

Minutes

City Council {ADOPTED}	2005-05-12
Planning Committee {ADOPTED}	2005-05-17
Priorities Committee {ADOPTED} {TABLED}	2005-05-25
Sudbury & District Board of Health {RECEIVED}	2005-04-28
Tender Opening Committee {RECEIVED}	2005-05-03
Tender Opening Committee {RECEIVED}	2005-05-06
Tender Opening Committee {RECEIVED}	2005-05-10
Tender Opening Committee {RECEIVED}	2005-05-13
Tender Opening Committee {RECEIVED}	2005-05-17
Tender Opening Committee {RECEIVED}	2005-05-18
Firearms Task Force {RECEIVED}	2005-05-19

THE THIRTY-SECOND MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY

C-11
Tom Davies Square

Thursday, May 12, 2005
Commencement: 5:00 p.m.

DEPUTY MAYOR CRAIG, IN THE CHAIR

Present Councillors Berthiaume; Caldarelli; Dupuis; Gainer; Gasparini; Kett; Rivest; Thompson; Mayor Courtemanche

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; A. Stephen, General Manager of Infrastructure & Emergency Services; C. Hallsworth, Executive Director of Administrative Support Services; R. Swiddle, City Solicitor/Director of Legal Services; A. Orendorff, Coordinator of Human Resources; T. Mowry, City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2005-186 Dupuis-Gainer: That we move "In Camera" to deal with Personnel Matters in accordance with Article 15.5 of the City of Greater Sudbury Procedure By-law 2002-202 and the Municipal Act, 2001, s.239(2).

CARRIED

Recess At 6:30 p.m., Council recessed.

Reconvene At 7:03 p.m., Council moved to the Council Chamber to continue the regular meeting.

Chair **HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR**

Present Councillors Berthiaume; Caldarelli; Callaghan; Craig; Dupuis; Gainer; Gasparini; Kett; Rivest; Thompson

City Officials M. Mieto, Chief Administrative Officer; C. Matheson, General Manager of Community Development; D. Nadorozny, General Manager of Growth & Development; A. Stephen, General Manager of Infrastructure & Emergency Services; C. Hallsworth, Executive Director of Administrative Support Services; R. Swiddle, City Solicitor/Director of Legal Services; J. Cunningham, Deputy Police Chief, Greater Sudbury Police Services; J. McKechnie, Executive Assistant to the Mayor; T. Mowry, City Clerk; J. Nelson, Supervisor of Elections; CJ Caporale, Council Secretary

News Media Sudbury Star; MCTV; CIGM; Channel 10 News; Northern Life; CBC Radio; Sudbury News Now

Declarations of Pecuniary Interest None declared.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report Deputy Mayor Craig, as Chair of the Committee of the Whole, reported Council met to deal with Personnel Matters falling within Article 15.5 of the City of Greater Sudbury Procedural By-law 2002-202 and the Municipal Act, 2001, s.239(2) and no resolutions emanated therefrom.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report Councillor Caldarelli, Chair of the Priorities Committee, reported that the Priorities Committee met on 2005-05-11 and there were no items requiring Council approval.

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2005-05-03 and there were no items requiring Council approval.

**PART I
CONSENT AGENDA**

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

2005-187 Gainer-Dupuis: THAT Items C-1 to C-15 inclusive, contained in Part I, Consent Agenda, be adopted, with the exception of C-14 (Request for Noise By-law Exemption - New Sudbury Centre), as otherwise dealt with.

CARRIED

MINUTES

Item C-1
Report No. 31
City Council
2005-04-28 2005-188 Gainer-Dupuis: THAT Report No. 31, City Council Minutes of 2005-04-28 be adopted.

CARRIED

<p>Item C-2 Report No. 3 Street Naming Committee <u>2005-05-02</u></p>	<p>2005-189 Dupuis-Gainer: THAT Report No. 3, Street Naming Committee Minutes of 2005-05-02 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-3 Report No. 28 Planning Committee <u>2005-05-03</u></p>	<p>2005-190 Gainer-Dupuis: THAT Report No. 28, Planning Committee Minutes of 2005-05-03 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-4 Report No. 1 Firearms Task Force <u>2005-05-05</u></p>	<p>2005-191 Dupuis-Gainer: THAT Report No. 1, Firearms Task Force Minutes of 2005-05-05 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-5 Report No. 28 Priorities Committee <u>2005-05-11</u></p>	<p>2005-192 Gainer-Dupuis: THAT Report No. 28, Priorities Committee Minutes of 2005-05-11 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-6 Report No. 10 Board of Directors Sudbury Metro Centre <u>2005-01-25</u></p>	<p>2005-193 Dupuis-Gainer: THAT Report No. 10, Board of Directors Sudbury Metro Centre Minutes of 2005-01-25 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-7 Report of the Annual General Meeting Sudbury Metro Centre <u>2005-02-22</u></p>	<p>2005-194 Gainer-Dupuis: THAT the Report of the Annual General Meeting of Sudbury Metro Centre Minutes of 2005-02-22 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-8 Report of the Greater Sudbury Police Services Board <u>2005-03-16</u></p>	<p>2005-195 Dupuis-Gainer: THAT the Report of the Greater Sudbury Police Services Board Minutes of 2005-03-16 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-9 Report No. 3 Sudbury & District Board of Health <u>2005-03-24</u></p>	<p>2005-196 Dupuis-Gasparini: THAT Report No. 3, Sudbury & District Board of Health Minutes of 2005-03-24 be received.</p> <p style="text-align: right;">CARRIED</p>

Item C-10
Report of the Nickel
District Conservation
Authority
2005-04-20

2005-197 Gasparini-Dupuis: THAT the Report of the Nickel District Conservation Authority Minutes of 2005-04-20 be received.

CARRIED

Item C-11
Report of the Tender
Opening Committee
2005-04-26

2005-198 Gasparini-Dupuis: THAT the Report of the Tender Opening Committee Minutes of 2005-04-26 be received.

CARRIED

TENDERS

Item C-12
Kronos Incorporated
Vendor of Record

Report dated 2005-04-28 from the General Manager of Community Development regarding Kronos Incorporated - CGS Vendor of Record was received.

The following resolution was presented:

2005-199 Dupuis-Gasparini: THAT Kronos Incorporated be designated as the CGS vendor of record for Time and Attendance/Scheduling and Payroll Integration System Software;

AND THAT Council approve the Kronos contract for the supply of Time and Attendance/Scheduling and Payroll Integration System Software to Pioneer Manor in the amount of \$87,206, plus taxes;

AND WHEREAS \$35,000 is available (\$15,000 accrued liability for Kronos and \$20,000 in reserve for computer/software acquisition);

THAT the balance be covered through the Pioneer Manor Capital Redevelopment budget.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-13
Summer Special
Events & Special
Occasion Permits

Report dated 2005-04-19, with attachments, from the General Manager of Community Development regarding Summer Special Events & Special Occasion Permits was received.

The following resolution was presented:

2005-200 Gasparini-Dupuis: THAT the report from the General Manager of Community Development dated April 19, 2005 regarding Summer Special Events and Special Occasion Permits be approved as presented;

AND THAT this Council confirms the nature of these events as community festivals and that they are all of municipal significance to our community.

CARRIED

Item C-15
Noise By-law
Exemption - Various
Events

Report dated 2005-05-05, with attachments, from the Executive Director of Administrative Support Services regarding Noise By-law Exemption for Various Events was received.

The following resolution was presented:

2005-201 Dupuis-Gasparini: THAT this Council has no objection to the granting of an exemption to Noise By-laws of the various former municipalities for various events throughout the City of Greater Sudbury, as indicated on attached Schedule 'A';

AND FURTHER THAT this approval be subject to the conditions as attached in Schedule 'B'.

CARRIED

Item C-14
Noise By-law
Exemption - New
Sudbury Centre

Report dated 2005-05-05, with attachments, from the Executive Director of Administrative Support Services regarding Request for a Noise By-law Exemption - T.A. Clarke & Associates Inc. - New Sudbury Centre was received.

The following resolution was presented:

2005-202 Gasparini-Dupuis: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to T.A. Clarke & Associates Inc. and its contractors in order to demolish the **existing** Future Shop building at the New Sudbury Centre;

AND THAT Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to T.A. Clarke & Associates Inc. and its contractors in order to install new parking lot grades, curbs, and asphalt around the **new** Future Shop building at the New Sudbury Centre;

AND THAT exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) be granted for the following dates and times:

May 13, 2005 to July 15, 2005 between the hours 6 o'clock p.m. of each day and 7 o'clock a.m. of the next following day;

AND THAT T.A. Clarke & Associates Inc. shall ensure proper traffic control is in place during this period;

AND THAT approval of this exemption be subject to T.A. Clarke & Associates Inc. providing public notice of this construction activity with a copy to be provided to the City Clerk's Office for distribution to staff and City Council;

Item C-14
Noise By-law
Exemption - New
Sudbury Centre
(continued)

AND FURTHER THAT T.A. Clarke & Associates Inc. notify the residents of Belfry Avenue, Mountview Crescent, and Attlee Avenue of the above noted matter.

RECORDED VOTE:

YEAS

NAYS

Caldarelli
Callaghan
Craig
Dupuis
Gainer
Gasparini
Kett
Thompson
Mayor Courtemanche

Berthiaume
Rivest

CARRIED

BY-LAWS

THE FOLLOWING BY-LAW APPEARED FOR A THIRD AND FINAL READING:

2005-64 3RD BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE BRUNET MUNICIPAL DRAINAGE WORKS IN THE CITY OF GREATER SUDBURY

Planning Committee Recommendation 2005-43

(By-law 2005-64 received 1st and 2nd Readings at the 2005-03-10 meeting of Council.)

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2005-117A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF MAY 12, 2005

2005-118 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT A FILM POLICY

Priorities Committee meeting of May 11, 2005

2005-119Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2005-72

(This By-law does not rezone the subject property. This By-law permits a third dwelling unit as a garden suite on the subject property for a maximum temporary period of three years. - Allen Jackson, 1809 Paris Street, Sudbury).

