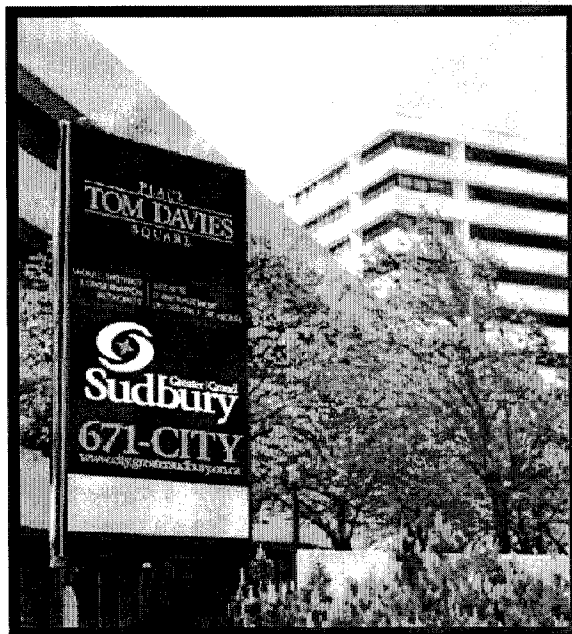


*Vision: The City of Greater Sudbury is a growing, world-class community bringing talent, technology and a great northern lifestyle together.*

*Vision : La Ville du Grand Sudbury est une communauté croissante de calibre international qui rassemble les talents, les technologies et le style de vie exceptionnel du Nord.*

# Agenda Ordre du jour



For the  
City Council  
Meeting  
to be held

Pour la réunion du  
Conseil municipal  
qui aura lieu

on Thursday, March 21<sup>st</sup>, 2002

le jeudi 21 mars 2002

**at 7:30 p.m**

**à 19 h30**

Council Chamber  
Tom Davies Square

dans la Salle du Conseil  
Place Tom Davies

Regular Council

# Agenda

For The City Council Meeting  
To Be Held On  
**THURSDAY, 2002-03-21**  
Council Chamber

7:30 p.m.

(27<sup>TH</sup>)

## **AGENDA**

### **FOR THE CITY COUNCIL MEETING TO BE HELD ON THURSDAY, 2002-03-21 IN THE COUNCIL CHAMBER**

***(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)***

**7:00 P.M. COMMITTEE OF THE WHOLE - "IN CAMERA"  
COMMITTEE ROOM C-11, TOM DAVIES SQUARE  
*To deal with: Labour Relations Matter***

**7:30 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**

3. Letter dated 2002-02-26 from Rick Bartolucci, MPP, regarding Activities of the "JoeMac" Committee.

**(RESOLUTION PREPARED)**

**1-2**

- Rich Bartolucci, MPP

4. United Steelworkers of America - Seeking Council support of a motion to change the existing Steel Import Laws.

**(RESOLUTION PREPARED) {OVERHEAD PRESENTATION}**

- John Fera, Recording Secretary, United Steelworkers of America, Local 6500  
- Norm McKay, United Steelworkers of America, Staff Representative, Sault Ste. Marie, Algoma Steel

#### **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.

## **PART 1 - CONSENT AGENDA**

### **(RESOLUTION PREPARED adopting resolutions for Items C-1 to C-5 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**

Only changes in the form of errors or omissions taken at a previous meeting may be made in adopting the Minutes. Other comments are out of order.

- |     |   |                |
|-----|---|----------------|
| C-1 | Report No. 26, City Council Minutes of 2002-03-07.<br><b>(RESOLUTION PREPARED - MINUTES ADOPTED)</b>                                      | <b>M.1-9</b>   |
| C-2 | Report No. 23, Committee of the Whole - Planning, Minutes of 2002-03-19.<br><b>(RESOLUTION PREPARED - MINUTES ADOPTED) {TO BE TABLED}</b> |                |
| C-3 | Report of Tender Opening Committee, Minutes of 2002-02-12.<br><b>(RESOLUTION PREPARED - MINUTES RECEIVED)</b>                             | <b>M.10</b>    |
| C-4 | Report of Tender Opening Committee, Minutes of 2002-03-12.<br><b>(RESOLUTION PREPARED - MINUTES RECEIVED)</b>                             | <b>M.11-12</b> |

