

THE SIXTEENTH MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

C-11
Tom Davies Square

Wednesday, September 12th, 2007
Commencement: 4:32 p.m.

DEPUTY MAYOR DUPUIS, IN THE CHAIR

Present Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Rivest; Thompson (A4:38pm); Callaghan; Craig; Caldarelli; Gasparini (A4:55pm); Landry-Altmann (A4:47pm); Mayor Rodriguez

City Officials M. Mieto, Chief Administrative Officer; C. Hallsworth, Executive Director of Administrative Services; L. Hayes, CFO/Treasurer; R. Swiddle, City Solicitor; A. Potvin, Manager of Development Approvals; D. Braney, Acting Director of Solid Waste & Assets; T. Derro, Supervisor of Tax; I. Wood, Special Advisor to the Mayor; A. Roy, Property Administrator; A. Haché, City Clerk

Declarations of Pecuniary Interest None declared.

"Closed Session" 2007-396: That we move in "Closed Session" to deal with a Property Matter and a Solicitor-Client Matter 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 5:40 p.m., Council recessed.

Reconvene At 7:05 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; Dupuis; Rivest; Thompson; Callaghan; Craig; Caldarelli; Gasparini; Landry-Altmann

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; C. Hallsworth, Executive Director of Administrative Services; D. Donaldson, Fire Chief; R. Swiddle, City Solicitor; J. Nicholls, Chief of Emergency Medical Services; F. Elsner, Deputy Chief of Police, Greater Sudbury Police Services; I. Wood, Special Advisor to the Mayor; E. Stankiewicz, Manager of Financial Planning & Policy; N. Benkovich, Director of Water/Wastewater Services; D. Braney, Acting Director of Solid Waste & Assets; C. Gore, Manager of Community Partnerships; A. Haché, City Clerk; M. Laalo, By-law and Licensing 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.

PUBLIC HEARINGS

Item 4
Northern Ontario
Leadership Summit

Correspondence dated September 6, 2007 from FONOM was distributed to the Committee Members.

Mac Bain, Co-Chair of the Northern Ontario Leadership Summit, made a verbal presentation regarding the first Northern Ontario Leadership Summit being hosted by FONOM in Timmins on October 17, 18 and 19, 2007. He stated the intent of the Summit is to bring together a select group of people from a variety of sectors to build strategies in order to fuel prosperity across the North. The Summit will share information and encourage cooperation of private and public sectors. The Summit is timed one week before the provincial election to guarantee that a cohesive Northern Agenda is before the new government as it establishes its priorities. He stated that the focus of the program is on six sectors and the key questions is "What are the top priorities that will encourage economic cooperation, prosperity and growth?" He listed the parties invited to the Summit and extended an invitation to those present with a request to pass the invitation to anyone who may be interested in taking part in the Summit. Correspondence

Item 5
Expanded Lead
Sampling Regime in
Drinking Water
Systems

Report dated 2007-08-09 was received from the General Manager of Infrastructure Services regarding Expanded Lead Sampling Regime in Drinking Water Systems.

Nick Benkovich, Director of Water/Wastewater Services, provided an electronic presentation entitled "*Expanded Lead Sampling Regime*". He explained the background from the early 50's when the Building Code prohibited the use of lead pipe to 2000 when the Ministry of the Environment introduced mandatory testing for lead in distribution systems. He stated that the original lead sampling regime was one sample per year from each water distribution system. He indicated that amendments to O. Reg. 170/03 provides for the testing for lead in a specific number of tap samples, advising the residents of the results within a specific time frame and taking appropriate corrective action when necessary, commencing December 15, 2007. He stated this results in an additional 1,000 water samples per year which they are unable to comply with given current staffing levels. He indicated that the decision requested from Council is authorization to hire two full time staff and approval for a 2007 unbudgeted expenditure and ongoing annual funding.

Council approved a request by Councillor Callaghan for a report on how many employees have been hired by the City to fulfill the obligations imposed by the Province since the Walerton event.

Item 5
Expanded Lead
Sampling Regime in
Drinking Water
Systems (continued)

The following resolution was presented:

2007-397 Rivest-Dupuis: THAT Council authorize the recruitment and hiring of two (2) full time staff members to facilitate compliance with the expanded lead sampling regime imposed under O. Reg. 170/03;

AND THAT an approval of a 2007 unbudgeted expenditure of \$35,000 as well as an ongoing annual funding requirement of \$143,000 be incorporated into the 2008 base budget, all in accordance with the report dated September 12th, 2007 from the General Manager of Infrastructure Services.

