

## THE SEVENTEEN MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

Council Chamber  
Tom Davies Square

Wednesday, September 26th, 2007  
Commencement: 7:04 p.m.

Chair

**HIS WORSHIP MAYOR JOHN RODRIGUEZ, IN THE CHAIR**

Present

Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Dupuis (D8:55pm); Rivest; Thompson; Callaghan (A7:05am); 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; G. Clausen, Acting General Manager of Infrastructure; T. Beadman, Chief of Emergency Services; C. Hallsworth, Executive Director of Administrative Services; L. Hayes, CFO/Treasurer; R. Swiddle, City Solicitor; G. Lamothe, Manager of Communications & French Language Service; M. Leduc, Deputy Fire Chief; K. Shaw, Manager of Construction Services; I. Wood, Special Advisor to the Mayor; Supt. A. Lekun, Executive Officer to the Chief of Police, Greater Sudbury Police Services; T. Niemi, City Representative, United Way; A. Haché, City Clerk; T. North, Deputy City Clerk; M. Laalo, By-law and Licensing Clerk; F. Bortolussi, Council Secretary

C.U.P.E.

W. MacKinnon, President, CUPE Local 4705

News Media

Sudbury Star; CIGM; Persona 10 News; Le Voyageur; Northern Life

Other

Mayor Rodriguez welcomed the fourth year nursing students from Cambrian College to the

Declarations of  
Pecuniary Interest

Councillor Gasparini declared a conflict regarding Item R-1 (Funding - Social Planning Council), as she is the Executive Director of that organization.

### **COMMUNITY DELEGATIONS**

Item 4  
2007 Accessibility  
Plans

Report dated 2007-09-19 was received from the Executive Director of Administrative Services regarding 2007 Accessibility Plans.

A bound report entitled "2007 Accessibility Plan" was received under separate cover.

Earl Black, Chair, Accessibility Advisory Panel made an electronic presentation regarding 2007 Accessibility Plans. He stated that in the City of Greater Sudbury there are 18,000 people with long term disabilities. He introduced the members of the Accessibility Advisory Panel. He explained the different types of disabilities and the

Item 4  
2007 Accessibility  
Plans (continued)

different types of barriers that prevent a person with a disability from participating fully in many day-to-day activities taken for granted by other people. He highlighted some of the initiatives that have been or will be undertaken by the City of Greater Sudbury to increase accessibility to municipal programs, services and facilities. He concluded by listing the Panel's plans for 2007 - 2008.

The following resolution was presented:

2007-420 Landry-Altmann-Barbeau: THAT Council thanks the Members of the Accessibility Advisory Panel for developing the 2007 City of Greater Sudbury Accessibility Plan and the 2007 Greater Sudbury Transit Accessibility Plan;

THAT the 2007 City of Greater Sudbury Accessibility Plan and the 2007 Greater Sudbury Transit Accessibility Plan be accepted as presented:

AND THAT copies of the two Plans be forwarded to the Province of Ontario as required by the Ontarians with Disabilities Act, 2001.

**CARRIED**

Item 5  
2007 United  
Way Campaign

Letter dated 2007-08-27 was received from United Way/Centraide Sudbury and/et District regarding 2007 United Way Campaign.

Glenn Thibeault, Executive Director, United Way/Centraide, Denis Hubert, 2007 Campaign Chair, United Way/Centraide and Tim Beadman, City Campaign Chair, United Way/Centraide made a verbal presentation regarding the 2007 United Way Campaign.

Tim Beadman provided a review of the City of Greater Sudbury fundraising campaign. He indicated that Councillors Craig and Callaghan are on the campaign committee and Teresa Niemi is the City's staff representative. He advised that the official 'kickoff' will be on October 3rd, 2007. He also outlined the strategy of the City's fundraising campaign.

Glen Thibeault stated the theme of this year's campaign is "*Find the Way - Venez en AIDE*" and T-shirts, donated by Northern Life, with the theme were distributed to Council Members. He advised there will be a Pep Rally on September 28th, 2007 at Market Square to launch the campaign. He indicated that last year's campaign raised \$1.88M providing funds for 55 programs. This year's goal is \$2M as requests continue to increase. He stated that United Way, Sudbury has one of the largest growing fundraising campaigns in Canada.

Denis Hubert stated that this year they have set up the largest cabinet with 32 members including representatives from the mining companies and labour unions who feel they can achieve or surpass

Item 5  
2007 United  
Way Campaign  
(continued)

the goal. He further stated that the educational system will be involved this year. Students from Laurentian University, Cambrian College and College Boreal will be doing their own fundraising. He commented on the quality of work by the volunteers having toured some of the agencies being supported by the United Way.