C.C. 2005-05-12 (32ND)

(6)

BY-LAWS (continued)

2005-120Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2005-72

(This By-law amends the existing Double Residential Special zoning that applies to the subject property to permit a building addition to project to within 1.2m of the south lot line where 1.8m are required. The addition proposed is comprised of a second storey together with a new building entrance which will project into the south side yard. - Allen Jackson, 1809 Paris Street, Sudbury.)

2005-121Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300Z, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND FORMER CITY OF VALLEY EAST

Planning Committee Recommendation 2005-37

(This by-law rezones the subject property "RU-24", Special Rural in order to permit the creation of one residential lot which must provide a minimum lot area of 0.44ha, lot frontage of 69.6m and lot depth of 63.7m. - Robert Joseph Rusin, 510 Cote Boulevard, Hanmer)

2005-122T 3 BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Report dated 2005-05-04 from the General Manager of Infrastructure & Emergency Services regarding Municipal Road 35 Speed Limit was received.

(Report requested by Councillor Bradley at the April 14th, 2005 Council Meeting to raise the speed limit on MR #35 from 80 km/hr to 90 km/hr, between Clarabelle Road or Big Nickel Road and Montee Rouleau.)

(Councillor Bradley will be attending the FONOM Conference and will not be present for the above matter, therefore, By-law 2005-122T will be deferred until the next Council Meeting of 2005-05-26.)

By-law 2005-122T
Deferred

By-law 2005-122T was deferred at the request of Councillor Bradley to be brought forward at the May 26, 2005 Council meeting.

BY-LAWS (continued)

2005-123T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1, BEING A BY-LAW TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Report dated 2005-05-04, with attachments, from the General Manager of Infrastructure & Emergency Services regarding Intersection and Road Improvements - Paris Street, Regent Street and Long Lake Road; Long Lake Road and St. Charles Lake Road Intersection at Long Lake Road was received.

(The expansion of the South Ridge Mall, located in the south-end of the City is currently under construction. The increased traffic generated by this retail expansion results in the need for new traffic signals at the intersection of Long Lake Road at St. Charles Lake Road. It also requires an upgrade to the Regent Street at Paris Street / Long Lake Road intersection to accommodate dual left turn lanes for both northbound and southbound traffic turning onto Regent Street and a centre left-turn lane along Long Lake Road. Amendments to the City's Traffic and Parking By-law 2001-1 are required in order to implement the above recommended changes.)

2005-124A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH VALLEY EAST LIONS CLUB INC. FOR THE CONSTRUCTION OF A STORAGE BUILDING AT 4611 ST. JOSEPH STREET, HANMER

Planning Committee Recommendation 2005-90

2005-125 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TRANSFER OF 65 FOURTH AVENUE, CONISTON, FORMERLY PARCEL 38384 SES BY WAY OF GRANT TO HABITAT FOR HUMANITY

Planning Committee Recommendation 2005-81

2005-126 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO NAME NATIONAL CAR AND TRUCK RENTAL, AVIS CAR INC., AND ENTERPRISE RENT-A-CAR AS VENDORS OF RECORD FOR SHORT-TERM RENTAL OF VEHICLES

Council Resolution 2005-172

BY-LAWS (continued)

2005-127F 3 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

Council Resolution 2005-172

(This By-law adjusts the payment for out-of-town travel to provide for a flat rate to certain frequent destinations, as adopted by Council at its meeting of April 28, 2005.)

2005-128F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT IN THE AMOUNT OF \$50,000 TO THE SUDBURY THEATRE CENTRE FOR MAJOR REPAIRS AND UPGRADES

Council Resolution 2005-162

2005-129Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2004-218Z, BEING A BY-LAW TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE

(By-law 2004-218Z was passed by Council last July. This By-law permitted a model, manufactured home retail sale display area for a maximum temporary period of one year. The By-law established standards for the provision of parking and loading areas, signs and the requirement that a building permit must be obtained. - 630411 Ontario Inc., Falconbridge Road/Municipal Road # 86, Garson.

This By-law was appealed to the Ontario Municipal Board and a hearing was held on April 18th. The Board approved the By-law, but directed that the By-law be amended to reflect the settlement between the parties. The By-law on today's Agenda makes those amendments which are:

- 1) the temporary period is set to one year, expiring August 1, 2006;
- 2) a 7.5m setback from the rear lot line is defined;
- 3) a parking area and landscape survey plan are required; and
- 4) limitations on total sign area are inserted.)

1ST & 2ND Reading

2005-203 Dupuis-Kett: THAT By-law 2005-117A to and including By-law 2005-121Z, By-law 2005-123T to and including By-law 2005-129Z be read a first and second time.

CARRIED

3RD Reading

2005-204 Kett-Dupuis: THAT By-law 2005-64, By-law 2005-117A to and including By-law 2005-121Z, By-law 2005-123T to and including By-law 2005-129Z be read a third time and passed.

CARRIED

PART II **REGULAR AGENDA**

ADDENDUM

Addendum Resolution

The following resolution was presented:

2005-205 Dupuis-Kett: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

None declared.

BY-LAWS

2005-130A 3

A BY-LAW OF THE CITY OF GREATER SUDBURY TO REPEAL BY-LAW 2004-66A AND AUTHORIZES AN AGREEMENT WITH GREATER SUDBURY HYDRO PLUS INC. FOR WATER BILLING SERVICES

(This By-law repeals By-law 2004-66A passed March 11, 2004 which authorized the City to enter into an agreement with Greater Sudbury Utilities Inc. for water billing services and replaces it with a new By-law to authorize this agreement with Greater Sudbury Hydro Plus Inc., as the utility has now informed us that the affiliate will be the contracting party.)

2005-131Z 3

A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2005-99 TO VEST PARCEL 5193 SUDBURY EAST SECTION INTO THE CITY'S NAME, AND TO SELL THE PROPERTY TO FERNANDO CARDOSO

(On April 14th Council by Resolution approved the write-off of taxes and the vesting and sale of this property. A By-law was passed on that day to authorize the vesting and sale and this amendment confirms the write-off of taxes.)

1ST & 2ND Reading

2005-206 Kett-Dupuis: THAT By-law 2005-130A and By-law 2005-131Z be read a first and second time.

CARRIED

3RD Reading

2005-207 Dupuis-Kett: THAT By-law 2005-130A and By-law 2005-131Z be read a third time and passed.

CARRIED

C.C. 2005-05-12 (32ND)

(10)

QUESTION PERIOD

Claims Against the City of Greater Sudbury

With the concurrence of Council, Councillor Callaghan requested that staff prepare a report outlining the process and timeline for the handling of insurance claims for potholes once they have been submitted to the City by the public.

Body-Rub Parlours

Councillor Callaghan stated that Body-Rub Parlours are often disguised as “holistic healing centres” and have become a problem in Markham, who have addressed the issue with a special by-law.

He stated that the City of Greater Sudbury should be proactive and work with Markham by introducing municipal regulations before this becomes an issue within the City.

Deputy Police Chief Cunningham stated that there is a law in place, which allow police officers to lay criminal charges for illegal activity at a “holistic healing centre”, but he also indicated that they would like to see stronger licensing regulations.

With the concurrence of Council, Councillor Callaghan requested that the City Solicitor prepare a report on this matter.

Transit Service - Donna Drive

Councillor Caldarelli stated that she has received telephone calls from residents asking that transit service be made available along Donna Drive, near the RioCan Development.

The General Manager of Growth & Development advised Council that staff is looking into this matter and will report back to Council.

CPR Crossing - Coniston

Councillor Caldarelli stated that she has received calls from the residents of Coniston regarding the train blockage of the crossing at Edward and Allen Streets in Coniston. She indicated that the concerns of the residents was the length of time stopped on the tracks and restricted access for emergency vehicles.

General Manager of Infrastructure & Emergency Services advised Council that staff is currently working with CPR regarding No Whistle provisions in Coniston and will look into the above matter.

With the concurrence of Council, Councillor Caldarelli requested that the General Manager of Infrastructure & Emergency Services submit a report to Council addressing the concerns of the residents of Coniston.

Fall Programs - Pools

Councillor Berthiaume stated that Fall programs at the Onaping Falls pool are scheduled to commence October 2005, yet the Fall programs at other pools within the City of Greater Sudbury are scheduled for August 2005.

He asked the General Manager of Community Development to explain why there are different schedules.

The General Manager of Community Development stated that she will review the Fall program and report back to Council.

Chelmsford Arena
Condition of Exterior

Councillor Berthiaume indicated that the exterior of the Chelmsford Arena is in poor condition and is not scheduled for painting until 2007. He stated that this does not make a good impression for the City of Greater Sudbury when out-of-town hockey teams visit.

He asked the General Manager of Community Development if this could be a budget item for 2006.

The General Manager of Community Development will review the priority list on the maintenance schedule and will work with the General Manager of Infrastructure & Emergency Services to address this issue.

MR 80 (Highway 69 N)
Four Laning

Councillor Rivest asked the General Manager of Infrastructure & Emergency Services when the four laning of MR 80, from Val Est Mall to the village of Hanmer, will be completed.

The General Manager of Infrastructure & Emergency Services advised Council that staff will submit a report regarding the completion date and strategy of MR 80 Four Laning as part of the three year Capital Roads project.

Family Health Teams

Councillor Rivest stated that with the closure of private clinics throughout the City of Greater Sudbury has decreased the availability of diagnostic services and asked the General Manager of Community Development if diagnostic services will be available at the Family Health Team Centres.

The General Manager of Community Development advised Council that if funding is available, diagnostic services will be made available at some locations.

Snow Removal Budget

Councillor Rivest asked the General Manager of Infrastructure & Emergency Services if the budget for snow removal was overspent this past winter.

The General Manager of Infrastructure & Emergency Services advised Council that the above information will be available at the end of June 2005.

COMRIF Funding

Councillor Berthiaume advised that the deadline for the second round of applications for COMRIF funding is September 2005.

Councillor Craig advised that the criteria has been revised to include culture and recreation, and that only one project can be submitted.

The Chair advised that an information report will be brought to Council before the September deadline.

