

THE FIFTY-FOURTH MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

C-11
Tom Davies Square

Wednesday, June 14, 2006
Commencement: 4:30 p.m.

DEPUTY MAYOR CRAIG, IN THE CHAIR

Present Councillors Berthiaume; Bradley (A4:41pm); Caldarelli; Callaghan; Dupuis; Gasparini; Kett; Reynolds; Rivest; Thompson; Mayor Courtemanche

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; L. Hayes, CFO/Treasurer; R. Swiddle, City Solicitor; H. Salter, Deputy City Solicitor; G. Clausen, City Engineer; G. Lamothe, Manager of Communications & French Language Service; R. Carré, Director of Leisure Services; K. Forrester, Real Estate Co-ordinator; D. Braney, Acting Director of Solid Waste; R. Mensour, Manager of Arenas; A. Haché, City Clerk; CJ Caporale, Council Secretary

"In Camera" 2006-680 Dupuis-Berthiaume: That we move "In Camera" to deal with Property and Litigation Matters 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

Declaration of Pecuniary Interest Councillor Gasparini declared a conflict regarding a Property Matter and did not take part in the discussion or try to influence the decision in respect thereof and departed from the meeting room.

Recess At 6:30 p.m., Council recessed.

Reconvene At 7:08 p.m., Council commenced the regular meeting in the Council Chamber.

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

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Dupuis (D9:35pm); Gasparini; Kett; Reynolds (D8:00pm); Rivest (D9:40pm); 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; C. Hallsworth, Executive Director of Administrative Services; L. Hayes, CFO/Treasurer; R. Swiddle, City Solicitor; G. Clausen, City Engineer; G. Lamothe, Manager of Communications & French Language Service; G. Mazza, Director of Building Services/Chief Building Official; E. Labelle, Clerk Designate; J. Nelson, Clerk's Services Coordinator; K. Moxam, Manager of Parks Services; R. Carré, Director of Leisure Services; M. Murdoch, Coordinator of Emergency Shelters & Homelessness Initiatives; I. Davidson, Chief of Police, Greater Sudbury Police Services; J. McKechnie, Executive Assistant to the Mayor; A. Haché, City Clerk; F. Bortolussi, Planning Committee Secretary; CJ Caporale, Council Secretary

C.U.P.E. Local 4705

W. MacKinnon, President

News Media

Sudbury Star; MCTV; CIGM; Channel 10 News; Le Voyageur; Northern Life; CBC Radio-Canada; Big Daddy

Declarations of
Pecuniary Interest

None declared.

COMMUNITY DELEGATIONS

Item 4
Tsunami Relief Work
in Sri Lanka

Letter dated 2006-03-29 from Dr. Brian J. Lynch, M.D., D.P.H. regarding Tsunami Relief Work in Sri Lanka was received.

Dr. Sham Merali and Dr. Brian J. Lynch provided Council with an electronic presentation regarding the latest efforts of "Tsunami Rx", a tsunami relief charity.

Dr. Merali advised he visited Sri Lanka in February 2005 and again in February 2006, and delivered aid to victims of the Dec. 26, 2004 tsunami. He also advised that a multicultural concert held in Sudbury several months ago and private donations are paying for the construction of a primary school, a technical school, an early childhood education program and a vocational school for the blind.

Dr. Merali and Dr. Lynch thanked the City of Greater Sudbury for their help and response to the devastation in Sri Lanka.

PRESENTATIONS/DELEGATIONS

Item 6 Bill 124, Staffing & Permit Fees

Report dated 2006-05-12, with attachments, from the General Manager of Growth & Development regarding Bill 124 Final Implementation Process Modifications, Staffing & Permit Fees was received.

Mr. Doug Nadorozny, General Manager of Growth & Development presented Council with an electronic presentation which provided graphs for the year 2005 on the total value of construction, new residential units, and plans of subdivisions, compared to 2006 year-to-date results.

