

Request for Decision City Council



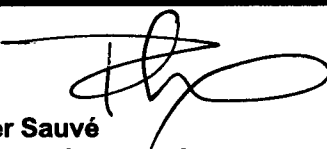
Type of Decision									
Meeting Date	May 23, 2007				Report Date	May 14, 2007			
Decision Requested	X	Yes		No	Priority	X	High		Low
	Direction Only				Type of Meeting	X	Open		Closed

Report Title
Letter of Agreement for the Ontario Bus Replacement Program

Budget Impact / Policy Implication	Recommendation
This report has been reviewed by the Finance Division and the funding source has been identified. The Ministry of Transportation agrees to provide funding from the Ontario Bus Replacement Program (OB RP) for the Municipality to a maximum of \$685,110 for the year 2007 payable after April 1, 2007.	That Council pass a By-law that will authorize the execution of a "Letter of Agreement" between the Ministry of Transportation and our Municipality with respect to funding from the Ontario Bus Replacement Program (OB RP).
Background Attached	Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
Doug Nadorozny General Manager of Growth and Development	Mark Mieto Chief Administrative Officer

Date: May 14, 2007

Report Prepared By	Division Review
 Roger Sauvé Director of Transit Services	Name Title

BACKGROUND

Ageing transit buses contribute to higher operating costs, increased emissions, reduction in service and reliability and delays in system accessibility. In recognition of a Municipalities's need to replace transit buses, the Ministry of Transportation has created the Ontario Bus Replacement Program (OBRP) under which funds will be provided, with certain conditions, to Municipalities towards the capital costs of replacing transit buses.

This will support the development of strong communities, increase public transportation reliability, reduce operating costs and invest in the renewal of transportation systems.

The OBRP replaces the former Ontario Transit Vehicle Program (OTVP) which the province ended with the 2006 budget. It is a multi-year capital funding program, capped at a maximum of \$50 million per year for the province. Municipalities receive a funding allocation for 2007 based on a five year capital plan submitted to the MTO. A subsidy is given for the purchase of specialized vehicles and a subsidy is given for the purchase of conventional transit vehicles.

For 2007, the specialized subsidy is 33.3 % of the cost of a replacement bus and 24.04% of the cost of a conventional replacement bus, these percentages will fluctuate each year.

The Ministry will provide the OBRP funding to our Municipality for 2007, up to a maximum of \$685,110 in accordance with and subject to the terms set out in the Letter of Agreement and the Guidelines and Requirements of the program, payable after April 1, 2007 upon receipt of:

1. A related authorizing Municipal By-law.
2. A signed Letter of Agreement.
3. A copy of the purchase agreement between the Municipality and the manufacturer.

All funding from the Ministry is provided in accordance with the terms and conditions set out in the Letter of Agreement. As well, all funding from the Ministry is provided in accordance with the general eligibility requirements and conditions set out in the OBRP - 2007 Guidelines.

We have met and will continue to meet these requirements for the program.

In conclusion, our recommendation is that Council pass a By-law that will authorize the execution of a "Letter of Agreement" between the Ministry of Transportation and our Municipality with respect to funding from the Ontario Bus Replacement Program (OBRP).

Request for Decision City Council



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Meeting Date	May 23, 2007				Report Date	May 16, 2007			
Decision Requested	☒	Yes	☐	No	Priority	☒	High	☐	Low
	Direction Only				Type of Meeting	☒	Open	☐	Closed

Report Title
Tax Adjustments under Sections 357 and 358 of the Municipal Act

Budget Impact / Policy Implication	Recommendation
This report has been reviewed by the Finance Division and the funding source has been identified. Of the total taxes to be struck from the tax roll, the City's portion is \$54,392.12 This amount, as well as previous amounts struck from the roll for 2007, is well within the budget amount for the tax write offs.	THAT the amount of \$90,240.30 be struck from the tax roll.
☒ Background Attached	Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
 Lorella Hayes Chief Financial Officer / Treasurer	 Mark Mieto Chief Administrative Officer

Date: May 16, 2007

Report Prepared By	Division Review
 Tony Derro Supervisor of Tax / Chief Tax Collector	

Background

Sections 357 and 358 of the Municipal Act provide the authority for the cancellation, reduction or refund of realty taxes.