NOTICES OF MOTIONS

Copper Cliff Copper Refinery Closure

As presented by Mayor Courtemanche:

WHEREAS Inco Limited has been an integral part of Greater Sudbury's mining community for over 100 years;

AND WHEREAS nickel prices in the first three months of 2005 were at their highest in 16 years, averaging \$6.97 a pound, and Inco's adjusted net earnings for the quarter were \$238 million;

AND WHEREAS the Greater Sudbury City Council, the employees of Inco Limited, and the citizens of this community are greatly concerned with the potential closure and demolition of the Copper Cliff Copper Refinery;

AND WHEREAS this potential closure of the 75 year old Copper Cliff Copper Refinery, which employs 140 people, will have profound and on-going effects on the Greater Sudbury community;

AND WHEREAS the demolition of the Copper Cliff Copper Refinery will mean that Greater Sudbury's assessment base will be weakened by up to \$12,769,000, and the citizens of this community will have to bear on an annual basis, a significant loss in taxation revenue;

AND WHEREAS the magnitude of spin-off job losses are significant to the economy of Greater Sudbury;

THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury urges Inco Limited to keep the Copper Cliff Copper Refinery operational; and

BE IT FURTHER RESOLVED that this Council request the Province to prohibit unrefined copper from been taken out of this city for processing and that a copy of this motion be sent to The Honourable Dalton McGuinty, Premier of the Province of Ontario, and The Honourable Rick Bartolucci, Minister of Northern Development and Mines.

Councillors' Travel Expenses

As presented by Councillor Kett:

WHEREAS on numerous occasions Councillors must travel outside the City, as per Council resolutions, to meet with representatives of various levels of government and to attend meetings of regional, provincial and federal organizations;

AND WHEREAS current policy demands that these costs be deducted from the individual Councillors' Ward Budget to the possible detriment of the individual service level for the Ward;

THEREFORE BE IT RESOLVED THAT appropriate Councillor travel costs be treated as a corporate expense.

Adjournment

2005-208 Dupuis-Gainer: THAT this meeting does now adjourn.
Time: 8:22 p.m.

CARRIED

Mayor

City Clerk

**THE TWENTY-NINTH MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

**Council Chamber
Tom Davies Square**

**Tuesday, May 17th, 2005
Commencement: 5:38 p.m.
Adjournment: 7:52 p.m.**

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; G. Clausen, City Engineer; D. Nadorozny, General Manager of Growth and Development; A. Haché, Deputy City Clerk; M. Burtch, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media MCTV; Sudbury Star; Northern Life

Declarations of Pecuniary Interest None declared

PUBLIC HEARINGS

APPLICATION FOR A TEMPORARY USE BY-LAW TO PERMIT AN EXISTING MOBILE HOME AS A GARDEN SUITE FOR A FURTHER TEMPORARY PERIOD OF TEN YEARS, 105 BLACK LAKE ROAD, LIVELY - FRANK AND LOIS MAHON

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated May 11th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for a temporary use by-law to permit an existing mobile home as a garden suite for a further temporary period of ten years, 105 Black Lake Road, Lively, Frank and Lois Mahon.

Frank and Lois Mahon, Black Lake Road, Lively, the applicants, were present.

The Director of Planning Services outlined the application to the Committee.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

PUBLIC HEARINGS (cont'd)

APPLICATION FOR A TEMPORARY USE BY-LAW TO PERMIT AN EXISTING MOBILE HOME AS A GARDEN SUITE FOR A FURTHER TEMPORARY PERIOD OF TEN YEARS, 105 BLACK LAKE ROAD, LIVELY, FRANK AND LOIS MAHON (cont'd)

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following recommendation was presented:

Recommendation #2005-92:

Dupuis-Bradley: THAT the application by Frank and Lois Mahon to amend by-law 83-303 being the Zoning By-law for the former Town of Walden by passing a temporary use by-law in accordance with Section 39.1 of the Planning Act with respect to Parcel 12560 SWS and Part 1, Plan SR-3035, Lot 7, Concession 4, Waters Township to permit a second dwelling in the form of a mobile home used as a garden suite on the subject property for a maximum temporary period of ten (10) years be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATION FOR REZONING TO PERMIT THE CREATION OF A 12 HECTARE LOT FOR A SINGLE DETACHED DWELLING, GUENETTE DRIVE, HANMER - 170031 CANADA INC. & 844367 ONTARIO INC. (AGENT: DANIEL BOUCHARD)

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated May 11th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding an application for rezoning to permit the creation of a 12 hectare lot for a single detached dwelling, Guenette Drive, Hanmer, 170031 Canada Inc. & 844367 Ontario Inc. (Agent: Daniel Bouchard).

Daniel Bouchard, Carmen Street, Hanmer, agent for the applicant, was present.

The Director of Planning Services outlined the application to the Committee.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE CREATION OF A 12 HECTARE LOT FOR A SINGLE DETACHED DWELLING, GUENETTE DRIVE, HANMER, 170031 CANADA INC. & 844367 ONTARIO INC. (AGENT: DANIEL BOUCHARD) (cont'd)

Daniel Bouchard advised that when he purchased the property, it was all zoned "RU", Rural and he carried out all amendments to the zoning. He further indicated that 7 lots were developed on Carmen Street and 27 lots on Theresa Avenue by way of consent.

He does not know whether or not there will be any future development on the balance of the lands.

The Chair asked whether there was anyone in the audience who wished to speak in favour or against this application and seeing none:

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following recommendation was presented:

Recommendation #2005-93:

Dupuis-Bradley: THAT the application by 170031 Ontario Inc. & 844367 Ontario Inc. (Agent: Daniel Bouchard) to amend By-law 83-300 with respect to part of Parcel 49834 SES, in Lot 12, Concession 2, Township of Capreol, by changing the zoning classification from "RU-13", Rural Zone-Special and "P", Park Zone to "RU", Rural Zone be approved subject to the following condition:

1. That prior to the passing of an amending by-law, the owner provide the Planning Services Division with a plan of survey describing the property to be rezoned.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF 348 DWELLING UNITS IN A VARIETY OF HOUSING TYPES WEST OF PARIS STREET, SUDBURY - DALRON CONSTRUCTION LIMITED

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following applications.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF 348 DWELLING UNITS IN A VARIETY OF HOUSING TYPES WEST OF PARIS STREET, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

Report dated May 9th, 2005, was received from the Director of Planning Services and the General Manager of Growth and Development regarding applications for Official Plan Amendment and Rezoning to permit the development of 348 dwelling units in a variety of housing types west of Paris Street, Sudbury, Dalron Construction Limited.

Ron Arnold and Dawn Morissette, 130 Elm Street, Sudbury, were present on behalf of the applicant.

The Director of Planning Services outlined the applications to the Committee. He explained that Planning Services does support the component of the submission to amend the Sudbury Secondary Plan on a site specific basis to "Medium Density Residential District" as it considers the proposed development as infill.

With respect to the component of the submission to amend the Sudbury Secondary Plan to eliminate the 'Conceptual Road Linkages' regarding the subject property, the Director of Planning Services provided some history. He stated that in 1998, the applicant submitted applications for Official Plan Amendment, Rezoning and Subdivision. At that time, a report prepared by Marshall Macklin Monaghan on behalf of the Region concluded that "the extension of Marttila Drive from Paris Street to Regent Street is needed to ensure that satisfactory traffic operations are maintained on the area road network. It is also a highly beneficial link in that it would create a continuous east-west route from Paris St. to Lorne St.". In 2001, the applications were abandoned and a rezoning application submitted for an easterly portion of the subject lands which is now occupied by Southwinds Retirement Residence and which was designed to accommodate a Marttila Drive extension. He indicated that EarthTech Canada also supports the Marttila Drive link. He further indicated, the Ministry of Municipal Affairs and Housing does not have a provincial interest at this time. However, the Ministry also indicated that they recommend that the conceptual road linkage not be eliminated unless it is shown that it not be contrary to the intent of the underlying planning principles that were established by Official Plan Amendment Number 154. The Director of Planning Services stated the applicant wants the road linkage requirement to be eliminated and provided a report prepared by Read, Voorhees & Associates Ltd. Transportation Engineering which concluded that the Marttila Drive link is not a critical link and that there is a considerable physical difficulty and cost associated with

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF 348 DWELLING UNITS IN A VARIETY OF HOUSING TYPES WEST OF PARIS STREET, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

constructing such a link which is not required for the proposed development. He further stated that Transportation Engineering Services and Planning Services do not concur with this position and the applicant has not provided details of the aforementioned physical difficulties and costs. Therefore, Planning Services can not support this portion of the Official Plan Amendment application. He did indicate that, however, that the link would not be required at the first phase of the development - it would be required at the next phase.

With respect to the Rezoning application, the Director of Planning Services indicated that it is contingent on the Committee's decision regarding the Marttila Drive link. If the Committee supports Staff recommendation, the rezoning application is premature.

The Director of Planning Services also indicated that, after the Staff report was prepared, Jo-Anne Harrison, Manager of Transportation Services with Sudbury Student Services Consortium who arranges for bus service for all school boards, advised that they have a concern with the applicant's proposal that the development be serviced by private driveways for vehicle access purposes. They would not be able to provide school bus service the new development if it is serviced by private driveways. The Marttila Drive link would solve any school busing problems.

When asked, the City Engineer stated that an update to the Marttila Drive link report came to the same conclusion - that it is needed. He indicated that the link could be constructed at a normal cost which would be approximately \$200,000 more than what the developer would pay for his development. He further indicated that the City would agree that the connection of Timber Ridge Court with Marttila Drive not be completed and the cost saving for the Timber Ridge Court link can be applied to the Marttila Drive extension. Also, he stated that road grade would not be a major issue in the Marttila Drive link as Marttila Drive is now 10% grade and the extension to Paris Street can be completed at 8% grade or less. He also indicated that a traffic light on Paris Street would be warranted when the Marttila Drive link is completed at a cost to the developer.

