2) consecutive billings have resulted in the need for such notice of disconnection to be delivered in as described herein, then a collection charge shall be applied for each occurrence. The rates for collection charges are shown in Schedule "A" of this by-law.

3.7 Non-payment - Water shut off - lien

If the Customer at any Premises omits, neglects or refuses to pay any bill rendered, whether for Water Service Pipes, Meter, service charge or any other monies to which the City may be entitled in respect of Water services to such Premises, the City may, at its discretion, shut off or reduce the flow of the Water to the Premises. Such charges shall remain a lien on the property where they have been incurred by the Owner of the property and may be collected in accordance with the procedures permitted by section 398 of the "Act" and Ontario Regulation 440/02 under the "Act".

3.8 Reconnection - charge

Where it has been necessary to discontinue service as a result of non-payment, a reconnection charge as shown in Schedule "A" of this by-law, will be levied against the delinquent account, in addition to the applicable collection charge.

3.10 Change of occupancy - charge

At the time of a change of occupancy, an administrative charge as shown in Schedule "A" of this by-law will be levied by the City to the new Customer to cover the cost of administrative work, and the said charge will be included on the first billing to the new Customer.

3.11 Temporary removal & reinstallation of Meter - charge

When the Owner requests a temporary removal of the Water Meter from their Premises, for any reason, the Meter removal and reinstallation charge, as shown in Schedule "A" of this by-law will be applied to their account.

3.12 Monthly base charge - who payable by

The monthly base charge, as shown in Schedule "A" of this By-law, for providing and maintaining Water supply to a property is applicable for every Water Meter owned and read by the City. In instances when the Occupant of a Premises terminates his account with the City, subsequent monthly base charges shall be rendered to the Owner of the Premises until such time as a new Occupant applies to the City for the supply of Water.

3.13 Service installation charge

All Water Service Pipes, except those to lands being developed under a City development or subdivision agreement wherein the Main is installed, may be installed on an actual cost basis at the Owner's expense.

3.14 Temporary Water supply - application and charge

Where a Customer requires a temporary Water supply to fill a swimming pool or for other use, such Customer shall apply to the City for a connection to a Fire Hydrant. If the connection is approved and an agreement signed, the Customer shall pay, prior to connection or when billed, the applicable charge shown in Schedule "A" of this by-law.

3.15 Meter testing charge

The charge for testing the accuracy of a Water Meter is as shown in Schedule "A" of this by-law and is explained in section 7.18 of Part 7 of this by-law.

Part 4
SECURITY DEPOSITS

4.1 Deposit is security for payment

Whenever an application is made to the City for a supply of Water, the City may, in its discretion, before furnishing such supply, require the Customer to make a deposit of such sum of money as it may consider advisable as shown in Schedule "A" of this by-law. Each such deposit shall be security for payment for all Water passing through the Meter of the service in respect to which such deposit was made until the Customer shall have notified the City in writing to discontinue such service.

4.2 Deposit applied as payment

Where a deposit has been made pursuant to section 4.1 of this Part of this by-law, and the Water supplied to the Customer has not been paid for on demand as may be provided by the City's by-laws and regulations, then the deposit, or as much of it as shall be necessary, shall be applied in payment for such Water, and the Water service shall be discontinued until further monies have been paid to the City sufficient to again bring up the deposit to the amount required.

-139-
Part 5
OPERATION OF WATERWORKS

5.1 Conditions on Water supply

The City agrees to use reasonable diligence in providing a regular and uninterrupted supply and quality of Water, but does not guarantee a constant service or the maintenance of unvaried pressure or quality or supply of Water and is not liable for damages to the Customer caused by the breaking of any Water Service Pipe or attachment, or for shutting off of Water to repair or to tap Mains, if reasonable notice of the intention to shut off the Water is given.

5.2 Authority for Water Supply

The City in its own right shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all Waterworks plant and equipment within its boundaries serving the City of St. Thomas to establish whether and the terms upon which municipalities or persons outside the City of St. Thomas may be allowed to connect to the said Waterworks as consumers, and the rates to be charged for Water delivered to such consumers; and the City of St. Thomas, as administering municipality of the secondary system for the Water Supply Systems, shall have the sole responsibility, authority, power and capacity to construct, maintain and operate all Waterworks plant and equipment in conjunction with this system to establish whether and the terms upon which municipalities or persons outside the City of St. Thomas may be allowed to connect to the said Waterworks as consumers, and the rates to be charged for Water delivered to such consumers.

5.3 Unauthorized operation of Fire Hydrants - offence

No person other than a person authorized by the Engineer for that purpose shall be permitted to open or otherwise interfere with or operate or take Water from any Fire Hydrant, and this includes any Fire Hydrant located within private property.

5.4 Unauthorized operation or interference - offence

No person other than a person authorized by the Engineer for that purpose shall open or close a valve in the Waterworks or the Water Distribution System, or remove, tamper with or in any way interfere with any valve, Water Meter, structure, Watermain or Water service in the Waterworks or Water Distribution System.

5.5 Use of Water from hydrants

Except for Water used for fire fighting, the Engineer must approve any use of a City's or private Fire Hydrant for Water supply. The method of application and payment shall be according to section 3.14 of Part 3 of this by-law. The terms and conditions required for granting the permit shall be at the discretion of the City and may be changed from time to time, as the City deems necessary.

5.6 Improper use of Water from fire service - offence

Any Water supplied or made available for any Premises for purposes of protection of property or persons from fire or for preventing fires or the spreading of fires shall not be used for any other purpose.

Part 6
WATER SERVICE PIPES

6.1 Installation - by City - by Contractor

All Water Service Pipes shall be installed by the City or by Contractors engaged by the Owner for the purposes of such installation, except in new land development projects where agreements with the City require the Developer or Subdivider to complete such work.

6.2 Installation - to City specifications

All Water Service Pipes and Private Mains located within City property shall be constructed according to the City's standard specifications and drawings (hereinafter called "standard contract documents"), as approved by the Engineer from time to time. All Water Service Pipes and Private Mains located on private property shall be constructed in accordance with the Ontario Building Code as revised from time to time and in accordance with good engineering practices and shall be approved by the Chief Building Official. Where the Ontario Building Code is silent, the City's specifications shall be applied and shall prevail.

6.3 Connection to Main - prior application

The installation of the Water Service Pipe connection will not be scheduled or commenced in any way until the Customer has met the requirements of this by-law.

6.4 Installation - alteration - approval by City

For any new Water Service Pipe or Private Main installation, or alteration of existing Water Service Pipes or Private Mains, the Owner must apply for approval from the City for such work as specified in the City's standard contract documents and the City's specifications.

6.5 Installation inspection by City

All Water Service Pipes and appurtenances installed, including those required by a City Subdivision or Development Agreement, must be inspected by the City as specified in the City's standard

contract documents and the City's specifications, the charge for which inspection is as specified in Schedule "A" of this by-law.

6.6 Installation - access for inspection

The City and persons authorized by the City for inspection shall be, at all times, entitled to enter any Premises for the purposes of examining pipes, connections and fixtures which are used in connection with the Water Service Pipe and/or service Main.

6.7 Disconnection of service

At the discretion of the Engineer, and where applicable, the Water Service Pipe must be disconnected at the watermain, the watermain plugged, and the curb box and rod removed at the Owner's expense. All work must be inspected by the City of St. Thomas, and the charge for such inspection is as shown in Schedule "A" of this by-law.

6.8 Maintenance of Service Stub - City

The City at the City's expense shall maintain the Water Service Stub.

6.9 Maintenance of Service Extension and Private Main - Owner

The Owner of the property being serviced shall repair any and all defects to the Water Service Extension, Private Main and Meter Pits. Should the City become aware of any such defect, and upon written notification to the Owner, the said defect is not repaired, within seven (7) days of the date of the notification or within such time as the Engineer may deem necessary, then the City may turn off the Water supply to the property. If the City is ordered to restore the Water supply, then the City may repair the defective Water Service Pipe and charge the cost to the Owner and collect such cost according to law, and until paid, such cost shall remain a lien on such property, and may also be collected in the like manner as taxes. The City shall not be held responsible for the cost of restoration.

