

# Request for Decision City Council



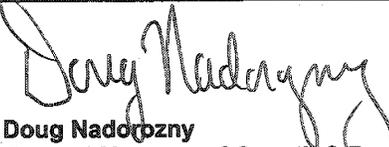
Type of Decision									
Meeting Date	June 30, 2005				Report Date	June 16, 2005			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
<b>Bill 124: Building Regulatory Changes - Impact of Building Code Statute Law Amendment Act and Ontario Regulation 305/03</b>

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<input type="checkbox"/>	Background Attached

Recommendation	
<p><b>BE IT RESOLVED THAT COUNCIL:</b></p> <p><b>1. Pass the new Building By-law with the administrative changes mandated pursuant to Building Code Statute Law Amendment Act, 2002 and Regulation 305/03, 146/05 and 236/05; that provides for the following significant changes from the existing By-law:</b></p> <p><b>(a) Describes in greater detail what is required for a complete application in order to be processed with the prescribed Provincial building permit application form.</b></p> <p><b>(b) Proposes a system of accepting incomplete applications where an acknowledgement of same is signed by the applicant.</b></p>	
<input checked="" type="checkbox"/>	Recommendation Continued

**Recommended by the Department Head**



**Doug Nadorozny**  
General Manager of Growth & Development

**Recommended by the C.A.O.**



**Mark Mieto**  
Chief Administrative Officer

Date: June 16, 2005

Report Prepared By



Guido A. Mazza, P. Eng.  
Director of Building Services/Chief Building Official

Division Review



Guido A. Mazza, P. Eng.  
Director of Building Services/Chief Building Official

Recommendation Continued

- (c) Provides the authority to the Chief Building Official to engage Registered Code Agencies from time to time to meet provincially mandated permit issuance times for permits and inspections.
  - (d) Provides for a new Code of Conduct for Building Officials as mandated by new Ontario Building Code Act.
  - (e) New increased list of provincially mandated building inspections.
2. Establish a building permit revenue stabilization reserve fund as required by the new Building Code Act and Regulations.
3. Receive the following report on the status of implementation of the requirements of the Building Code Statute Law Amendment Act, 2002 for information purposes and the Chief Building Official be instructed to continue his work with our development industry partners on DLAC to provide Council final recommendations on:
- Building permit fees - fee for service
  - New mandated inspection and permit issuance regime and staff resource requirements,

as mandated under the new Ontario Building Code Act prior to January 1, 2006, the last phase implementation date.

Background

On October 23, 2003, Council received an Information Report from the Chief Building Official with respect to Bill 124, "An Act to Improve Public Safety and to Increase Efficiency in Building Code Enforcement". Bill 124 was the Province's response to the Building Regulatory Reform Advisory's Group (BRRAG) report presented to the Minister of Municipal Affairs and Housing in August, 2000.

The Bill was proclaimed on July 25, 2003, as the Building Code Statute Law Amendment Act 2002 and Regulation 305/03 was filed to implement the Province's Building Regulatory Reform. Some of the amendments to the Building Code came into force on September 1, 2003, while the majority will take effect July 1, 2005, with the final full implementation scheduled for January 1, 2006.

On March 18, 2004, the Ministry issued a "Municipal Checklist" to help municipalities prepare for July 1, 2005.

On June 14, 2004, Council received an update progress report from the Chief Building Official on the impact on administration and enforcement of the Ontario Building Code in the City of Greater Sudbury with some recommendations for the Chief Building Official to work with the development industry through the Development Liaison Advisory Committee (DLAC) to provide recommendations to Council.

The recommendations of DLAC from their Subcommittee on Bill 124 Implementation are provided throughout this report and the actual resolution passed is attached as Appendix 'A'.

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On March 29, 2005, the Provincial Government filed additional Regulations 145/05 and 146/05 which made some minor changes to the requirements contained in Regulation 305/03. The purpose of which primarily was to deal with concerns from designers and the insurance industry.

Again, on May 19, 2005, the Provincial Government filed further additional Regulation 236/05 which provided for an extension or transitional implementation period for certain elements to January 1, 2006, but maintaining the majority of the elements pertaining to municipal administrative requirements to a July 1, 2005 implementation.

The recommendation and updates provided in this report follow the outline of the June 14, 2004 report to Council, which generally followed the Ministry's notice and stated goals of Public Safety - Streamlining - Accountability.

## A) PUBLIC SAFETY

### 1. Mandatory Provincial Building Code Knowledge Requirement

As of January 1, 2006, Building Officials, most designers, engineers, architects and persons engaged by Registered Code Agencies (RCA) must be qualified under the Ontario Building Code Act as well as registered with the Ministry of Municipal Affairs & Housing.

In order to be able to review permit applications and construction plans for Code compliance, approve and issue permits, inspect construction and enforce the Act and Ontario Building Code, Building Services Division technical staff including the Chief Building Official need to pass a number of 3-hour provincial exams.

#### Implications for the City of Greater Sudbury

Since 2003, the 12 Building Officials including the Chief Building Official within the Building Division have been working towards required qualification under the Building Code Act. The number of exams to be passed varies with the duties of each position.

In 2004, the Building Division prepared a training strategy to provide all staff with virtual "in-house" training opportunities, along with entering into a training contract with the Ontario Building Officials Association (OBOA) for delivery of Ministry courses in Sudbury at Tom Davies Square. We were not only able to train our own staff but provided training opportunities for our development industry partners and neighbouring area municipalities' Building Officials. To date, we have sponsored 9 Ministry/OBOA courses which 36 City of Greater Sudbury staff participants, 41 participants from other area municipalities and 80 private development sector participants.

Currently 10 of the 12 Building Services Technical staff are in a position to be registered with the Ministry of Municipal Affairs & Housing (MMAH). It is anticipated that by December 31, 2005 deadline, all staff will be either fully qualified in their position or will have sufficient qualifications to perform some of the duties of their position or to qualify under the recently announced "Internship" initiative.

On March 29, 2005, Regulation 146/05 was filed which allows staff who are not fully qualified in a particular area of responsibility to perform restricted duties under the supervision of a qualified staff person if the unqualified person is enrolled in a Ministry Internship Program which is currently being set up.

In addition, members of the City of Greater Sudbury Fire Department (Fire Prevention Office) who are assigned to assist our staff in review of Fire Prevention Systems i.e. fire alarms, sprinklers, etc. are required to successfully write two exams each.

It should be noted that ongoing maintenance of Building Official qualification is mandated through the new regulations and must be budgeted.

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Actions to be Completed Are:

1. Continue to provide training to assist all remaining staff pass the requisite exams.
2. Review Appointment By-law for Building Officials prior to January 1, 2006 deadline and revise accordingly.
3. Review the existing job descriptions with Human Resources in light of the provincial legislation.
4. Once completed, file information with the Director of Building Development Branch of the Ministry of Municipal Affairs and Housing as required.

2. Mandatory Inspections

The new legislation introduces a legislated time frame for undertaking building inspections that will now be triggered by mandatory notifications by the permit holders. Also, the new Code specifies additional inspections over and above the City's current inspection program. These inspections must be undertaken within two business days of receiving a notice from the permit holder of readiness for inspection at defined stages of construction effective July 1, 2005. The Province is attempting through this legislation to mandate inspection service levels and provide a more consistent inspection system across the Province.

Implications for the City of Greater Sudbury

Based on Council's recommendation, a subcommittee of the Development Liaison Advisory Committee (DLAC) was struck to review new mandated inspection regime and personnel resource requirements based on current Building Services practice and historical data on building permit workload from 1994 to 2004.