When asked what effect the proposed development would have on the sewage system, the City Engineer advised that all analyses have been made with the understanding that the Rock Tunnel will be completed by 2008.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF 348 DWELLING UNITS IN A VARIETY OF HOUSING TYPES WEST OF PARIS STREET, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

Ron Arnold indicated that this development is mainly for seniors. He wishes to develop a community with driveways rather than roadways and does not want the community bisected by a collector road. He agrees with the report prepared Read, Voorhees & Associates Ltd. concluding that the Marttila Drive link is not needed. However, he would like to arrive at a solution suitable to everyone's needs. He recognizes that the City would like to protect the corridor to provide for an opportunity for the Marttila Drive link in the future. He requested that the Committee approve Phase 1 now and the Marttila Drive link would be dealt with later. The proposal would be amended by moving the apartment building to allow for the future link.

Councilor Caldarelli, Ward Councillor, stated that there is much traffic in the area. She does not feel that there is no need for another through street. She indicated that approximately one year ago, she and Councillor Craig received a petition from several hundred residents requesting a traffic light. They attempted to include this traffic light in the 2005 budget. She indicated that, if traffic lights could not be provided for the residents, they should at least have pedestrian activated traffic signals.

The Director of Planning Services indicated that if the development is completed and then the link is required, there could be problems with blasting, etc. if that part of the future link is not encompassed in this phase of the development.

John Roininen, Indian Road, Sudbury, stated his main concern is the amount of traffic the development will generate on to Paris Street. At the time of the Indian Road improvement, the residents expressed their concern with traffic and the need for a traffic light and were advised that the matter of a traffic light would be dealt with at the time of the proposed development down the street. He indicated there is an immediate need for a controlled pedestrian cross walk on Indian Road as there are no traffic lights on Paris Street between Walford Road and Plaza 69. It is dangerous to cross the road especially for seniors and children. He concurs with most of the staff recommendations except for the portion stating that no traffic light is required until future development. A controlled cross walk is required immediately at Indian Road or Southwinds Retirement Residence.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF 348 DWELLING UNITS IN A VARIETY OF HOUSING TYPES WEST OF PARIS STREET, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

Thomas Allan Martin, Austin Street, Sudbury, asked if the whole of the subject property would be rezoned if Phase 1 is approved. The Director of Planning Services stated it would all be rezoned unless otherwise decided by the Committee. Mr. Martin indicated he is opposed to the rezoning application.

Nicole Gagnon-Roy, Marttila Drive, Sudbury, indicated that she is not in favour of the Marttila Drive link as Marttila Drive is already dangerous. She stated that in the winter, vehicles have problems getting up the hill.

Vladimir Berens, Austin Street, Sudbury, is concerned with the traffic flow pattern. He indicated that, as there are already three east-west extension, he is opposed to the Marttila Drive extension. Because of the curve on Regent Street, he has problems accessing Regent Street from Austin Street particularly in the winter because of the snow banks. Additional traffic will only make this a greater problem.

Ron Arnold stated he agrees with the last two speaker but also understands the City's position. He wishes to proceed with the first phase and is willing to discuss the completion of the Marttila Drive link and elimination of the Timber Ridge link although the residents do not want the link and the link is not needed for this development.

When asked, the Director of Planning Services advised that the 'Conceptual Road Linkages' plan officially became part of the Official Plan in 1995 although the concept predates that date. The Committee noted that the applicant has owned the property for approximately 20 years.

Recess At 7:25 p.m., the Planning Committee recessed.

Reconvene At 7:32 p.m., the Planning Committee reconvened.

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against this application and seeing none:

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT THE DEVELOPMENT OF 348 DWELLING UNITS IN A VARIETY OF HOUSING TYPES WEST OF PARIS STREET, SUDBURY - DALRON CONSTRUCTION LIMITED (cont'd)

The Director of Planning Services recommended that the matter be deferred for two weeks to allow staff to prepare an alternate recommendation. He also indicated that, once the developer provides the required subdivision information, a hearing on the rezoning can be arranged quickly.

The Committee approved a motion by Councillor Caldarelli to defer this matter for two weeks to allow staff to prepare an alternate recommendation.

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-2 contained in Part 1 of the Consent Agenda:

Recommendation #2005-94:

Caldarelli-Bradley: THAT Items C-1 to C-2 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1
Report #4
VETAC Minutes
April 13th, 2005

Recommendation #2005-95:

Caldarelli-Bradley: That Report #4, Vegetation Enhancement Technical Advisory Committee Minutes of April 13th, 2005, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2
Closure of
Part of
MacLellan Drive

Report dated May 11th, 2005, was received from the General Manager of Infrastructure and Emergency Services regarding closure of part of MacLellan Drive being part of Part 18 and Parts 21, 22 and 24, Plan 53R-11000, MacLellan Township.

PART I - CONSENT AGENDA (cont'd)

ROUTINE MANAGEMENT REPORTS (cont'd)

Item C-2 **Recommendation #2005-96:**
Closure of
Part of MacLellan Bradley-Caldarelli: THAT part of Part 18 and Parts 21, 22 and 24,
Drive (cont'd) Plan 53R-11000, MacLennan Drive, Township of MacLennan be
 declared surplus, closed by By-law and sold in accordance with the
 procedures governing the disposal of limited marketability property
 as set out in the Property By-law.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-3 Report dated April 2005, was received from the General Manager
Development of Growth and Development regarding Development Review 2004.
Review 2004 for information only.

Item C-4 Report dated May 9th, 2005, was received from the General
Official Plan Manager of Growth and Development regarding Official Plan
Progress Report Progress Report for information only.

PART II - REGULAR AGENDA

MANAGERS' REPORTS

Item R-1 Report dated May 9th, 2005, was received from General Manager
Request to of Growth and Development regarding a request to amend
Amend Resolution Resolution #2004-52 by increasing the number of seniors
#2004-52, Former residence beds proposed for development at the former Copper
Copper Cliff Cliff hospital site from 80 to 94 without the need for a further public
Hospital Site hearing, 1582611 Ontario Ltd.

1582611 Ontario **Recommendation #2005-97:**
Ltd.

Caldarelli-Bradley: THAT upon review of the request by 1582611 Ontario Ltd. to amend Resolution #2004-52 in order to increase the number of seniors' guest rooms from 80 to 94, it has been determined by Council pursuant to Section 34(17) of the Planning Act that further notice for the purpose of holding a public meeting is not required in respect to the proposed zoning by-law;

**UNAPPROVED MINUTES – FOURTH MEETING
SUDBURY & DISTRICT BOARD OF HEALTH
BOARDROOM, SECOND FLOOR, SUDBURY & DISTRICT HEALTH UNIT
THURSDAY, APRIL 28, 2005 AT 1:30 P.M.**

BOARD MEMBERS PRESENT

C. Berthiaume
R. Dupuis
J. Gasparini
A. Rivest

F. Bidal
I. Edwards
K. Noland

M. Dennis
L. Gamble
R. Pilon

BOARD MEMBER ABSENT

P. Kinoshameg

STAFF MEMBERS PRESENT

L. Bacon
S. Siren

B. Fortin
Dr. P. Sutcliffe

S. Lacié
R. Quesnel (Secretary)

J. GASPARINI PRESIDING

1.0 CALL TO ORDER

The meeting was called to order at 1:39 p.m.

2.0 ROLL CALL

3.0 DECLARATION OF CONFLICT OF INTEREST

None.

4.0 DELEGATION / PRESENTATION

i) Personal Health Information Protection Act (PHIPA)

- Troy Haslehurst-Walker, Manager, Human Resources

T. Haslehurst-Walker, who also has the role of Freedom of Information Officer at the Sudbury & District Health Unit, was introduced and welcomed. Board of Health members were informed of the agency's responsibilities under this recent (November 2004) legislation. The legislative requirements and our progress towards compliance were also outlined. It was pointed out that the Information and Privacy Commission has provided a one-year phase-in period for agencies to comply with the legislation.

Questions were entertained and it was clarified that prior to November 2004, privacy was addressed in different statutes and professional standards causing gaps and inconsistencies with respect to the collection, use and disclosure of personal health information.

Clarification will be provided at a future Board meeting on the following:

- who is the owner of the health record (agency or the client);
- age beyond which parents do not have routine access to their childrens' health records.

T. Haslehurst-Walker was thanked for her presentation.

5.0 MINUTES OF PREVIOUS MEETING

i) Third Meeting – March 24, 2005

30-05 APPROVAL OF MINUTES

Moved by Berthiaume - Rivest: THAT the minutes of the Board of Health meeting of March 24, 2005 be approved as distributed.

CARRIED

It was agreed that if future Board meetings require rescheduling to the fourth Thursday of the month, that consideration be given to starting the meeting one hour later.

6.0 BUSINESS ARISING FROM MINUTES

7.0 REPORT OF THE MEDICAL OFFICER OF HEALTH / CHIEF EXECUTIVE OFFICER

i) April 2005 – Medical Officer of Health / Chief Executive Officer Report

Dr. Sutcliffe provided highlights from her Medical Officer of Health/Chief Executive Officer Report.

The opening remarks in the Medical Officer of Health Board Report highlight key areas from the *Second Interim Report: SARS and Public Health Legislation* released this month by Justice Campbell. Dr. Sutcliffe noted that the report and recommendations speak forcefully about the public health system and Board of Health responsibilities. The Operation Health Protection action plan, which will be further discussed under today's agenda item 8i)d), will take this report and associated recommendations into consideration.

Board members who attended the Board Strategic Planning retreat on April 25 and 26 were thanked for their active participation in assisting with the development of our strategic directions. The day and a-half retreat built on the work that the Sudbury & District Health Unit staff had undertaken during their April 18 staff day. The Board of Health will look forward to the work on the strategic plan under the guidance of the Strategic Planning Steering Committee.

Board members who attended the retreat agreed that it was a positive experience and were thankful for the opportunity to contribute to the future direction of the Sudbury & District Board of Health.

Kudos were extended to the staff who organized the retreat and worked behind the scenes to ensure the success of the retreat.

Board members were advised of a flooding that occurred at the main office due to a malfunction in a hot water tank. L. Bacon, B. Fortin, their teams and the Clinical Services staff were recognized and thanked for seamlessly handling the relocation of staff, internal communication and restoration work with no disruption to services.