He provided the 2005 average selling price of a new single detached dwelling, apartment vacancy rates, and estimates of real GDP growth.

Mr. Mazza provided a policy update on the Building Regulatory changes, key elements that came into effect July 1, 2005, and the final phase of the new OBC regulation (Bill 124), which came into effect January 1, 2006.

He advised that the Province has requested mandatory Provincial Building Code knowledge, notifications and inspections, specific time limits on building permit issuance, common province-wide application forms for permits, and accountability (professional indemnity insurance coverage, mandatory reporting by municipalities on permit fees, code of conduct for Building Officials).

Mr. Mazza indicated that the Development Liaison Advisory Committee (DLAC) Subcommittee was directed by Council to provide recommendations on Bill 124 implementation. The review was broken down into three categories, process modifications, municipal staffing levels evaluation, and building permit fees.

The following resolution was presented:

2006-681 Thompson-Dupuis: BE IT RESOLVED THAT Council pass an amendment to the Building By-law to allow for a separate Heating, Ventilation and Air Conditioning permit be established. A fixed fee of \$50/permit recommended by DLAC will be subsequently returned for Council approval once the required public hearing is undertaken;

AND THAT staffing be increased by three permanent employees in Building Services to adequately perform the increased mandatory obligations of plans review and building inspection required under the new Ontario Building Code Act and Regulations commonly referred to as Bill 124;

Item 6
Bill 124, Staffing &
Permit Fees
(continued)

AND continue to monitor the regulatory processes that have been implemented through Council and the work of the Development Liaison Advisory Committee (DLAC) Subcommittee by regular meetings of the Subcommittee on Bill 124 Implementation to modify processes to better service the development community and when necessary, bring these processes back to Council when Building By-law changes are mandated;

AND THAT a modification to the procedures in calculating residential building permit fees to bring them more in line with the Institutional Commercial Industrial (ICI) sector fee calculations, for value of construction, effective July 1, 2006, be implemented.

CARRIED

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report

Deputy Mayor Craig, as Chair of the Committee of the Whole, reported Council met to deal with Property and Litigation Matters 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 one resolution emanated therefrom.

Traffic Signals on
Hwy 144, Chelmsford

The following resolution was presented:

2006-682 Berthiaume-Dupuis: THAT Council authorize:

- 1) an amending Site Plan Control Agreement with 1499533 Ontario Inc. for their remaining share of the project estimated at \$106,914.40, and
- 2) an agreement with the City of Greater Sudbury, Ministry of Transportation (MTO), Pijo Investments Ltd., and 1499533 Ontario Inc. for the construction of this project, all in accordance with MTO standards and specifications,

as outlined in the report dated June 7, 2006 from the General Manager of Infrastructure and Emergency Services.

CARRIED

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report

Councillor Dupuis, Chair of the Planning Committee, reported that the Planning Committee met on 2006-06-06 and there were no items to be brought forward at this time.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Thompson, Vice-Chair of the Priorities Committee, reported that the Priorities Committee met on 2006-06-07 and there were no items to be brought forward at this time.

MATTERS ARISING FROM THE NOMINATION COMMITTEE

Rise and Report

Deputy Mayor Craig, Chair of the Nomination Committee, reported that the Nomination Committee met on 2006-06-14 and one resolution emanated therefrom.

Appointment - Citizens' Panel on Council Remuneration

The following resolution was presented:

2006-683 Dupuis-Berthiaume: THAT Council appoint the following five (5) citizen members to the Citizens' Panel on Council Remuneration for the term ending October 31, 2006:

Richard Bois
John Filo
H.R. Koka
Gaétan Marchéterre
Robert Segsworth

CARRIED

PART I CONSENT AGENDA

Consent Agenda

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

2006-684 Thompson-Dupuis: THAT Items C-1 to C-13 inclusive, contained in Part I, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 Report No. 53 City Council 2006-05-24

2006-685 Dupuis-Berthiaume: THAT Report No. 53, City Council Minutes of 2006-05-24 be adopted.