CARRIED

Item 6
Paris Street Flag
Committee -
Recognition of
Volunteers

Mayor Rodriguez presented an Award of Distinction Certificate to Ursula Sauvé, Dan Lee and Colin Firth in recognition of the volunteer work with the Paris Street Flag Committee. He thanked them for identifying an element for this community that unites, welcomes and speaks to who we are as a community. He further thanked all staff and citizens involved with this project.

Ursula Sauvé stated it was an idea that came to life and makes a statement about Greater Sudbury - that we are a welcoming community and embrace all people.

Dan Lee stated that many people help in any way they could. There are 72 flags on the bridge representing 64 nations. He indicated there are currently eight nations on the waiting list.

Colin Firth stated that "*Bridge of Nations / Pont des nations*" is a perfect name for the bridge. It is descriptive of the whole project and of the spirit of the project and bridges all cultural groups and nations..

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure, to alter the order of the Agenda and deal with Managers' Report R-3 (Official Naming of the Paris Street Bridge).

Item R-3
Official Naming of the
Paris Street Bridge

Report dated 2007-09-06 was received from the General Manager of Community Development regarding Official Naming of the Paris Street Bridge.

The following resolution was presented:

2007-398 Caldarelli-Rivest: THAT Council approve the official naming of the Paris Street bridge to be the "*Bridge of Nations / Pont des nations*", in recognition of the image and inspiration of the permanent flag display which was unveiled on Canada Day 2007.

CARRIED

MATTERS ARISING FROM THE "CLOSED SESSION"

Rise and Report

Deputy Mayor Dupuis, as Chair of the Committee of the Whole, reported Council met to deal with a Property Matter and a Solicitor-Client Matter 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:

2007-399: THAT the Consent Agenda Items C-1 to C-10 inclusive be adopted and Items C-11 to C-12 be received for information only.

CARRIED

MINUTES

Item C-1
Report No. 15
City Council
2007-08-08

2007-400 Rivest-Dupuis: THAT Report No. 15, City Council Minutes of 2007-08-08 be adopted.

CARRIED

Item C-2
Report No. 14
Planning Committee
2007-08-07

2007-401 Dupuis-Rivest: THAT Report No. 14, Planning Committee Minutes of 2007-08-07 be adopted.

CARRIED

Item C-3
Report No. 14
Priorities Committee
2007-08-08

2007-402 Rivest-Dupuis: THAT Report No. 14, Priorities Committee Minutes of 2007-08-08 be adopted.

CARRIED

Item C-4
Report No. 15
Planning Committee
2007-09-04

2007-403 Rivest-Dupuis: THAT Report No. 15, Planning Committee Minutes of 2007-09-04 be adopted.

CARRIED

Item C-5
Report No. 15
Priorities Committee
2007-09-05

2007-404 Dupuis-Rivest: THAT Report No. 15, Priorities Committee Minutes of 2007-09-05 be adopted.

CARRIED

Item C-6
Report No. 2
Court of Revision
2007-08-09

2007-405 Barbeau-Dutrisac: THAT Report No. 2, Court of Revision Minutes of 2007-08-09 be received.

CARRIED

Item C-7
TOC
2007-08-23

2007-406 Dutrisac-Barbeau: THAT Report of the Tender Opening Minutes of 2007-08-23 be received.

CARRIED

Item C-8
GSHC
2007-06-26

2007-407 Dutrisac-Barbeau: THAT Report of the Greater Sudbury Housing Corporation Minutes of 2007-06-26 be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-9
Extension of Contract
2002-42: Operation of
Landfill Sites

Report dated 2007-09-05 was received from the General Manager of Infrastructure Services regarding Extension of Contract 2002-42: Operation of Landfill Sites.

The following resolution was presented:

2007-408 Dutrisac-Barbeau: THAT the Contract 2002-42, Operation of Landfill Sites be extended for a period of two years with an option of the City to extend it for an additional year, in accordance with the report dated September 5th, 2007 from the General Manager of Infrastructure Services.

CARRIED

Item C-10
Tax Adjustments
under Sections 357
and 358 of the
Municipal Act

Report dated 2007-09-05 was received from the CFO/Treasurer regarding Tax Adjustments under Sections 357 and 358 of the Municipal Act.