6.10 Operation of Shut-off Valve

No person, other than persons authorized by the Engineer for that purpose shall be permitted to operate the Shut-off Valve to any Premises.

6.11 Access to Shut-off Valves

All Shut-off Valves must be left clear and accessible at all times so that the Water in the Water Service Pipe and Private Mains may be turned off or on as may be found necessary by the Engineer.

6.12 Responsibility for protection, Water loss, damage

All Water Service Extensions to and including the Meter shall be properly protected from frost and any other damage all at the expense and risk of the Owner of the property being serviced. The Owner shall be responsible for the Water loss occasioned by a leak in the Water Service Extension and/or Private Main and the charge for such Water loss shall be determined by the Engineer, shall be paid by the Owner upon demand by the City, and the City shall not be held responsible for any damages arising from such leakage.

6.13 Responsibility - vacant and unheated Premises

When any Premises is left vacant or without heat, it is the Owner's responsibility to shut off the Water supply from within the Premises and to drain the piping therein. The Owner or Occupant may apply in writing to the City to have the Shut-off Valve turned off to stop Water supply. The Shut-off Valve will be turned on only at the Owner's request and in the Owner's presence. The Owner shall pay for this service at the rate shown in Schedule "A" of this by-law.

6.14 Responsibility - Water damage

When any Premises left vacant, unattended or without heat, where the Water supply has not been shut off, suffers damage to it and its contents from a leaking or burst water pipe, the Owner or the Occupant shall have no claim against the City. Should the Engineer become aware of such leaking or burst pipes, the Engineer shall turn off the Shut-off Valve, and the Water supply shall not be turned on until the Engineer, in his/her discretion, shall consider it advisable.

6.15 Responsibility for frozen pipes - City - Owner

Thawing out frozen Water Service Stubs shall be the City's responsibility. Thawing out frozen Service Extensions and Private Mains shall be the Owner's responsibility. Where any employee of the City assists the Owner in the thawing of frozen pipes on the Owner's property, all such assistance work will be considered to be at the Owner's risk, and the Owner shall have no claim against the City by reason of such work.

6.16 Responsibility for Hydrant Maintenance

Any Hydrant situated within the road allowance is the property of the City and shall be maintained by it; City-owned Hydrants located on private property shall be maintained by the City. Hydrants owned and paid for by any persons other than the City shall be maintained by such persons through a written agreement with the City.

6.17 Renewal of service - City - Owner

The City shall renew Service Stubs on public property at its expense and to its specifications when:

- (a) piping is deemed by the Engineer to be beyond repair;
- (b) the existing pipe material is lead and supplies a Single Detached Residence provided the Owner is prepared to replace the Service Extension before the City replaces the Service Stub. Replacement piping shall conform to the specifications of the City. Replacement pipe shall be the same size as existing or the minimum size for the area. If an Owner requests a larger size, the Owner shall pay the difference in material cost.

6.18 Access - removal - inspection - fittings

Where a consumer discontinues the use of the Water service, or the City lawfully refuses to continue any longer to supply it, the Engineer may, at all reasonable times, enter the Premises in or upon which the consumer was supplied with the Water service, for the purpose of cutting off the supply of the Water service or of making an inspection from time to time to determine whether the Water service has been or is being unlawfully used or for the purpose of removing therefrom any fittings, machines, apparatus, Meters, pipes or other things being the property of the City in or upon the Premises, and may remove the same therefrom, doing no unnecessary damage.

Part 7
WATER METERS

7.1 Water to be metered - remedy for violation

All Water used on Premises within the City of St. Thomas, except Water used for fire fighting purposes, or Water authorized by the Engineer, for construction or other purposes, shall pass through the Meter supplied by the City for use upon such Premises, and in addition to whatever other remedies the City may have by law in respect to infringement of this by-law, the City may, upon ascertaining that Water has been used which has not passed through the Meter of such Premises, forthwith, without notice, shut off and stop the supply of Water.

7.2 Supply - installation - ownership - replacement

The Owner shall pay the refundable security deposit shown in Schedule "A" of this by-law before the City will supply the Owner with a Water Meter and the Water Meter must be installed prior to occupancy of the Building. The Water Meter shall be installed by the Owner but shall remain the exclusive property of the City and may be removed as and when the City may see fit, upon the same being replaced by another Water Meter, or for any reason, which the City may, in its discretion, deem sufficient. If a satisfactory final inspection of the Water Meter and service installation has not been conducted by the City within 6 months of the City supplying the Water Meter, then the deposit as shown in Schedule "A" shall be forfeited. It is the responsibility of the Owner to arrange to have a satisfactory final inspection upon completion of the Water Meter and Water service installation. Initial inspections conducted by the City will be completed at no charge to the Owner; all subsequent inspections, if required, will cost the Owner the amount shown in Schedule "A".

7.3 Installation - maintenance - repair - access

The City may shut off or restrict the supply of Water to a property if the City requires access to the property to install, replace, repair or inspect a Water Meter. Any person authorized by the City for that purpose has free access, at all reasonable times, and upon notice given as set out in section 7.4 of this by-law, to all parts of every Building or other Premises to which any Water service is supplied for the purpose of inspecting or repairing, or of altering or disconnecting, within or without the Building, or for placing Meters upon any Water Service Pipe or connection within or without the Building as he/she considers expedient and for that purpose or for the purpose of protecting or regulating the use of the Meter, may set it or alter the position of it.

7.4 Notice required - access

Before shutting off or restricting the supply of Water, the City shall,

- (a) by personal service or by registered mail, serve the Owners and Occupants of the property as shown on the last returned assessment roll of the municipality with a notice of the date upon which the City intends to shut off or restrict the supply of Water if access to the property is not obtained before that date;
- (b) ensure that a copy of the notice described in clause (a) is securely attached to the property in a conspicuous place.

7.5 No shut off - reasonable effort - gain access

The City shall not shut off or restrict the supply of Water unless it has made reasonable efforts to get access to the property and has been unable to get access within fourteen (14) days after the later of,

- (a) the day the last notice under part (a) of section 7.4 of this by-law

- was personally served;
- (b) the day the last notice under part (a) of section 7.4 of this by-law was mailed; and
 - (c) the day a copy of the notice was attached under part (b) of section 7.4 of this by-law.

7.6 Restoration of Water supply - as soon as practicable

If the City has shut off or restricted the supply of Water under section 7.3 of this by-law, the City shall restore the supply of Water as soon as practicable after obtaining access to the property.

7.7 Charges - Meters - Owner to pay

All charges for any of the work and services mentioned in sections 7.3 and 7.6 of this by-law will be determined by the Engineer but shall not exceed the amounts set out in Schedule "A" of this by-law and will be paid in full by the Owner or the Customer, as the case may.

7.8 Every Building metered - Engineer's discretion

Every separate Building, and in the instances of Buildings with multi unit, then every separate unit, to which Water is being supplied shall be furnished with a separate Water Meter, supplied by the City except where non-compliance is acceptable to the Engineer. Additional Water Meters, supplied by the City, may only be installed at the discretion of the Engineer.

7.9 Installation to City Specifications

The Water service entering the Building shall be installed within one metre inside the front foundation wall with the Water Meter installed within 1½ metres of the foundation wall. An accessible Shut-off Valve shall be installed between the Water Meter and foundation wall. The Owner is responsible for the installation of the Water Meter in accordance with this by-law

7.10 Meter location - Engineer to consent to change

The location of a Meter, when once installed to the specifications of the City, shall not be changed by any person except with the consent of the Engineer.

7.11 Private Meters - Owner responsible

The City will not supply, install, inspect or read private water meters, nor will the City bill consumption on private water meters. Water supply pipes to private meters must be connected to the Owner's plumbing after the City's Meter.