CARRIED

Item C-2 Report No. 49 Planning Committee 2006-06-06

2006-686 Thompson-Dupuis: THAT Report No. 49, Planning Committee Minutes of 2006-06-06 be adopted.

CARRIED

Item C-3
Report No. 48
Priorities Committee
2006-06-07

2006-687 Dupuis-Berthiaume: THAT Report No. 48, Priorities Committee Minutes of 2006-06-07 be adopted, with the exception of Priorities Committee Recommendation 2006-119 (Homelessness Initiatives), as otherwise dealt with.

CARRIED

Priorities Committee
Recommendation
2006-119

Councillor Gasparini requested that Priorities Committee Recommendation 2006-119 (Homelessness Initiatives) be dealt with separately.

Priorities Committee Recommendation 2006-119 was presented:

Dupuis: THAT Recommendations 1 to 7, and 10 to 13, as outlined in the report dated May 9, 2006 by the General Manager of Community Development, be accepted, in order that staff can present options at a future meeting regarding Recommendations 8 and 9.

The following resolution regarding Priorities Committee Recommendation 2006-119 was presented:

Gasparini-Kett: THAT Priorities Committee Resolution 2006-119 be repealed;

AND THAT the Community Solutions Team on Homelessness Initiatives be reactivated to develop a realigned community plan for outreach services for emergency shelters and homelessness initiatives;

AND THAT the Community Solutions Team be comprised of the following:

Nancy Dube
Penny Earley
Terry Fortin
Margaret Borley
Vicki Smith
Grace Kurke
Glen Thibeault
Vera Etches

and additional stakeholders such as private developers, community champions, tenant and landlord representatives, and staff as resource;

Priorities Committee
Recommendation
2006-119
(continued)

AND THAT the Community Solutions Team meet with the Honourable Diane Finley, Minister of Human Resources and Social Development, the Honourable Madeleine Meilleur, Minister of Community and Social Services, and other key political leaders including the Honourable Rick Bartolucci, MPP, Sudbury and Minister of Northern Development and Mines, Shelley Martel, MPP, Nickel Belt, Ray Bonin, MP, Nickel Belt, and the Honourable Diane Marleau, MP, Sudbury, to develop, in conjunction with the municipality, a multi-sectoral funding strategy to prevent homelessness;

AND THAT current services for homelessness be funded until December 31, 2006 using a contribution from the Tax Rate Stabilization Reserve in the amount of \$194,407;

AND THAT the Solutions Team provide a report to Council by the end of September 2006.

Friendly Amendment

With the concurrence of the mover, Councillor Kett requested that the foregoing motion be amended by deleting the words “develop, in conjunction with the municipality, a multi-sectoral funding strategy to prevent homelessness” in paragraph four and insert the words “attain a reasonable sustainable funding level for local homelessness initiatives”.

Main Motion
(as amended)

Priorities Committee Recommendation 2006-119 (Homelessness Initiatives) was presented as amended:

2006-688 Gasparini-Kett: THAT Priorities Committee Resolution 2006-119 be repealed;

AND THAT the Community Solutions Team on Homelessness Initiatives be reactivated to develop a realigned community plan for outreach services for emergency shelters and homelessness initiatives;

AND THAT the Community Solutions Team be comprised of the following:

Nancy Dube
Penny Earley
Terry Fortin
Margaret Borley
Vicki Smith
Grace Kurke
Glen Thibeault
Vera Etches

Priorities Committee
Recommendation
2006-119
(continued)

and additional stakeholders such as private developers, community champions, tenant and landlord representatives, and staff as resource;

AND THAT the Community Solutions Team meet with the Honourable Diane Finley, Minister of Human Resources and Social Development, the Honourable Madeleine Meilleur, Minister of Community and Social Services, and other key political leaders including the Honourable Rick Bartolucci, MPP, Sudbury and Minister of Northern Development and Mines, Shelley Martel, MPP, Nickel Belt, Ray Bonin, MP, Nickel Belt, and the Honourable Diane Marleau, MP, Sudbury, to attain a reasonable sustainable funding level for local homelessness initiatives;

AND THAT current services for homelessness be funded until December 31, 2006 using a contribution from the Tax Rate Stabilization Reserve in the amount of \$194,407;

AND THAT the Solutions Team provide a report to Council by the end of September 2006.