The following resolution was presented:

2007-409 Rivest-Barbeau: THAT the amount of \$98,631.13 be struck from the tax roll in accordance with Sections 357 and 358 of the Municipal Act which provides the authority to cancel, reduce or refund realty taxes.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-11
2007 Operating
Budget Variance
Report - June

Report dated 2007-09-05 was received from the Chief Financial Officer/Treasurer regarding 2007 Operating Budget Variance Report - June for information only.

Item C-12
Public Sale for Tax
Arrears under the
Municipal Act

Report dated 2007-09-05 was received from the Chief Financial Officer/Treasurer regarding Public Sale for Tax Arrears under the Municipal Act for information only.

PART II

MANAGERS' REPORTS

Item R-1
Second Residential
Tipping Fee Holiday
Week

Report dated 2007-09-05 was received from the General Manager of Infrastructure Services regarding Second Residential Tipping Fee Holiday Week.

The following resolution was presented:

2007-410 Berthiaume-Rivest: THAT a second Residential Tipping Fee Holiday Week occur during the week of Monday, October 15th to Saturday, October 20th, 2007, in accordance with the report dated September 5th, 2007 from the General Manager of Infrastructure Services.

CARRIED

Item R-2
Ontario Regulation
199/07 - Commercial
Motor Vehicle
Inspections

Report dated 2007-08-23 was received from the General Manager of Infrastructure Services regarding Ontario Regulation 199/07 - Commercial Motor Vehicle Inspections.

The following resolution was presented:

2007-411 Rivest-Caldarelli: THAT Council authorize a 2007 unbudgeted expenditure of up to \$23,000 to meet the new requirements of Ontario Regulation 199/07;

AND THAT Staff include up to \$5,000 per year in future Fleet operating budgets, all in accordance with the report dated August 23rd, 2007 from the General Manager of Infrastructure Services.

CARRIED

Item R-3
Official Naming of the
Paris Street Bridge-3

SEE PAGE 3.

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THIRD READING:

2007-127 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE RUE PERRY STREET, RUE ACE STREET, RUE LAWNMERE STREET, RUE ALLISTON STREET, RUE BIRCHLEAF STREET AND RUE CALEB STREET

Planning Committee Recommendation 2007-151

BY-LAWS (cont'd)

2007-128 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE PARTS 3 AND 4 ON PLAN 53R-17363 ON LOUISA DRIVE

Planning Committee Recommendation 2007-152

2007-175 3RD A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE VAL CARON MUNICIPAL DRAINAGE WORKS

Third Reading 2007-412 Rivest-Caldarelli: THAT By-law 2007-127, By-law 2007-128 and By-law 2007-175 be read a third time and passed.

CARRIED

THE FOLLOWING BY-LAW APPEARED FOR TWO READINGS:

2007-212 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO STOP UP AND CLOSE A PORTION OF ST. MICHEL STREET DESCRIBED AS PARTS 16 AND 27, PLAN 53R-12291

Planning Committee Resolution 2007-228

Two Readings 2007-413 Caldarelli-Rivest: THAT By-law 2007-213 be read a first and second time.

CARRIED

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2007-214A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF SEPTEMBER 12, 2007

2007-215T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This updates the list of Parking Control Officers to enforce parking restrictions on private property.)

BY-LAWS (cont'd)

2007-216 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AUTHORIZE A TAX EXTENSION AGREEMENT WITH SCOTT
AND SUSAN VAUTOUR AT 459 RONKA ROAD, WORTHINGTON
FOR ROLL #120.007.010.00.0000

Report dated 2007-09-05 was received from the Chief Financial Officer/Treasurer regarding Tax Extension Agreement for Roll # 120.007.010.00.0000 between the City of Greater Sudbury and Scott and Susan Vautour.

[Scott & Susan Vautour have requested a Tax Extension Agreement with respect to the property located at 459 Ronka Road in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on June 29th, 2007. Section 378(1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.]

2007-217 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO
AUTHORIZE A TAX EXTENSION AGREEMENT WITH SCOTT
AND SUSAN VAUTOUR IN LORNE TOWNSHIP FOR ROLL
#120.007.009.00.0000

Report dated 2007-09-05 was received from the Chief Financial Officer/Treasurer regarding Tax Extension Agreement for Roll # 120.007.009.00.0000 between the City of Greater Sudbury and Scott and Susan Vautour

[Scott & Susan Vautour have requested a Tax Extension Agreement with respect to the property located at Lorne Township in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on June 29th, 2007. Section 378(1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.]

