

Regular Council

Agenda

For The City Council Meeting
To Be Held On
THURSDAY, 2002-12-12
COUNCIL CHAMBER
Tom Davies Square

7:00 p.m.

AGENDA

**FOR THE CITY COUNCIL MEETING
TO BE HELD ON THURSDAY, 2002-12-12
AT 7:00 P.M., IN THE COUNCIL CHAMBER**

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

**5:00 P.M. COMMITTEE OF THE WHOLE - "IN CAMERA"
COMMITTEE ROOM C-11, TOM DAVIES SQUARE
*To deal with: Personnel and Litigation Matters***

**7:00 P.M. REGULAR COUNCIL MEETING
COUNCIL CHAMBER, TOM DAVIES SQUARE**

1. Moment of Silent Reflection
2. Roll Call
3. Declarations of Pecuniary Interest

PUBLIC HEARINGS

{NONE}

DELEGATIONS

4. NORCAT Presentation:
 - Darryl Lake, Executive Director & CEO
(FOR INFORMATION) {OVERHEAD PRESENTATION}
5. Activities of Mayor and Council's Committee on Seniors Issues Update:
 - Councillor Callaghan and Chris Stewart
(FOR INFORMATION)
6. Speed Watch Program
 - Sgt. Lekun, Greater Sudbury Police Service
 - D. Kivi, Acting Co-ordinator of Traffic & Transportation Services
(FOR INFORMATION)

MATTERS ARISING FROM THE “IN CAMERA” SESSION

At this point in the meeting, the Deputy Mayor will rise and report any matters discussed during the “In Camera” session. Council will then consider any resolutions or by-laws.

MOTIONS

7. Presented by Councillor Courtemanche:

THAT the Procedure By-law be amended to change some of the elements relating to the Priorities Committee of Council.

Council, at its Priorities Committee meeting of Wednesday, December 11th, 2002, will be making various recommendations with respect to the Priorities Committee and the governance of the meeting. Therefore, Council will first have to pass a Notice of Motion before it can deal with amendments to Procedure By-law 2002-202.

BY-LAWS

2002-348 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 2002-202, THE PROCEDURE
BY-LAW

(This By-law amends the Procedure By-law to reflect changes directed by Council at the Priorities meeting of December 11, 2002.)

2002-349 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 2002-280F RESPECTING THE
PAYMENT OF REMUNERATION TO MEMBERS OF
COUNCIL AND RESPECTING THE PAYMENT OF
EXPENSES FOR MEMBERS OF COUNCIL, OFFICERS
AND SERVANTS OF THE CITY OF GREATER SUDBURY
AND LOCAL BOARDS

(This By-law amends the Remuneration By-law to reflect any changes in Committee names, etc. arising from the Priorities meeting of December 11, 2002.)

An amendment to the Remuneration By-law may also be needed, depending on the results of the Priorities Committee meeting of December 11th, 2002. If so, the By-law will be presented to Council at this time.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE MEETING OF 2002-12-11

At this point in the meeting, the Chair, Priorities Committee, will bring forward any matter requiring Council approval.

PART 1 - CONSENT AGENDA

(RESOLUTION PREPARED adopting resolutions for Items C-1 to C-19 contained in the Consent Agenda)

(For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.)

MINUTES

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|-----|--|-----------------------|
| C-1 | Report No. 41, City Council Minutes of 2002-11-28. (RESOLUTION PREPARED - MINUTES ADOPTED) | M.1-18 |
| C-2 | Report No. 9, Priorities Committee, Minutes of 2002-12-11. (RESOLUTION PREPARED - MINUTES ADOPTED) | {TO BE TABLED} |
| C-3 | Report No. 10, Planning Committee, Minutes of 2002-12-10. (RESOLUTION PREPARED - MINUTES ADOPTED) | {TO BE TABLED} |
| C-4 | Report of Tender Opening Committee, Minutes of 2002-11-27. (RESOLUTION PREPARED - MINUTES RECEIVED) | M.19 |
| C-5 | Report of Tender Opening Committee, Minutes of 2002-12-03. (RESOLUTION PREPARED - MINUTES RECEIVED) | M.20-21 |
| C-6 | Report No. 12, Greater Sudbury Public Library Board, Minutes of 2002-10-17. (RESOLUTION PREPARED - MINUTES RECEIVED) | M.22-24 |
| C-7 | Report No. 9, Sudbury & District Board of Health, Minutes of 2002-11-21. (RESOLUTION PREPARED - MINUTES RECEIVED) | M.25-32 |
| C-8 | Report of Board of Directors' Meeting, The Children's Aid Society, Minutes of 2002-10-03. (RESOLUTION PREPARED - MINUTES RECEIVED) | M.33-37 |