CARRIED

Item C-4
Report No. 2
Transit Committee
2006-05-24

2006-689 Berthiaume-Dupuis: THAT Report No. 2, Transit Committee Minutes of 2006-05-24 be adopted.

CARRIED

Item C-5
Report No. 17
Sudbury Metro Centre
2006-04-25

2006-690 Dupuis-Thompson: THAT Report No. 17, Sudbury Metro Centre Board of Directors Minutes of 2006-04-25 be received.

CARRIED

Item C-6
Report No. 2
GSPL Board
2006-04-20

2006-691 Berthiaume-Dupuis: THAT Report No. 2, Greater Sudbury Public Library Board Minutes of 2006-04-20 be received.

CARRIED

Item C-7
Committee of
Management - Pioneer
Manor
2006-05-02

2006-692 Berthiaume-Callaghan: THAT the Report of the Committee of Management - Pioneer Manor Minutes of 2006-05-02 be received.

CARRIED

Item C-8
Flour Mill BIA
2006-05-30

2006-693 Callaghan-Berthiaume: THAT the Report of the Flour Mill Business Improvement Association Minutes of 2006-05-30 be received.

CARRIED

Item C-9
TOC
2006-05-30

2006-694 Callaghan-Berthiaume: THAT the Tender Opening Committee Minutes of 2006-05-30 be received.

CARRIED

Item C-10
TOC
2006-06-06

2006-695 Callaghan-Berthiaume: THAT the Tender Opening Committee Minutes of 2006-06-06 be received.

CARRIED

TENDERS

Item C-11
RFP - Appraisal
Services

Report dated 2006-06-08 from the Chief Financial Officer/Treasurer regarding Award of Contract for Update to Appraisals - Municipal Buildings was received.

The following resolution was presented:

2006-696 Bradley-Callaghan: THAT the RFP for Update of Building Replacement Cost Appraisal Services be awarded to Suncorp Valuations Ltd. in the amount of \$166,500 + GST;

AND THAT Suncorp Valuations Ltd. also conduct an Asset Management Audit on ten (10) identified buildings for an amount of \$60,100 + GST;

AND THAT appraisal update services be provided annually by Suncorp Valuations Ltd. for an additional four (4) years in the amount of \$12,000 + GST per annum.

CARRIED

Item C-12
RFP - Security Patrol
for Parks

Report dated 2006-05-24 from the General Manager of Community Development regarding Request for Proposal to Provide Security Patrol for Parks Services was received.

The following resolution was presented:

2006-697 Callaghan-Berthiaume: That Securitas Canada be awarded Contract #CDS06-11 in 2006 to provide security patrol for Parks Services and should the services be acceptable and funding be approved, the contract can be renewed for a period of up to five (5) years.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-13
Noise By-law
Exemption
West End Days

Report dated 2006-06-09, with attachments, from the Executive Director of Administrative Services regarding Noise By-law Exemption - Nickel City Hotel - West End Days was received.

The following resolution was presented:

2006-698 Kett-Berthiaume: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) for the Nickel City Hotel - Annual West End Weekend - June 15, 2006 to June 18, 2006, between the hours of 11:00 a.m. to 2:00 a.m.;

AND FURTHER THAT this approval be subject to the conditions as attached in Schedule 'A'.

