

**THE TWENTY-NINTH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY**

**C-11
Tom Davies Square**

**Thursday, March 24, 2005
Commencement: 5:05 p.m.**

DEPUTY MAYOR DUPUIS, IN THE CHAIR

Present Councillors Berthiaume; Bradley; Caldarelli; Gainer; Gasparini; Reynolds; Rivest; Thompson (5:20 pm); Mayor Courtemanche

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; B. Mangiardi, Acting Executive Director of Administrative Support Services; A. Stephen, General Manager of Infrastructure & Emergency Services; S. Jonasson, Acting CFO/Treasurer; R. Swiddle, City Solicitor/Director of Legal Services; T. Mowry, City Clerk; A. Haché, Deputy City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2005-105 Reynolds-Rivest: That we move "In Camera" to deal with Personnel Matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2).

CARRIED

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

Reconvene At 7:02 p.m., Council moved to the Council Chamber to continue the regular meeting.

Chair **HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR**

Present Councillors Berthiaume; Bradley; Caldarelli; Dupuis; Gainer; Gasparini; Reynolds; Rivest; Thompson

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; A. Stephen, General Manager of Infrastructure & Emergency Services; B. Mangiardi, Acting Executive Director of Administrative Support Services; S. Jonasson, Acting CFO/Treasurer; R. Swiddle, City Solicitor/Director of Legal Services; G. Lamothe, Manager of Corporate Communications & French Language Services; I. Davidson, Chief of Police, Greater Sudbury Police Service; J. Nicholls, Acting Director of Emergency

City Officials
(continued)

Medical Services; C. Mathieu, Director of Waste Management; J. McKechnie, Executive Assistant to the Mayor; A. Haché, Deputy City Clerk; J. Nelson, Supervisor of Elections; CJ Caporale, Council Secretary

News Media

Sudbury Star; MCTV; Channel 10 News; Le Voyageur

Declarations of Pecuniary Interest

None declared.

Opening Remarks

Councillor Thompson welcomed Ms. M. Ashbee's Grade 5 students from Northeastern Elementary School in Garson.

PRESENTATIONS/DELEGATIONS

Item 4
Strategic Vision - Sudbury BPW Club

Ms. Kelly Farrell, Incoming President of the Sudbury Business and Professional Women's Club (BPW) advised Council that the BPW Sudbury is celebrating their 60th Anniversary this year and will be holding a press conference on April 12, 2005, at Tom Davies Square, to recognize the contribution and accomplishments of working women in the City of Greater Sudbury. She advised that the Mayor will also be signing their Proclamation on April 5, 2005.

Ms. Farrell stated that for the first time Sudbury has women "at the helm in education, health, Law and Justice, an MP and MPP, three Councillors, and three Civic Administrators". Ms. Farrell advised that on March 22, 2005, BPW Sudbury recognized "Women Leaders in Greater Sudbury", which included Councillor Frances Caldarelli, Councillor Janet Gasparini and Councillor Lynne Reynolds along with Ms. Caroline Hallsworth, Ms. Sandra Jonasson and Ms. Catherine Matheson.

Ms. Farrell outlined the BPW Sudbury's activities for the next nine months in celebration of the Club's 60th Anniversary.

Documentation was circulated by BPW Sudbury.

Item 5
Grow Bonds

Mr. Austin Davey, Chair of the Northern Ontario Grow Bonds Corp. gave an electronic presentation which outlined that Northern Ontario Grow Bonds are a key component of the government's Northern Prosperity Plan and would provide Northern Ontario residents with a means to invest in a safe and competitive savings instrument.

Mr. Davey advised Council that a Corporation was established to oversee the Northern Ontario Grow Bonds Program and that an Interim Board, made up of three members, is now in place.

Item 5
Grow Bonds
(continued)

There are two components to the Program - the sale of Grow Bonds and the Northern Ontario Grow Bonds Business Loan Program. The provincial-guaranteed bonds are available for sale March 21 to April 11, 2005. The bonds have a five year term with an annual interest payment of 4%. They hope to raise \$20 million through the sale of bonds to Northerners.