Section 357

Section 357 authorizes the cancellation, reduction or refund of realty taxes in the current year for such reasons as change in rate of taxation, change in tax status, fire / demolition or gross error. Section 357 applications are verified by the Municipal Property Assessment Corporation and processed by the municipality.

Section 358

Section 358 of the Municipal Act authorizes the reduction of realty taxes for clerical errors such as errors in key punching, transposition of figures or mathematical calculations. Such errors occur with the preparation of the assessment roll and are confirmed by the Municipal Property Assessment Corporation prior to the tax adjustment by the municipality. Section 358 applications are limited to the two (2) taxation years prior to the year in which the error(s) was made.

The Treasurer's recommendations for the cancellation, reduction or refund of realty taxes under the Municipal Act are presented to Council for approval. Attached for Council's information and action is Schedule A, summarizing the tax adjustments by authority, reason and amount. Also attached is Schedule B which provides a more detailed property by property description of the tax adjustments.

The Municipal Act provides for a notification / appeal process for property owners that have applied for a tax adjustment. Notices were sent to property owners on or before May 9, 2007 and all queries / concerns were addressed by the Tax Department prior to the preparation of the attached Schedule B and none of the applicants have requested an appearance before the Hearing Committee of Council.

SCHEDULE 'A'
APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
May 23, 2007

<i>Reason for Adjustment</i>	<i>Applications</i>	<i>City Portion</i>	<i>Education Portion</i>	<i>CBI / FBI</i>
Fire or Demolition	17	\$ 50,427.42	\$32,694.45	\$ -
Class Change	4	\$ 975.69	\$ 1,596.95	\$ -
Exempt	5	\$ 2,989.01	\$ 1,556.78	\$ -
TOTAL:	26	\$ 54,392.12	\$ 35,848.18	\$ -

Schedule 'B'

TOTAL:

Exempt

21

Schedule 'B'
RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS
UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT
May 23, 2007

Class Change Item #	Roll #	Class	Location	Assessed Property Owner	Assessed Value	Year	# Days	General Rate	City Portion	Education Rate	Education Portion	CBI / FBI Rate	CBI / FBI Portion	Total	Comments
1	010.011.00500.0000	CTN RTES	1455 BANCROFT DR	MERRILL FRANK STANLEY	N/A	2006	92	0.02825845 -0.00733615	\$ -	0.01984045 0.02640000	\$ -	\$ -	\$ -	\$ -	NO RECOMMENDATION
2	210.012.04200.0000	CTN ITN IUN	INCO LIMITED	0 GARSON MINE	-5080 5080 0	2006	365	0.02539245 0.03698277 0.02403880	(128.99) 187.87 0.00	0.01984045 0.02806315 0.01694105	(100.79) 132.40 0.00			(229.79) 320.27 0.00	
3	210.006.01401.0000	CTN ITN IUN	INCO LIMITED	3861 FALCONBRIDGE HWY	-5280 5280 0	2006	365	0.02539245 0.03698277 0.02403880	(134.07) 195.27 0.00	0.01984045 0.02606315 0.01694105	(104.76) 137.61 0.00			(238.83) 332.88 0.00	
4	170.022.01801.0000	CTN CUN RTEP	WILSON MICHAEL	1523 RADAR RD	86500 45500 -134000	2006	275	0.02674006 0.01871804 0.01554136	1,782.98 641.67 (1,569.04)	0.01984045 0.01388832 0.00264000	1,322.92 476.10 (266.53)			3,105.90 1,117.77 (1,835.57)	
4				TOTAL:					\$ 975.69		\$ 1,596.95	\$ -	\$ -	\$ 2,572.64	

Request for Decision City Council



Type of Decision									
Meeting Date	May 23, 2007				Report Date	May 10, 2007			
Decision Requested	☒	Yes	☐	No	Priority	☐	High	☒	Low
	Direction Only				Type of Meeting	☒	Open	☐	Closed