7.12 Reading Meter - access

The City and persons authorized by the City for that purpose shall be allowed access to the Premises and be provided free and clear access to the Meter where Water is being supplied at all reasonable times for the purpose of reading, at the discretion of the City. Where such access to the Premises and/or free and clear access to a Meter is not provided by the Occupant within fourteen (14) days upon written notification by the City, the City may, at its discretion, shut off the supply of Water to the Premises until such time as free and clear access to the Water Meter is provided.

7.13 Valve maintenance - responsibility of Owner

The Owner shall be responsible for maintaining, in good working order, the inlet valve to the Meter if the service is over 25mm diameter and the outlet and by-pass valves for all Meters, and shall ensure that such valving is accessible.

7.14 Leaks must be reported

Any leaks that may develop at the Water Meter or its couplings must be reported immediately to the City. The City is not liable for damages caused by such leaks.

7.15 Interference with Meter not permitted

No person, except a person authorized by the City for that purpose, shall be permitted to open, or in any way whatsoever to tamper with any Water Meter, or with the seals placed thereon, or do any manner of thing which may interfere with the proper registration of the quantity of Water passing through such Meter, and should any person change, tamper with or otherwise interfere, in any way whatsoever, with any Water Meter placed in any Premises, the Engineer may forthwith, without any notice, shut off the Water from such Building or Premises, and the Water shall not be again turned on to such Building or Premises without the express consent of the Engineer.

7.16 Owner responsible to repair piping

If, in the opinion of the Engineer, the condition of the Water Service Pipe and/or valves and of the Plumbing System on such piping is such that the Meter cannot be safely removed for the purpose of testing, replacing, repairing or testing in place without fear of damage to the Water Service Pipe and valves, the Engineer may require the Owner or Occupant to make such repairs as may be deemed necessary to facilitate the removal or testing of the Meter. If, upon notification, the Owner does not comply with the Engineer's request, then the Water supply to the property may be turned off at the Shut-off Valve during removal, replacement, repair and testing of the Meter and the City shall not be held responsible for any damages to the Owner's property arising from such work.

7.17 Non-functioning Meter - amount of Water estimated

If, for any cause, any Meter shall be found to not be working properly, then the amount of Water to be charged for shall be estimated on the average reading for the previous six (6) months when the Meter was working properly, and the charge for the Water for the period during which the Meter was not working properly shall be based thereon.

7.18 Meter testing for Customer - deposit - conditions

Any Customer may, upon written application to the City, have the Water Meter at his or her Premises tested for accuracy of registration. Every such application shall be accompanied by a deposit of the fee for testing Water Meters set out in Schedule "A" of this by-law. If the Meter is found to register correctly, slow or not to exceed three per cent (3%) discrepancy in favour of the City when tested at a low rate of one gallon (4.54 litres) per minute, the Customer's deposit shall be forfeited towards the cost of the test. Any additional expense of removing and testing of the Meter will be paid for in full by the Customer. If the Meter is found, when tested to register a discrepancy in excess of three per cent (3%), a refund will be made to the Customer equal to such excess percentage of the amount of the account for the period of four (4) months prior to such testing of the Meter, plus the Customer's deposit for the test.

7.19 Meter reading supersedes remote device reading

Where the Water Meter is equipped with a Remote Read-out Unit of any type and a discrepancy of 3% or less occurs between the reading at the register of the Water Meter and the reading on the read-out device, no adjustments will be made to the Customer's account. Where a discrepancy of more than 3% occurs between the two readings, the City will consider the reading at the Water Meter to be correct and will adjust and correct the Customer's account accordingly. The adjustment will be prorated over a period of up to 5 years, depending on how long the existing Customer has had the same Meter, with the applicable Water rate used for each year to calculate the cost.

Part 8

CROSS CONNECTIONS AND BACKFLOW PREVENTION

8.1 Foreign substances not to enter Water

No person shall connect, cause to be connected, or allow to remain connected to the Waterworks distribution system any piping, fixture, fitting, container or appliance, in a manner which under any circumstances, may allow Water, waste water, non-Potable water, or any other liquid, chemical or substance to enter the Waterworks distribution system. This means for "protection from contamination" shall be in accordance with the requirements of the *Ontario Building Code Act, 1997*, as amended from time to time.

8.2 Inspection for Cross Connections - access

Any person authorized by the City for that purpose has free access, at all reasonable times, and upon reasonable notice given and request made, to all parts of every Building or other Premises to which any Water Service Pipe is supplied for the purpose of inspecting or repairing, or of altering or disconnecting any Water Service Pipe, wire, rod or Cross Connection within or outside the Building.

8.3 Access to be provided on written notice

Where access is not provided, a written notice by the City will be issued allowing fourteen (14) days to provide access. If access is not provided within this time frame, the City may, at its discretion, shut off the supply of Water to the Premises until such time as the access is provided.

8.4 Order to install control device

If a condition is found to exist which is contrary to section 8.1 of this by-law, the City shall immediately carry out an inspection and shall issue such order or orders to the Customer as may be required to obtain compliance with section 8.1 of this by-law.

8.5 Failure to install - notice - Water shut-off

If the Customer to whom the City has issued an order fails to comply with that order, the Engineer, at his/her discretion, may:

- (a) Give notice to the Customer to correct the fault, at his/her expense, within a specified time period and, if the notice is not complied with, the Engineer may then shut off the Water service or services; or
- (b) Without prior notice, shut off the Water service or services.

8.6 Additional device on service

Notwithstanding sections 8.1, 8.4 and 8.5 of this by-law, where a risk of possible contamination of the Water works distribution system exists in the opinion of the Engineer or an approved authority, a Customer shall, on notice from the City, install on his/her Water Service Pipe a Cross Connection control device, approved by the City, in addition to any Cross Connection control devices installed in the Customer's water system at the source of potential contamination.

8.7 Installation to City specification

Cross Connection control or backflow prevention devices, when required by the City, shall be installed in accordance with the Ontario Building Code and "CAN/CSA-B64, 10-94 Manual for the Selection, Installation, Maintenance and Field Testing of Backflow Prevention Devices", as amended from time to time.

8.8 Inspection and testing - paid by Customer

All Cross connection control devices shall be inspected and tested at the expense of the Customer, upon installation, and thereafter annually, or more often if required by the City, by personnel approved by the City to carry out such tests to demonstrate that the device is in good working condition. The Customer shall submit a report on a form approved by the Engineer or any or all tests performed on a Cross Connection control device within fourteen (14) days of a test, and a record card shall be displayed on or adjacent to the Cross Connection control device on which the tester shall record the address of the Premises, the location, type, manufacturer, serial number and size of the device, and the test date, the tester's initials, the tester's name (if self employed) or the name of his employer and the tester's licence number.

8.9 Failure to test device - notification - Water shut-off

If a Customer fails to have a Cross Connection control device tested, the City or approved authority may notify the Customer that the Cross Connection control device must be tested within four (4) days of the Customer receiving the notice. If the Customer fails to have the device tested within the time allowed, the Engineer may shut off the Water service or Water services until the Cross Connection control device has been tested and approved as required by section 8.8 of this by-law.

8.10 Repair - replacement - by Customer

When the results of a test referred to in section 8.8 of this by-law show that a Cross Connection control device is not in good working condition, the Customer shall make repairs or replace the device within four (4) days. If a Customer fails to repair or replace the device within the time allowed, the Engineer may shut off the Water service until such repair or replacement has been made.

8.11 Removal of device - permission by City

No person shall without the permission of the City remove any Cross Connection control or backflow prevention devices installed as a requirement of provincial legislation notwithstanding the fact that the applicable provincial regulation has been rescinded.