He also provided information on the sale of Grow Bonds, such as where they could be purchased, in what denomination, for how long, and the availability of brochures and applications.

He explained that the Northern Ontario Grow Bonds Business Loan Program was launched on February 25, 2005 in Thunder Bay, and that the funds raised would be used to provide loans to small and medium-sized businesses in Northern Ontario. He also stated how the funding can and cannot be used, and explained the application and approval process.

The following resolution was presented:

2005-106 Gainer-Caldarelli: WHEREAS the Ministry of Northern Development and Mines announced the launch of the Northern Ontario Grow Bonds;

AND WHEREAS the rate of return is 4% for a five-year term;

AND WHEREAS the maximum investment in these bonds is limited to \$500,000 by the Ministry;

AND WHEREAS the City has an investment policy in place;

AND WHEREAS the rate of return exceeds the present average rate of return of 3.51% in the City's investment portfolio;

AND WHEREAS the City maintains a mix of securities in its investment portfolio, including securities guaranteed by Canada or a province of Canada;

AND WHEREAS the Northern Ontario Grow Bonds are guaranteed by the Province of Ontario;

AND WHEREAS there are reserve funds presently set aside by Council for future capital projects such as Recycling Equipment Replacement, and Social Housing Capital, and for future obligations such as Sick Leave and WSIB;

BE IT RESOLVED THAT the City of Greater Sudbury purchase \$500,000 of Northern Ontario Grow Bonds, for a five-year period.

Item 5
Grow Bonds
(continued)

RECORDED VOTE:

YEAS

NAYS

Berthiaume
Bradley
Caldarelli
Dupuis
Gainer
Gasparini
Rivest
Thompson
Mayor Courtemanche

Reynolds

CARRIED

MATTERS ARISING FROM THE “IN CAMERA” SESSION

Rise and Report

Deputy Mayor Dupuis, as Chair of the Committee of the Whole, reported Council met to deal with Personnel Matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, 2001, s.239(2) and no resolutions emanated therefrom.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Caldarelli, Chair of the Priorities Committee, reported that the Priorities Committee met on 2005-03-23 and there were no items requiring Council approval.

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report

Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2005-03-15 and there were no items requiring Council approval.

PART I
CONSENT AGENDA

Consent Agenda

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

2005-107 Reynolds-Rivest: THAT Items C-1 to C-13 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 Report No. 28 City Council <u>2005-03-10</u>	2005-108 Reynolds-Rivest: THAT Report No. 28, City Council Minutes of 2005-03-10 be adopted.	CARRIED
Item C-2 Report No. 26 Planning Committee <u>2005-03-15</u>	2005-109 Reynolds-Rivest: THAT Report No. 26, Planning Committee Minutes of 2005-03-15 be adopted.	CARRIED
Item C-3 Report No. 25 Priorities Committee <u>2005-03-23</u>	2005-110 Reynolds-Rivest: THAT Report No. 25, Priorities Committee Minutes of 2005-03-23 be adopted.	CARRIED
Item C-4 Report No. 5 Property Standards <u>2005-03-15</u>	2005-111 Reynolds-Rivest: THAT Report No. 5, Property Standards Appeal Committee, Minutes of 2005-03-15 be received.	CARRIED
Item C-5 Report No. 2 Sudbury & District Board of Health <u>2005-02-17</u>	2005-112 Rivest-Reynolds: THAT Report No. 2, Sudbury & District Board of Health, Minutes of 2005-02-17 be received.	CARRIED
Item C-6 TOC <u>2005-03-08</u>	2005-113 Rivest-Reynolds: THAT the Report of the Tender Opening Committee, Minutes of 2005-03-08 be received.	CARRIED
Item C-7 Tender Opening Sub-Committee <u>2005-03-09</u>	2005-114 Reynolds-Rivest: THAT the Report of the Tender Opening Sub-Committee, Minutes of 2005-03-09 be received.	CARRIED
Item C-8 TOC <u>2005-03-15</u>	2005-115 Rivest-Reynolds: THAT the Report of the Tender Opening Committee, Minutes of 2005-03-15 be received.	CARRIED
Item C-9 Flour Mill Business Improvement Area <u>2005-03-02</u>	2005-116 Reynolds-Rivest: THAT the Report of the Flour Mill Business Improvement Area Association, Minutes of 2005-03-02 be received.	CARRIED