PART I - CONSENT AGENDA (Continued)

MINUTES (Continued)

- C-9 Report of Greater Sudbury Housing Corporation, Minutes of 2002-10-29.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M.38-46**
- C-10 Report No. 15, Sudbury Metro Centre, Minutes of 2002-09-24.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M.47-51**
- C-11 Report of Nickel District Conservation Authority, Minutes of 2002-12-02.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M.52-53**

TENDERS

- C-12 Report dated 2002-12-04 from the General Manager of Public Works regarding Tender Award: Contract 2002-48, Water & Electricity Meter Reading.
(RESOLUTION PREPARED) **1-2**
- C-13 Report dated 2002-12-04 from the General Manager of Public Works regarding Tender Award: Contract 2002-10: Southview Drive, Sanitary and Watermain Improvements and Sanitary Sewer Rock Tunnel Connection.
(RESOLUTION PREPARED) **3-4**
- C-14 Report dated 2002-12-04 from the General Manager of Public Works regarding Tender Award: Contract 2002-5: Watermain Improvement, Part "A" - Brady Street (Douglas Street to Elgin Street); Part "B" - Dollard Avenue (Lasalle Boulevard to North End).
(RESOLUTION PREPARED) **5-6**
- C-15 Report dated 2002-12-02 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding Request for Proposal - Cellular Services and Cellular Hardware.
(RESOLUTION PREPARED) **7-9**

ROUTINE MANAGEMENT REPORTS

- C-16 Report dated 2002-12-04 from the General Manager of Citizen & Leisure Services regarding Abandoned Cemeteries.
(RESOLUTION PREPARED) **10-16**
- C-17 Report dated 2002-12-05 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding 2002 Reserves.
(RESOLUTION PREPARED) **17-19**

PART I - CONSENT AGENDA (Continued)

ROUTINE MANAGEMENT REPORTS (Continued)

- C-18 Report dated 2002-12-04 from the General Manager of Citizen & Leisure Services regarding Sudbury Wolves Contract.
(RESOLUTION PREPARED) {SEE BY-LAW 2002-355A} 20-23
- C-19 Report dated 2002-12-04 from the General Manager of Citizen & Leisure Services regarding Long Lake Playground Association Construction Agreement.
(RESOLUTION PREPARED) {SEE BY-LAW 2002-336A} 24-33

TELEPHONE POLLS

{NONE}

BY-LAWS

- 2002-322A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH GREATER SUDBURY HYDRO PLUS INC. FOR THE PERFORMANCE OF SERVICE, MAINTENANCE AND INSTALLATION OF STREET LIGHTING FIXTURES

Report dated 2002-12-03 from the General Manager of Public Works **34-35**
- 2002-329A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF DECEMBER 12, 2002
- 2002-330F 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO ESTABLISH MISCELLANEOUS USER FEES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF GREATER SUDBURY

Report dated 2002-12-03 from the General Manager of Corporate Services and Acting General Manager of Emergency Services **36-87**

Report dated 2002-12-06 from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding water fees. **88-98**

PART I - CONSENT AGENDA (Continued)

BY-LAWS (Continued)

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| 2002-331G | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY DEALING WITH THE COLLECTION, REMOVAL, AND DISPOSAL OF WASTE WITHIN THE CITY OF GREATER SUDBURY | |
| | | Report dated 2002-12-05 from the General Manager of Public Works | 99-100 |
| 2002-332T | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-1, THE TRAFFIC AND PARKING BY-LAW ON ROADS IN THE CITY OF GREATER SUDBURY | |
| | | Report dated 2002-12-04 from the General Manager of Public Works | 101-109 |
| | | (This By-law permits right turn movement at the intersection of Elm Street and Lorne/College Street at any time.) | |
| 2002-333A | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH MARC PAQUETTE AND MONIQUE PAQUETTE FOR ROLL # 160.015.304.03.0000 | |
| | | Report dated 2002-12-02 from the General Manager of Corporate Services and Acting General Manager of Emergency Services | 110-111 |
| 2002-334 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND CHAPTER 32 OF THE MUNICIPAL CODE OF THE FORMER CITY OF SUDBURY TO INCREASE THE SIZE OF THE BOARD OF DIRECTORS OF SUDBURY METRO CENTRE | |
| | | Report dated 2002-12-05 of the General Manager of Corporate Services and Acting General Manager of Emergency Services | 112-114 |
| 2002-335A | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-34A TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY | |
| | | (This By-law updates the list of appointed officials to reflect recent changes in the Financial Services Section.) | |

PART I - CONSENT AGENDA (Continued)

BY-LAWS (Continued)