CARRIED

SCHEDULE 'A' **CONDITIONS:**

1. That the special event organizer shall ensure the provision of adequate clean-up of the site and those properties adjacent to the event immediately following the event;
2. That the event representative ensure emergency vehicles have access to the event area and that barricades be set up to ensure crowd control;
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 glassware be permitted outside the premises;
6. 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;
7. That the special event organizer, or his designate, must be present on the site during the entire duration of the event.

Item C-13
Noise By-law
Exemption
West End Days
(continued)

8. That any tent be erected in accordance with the provisions of the Ontario Building Code.
9. The event organizer shall notify the neighbours and provide the City Clerk with a copy of said notification.

CORRESPONDENCE FOR INFORMATION ONLY

Item C-14
Voting Locations

Report dated 2006-06-05, with attachments, from the Executive Director of Administrative Services regarding Voting Locations - 2006 Municipal Elections was received for information only.

Councillor Caldarelli requested that the Clerk's Section review the possibility of having mobile voting locations at the local hospital sites.

Item C-15
2005 Current Budget
Year-End Position

Report dated 2006-05-26, with attachments, from the CFO/Treasurer regarding 2005 Current Budget - Year-End Position was received for information only.

Item C-16
Development Charges

Report dated 2006-06-07 from the CFO/Treasurer regarding Development Charges 2006-2007 was received for information only.

PART II **REGULAR AGENDA**

MANAGERS' REPORTS

Item R-1
Asset Purchase
Agreement -
ALERTech

Report dated 2006-06-02 from the General Manager of Infrastructure & Emergency Services regarding Asset Purchase Agreement - Academy of Leading Emergency Response Technologies (ALERTech) was received.

The following resolution was presented:

2006-699 Berthiaume-Caldarelli: THAT the General Manager of Infrastructure & Emergency Services be authorized to enter into an Asset Purchase Agreement with the Academy of Leading Emergency Response Technologies (o/a ALERTech) for the assumption of the fire training facility located at the Centre Lionel E. Lalonde Centre, with an effective date of June 1, 2006.

CARRIED

Item R-2
Whitewater Lake Park
Improvements

Report dated 2006-05-29 from the General Manager of Community Development regarding Whitewater Lake Park Improvements was received.

The following resolution was presented:

2006-700 Berthiaume-Rivest: THAT Council approve upgrades to the Whitewater Lake Park in the estimated amount of \$39,000;

AND FURTHER THAT the \$39,000 in park improvements be funded from the Whitewater Lake Park Reserve Fund.

CARRIED

Item R-3
GSCDC Appointments

Report dated 2006-06-07 from the City Solicitor regarding Appointments to City of Greater Sudbury Community Development Corporation was received.

Report dated 2006-06-14 from the General Manager of Community Development regarding Appointments to City of Greater Sudbury Community Development Corporation was tabled.

The following resolution was presented:

2006-701 Rivest-Bradley: THAT Council retroactively approve the candidacy of John Arnold, John Caruso, Michael Luciw, Sandra MacLeod, Steve Irwin, Sylvia Barnard, Guy Labine, Greg Baiden, Debbi Nicholson, Claude Lacroix, Tammy Frick, Risto Laamanen, James Gordon and Patricia Mills to the Board of Directors of the City of Greater Sudbury Community Development Corporation;

AND THAT the Council of the City of Greater Sudbury hereby indicates its consent to the CGS CDC to amend its Letters Patent and By-laws to delete the requirements for Council approval of its members, except for the City Council representatives on the Board.

CARRIED

Item R-4
Don Cherry's
Property - Servicing

Report dated 2006-06-09, with attachments, from the General Manager of Infrastructure & Emergency Services regarding Don Cherry's Restaurant Property - Servicing was received.

The following resolution was presented:

2006-702 Bradley-Berthiaume: THAT Council approve an improper sewer and water connection and a road pavement cut to service the proposed development on the east side of the Don Cherry's property, as outlined in the report dated June 9, 2006 from the General Manager of Infrastructure and Emergency Services.