Item C-10
Greater Sudbury
Housing Corp.
2005-01-25

2005-117 Rivest-Reynolds: THAT the Report of the Greater Sudbury Housing Corporation, Minutes of 2005-01-25 be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-11
Approving Fees for
Paid Duty Officers

Report dated 2005-03-18, with attachments, from the Acting Chief Financial Officer and Treasurer regarding Approving Fees for Paid Duty Officers Implemented by the Greater Sudbury Police Services Board was received.

The following resolution was presented:

2005-118 Thompson-Berthiaume: THAT By-law 2002-03 of the Greater Sudbury Police Services Board as amended be approved;

AND THAT the new fees for paid duty assignments be effective as of March 1st, 2005.

CARRIED

Item C-12
Liquor License Ext. &
Noise By-law Exempt.
Royal Canadian
Legion

Report dated 2004-03-24, with attachments, from the Executive Director of Administrative Support Services regarding Liquor License Extension and Noise By-law Exemption for the Royal Canadian Legion, Branch 224 was received.

The following resolution was presented:

2005-119 Thompson-Berthiaume: THAT this Council has no objection to the issuance of a liquor licence extension and no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to The Royal Canadian Legion Branch 224, to include a secured hospitality area in the front parking lot at 41 Veterans Road, Copper Cliff. The request is made to facilitate a community festival and the days and hours of operation will be: Saturday, May 14, 2005 and Sunday, May 15, 2005 between the hours of 5:00 p.m. to 2:00 a.m.

AND FURTHER THAT approval of the above exemptions be subject to the conditions set out in Schedule 'A'.

SCHEDULE "A"

1. That the special event organizer shall ensure the provision of adequate clean-up of the site and those properties adjacent to the event area no later than 12:00 o'clock noon on Sunday, May 15, 2005;

Item C-12
Liquor License Ext. &
Noise By-law Exempt.
Royal Canadian
Legion
(continued)

2. That the event representative ensure emergency vehicles have access to the event area;
3. That all Ontario Fire Code regulations must be adhered to, in particular, with respect to Section 2.8 that indicates a Fire Safety Plan is required for this event;
4. That no bonfires of any kind, barbecues or similar types of cooking devices shall be operated on the site without the consent of the Fire Chief, and that an approved fire extinguisher be provided for each of the foregoing;
5. That no outside entertainment system be permitted, however, if outdoor amplified sound equipment is in use, all speakers and speaker stacks shall be positioned to tilt downward into the crowd versus projecting straight over the crowd or adjoining properties;
6. That the special event organizer, or his designate, must be present on the site during the entire duration of the event.
7. That any tent be erected in accordance with the provisions of the Ontario Building Code.
8. The event organizer shall notify the neighbours and provide the City Clerk with a copy of said notification.

CARRIED

Item C-13
2004 Reuse Rebate

Report dated 2004-03-16 from the General Manager of Infrastructure & Emergency Services regarding 2004 Reuse Rebate was received.

The following resolution was presented:

2005-120 Thompson-Berthiaume: THAT the 2004 Reuse Rebate for non-profit reuse organizations be approved, as detailed in the report dated March 16, 2005 from the General Manager of Infrastructure & Emergency Services.

CARRIED

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2005-70A	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF MARCH 24, 2005
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C.C. 2005-03-24 (29TH) (7)

BY-LAWS (continued)