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| 2002-336A | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN ICE SURFACE CONSTRUCTION AGREEMENT BETWEEN THE CITY OF GREATER SUDBURY AND WAYNE GATIEN</p> <p>Report dated 2002-12-04 from the General Manager of Citizen and Leisure Services</p> | 24-33 |
| 2002-337A | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PURCHASE OF 199 LARCH STREET FROM HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO AS REPRESENTED BY THE MINISTER OF GOVERNMENT SERVICES FOR THE PROVINCE OF ONTARIO</p> <p>Council Resolution No. 2002-458</p> <p>Report dated 2002-12-04 of the General Manager of Corporate Services, and Acting General Manager of Emergency Services</p> | 115-118 |
| 2002-338Z | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-303, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF WALDEN</p> <p>Planning Committee meeting of December 10, 2002</p> <p>(This By-law changes the zoning of the subject property to Single Residential Special to permit the use of the subject property for a chiropractor's office together with a single dwelling in the same building. The by-law also establishes parking, maximum floor area, and signage requirements for the chiropractor's office and makes the property subject to site plan control. - Bonte and Robert McJannet - 5 Agnes Street, Lively.)</p> | |
| 2002-339Z | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-303, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF WALDEN</p> <p>Planning Committee meeting of December 10, 2002</p> <p>(This By-law rezones the subject property to "I", Institutional to permit the construction of a church. - PAOC Western Ontario Corp., Niemi Road, Lively)</p> | |

PART I - CONSENT AGENDA (Continued)

BY-LAWS (Continued)

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| 2002-340 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE ACQUISITION FROM GILLES LACARTE AND PAULINE LACARTE OF 65 FOURTH AVENUE, CONISTON |
| | | Planning Committee Meeting of December 10 th , 2002 |
| 2002-341F | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-217F TO DELEGATE AUTHORITY TO THE TREASURER TO ESTABLISH "CLAWBACK" PERCENTAGES FOR THE 2002 TAXATION YEAR FOR THE COMMERCIAL, INDUSTRIAL, AND MULTI-RESIDENTIAL PROPERTY CLASSES |
| | | Council Resolution 2002-443 |
| | | (This By-law establishes the dates for payment required as part of the "Clawback" By-law.) |
| 2002-342 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO THE NATIONAL CHILD BENEFIT EMERGENCY TRUST FUND |
| | | Council Resolution 2002-687 |
| 2002-343 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF LAND TO TRINITY PROPERTY HOLDINGS INC. |
| | | Report dated 2002-12-06 from the General Manager of Economic Development and Planning. (REPORT TO BE TABLED) |
| 2002-344 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF LAND IN THE BRADY STREET/ST. RAPHAEL STREET AREA TO 676597 ONTARIO LTD. |
| | | Planning Committee meeting of December 10, 2002 |

PART I - CONSENT AGENDA (Continued)

BY-LAWS (Continued)

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| 2002-345 | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPROVE THE EXPANSION OF THE LASALLE CEMETERY BY DESIGNATING CERTAIN LOTS AS MAUSOLEUM LOTS</p> <p>Report dated 2002-12-04 from the General Manager of Citizen & Leisure Services.</p> <p>(This By-law adds an additional lot to that earlier approved by Council. The background to this was provided in Citizen and Leisure Services' report to Council on this matter dated May 15, 2002.)</p> | 119-120 |
| 2002-346 | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO ACCEPT THE TRANSFER OF THREE CEMETERIES</p> <p>Report dated 2002-12-04 from the General Manager of Citizen and Leisure Services.</p> | 121-128 |
| 2002-350 | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO LICENSE AND REGULATE VARIOUS BUSINESSES</p> <p>Licensing Committee Resolution 2002-03</p> <p>(This By-law continues the licensing of certain businesses, while eliminating numerous others, and replaces the existing licensing by-laws which expire at the end of this year.)</p> | |
| 2002-351 | 3 | <p>BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO LICENSE AND REGULATE TRAILERS, TRAILER CAMPS AND TRAILER PARKS IN THE CITY OF GREATER SUDBURY</p> <p>Licensing Committee Resolution 2002-03</p> <p>(This by-law continues the licensing of trailers and parks and replaces the existing by-laws which expire at the end of this year.)</p> | |

PART I - CONSENT AGENDA (Continued)

BY-LAWS (Continued)