It was noted that the 2004 audited financial statements will be presented at the May Board meeting.

Representatives from the Environmental Health Division are participating on a newly established committee with the City of Greater Sudbury and the Ministry of the Environment to educate the general public on the use of pesticides and the benefits of integrated pest management strategies. In response to a question regarding the need for further control of pesticide use, Dr. Sutcliffe noted that we will be in a better position to comment on this aspect in the fall once the education campaign has been undertaken.

31-05 ACCEPTANCE OF REPORT

Moved by Rivest - Berthiaume: THAT the Report of the Medical Officer of Health for the month of April 2005 be accepted as distributed.

CARRIED

8.0 NEW BUSINESS

i) Items for Discussion

a) Point of Sales Promotion of Tobacco Products Briefing Note and Background

At 12:30 today, a group of local youths had their voices heard when, in a symbolic and compelling presentation, they toppled a retail "powerwall" cigarette display and urged the provincial government to ban all point-of-sale tobacco promotion. The students also encouraged the Sudbury & District Board of Health to pass a motion on the same. Board member and Vice-Chair, R. Dupuis, was present and committed to bringing the youths' voices to today's Board meeting.

Board of Health members recognize the significant investment tobacco industries' make in paying retailers to place retail and behind the counter powerwall displays in their stores and the strong influence these marketing strategies have on our youths.

J. Gasparini noted that a video shown at the alPHa all members meeting last week also revealed tobacco industry marketing tactics to youth.

An article from the Toronto Star dated April 28, 2005 entitled, "Anti-smoking lobby fuming", was circulated to the Board members.

32-05 POINT OF SALES PROMOTION OF TOBACCO PRODUCTS

The Board of Health agreed on a friendly amendment to include, in the last paragraph of the motion, *local MPPs, MPs and constituent municipalities*. Further, it was requested that the correspondence be sent under separate cover.

Moved by Dupuis - Gamble: *WHEREAS the use of tobacco contributes to significant morbidity and mortality; and*

WHEREAS current Canadian law prohibits the promotion of tobacco products through advertisement and sponsorship; and

WHEREAS the Canadian tobacco industry utilizes prominent retail displays (powerwalls) for point of sale marketing of their product; and

WHEREAS retail displays increase average tobacco sales; and

WHEREAS the provincial government had committed to the elimination of behind-the-counter retail displays of tobacco in its 2003 election campaign platform; and

WHEREAS the proposed Bill 164, Smoke-Free Ontario Act does not adequately address behind-the-counter, point-of-purchase retail displays.

THEREFORE BE IT RESOLVED THAT the Sudbury & District Health Unit Board of Health requests the Minister of Health and Long-Term Care to include a provision to ban all point-of-sale promotion of tobacco products in the newly introduced Bill 164, Smoke-Free Ontario Act, without qualification; and

THAT this motion and related background document be forwarded to the Federal Government, Ontario Boards of Health, local MPPs, MPs and constituent municipalities.

CARRIED

b) Obesity Prevention through Support for the Healthy Weights, Healthy Lives Report

The Sudbury & District Board of Health has previously advocated for Healthy School Nutrition Environment at its October 21, 2004, meeting (motion #86-04) and for Obesity Prevention and the Promotion of Healthy Weights in Sudbury & District at its October 16, 2003 meeting (motion #72-03).

Board members who are municipal members are encouraged to advocate to the schools within their wards to join and actively participate in the voluntary Healthy Schools Healthy Kids program. A list of schools that participate in this health unit program will be made available at a future Board meeting.

**33-05 OBESITY PREVENTION THROUGH SUPPORT FOR THE
HEALTHY WEIGHTS, HEALTHY LIVES REPORT**

Moved by Gamble - Dupuis: *WHEREAS motion #72-03 the Sudbury & District Board of Health urged the Ministry of Health and Long-Term Care to recognize the conditions of unhealthy weights as a public health epidemic that required a provincial response; and*

WHEREAS in January 2005, the Board of Health received a presentation on "Healthy Weights, Healthy Lives", the Chief Medical Officer of Health annual report on a comprehensive strategy to promote healthy weights in Ontario, and

WHEREAS in March 2005 the Association of Local Public Health Agencies urged member boards of health to pass resolutions supporting the content of and urging action on "Healthy Weights, Healthy Lives";

THEREFORE BE IT RESOLVED THAT the Sudbury & District Board of Health endorse the 2004 Chief Medical Officer of Health Report: "Healthy Weights, Healthy Lives"; and

FURTHER THAT the Sudbury & District Board of Health urges the Government of Ontario to mobilize this report into action by developing a provincial healthy weights/nutrition strategy and to adequately resource this strategy and

FURTHER THAT copies of this motion be forwarded to the Premier of Ontario, the Ministers of Northern Development and Mines, Health and Long-Term Care, Education, Tourism and Recreation, the Chief Medical Officer of Health, the Association of Local Public Health Agencies, the Ontario Public Health Association and municipalities within the Sudbury & District Health Unit catchment area.

CARRIED

**c) Public Health Services for Ontario's First Nations
(On-Reserve Communities)**

- Letter from Dr. A. Northan to Dr. S. Basrur, Chief Medical Officer of Health and Assistant Deputy Minister dated April 15, 2005
- Statistical Information

Further to the update provided at the April Board meeting regarding the public health services for Ontario's First Nations (on-Reserve communities) meeting attended by Dr. Sutcliffe on March 16-17 in Ottawa, a letter has been forwarded to the Chief Medical Officer of Health (CMOH). The letter congratulates the CMOH on her participation at this meeting and ongoing commitment to addressing the challenges of the delivery of Public Health services to First Nations communities. It further requests ongoing action and expresses the support of the Northern Medical Officers of Health.

A chart displaying the location and well-being of First Nations Communities within Canada was included for orientation purposes with the Board package.

Graphs and charts identifying demographic, population and health status statistics were reviewed. It is estimated that the registered on-reserve Indian population within the Sudbury & District Health Unit is approximately 5,600 with the vast number being in the Manitoulin district.

This data is being presented to characterize what we know and what needs to be clarified in terms of First Nations jurisdictions and responsibilities in the delivery of public health programs and services. What is clear is that the First Nations communities are not receiving the public health programs and services to the level available within the provincial system.

Board of Health members appreciate that these are complex issues and look forward to future discussion related to this important public health matter.

d) Operation Health Protection

- Operation Health Protection Overview
- Agency Implementation Task Force Terms of Reference & Membership
- Email from Dr. Basur, Chief Medical Officer of Health to all Medical Officers of Health and Board of Health Chairs re: Second Interim SARS Report from Justice Archie Campbell dated April 11, 2005
- Backgrounder and News Release dated April 11, 2005
- Executive Summary - Second Interim Report: SARS and Public Health Legislation dated April 5, 2005

Dr. Sutcliffe highlighted recent developments in the Ontario public health system for the Board members. A timeline chart identifying significant recent events in public health provides a glimpse of what has had or will have an impact on the future of our public health system. An overview of the Operation Health Protection process and associated timelines for the government's action plan was outlined.

The Sudbury & District Health Unit's involvement and participation in this important process through the Agency Implementation Task Force and/or Capacity Review committee structure was outlined for the Board members.

Board members were encouraged to read Chapter 2 of Justice Campbell's Second Interim Report that addresses local governance. It was noted that the Association of Municipalities of Ontario (AMO) was not able to develop a consensus position on public health funding.

Board of Health members agreed on the importance of considering the impacts of Operation Health Protection and developing a Board position if possible, on governance and funding. A special meeting will be held prior to the next regular Board meeting on Thursday, May 19 to begin these discussions and lunch will be served. The ALPHA website link will be emailed for Board members to view the full Second Interim Report.

Dr. Sutcliffe was thanked for her thorough report.

- e) **City of Greater Sudbury Board of Health Vacancies**
- Letter to Sudbury & District Board of Health Chair from City of Greater Sudbury Council Secretary dated March 30, 2005

T. Mowry has shared with the Board Chair that to-date, three applications have been received for the two City of Greater Sudbury citizen vacancies. The Board agreed that the applicants could be reviewed in order to make a recommendation to the City of Greater Sudbury.

- f) **Re-Accreditation of the Sudbury & District Health Unit**
- Letter from Ontario Council on Community Health Accreditation (OCCHA) dated March 15, 2005
 - Requirements, Recommendations, Suggestions and Commendations from OCCHA

Board members agreed that our accreditation review was a success given our four year award and the nature of OCCHA's recommendations. A letter has been sent to the Ontario Council on Community Health Accreditation providing input into the current accreditation process. One suggestion was that OCCHA explore models of accreditation that reflect an organization's history with a process of graded or stepped standards.

The accreditation celebration held prior to today's Board meeting confirms the Board and staff's pride in receiving a four-year accreditation award. Board members extended their appreciation to all staff involved in making this accreditation review a success.

- g) **One-Tonne Challenge**

The Board's support was sought in order to move the one-tonne challenge initiative forward at the Sudbury & District Health Unit.

Discussed ensued regarding the use of bottled water given the availability and safety of municipal water. The Board of Health concluded that in order to walk our talk, the use of bottled water should be restricted and the use of municipal water promoted at the Sudbury & District Health Unit's offices. This will be included in a nutrition policy currently being developed and will also be brought forward at a future meeting for the Board's endorsement.

34-05 ONE-TONNE CHALLENGE

Moved by Bidal-Edwards: WHEREAS the international scientific community agrees that global climate change is occurring and is related to altered weather patterns, including changing precipitation and wind patterns and extreme weather events; and

WHEREAS weather and weather-related changes are expected to impact on global public health through both direct and indirect pathways; and

WHEREAS greenhouse gases contribute to global climate change; and

WHEREAS the One-Tonne Challenge is a Government of Canada (GOC) initiative designed to educate and encourage Canadians to reduce their individual greenhouse gas emissions by at least one-tonne; and

WHEREAS a GOC strategy has been developed to implement the One-Tonne Challenge through workplaces; and

WHEREAS the Sudbury & District Board of Health has a mission to protect and promote health and fosters a healthy workplace and engages in environmental health policy as means to achieve this mission;

THEREFORE BE IT RESOLVED THAT the Sudbury & District Board of Health endorses the organizational implementation of the workplace and individual One-Tonne Challenge for the Sudbury & District Health Unit; and

THAT the Sudbury & District Board of Health encourages all Ontario Boards of Health to implement the One-Tonne Challenge.