- 2005-71P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 241 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA
- Planning Committee Recommendation #2004-222
- (This amendment changes the land use designation of the subject property from "Recreational/Institutional" to "Residential" to permit the severance of a former school property into lots for single residential use. Jean Charles Labonte, Riverside Drive and Hill Street, Wahnapiatae)
- 2005-72Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE
- Planning Committee Recommendation #2004-223
- (This By-law rezones the subject property to Single Residential to permit this former school property to be severed for lots for single residential use. Jean Charles Labonte, Riverside Drive and Hill Street, Wahnapiatae)
- 2005-73A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2005-165A TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY
- (This By-law updates the list of Clerks at Citizen Service Centres.)
- 2005-74T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-30T TO REGULATE PARKING ON FIRE ROUTES IN THE CITY OF GREATER SUDBURY
- (This By-law adds an additional fire route for the Moncion's Independent Grocer on Municipal Road 80, Hanmer.)
- 2005-75P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 230 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA
- Planning Committee Recommendation #2003-200
- (This Official Plan Amendment provides a site specific exception for the subject property from the Secondary Plan for the Settlements of Nickel Centre which establishes a "General Commercial" designation where the only permitted uses shall be an automobile repair shop, a recreation vehicle sales establishment, an automotive dealership and one dwelling unit. - Richard D. Toulouse, 2164 Falconbridge Road, Garson)

BY-LAWS (continued)

2005-76Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-04, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE

Planning Committee Recommendation #2003-201

(This By-law rezones the subject property to a revised "M1-8" Special Light Industrial/Service Commercial to legalize an existing automobile repair shop and a recreation vehicle sales establishment. By-law 98-144Z which previously established an "M1-7" zoning designation on these lands is repealed. - Richard D. Toulouse, 2164 Falconbridge Road, Garson)

2005-77F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO MINING, INNOVATION, REHABILITATION AND APPLIED RESEARCH CORPORATION (MIRARCO)

(The By-law provides for a grant to Mirarco for the clean air one tonne challenge program in the amount of \$10,000 from an allotment of Federal funding related to the One Tonne Challenge.)

2005-78F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO SCIENCE NORTH

(The By-law provides for a grant to Science North for the development of Science North's One Tonne Challenge exhibits in the amount of \$28,000 from an allotment of Federal funding related to the One Tonne Challenge.)

2005-79Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND CITY OF VALLEY EAST

Planning Committee Recommendation #2005-45

(This By-law rezones the subject property to Highway Commercial Special to permit the use of the existing building on site for a residential triplex and it retains the underlying Highway Commercial zoning for potential future use. - Armand and Lorraine Lacroix, 80 Main Street, Dowling.)

2005-80T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This By-law updates the list of enforcement officers.)

BY-LAWS (continued)

2005-81F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PAYMENT OF GRANTS TO VARIOUS NON-PROFIT COMMUNITY ORGANIZATIONS

Report dated 2005-03-16 from the General Manager of Community Development was received.

1ST & 2ND Reading

2005-121 Bradley-Berthiaume: THAT By-law 2005-70A to and including By-law 2005-81F be read a first and second time.

CARRIED

3RD Reading

2005-122 Berthiaume-Reynolds: THAT By-law 2005-70A to and including By-law 2005-81F be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-14
Child Care - Service
Evaluation

Report dated 2005-03-01 from the General Manager of Community Development regarding Child Care - Service Evaluation was received for information only.

Item C-15
Remuneration Paid to
Council Members &
Appointees - 2004

Report dated 2005-03-18, with attachments, from the Acting CFO/Treasurer regarding Remuneration Paid to Members of Council and Council Appointees during 2004 was received for information only.

PART II REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
City Day Care -
Renovation Costs -
Alternative Space

Report dated 2005-03-03 from the General Manager of Community Development regarding City Day Care - Renovation Costs of Alternative Space was received.

Councillor Caldarelli stated that there is a waiting list of 12-15 families who are in need of the Evening Program within the City of Greater Sudbury and asked the General Manager of Community Development how many families currently use this program.

General Manager of Community Development advised Council that she did not have the statistics available and would provide the information to Council.

Item R-1
City Day Care -
Renovation Costs -
Alternative Space
(continued)

The following resolution was presented:

2005-123 Reynolds-Berthiaume: BE IT RESOLVED THAT the City of Greater Sudbury expand the City Day Care's after school program to better meet the needs of families requiring evening child care;

AND FURTHER THAT \$22,400 from the Children Services Division's "Health and Safety" allocation be made available to complete renovations to this space as required by Fire and Building Codes.