Item 6  
Referendum of  
Election Reform

Letter dated 2007-08-31 was received from Elections Ontario regarding Referendum of Election Reform.

Lorna Scoville and Linda Collison, Resource Referendum Officers, Elections Ontario, made an electronic presentation regarding the Ontario referendum on electoral reform that will take place with the provincial general election on October 10th, 2007.

Lorna Scoville stated that a Citizens' Assembly of 104 randomly selected Ontario voters was established in 2006 to study Ontario electoral reform. The Assembly's proposal to adopt the Mixed Member Proportional electoral system resulted in the referendum. She stated that each voter will be given two ballots: one for the candidate and one for the referendum. She showed the ballot for the referendum. She explained the existing electoral system and the alternative electoral system or 'Mixed Member Proportional' proposed by the Citizens' Assembly. The proposed system provides for each voter having two votes: one for a 'Local Member' and one for a political party. She explained under the 'Mixed Member Proportional' the provincial legislature would have 129 seats: 90 seats filled by 'Local Members' and 39 seats filled by 'List Members'. When asked, she indicated this would mean that Northern Ontario would lose two seats. In the end, the political party's overall share of seats will roughly equal its share of the total votes for parties. She indicated that the 'Mixed Member Proportional' will need to receive two 60 per cent majorities, which she explained, in order to be adopted.

Councillor Craig provide a handout of Referendum Frequently Asked Questions which was distributed to Council Members.

## **PRESENTATIONS**

Item 7  
Remediation of  
Junction Creek -  
Creosote Removal

Kevin, Shaw, Manager of Construction Services made an electronic presentation regarding the remediation of Junction Creek. He stated this is in partnership with Canadian Pacific Railway and Domtar. He outlined the project overview, access road improvements and creek bypass and site restoration. He explained the August 25th, 2007 event with before and after pictures and outlined the mitigation measures taken including immediately notifying the Ministry of the Environment, the Ministry of Natural Resources, the Department of Fisheries and Oceans and the Nickel District Conservation Authority. He stated the preventative measures taken including additional water dams stored on site and continued co-ordination of construction operations with weather forecasts. He stated there is no evidence of any environment impacts and fish and wildlife have returned to the project site.

## **PART I**

### **CONSENT AGENDA**

#### **Consent Agenda**

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

2007-421 Landry-Altman-Barbeau: THAT Items C-1 to C-10 inclusive, contained in Part I, Consent Agenda, be adopted with the exception of Item C-3 and Item C-6 as otherwise dealt with.

**CARRIED**

#### **MINUTES**

Item C-1  
Report No. 16  
City Council  
2007-09-12

2007-422 Landry-Altmann-Barbeau: THAT Report No. 16, City Council Minutes of 2007-09-12 be adopted.

**CARRIED**

Item C-2  
Report No. 16  
Planning Committee  
2007-09-18

2007-423 Landry-Altmann-Barbeau: THAT Report No. 16, Planning Committee Minutes of 2007-09-18 be adopted.

**CARRIED**

Item C-3

See pages 5 and 6.

Item C-4  
Finance Committee  
2007-09-06

2007-424 Landry-Altmann-Barbeau: THAT Report No. 20, Finance Committee Minutes of 2007-09-06 be adopted.

**CARRIED**

Item C-5  
Hearing Committee  
2007-09-12

2007-425 Berthiaume-Barbeau: THAT Report No. 2, Hearing Committee Minutes of 2007-09-12 be adopted.

**CARRIED**

Item C-6

See pages 6 and 7.

Item C-7  
TOC  
2007-07-31

2007-426 Barbeau-Berthiaume: THAT Report of the Tender Opening Committee Minutes of 2007-07-31 be received.

**CARRIED**

Item C-8  
TOC  
2007-08-14

2007-427 Barbeau-Berthiaume: THAT Report of the Tender Opening Committee Minutes of 2007-08-14 be received.

**CARRIED**

Item C-9  
TOC  
2007-09-13

2007-428 Barbeau-Berthiaume: THAT Report of the Tender Opening Committee, Minutes of 2007-09-13 be received.

**CARRIED**

Item C-10  
GSPSB  
2007-06-19

2007-429 Barbeau-Berthiaume: THAT Report of the Greater Sudbury Police Services Board Minutes of 2007-06-19 be received.  
**CARRIED**

Item C-3  
Report No. 16  
Priorities Committee  
2007-09-19

Councillor Caldarelli requested that Priorities Committee Item 6 (Options for an Audit Framework) be pulled and voted on separately.