BY-LAWS (cont'd)

2007-218 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH GEORGE AND JANETTE STADDON AT 262 ALBERT STREET, RAYSIDE FOR ROLL #160.016.02000.0000

Report dated 2007-09-05 was received from the Chief Financial Officer/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and George and Janette Staddon.

[George and Janette Staddon have requested a Tax Extension Agreement with respect to the property located at Rayside Township in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on June 29th, 2007. Section 378(1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.]

2007-219 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH JOANNE LANDRY AT 41 STANLEY STREET, SUDBURY FOR ROLL #040.011.06400.0000

Report dated 2007-09-05 was received from the Chief Financial Officer/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and Joanne Landry.

[Joanne Landry has requested a Tax Extension Agreement with respect to the property located at 41 Stanley Street in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on June 29th, 2007. Section 378(1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.]

BY-LAWS (cont'd)

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| 2007-220 | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT AT 1492 PARIS STREET, SUDBURY WITH 1552584 ONTARIO INC. FOR ROLL #060.027.00100.0000</p> <p>Report dated 2007-09-05 from the Chief Financial Officer/Treasurer regarding Tax Extension Agreement between the City of Greater Sudbury and 1552584 Ontario Inc.</p> <p>[1552584 Ontario Inc. have requested a Tax Extension Agreement with respect to the property located at 1492 Paris Street, in the City of Greater Sudbury. The subject property is in tax arrears and a lien was registered against the property on June 29th, 2007. Section 378(1) of the Municipal Act provides the authority for City Council to enter into a Tax Extension Agreement. The agreement is standard in nature and allows for an applicant to repay tax arrears over a specified period. If the terms of the agreement are breached in any way, the agreement becomes null and void and the property is placed in the position it was in prior to the establishment of the agreement.]</p> |
| 2007-221 | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO SUDBURY CHILDREN'S WATER FESTIVAL - 2007</p> <p>(The grant authorized by this By-law was approved by Council as part of the 2007 Budget process)</p> |
| 2007-222 | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO SCIENCE NORTH FOR THE WATERWORKS SOAK UP THE SCIENCE PROJECT</p> <p>(The grant authorized by this By-law was approved by Council as part of the 2007 Budget process)</p> |
| 2007-223P | 3 | <p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT OFFICIAL PLAN AMENDMENT NUMBER 277 FOR THE SUDBURY PLANNING AREA</p> <p>Planning Committee Recommendation 2007-203</p> <p>(This amendment changes the land use designation of the subject property from Agricultural to Rural - Eric and Anna Knechtel - 32 Isaac Road, Whitefish).</p> |

BY-LAWS (cont'd)

2007-224Z	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-5Z, BEING A BY-LAW TO AMEND BY-LAW 83-304, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE</p> <p>Planning Committee Recommendation 2007-204</p> <p>(This by-law rezones the subject property to "R1-19", Single Residential Special to allow a dance studio - Amanda Tessier - 47 Caruso Street, Coniston).</p>
2007-225Z	3	<p>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</p> <p>Planning Committee Resolution 2007-220</p> <p>(This by-law rezones the subject property in order to permit a sewing and upholstery business as a site specific permitted use in an existing "R4-30", Multiple Residential Special zone - 1032 LaSalle Boulevard, Sudbury - Paul and Riitta Caruso).</p>
2007-226	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE OF 574 KINGSWAY, SUDBURY FROM RITA GALIC FOR THE KINGSWAY IMPROVEMENT PROJECT</p> <p>Planning Committee Recommendation #2007-216</p>
2007-227	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE OF 566 KINGSWAY, SUDBURY FROM ILIJA GALIC FOR THE KINGSWAY IMPROVEMENT PROJECT</p> <p>Planning Committee Recommendation #2007-215</p>
2007-228	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PIN 02118-0203, KIANDRA COURT TO MARIO CAPOREALE</p> <p>Planning Committee Recommendation #2007-217</p>
2007-229	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PIN 73577-0245 and PIN 73577-0537, FOURTH AVENUE, SUDBURY TO 1582790 ONTARIO LTD.</p> <p>Planning Committee Recommendation #2007-214</p>

BY-LAWS (cont'd)