Time studies were undertaken analysing the Inspectors' daily routine travel times based on average kilometres per day logged by Inspectors, to ascertain the maximum inspection capability of current inspector complement.

The subcommittee estimated a minimum 3 additional mandated inspections per residential building permit and 6 additional mandated inspections per industrial, commercial and institutional (ICI) sector permit.

The subcommittee was provided additional information on overtime hours worked and current City of Greater Sudbury Collective Bargaining Agreement Policy on time off in-lieu during off peak season.

Based on its current evaluation, the subcommittee's initial determination is that additional inspection staff will be required in the order of 2 Inspectors bringing the current complement of 6 Inspectors to 8.

However, the subcommittee feels that further work is required and monitoring through the first 6 months of implementation is required, prior to providing Council a firm recommendation on field staffing levels.

Therefore, the subcommittee is recommending to Council that staffing remain as current complement with the new Building By-law to provide flexibility to hire contract and RCA staff when required. Further study and monitoring of service and staffing levels will take place with final recommendations being brought back to Council prior to January 1, 2006 for Council's consideration.

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Actions to be Completed

1. Modify computer programming for the specified mandatory inspections and amend communication materials to permit applications.
2. Continue the educational information sessions established through the Sudbury & District Homebuilders' Association and the Sudbury Construction Association to inform the industry of the new procedures.
3. Continue the manpower study of the established DLAC subcommittee on Bill 124 Implementation to provide a final recommendation on personnel resources by January 1, 2006.

**B) STREAMLINING**

1. Specific time Limits on building Permit Decisions - Applicable Law

The amended Building Code introduces time frames within which the chief Building Official must render a decision regarding the issuance of a building permit. Once the determination is made that a permit cannot be issued due to zoning, or Code deficiencies, or non-compliance with an applicable law (e.g. no site plan approval), the Chief Building Official is required to advise the applicant of all the reasons.

Where the Chief Building Official fails to provide a decision as to the issuance of a permit or fails to provide all the reasons for the refusal within the mandated time frames, the applicant is able to refer the matter to the Building Code Commission for determination.

As well, the legislation provides a definition of applicable law, which has been clarified to include a specific list of laws, that require compliance before a building permit can be issued. The specific time limits to issue permits do not start until applicable laws are complied with and the application is complete, i.e. accompanied by all required plans and applicable fees.

Implications for the City of Greater Sudbury

We do not expect any difficulties in meeting the Provincial time limits on building permit decisions. In fact, current issuance turnaround times established by Council in 1995 through DLAC in most cases are more stringent. Council receives regular reports on these benchmarks from Building Services through DLAC and for the most part we currently meet and exceed the Provincial standards for permit time limits.

The following table outlines time frames contained in the new legislation as well as benchmarks currently specified by Council through DLAC for levels of service in the City of Greater Sudbury.

<b>Class of Building</b>	<b>Bill 124 Ontario Building Code Time Period - Business Days</b>	<b>Council's DLAC Benchmarks Business Days</b>
Part 9 Houses	10	5 - 10
Other Part 9 Buildings	15	5 & 10
Part 3 Buildings	20	5 & 10
Complex Buildings	30	10

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Further to Council's direction, a subcommittee of DLAC was formed to review plans submission and examination standards to conform to the new Building Code mandated inspections specifically as it related to heating, ventilation and air conditioning (HVAC) to establish best practice principles on these aspects of construction review mandated by the new Building code regulations.

The subcommittee has drafted HVAC residential design requirements and guidelines including hydronics with an accompanying "How to Guide" on:

- Heat Loss and heat gain calculation
- Heating equipment summary
- Supply and return duct design calculations
- HVAC layout for each floor
- Mechanical ventilation design summary
- Radiant heating system design (hydronics)
- Piping layout for each floor

Guidelines have been generally accepted by DLAC however sample drawings are to be finalized. The delay in designer qualification/registration to January 1, 2006, has resulted in a recommendation to delay implementing design standards to January 1, 2006 and only require heat loss calculation and proof of heating trades license implementation for July 1, 2005.

Additional HVAC documentation for both residential and ICI projects was reviewed by the subcommittee with an initial estimate of one additional Plans Examiner position being required, based on historical building permit data reviewed from 1994 - 2004. However the subcommittee is recommending further study prior to making final recommendation to Council prior to January 1, 2006.

The subcommittee has developed and accepted a permit application check list for residential and non-residential permits to assist both Bill 124 and non-Bill 124 applicants. The list shall be used by staff in evaluation submissions and shall be posted on the Building Services web site for client information/use.

#### Actions to be Completed

1. Continue monitoring and reporting building benchmarks for Council's review through DLAC.
  2. Finalize the DLAC Bill 124 Implementation Subcommittee work on best practice design standards for HVAC submissions as well as recommendations on plans examination staffing levels.
2. A Common, Province-wide Application Form for Permits

In order to promote uniformity across the Province, a common application form is prescribed effective July 1, 2005. As well, common Building Code order forms are also prescribed for use province wide.

#### Implications for the City of Greater Sudbury

The common application form issued by the Minister is currently being amended to answer some of the concerns expressed by the stakeholders, however once re-issued, municipalities will not be allowed to make any changes to it.

There will be some changes to our existing procedures in processing applications on January 1, 2006, for instance, we will be required to ensure designers demonstrate that they are provincially qualified before we can accept their designs for review. As well, more care may be required in acceptance of the application, which in turn triggers the time limits to issue permits. The Province has finalized and issued 5 different types of orders

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that must be used. Like the application form, these cannot be changed by local municipalities. There are 2 other types of orders used by municipalities which are not regulated by the Province. All of these orders are with our Information Technology Division at this time so they can be incorporated into our Inspector Plus Software (used for field inspections).

Further, Building Services Division is undergoing a complete re-vamping of its building permit software as part of the "Connect Ontario" project approved by Council. Provisions for the incorporation of the final version of the new mandated province-wide application have been made in the software architecture.

The subcommittee of DLAC on Bill 124 Implementation has recommended a two stream approach for clients which may find the mandated common Provincial building permit application forms unwieldy when applying for smaller construction permits like decks and siding. Therefore a "short form" alternate City of Greater Sudbury application form accompanied with declaration of non-Bill 124 application has been prepared for use by those customers that so choose.

As well, the subcommittee of DLAC has drafted an optional modified "check list" for the applicable law section of the Provincial form to assist City of Greater Sudbury clients in evaluating completeness of application.

The new Building By-law has been drafted to incorporate these mandated changes.

Actions to be Completed

None.

3. Provisions Which Provide Municipalities the Use of RCA's

Legislation will, as of July 1, 2005, allow municipalities to hire RCAs to perform plans examinations and/or inspections.

Implications for the City of Greater Sudbury

In the last few years staff have worked significant amounts of overtime trying to maintain our service levels, however it has been very difficult at times resulting in delayed permits and inspections. We will continue to monitor workload and overtime worked to determine the adequacy of the staff complement, as recommended by the DLAC Subcommittee and provide Council a staffing recommendation before January 1, 2006 full implemented.

As recommended by DLAC, the proposed Building By-law has provisions in it to allow the Chief Building Official (CBO) to engage Registered Code Agencies (RCAs) and contract staff to help the Building Division, when required in order to comply with the time limits specified in the regulations for processing permits, and undertaking required field inspections.

Actions to be Completed

None.

