

# THE TWENTY-FIFTH MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

C-11  
Tom Davies Square

Wednesday, February 13, 2008  
Commencement: 6:15 p.m.

## DEPUTY MAYOR RIVEST, IN THE CHAIR

Present Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Rivest; Thompson; Caldarelli; Landry-Altmann; Mayor Rodriguez

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; G. Clausen, General Manager of Infrastructure Services; L. Hayes, CFO/Treasurer; P. Thomson, Director of Human Resources & Organizational Development; N. Benkovich, Director of Water/Wastewater Services ; A. Haché, City Clerk

Declarations of Pecuniary Interest None declared.

"Closed Session" 2008-48 Thompson-Barbeau: THAT we move to meet in Closed Session to deal with Labour Relations/Employee Negotiations (Employee Negotiations related to terms and conditions of work) all in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2006-100 and the Municipal Act, 2001, s.239(2).

**CARRIED**

Recess At 6:55 p.m., Council recessed.

Reconvene At 7:00 p.m., Council commenced the regular meeting in the Council Chamber.

## Chair HIS WORSHIP MAYOR JOHN RODRIGUEZ, IN THE CHAIR

Present Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Rivest; Thompson; Caldarelli (D9:35pm); Landry-Altmann

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; G. Clausen, General Manager of Infrastructure Services; T. Beadman, Chief of Emergency Services; C. Hallsworth, Executive Director of Administrative Services; L. Hayes, CFO/Treasurer; P. Thomson, Director of Human Resources & Organizational Development; R. Swiddle, City Solicitor; G. Lamothe, Manager of Communications & French Language

City Officials  
(continued)

Service; R. Falcioni, Director of Roads & Transportation; B. Lautenbach, Director of Planning Services; S. Monet, Manager of Environmental Planning Initiatives; T. McCaffrey, Supervisor of Land Reclamation; L. Haslam, Lake Water Quality Program Coordinator; R. Henderson, Director of Citizen Services; C. Briscoe, Community Development Officer; Business Development Officer; E. Marson, Business Development Officer; I. Wood, Special Advisor to the Mayor; J. McKechnie, Executive Assistant to the Mayor; A. Haché, City Clerk; K. Bowschar-Lische, Law Clerk; F. Bortolussi, Council Secretary

News Media

Sudbury Star; MCTV; CIGM; Persona 10 News; Le Voyageur; Northern Life; Big Daddy

Declarations of  
Pecuniary Interest

None declared.

Meteo+

Mayor Rodriguez advised that the first episode of French Television production of Météo+ will be aired on TFO on Thursday, February 14, 2008 at 8:00 p.m.

Concert Tickets

Mayor Rodriguez spoke to the citizens of Greater Sudbury regarding the upcoming concert by Elton John. He acknowledged the tremendous opportunity the concert represents for the City and is concerned with the negative publicity. He indicated that the practice of making tickets, which are not free, available to Councillors and staff is a longstanding one in the City of Greater Sudbury. He apologized that, with such an unprecedented demand for tickets, his decision to offer so many advance purchase tickets to Council was rushed and not given sufficient consideration. He indicated the development of realistic options for an event tickets access policy will be brought before the Priorities Committee before the end of March.

**COMMUNITY DELEGATIONS**

Item 4  
Four-Laning of  
Highway 69 Update

Michael Nadeau, Area Engineer, Ministry of Transportation, made an electronic presentation regarding an update to the four-laning of Highway 69. He stated that, of the 224 kilometres of the highway from Sudbury to Port Severn, 160 kilometres remains to be four-laned being 152 kilometres from Sudbury to Parry Sound and 8 kilometres south of MacTier. He showed various maps and photographs along the corridor of the work underway and explained the work in progress and future plans. He indicated that the four-laning from Highway 559 to Parry Sound which includes the Nobel bypass, which is currently underway is expected to be completed by 2010 stating that the 17 kilometres will be fully constructed prior to use for efficiency and safety of traffic. The anticipated completion date for the four-laning of Highway 69 is 2017.

## **PRESENTATIONS**

### **Item 5 Land Reclamation Program Annual Report 2007**

Report dated 2007-12 was received from the General Manager of Growth & Development regarding Land Reclamation Program Annual Report 2007.

Bound report entitled "*VETAC Land Reclamation Annual Report 2007*" was submitted under separate cover.