- 2007-230 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PIN 73565-0799, CHRISTINA DRIVE TO GEORGE PITCHKUR AND CAMILLE FRANCINE CLEMENTS-PITCHKUR
- Planning Committee Recommendation #2007-218
- 2007-231 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PIN 73565-0799, CHRISTINA DRIVE TO KARI HARRY ALEXANDER JAKOLA AND DOROTHY GWENDOLYN JAKOLA
- Planning Committee Recommendation #2007-218
- 2007-232 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PIN 73565-0799, CHRISTINA DRIVE TO SAVERINO JOSEPH DAGOSTINO AND SUSAN CAROL DAGOSTINO
- Planning Committee Recommendation #2007-218
- 2007-233 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PIN 73565-0799, CHRISTINA DRIVE TO SAUL CHARLES CARTMAN AND JUDI BELLA CARTMAN
- Planning Committee Recommendation #2007-218
- 2007-234Z 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 2007-145
- (This by-law rezones the subject property to "R1 D7.5", Single Residential in order to eliminate a split zoning on the subject property as a result of proposed lot additions - Lisa Rollins, Gordon Street, Garson)
- 2007-235Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-302, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF RAYSIDE-BALFOUR
- Planning Committee Recommendation 2007-222
- (This by-law rezones the subject property to "R1", Single Residential in order to permit the construction of single family dwellings on existing lots. - Cote and Charette Streets, Chelmsford - Lorrie and Roy Beausoleil).

BY-LAWS (cont'd)

2007-236Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2007-83Z, BEING A BY-LAW TO AMEND BY-LAW 83-302, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF RAYSIDE-BALFOUR

Planning Committee Recommendation 2007-222

(This by-law rezones the property to Medium Density Residential in order to permit the construction of a four plex dwelling - Former Sullivan Street Road Allowance - Chelmsford - Lorrie and Roy Beausoleil).

2007-237 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO VEST PIN 73350-0289, BEING PART 3 ON MCKENZIE ROAD, CHELMSFORD INTO THE CITY'S NAME AND TO WRITE-OFF THE TAX ARREARS FOR THIS PROPERTY

Planning Committee Recommendation 2007-227

2007-238 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE OF 2600 KINGSWAY SUDBURY FROM 1074112 ONTARIO LIMITED FOR THE KINGSWAY IMPROVEMENT PROJECT

Planning Committee Recommendation 2007-186

(This by-law repeals and replaces 2006-197 to show the funding source as 1/3 from the Capital Financing Reserve Fund-Roads and 2/3 from the Capital Financing Reserve Fund-Solid Waste.)

2007-239 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE OF 2784 KINGSWAY SUDBURY FROM RAYMOND BISSONNETTE AND DENISE BISSONNETTE FOR THE KINGSWAY IMPROVEMENT PROJECT

Planning Committee Recommendation 2007-185

(This by-law repeals and replaces 2006-197 to show the funding source as 1/3 from the Capital Financing Reserve Fund-Roads and 2/3 from the Capital Financing Reserve Fund-Solid Waste.)

Three Readings 2007-414 Rivist-Caldarelli: THAT By-law 2007-214A to and including By-law 2007-239 be read three times and passed.

CARRIED

ADDENDUM

Addendum to Agenda 2007-415 Callaghan-Caldareli: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2007-240	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2007-161 RESPECTING THE APPOINTMENT OF OFFICIALS OF THE CITY OF GREATER SUDBURY
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2007-241	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2006-259 RESPECTING THE DELEGATION OF AUTHORITY TO VARIOUS OFFICERS OF THE CITY OF GREATER SUDBURY
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Report dated September 12, 2007 was received from the General Manager of Growth and Development regarding Amendment to Appointments and Delegations By-laws, Driver's Certification Program.

Three Readings

2007-416 Craig-Callaghan: THAT By-law 2007-240 to and including By-law 2007-241 be read three times and passed.

CARRIED

QUESTION PERIOD

Use of Hunting Bows

Councillor Gasparini asked if there is any control over someone using a hunting bow within the City limits as there is no firearms by-law in place.

The Deputy Chief of Police, Greater Sudbury Police Services, advised that it depends on how the hunting bow is used. If it is used improperly, a person can be charged with improper use of a weapon.

Blasting

Councillor Gasparini indicated that, as development and infilling moves forward, there are not many rules or ways of monitoring blasting. She has had a number of complaints from the Third Avenue area. She asked what the rules are regarding blasting; who monitors blasting and who enforces the rules. She further asked if there is a need for a by-law regulating blasting.