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| 2002-352 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO LICENSE AND REGULATE ADULT ENTERTAINMENT PARLOURS Licensing Committee Resolution 2002-03 (This by-law continues the licensing of adult entertainment parlours, and replaces the existing by-laws which expire at the end of this year.) |
| 2002-353 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO LICENSE AND REGULATE BODY-RUB PARLOURS Licensing Committee Resolution 2002-03 (This by-law continues the licensing of body-rub parlours, and replaces the existing by-laws which expire at the end of this year.) |
| 2002-354 | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY DEALING WITH THE DISPLAY AND SALES OF ADULT MAGAZINES AND VIDEOS Licensing Committee Resolution 2002-03 (This by-law continues the by-law of the former City of Sudbury by-law on this topic with identical terms.) |
| 2002-355A | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE SUDBURY WOLVES HOCKEY CLUB LIMITED Report dated 2002-12-04 from the General Manager of Citizen and Leisure Services |
| 2002-357T | 3 | BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO TEMPORARILY CLOSE ANDERSON DRIVE IN THE FORMER TOWN OF WALDEN TO VEHICULAR TRAFFIC FOR THE WALDEN WINTER CARNIVAL Report dated 2002-12-04 from the General Manager of Public Works. |

20-23

129-132

PART I - CONSENT AGENDA (Continued)

CORRESPONDENCE FOR INFORMATION ONLY

- C-20 Report dated 2002-12-04 from the Acting General Manager of Health & Social Services regarding Summary of Romanow's Report.
(FOR INFORMATION) **133-141**
- C-21 Report dated 2002-12-02 from the Acting General Manager of Health & Social Services regarding Physician Recruitment and Retention Activities.
(FOR INFORMATION) **142-146**
- C-22 Report dated 2002-11-15, with attachment, from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding September, 2002 Variance Report.
(FOR INFORMATION) **147-158**
- C-23 Report dated 2002-12-05, with attachment, from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding October, 2002 Variance Report.
(FOR INFORMATION) **159-171**
- C-24 Report dated 2002-11-18, with attachment, from the General Manager, Corporate Services and Acting General Manager, Emergency Services regarding Development Charges.
(FOR INFORMATION) **172-174**

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

{NONE}

MANAGERS' REPORTS

- R-1 Report dated 2002-11-14 from the General Manager of Economic Development & Planning Services regarding Provincial Distribution of Federal Public Housing Capital Funds.
(RESOLUTION PREPARED) **175-185**

The Province reduced the federal funding with respect to capital funding for the former public housing portfolio. The City, working with the Greater Sudbury Housing Corporation, is working to restore the funding to a more appropriate level.

PART II - REGULAR AGENDA (Continued)

MOTIONS

R-2 Presented by Mayor Gordon:

WHEREAS the primary policy direction from City Council to the Chief Administrative Officer and General Managers is the municipal budget;

AND WHEREAS it is Council's responsibility to provide senior staff with very clear direction on the creation of a new budget;

AND WHEREAS it is the role of elected officials to listen to their constituents and what we hear is a resounding call, particularly from our seniors, those on fixed incomes and the business community that Council must be exceedingly prudent in matters of a financial nature;

THEREFORE BE IT RESOLVED THAT Council directs the Chief Administrative Officer and staff and out agencies to prepare the 2003 Budget using modified zero-based budget principles which includes detailed service level options for existing and future cost centres with the view of beginning the budget building at zero.

R-3 Presented by Councillors Courtemanche and Kilgour:

WHEREAS the Province of Ontario has announced a policy framework to promote conservation, encourage alternative fuels and support clean energy production;

AND WHEREAS one of Council's strategic priorities is to "*seek new environmental and renewable energy opportunities in order to play a leadership role in developing industries of the future through the community energy plan and other priorities identified by EarthCare Sudbury*";

AND WHEREAS the City of Greater Sudbury is developing a Community Energy Plan to reduce the community's dependence on the outside marketplace by 50% through local generation of green energy;

AND WHEREAS Council has recently approved a partnership agreement with Northland Power Inc and REPower Wind Corporation to develop a 50 megawatt wind farm;

AND WHEREAS City Council has established EarthCare Sudbury, along with 37 community partners, to develop a long-term local action plan to develop a greener, more sustainable Sudbury;

PART II - REGULAR AGENDA (Continued)

MOTIONS (Continued)

R-3 Presented by Councillors Courtemanche and Kilgour (Continued)

THEREFORE BE IT RESOLVED THAT the EarthCare Sudbury Steering Committee be requested:

- To access the implications of the Ontario government's *Policy framework for Alternative Fuels and Energy*;
- To work with the Greater Sudbury Development Corporation to identify new economic development strategies and funding opportunities that could be levered by this new provincial initiative;
- To prioritize those opportunities without our Community Energy Plan; and
- To make recommendations to City Council.

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

NOTICES OF MOTIONS

"IN CAMERA" (Incomplete Items)

10:00 P.M. ADJOURNMENT (RESOLUTION PREPARED)

{TWO-THIRDS MAJORITY REQUIRED TO PROCEED PAST 10:00 P.M.}

2002-12-06

**THOM M. MOWRY,
CITY CLERK**

**GLORIA WARD
COUNCIL SECRETARY**