CARRIED

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

| | | |
|-----------|---|---|
| 2006-105A | 3 | A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF JUNE 14 th , 2006 |
| 2006-106T | 3 | <p>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</p> <p>(This by-law updates the Fire Route By-law to address the legal separation of the Super Mall property on LaSalle Blvd. into two parcels.)</p> |
| 2006-107 | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CHIEF OF THE EMERGENCY MEDICAL SERVICES DIVISION TO SIGN CERTAIN PLACEMENT TYPE AGREEMENTS WITH EDUCATIONS INSTITUTIONS</p> <p>Council Resolution 2006-663</p> |
| 2006-108A | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE SERVICE AGREEMENTS WITH DOCTOR BAYLY AND DOCTOR KOOP</p> <p>Council Resolution 2006-665</p> |
| 2006-109 | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A FUNDING AGREEMENT WITH MAISON LA PAIX</p> <p>Report dated 2006-06-07 from the CFO/Treasurer regarding Maison "La Paix" House Funding Request was received.</p> <p>(This report recommends additional funding to Maison "La Paix" House in the amount of \$200,000.)</p> |
| 2006-110T | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE TRAFFIC AND PARKING BY-LAW 2001-1</p> <p>(This updates the list of Municipal Law Enforcement Officers to enforce parking restrictions on municipal property.)</p> |
| 2006-111 | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT BY-LAW ENFORCEMENT OFFICERS FOR THE SUDBURY AIRPORT</p> <p>(This updates the list of Municipal Law Enforcement Officers to enforce parking restrictions at the Sudbury Airport.)</p> |

2006-112 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-285 BEING A BY-LAW TO REGULATE THE KEEPING OF ANIMALS AND THE REGISTRATION OF DOGS AND CATS

(This by-law amends the Animal Control By-law to reflect fifty-five as the age at which seniors are entitled to receive the benefit of the reduced rate established for seniors applying for registration of a dog or cat under this by-law, consistent with the direction provided by Council for user fees.)

Motion for Deferral

Councillor Rivest did not receive the concurrence of Council to defer By-law 2006-112 in order to receive further information from staff.

2006-113Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2006-41Z BEING A BY-LAW TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

(By-law 2006-41Z permitted a medical office at 208 Caswell Drive, for a temporary period of three years. By-law 2006-113Z amends the parcel number provided by the applicant which was in error. The proper legal description of the property to be rezoned is Parcel 13141 S.E.S., being Part of Lot 2, Plan M-140, in Lot 6, Concession 1, Township of McKim, 208 Caswell Drive - Dr. Shah Nawaz.)

2006-114Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF VALLEY EAST AND THE FORMER TOWN OF ONAPING FALLS

Planning Committee Recommendation 2006-94

(This by-law rezones the subject property "R1.D18" in order to permit the development of the lands for a residential plan of subdivision - Margaret Zilliax, Valley View Road, Val Caron.)

2006-115Z 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 2006-88

(This by-law does not rezone the subject property. This temporary use by-law permits a construction company to be established on the subject property for a maximum period of one year. Further, the by-law prohibits the storage of derelict machinery, trailers or waste materials - 1074112 Ontario Limited/Jeff Gladu, 2600 Kingsway, Sudbury.)

BY-LAWS (continued)