### **TENDERS**

**{NONE}**

### **ROUTINE MANAGEMENT REPORTS**

- |     |   |            |
|-----|---|------------|
| C-5 | Report dated 2002-03-05 from the General Manager of Citizen & Leisure Services regarding Air Traveller's Security Charge.<br><b>(RESOLUTION PREPARED)</b> | <b>3-5</b> |
|-----|---|------------|

## **PART I - CONSENT AGENDA (Continued)**

### **BY-LAWS**

- 2002-73Z 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST

(This By-law does not rezone the subject property. This By-law permits an existing second dwelling unit to continue to be used as a "granny suite" residence by a parent of the owner for a maximum temporary period of three years - Yvan Guinard, 75 Arlington Drive, Dowling.)

Committee of the Whole - Planning Resolution 2001-138

- 2002-74Z 3 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

(This By-law rezones the subject property to Seasonal Residential so that it can be consolidated with the adjoining Seasonal Residential property to correct a driveway encroachment - Estate of Helen Sirkka, North Shore Road, Lake Panache.)

Committee of the Whole - Planning Resolution 2002-36

- 2002-75Z 3 BEING 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

(This By-law rezones the subject property to "HR1.D22-15", Holding Special Single Residential in order to permit the conversion of a former hall into one dwelling unit and dance studio. The 'Special' zone permits a dance studio in addition to all other "R1" uses. The "H" symbol specifies that only a dance studio or day nursery shall be permitted until such time as any residential section of the existing building has been flood proofed to the satisfaction of the Nickel District Conservation Authority, and the "H" symbol removed by Council. - Amanda Tessier, 45 William Avenue, Coniston.)

Committee of the Whole - Planning Resolution 2002-35

- 2002-76A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF MARCH 21st , 2002

- 2002-77 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE TO MARCEL LEGAULT CONST. LTD. OF LOT 8, PLAN 53M-1254, VALLEYSTREAM DRIVE IN THE CITY OF GREATER SUDBURY

Committee of the Whole - Planning Resolution.

## **PART I - CONSENT AGENDA (Continued)**

### **BY-LAWS (Continued)**

- 2002-78A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-34A, BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY

(This By-law updates the list of By-law Enforcement Officers.)

- 2002-79A 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO, AS REPRESENTED BY THE MINISTER OF TOURISM, CULTURE AND RECREATION TO ESTABLISH THE TERMS AND CONDITIONS OF THE PROVINCE'S FINANCIAL CONTRIBUTION THROUGH THE SUPERBUILD SPORTS, CULTURE AND TOURISM PARTNERSHIPS INITIATIVE (the "SCTP INITIATIVE") TO THE MUNICIPAL ARENA SAFETY PROJECT

Council Resolution 2001-39

- 2002-80T 3 BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, THE TRAFFIC AND PARKING BY-LAW

Report dated 2002-03-14 from the General Manager of Public Works.

6-7

(This By-law updates Schedule "J", the Excess Loads for various locations throughout the City of Greater Sudbury.)

### **CORRESPONDENCE FOR INFORMATION ONLY**

- C-6 Report dated 2002-03-08, with attachment, from the General Manager of Corporate Services regarding 2001 Investments.

**(FOR INFORMATION)**

8-10

- C-7 Report dated 2002-03-21, with attachment, from the General Manager of Health & Social Services regarding Mandatory Literacy Screening for Ontario Works Participants.

**(FOR INFORMATION)**

11-13

- C-8 Report dated 2002-03-14 from the General Manager of Public Works regarding Central Business District: Waste Management Issues.