Tina McCaffrey, Supervisor of Land Reclamation, made an electronic regarding the annual report. She indicated that the main activities of the program involve tree planing and liming focusing on watersheds, biodiversity and urban canopy. She stated that 150,000 tree seedlings were planted in 2007 for a total of 8.8 million since 1978 and ten hectares of barren land were limed for a total of 3,300 hectares since 1978. She advised that watersheds have been a focus, as vegetation acts as a filter for contaminants and sediments entering into water bodies.

With respect to biodiversity, she stated that forest floor transplants have begun to spread outside the original plot indicating that reclaimed land is suitable to support the growth of those species. She indicated another monitoring assignment was to assess how well reclaimed sites compared to mature forest of unimpacted sites to see if reclaimed sites followed the path to becoming self-sustaining forest ecosystems. The results indicated that trees were larger and healthier in limed areas.

Ms. McCaffrey indicated that action has been taken by VETAC to enhance urban canopy cover since 1976 with over 400,000 tree seedlings being distributed to citizens through the annual tree giveaway. She advised that a more recent VETAC urban regreening project has been the *Ugliest Schoolyard Contest*. She listed the sponsors and the winner and runners-up of this year's contest.

Ms. McCaffrey explained the program funding which exceeds \$24 million to date stating that the City's contribution has averaged 13.4% with 86.6% coming from outside sources. She concluded by stating that there are twenty active members on the Committee (many of which were in attendance) and advised that 2008 is the program's 30<sup>th</sup> Anniversary.

The following resolution was presented:

2008-49 Thompson-Barbeau: THAT the Council of the City of Greater Sudbury recognize the achievements of the Land Reclamation Program and the value of the Program to the quality of life in the City and support the on-going initiatives of this Program and VETAC;

Item 5  
Land Reclamation  
Program Annual  
Report 2007  
(continued)

AND FURTHER THAT the City of Greater Sudbury's Land Reclamation Program Annual Report 2007 be received and the contributions of VETAC be acknowledged.

**CARRIED**

Item 6  
Lake Water Quality  
Program 2007 Annual  
Report

Report dated 2008-01-30 was received from the General Manager of Growth & Development regarding Lake Water Quality Program 2007 Annual Report.

Bound report entitled "*Lake Water Quality Program Environmental Planning Initiatives: City of Lakes 20076 Annual Report*" was submitted under separate cover.

Lana Haslam, Lake Water Quality Program Coordinator, made an electronic presentation regarding the annual report. She listed the partners in the program including 35 lake stewardship groups and the Lake Improvement Advisory Panel. She explained the program's activities of this year:

- Spring Phosphorus Sampling - 46 lakes were sampled and the information was shared with the Ministry of the Environment to supplement their provincial water quality database
- Lake Stewardship Assistance Program - thirteen applicants received a total of \$7,370
- Shoreline Home Visit Program - 214 dock-to-dock visits and 44 shoreline visits were made and 316 information packages were distributed
- Sudbury Water Gathering - Forum held at Science North on November 1, 2007

The following resolution was presented:

2008-50 Thompson-Barbeau: THAT Council recognize the achievements of the Lake Water Quality Program and the value of the Program to the quality of life in the City of Greater Sudbury and support the on-going initiatives of this Program;

AND FURTHER THAT the Lake Water Quality Program 2007 Annual Report be received.

**CARRIED**

Item 7  
Market Square Year  
End Report

Report dated 2008-01-31 was received from the General Manager of Growth & Development regarding Market Square Year End Report.

Doug Nadorozny, General Manager of Growth & Development, and Eleethea Marson, Business Development Officer; made an electronic presentation regarding the Market Square.

Doug Nadorozny provide a history of Market Square stating that the new Board of Directors of Downtown Sudbury expressed a desire to relinquish operations of the market to the City and the City assumed responsibility on May 1, 2007. He stated that the market encourages and supports local economy and the market goals are downtown revitalization, business incubation, job creation and community attraction.

Eleethea Marson stated that the operations planned for 2008 are to establish an informal 'Friends of Market Square; conduct an internal review of policies, rules and regulations; and encourage consideration for using Market Square as a venue for staging events which required Ontario Building Code Review of the facility. She stated that the Marketing Strategy for 2008 include five main enhancement program objectives:

- ▶ Market Research
- ▶ Market Identity & Experience
- ▶ Vendor Recruitment
- ▶ Advertising & Promotion
- ▶ Programming & Special Events

Ms. Marson stated that Greater Sudbury Development Corporation renewed their commitment to Market Square by supporting the recommended Marketing Strategy in the amount of \$25,000.