4. Provisions that Support Design Innovations, New Products, Minister's Rulings & Binding Interpretations

The legislation allows CBOs to accept equivalents to encourage innovation in materials, systems and designs. The Minister is also allowed to make rulings on the same issues, and make binding interpretations of the Code.

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Implications for the City of Greater Sudbury

These changes will expedite approvals and promote the uniform application of the Building Code across the Province. The legislation requires as of July 1, 2005, that the CBO make a record of the decision, including the decision to allow the equivalent, and all the documents provided by the person requesting approval for the equivalent. An office policy has been developed to deal with these requests.

Actions to be Completed

None.

5. Expedited Route to the Ontario Municipal Board (OMB) for Site Plan Approval

Effective July 1, 2005, the Planning Act has been amended to make it clear that the colour, texture and type of materials, window detail, construction detail, architectural detail and the interior design or buildings including the layout of interior areas is not subject to site plan approval.

The amendment also provides that the owner of the land or the municipality may apply to the Ontario Municipal Board (by means of a notice for direction) to determine a dispute about whether site plan approval applies or not. The Board shall make a final determination that is not subject to further appeal or review.

Implications for the City of Greater Sudbury

We do not foresee that this appeal to the OMB will be used in the City of Greater Sudbury. Our policy on conditional permits has eliminated the need for the OMB to expedite site plan disputes, which hold up the issuance of permits. Except where a public participation meeting for the site plan is required, the CBO, on request, issues conditional building permits while details of the site plan approval are being worked out. In addition, our site plan policies do not deal with requirements not founded in legislation. No changes are required to our procedures and policies other than to replace in our booklet the old Section 41 of the Planning Act with the revised one, after July 1, 2005.

Actions to be Completed

None.

C) ACCOUNTABILITY

1. Provisions Describing the Roles of Key Parties

The legislation includes provisions describing the roles of key parties in the building construction process including: designers; builders; persons, (i.e. property owners), who cause a building to be constructed; manufacturers, suppliers and retailers of products intended to be used in buildings covered by the Building Code; RCAs; CBOs; and Inspectors.



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Implications for the City of Greater Sudbury

From a municipal perspective the roles of the CBO and Inspectors are defined as follows (1(6) and 1(7) of the ACT):

- “(6) **Role of Chief Building Official.** *It is the role of a CBO,*
  - (a) *to establish operational policies for the enforcement of this Act and the Building Code within the applicable jurisdiction;*
  - (b) *to co-ordinate and oversee the enforcement of the Act and the Building Code within the applicable jurisdiction;*
  - (c) *to exercise powers and perform the other duties assigned to him or her under this Act and the Building Code, and*
  - (d) *to exercise powers and perform duties in accordance with the standards established by the applicable Code of Conduct. 2002, c.9, s.3*
  
- (7) **Role of Inspectors.** *It is the role of an Inspector,*
  - (a) *to exercise powers and perform duties under this Act and the Building Code in connection with reviewing plans, inspecting construction and issuing orders in accordance with this Act and the Building Code.*
  - (b) *to exercise powers and perform duties in respect of only those matters for which the or she has the qualifications required by this Act and the Building Code, and*
  - (c) *To exercise powers and perform duties in accordance with the standards established by the applicable Code of Conduct. 2002, c.9, s.3”*

Overall, the changes represent an improvement over existing legislation. The clearly defined roles and responsibilities of designers, builders, owners, etc. will also help the Courts in assessing liability should law suits arise.

Job descriptions for Inspectors, Plans Examiners, Manager of Technical Services and the CBO were reviewed with the Human Resources Division to incorporate the duties prescribed by legislation.

Actions to be Completed

None.

2. Mandatory Professional Indemnity Insurance Coverage Enforced Through Provincial Registration System

The legislation requires mandatory professional indemnity insurance coverage for persons engaged in the business of providing design services to the public, and for RCAs. This insurance requirement will be enforced through a provincial registration system with an annual renewal. This comes into effect for RCAs July 1, 2005, but for all others implementation is delayed to January 1, 2006.

Implications for the City of Greater Sudbury

These requirements help create a fairer liability system. The new legislation requires most designers, as well as all RCAs to have certain minimum insurance coverage. The insurance coverage will, however, lapse 2 years after any RCA goes out of business or immediately when a designer goes out of business. BRRAG had recommended to the government that these insurance requirements continue for 10 years after the building was constructed. However, given the current insurance problems following 9/11, the cost of such insurance coverage was totally unrealistic and the Government did not enact the runoff insurance coverage as recommended. Municipalities will therefore remain at risk until the ultimate limitation period of 15 years runs out for construction defects.

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Actions to be Completed

None.

3. Mandatory Reporting by Municipalities on Permit Fees

The legislation requires mandatory reporting by municipalities on building permit fees, which will enhance transparency and ensure that building permit fees do not exceed enforcement costs. In addition, municipalities must provide annual building permit fee reports and hold mandatory public meetings before building permit fees are changed.

The Province has mandated that by July 1, 2005, the building permit fees are to be limited to the reasonable anticipated cost of enforcement of the Act and Regulations.

The annual mandatory reporting by municipalities has been delayed to begin January 1, 2006, thus reports would align better with most municipalities' fiscal year ends.

Implications for the City of Greater Sudbury

This requirement ensures that user fees do not become taxes. The legislation follows a recent Supreme Court decision that states that there must be a reasonable nexus between the user fee charged and the service provided.

The new regulations amend Section 7 of the Act to introduce a fee structure intended to require that permit fees are only collected to cover anticipated costs associated with the administration and enforcement of the Act by a municipality.

The municipality will not be entitled to use permit fees to support any other services provided i.e. development services, property standards by-law enforcement, etc.. The municipality can no longer access revenues from permit fees. Currently, any revenue including excess revenue goes to the business unit to be used at the discretion of the municipality. Bill 124 requires all revenue to remain with the service provider and the municipality is entitled to have a reserve fund for specific purposes, i.e. revenue equalization for multi-year projects, dedicated budgeting for computers, vehicles, training, etc., which will support services related to building permits. In essence, Building Services will be viewed as a stand alone, self-sustaining financial business unit, leasing space from the municipality.

As instructed by Council, a subcommittee was created to review building permit fees and costs associated with the administration and enforcement of the Act by the City of Greater Sudbury.

The subcommittee reviewed the new regulations and established criteria for legitimate direct and indirect costs to deliver Building Code service and that criteria is included in Appendix 'B' of this report.

The subcommittee reviewed historical budget data from 1994 to 2004, provided by Financial Services to ascertain a historical perspective on user fees. Building permit user fees in the City of Greater Sudbury have historically covered all of the internal costs of the Building Services Division yet only over the last two years have other costs such as overhead and support costs been included in the Division budget. Nonetheless, Building Services, over an eleven year period averaged a revenue contribution to the tax levy costs of \$156,100/year (see Appendix 'C').

Further the subcommittee did a building permit fee comparator survey with other municipalities in Ontario that have been used through previous review processes such as transition (see Appendix 'D').

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In general the subcommittee felt that the building permit fees currently being assessed are probably insufficient to cover all the new direct and indirect costs of implementation of the mandated service levels required by the Ontario Building Code. However, the subcommittee recommended that for the transitional period of July 1, 2005 to January 1, 2006, the fees remain as is, but that a reserve fund be established as mandated by the Act. Further, study will be undertaken with monitoring of outsourcing costs and overtime with a final recommendation being provided to Council prior to the final phase of Bill 124 implementation date of January 1, 2006, which will trigger the first public reporting year and align more properly with the City of Greater Sudbury's fiscal year.