Priorities Committee Recommendation 2007-48 was presented:

Craig: WHEREAS Council wishes to continue to demonstrate a high level of public accountability and continue to provide assurance to the public that municipal services are administered in a efficient, effective and economical manner;

THEREFORE BE IT RESOLVED THAT a Value for Money Auditor be recruited and hired and that the Auditor report to the Finance Committee and the Chief Administrative Officer.

The following amendment was presented:

2007-430 Caldarelli-Cimino: THAT Paragraph 2 be deleted and replaced with the following:

THEREFORE BE IT RESOLVED THAT a Value for Money Auditor be retained directly by the Finance Committee and may be instructed and dismissed only by the Finance Committee. The auditor will be given direction by and report solely to the Finance Committee who will approve the salary and budget related to this position. The auditor will have tenure only until the audit is completed or to such date as Council shall decide.

**CARRIED**

The following main motion was presented as amended:

2007-431 Cimino-Caldarelli: WHEREAS Council wishes to continue to demonstrate a high level of public accountability and continue to provide assurance to the public that municipal services are administered in a efficient, effective and economical manner;

THEREFORE BE IT RESOLVED THAT a Value for Money Auditor be retained directly by the Finance Committee and may be instructed and dismissed only by the Finance Committee. The auditor will be given direction by and report solely to the Finance Committee who will approve the salary and budget related to this position. The auditor will have tenure only until the audit is completed or to such date as Council shall decide.

Item C-3  
Report No. 16  
Priorities Committee  
2007-09-19  
(continued)

**RECORDED VOTE:**

**YEAS**

**NAYS**

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

**CARRIED**

The following resolution was presented:

2007-432 Landry-Altmann-Barbeau: THAT Report No. 16, Priorities Committee Minutes of 2007-09-19 be adopted, with the exception of Recommendation 2007-48 (Options for an Audit Framework), as otherwise dealt with.

**CARRIED**

Item C-6  
Report No. 1  
Traffic Committee  
2006-09-18

Councillor Cimino requested that Traffic Committee Item - Terms of Reference be pulled and voted on separately.

Traffic Committee recommendation 2007-03 was presented:

Landry-Altmann-Rivest: THAT Terms of Reference be prepared for the Traffic Committee to include a review of existing policies that relate to stop signs, speed limits and pedestrian crossing;

AND THAT the review include information from other cities and policy to deal with anomalies that currently exist in our City.

**Friendly Amendment**

With the concurrence of the mover, Councillor Cimino requested that the foregoing motion be amended by adding the words "by staff" after "THAT the Terms of Reference be prepared".

**Main Motion**  
(as amended)

The following resolution was presented as amended:

2007-433 Landry-Altmann-Rivest: THAT Terms of Reference be prepared by staff for the Traffic Committee to include a review of existing policies that relate to stop signs, speed limits and pedestrian crossing;

Item C-6  
Report No. 1  
Traffic Committee  
2006-09-18  
(continued)

AND THAT the review include information from other cities and policy to deal with anomalies that currently exist in our City.

**CARRIED**

The following resolution was presented:

2007-434 Barbeau-Berthiaume: THAT Report No. 1, Traffic Committee Minutes of 2007-09-18 be adopted, as amended.

**CARRIED**

## **PART II** **REGULAR AGENDA**

### **MANAGERS' REPORTS**

Item R-1  
Funding - Social  
Planning Council

Report dated 2007-09-12 was received from the General Manager of Community Development regarding Funding - Social Planning Council.

The following resolution was presented:

2007-435 Cimino-Barbeau: WHEREAS the City of Greater Sudbury currently engages the Social Planning Council to undertake work related to research and social policy;

AND WHEREAS the City of Greater Sudbury would like to further expand the scope and nature of work related to research and social policy;

AND WHEREAS the Ministry of Community and Social Services (MCSS) is willing to co-fund additional research and policy work for 2007 and 2008;

THEREFORE BE IT RESOLVED that the annual contribution to the Social Planning Council be increased from \$50,000 to \$100,000 with the MCSS funding 50% for 2007 and 2008 only;

AND THAT additional work/projects beyond 2008 will be referred to the budget process.

**CARRIED**

Declaration of  
Pecuniary Interest

Councillor Gasparini, having declared a conflict of interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

Item R-2  
Appointment of City  
Staff to the Greater  
Sudbury Source  
Protection Committee

Report dated 2007-09-07 was received from the General Manager of Growth & Development regarding Appointment of City Staff to the Greater Sudbury Source Protection Committee.