CARRIED

h) alPHa meeting – April 21 – 22, 2005

Dr. Sutcliffe reported that as part of the alPHa meeting held April 21-22, the Council of Medical Officers of Health met, the alPHa Board section met and an all members meeting was held. Recurring topics at these meetings included tobacco, Justice Campbell's second interim report and proposed changes to the Health Protection and Promotion Act.

Dr. Sutcliffe noted that the Medical Officers of Health will be meeting next Monday and Tuesday in London to develop a COMOH position for each of the components of the public health review process being undertaken by the Capacity Review Committee.

F. Bidal and J. Gasparini reported on the alPHa meetings they attended as Sudbury & District Board of Health representatives and encouraged Board members to attend the Fall annual meeting in November.

The tremendous efforts of the health units involved in the merger of the Muskoka Parry Sound Health Unit were recognized and a letter will be sent on behalf of the Sudbury & District Board of Health to extend our congratulations and best wishes to the Board Chairs and Medical Officers of Health of the Simcoe Muskoka District Health Unit and North Bay and Parry Sound District Health Unit.

ii) Correspondence

a) Sudbury & District Health Unit Area Demographic Profile Report
Letter From: The Honorable Diane Marleau, dated April 4, 2005

No discussion.

b) Safeguarding Socially Responsible Consumption of Beverage Alcohol

Letter From: Beverage Alcohol System Review Secretariat dated April 6, 2005

No discussion.

c) Local Health Integration Networks (LHIN)

Letter From: Minister of Health and Long-Term Care dated March 24, 2005

Letter From: Minister of Health and Long-Term Care dated April 5, 2005

Bulletin No. 9: LHIN Bulletin dated April 1, 2005

No discussion.

d) Ontario Regulation 489/97 (Allocation of Board of Health Expenses)

Memo From: Dr. S. Basrur, Chief Medical Officer of Health and Assistant Deputy Minister dated March 24, 2005

No discussion.

e) Changes to Minister Smitherman's Staff

Email From: alPHa dated March 30, 2005

No discussion.

f) Public Appointments - Application Process

Memo From: Dr. S. Basrur, Chief Medical Officer of Health and Assistant Deputy Minister, dated March 24, 2005

No discussion.

g) Mandatory Annual Vaccination Against Influenza for Health Care Workers

Letter From: Thunder Bay District Health Unit to the Minister of Health and Long-Term Care dated April 18, 2005

No discussion.

h) Sudbury & District Board of Health Motion #23-05 Safe and Reliable Source of Drinking Water

Letter From: Township of Sables-Spanish Rivers dated April 14, 2005

No discussion.

i) Sudbury & District Health Unit Reports: Healthy Weights and Knowledge of Canada's Food Guide and Food Portion Size

Letter From: Dr. S. Basrur, Chief Medical Officer of Health and Assistant Deputy Minister dated April 12, 2005

No discussion.

35-05 ACCEPTANCE OF NEW BUSINESS ITEMS

Moved by Edwards-Bidal: THAT this Board of Health receives New Business items 8 i) to ii).

CARRIED

9.0 ITEMS OF INFORMATION

- | | | |
|------|-------------------------------------------|---------------|
| i) | EC Minutes | March 9, 2005 |
| ii) | Inside Edition | March 2005 |
| iii) | Workplace Wellness | Spring 2005 |
| iv) | Espanola & Area Safety Coalition Brochure | |

Tabled for information.

10.0 ADDENDUM

36-05 ADDENDUM

Moved by Noland-Dennis: THAT this Board of Health deals with the items on the Addendum.

CARRIED

i) **Healthy Weights, Healthy Lives**

The Grey Bruce Health Unit's letter to the Premier of Ontario dated April 20, 2005 regarding their Healthy Weights, Healthy Lives motion supporting the Chief Medical Officer of Health Report is being shared with Ontario Boards of Health.

ii) **Sudbury & District Board of Health Motion #23-05 Safe and Reliable Source of Drinking Water**

In a letter dated April 22, 2005, to the Premier of Ontario, the Corporation of the Municipality of Markstay-Warren is supporting our Board of Health motion #23-05 concerning Regulation 170/03.

iii) **Bill 164 – Smoke-Free Ontario Act**

A letter from the Thunder Bay District Health Unit to the Premier of Ontario dated April 25, 2005, is being shared with Ontario Boards of Health. It was pointed out that the Thunder Bay District Health Unit motion related to Bill 164 – Smoke-Free Ontario Act is not concerning the banning of retail displays rather than the banning of smokeless tobacco products in the province.

iv) Bill 164 – Smoke-Free Ontario Act

The Toronto Board of Health is advocating for the federal and provincial governments to ban all point-of-sale promotion of tobacco products and ban retail display of tobacco products.

v) Sudbury & District Board of Health Motion (# 08-05) Legislation for ATV Use Among Children and Youth

In a letter to the Premier of Ontario dated April 22, 2005, the Council of the Regional Municipality of York is endorsing the Sudbury & District Board of Health motion #08-05 related to ATV use among children and youth.

vi) Sudbury & District Board of Health Motion (#23-05) Safe and Reliable Source of Drinking Water

The Premier of Ontario has acknowledged receipt of our motion #23-05 related to safe and reliable source of drinking water and has forwarded it on to the Minister of the Environment.

vii) Eat Smart! – Information for Staff

An Eat Smart! Information for Staff brochure was shared with Board members. The brochure was developed to support participating restaurants/cafeterias by informing their staff about the Eat Smart! Program.

11.0 ANNOUNCEMENTS/ENQUIRIES

12.0 ADJOURNMENT

37-05 ADJOURNMENT

Moved by Dennis- Noland: THAT we do now adjourn. Time: 3:00 p.m.

CARRIED

(Chair)

(Secretary)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2005-05-03

Commencement: 2:32 p.m.
Adjournment: 2:34 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES **/PURCHASING AGENT IN THE CHAIR**

Present

M. Hauta, Accountant; A. Roy, Law Clerk; G. Clausen, Director of Engineering Services; A. Sweetman, Sewer and Water Engineer; E. Svezikas, Engineering Technician; L. Lesar, Secretary to the Manager of Supplies & Services/Purchasing Agent

Contract 2005-15
South End Sewage
Rock Tunnel

Contract 2005-15, Tenders for the South End Sewage Rock Tunnel {estimated at a total cost of \$27,500,000.00} were received from the following bidders:

BIDDER	TOTAL AMOUNT
McNally Construction Inc.	\$29,024,556.78
Cementation Canada Inc.	Notice of No Bid
R.M. Bélanger Limited	\$41,133,539.20
Pioneer Construction Inc.	\$49,060,215.98

A bid deposit in the form of a certified cheque, letter of credit or bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Engineer Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Infrastructure & Emergency Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:34 p.m.

Chairman

Secretary

T.O.C. 2005-05-03 (1)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2005-05-06

Commencement: 11:30 a.m.
Adjournment: 11:34 a.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES /PURCHASING AGENT IN THE CHAIR

Present

R. Mensour, Sudbury Arena Manager; R. Ahola, Manager of Community Arenas; R. Carre, Director of Leisure Services; M. Hauta, Accountant; A. Roy, Law Clerk; L. Lesar, Secretary to the Manager of Supplies & Services/Purchasing Agent

Contract CDS05-14
RFP for Operation of
Municipal Arenas
Concession Booths

Request for Proposals for Contract CDS05-14, RFP for the Operation of the Municipal Arenas Concession Booths were received from the following bidders:

BIDDER

KVW Services
Time Out Catering
Coniston Canteen - Debbie Owen

A bid deposit in the form of a certified cheque or letter of credit accompanied each tender.

The foregoing proposal was turned over to the Director of Leisure Services for review and recommendation to the General Manager of Community Development. If recommended for award, a report outlining the recommendation would be forwarded to City Council for their approval. A draft of this report would also be provided to the Manager of Supplies & Services for review.

Adjournment

The meeting adjourned at 11:34 p.m.

Chairman

Secretary

T.O.C. 2005-05-06 (1)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2005-05-10

Commencement: 2:30 p.m.
Adjournment: 2:35 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES /PURCHASING AGENT IN THE CHAIR

Present

M. MacDougall, Engineering Technician; M. Hauta, Accountant; A. Roy, Law Clerk; L. Lesar, Secretary to the Manager of Supplies & Services/Purchasing Agent; M. Coppo, Supplies & Services Co-Ordinator

Contract 2005-26
Surface Treatment
Various Locations

Tenders for Contract 2005-26, Surface Treatment - Various Locations {estimated at a total contract price of \$295,000.00} were received from the following bidders:

BIDDER	TOTAL AMOUNT
Miller Paving Limited	\$347,108.00
Duncor Enterprises Inc.	\$312,084.76
Bruell Contracting Ltd.	\$309,016.00
Royel Paving Ltd.	\$342,507.00
Interpaving Limited	\$377,175.00

A bid deposit in the form of a certified cheque, letter of credit or bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Engineer Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Infrastructure & Emergency Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Contract 2005-27
Hot Rubberized Crack
Sealing

Contract 2005-27, Tenders for Hot Rubberized Crack Sealing - Various Locations {estimated at a total contract price of \$100,000.00} were received from the following bidders:

T.O.C. 2005-05-10 (1)

Contract 2005-27
(Continued)

BIDDER	TOTAL AMOUNT
Roadlast 2000 Inc.	\$155,877.60
R.M. Belanger	\$124,366.10
Interpaving Limited	\$144,974.30

A bid deposit in the form of a certified cheque, letter of credit or bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Engineer Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Infrastructure & Emergency Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:35 p.m.