Part 9
PROHIBITIONS

9.1 Prohibitions under this by-law

No person shall

- (a) wilfully hinder or interrupt, or cause or procure to be hindered or interrupted, the City or any of its officers, contractors, agents, servants or workers, in the exercise of any of the power conferred by this by-law;
- (b) wilfully let off or discharge Water so that the Water runs waste or useless out of the works;
- (c) being a Customer, tenant, Occupant or inmate of any house, Building or other Premises supplied with Water from the Waterworks, improperly waste the Water or, without the consent of the City, lend, sell, or dispose of the Water, give it away, permit it to be taken or carried away, use or apply it to the use or benefit of another, or to any use and benefit other than his or her own, or otherwise increase the supply of Water agreed for;
- (d) without lawful authority wilfully open or close any valve or Hydrant, or obstruct the free access to any Hydrant, stopcock, valve, chamber or pipe by placing on it any building material, rubbish or other obstruction;
- (e) throw or deposit any injurious or offensive matter into the Water or Waterworks, or upon the ice if the Water is frozen, or in any way foul the Water or commit any wilful damage or injury to the Waterworks or Water, or encourage the same to be done;
- (f) wilfully alter any Meter placed upon any service pipe or connected therewith, within or without any Building or other Premises, so as to lessen or alter the amount of Water registered; or

- 145-
- (g) lay or cause to be laid any pipe or main to connect with any pipe or Main of the Waterworks, or in any way obtain or use the Water without the consent of the City.

Part 10
ENFORCEMENT

10.1 Fine - for contravention

Any person who contravenes any provision of this by-law is, upon conviction, guilty of an offence and is liable to a fine of not more than \$2,500, exclusion of costs and each and every fine is recoverable under the *Provincial Offences Act*.

10.2 Continuation - repetition - prohibited - by order

The court in which the conviction has been entered, and any court of competent jurisdiction thereafter, may make an order prohibiting the continuation or repetition of the offence by the person convicted, and such order shall be in addition to any other penalty imposed on the person convicted.

10.3 Offence - additional - damage to Waterworks

Every person who, by act, default, neglect or omission occasions any loss, damage or injury to any Water public utility works, or to any Waterworks plant, machinery, fitting or appurtenance thereof is liable to the City therefor.

10.4 Offence - additional - wilful damage

Every person who wilfully or maliciously damages or causes or knowingly suffers to be damaged any Water Meter, lamp, lustre, water service pipe, conduit, wire, rod Water fitting, or any part of the Waterworks belonging to the City or wilfully impairs or knowingly suffers the same to be altered or impaired, so that the Water Meter indicates less than the actual amount of the Water that passes through it, is guilty of an offence and on conviction is liable to a fine under this Part and also a special fine equal to any expenses of repairing or replacing the Water Meter, lamp, lustre, Water Service Pipe, conduit, wire, rod or fitting and double the value of the surplus Water so consumed, all of which is recoverable under the *Provincial Offences Act*.

10.5 Offence - additional - injuring Waterworks

Every person who wilfully removes, destroys, damages, fraudulently alters or in any way injures any pipe, conduit, wire, rod, pedestal, post, plug, lamp or any part of the Waterworks or other apparatus or thing belonging to the City is guilty of an offence and on conviction is liable to a fine under this Part and also a special fine equal to all damages occasioned thereby, which are recoverable under the *Provincial Offences Act*.

Part 11
EFFECTIVE DATE

11.1 Effective Date

This by-law comes into force on the final passing hereof.

READ a First and Second time this day of , 2007

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

Original signed

, City Clerk

Original signed

, Mayor

SCHEDULE OF RATES & CHARGESMonthly Rates & ChargesMetered Rates (\$/m3)

Water consumption by City user and for municipalities or persons outside of the City of St. Thomas connected to the Waterworks	2007	2008	2009	2010	2011
Blended Water Supply Rate	0.4180	0.4479	0.4776	0.5094	0.5434
Common Infrastructure Rate	0.2138	0.1966	0.1777	0.1567	0.1339
Subtotal – St. Thomas and Suburban Area Rate	0.6318	0.6445	0.6553	0.6661	0.6773
St. Thomas Capital Infrastructure Rate – applicable for Water consumption by City users only					
Note: the charge may be increased where the actual Statistics Canada Non-Residential Construction Price Index is greater than 2.8%	0.2166	0.3312	0.3601	0.3755	0.3911
Total – City of St. Thomas Rate	0.8484	0.9757	1.0154	1.0416	1.0684

Monthly Base Charge

up to and including	5/8" Meter	- \$ 14.50
	3/4" Meter	- \$ 20.75
	1" "	- \$ 29.60
	1½" "	- \$ 47.80
	2" "	- \$ 78.25
	3" "	- \$127.10
	4" "	- \$251.40
	6" "	- \$436.00
	8" "	- \$581.33

Change of Occupancy - \$30.00

Non Payment of Account

Late payment charge	- Initial interest charge of 1.5% 18% compounded annually
NSF cheque	- \$15.00 plus bank charges
Collection charge	- \$ 30.00

Re-connection after regular hours - \$50.00

Arrears certificate - \$15.00 per property

Disconnect and reconnect Meter at Owner's expense

up to and including 1"	- \$36.50
over 1"	- \$62.00

Inspections

Water service and Water Meter inspections, after the initial inspection fails
- \$50.00 per inspection

Meter checked for accuracy at Customer's request and found to be accurate

Up to and including 1"	- \$72.00
over 1"	- \$98.00

Temporary Hydrant Connection

1"	- \$49.09 + \$11/day
1½"	- \$49.09 + \$28/day
2"	- \$49.09 + \$45/day
2½"	- \$49.09 + \$60/day

Filling Swimming Pool (flat rate)

-147-

- \$150.00

Inspections

Water service and Water Meter inspections, after the initial inspection fails - \$50.00 per inspection

Tapping Mains

up to and including 2" connections \$200/tap
over 2" connection - \$300/tap

Security Deposit

up to and including 1 2" Meter - \$75
2" and up - \$150

Repair damaged Meter

- Residential -

Labour/Equipment

- Regular hours \$41.00
- After regular hours \$61.50

Material

- Repair Water Meter 5/8" - \$66
3/4" - \$100
1" - \$125

- Replace Water Meter 5/8" - \$104
3/4" - \$167
1" - \$224
1 1/2" - \$544
2" - \$650

- Commercial/Industrial

- actual time & material

Fire Hydrant Charge – Private Hydrants

- \$150 annual fee for each hydrant routinely maintained by the City at the request of the Owner. Repairs will be charged on an actual time and material basis.



-148-

Corporation of the
City of St. Thomas

Report No.

PR-01-07

File No.

Directed to: Chairman B. Aarts and Members of the Community Services Committee

Date
June 18, 2007

Department: Parks and Recreation

Attachment
Memorandum of Understanding

Prepared By: Kent McVittie – Parks and Recreation Director

Subject: Memorandum of Understanding between City of St. Thomas and the Thames Valley District School Board Pertaining to the Development of the School Grounds and Adjacent Park in the Orchard Park Development Area

Recommendation:

- THAT:** Report PR-01-07 regarding the Memorandum of Understanding between City of St. Thomas and the Thames Valley District School Board Pertaining to the Development of the School Grounds and Adjacent Park in the Orchard Park Development Area be received for information; and further,
- THAT:** Council approve the terms of the attached Memorandum of Understanding (MOU) between the Thames valley District School Board and the Corporation of the City of St. Thomas noting that the MOU will form the basis of a formal legal agreement between the two parties; and further,
- THAT:** A by-law to execute the MOU be prepared for Council approval.

Origin:

On January 28, 2007, City Council passed a motion to direct staff to: "to negotiate with the TVDSB a memorandum of agreement for the joint use by the City and the TVDSB of the school and park area within the second phase of the Orchard Park Subdivision development for report back to Council. Such memorandum of agreement to be prepared upon determination by the TVDSB and the City of St. Thomas of the future park functions that will be incorporated into design of the park lands" (Report Number ES-16-07).