CARRIED

Item R-2
2004 Water Works
Summary Reports

Report dated 2005-03-16, with attachments, from the General Manager of Infrastructure & Emergency Services regarding 2004 Water Works Summary Reports was received.

The following resolution was presented:

2005-124 Reynolds-Berthiaume: THAT the Council of the City of Greater Sudbury acknowledge receipt of the 2004 Water Works Summary Report, in accordance with Ontario Regulation 170/03;

AND THAT the General Manager of Infrastructure and Emergency Services be authorized to submit the report to the Ministry of the Environment;

AND THAT the 2004 Water Works Summary Report be made available for public review at the Office of the City Clerk, and on the City's website;

AND THAT the City of Greater Sudbury publicize the availability of the 2004 Water Works Summary Report for public review.

CARRIED

Item R-3
Generating Electricity
with Landfill Gas

Report dated 2005-03-16 from the General Manager of Infrastructure & Emergency Services regarding Generating Electricity with Landfill Gas was received.

The following resolution was presented:

2005-125 Thompson-Berthiaume: THAT staff be authorized to commence negotiations for an agreement with a numbered company to be incorporated, being a Greater Sudbury Utilities Inc. generating company (GenCo), to develop the landfill gas utilization project, as per the General Manager of Infrastructure & Emergency Services report dated March 16, 2005.

CARRIED

Item R-4
Converting Vehicles
into Paramedic
Response Vehicles

Report dated 2005-03-18 from the General Manager of Infrastructure & Emergency Services regarding conversion of vehicles into Paramedic Response Units was received.

The following resolution was presented:

2005-126 Reynolds-Thompson: THAT Rowland Emergency Vehicle Products Inc. be identified as the vendor of record to complete conversion work on EMS base vehicles for use as Paramedic Response Units up until December 31, 2007;

AND THAT the Director of Emergency Medical Services be authorized to execute all documents to carry out this ongoing work.

CARRIED

Item R-5
Resignation &
Appointment to the
Sudbury & District
Health Unit

Report dated 2005-03-18 from the Executive Director of Administrative Support Services regarding the resignation of Councillor Caldarelli from the Sudbury & District Health Unit and the appointment of a replacement was received.

Councillor Bradley expressed his appreciation to the Board of Directors of the Sudbury & District Health Unit for his time served as a Member. He then announced that he was also submitting his resignation as a Member of the Board of Directors of the Sudbury & District Health Unit effective immediately.

The Chair advised Council that they had two options to fill the vacancy:

Option 1: Appointing two Members of Council; or

Option 2: Citizen Appointment made in accordance with Council's Procedure By-law 2002-202.

With the concurrence of Council, Option 2 was presented:

2005-127 Reynolds-Rivist: THAT Council accepts the resignation of Councillors Caldarelli and Bradley as Members of the Board of Directors of the Sudbury and District Health Unit effective March 1, 2005;

AND THAT the vacancies on the Board be filled by Citizen Appointments in accordance with Procedure By-law 2002-202.

CARRIED

CIVIC PETITIONS

Closure of Loeb,
Azilda

Councillor Berthiaume submitted a petition to the Deputy City Clerk signed by approximately twenty-two hundred (2200) residents of Azilda which will be forwarded to the General Manager of Growth & Development. The petition indicates that the residents of Azilda are opposed to Loeb permanently closing on May 14, 2005.

Councillor Berthiaume requested that the original copy of the petition be sent to Loeb's Head Office in Ottawa.

Councillor Dupuis requested that Mayor Courtemanche meet with Loeb representatives to discuss alternatives with respect to the closure of the store in Azilda.

QUESTION PERIOD

Ontario Fire Marshall
Seminar

Councillor Dupuis stated he recently attended a seminar by the Fire Marshall's Office on minimum level of service. He requested that the General Manager of Infrastructure & Emergency Services make arrangements to have this presentation made to Members of Council.

Adjournment

2005-128 Reynolds-Rivest: THAT this meeting does now adjourn.
Time: 8:45 p.m.

CARRIED

Mayor

Deputy City Clerk