Report Title
Lake Stewardship Assistance Grant Program

Budget Impact / Policy Implication	Recommendation
☒ This report has been reviewed by the Finance	
No new funds requested. Grant money will be provided through the Community Improvement Funds and the Lake Water Quality budget.	That a By-Law be passed authorizing the payment of funds in the amount of \$7,370 to the successful applicants of the Lake Stewardship Assistance Grant Program as recommended by the Lake Improvement Advisory Panel.
☐ Background Attached	☐ Recommendation Continued

Recommended by the Department	Recommended by the C.A.O.
 Doug Nadorozny General Manager of Growth and Development	 Mark Mieto Chief Administrative Officer

Date: May 10, 2007

Report Prepared By	Division Review
 Lana Haslam Lake Water Quality Program Co-ordinator	 William E. Lautenbach Director of Planning Services

BACKGROUND

In order to fulfill their Mission to "serve as a watchdog on behalf of all citizens in the community and actively promote and protect the ecological health of the lakes through: social and scientific research, public education, policy advocacy, community partnerships, and strategic community initiatives", in 2005, the Lake Improvement Advisory Panel initiated the Lake Stewardship Assistance Grant Program to support and encourage lake stewardship groups by providing them with additional resources.

This is the third year for the Lake Stewardship Assistance Grant Program. Funding criteria and an application form were drafted by the Lake Advisory Panel. Projects must benefit the water quality of the lake and/or watershed and demonstrate support and involvement of lake stewardship members, other lake residents or community members. Successful applicants were decided by the Lake Improvement Advisory Panel.

In total, 13 applications for funding were received. The total amount allocated is \$7,370. The following applications are recommended for funding:

Successful Lake Stewardship Groups**Fairbank Lake Camp Owners Association Inc. - Shoreline Restoration****Grant: \$500**

Funds will be used to help with shoreline protection by providing seedlings that are appropriate for planting along shorelines to every member of the association. The Association will match the grant amount with funds collected through their membership drive.

Friends of Bennett Lake - Water Quality Improvements Through Erosion Control**Grant: \$500**

Bennett Lake is a shallow lake that empties into Nepahwin Lake. It has a clearly defined watershed with steep slopes that lead directly into the lake with little opportunity for filtration or diversion. As such the slopes are susceptible to erosion with silt washing into the lake. The objective of this project is to improve the water quality of Bennett Lake by reducing the erosion in the Bennett Lake watershed.

Date: May 10, 2007

Friends of McFarlane Lake Stewardship Committee - Newsletter(s) 2007-2008**Grant: \$500**

The Friends of McFarlane Lake Stewardship Committee will use the funds to produce a newsletter for distribution to all lakeshore and backlot residence for education and awareness about the water quality of the lake and also hope to create a sense of stewardship of McFarlane Lake.

Kukagami Lake Campers Association (KLCA) - Water Quality Committee**Grant: \$2,220
(\$370 per lake)**

The Kukagami Lake Campers Association (KLCA) is an active association with membership from 6 areas representing Kukagami, Ashigami, Matagamasi, Portage, Bugg and part of the east shore of Lake Wahnapiatae. The Water Quality Committee was formed to promote water quality and provide a healthy environment for present and future generations. The funds will be used produce and duplicate a newsletter for an educational program.

Little Lake Panache Property Owners Association - Phosphorus Reduction 2007**Grant: \$500**

Little Lake Panache is a small headwater lake with a very slow flushing rate (approximately 8 years) and is therefore more prone to phosphorus overloading. The Little Lake Panache Property Owners Association will use the grant to plant native vegetation (Ninebark shrubs) around the shoreline of Little Lake Panache to help reduce phosphorus migration into the lake and to enhance the quality of the shoreline buffer zone.

Minnow Lake Restoration Group - Storm Water Delta Survey**Grant: \$500**

The Minnow Lake Restoration Group is a non-profit, charitable organization dedicated to improving the water quality of Minnow Lake and in the enhancement of the surrounding area. Funds will be used to determine the area and volume of 6 to 8 storm water deltas in the lake. This information will be used to implement corrective action and illustrate the need to control more effectively storm water runoff into lakes.

Onwatin Lake Stewardship Committee**Grant: \$500**

The Grant will be used to establish a stewardship committee for Onwatin Lake in Hanmer. This committee will be created to monitor, address and deal with potential water quality issues caused by recent and upcoming developments in the area. Funds will help with hosting a neighbourhood BBQ, lake cleanup and printing pamphlets.