Actions to be Taken

1. Continue the review of building permit fees through the established DLAC subcommittee including direct and indirect costs and provide recommendations to Council prior to January 1, 2006 final implementation phase of Bill 124.

4. Code of Conduct for Building Officials

The legislation requires that the municipality adopt a Code of Conduct and put into effect enforcement procedures for its CBO and its Inspectors. Section 7.1(2) (3) and (4) of the Act prescribes"

"(2) **Purposes.** *The following are the purposes of a Code of Conduct:*

- (a) *To promote appropriate standards of behaviour and enforcement actions by the CBO and Inspectors in the exercise of a power or the performance of a duty under this Act or the Building Code.*
- (b) *To prevent practices which may constitute an abuse of power, including unethical or illegal practices, by the CBO and Inspectors in the exercise of a power or the performance of a duty under this Act or the Building Code.*
- (c) *To promote appropriate standards of honesty and integrity in the exercise of a power or the performance of a duty under this Act or the Building Code by the CBO and Inspectors. 2002, c.9, s.12.*

(3) **Contents.** *A Code of Conduct must provide for its enforcement and include policies or guidelines to be used when responding to allegations that the Code has been breached and disciplinary actions that may be taken if the Code is breached. 2002, c.9. s.12.*

(4) **Public Notice.** *The principal authority shall ensure that the Code of Conduct is brought to the attention of the public. 2002, C.9, s.12"*

Implications for the City of Greater Sudbury

The DLAC Subcommittee has reviewed and accepted a Code of Conduct (see Appendix 'E') which it has recommended be adopted by Council for its Building Officials.

The Code of Conduct has been reviewed by the Human Resources and Legal Services. It is included in the new drafted Building By-law as mandated by the Ontario Building Code Act.

Actions to be Completed

1. Acceptance by Council and passage of new Building By-law.

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### SUMMARY

Program and By-law changes necessary to implement requirements of the next phase of the Building Code Statute Law Amendment Act are required for the July 1, 2005, effective date. These program and by-law changes have been developed through subcommittees of DLAC to provide Council recommendations for their consideration. They have thus been arrived at in consultation with the development industry.

These administrative, procedural and enforcement changes mandated by the new Ontario Building Code Act include:

- New service delivery options for municipalities through use of private inspection bodies, known as registered code agencies (RCAs).
- Mandatory use of provincial building permit application form.
- A new list of "applicable law".
- New rules governing building permit fees.
- Mandatory notices and inspections at key construction stages.
- Roles defined in Act for different building practitioners, including owners, builders, designers and manufacturers.
- New measures to support innovation including binding Minister's interpretations and Minister's rulings.
- Mandatory registration and insurance for RCAs.
- Mandatory qualification for RCA staff.
- A Code of Conduct for Building Officials.

It is our intention as the Building Services Division to continue our partnership/relationship with the building industry established through Council's Development Liaison Advisory Committee (DLAC) by seeking their input during the transition period between July 1, 2005 to the final implementation date of January 1, 2006, for Bill 124.

Specifically, the Subcommittee established will finalize its recommendations on building fees, staffing levels and administrative/procedural issues related to the next set of implementations which include:

- Qualification requirements for Building Officials and designers.
- Registration requirements (i.e. qualified staff and insurance) for designers.
- time frames for the review of building permit applications by municipalities.
- Commencement of the first reporting period for the annual building permit fee report to be prepared by municipalities.

The recommendations for Council were prepared through a subcommittee of Council which included the following individuals from the development industry for whose assistance and continued support through to January 1, 2006, we wish to acknowledge:

Rick Doyon	Nor Vent Sheet Metal
Peter Peroff	EMCO Limited
Dave Arnold	Dalron Construction
Steve Wicklander	Wicklander Associates Architects
Alex Sorensen	Dennis Consultants
Michael Luciw	Nicholls Yallowega Belanger Architects
Granville Vickerman	G.B.V. & Associates Engineering

The proposed by-law was prepared with the assistance of Carolyn Dawe of Legal Services.

Attachments

**APPENDIX 'A'**  
**DLAC RECOMMENDATION 2005-03**

Moved By: Celia Teale, Dalron Construction

Seconded By: Tony Cecutti, EarthTech

“THAT DLAC has reviewed the Bill 124 Implementation Subcommittee recommendations material and presentation and recommends to Council the following:

1. The following process modifications to be implemented by July 1, 2005:
  - Two stream Building Permit application process;
  - Short form alternate application form with acknowledgement;
  - Applicable law check list to augment Provincial common Building Permit application form;
  - Residential application documentation status quo except for requirements of a heat loss study and trades license for heating contractors;
  - Small buildings (Part 9 ICI) documentation status quo (architectural and structural drawings) except HVAC drawings mandatory with trades license for heating contractor;
  - Large Buildings (architectural and engineering design) status quo except for provincially mandated inspection notices;
  - Further work to complete a more detailed HVAC Residential and Part 9 building submission guidelines for acceptance by DLAC and January 1, 2006 implementation to coincide with designer registration by Province.
2. Staffing is to remain at current complement with the new Building By-law to provide flexibility to hire contract and RCA staff when required. Further study on additional staff recommended by Subcommittee to be brought back to DLAC prior to January 1, 2006 for review and recommendation to Council. Code of Conduct as presented to be adopted July 1, 2005, for Building Services staff as mandated by the Province.
3. Building Permit fees to remain as is pending further study with final recommendations on Building Permit fees to be brought back to DLAC for review and recommendation to Council for implementation by January 1, 2006, to correspond with municipal fiscal year and the Province's reporting period. A Building Revenue Stabilization Reserve Fund should be established within the Building By-law as provided for in the new Provincial Regulations.

**CARRIED**

**APPENDIX 'B'**  
**Calculation of Costs to Determine Building Permit Fees**

**Calculation of Costs to Determine Building Permit Fees**

Pursuant to the Building Code Act and Regulation 305/03

**The following costs shall be included in determining the annual total cost of enforcing the Building Code Act and regulations (Building Code) in the City of Greater Sudbury. The reference to staff throughout refers to the staff described in number 1 below.**

1. Salaries and employee benefits for building code officials and clerical personnel assigned to the enforcing the Building Code Act and regulations including the receiving, processing (including checking for applicable law compliance), issuing and filing of all applications, permits and related documents and specifications. This would also include the apportioned salaries and benefits of these individuals who are periodically involved in the enforcement of the Building Code Act and regulations (not their primary job function) such as Fire Prevention Inspectors and Property Standards Inspectors.
2. Cost of vehicles used by the staff. Payments for this purpose may be in the form of mileage reimbursement paid to employees for use of their own motor vehicles, including authorized travel to conferences and out of town meetings.
3. Direct costs in support of the staff, such as computers (including software and licences) equipment, supplies, furniture, office equipment maintenance, standardized forms, printing, and safety equipment that are supplied directly to the staff for their sole use.
4. Professional expenses of staff that are directly related to the enforcement of the regulations, including publications and membership dues if a requirement of their job.
5. Subscriptions, license fees, training, and authorized travel to conferences, meetings and seminars.
6. Fees for services performed under contract by Registered Code Agencies.
7. Fees for legal services and other consulting services required in connection with enforcement application and plan review or litigation.
8. Subject to the limitations set forth below, indirect, overhead, and other expenses of the municipality in support of the staff, including:
  - a) Administration, including personnel, payroll, and general training services provided to the staff in common with all other municipal offices;
  - b) Services shared jointly with other municipal offices, such as telephone, reproduction, centralized computer services;
  - c) Insurance fees except for group insurance premiums included under employee fringe benefits;
  - d) General building maintenance expenses;
  - e) Finance, including bookkeeping, purchasing, and auditing;
  - f) Office space expenses, including rent or interest and debt service on municipal capital facilities;

But does not include any municipal costs which are recoverable through other legislation, i.e. for development applications under the Planning Act.