Analysis:

Staff from Environmental Services, Planning, and Parks and Recreation has met with representatives from the Thames Valley School Board and has developed an MOU (attached as Appendix "A") that is agreeable to both parties. The MOU establishes the foundation on which a formal joint use of facilities agreement between the two parties will be developed. Key features of the MOU include:

- insurance provisions by both parties
- rights for public to access the property including parking areas
- restriction from erecting boundary fences that would limit access
- assignment of maintenance of responsibilities
- agreement for collaboration on the development of the property and to share in maintenance and upkeep of the property

In discussion with staff from the School Board, it was determined that the final design for the school/park campus would be developed co-operatively between the Board and the City with the intention to have the facility operational prior to the opening of the school in September of 2008. Parks and Recreation Department staff is recommending a community consultation process for the park followed by a presentation to City Council for final approval. With the concurrence of the TVDSB, the developer has been instructed to grade the property such that a 110m by 70m rectangular area suitable for the installation of a full size sports field or other park amenities is created. The rectangular area will also be graded in such a way as to encourage appropriate surface drainage.

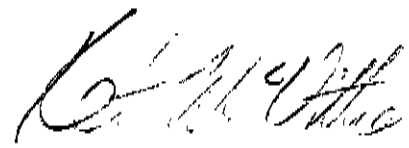
The approval of the MOU is required in order for the development of the school to proceed. Staff is confident that the interests of the community are well represented by the terms of the MOU and will continue to work with the School Board to develop a formal joint-use agreement and to finalize a design for the property.

Financial Considerations

An incremental increase to parks operating expenses will be incurred when the property is assumed by

The costs associated with the final park design will be determined through the design process and will be shared with the Board. Staff will provide Council with a recommended design and will identify sources of financing, if necessary, in the fall of 2007.

Respectfully,



Kent McVittie, Director of Parks and Recreation

Reviewed By:					
	Treasury	Env Services	Planning	City Clerk	HR
					Other

MEMORANDUM OF UNDERSTANDING

BETWEEN:

THAMES VALLEY DISTRICT SCHOOL BOARD
(hereinafter called "The Board")

- and -

THE CORPORATION OF THE CITY OF ST. THOMAS
(hereinafter called "The City")

WHEREAS the City, after a conveyance from Doug. Tarry Limited, will own land in the City of St. Thomas, legally described in Schedule 'A';

AND WHEREAS the Board, after an acquisition from Doug. Tarry Limited, will own land adjacent to the City lands, legally described in Schedule 'B';

AND WHEREAS the Board and the City wish to have their respective lands used by the public for park purpose on the terms as set out herein:

1. Each Party agrees that the lands owned by it, including any parking areas, may be used by members of the public for park purposes;
2. Each Party agrees to maintain insurance coverage for general liability insurance with respect to the land and agrees upon request to provide a copy of the insurance policy to the other;
3. Each Party agrees that it will not install any permanent boundary fence or put up any permanent barrier to hinder or prevent access from its lands to the land of the other party;
4. Each Party agrees to be responsible for the costs of maintenance, repair, and upkeep of the land that it owns;
5. The Parties agree to collaborate on any plan for the development of any facilities to be erected on their respective lands;
6. Should the lands of the Parties be developed with facilities or improvements on which each Party has contributed money or monies worth, the Parties will use their best efforts to negotiate a joint agreement to govern the use, repair, and replacement of such facility or improvement;
7. The Parties agree to notify one another as to any proposed change, improvement, or replacement that they will be making to their respective lands;

8. The Parties agree to collaborate, if necessary, in the development of "Rules and Regulations" for the collective use of their lands, noting that the City's by-laws governing parks use will be in effect;
9. Either the Board of the City shall be at liberty to enter into third party agreements for the use of its lands. Should the Board or the City wish to enter into a third party agreement for the use of the other party's land, prior approval shall be required from that party;
10. This Agreement shall not be construed as to give permission to the City or members of the public the use of the school building erected on the Board's lands.

DATED at London, ON this day of June, 2007.

SIGNED, SEALED & DELIVERED)
In the presence of)

THAMES VALLEY DISTRICT
SCHOOL BOARD

per: Bill Bryce
Bill Bryce
Director of Education

per: Brian Greene
Brian Greene
Executive Superintendent of
Business Services & Treasurer

DATED at the St. Thomas, ON this day of June, 2007.

SIGNED, SEALED & DELIVERED)
In the presence of)

THE CORPORATION OF THE CITY
OF ST. THOMAS

per: _____
Name:
Mayor

per: _____
Name:
Clerk



-152-

Corporation of the
City of St. Thomas

Report No.

PR02-07

File No.

07-725

Directed to: Chairman Bill Aarts and Members of the
Community Services Committee

Meeting Date
June 18, 2007

Department: Parks and Recreation

Attachments:
- Proposed Site Layout

Prepared By: Ross Tucker, Parks Supervisor
Mike Hoogstra, Purchasing Agent

Subject: Proposal Award - Optimist Park Playground

Recommendation:

THAT: Council receive Report No. PR02-07.

THAT: Council accept the proposal submitted by Recreation Playsystems in the amount of \$100,000.00 (excluding G.S.T) for the design, supply, delivery and installation of playground equipment components, surfaces and accessories for the re-development of Optimist Park.

THAT: A by-law be prepared to authorize the Mayor and Clerk to sign an agreement with Recreation Playsystems for this contract award.

Background:

A Request for Proposal for the purchase of new playground equipment, surfaces and accessories for Optimist Park was issued to four (4) qualified playground equipment suppliers in May 2007. A pre-bid meeting was held on May 23 at the site. The proposal closed on June 6 at 2:00 p.m. and all proposals received were immediately opened. Three (3) proposals were received from the following companies:

Proponent	Total Project Cost (excluding GST)
Recreation Playsystems	\$100,000.00
ABC Recreation Ltd.	\$99,989.58
Game Time (Crozier)	\$99,894.65

The proposals were checked for mandatory response requirements and calculation errors. The proposals received were compliant with our requirements and no calculation errors were found.

A committee consisting of the Parks Supervisor, Parks Foreman, Purchasing Agent, and three Optimist Club members met on June 8 to review and evaluate the proposal submissions. The three Proponents were also invited to the meeting to present their proposals and designs to the committee. Once the presentations were completed, the proposals were reviewed and scored based on the following evaluation criteria:

- Technical Requirements
- Warranty of Components
- Creativity and Aesthetics
- Accessibility of Playground
- Safety Surfacing
- Ability to comply with the completion date
- Qualifications and References
- Budget (play value for budget available)

The three proposals presented and reviewed were excellent and based on the final scores the committee agreed that Recreation Playsystems submitted the best proposal for Optimist Park. Recreation Playsystems has installed playgrounds in the City over the last few years and staff have been very pleased with the quality and service provided.

Should Council accept our recommendation, the project will commence in early August and be completed for September just in time for the Optimist Club's 60th anniversary in the City.

Financial Considerations:

The source of funding for this project was approved in the 2007 capital budget for a total amount of \$100,000. This project will be funded jointly between the Optimist Club and the City of St. Thomas with each contributing \$50,000.

-153-

Staff are available to answer any questions members may have.

Respectfully submitted,



Ross Tucker
Parks Supervisor



Mike Hoogstra
Purchasing Agent

Reviewed By:



Treasury

Env Services

Planning

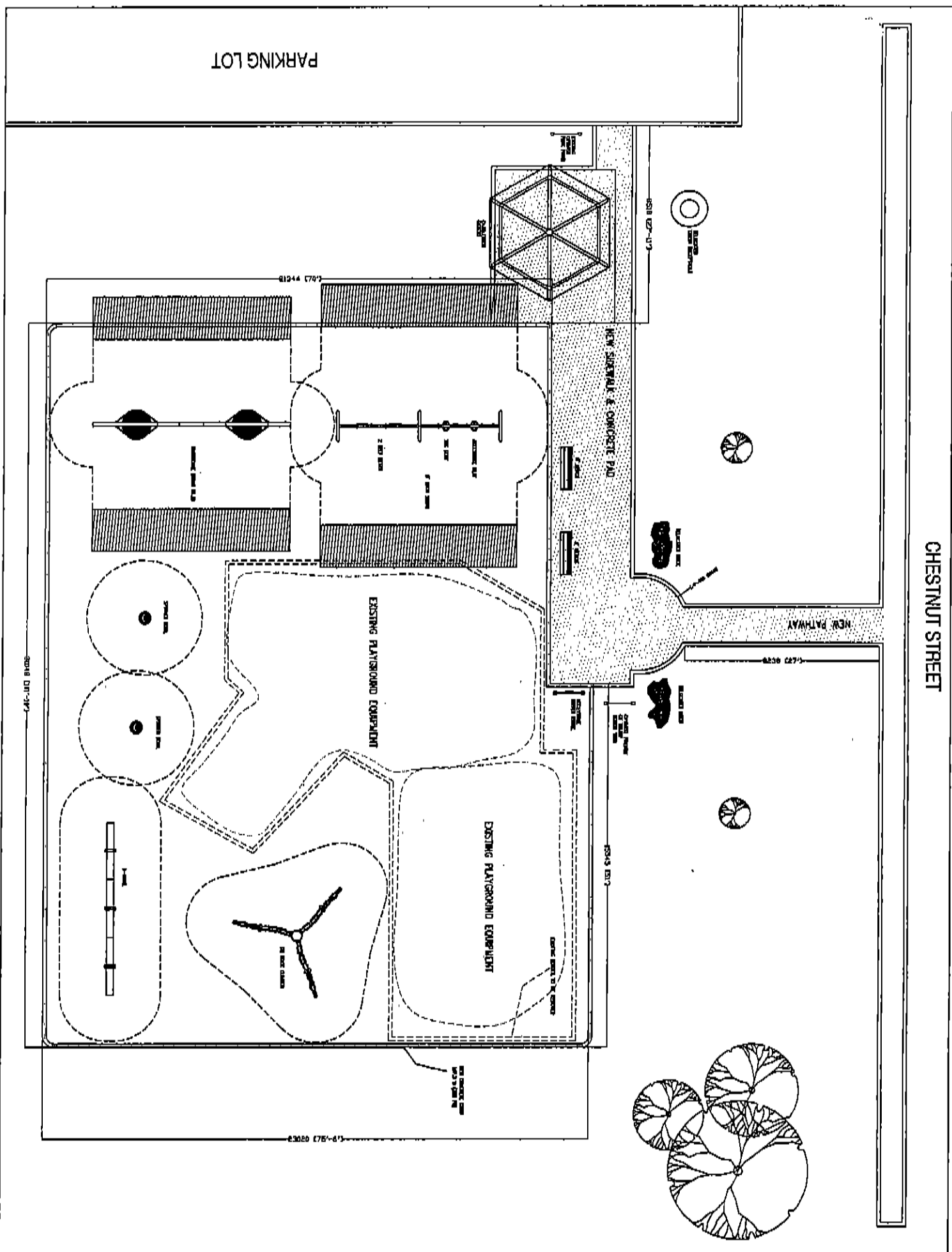
City Clerk



Parks & Rec

HR

-154-



THIS PLAY AREA IS RECOMMENDED FOR CHILDREN: 18MO TO 2YR: <input type="checkbox"/> 2 TO 5YR: <input checked="" type="checkbox"/> 5 TO 12YR: <input checked="" type="checkbox"/>		MINIMUM AREA REQUIRED: 675 SQM., 7262 SQFT. MINIMUM PERIMETER REQUIRED: 107 M., 352 FT.		ALL DECK DIMENSIONS IN METRES (FT) ALL DIMENSIONS IN MILLIMETRES (FT)		MINIMUM PROTECTIVE SURFACING NO ENCROACHMENT ZONE	
RECREATION PLAYSYSTEMS A DIVISION OF RPS PLASTICS INC. 150 8001:2000 650 RUPERT ST. WATERLOO, ONT. N2V 2R8 Phone: (800)663-2803		PROJECT NAME: OPTIMIST PARK CITY: ST THOMAS STATE/PROVINCE: ON COUNTRY: CANADA DRAWN BY: M DAVIES DWG #: 07-1498 TOP DATE: 2007/06/04 QUOTE #: 07-1498		TITLE OPTIMIST PARK CITY OF ST THOMAS PROPOSED PARK AREA		POSTS DECKS	
Playground Layout Compliance <input checked="" type="checkbox"/> CPSC Handbook for Public Playground Safety <input checked="" type="checkbox"/> CANCSA-2614-2003 - Children's Playspaces and Equipment		1. All play equipment must be installed over a fall absorbing surface with a fall zone of 6' or more, and free from all trip and collision hazards.		2. All deck heights are measured from finished grade. 3. Deck-to-Deck panels are marked by asterisks		SCALE: 1:150	



Corporation of the
City of St. Thomas

155-

Report No.

FD-06-07

File No.

Directed to:

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

Date

June 12, 2007

Department:

Fire Department

Attachment

Prepared By:

Robert Barber, Fire Chief

By-Law 96-97

Subject:

Amendment to By-Law NO. 96-97 regulating the sale and discharge of fireworks.

Recommendation:

THAT: Report FD-06-07 be received for information and further,

THAT: Council authorize the amending of By-law 96-97 to regulate the discharging of Family Fireworks.

Origin:

It was brought to the Fire Department's attention that fireworks were being discharged on City streets over the recent Victoria Day weekend. Knowing this, a review of By-Law 96-97 regulating the discharge and sale of fireworks was undertaken.

Analysis:

During our analysis of the By-Law we found that the sale and discharge of **exhibition** fireworks is covered very well with regulations in place for permission to discharge, permits, location, protection and insurance. It was found that only **time frames** are covered for the **discharge of family fireworks**. Although family fireworks are not as large and powerful as exhibition fireworks, they are still very dangerous and their misuse can result in serious injury and/or property damage. Also the discharge of family fireworks should be limited to private property and should also not be a nuisance to other people. In order to insure that the discharging of family fireworks is properly regulated, staff is suggesting that the following be added to **Section 3 (1) of the By-Law**.

(1) No person shall set off any family fireworks within the city of St. Thomas at any time except on Victoria Day and Canada Day and on the two days immediately preceding and the two days immediately following Victoria Day and Canada Day.

(2) A person eighteen (18) years of age or older may hold a display of family fireworks on any land belonging to him or her or on any other privately owned land where the owner thereof has given permission for such display or discharge of fireworks.

(3) No person under the age of eighteen (18) years shall discharge any family fireworks except under the direct supervision of and control of a person eighteen (18) years of age or over.

(4) No person being the parent or guardian of any person under the age of eighteen (18) years shall allow the person to discharge any family fireworks except when such parent or guardian or some other responsible person of eighteen (18) years of age or over is in direct supervision and control.

(5) No person shall discharge any family fireworks in such a manner as might create danger or constitute a nuisance to any person or property, or to do or cause or allow any unsafe act or omission at the time and place for the discharging of any fireworks.

(6) No person shall discharge any family fireworks in or into any building, doorway, or automobile.

(7) No person shall discharge any fireworks in or on or into any park, highway, street, lane, square or other public place, unless under a exhibition fireworks permit to do so issued by the Fire Chief.

Respectfully,


Chief Bob Barber

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other

-156-

CITY OF ST. THOMAS

BY-LAW NO. 96-97

A by-law to regulate the discharge and
sale of fireworks.

AS AMENDED BY:

B/L 117-99

August 17th, 1999

CITY OF ST. THOMAS

BY-LAW NO. 96-97

-157-

A by-law to regulate the discharge
and sale of fireworks.

WHEREAS by paragraphs 37 and 38 of section 210 of the Municipal Act, R.S.O. 1990, c.M.45 the Council of the Corporation is authorized to pass by-laws relating to the sale and setting off of fireworks.