**MATTERS ARISING FROM THE "CLOSED SESSION"**

Rise and Report

Deputy Mayor Rivest, as Chair of the Committee of the Whole, reported Council met to deal with Labour Relations/Employee Negotiations (Employee Negotiations related to terms and conditions of work) falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2006-100 and the Municipal Act, 2001, s.239(2) and no resolutions emanated therefrom.

## **PART I**

### **CONSENT AGENDA**

#### **Consent Agenda**

The following resolution was presented to adopt the items contained in Part I, Consent Agenda:

2008-51 Thompson-Barbeau: THAT Consent Agenda Items C-1 to C-6 inclusive be adopted and Item C-8 be received for information only.

**CARRIED**

#### **MINUTES**

Item C-1  
Report No. 24  
City Council  
2008-01-30

2008-52 Barbeau-Caldarelli: THAT Report No. 24, City Council Minutes of 2008-01-30 be adopted.

**CARRIED**

Item C-2  
Report No. 24  
Planning Committee  
2008-02-05

2008-53 Caldarelli-Barbeau: THAT Report No. 24, Planning Committee Minutes of 2008-02-05 be adopted.

**CARRIED**

Item C-3  
Report No. 4  
Transit Committee  
2008-02-06

2008-54 Barbeau-Thompson: THAT Report No. 4, Transit Committee Minutes of 2008-02-06 be adopted.

**CARRIED**

Item C-4  
Report No. 7  
CGSPLB  
2007-11-20

2008-55 Thompson-Barbeau: THAT Report No. 7, City of Greater Sudbury Public Library Board Minutes of 2007-11-20 be adopted.

**CARRIED**

Item C-5  
NDCA  
2008-01-17

2008-56 Caldarelli-Cimino: THAT the Nickel District Conservation Authority Minutes of 2008-01-17 be received.

**CARRIED**

Item C-6  
SDBH  
2008-01-17

2008-57 Caldarelli-Cimino: THAT the Sudbury & District Board of Health Minutes of 2008-01-17 be received.

**CARRIED**

#### **CORRESPONDENCE FOR INFORMATION ONLY**

Item C-8  
Greater Sudbury's  
125<sup>th</sup> Anniversary  
Update

Report dated 2008-02-07 was received from the General Manager of Community Development regarding Greater Sudbury's 125<sup>th</sup> Anniversary Update for information only.

## **PART II**

### **REGULAR AGENDA**

#### **MANAGERS' REPORTS**

Item R-1  
Winter Control Roads  
Forepersons  
Workload

Report dated 2008-02-11 was received from the General Manager of Infrastructure Services and the Director of Human Resources & Organizational Development regarding Winter Control Roads Forepersons Workload.

R. Falcioni, Director of Roads & Transportation, explained the electronic slide *Roads Foreperson Deployment - Winter* from 2001 to date.

The following resolution was presented:

2008-58 Dutrisac-Caldarelli: THAT Council authorize Infrastructure Services Department staff to hire five (5) additional Temporary Roads Forepersons for the 2008 - 2009 Winter Control Season, pending a process review of Winter Control management activities;

AND THAT the \$66,000 cost associated with this recommendation for the 2008 Budget be drawn from the Winter Control Reserve Fund;

AND THAT the \$210,000 current Budget impact for adoption of the report dated February 8, 2008 from the General Manager of Infrastructure Services for the 2008 - 2009 Winter Control Season be added to the 2009 Base Budget.

#### **RECORDED VOTE:**

##### **YEAS**

##### **NAYS**

Cimino  
Barbeau  
Berthiaume  
Dutrisac  
Rivest  
Thompson  
Caldarelli  
Landry-Altmann  
Mayor Rodriguez

**CARRIED**

## **BY-LAWS**

### **THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:**

2008-36A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF FEBRUARY 13, 2008
2008-37	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE ACQUISITION OF 441 COCHRANE STREET, SUDBURY, BEING PIN 02132-0140(LT), LOT 64 PLAN M-103 FROM JOHN CREIGHTON  Planning Recommendation #2008-31
2008-38	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE ACQUISITION OF PARCEL 53631 SES, PART 64 ON PLAN 53R-9397, TRUDEAU DRIVE, VALLEY EAST INDUSTRIAL PARK FROM RIBIT HOLDINGS  Planning Recommendation #2008-37
2008-39	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART PIN 73586-1315, PART OF A LANE EAST OF EDNA STREET AND WEST OF CRESSEY STREET, ON PLAN 58S, ABUTTING LOTS 4 AND 5 ON PLAN 20S-A TO 1700223 ONTARIO LIMITED  Planning Recommendation #2008-38
2008-40	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART PIN 73586-1315, PART OF A LANE EAST OF EDNA STREET AND WEST OF CRESSEY STREET, ON PLAN 58S, ABUTTING LOTS 11 - 14 ON PLAN 58S TO 1662373 ONTARIO LIMITED  Planning Recommendation #2008-38