Indirect and overhead expenses charged to the staff compared to the total costs shall not exceed the ratio of the municipal indirect and overhead expenses to the entire municipal budget.



**APPENDIX 'C**  
**Fees vs. Costs**

## FEES VS. COSTS

	Expenses	Revenues	Contribution/(Loss) to Tax Levy	Budget Projected Loss
1994	\$1,422,352	\$1,143,381	(\$278,971)	\$123,892 loss
1995	\$1,167,266	\$1,283,557	\$116,291	\$33,679 loss
1996	\$1,172,542	\$1,309,422	\$136,880	\$82,198 revenue
1997	\$1,165,451	\$1,252,803	\$87,351	\$162,694 revenue
1998	\$1,180,858	\$973,708	\$207,149	\$215,904 revenue
1999	\$1,077,466	\$1,146,890	\$69,424	\$198,622 revenue
2000	\$1,105,950	\$1,227,575	\$121,625	\$15,913 revenue
2001	\$1,102,801	\$1,504,390	\$401,588	\$105,653 revenue
2002	\$1,238,392	\$1,551,258	\$312,865	\$184,975 revenue
2003*	\$1,364,112	\$1,326,997	\$37,115	\$28,025 loss
2004*	\$1,557,908	\$2,063,703	\$505,795	\$194,897 revenue
2005				

Average over 11 years contribution to Tax Levy = \$156,100/year

\*2003 Internal Recoveries (costs) first charged against division of \$58,080

\*2004 Internal Recoveries (costs) increase charged against division of \$177,614.

**APPENDIX 'D'**  
**Building Permit Fee Comparator Survey**

**Comparability Table 1: Residential - SFD(1396 sq ft) w/att garage and finished basement - Estimated Construction Value - \$115,000**

MUNICIPALITY	BUILDING PERMIT (NDCA incl)	DEV CHG	HVAC	LOT GRADING	IMPOST FEE	PLUMBING PERMIT	WATER METER INSTALL	OCCUPANCY INSPECTION	REG DEV CHG	SCHOOL BOARD DEV CHG	FINAL INSP DEPOSIT	PARKLAND DEDICATION	TOTAL
Sudbury	1261	2450				82	226						4019
Barrie	3336	14432		50									17818
Toronto	1664	6723				246				402			9035
Guelph	1720	9147	63			62							10992
Hamilton	1864	12896		1153*								% of property value**	15913
Kingston***	1380	5608			3285	50	192						10515
Oshawa	1681	6232	150			246			11564	958		3045	23876
Kitchener	1361	7134						76	6444	190	500		15705
Ottawa***	2092	9653											11745
St.Catherines	1642	1682											3324
Sault Ste Marie***	1085					65							1150
Thunder Bay	1550							50			500		2100
Timmins***	1690					80							1770
North Bay	962					170							1132

\* \$1,000 of the total fee is refunded to applicant once lot grading is complete and approved.

\*\* 5% of the current market value as determined by Real Estate Department goes to Parkland dedication

\*\*\* These municipalities utilize cost per thousand calculation. Breakdown to be determined to establish accurate comparison as other municipalities are using square footage.

Comparability Table 2: School - Value of Construction is 3,683,000 - 2,130 m<sup>2</sup>

MUNICIPALITY	BUILDING PERMIT (NDCA incl)	DEV CHG	HVAC	LOT GRADING	IMPOST FEE	PLUMBING PERMIT	WATER METER INSTALL	OCCUPANCY INSPECTION	REG DEV CHG	SCHOOL BOARD DEV CHG	FINAL INSP DEPOSIT	PARKLAND DEDICATION	TOTAL
Sudbury	39408					192							39600
Barrie	13419	0											13419
Toronto	44730					987							45717
Guelph	30034	133445											163479
Hamilton	23785												23785
Kingston	44196	82766				240							127202
Oshawa	28116	66717				680							95513
Kitchener	37371												37371
Ottawa	49720	161406											211126
St.Catherines	27514												27514
Sault Ste Marie	25781					120							25901
Thunder Bay	33647												33647
Timmins	40552					350							40902
North Bay	29506					420							29926

\*\*\*Regarding cost per thousand:

- Kingston: Allows contractor to determine construction value but has back-up calculation of \$60.00 per square foot if estimate seems unreasonable.
- Sault Ste Marie: Allows contractor to determine construction value but has back-up calculation if estimate seems unreasonable. Will then contact contractor to negotiate a more realistic estimate. Will fax back-up values to our attention as soon as possible.
- Timmins: Allows contractor to determine construction value but has back-up calculation of \$110.00 per square foot for main floor and \$60.00 per square foot for each additional floor.

**APPENDIX 'E'**  
**Code of Conduct**

## 1.0 Introduction

The City of Greater Sudbury maintains this code of conduct in accordance with the provisions of The Building Code Act. Building Officials undertake building certification functions that ensure the quality, structural integrity and safety of buildings. Building Officials are exposed to potential conflicts of interest because of the special powers conferred on them. The conduct and behaviour of the City of Greater Sudbury's Building Officials reflects the City of Greater Sudbury's Building Services Department's commitment to the highest standards of professionalism, technical competence, skill, honesty, fairness and independence. Building Officials observe both the letter and the spirit of this code of conduct as it pertains to situations that bear on their responsibilities.

## 2.0 Purpose

The purposes of this code of conduct are:

- To promote appropriate standards of behaviour by Building Officials in the exercise of their powers and performance of their duties;
- To prevent practices which may constitute an abuse of power, and
- To promote appropriate standards of honesty and integrity.

## 3.0 Standards of Conduct and Professionalism

In addition to any Policy and with respect to any "Code of Ethics and Conduct applying to all municipal staff", the City of Greater Sudbury Building Officials shall undertake *at all times* to:

1. Act in the public interest, particularly with regard to the safety of building works and structures;
2. Maintain their knowledge and understanding of the best current building practice, the building laws and regulations relevant to their building certifying functions;
3. Commit themselves to a process of continuous education so as to constantly be aware of developments in building design, practice and the law relevant to their duties;
4. Comply with the provisions of the *Building Code Act*, the Building Code and any other Act or Law that regulates or governs Building Officials or their functions;
5. Avoid situations where there may be, or where there may reasonably appear to be, a conflict between their duties to their clients, their profession, their peers and the public at large and their personal interests;

6. Not act beyond their level of competence or outside their area of expertise;
7. Apply all relevant building laws, regulations and standards strictly and without favour and independent of the influence of interested parties;
8. Perform their inspections and certifying duties impartially and in accordance with the highest professional standards.
9. Not divulge any confidential or sensitive information or material, that they become privy to in the performance of their duties, except in accordance with laws governing freedom of information and protection of privacy.
10. To avoid any conduct that could bring Building Officials or the City of Greater Sudbury into disrepute;
11. Extend professional courtesy to all;
12. Accept responsibility for the conduct of their subordinate employees;
13. Maintain current accreditation to perform the functions assigned to them; and
14. Take all reasonable steps to ascertain and document all available facts relevant to the performance of their duties.
15. Exemplify compliance with all regulations and standards that govern building construction, health and safety or other matters related to their status as a Building Official.