The General Manager of Growth & Development indicated that the City does not have a by-law regarding blasting. The Ministry of the Environment and the Ministry of Labour have some role in all types of blasting. He advised that a letter from Ministry of the Environment suggested that perhaps the City should have a by-law as they are receiving calls. He indicated that a report will be brought back to Council with three possible options.

Topsoil By-law

Councillor Dutrisac questions about the status of the topsoil by-law.

The General Manager of Growth & Development indicated that topsoil is a priority of the Agriculture and Topsoil Advisory Panel. He stated the Chief Building Official gatherin and assessing information to determine. Staff will have the cost and specifications and will bring it forward to council for funding in the near future.

Long Distance Calls

Councillor Dutrisac asked for an update on long distance calling within the City limits.

The General Manager of Growth & Development indicated that the resolution passed by Council authorizing studies has been forwarded to Bell Alliance and he expects to have it in place in early 2008.

Train Whistle

Councillor Craig raised concerns regarding train whistles in urban areas and requested an update on what was being done to alleviate the problem, pointing out that it is very complicated and not an easy task.

The Director of Water/Wastewater Services indicated that a preliminary investigation has begun. A list needs to be developed, prioritized and reviewed with Transport Canada regulations and staff as well as the railway. Upgrades will need to be done to reduce train whistles and funds provided to make the upgrades.

Playground Equipment

Councillor Berthiaume stated that the 2006 budget provided for \$750,000 for playground equipment and he has not see any equipment in his area. He requested a report setting out the status of playground equipment.

The General Manager of Community Development indicated that some of the work has been complete; however, some has been delayed. She will bring back an information report in this regard.

NOTICES OF MOTIONS

Rules of Procedure

Council, by a two-thirds majority, agreed to dispense with the Rules of Procedure and deal with the foregoing Notice of Motion for Reconsideration.

Rezoning Application,
729 Joannette Road,
Chelmsford

The following Notice of Motion was presented by Councillor Dutrisac:

THAT Council reconsider Planning Committee Recommendation #2006-209 as approved by City Council on September 27th, 2006.

(Planning Committee Recommendation #2006-209 denies a rezoning application to permit the premises of an environmental drilling company at 729 Joannette Road in Chelmsford.)

Rules of Procedure

In accordance with the Procedure By-law, Council agreed to dispose of the Notice requirement for the Motion for Reconsideration.

Rezoning Application,
729 Joannette Road,
Chelmsford (continued)

The following resolution was presented:

2007-417 Dutrisac-Dupuis: THAT Council reconsider Planning Committee Recommendation #2006-209 as approved by City Council on September 27th, 2006.

(Planning Committee Recommendation #2006-209 denies a rezoning application to permit the premises of an environmental drilling company at 729 Joannette Road in Chelmsford.)

CARRIED

The following resolution was presented:

2007-418 Dutrisac-Dupuis: THAT Planning Committee Recommendation #2006-209 as approved by City Council on September 27, 2006 be rescinded;

THAT the application by 942945 Ontario Inc. to amend By-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside Balfour as it applies to Parcel 30268 S.W.S, Part 1, Plan 53R-15045, Lot 4, Concession 2, Township of Balfour, by changing the zoning classification from "A", Agricultural Zone to "A-S", Agricultural Special zone be approved subject to the following:

- 1) That prior to passing the amending by-law the applicant will be required to enter into a site plan control agreement.
- 2) That the repair, maintenance and washing of equipment be restricted to an indoor use.
- 3) The outside storage of vehicles will be restricted to those relating to the business; the storing of derelict vehicles and machinery will not be permitted.
- 4) That prior to the passing of the amending by-law a hydrogeological study be completed to the satisfaction of the Director of Planning Services. This report will establish existing conditions and ensure groundwater sources are protected for existing wells. The report will also outline measures that will be implemented to ensure potential contaminants are contained in suitable on site facilities.

THAT the City Solicitor be authorized to advise the Ontario Municipal Board of this decision,

AND THAT the City Clerk be authorized to provide notice of this decision to persons and public agencies that were mailed a Notice of the Public Hearing.

CARRIED

Adjournment

2007-419 Callaghan-Caldarelli: THAT this meeting does now adjourn. Time: 9:12 p.m.

CARRIED

Mayor John Rodriguez

Angie Haché, City Clerk