The following resolution was presented:

2007-436 Cimino-Berthiaume: THAT Council appoint the following staff persons to sit on the Drinking Water Source Protection Committee:

- Nick Benkovich, Director of Water/Wastewater;
- Paul Baskcomb, Manager of Community and Strategic Planning; and
- Stephen Monet, Manager of Environmental Planning Initiatives

**CARRIED**

Proceed Past  
10:00 p.m.

2007-437 Dutrisac-Cimino: THAT we proceed past the hour of 10:00 p.m.

**CARRIED**

## **BY-LAWS**

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

2007-242A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF SEPTEMBER 26TH, 2007

2007-243T 3 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

(This updates the list of Municipal Law Enforcement Officers to enforce parking restrictions on municipal property)

2007-244P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT OFFICIAL PLAN AMENDMENT NUMBER 276 FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2007-207

(This amendment is a site specific amendment to increase the maximum commercial floor space permitted for a local commercial use in a Residential District in order that the existing temporary medical office use may be permitted on a permanent basis - 208 Caswell Drive, Sudbury - Sudbury Cardiac Research)



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

- 2007-245Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWNS OF VALLEY EAST AND ONAPING FALLS

Planning Committee Recommendation 2007-233

(This by-law does not rezone the subject property. The by-law permits a modular dwelling as a second dwelling unit on the subject property for a maximum temporary period of ten years - 1430 Gravel Drive, Hanmer - Monique Wissell)

- 2007-246Z 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 2007-223

(This by-law rezones the property to "C2-13" General Commercial-Special to add a warehouse a permitted use and provide an exception to the parking provisions of the by-law, requiring that five parking spaces be provided for a warehouse use - 35 Azilda Street, Azilda - Robert Richer)

- 2007-247Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWNS OF VALLEY EAST AND ONAPING FALLS

Planning Committee Recommendation 2007-234

(This by-law rezones the subject property to "R2", Double Residential in order to permit the construction of a duplex dwelling - 3923 Harold Crescent, Val Caron - Chantelle Morin and Peter Learn)

- 2007-248T 3 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

Traffic Committee Recommendation 2007-05

(This by-law adds a Stop sign at the O'Grady Street and Kent Street intersection facing eastbound traffic on Kent Street.)

- 2007-249T 3 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

Traffic Committee Recommendation 2007-06

(This by-law provides that a School Bus Loading Zone be designated on the East side of Larocque Avenue, adjacent to Pinecrest Public School until December 1, 2007.)

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

2007-251            A BY-LAW OF THE CITY OF GREATER SUDBURY TO RENAME THE PARIS STREET BRIDGE AS THE BRIDGE OF NATIONS / PONT DES NATIONS

Council Resolution 2007-398

2007-252F    3    A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES

Council Resolution 2007-409

(This report provides the quarterly tax adjustments under Sections 357 and 358 of the *Municipal Act, 2001*)

2007-253    3    A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE 2007 GREATER SUDBURY ACCESSIBILITY PLAN AND THE 2007 GREATER SUDBURY TRANSIT ACCESSIBILITY PLAN

### **Three Readings**

2007-438 Cimino-Berthiaume: THAT By-law 2007-242A to and including By-law 2007-249T and By-law 2007-251 to and including By-law 2007-253 be read three times and passed.

**CARRIED**

## **MOTIONS**

### **Item R.3 Fill Control By-law**

The following resolution was presented by Councillor Gasparini:

2007-439 Cimino-Dutrisac: WHEREAS new developments in the City of Greater Sudbury are subject to lot grading agreements with the City of Greater Sudbury;

AND WHEREAS properties in the established areas of the City are not subject to such agreements;

AND WHEREAS owners of these properties can presently fill their properties without the necessity of a lot grading plan prepared by a lot grading professional;

AND WHEREAS neighbouring properties are often negatively impacted by the addition of this fill;

AND WHEREAS the only recourse for neighbouring property owners is to launch civil action to seek damages from the offending property owner;

NOW THEREFORE BE IT RESOLVED that City of Greater Sudbury staff be directed to prepare a report to the Priorities Committee of Council, establishing a fill control by-law for implementation in 2008.

**CARRIED**

## **QUESTION PERIOD**

### **Intersection of Long Lake Road and the Bypass**

Councillor Craig stated that the intersection of Long Lake Road and the bypass is extremely dangerous. He asked if anything could be done during the next 12 to 18 months to make the passage safer (i.e. signage, lighting, etc.) to avoid tragedies.