Chairman

Secretary

T.O.C. 2005-05-10 (2)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2005-05-13

Commencement: 2:30 p.m.
Adjournment: 2:44 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES/ PURCHASING AGENT, IN THE CHAIR

Present

B. Danuk, Assistant Manager of Fleet; M. Hauta, Accountant; K. Lessard, Law Clerk; S. Cundari, Clerk-Receptionist

Contract IES05-28,
Tender for Grass
Cutting

Tenders for Contract IES05-28, Grass Cutting in Various Areas of the City of Greater Sudbury were received from the following bidders:

	Student Yard Care	Complete Yard Care	Micugh Const. Services	Greenscape Lawn Care
Area 1 - Group 1	\$10,486.00	No Bid	\$13,467.02	\$24,447.36
Area 1 - Group 2	\$1,605.00	\$2,086.50	\$2,150.70	\$5,296.50
Area 1 - Group 3	\$4,815.00	No Bid	\$4,747.59	\$9,822.60
Area 1 - Group 4	\$4,815.00	No Bid	\$5,142.42	\$10,207.80
Area 2 - Group 1	\$18,078.72	No Bid	\$7,019.20	\$14,894.40
Area 2 - Group 2	\$2,860.75	\$2,054.40	\$1,878.92	\$3,103.00
Area 2 - Group 3	\$11,581.68	\$10,237.76	\$3,783.52	\$8,346.00
Area 2 - Group 4	\$23,430.86	No Bid	\$6,676.80	\$17,796.24
Area 2 - Group 5	\$5,778.00	No Bid	\$2,054.40	\$3,103.00

Bid deposits in various amounts for each group, in the form of a certified cheque or money order accompanied each tender.

The foregoing tenders would be turned over to the Manager of Fleet for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Infrastructure & Emergency Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:44 p.m.

Chairman

Secretary

T.O.C. 2005-05-13 (1)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2005-05-17

Commencement: 2:30 p.m.
Adjournment: 2:37 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES /PURCHASING AGENT IN THE CHAIR

Present

E. Svezikas, Engineering Technician; M. Hauta, Accountant; K. Lessard, Law Clerk; L. Lesar, Secretary to the Manager of Supplies & Services/Purchasing Agent

Contract 2005-56 Water Meter Replacement

Tenders for Contract 2005-56, Water Meter Replacement at Various Locations {estimated at a total cost of \$230,000.00} were received from the following bidders:

BIDDER	TOTAL AMOUNT
Neptune Technology Group	\$150,014.00
R.M. Belanger Limited	\$224,700.00
Patrick Mechanical Ltd.	\$267,035.62

A bid deposit in the form of a certified cheque, letter of credit or bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Engineering Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Infrastructure & Emergency Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Contract 2005-23 Expanded Asphalt & Asphalt Resurfacing

Tenders for Contract 2005-23, Expanded Asphalt and Asphalt Resurfacing at Various Locations {estimated at a total cost of \$1,350,000.00} were received from the following bidders:

BIDDER	TOTAL AMOUNT
Pioneer Construction Inc.	\$1,400,885.43
Interpaving Limited	\$1,401,100.80
K.J. Beamish Const. Co. Ltd.	\$1,358,666.08

Contract 2005-23
(Continued)

A bid deposit in the form of a certified cheque, letter of credit or bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Engineering Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Infrastructure & Emergency Services for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Contract CDS05-10
Concession Foodstuff
Products, Equipment
& Services

Proposals for Contract CDS05-10, For the Supply of Concession Foodstuff Products, Equipment and Services for the Sudbury Community Arena {estimated at a cost of \$31,000.00 per year} were received from the following proponents:

PROPONENTS

Bun's Master Bakery
Yes We Do Coffee n Vending
Quesnel Distributing Ltd.
Premier Coffee / Reddi-Vend
Poppa Corn Sales & Service
Vitto Brands Foods
McCullough Hall Limited
Van Houtte Coffee Services

The foregoing proposal would turned over to the Sudbury Arena Manager for review and recommendation General Manager of Community Development. If recommended for award, a report outlining the recommendation would be forwarded to City Council for their approval. A draft of this report would also be provided to the Manager of Supplies & Services for review.

Adjournment

The meeting adjourned at 2:37 p.m.

Chairman

Secretary

T.O.C. 2005-05-17 (2)

MINUTES OF THE TENDER OPENING COMMITTEE

Committee Room C-14
Tom Davies Square
2005-05-18

Commencement: 2:33 p.m.
Adjournment: 2:35 p.m.

D. MATHÉ, MANAGER OF SUPPLIES & SERVICES /PURCHASING AGENT IN THE CHAIR

Present

E. Vildis, Manager of Buildings & Facilities; R. Swiddle, City Solicitor; M. Hauta, Accountant; K. Lessard, Law Clerk; L. Lesar, Secretary to the Manager of Supplies & Services/Purchasing Agent

Contract CDS05-16
Roof Replacement @
Pioneer Manor

Tenders for Contract CDS05-16, Roof Replacement (B Wing) at Pioneer Manor {estimated at a total cost of \$400,000.00} was received from the following bidders:

BIDDER	TOTAL AMOUNT	SEPARATE PRICES
Duoro Roofing	\$387,992.70	Item 1- deduct \$156,210.00 Item 2 -deduct \$ 12,271.00 Item 3 -deduct \$ 82,370.00 Item 4 -deduct \$ 64,395.00 Item 5 -deduct \$ 10,327.00
Seuple Gooder Northern	\$472,742.05	Item 1 - deduct \$199,950.00 Item 2 - deduct \$ 15,655.00 Item 3 - deduct \$105,090.00 Item 4 - deduct \$ 82,150.00 Item 5 - deduct \$ 12,750.00

A bid deposit in the form of a certified cheque, letter of credit or bid bond with an agreement to bond accompanied each tender.

The foregoing tenders were turned over to the Manager of Buildings & Facilities for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Community Development for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:35 p.m.

Chairman

Secretary

T.O.C. 2005-05-18 (1)

**THE SECOND MEETING OF THE FIREARMS REGULATION TASK FORCE
OF THE CITY OF GREATER SUDBURY**

**Committee Room C-41
Tom Davies Square**

**Tuesday, May 19th, 2005
Commencement: 4:56 p.m.
Adjournment: 6.25 p.m.**

DR. DARREN STINSON IN THE CHAIR

Task Force Councillor Bradley (D. 5:45 p.m.); Councillor Dupuis (D. 6:00 p.m.); G. Lampi; M. Pilon; J. Rivet; R. Polsky

Resource Personnel Bryan Gutjahr; Constable Joe Williams; S. Massé

Others T. Mowry, City Clerk; F. Bortolussi, Committee Secretary

Declarations of Pecuniary Interest None declared.

DELEGATIONS

Sudbury Area Trapper's Council Ken Moxam, President, Sudbury Area Trapper's Council; James Bucholtz, Director, Sudbury Area Trapper's Council; and Blair Brydges, Sudbury Area Trapper's Council were present.

Mr. Ken Moxam gave a verbal presentation regarding the Trapper's Council's concerns with the wording in any proposed by-law. Mr. Moxam requested that the following be considered in the preparation of any proposed by-law:

1. Definition of 'dwelling house' - 'dwelling house' to be a residence that is designated to be a primary dwelling place and not include a trap camp or hunt camp.
2. Regarding the discharge of a firearm, that the following be included - except for a trapper operating under the authority of a licence pursuant to the *Fish and Wildlife Conservation Act* and its regulations, i.e. dispatching an animal in a trap or snare.

PRESENTATIONS (cont'd)

Greater Sudbury Police Services

Sgt. Joe Williams, Greater Sudbury Police Services gave a verbal presentation regarding statistics on the hunting complaints regarding firearm discharge within the City limits, definitions under the *Criminal Code of Canada* and typical velocity for common firearms. A copy of the presentation is attached as Schedule "A".

Sgt. Williams indicate this is not a concern for Police Services as most of their calls dealing with firearm discharge are not hunting related. He finds hunters and gun owners in the City to be very responsible and safety minded.

Ministry of Natural Resources

Steve Massé, Conservation Officer, Ministry of Natural Resources gave a verbal presentation regarding the role of Ministry of Natural Resources Conservation Officers. A copy of the presentation is attached as Schedule "B".

Steve Massé stated the deer population in the Sudbury area is rising and the bear population is the highest in North America. Also, many hunters come to the Sudbury area with permission to hunt on private lands within the City limits. Firearms are also discharged for protection of property. He further stated that the *Fish and Wildlife Conservation Act* does not deal with discharge of firearms for recreational shooters (target practice and gun clubs).

The Task Force requested a report from Legal Services to determine if municipality has jurisdiction over Crown lands - both provincial and federal.

MINUTES

The following recommendation was presented:

2005-3 Polsky-Rivet: That Report #1, Firearms Regulation Task Force Minutes of May 5th, 2005, be adopted.

CARRIED

NEW BUSINESS

Advertising

The Chair stated that many people are afraid to lose their heritage of hunting. It has to be made clear that the activity of hunting will not be affected; only where the activity can take place. He further stated that before the Task Force decides

NEW BUSINESS (cont'd)

Advertising (cont'd) whether or not a by-law is required, it should hear from other interested groups. It was also stated that, if it is decided a by-law is required, there will have to be provisions for the enforcement of the by-law.

The City Clerk advised that an ad is being prepared to inform the public and provide an opportunity for comments; which ad will be made available at the next meeting for review by the Task Force.

Accidents It was agreed that statistics would be collected to ascertain how many people were injured in a hunting accident while not being part of the hunting party. Steve Massé indicated that the number of hunting accidents has greatly decreased over the years due to safety training.

Future Presentations Ontario Federation of Anglers & Hunters and Crean Hill Gun Club will make a presentation at the June 1st, 2005 meeting. Also, it was agreed that Gil Goudreault be invited to this meeting.

It was the consensus of the Task Force that Oliver Barriault and Brian Ramako will be invited to the June 22nd, 2005 meeting.

Email Comments The Task Force agreed that a reply be sent to anyone submitting comments to acknowledge receipt and thank them for their comments. A draft reply will be prepared for review by the Task Force at the next meeting.

Adjournment 2005-4 Pilon-Polsky: THAT we do now adjourn.
Time: 6:25 p.m.