## 4.0 Guideline for responding to Misconduct Allegations

The *Building Code Act* provides that the performance of Building Officials will be measured against this code of conduct. In response to any allegation of a breach of this code, the Chief Building Official shall direct an investigation and where appropriate, recommend disciplinary action against any Building Official who fails to comply with this code of conduct. Where the allegation is against the Chief Building Official, Council will direct the investigation and make such recommendations as are reasonable.

In determining the appropriate discipline, the Chief Building Official or Council will have regard to the relevance of the conduct to the official's powers and responsibilities as well as the severity of any misconduct.

Disciplinary Action arising from violations of this code of conduct is the responsibility of the City of Greater Sudbury's administration and is subject to relevant collective agreements, employment laws and standards.



# Request for Decision City Council

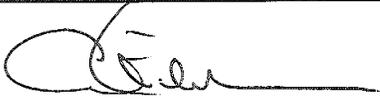


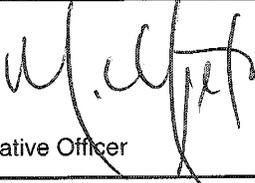
Type of Decision									
Meeting Date	June 30 <sup>th</sup> , 2005			Report Date	June 22 <sup>nd</sup> , 2005				
Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
<p>On-Street Bicycle Lanes Howey Drive / Bellevue Avenue / Bancroft Corridors</p>

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>The funding for this project is included in the 2005 Capital Budget.</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p>THAT a By-Law be passed to amend the City's Traffic and Parking By-Law 2001-1, to designate bicycle lanes on each side of Howey Drive, Bellevue Avenue and part of Bancroft Drive, between Bellevue Avenue and Levesque Street, as well as Bancroft Drive from the Kingsway to Bellevue Avenue, in accordance with the report from the General Manager of Infrastructure and Emergency Services, dated June 22<sup>nd</sup>, 2005.</p>
<p>Recommendation Continued</p>

Recommended by the Department Head

<p>Alan Stephen General Manager of Infrastructure &amp; Emergency Services</p>

Recommended by the C.A.O.

<p>Mark Mieto Chief Administrative Officer</p>

Date: June 22<sup>nd</sup>, 2005

Report Prepared By



Nathalie Mihelchic, P. Eng.  
Manager of Transportation Engineering Services

Division Review



R.G. (Greg) Clausen, P. Eng.  
City Engineer

Background:

On 2004-08-12, the Council of the City of Greater Sudbury passed the following resolution:

2004-446: BE IT RESOLVED THAT the Council of the City of Greater Sudbury commits, as part of its 2005 Capital Roads Budget, the sum of \$45,000 for the purpose of funding the cost to:

- remove the existing centre two way left turn lanes on each of Howey Drive, Bellevue Avenue and Bancroft Drive (from Bellevue Avenue to Levesque Street); and
- delineate a 1.5 metre wide bicycle lane on each side of Howey Drive, Bellevue Avenue and that part of Bancroft Drive between Bellevue Avenue and Levesque Street, as well as, Bancroft Drive from the Kingsway to Bellevue Avenue, including the stencilling of appropriate markings on the roadway and the posting of appropriate signage:

AND THAT work described be completed by June 30<sup>th</sup>, 2005;

AND THAT the City's Traffic and Parking By-Law, 2001-1 be amended appropriately to reflect such changes;

AND THAT such other by-laws be passed as may be necessary to effect such changes.

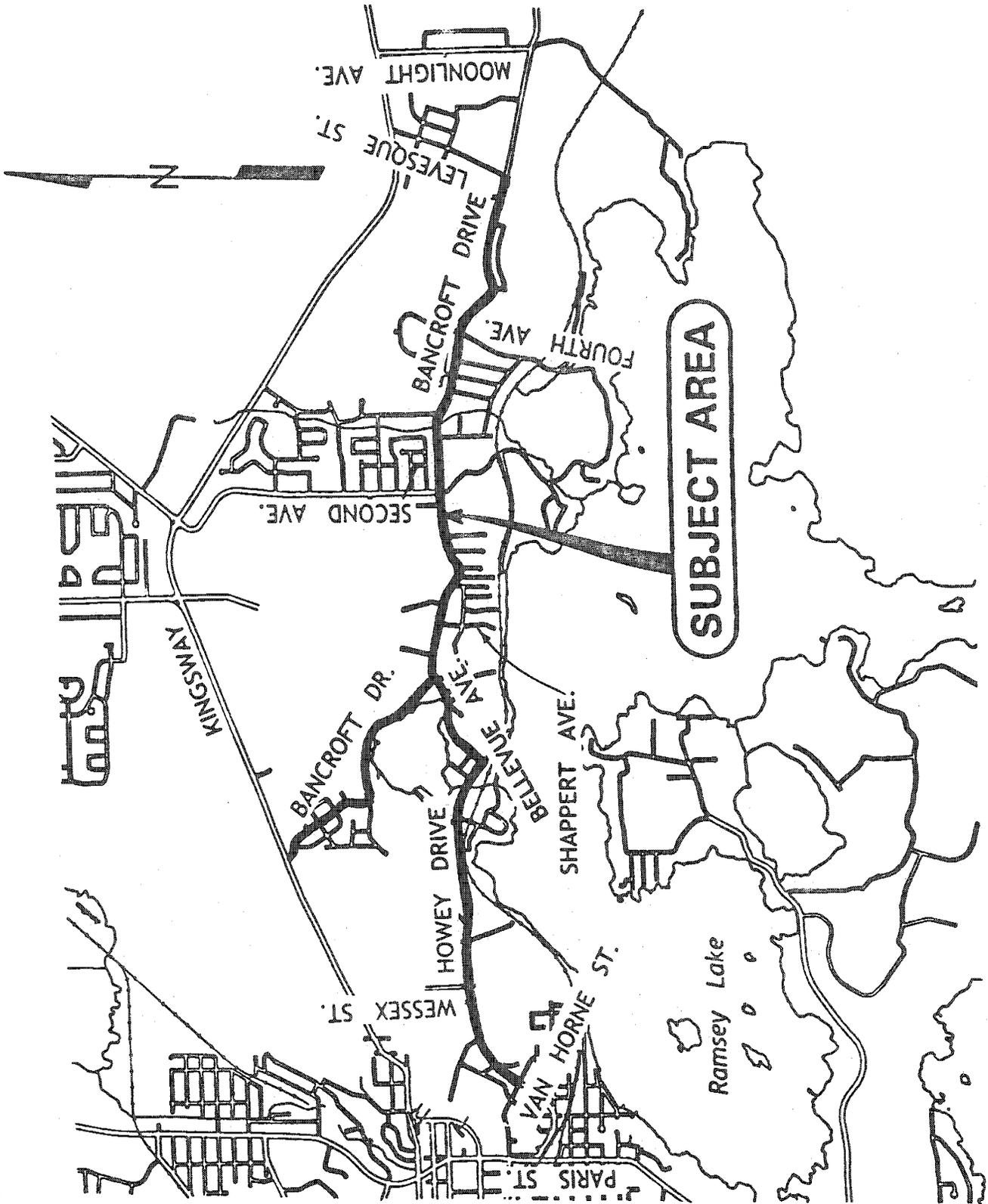
See **Exhibit 'A'** attached.