- 2006-116Z 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 2006-110
- (This by-law rezones the subject property to "R3", Mixed Multiple Residential in order to allow a multiple residential building - 2750 Bancroft Drive - Gilles & Grace Morin and Pat & Loretta Micolleta.)
- 2006-117Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF VALLEY EAST AND THE FORMER TOWN OF ONAPING FALLS
- Planning Committee Recommendation 2006-204
- (This by-law rezones the subject property to "R1.D18", Single Residential in order to permit the creation of four single family lots - Highway 69 North, Hanmer, 844367 Ont. Inc. & Jean Brassard.)
- 2006-118Z 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 2006-104
- (This by-law rezones the subject property to "C4-15", Office Commercial Special in order to allow an art gallery and custom framing shop to be included as a permitted use - 153 Applegrove Street, John Stopciati.)
- 2006-119 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ESTABLISH A POLICY FOR THE USE OF FRONT ENDING AGREEMENTS IN ACCORDANCE WITH THE DEVELOPMENT CHARGES ACT, 1997
- Planning Committee Recommendation 2006-102
- 2006-120 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO DEEM CERTAIN PARTS ON PLAN M -1006 NOT TO BE A PLAN OF SUBDIVISION FOR THE PURPOSES OF SUBSECTION 3 OF SECTION 50 OF THE PLANNING ACT
- (This by-law deems certain lands not to be lots for the purposes of the Planning Act. The City has been requested by the owner of the subject lands 1211392 Ontario Limited to deem these lands in accordance with a decision of the consent official in order to allow the sale of certain lands. This is in accordance with the Official Plan - Notre Dame Avenue and Carina Drive, Hanmer.)

By-law 2006-120 was pulled from the agenda and not dealt with.

BY-LAWS (continued)

1ST & 2ND Reading

2006-703 Caldarelli-Thompson: THAT By-law 2006-105A to and including By-law 2006-119 be read a first and second time.

CARRIED

3RD Reading

2006-704 Thompson-Caldarelli: THAT By-law 2006-105A to and including By-law 2006-119 be read a third time and passed.

CARRIED

MOTIONS

Item R-5 Transit - Federal Investment

The following motion was presented by Councillor Dupuis:

2006-705 Dupuis-Caldarelli: WHEREAS public transit provides essential and universal mobility to residents within Canada's urban areas;

AND WHEREAS public transit increases roadway capacity by offering people a transportation choice other than the automobile;

AND WHEREAS public transit reduces greenhouse gas emissions and air pollution;

AND WHEREAS transit infrastructure investment needs for Canadian transit systems in the period 2006-2010 stand at \$20.7-billion, with over \$5-billion of this amount not fundable under current programs;

AND WHEREAS municipalities have inadequate revenue tools to finance the full cost of transit infrastructure;

THEREFORE IT IS RESOLVED THAT this council calls on the federal government to:

- make permanent the federal investment in public transit provided under the Public Transit Capital Trust announced in Budget 2006;
- ensure that this investment is distributed equitably to all transit systems across Canada;
- ensure that this investment is over and above any existing federal or provincial funding already in place.

Item R-5
Transit - Federal
Investment
(continued)

RECORDED VOTE:

YEAS

NAYS

Berthiaume
Bradley
Caldarelli
Callaghan
Craig
Dupuis
Gasparini
Kett
Rivest
Thompson
Mayor Courtemanche

CARRIED

ADDENDUM

Addendum to Agenda

2006-706 Berthiaume-Thompson: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

REFERRED AND DEFERRED MATTERS

Item AD-2
Healthy Communities
Cabinet Update

Report dated 2006-06-13 from the General Manager of Community Development regarding Healthy Communities Cabinet Update - Additional Information was received for information only.

BY-LAWS

The following by-laws appeared for three readings:

2006-121 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2005-165 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY RESPECTING CONSTRUCTION, DEMOLITION, CHANGE OF USE PERMITS, INSPECTIONS AND FEES

Refers to Item 6 (Bill 124) Pages 3-81 of the Agenda.

BY-LAWS (continued)

2006-122Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF VALLEY EAST AND THE FORMER TOWN OF ONAPING FALLS

Planning Committee Recommendation 2006-71

(This by-law rezones the subject property to "R1.D18", Single Residential in order to permit the severance of the subject lands and its use as a residential lot - Jean Guy & Susan Allaire, Cote Boulevard)

2006-123 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PIN 73376-0286 (LT) MUMFORD DRIVE, TO 1311913 ONTARIO INC.