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

1. In this by-law:
 - (a) "Act" means the Explosive Act, R.S.O. 1990, c.E.15 and Regulations.
 - (b) "Chief Fire Official" means that person who has been appointed by Council of the City Corporation to the position of Chief of the St. Thomas Fire Department.
 - (c) "Chief of Police" means that person who has been appointed by The St. Thomas Police Services Board to the position of Chief of the St. Thomas Police Department.
 - (d) "City Corporation" means The Corporation of the City of St. Thomas.
 - (e) "exhibition fireworks" means fireworks classified in Class 7, Division 2 Subdivision 2 of the Act and includes high-hazard fireworks for recreation such as rockets, serpents, shells, bombshells, tourbillions, maroons, large wheels, bouquets, barrages, bombardos, waterfalls, fountains, mines and firecrackers.
 - (f) "family fireworks" means fireworks classified in Class 7, Division 2 Subdivision 1 of the Act and includes low-hazard fireworks for recreation commonly known as firework showers, fountains, golden rain, lawn lights, pin wheels, Roman candles, volcanoes, sparklers and Christmas crackers.
 - (g) "firecracker" means any pyrotechnic device that explodes when ignited and does not make any subsequent display or have any visible effect after the explosion and includes those devices commonly known as cherry bombs, silver salutes, m80 salutes, flash crackers, throwdown torpedoes, trick matches and auto alarms.
 - (h) "fireworks" includes firecrackers, family fireworks and exhibition fireworks.
 - (i) "fireworks supervisor" means a person who has successfully completed an approved fireworks supervisor course offered pursuant to the Act.
 - (j) "person" includes a partnership and a corporation.
2.
 - (1) No person shall sell, offer for sale or set off any firecracker within the limits of the City of St. Thomas.
 - (2) No person shall sell or offer for sale any fireworks unless such works are stored away from flammable goods and are not exposed to direct sun or heat or displayed in any window.
 - (3) No person shall sell or offer for sale any fireworks in the City of St. Thomas to any person under the age of eighteen years.

- (4) No person shall sell or offer for sale any fireworks within the City of St. Thomas at any time except on Victoria Day and Canada Day and on the seven (7) days immediately preceding either of such days and with exception to 2.(4)(a) below. Nothing in this by-law shall prevent the sale of fireworks to the holder of a permit, issued by the City Corporation, for the purpose of an exhibition fireworks display.
 - (a) With exception the sale of fireworks for the immediate preceding two (2) weeks to December 31st, 1999. (December 17th to December 31st, 1999) (B/L 117-99)
 - (5) No person shall sell or offer for sale family fireworks or exhibition fireworks from a stationary trailer, roadside stand or from any vehicle or other conveyance unless the person first complies with the requirements of Appendix 1.
3. (1) No person shall set off any family fireworks within the City of St. Thomas at any time except on Victoria Day and Canada Day and on the two days immediately preceding and the two days immediately following Victoria Day and Canada Day with exception to 3.(1)(a) below.
- (a) With exception the discharge of family fireworks on New Years Eve, December 31st, 1999 and January 1st, 2000. (B/L 117-99)
- (2) No person shall discharge any exhibition fireworks on any land or within any building unless:
- (i) that person has obtained written permission to do so from the person which owns or leases the lands, building or structure on or within which the fireworks shall be discharged.
 - (ii) that person has obtained written permission from the person who owns or leases the lands upon which any debris may reasonably be expected to fall.
 - (iii) a copy of the documents in which the written permission is granted shall be filed with the application for the permit.
4. No person shall discharge exhibition fireworks or conduct an exhibition fireworks display except under the authority of a permit issued by the City Corporation pursuant to section 5 and subject to the conditions outlined in Article 6.
5. (1) The application for a permit for an exhibition fireworks display shall be made to the Chief Fire Official in the prescribed form.
- (2) Each permit for an exhibition fireworks display shall be subject to the conditions in section 6 and include the following:
- (a) the name of the person to whom it is issued and, where the permittee is not an individual, the name of an agent or representative of the permittee;
 - (b) the address and telephone number of the person, and (where applicable) any agent or representative thereof;
 - (c) the place, date and alternate (rain) date on which the display is to be held;
 - (d) the name, address, phone number and registration number of the fireworks supervisor under whose supervision the display shall be held.

6. Each permit for an exhibition fireworks display shall be issued on the following conditions:
- (a) the fireworks supervisor must have submitted with the application for permit a drawing of the site identifying the type of display, dimensions of firing zone and direction he/she will be firing the display.
 - (b) the written permissions required by paragraphs (i) and (ii) of subsection 2 of section 3 shall be filed with the permit issuer and a copy of said permit shall be sent to the Chief of Police and the Chief Fire Official for their information.
 - (c) the display shall be held by a person who shall have obtained a policy of public liability and property damage insurance in respect of the display with policy limits not lower than Five Million dollars per occurrence and a copy of such policy shall be filed with the application for the permit.
 - (d) the display shall be held only at the place and on the date set forth in the permit.
 - (e) the display shall be under the supervision of a fireworks supervisor.
 - (f) all persons present at the display, other than those engaged in the conducting or supervising, shall be kept a safe distance from the firing zone in accordance with the requirements of the Fireworks Manual, Explosives Division Class 7.2.2 Energy, Mines and Resources Canada.
 - (g) exhibition fireworks shall be stored in compliance with the requirements of the regulations under the Act and in accordance with any direction of the Chief Fire Official.
 - (h) all exhibition fireworks and the firing area shall be secured by the person to whom the permit is issued against interference or trespass by unauthorized persons from the time the fireworks are obtained until following the display.
 - (i) no exhibition fireworks shall be discharged within 300 metres of any place where explosives, gasoline or other highly flammable substances are manufactured or stored in bulk or within 300 metres of a hospital, nursing home, retirement home or home for the aged.
 - (j) only exhibition fireworks authorized by the regulations under the Act may be purchased and displayed.
 - (k) a fire extinguisher having a 4A60BC rating must be provided at the firing zone during the setup and display of the fireworks.
 - (l) the Chief Fire Official shall have received from the fireworks supervisor for the display a plan, satisfactory to the Chief Fire Official, which explains the manner in which all unused fireworks are to be disposed of.
 - (m) the person to whom the permit was issued shall, following the display, leave the land or building on or within which the display was held, and the land on which any debris may have fallen, free from debris from the display and from unexploded fireworks.
7. Every person who contravenes any of the provisions of this By-Law is guilty of an offence.

-160 -

8. By-law No. 14-70 and all other by-laws or parts of by-laws inconsistent herewith, shall be and are hereby repealed.

READ a First and Second time this 23rd day of June, 1997.

READ a Third time and Finally passed this 23rd day of June, 1997.

Original Signed

Peter J. Leack, City Clerk

Original Signed

Stephen J. Peters, Mayor

-161-

APPENDIX 1

REQUIREMENTS FOR SALE AND DISPLAY OF FIREWORKS BY TEMPORARY VENDORS.

- (a) a site plan must be provided to the Chief Fire Official showing the location of the trailer, roadside stand, vehicle or other conveyance from public streets, buildings on the property and areas parking complying to the following:
 - (i) the trailer, roadside stand, vehicle or other conveyance shall be located a safe distance from parking areas, public streets and railways as well as occupied buildings and dwellings, which distance shall comply with Table 1.
 - (ii) in all cases pylons or fencing shall be used to establish a "No Encroachment" zone around the trailer, roadside stand, vehicle or other conveyance.
 - (iii) self-serve trailers must have two (2) separate doors, and visible "No Smoking" signs posted at the entrance to the trailer to enforce the "No Smoking" rule and to limit the number of persons in the trailer, which shall not exceed fifteen (15).
 - (iv) at least one 2A 10BC rated fire extinguisher must be provided for each employee's working area. In the event of fire all persons shall immediately be evacuated from the area and the Fire Department contacted.
 - (v) when the trailer is left unmanned it shall be properly secured to prevent unauthorized entry.

Quantity of Finished Family Fireworks	Minimum distance to railway; aerodrome; market place; public recreation; sports ground, or other place where the public are accustomed to assemble; public highway; private road to a Church, Chapel, College, School, Hospital or Factory;	Minimum distance to a Dwelling House; Retail Shop; Government and Public buildings; Church; Chapel; College; or other building where the public are accustomed to assemble; Factory; Building or works used for the storage in bulk of petroleum spirit, gas or other inflammable substances; Buildings or works used for the storage and manufacture of explosives or of articles which contain explosives
lbs	feet	feet
100	25	50
200	30	60
400	35	70
600	40	80
800	45	90
1000	50	100
2000	58	115

Guide from information supplied by Energy, Mines and Resources Canada.