## **BY-LAWS (continued)**

- |           |   |  |
|-----------|---|--|
| 2008- 41F | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES</p> <p>Report dated 2008-01-31 was received from the CFO/Treasurer regarding Tax Adjustments under Section 357 and 358 of the Municipal Act.</p> <p>(Each year after the return of the Assessment Roll and during the tax billing process, some properties become eligible for the cancellation, reduction or refund of realty taxes. Section 357 of the Municipal Act provides the authority for tax adjustments in the current year for reasons that may include change in rate of taxation, change in tax status or fire/demolition. Section 358 of the Municipal Act provides the authority for tax adjustments for prior years for errors in the preparation of the Assessment Roll. All applications for tax adjustments are verified by the Municipal Property Assessment Corporation prior to being processed by the City of Greater Sudbury.)</p> |
| 2008-42T  | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY</p> <p>Report dated 2008-02-01 was received from the General Manager of Infrastructure Services regarding School Zone Speed Limit - St. Michel Street, Hanmer.</p> <p>(The report recommends hat the speed limit on St. Michel Street be reduced to 40 km/h from Cote Boulevard to 400 metres North of Cote Boulevard due to the presence of St. Anne School)</p>  |
| 2008-43   | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN APPLICATION TO INFRASTRUCTURE ONTARIO FOR FUNDING UNDER THE MUNICIPAL INFRASTRUCTURE INVESTMENT INITIATIVE</p> <p>City Council Resolution #2008-41</p> <p>(This By-law authorizes submission of an application for funding under the Municipal Infrastructure Investment Initiative for a 31 bed dementia unit at Pioneer Manor.)</p>   |

## **BY-LAWS (continued)**

2008-44Z                      3                      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND  
BY-LAW 95-500Z THE COMPREHENSIVE ZONING BY-LAW FOR  
THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2008-34

(This By-law deletes Clause (I) in exception "C4-14", Office Commercial Special Zone, which had restricted the permitted uses to a retail clothing boutique, one dwelling unit and their related accessory uses. With this amendment the permitted uses will include all of the uses permitted in the "C4", Office Commercial Zone as set out in Part IV, Section 4, Subsection (2) of By-law 95-500Z. - Jacqueline Gervais, 273 Elm Street, Sudbury.)

2008-45Z                      3                      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND  
BY-LAW 95-500Z THE COMPREHENSIVE ZONING BY-LAW FOR  
THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2008-32

(This by-law rezones the subject property to "R1", Single Residential in order to permit a single detached dwelling on a lot formerly utilized for overflow customer parking and as the location of a District Regulator Station for Union Gas - Beverley Dubreuil, Lincoln Road, Sudbury.)

2008-46                      3                      A BY-LAW OF THE CITY OF GREATER SUDBURY TO  
AUTHORIZE AN APPLICATION FOR APPROVAL TO  
EXPROPRIATE PART OF PIN 73561-0007 (LT), BEING PART 9  
ON PLAN 53R-18403 FROM 2136205 ONTARIO LIMITED FOR  
THE KINGSWAY ROADWORK PROJECT

(This By-law replaces Bylaw 2008-30, to correct clerical errors.)

### **Three Readings**

2008-59 Berthiaume-Barbeau: THAT By-law 2008-36A to and  
including By-law 2008-46 be read three times and passed.

**CARRIED**

## **MOTIONS**

Item R-2  
Sign By-law 2007-250

The following resolution was presented by Councillor Berthiaume:

Berthiaume-Barbeau: WHEREAS Sign By-law #2007-250 was  
recently enacted and came into force and effect on January 1, 2008;

AND WHEREAS concerns have been expressed that the portable  
sign provisions are too restrictive and are adversely affecting  
businesses;

Item R-2  
Sign By-law 2007-250  
(continued)

AND WHEREAS the suggestion has been made that portable signs should be allowed on a permanent basis while maintaining the restriction as to their numbers, as provided in the current by-law:

AND WHEREAS it has been suggested that non-profit, charitable groups should be exempt from paying permit fees in relation to portable signs:

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury direct staff to prepare a report with options on how to address the concerns raised by business owners for the March 19, 2008 Priorities Committee meeting.