As per Council's direction, the two-way centre left-turn lane markings have been removed on Howey Drive, Bellevue Avenue and Bancroft Drive from Bellevue Avenue to Levesque Street. Bicycle lanes, 1.5 metres wide, will be painted along these corridors complete with bicycle and diamond symbols indicating the lane's intended use. Reserved bicycle lane signs will also be posted at regular intervals along the route.

To reserve the new lanes for the exclusive use of bicycles, an amendment to the City's Traffic and Parking By-Law will be required. For the safety of cyclists, the by-law will prohibit vehicles, other than bicycles, from driving, parking and / or stopping in the bicycle lanes. The by-law will not prevent vehicles from making a right turn provided they enter the bike lane at a point nearest the point of making the right turn. For safety reasons, transit vehicles may enter the bicycle lanes when picking up or discharging passengers.

Due to insufficient pavement width, the bicycle lanes will terminate at the signalized intersections of Bancroft Drive at Bellevue Avenue and Bancroft Drive at Second Avenue. These intersections must maintain their left-turn lanes for efficient traffic flow. At these locations, special pavement markings will be provided, along with signage indicating that the bike lane ends and that vehicles and bicycles must share the road.

To help educate the public on the proper use of reserved bicycle lanes, various print and radio public service announcements are planned. An example of the print advertisement is contained in **Exhibit 'B'**.



 <b>Sudbury</b>	HOWEY DR. / BELLEVUE AVE. / BANCROFT DR. ROAD CORRIDOR	
	ON-STREET BICYCLE LANES	
	2004/06/28	N.T.S.

# Reserved for Bicycles

**Reserved Lane signs** have been posted on **Howey Drive** to identify a new bicycle lane.

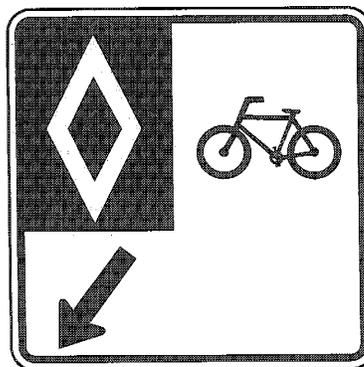
**Respect the bicycle lane** if you are a motorist – do not stop, park or pass in the reserved lane.

Cyclists using the reserved lane must travel in the same direction as traffic and obey the rules of the road.

Both cyclists and motorists should be cautious at intersections, especially during right turns.

**Share the Road:**

*Bicycles are considered vehicles under the Highway Traffic Act and should be treated as any other vehicle on the road. Please be courteous.*



671  
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CITY



# Request for Decision City Council



Type of Decision										
Meeting Date	June 30, 2005				Report Date	June 22, 2005				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed	

## Report Title

**Tax Adjustments under Sections 357 and 358 of the Municipal Act**

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>Of the total taxes to be struck from the tax roll, the City's portion is \$5,375.72. This amount, as well as previous amounts struck from the roll in 2005, is well within the budget amount for tax write offs.</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation
<p><b>That the amount of \$5,547.40 be struck from the tax roll.</b></p>
Recommendation Continued

**Recommended by the Department Head**

for S. Jonasson *S. Jonasson*  
Acting Chief Financial Officer / Treasurer

**Recommended by the C.A.O.**

*M. Mieto*  
M. Mieto  
Chief Administrative Officer

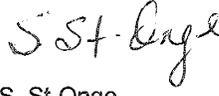
Date: June 22, 2005

**Report Prepared By**



T. Derro  
Supervisor of Tax / Chief Tax Collector

**Division Review**



S. St-Onge  
Acting Manager of Current Accounting Operations

**Executive Summary**

Each year after the return of the Assessment Roll and during the tax billing process, some properties become eligible for the cancellation, reduction or refund of realty taxes. Section 357 of the Municipal Act provides the authority for tax adjustments in the current year for reasons that may include change in rate of taxation, change in tax status or fire/demolition. Section 358 of the Municipal Act provides the authority for tax adjustments for prior years for errors in the preparation of the Assessment Roll. All applications for tax adjustments are verified by the Municipal Property Assessment Corporation prior to being processed by the City of Greater Sudbury.

**Background**

Sections 357 and 358 of the Municipal Act provide the authority for the cancellation, reduction or refund of realty taxes.

**Section 357**

Section 357 authorizes the cancellation, reduction or refund of realty taxes in the current year for such reasons as change in rate of taxation, change in tax status, fire / demolition or gross error. Section 357 applications are verified by the Municipal Property Assessment Corporation and processed by the municipality.

**Section 358**

Section 358 of the Municipal Act authorizes the reduction of realty taxes for clerical errors such as errors in key punching, transposition of figures or mathematical calculations. Such errors occur with the preparation of the assessment roll and are confirmed by the Municipal Property Assessment Corporation prior to the tax adjustment by the municipality. Section 358 applications are limited to the two (2) taxation years prior to the year in which the error(s) was made.

The Treasurer's recommendations for the cancellation, reduction or refund of realty taxes under the Municipal Act are presented to Council for approval. Attached for Council's information and action is Schedule A, summarizing the tax adjustments by authority, reason and amount. Also attached is Schedule B which provides a more detailed property by property description of the tax adjustments.

Date: June 22, 2005

The Municipal Act provides for a notification / appeal process for property owners that have applied for a tax adjustment. Notices were sent to property owners on May 30, 2005 and all queries / concerns were addressed by the Tax Department prior to the preparation of the attached Schedule B and none of the applicants have requested an appearance before the Hearing Committee of Council.

**SCHEDULE 'A'**  
**RECOMMENDED APPLICATIONS TO CITY COUNCIL FOR TAX ADJUSTMENTS**  
**UNDER SECTIONS 357/358 OF THE MUNICIPAL ACT**  
**June 30, 2005 Council Meeting**

<i>Reason for Adjustment</i>	<i>Applications</i>	<i>City Portion</i>	<i>Education Portion</i>
Fire / Demolition	7	5,375.72	171.68
Clerical or Manifest Error	8	0.00	0.00
<b>TOTAL:</b>	<b>15</b>	<b>\$5,375.72</b>	<b>\$171.68</b>







# Request for Decision City Council



Type of Decision										
Meeting Date	June 30, 2005				Report Date	June 9, 2005				
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low	
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed	

Report Title
Lake Stewardship Assistance Grant Program

Policy Implication + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p>No new funds requested. Grants will be funded as per Priorities Committee <b>Recommendation (amended) 2005-12</b> and Council's approved budget allocation for the Lake Water Quality Program.</p>	
Background Attached	

Recommendation
<p>That a By-Law be passed authorizing the payment of funds from the Lake Water Quality budget to the successful nominees of the Lake Stewardship Assistance Grant Program as proposed by the Lake Improvement Advisory Panel.</p>
Recommendation Continued

Recommended by the Department Head
 Doug Nadorozny General Manager of Growth and Development

Recommended by the C.A.O.
 Mark Mieto C.A.O.

Date: June 30, 2005

**Report Prepared By**



Lana McKinnon  
Lake Water Quality Program Co-ordinator

**Division Review**



William E. Lautenbach  
Director of Planning Services

**BACKGROUND**

In order to fulfill their Mission to “*serve as a watchdog on behalf of all citizens in the community and actively promote and protect the ecological health of the lakes through: social and scientific research, public education, policy advocacy, community partnerships, and strategic community initiatives*”, the Lake Improvement Advisory Panel initiated the Lake Stewardship Assistance Grant Program to support and encourage lake stewardship groups by providing them with additional resources. At the February 9, 2005 Priorities Committee, Council approved the recommendation to earmark funds from the Lake Water Quality budget to be used to assist lake stewardship groups achieve their goals of healthy waterfront living.