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

-163-

Report No.

VV-004-07

File No.

Directed to: Chairman Lori Baldwin-Sands and Members of the
Social Services Committee

Date

June, 2007

Department: Valleyview

Attachment

Prepared By: M. Carroll, Valleyview Administrator

Subject: Valleyview Food Service Contract

Recommendation:

That report VV-004-07 be received and filed as information; and

That Council approve the following adjustments to the Valleyview Food Service Contract.

1. Increase in the non-raw food section of the contract equal to the percentage wage increase negotiate between the Corporation and CAW.
2. Reduce Dietician costs by \$640/month by introducing an intern position role instead of a fully certified Dietician.
3. Recognize that a wage disparity exists between Dietary and Valleyview employees and offer a 2.0% increase to be directed towards the employees wage grid.
4. Authorized the Mayor and Clerk to sign a contract between the Corporation and Nutritional Management Services for the provision of Dietary Services at Valleyview Home.

Background:

At the March 5th meeting, the Committee authorized staff to enter into contract negotiations with Nutritional Management Services. Staff have meet with representatives of the company and negotiated the following package to present to Council for their consideration

Contract Negotiations

Staff have worked with NMS and have reviewed the entire contract. Many minor issues were identified and cleaned up to ensure the contract meets all requirements as of 2007. The major changes are identified below and are the subject of the recommendations above.

Cost of living increase

After much discussion, staff and NMS were able to agree that a cost of living increase should be tied to any increase the CAW receives, as the major component in this cost center is wages and benefits. This approach is also consistent as to how it has been done in past years. Assuming that a 2% increase is reached this would increase the non-raw food per diem from \$11.77 to \$12.01. The annualized cost is \$11,913.60 assuming 100% occupancy.

Dietician Costs

In order to meet new Ministry of Health requirements Dietician time had to be increased from 15 minutes per resident day to 30 minutes per resident day. This translated into 2 full days of service per week at a total cost of \$28,800 per year. Staff and NMS have reviewed this situation with the goal of reducing this cost and still meeting program objectives. The solution being proposed is to use a forth year intern to work with and be under the direction of our regular dietician. Valleyview will still receive two days of service but at a reduced cost. The revised annualized cost will be \$24,000 per year, a savings of \$4800 per year.

Wage adjustments

Since 1999 and the reductions which the City achieved with that set of Contract discussions a growing wage disparity has developed between our employees and Dietary employees. NMS has asked that this be recognized by the City and as part of the package, approve a 2.0% increase to address this issue. This would increase the non-food per-diem from \$12.01 to \$12.25. The annualized cost will be \$11,913.60.

Staff are recommending that the review of this contract be done on an annual basis starting in January 2008 before the budget is prepared and presented to council. Prior to reviewing the contract, staff will meet with NMS and discuss the priorities for the coming year. Staff will present those to Council for consideration. At that meeting Council can approve the report, request modifications or request that an RFP be issued. This approach is also consistent with past practice.

Raw Food Costs

In 1999 staff were successful in separating the non-raw food portion of the contract from the raw food section. This allowed the City to remove approximately \$270,000 from any annualized cost of living increases. Therefore, there will be no raw food cost increases. Outside of the cost savings, this approach draws attention to the fact that the Ministry of Health and Long Term Care is only funding this envelope at \$5.46 per resident day. With this amount, Valleyview is expected to provide food for 3 meals and 3 snacks each day. Finally, this strategy focuses NMS to closely monitor raw food costs, as any expenditures are their responsibility and not Valleyviews.

Conclusion


If Council approves this report the contract will be adjusted as follows:

	Resident Day	Annualized Cost (2007)	Annualized Cost (2006)
Non raw food costs	\$12.25	\$608,090	\$584,262
Raw food costs	\$5.46	\$271,034	\$271,034
Total cost	<u>\$17.71</u>	<u>\$879,124</u>	<u>\$855,297</u>

If Council does not approve the recommendation, staff will begin the process of preparing a RFP for Dietary Services at Valleyview.

NOTE: The increase from 2006 to 2007 for this service would be \$23,827 or 2.8%.

Respectfully,



M. Carroll
Valleyview Administrator

Reviewed By:


Treasury

Env Services

Planning

City Clerk

HR

Other



Corporation of the
City of St. Thomas

-165-

Report No.

VV-005-07

File No.

Directed to:

Chairman Lori Baldwin-Sands and Members of the
Social Services Committee

Date

June 18 2007

Department:

Valleyview

Prepared By:

M. Carroll, Valleyview Administrator

Attachment

Subject:

Nature Trail- North of Valleyview

Recommendation:

That report VV-005-07 be received and filed as information; and

That Council approve in principle the construction of a nature trail at the North end of Valleyview; and

That the project be funded by the Valleyview donation account on condition that all fundraising proceeds be directed back into the donation account to fund other resident focus projects.

Background

During the construction of the new Home great attention was directed to ensuring that the Home was accessible to the outside for residents in wheelchairs and walkers. It was also a priority to have in place a design, which allowed the residents to move freely around the property and connect with nature and the community as much as possible. At the north end of the building a beautiful park like setting evolved during the construction/landscaping stage. Funding was not provided in the original budget to develop the walkway. It was decided that the project would be considered after the move to the new Home.

The Trail

As Council is aware the north side of Valleyview consists of two floors with two resident home areas per floor. The resident rooms in this area overlooks several grass areas as well as the deer run. The deer run consists of several types of mature trees, shrubs and bush.

In order to allow residents to access this area, a six-foot wide trail has to be constructed. The trail will allow residents to enter into a park-like setting. It will be completely accessible to all residents and their families. Several benches will be placed along the trail.

The Family Council at Valleyview has endorsed the project and are willing to coordinate the fundraising efforts.

Staff have also been researching if any grants are available. At this point one potential source has been identified. The application process is fairly complex and the criteria is limiting however the opportunity does exist to explore a partnership, which will help supplement the cost of the trail.

Financial Considerations

Staff have received several initial estimates. To complete the project a budget of \$20,000 would have to be established. The funds contained in the Valleyview donation account have been designated to fund projects which benefit and enhance the lives of the residents. Currently, the donation account sits at \$45,700.

Staff are confident that once the project is started additional donations will be received.

Respectfully,

M. Carroll
Valleyview Administrator

Reviewed By:

Treasury

Env Services

Planning

City Clerk

HR

Other



-166-

KIWANIS CLUB of ST. THOMAS

Incorporated 1921

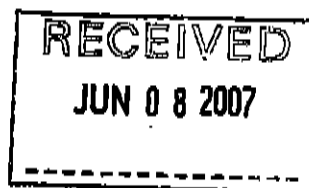
P.O. BOX 22004

ST. THOMAS, ON

N5R 6A1

Convent

June 5, 2007



Members of City Council,
City of St Thomas,
Talbot Street,
St. Thomas, Ontario

Dear Mayor Barwick and Members of Council,

Re: Kiwant Manors Limited

In 1962 the Kiwanis Club of St Thomas purchased the land known as 139 First Avenue from the City and constructed 18 Units to provide affordable housing for Seniors on low incomes. They further provided an additional \$5,000 for the land to be serviced.

At that time an agreement was entered into by Kiwant Manors Ltd. and The City of St Thomas. Said agreement expired in 1995.

Kiwant Manors began paying property taxes to the City in 1996, on the expiry of the agreement. This project continues to provide low rental housing to seniors.

The Kiwanis Club of St Thomas seeks confirmation that since the agreement expired 12 years ago, all obligations have been met, and requests formal acknowledgment of same.

Yours truly,

Ellen Luft

Ellen Luft
President

Cc: Bill Day, City Treasurer

REFERRED TO	
W. DAY	<i>mlk</i>
FOR	
DIRECTION	<input type="checkbox"/>
RECOMMENDATION COMMENT	<input checked="" type="checkbox"/>
IN	<input type="checkbox"/>
FROM MARIA KONEPAL	