Planning Committee Resolution 2006-82

2006-124 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN ASSET PURCHASE AGREEMENT WITH ACADEMY OF LEARNING EMERGENCY RESPONSE TECHNOLOGIES OPERATING AS ALERTECH

Refers to Item R-1 (Asset Purchase Agreement - ALERTech) Pages 127-130 of the Agenda.

2006-200P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE OFFICIAL PLAN FOR THE CITY OF GREATER SUDBURY

Council Resolution 2006-671

1ST & 2ND Reading

2006-707 Berthiaume-Bradley: THAT By-law 2006-121 to and including By-law 2006-124 and By-law 2006-200 be read a first and second time.

CARRIED

3RD Reading

2006-708 Bradley-Berthiaume: THAT 2006-121 to and including By-law 2006-124 and By-law 2006-200 be read a third time and passed.

CARRIED

CIVIC PETITIONS

Installation of Sidewalks - Arnold Street, Sudbury

Councillor Kett submitted a petition to the City Clerk signed by fourteen (14) residents of Arnold Street, Sudbury which will be forwarded to the General Manager of Infrastructure & Emergency Services and the Director of Roads & Transportation. The residents of Arnold Street, Sudbury are opposing the installation of concrete sidewalks which is to commence June 19, 2006.

QUESTION PERIOD

Installation of Sidewalks

Councillor Kett asked the General Manager of Infrastructure & Emergency Services what the policy was with respect to residents opposing the installation of sidewalks which then require restoration work to existing lawns and driveways.

The General Manager of Infrastructure & Emergency Services advised Council that the Official Plan has an Article on sidewalks and also from Council's direction to staff, installation of new sidewalks and the reconstruction of existing sidewalks, is a priority of Council. He indicated that this is a moderately dense residential area and sidewalks are required to provide a safe access to various activities, therefore, staff's position on this matter is that a sidewalk is required.

Mr. Stephen advised that with respect to future developments in residential areas, the developer should make it clear to the property owner that sidewalks are to be installed at a future date and the property restored.

With respect to legal liability, the City Solicitor indicated that it is safer to install sidewalks because the sidewalks separate the pedestrians from traffic.

Councillor Kett asked how residents could be informed that a sidewalk will be installed.

Mr. Clausen advised Council that staff is currently developing a policy to inform potential buyers that sidewalks will be constructed. He indicated that several developers register on title that there will be future sidewalks installed. The current policy states that when a developer is seeking approval for the design of a new subdivision, all residential collector streets are required to have a sidewalk on one side of the street. He indicated that when a subdivision is approved, sidewalks are not installed until approximately 80% of the homes are built, in order to avoid damage to sidewalks during construction activities.

Installation of
Sidewalks
(continued)

Mr. Clausen advised that staff is currently looking at having the developer to put in an asphalt sidewalk until construction is complete. He indicated that staff will be coming back to Council with modifications to the current policy in the near future.

Councillor Craig requested that staff postpone the installation of the sidewalk on Arnold Street for one year in order to revisit the City of Greater Sudbury's position on this matter and to provide residents time to address this matter.

Height Restrictions
Shrubs & Trees

Councillor Berthiaume asked the City Solicitor if a by-law existed regarding the height restriction of shrubs and trees and the safety issues when pulling out of driveways.

Mr. Swiddle indicated that there are different provisions that apply to this matter. The zoning by-laws, which cover the various outlying areas and will be amalgamated in the near future, provides some restriction regarding the height of fences blocking sight lines. The occupancy by-law provides various positions on the height of shrubs and trees when they affect the sight line and create a hazard, wherein the By-law Officer can lay charges if voluntary compliance is not achieved.

INCO/Falconbridge
Merger

With the consensus of Council, Mayor Courtemanche requested that an invitation be extended to INCO officials inviting them to the next meeting of Council and provide an update on the INCO/Falconbridge merger.

Adjournment

2006-709 Thompson-Berthiaume: THAT this meeting does now adjourn. Time: 10:00 p.m.

CARRIED

Mayor

City Clerk