Funding criteria and an application form were drafted by the Lake Advisory Panel. Projects must benefit the water quality of the lake and/or watershed and demonstrate support and involvement of lake stewardship members, other lake residents or community members. Successful applicants were decided by the Lake Improvement Advisory Panel.

The Lake Stewardship Assistance Grant Program was advertised extensively across the community, both in traditional formal media such as the Sudbury Star, Northern Life, Le Voyageur and in the communications tools used by the direct target audience, such as emails and mail outs. In total, 10 applications for funding were received. Total funds allocated is \$5,430.00. The following applications are recommended for funding by the Lake Improvement Advisory Panel:

**Fairbank Lake Camp Owners Association Inc. - Shoreline Enhancement** **Grant: \$500**  
 The Fairbank Lake Camp Owners Association currently has 160 members. Funds will be used to help with shoreline protection by providing seedlings that are appropriate for planting along shorelines to every member of the association. The Association will match the grant amount with funds collected through their membership drive.

**Friends of McFarlane Lake Stewardship Committee - 2005 Summer Newsletter** **Grant: \$500**  
 The Friends of McFarlane Lake Stewardship Committee will use the funds to produce a newsletter for distribution to all lakeshore and backlot residence for education and awareness about the water quality of the lake and also hope to create a sense of stewardship of McFarlane Lake. A residential survey, asking participants to answer questions and to submit information regarding their water quality issues, will also be distributed.

**Kukagami Lake Campers Association (KLCA) - Water Quality Committee** **Grant: \$360**  
**Ashgami Lake Campers Association** **Grant: \$360**  
**Matagamasi Lake Campers Association** **Grant: \$210**  
 The Kukagami Lake Campers Association (KLCA) is an active association with membership from 6 areas representing Kukagami, Ashigami, Matagamasi, Portage, Bugg and part of the east shore of Lake Wahnapiatae. The Water Quality Committee was formed last year to promote water quality and provide a healthy environment for present and future generations. The funds will be used to sample surface water and laboratory analysis not provided by the Lake Water Quality Program.

Date: June 30, 2005

**Minnow Lake Restoration Group - Minnow Lake Shoreline Naturalizing Grant: \$500**

The Minnow Lake Restoration Group is a non-profit, charitable organization dedicated to improving the water quality of Minnow Lake and in the enhancement of the surrounding area. The Minnow Lake Restoration Group is responsible for coordinating efforts to have the Minnow Lake Millennium Fountain installed in July 2000. The funds will be used to purchase shoreline plants, trees, and shrubs to plant along the lake to reduce phosphorus runoff into the lake and to discourage waterfowl from utilizing the shoreline areas.

**Rayside Belfour Community Action Network (CAN) - Clean-Up and Educate Grant: \$500**

The Rayside Belfour Community Action Network (CAN) is comprised of 10 members. CAN has set one of its priorities to establish a stewardship committee for Whitewater Lake to organize volunteers, clean up Whitewater lake and educate the community. This project will increase the ownership and responsibility of the lake residents and visitors and improve the water quality of the lake.

**Richard Lake Stewardship Committee - Richard Lake Clean-Up Grant: \$500**

The Richard Lake Stewardship Committee will attempt to safe-guard the lake and watershed as a potable water source for residents who depend on it for drinking. A clean up of the lake using a professional dive club will remove materials from the lake that pose an environmental threat to the water quality. Information pamphlets and newsletter will also be produced and circulated to the lake residents.

**Tilton Lake Stewardship Group - Habitat Assessment & Biodiversity Monitoring Grant: \$500**

Tilton Lake Stewardship Group currently has 10 members and has partnered with the Sudbury Naturalist and the academic community to undertake a multi-year, long-term monitoring of wetlands, wildlife and water quality in the Tilton Lake watershed. This project will also include a communication/education program.

**Trailsmen Rod and Gun Club - Lake Habitat Revitalization Grant: \$500**

The Trailsmen Rod and Gun Club is a non-profit, incorporated organization that monitors water quality and undertakes lake rehabilitation on all of their targeted lakes for stocking. The funds will be used to enhance their water quality testing and to conduct lake rehabilitation on Ironside, McFarlane and Whitson lakes.

**Valley East Ratepayers Association - Source of Fish Smell (Potential Algae) Grant: \$500**

The Valley East Ratepayers Association represents Hanmer, Frenchman, Joe and Dixon lakes. Funds will be used to cover the cost of shipping water and algae samples via air freight in order to identify the source of fish smells in the lakes. Most residents draw their drinking water from the lake. Four representatives from each lake will volunteer their time to collect the samples and the Association will cover any costs over the grant amount.

**Windy Lake Stewardship Committee - Baseline Water Analysis Grant: \$500**

The Windy is the source of potable water for many lake residents and cottage owners. The Windy Lake Stewardship Committee has 7 members and is currently actively recruiting more lake residents. The funds will be used to establish a baseline of water quality parameters not covered by the City's Lake Water Quality Program.

# Request for Decision City Council



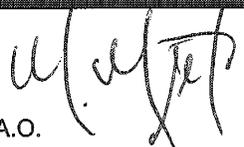
Type of Decision									
Meeting Date	June 30, 2005				Report Date	June 13, 2005			
Decision Requested		Yes		No	Priority		High		Low
	Direction Only				Type of Meeting		Open		Closed

Report Title
Economic Development Capital Envelope Request - Festival of Lights, Sudbury Charities Foundation

Policy Implication + Budget Impact
This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
The uncommitted balance for 2005 in the Economic Development Capital Envelope is currently in the amount of \$492,761. This recommendation for \$25,000 would leave an uncommitted balance of \$467,761 for future projects.
Background Attached

Recommendation
Whereas the Greater Sudbury Development Corporation has recommended support for the expansion of the annual Festival of Lights organized by the Sudbury Charities Foundation,
Therefore, be it resolved that the Council of the City of Greater Sudbury support the project with a contribution of \$25,000 from the 2005 Economic Development Capital Envelope.
Recommendation Continued

Recommended by the Department Head
 Doug Nadorozny, General Manager, Growth and Development

Recommended by the C.A.O.
 Mark Mieto, C.A.O.

Date: June 30, 2005

**Report Prepared By**

Rob Skelly, Manager of Tourism, Culture and Marketing

**Division Review**

At the GSDC Board meeting on June 8, 2005, following a review by the CED Committee on May 27, 2005, the Board passed a resolution in support of the request from the Sudbury Charities Foundation to expand the annual Festival of Lights. The Board recommended a one-time contribution of \$25,000 from the 2005 Economic Development Capital Envelope.

The Sudbury Charities Foundation has managed and coordinated the Festival of Lights situated at Science North for the last 13 years. The event runs from November to January. Visiting the site has become an annual tradition for thousands of residents and visitors. The expansion planned for 2005 includes 17 new silhouettes and entrance lights at a cost of \$100,000. The balance of the funds required will come from a community capital campaign which is already well underway. This first phase of expansion will greatly improve the event and set the stage for future expansions with a view to increasing its tourism potential. Applications to other levels of government for future phases are under review.

Council's approval of this request is required in order to advance the funds. The funding recommended is provided by the 2005 Economic Development Capital Envelope.

The uncommitted balance for 2005 is currently in the amount of \$492,761. This recommendation for \$20,000 would leave an uncommitted balance of \$467,761 for future projects.