**(FOR INFORMATION)**

14

## **PART II - REGULAR AGENDA**

### **REFERRED AND DEFERRED MATTERS**

{NONE}

### **MANAGERS' REPORTS**

- R-1 Report dated 2002-03-13 from the General Manager of Public Works regarding Selection of Consultant: Sudbury Landfill Site Expansion.  
**(RESOLUTION PREPARED)**

**15-19**

### **MOTIONS**

- R-2 **Presented by Councillor Craig:**

WHEREAS Council of the City of Greater Sudbury (the "City") deems it to be in the best interests of the City and its citizens that the City take steps to ensure that the benefits and returns generated from operation of the natural gas distribution system within the City be put to use in the best interests of the City and its citizens;

AND WHEREAS the inherent right of municipalities in Ontario to purchase, own, operate and construct works for the distribution of natural gas within their boundaries is expressly recognized in section 18 of the Public Utilities Act;

AND WHEREAS Union Gas Limited has agreed in various franchise agreements to sell to the City its gas distribution works within the City following termination of the franchises;

AND WHEREAS Union Gas Limited has applied to the Ontario Energy Board for orders which, if granted, may frustrate and defeat the City's contractual rights and expectations by imposing upon the City a long-term franchise agreement containing no right to purchase;

**BE IT RESOLVED THAT:**

1. The Chief Administrative Officer or other person designated by him is authorized on behalf of the City to oppose all applications made by Union Gas Limited to the Ontario Energy Board for orders under sections 9 and 10 of the Municipal Franchises Act, allowing Union Gas Limited, notwithstanding the absence of approval or assent on the part of the City or its electors, to construct, extend or add to, and/or to operate natural gas distribution systems within the boundaries of the City.
2. The Chief Administrative Officer or other person designated by him is authorized to renew and to continue the City's efforts to negotiate the purchase by the City of Union's gas distribution system pursuant to various gas franchise agreements between the City, as successor to entities within the definition of "old municipality" in the City of Greater Sudbury Act, 1999, and Union Gas Limited or its predecessors (collectively, the "Gas Franchise Agreements").

## **PART II - REGULAR AGENDA (Continued)**

### **MOTIONS (Continued)**

R-2 Motion presented by Councillor Craig: (Continued)

3. The Chief Administrative Officer is authorized to execute an agreement with Greater Sudbury Utilities regarding a potential role for the Greater Sudbury Utilities in these Ontario Energy Board and court matters, and the acquisition, ownership and/or operation of the natural gas distribution system within the City currently owned and operated by Union Gas Limited ("Gas Distribution System").
4. The City Solicitor is authorized to make such applications to or request such orders or relief from the Ontario Energy Board as may be necessary to enable the City, or other body or entity authorized by the City, to acquire, operate, construct, extend or add to a gas distribution system within the City.
5. The Chief Administrative Officer or other person designated by him is authorized to investigate and explore opportunities for the City to grant a franchise to operate a gas distribution system to any person, firm or corporation, and to engage in discussions and negotiations with such third parties, including discussions and negotiations respecting joint venturing, partnership or similar business arrangements and a potential purchase by such third parties of Union Gas' Distribution System or portion thereof pursuant to the Gas Franchise Agreements.
6. The City Solicitor is authorized, following termination of the Gas Franchise Agreements, or any of them, to give notice to Union Gas Limited pursuant to the said agreements requiring Union Gas Limited to sell its Gas Distribution System or portion thereof to the City or to any other person, firm or corporation designated in such notice by the City.

AND THAT all necessary by-laws be passed.

### **R-3 Presented by Councillor McIntaggart:**

WHEREAS the use of church property for a final resting place is an ancient tradition;

AND WHEREAS the practice of using church property for the purposes of a scattering garden for the disposition of cremated human remains has become a common practice;

AND WHEREAS the *Cemeteries Act*, and the regulations thereunder, currently provide that municipal approval is required to permit the establishment of scattering gardens for cremated human remains, and further that the municipality shall eventually assume responsibility for such scattering gardens;



## **PART II - REGULAR AGENDA (Continued)**

### **MOTIONS (Continued)**

#### **R-3 Presented by Councillor McIntaggart: (Continued)**

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury hereby petitions the Government of Ontario to amend the *Cemeteries Act* to permit the establishment of scattering gardens on church property without the prior consent of a municipality and further that municipalities not be required to assume responsibility for the care and maintenance of scattering gardens on church property in the event the church property is sold or otherwise disposed of;

AND FURTHER THAT copies of this resolution be forwarded to the Honourable Norman Sterling, Minister of Consumer and Business Services, the Association of Municipalities of Ontario and all local Members of the Legislative Assembly of Ontario.

### **ADDENDUM**

### **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.}***

2002-03-15

THOM M. MOWRY,  
CITY CLERK

GLORIA WARD  
COUNCIL SECRETARY