Rayside Belfour Community Action Network (CAN) - Clean-Up and Educate**Grant: \$500**

The Rayside Belfour Community Action Network (CAN) is comprised of 10 members. CAN has set one of its priorities to establish a stewardship committee for Whitewater Lake to organize volunteers, clean up Whitewater lake and educate the community. This project will increase the ownership and responsibility of the lake residents and visitors and improve the water quality of the lake.

Date: May 10, 2007

Richard Lake Stewardship Committee - Annual Richard Lake Clean-Up and BBQ

Grant: \$500

The Richard Lake Stewardship Committee will attempt to safe-guard the lake and watershed as a potable water source for residents who depend on it for drinking. A clean up of the lake using a professional dive club will remove materials from the lake that pose an environmental threat to the water quality. Information pamphlets and newsletter will also be produced and circulated to the lake residents.

Simon Lake Community Stewardship Group - Algae Control Through Emplacement of barley straw

Grant: \$500

High phosphorus levels in Simon Lake had led to excessive growth of algae in the last 2 summers. The barley straw will be used to hopefully reduce the growth of algae. This method is environmentally benign and cost effective and a previous study in 1997 has shown it to be reasonably effective in Simon Lake.

Valley East Ratepayers Association - Source of Fish Smell (Potential Algae)

Grant: \$500

The Valley East Ratepayers Association represents Hanmer, Frenchman, Joe and Dixon lakes. Funds will be used to cover the cost of shipping water and algae samples via air freight in order to identify the source of fish smells in the lakes. Most residents draw their drinking water from the lake. Four representatives from each lake will volunteer their time to collect the samples and the Association will cover any costs over the grant amount.

Windy Lake Stewardship Committee - Baseline Water Analysis

Grant: \$150

The Windy is the source of potable water for many lake residents and cottage owners. The Windy Lake Stewardship Committee has 7 members and is currently actively recruiting more lake residents. The funds will be used to organize a shoreline clean up and educate the residents on the importance of using phosphate-free products and healthy septic systems.

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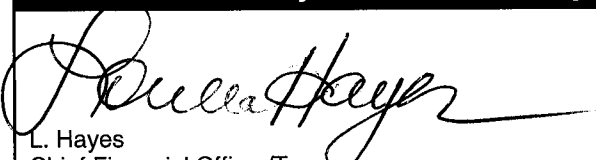


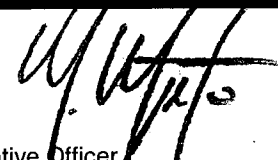
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Report Title
Tax Extension Agreement Roll # 020.015.039.00.0000 Between the City of Greater Sudbury and 2755 Lasalle Holdings Inc.

Policy Implication + Budget Impact	
☒	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
N/A	
☒	Background Attached

Recommendation
THAT the appropriate by-law be enacted.
Recommendation Continued

Recommended by the General Manager
 L. Hayes Chief Financial Officer/Treasurer

Recommended by the C.A.O.
 M. Mieto Chief Administrative Officer

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Between the City of Greater Sudbury and 2755 Lasalle Holdings Inc.

Date: May 16, 2007

Report Prepared By

T. Derro
Supervisor of Tax / Chief Tax Collector**Division Review****BACKGROUND**

2755 Lasalle Holdings Inc. has requested a tax extension agreement with respect to the property located at 2755 Lasalle Blvd in the City of Greater Sudbury. A tax extension agreement is a standard agreement. This agreement provides that if the owners fail to honour the provisions of the agreement, the agreement shall become null and void and the owners shall be placed in the position that they were in prior to the entering into of the agreement, which may include the sale of the property by public tender.

A tax arrears certificate was registered against these lands on June 28, 2006 and the owners have one year from that date to redeem the property by paying all outstanding taxes, penalty, interest charges and costs in full in one lump sum.

However, Section 378 (1) of the *Municipal Act*, allows a municipality to enter into a tax extension agreement with the owners of the property providing an extension of time for payment of the arrears by way of a down payment and monthly payments.