Councillor Rivest requested that the following be concerned during the preparation of the report: distance between two signs; number of businesses at a location compared to number of signs allowed at that location (i.e. three business and only two signs allowed); signs for apartment buildings to advertise vacancies.

Friendly Amendment

With the concurrence of the mover, Council agreed that the foregoing motion be amended by changing the meeting date to the April 16, 2008 Priorities Committee meeting.

Main Motion  
(as amended)

The following resolution was presented as amended:

2008-60 Berthiaume-Barbeau: WHEREAS Sign By-law #2007-250 was recently enacted and came into force and effect on January 1, 2008;

AND WHEREAS concerns have been expressed that the portable sign provisions are too restrictive and are adversely affecting businesses;

AND WHEREAS the suggestion has been made that portable signs should be allowed on a permanent basis while maintaining the restriction as to their numbers, as provided in the current by-law:

AND WHEREAS it has been suggested that non-profit, charitable groups should be exempt from paying permit fees in relation to portable signs:

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury direct staff to prepare a report with options on how to address the concerns raised by business owners for the April 16, 2008 Priorities Committee meeting.

**CARRIED**

Item R-3  
Use of Plastic Bags

The following resolution was presented by Councillors Barbeau and Cimino:

2008-61 Barbeau-Cimino: WHEREAS there is a growing international movement to ban or discourage the use of plastic bags because of their effect on the environment;

AND WHEREAS the production of plastic bags consumes natural resources and energy and creates environmental pollution;

AND WHEREAS plastic bags, most of which are made of polyethylene which takes up to 1,000 years to decompose, significantly add to the volume of waste in the landfill sites, as well as create litter and choke marine life;

AND WHEREAS approximately 4,680,000,000 bags are used in Canada annually;

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury direct City of Greater Sudbury staff to promote the elimination of the use of plastic bags within the operational requirements of the City of Greater Sudbury;

AND FURTHER BE IT RESOLVED THAT the City of Greater Sudbury Solid Waste Section staff step up their efforts to educate the public about the adverse effect of plastic bags on the environment and the fact that plastic bags are recyclable in the City of Greater Sudbury;

AND FURTHER BE IT RESOLVED THAT the Council of the City of Greater Sudbury encourage Greater Sudbury retailers to reduce or eliminate the use of plastic bags in their operations, and to promote the use of reusable containers for carrying purchases.

AND FURTHER BE IT RESOLVED THAT the Council of the City of Greater Sudbury encourage the residents of Greater Sudbury to utilize reusable containers rather than plastic bags for carrying their purchases and to recycle whatever plastic bags they do obtain.

AND FURTHER BE IT RESOLVED THAT a copy of this resolution be provided to the Solid Waste Advisory Panel for their information, consideration and input.

**CARRIED**

## **QUESTION PERIOD**

### **Greater Sudbury 125<sup>th</sup> Anniversary**

Landry-Altmann stated that “La ville invisible / Site Unseen” on page 24 of the Agenda (Greater Sudbury 125<sup>th</sup> Anniversary Update) should be described as a photo collection by a Greater Sudbury photographer with writings by Greater Sudbury francophone authors showcasing Sudbury’s heritage and the coming of age of the City.

### **Idling Policy**

Councillor Landry-Altmann asked for clarification regarding the City’s anti-idling policy.

The General Manager of Infrastructure Services advised that the anti-idling policy is five minutes and is voluntary. He further advised that the policy is currently being reviewed.

### **Walkway at Rainbow Mall**

Councillor Cimino indicated he has received calls regarding the walkway from the bus depot to the Rainbow Mall with safety concerns and asked why pedestrians are not required to cross at the traffic signal lights.

The General Manager of Infrastructure Services advised that the traffic department, some time ago, recommended a solid barricade from the Post Office to Notre Dame Avenue; however Council approved the partition.

At the request of Councillor Cimino, Council agreed that staff review the matter and bring back a report to the Traffic Committee.

### **Adjournment**

2008-62 Landry-Altmann-Berthiaume: THAT this meeting does now adjourn. Time: 9:35 p.m.

**CARRIED**

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Mayor John Rodriguez

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Angie Haché, City Clerk