The General Manager of Infrastructure Services advised that he will contact the Ministry of Transportation in this regard.

### **Bear Advertisements**

Councillor Callaghan stated he has seen advertisements on television regarding bears and a constable was explaining what to do to avoid attracting them. He asked who was financing the advertisements.

The Executive Officer to the Chief of Police, GSPS advised the advertisements are sponsored by the Ministry of Natural Resources through a provincial grant for education.

### **Priorities Committee Meetings**

Councillor Callaghan indicated that he understands that the Priorities Committee meeting scheduled for his ward could be at a community centre or church. He further indicated that in reality it would be simpler to have his Ward (New Sudbury) meeting at Tom Davies Square. He asked if there was some way to deal with the issue.

The Executive Director of Administrative Services advised that, when the two year trial for Priorities Committee meetings to be held in the Wards was set, it was the Councillor's choice where the meetings would be held and if he/she wanted to hold the meetings at Tom Davies Square or in the Ward.

### **Conversion of Schools in Levack and Chelmsford to Apartment Units**

Councillor Berthiaume asked about the conversion of schools in Levack and Chelmsford to apartment units where there seems to be delays. He has been receiving calls from citizens who are interested in renting the apartments.

Doug Nadorozny advised that at this time of year, there is a rush of building permit applications and there may be delays in the permits. He will look into it tomorrow and advise the Councillor.

### **Lights at Intersection in Chelmsford**

Councillor Berthiaume stated that a base has been established for lights at an intersection in Chelmsford and asked when the lights will be installed.

The General Manager of Infrastructure Services stated the project is near completion and he will check with the project manager tomorrow and advise the Councillor.

## **QUESTION PERIOD (continued)**

### **Bypass Plans for Municipal Road 55 & Highway 17**

Councillor Barbeau stated that on July 25, 2007 a meeting was held with the Ministry of Transportation regarding the bypass plans Regional Road 55 and Highway 17. Questions were posed regarding study area and they advised a report would be prepared within 30 days. He indicated the 30 days have passed and he has requested this report a number of times and would like an answer within the next few days as there is a new date for a meeting set for October 4, 2007.

The General Manager of Infrastructure Services indicated he will contact the Ministry of Transportation and Stantec who are preparing the report and will provide information to the Councillor by the end of the week.

### **Blasting**

Councillor Cimino stated he was receiving calls and asked about blasting in terms of construction and if we are looking at a by-law.

The General Manager of Growth & Development advised that a report will be brought to Council next month that gives Council three different possibilities in this regard.

### **Aerial Spraying**

Councillor Cimino asked about aerial spraying in Vermilion area.

Councillor Gasparini stated that she has forwarded the letter to the Health Unit and had reply which she can forward to the Councillors concerning the aerial spraying. She stated that the company was given all the rules and regulations and were sent were advised in writing of what had to happen. She indicated that she spoke with the Ministry of the Environment today and would be speaking to the individual involved prior to reporting back to Council.

## **NOTICES OF MOTIONS**

### **Junction Creek Safety Committee**

#### **As presented by Councillor Landry-Altmann:**

WHEREAS drownings in Junction Creek have occurred over the past several years;

AND WHEREAS concerned citizens, Councillors and City Staff wish to establish educational and public safety programs and review infrastructure criteria along the Junction Creek Corridor;

THEREFORE BE IT RESOLVED THAT an Ad Hoc Committee comprised of a minimum of two Councillors, supported by a representative from the Nickel District Conservation Authority, a representative from the Junction Creek Stewardship Committee and City Staff, be mandated to establish terms of reference aimed at developing educational and safety programs, and to review infrastructure criteria for the area along Junction Creek;

**NOTICES OF MOTIONS (continued)**

Junction Creek  
Safety Committee  
(continued)

**As presented by Councillor Landry-Altmann (continued):**

FURTHER THAT the Junction Creek Safety Committee hold a minimum of one public consultation and bring forward a report to Council by April 2008 outlining the Committee's recommendations;

FURTHER THAT information garnered from this Committee be applied to other similarly identified waterbodies;

AND THAT Councillors Landry-Altmann and Cimino be appointed to the Junction Creek Safety Committee.

Adjournment

2007-440 Dutrisac-Cimino: THAT this meeting does now adjourn.  
Time: 10:40 p.m.

**CARRIED**

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Mayor John Rodriguez

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Angie Haché, City Clerk