The owners are agreeable to making payment of the arrears on the following schedule. It is recommended that a standard form tax extension agreement be authorized.

CALCULATION OF PAYMENTS REQUIRED UNDER TAX EXTENSION AGREEMENT

TS FILE NO. 06-04

	AMOUNT
(1) Outstanding taxes, penalty and interest charges on TAX ARREARS CERTIFICATE	\$85,430.62
(2) Additional taxes levied subsequent to tax sale proceedings	
2006	\$11,087.55
2007	\$23,397.93
2008	\$23,397.92
2009	\$11,698.96
(3) Estimated additional penalty and interest charge subsequent to tax sale proceedings	\$33,065.45
(4) Administration Charges	<u>\$1,807.00</u>
TOTAL AMOUNT TO BE PAID UNDER TAX EXTENSION AGREEMENT	<u>\$189,885.43</u>

TO BE PAID AS FOLLOWS:

(1) Down payment on signing	\$50,000.00
(2) 23 Payments of \$3,500.00 each, starting May 1, 2007	\$80,500.00
(3) 1 Final Payment of \$59,385.43 on April 1, 2009	<u>\$59,385.43</u>
	<u>\$189,885.43</u>

Request for Decision City Council

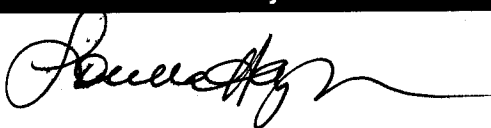


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	Direction Only				Type of Meeting	☒	Open	☐	Closed

Report Title
Tax Extension Agreement Roll # 020.004.006.00.0000 Between the City of Greater Sudbury and Jean and Alice Desormeaux

Policy Implication + Budget Impact	
☒	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
N/A	
☒	Background Attached

Recommendation
THAT the appropriate by-law be enacted.
Recommendation Continued

Recommended by the General Manager
 L. Hayes Chief Financial Officer/Treasurer

Recommended by the C.A.O.
 M. Mieto Chief Administrative Officer



Between the City of Greater Sudbury and Jean and Alice Desormeaux

Date: 16, May 2007

Report Prepared By

T. Derro
Supervisor of Tax / Chief Tax Collector**Division Review****BACKGROUND**

Jean and Alice Desormeaux have requested a tax extension agreement with respect to the property located at 1386 Lansing Avenue in the City of Greater Sudbury. A tax extension agreement is a standard agreement. This agreement provides that if the owners fail to honour the provisions of the agreement, the agreement shall become null and void and the owners shall be placed in the position that they were in prior to the entering into of the agreement, which may include the sale of the property by public tender.

A tax arrears certificate was registered against these lands on June 28, 2006 and the owners have one year from that date to redeem the property by paying all outstanding taxes, penalty, interest charges and costs in full in one lump sum.

However, Section 378 (1) of the *Municipal Act*, allows a municipality to enter into a tax extension agreement with the owners of the property, providing an extension of time for payment of the arrears by way of a down payment and monthly payments.

The owners are agreeable to making payment of the arrears on the following schedule. It is recommended that a standard form tax extension agreement be authorized.

CALCULATION OF PAYMENTS REQUIRED UNDER TAX EXTENSION AGREEMENT
 TS FILE NO. 06-03

	AMOUNT
(1) Outstanding taxes, penalty and interest charges on TAX ARREARS CERTIFICATE	\$10,582.07
(2) Additional taxes levied subsequent to tax sale proceedings	
2003	(\$1,659.05)
2006	\$1,576.34
2007	\$3,417.02
2008	\$3,420.00
2009	\$1,710.00
(3) Estimated additional penalty and interest charge subsequent to tax sale proceedings	\$3,919.92
(4) Administration Charges	<u>\$1,807.00</u>
TOTAL AMOUNT TO BE PAID UNDER TAX EXTENSION AGREEMENT	<u>\$24,773.30</u>

TO BE PAID AS FOLLOWS:

(1) Down payment on signing	\$5,000.00
(2) 23 Payments of \$500.00 each, starting May 1, 2007	\$11,500.00
(3) 1 Final Payment of \$8,273.30 on April 1, 2009	<u>\$8,273.30</u>
	<u>\$24,773.30</u>