CITY CLERK

DR. DARREN STINSON

SCHEDULE "A"

Firearms Regulation Task Force

19 May 2005

Statisticians Report:

The Greater Sudbury Police statistician advises that a maximum of five (5) calls annually are received with respect to hunting complaints involving a firearm being reportedly discharged. If circumstances are found to be in order or if a firearm wasn't involved at all (ie. Fireworks), then the call is headed as a "Noise Complaint". If a firearm is involved in an inappropriate manner and circumstances warrant investigation and/or charges, the call is headed "Weapons Complaint".

To clarify, the Greater Sudbury Police Service receives many weapons complaints, but those which originate in a hunting type scenario are less than five (5) annually. These calls are rural in nature and are not inherent to any Ward in particular.

These types of calls, though always a safety concern to police, do not presently pose any major time or investigative burdens.

Definitions:

Firearm: C.C.C. Sec. 2

A barreled weapon from which any shot, bullet or other projectile can be discharged and that is capable of causing serious bodily injury or death to a person, and includes any frame or receiver of such a barreled weapon and anything that can be adapted for use as a firearm.

Restricted Firearms: C.C.C. Sec. 84(1)

Handguns that are not prohibited

Barrel less than 470 mm or firearm less than 660mm when folded, etc.

Capable of firing in semi-auto fashion

Prohibited Firearms:

Handgun with barrel length 105mm or less; .25 or .32 caliber
Firearm adapted from a rifle or shotgun (sawed off) less than
660mm or more than 660mm with barrel less than 457mm
Automatic firearms

Exceptions: C.C.C. Sec. 84(3)

Antique Firearms

Flare Guns

Tranquillizer guns (such as farm use)

Barreled weapon with muzzle velocity less than 152.4m/sec.

Crossbow: C.C.C. Sec. 84(1)

Bow and bowstring mounted on a stock

Designed to propel an arrow, bolt or similar projectile guided by a
barrel or groove

Capable of causing serious bodily harm or death

Common Criminal Offences for Firearms:

C.C.C. Sections:

85.(1) Use firearm in commission of offence

86.(1) Careless Use/storage

87.(1) Pointing Firearm

88.(1) Possession of Weapon for Dangerous Purpose

90.(1) Carrying concealed weapon

91. Unauthorized possession

94.(1) Unauthorized possession in motor vehicle

96.(1) Possession of Weapon obtained by commission of Offence

99.(1) Weapons Trafficking

- 108. Tampering with Serial number
- 175.(1) Discharging in a Public Place (Causing a Disturbance)
- 244. Discharging with Intent
- 267. Assault with a Weapon

There are also numerous offences in relation to licensing, storage, and prohibition orders.

Typical Velocity for Common Firearms

* (Muzzle Velocity)

Handguns:

.38 cal.----1025 ft./sec.

.9mm.----1250ft./sec.

.40 cal.----1150ft./sec.

Shotguns:

.410 (birdshot)----1225ft./sec.

.410 (slug)----1830ft./sec.

.12 gauge (buckshot)----1197ft./sec.

.12 gauge (rifled slug)----1600ft./sec.

Rifles:

.22 cal.----1255ft./sec.

.223 cal.----2500-3500ft./sec.(1301 ft./sec. At 500yds. For 3240ft./sec muzzle velocity)

.30-30----2390ft./sec.(973 ft./sec. At 500yds.)

.308----2750ft./sec.(1664ft./sec. At 500yds.

.30-06----2600ft./sec.(1685ft./sec. At 500 yds.)

*Note:

The above velocities are working figures. Ballistics are subject to considerable fluctuation and are dependent upon ammunition types.

Crossbows:

250-325 ft./sec.

Airguns:

.177 or .22 round pellets----200-900ft/sec.

SCHEDULE " B "

Role of Conservation Officers / MNR

ROLE

The role of Conservation Officers and the MNR is to preserve, Manage and protect the Natural Resources of the Province of Ontario.

The main functions of a CO are to enforce the laws relating to the resource, educate the public and prosecute and give evidence before the courts.

Their job is to ensure that abuses to Ontario Natural Resource are stopped so that legitimate users may continue to enjoy and benefit from them.

CO's investigate under many federal and provincial statues but the main enforcement legislation that concerns the task force will be The Fish and Wildlife Conservation Act and its accompanying Regulations specifically Ontario Regulation 665/97.

The MNR and its enforcement branch made up of Conservation Officers as well as protecting the resources of Ontario, protect the constitutional rights of all Ontario's people as they relate to the use of natural resources and as well protect public health and safety in Natural resource emergency situations. They also educate the public to understand the rights as resource users within the province as resource users.

Resource users that will be found within the City that the MNR will deal with are as follows

1. Hunters consisting of the following species and firearms commonly associated to that hunt
 - a) Moose-Bow, Rifles 3006,308,300 etc
 - b) Deer- Bow, Rifles as above and Shotguns (slugs, buckshot)
 - c) Bear -Bows,Rifles as above and Shotguns as above
 - d) Small game(hare, grouse,waterfowl) Shotguns (small shot) small rifle 22 cal. And occasionally Bows
2. Outfitters – Mostly Bear but some Moose.
3. Trappers
4. Prospectors
5. Trial dog trainers
6. Game Bird trial and train areas
7. Aboriginal resource users exercising traditional rights

Other discharges dealt with are defence of property destruction of the offending species. On occasion we are called to investigate gun fire related to organized and non organized target practice .

Existing Bylaw Experience

The MNR and its officers are often called when gun shots go off within the City of Greater Sudbury and Officers respond as the City is a unique mix of built up residential areas and rural and wooded areas that are often hunted. As well the City of Greater Sudbury is a mix of Large private Land owners (INCO ,Falconbridge) and smaller private landowners and small pockets of Crown Land. The investigations result most often as being a hunter who is abiding to MNR legislation . On occasion the Bylaw is not being adhered to and as well, many are landowner disputes between neighbours. In our records few Careless hunting charges have been recorded because of proximatety of gun shots to residential buildings.

Legislation

The MNR and its enforcement staff deal with many (30+) pieces of legislation but the legislation that most relates to the question is a Bylaw required or how is the Bylaw implemented is The Fish and Wildlife Conservation Act and its regulations We will go over the Act and will also discuss powers of the Officers enforcing the act so you have an understanding.

The Fish and Wildlife Conservation Act regulates hunters, trappers, Trial and train areas ,outfitters (Bear Moose etc..) and other resource users on Crown Land and Private land.

It also describes who a CO is as per Section 87 (refer to Act page 28)

It is important to know what hunt or hunting means so page 5 the definition includes lying in wait for, searching for, being on the trail of, pursuing, chasing, capturing, harassing or shooting at wildlife

Section 90 (1) (page 29) allows the officer the right to enter any building or place for the purpose that relates to hunting , trapping and wildlife, but does not include a dwelling place .

Section 88 (page 28) allows an officer to inspect any firearm in an area usually inhabited by wildlife (see definition at page 6)

Section 94 (page 32) allows for a CO acting under this act (FWCA) to enter private lands or anyone else assisting the CO whether the CO is there or not.

Safety-

Section 14 (page 11) states that a person shall not hunt with a firearm in an area prescribed by regulation as being unsafe.

Section 16(1) states that a person who is in possession of a firearm for the purpose of hunting or trapping shall not discharge or handle the firearm or cause it to be discharged or handled without due care and attention or without reasonable consideration for people or property.

This section (careless use of a firearm) in the courts one needs to prove injury or damage or a successful prosecution may not be possible.

Section 17(1) page 11 restricts firearms loaded within or on vehicles in a game inhabited area which one could argue is all of Greater Sudbury

Section 20(1) page 12 restricts the use or possession of firearms unless encased from ½ hour after sunset to ½ before sunrise.

Protection Of Property

Section 31(1) page 14 allows a person on reasonable grounds that wildlife is destroying or is about to damage the property the person may harass, capture or kill the wildlife except moose, deer or elk.

This person may use an agent as described in Reg 665/98 section 132 page 23 of that regulation.

Train and Trial Areas

Regulation 668/98 should be referenced as we MNR licence a few within the City and they are allowed to discharge firearms only for sick or injured animals .

Conclusion

Many species that are hunted within the boundaries of the new city limits pose a nuisance and if are not hunted could increase in numbers and pose more of a problem. Examples of these would be the obvious Black Bear. This would increase calls to MNR and actions taken by nuisance animal technicians and Conservation officers as well increased calls to local Police Service and action by their Officers.

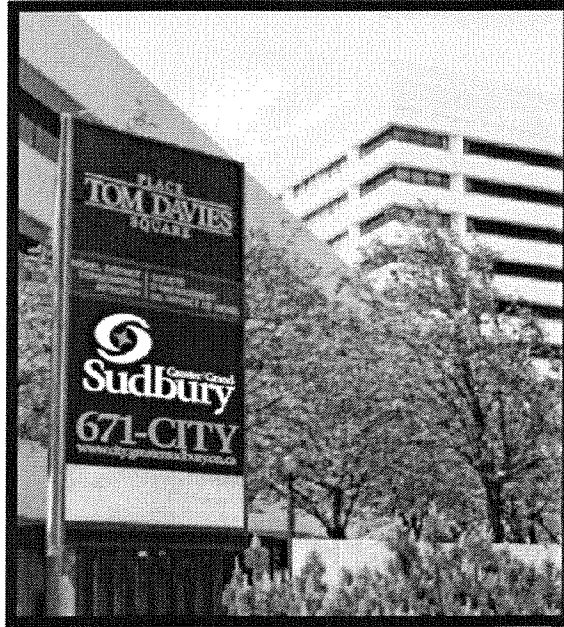
The second example would be the Canada Geese located within the City. The traditional hunting areas are within the "new City boundaries" and traditionally far removed from residences. Golf course owners, farmers and lake front landowners tend to take the brunt of increased numbers of the geese. If a hunt in this area was not to exist numbers would probably rise and then so would the complaints and defence of property issues with discharge of firearms.

The Fish and Wildlife Conservation Act only deals in people who are hunting, trapping etc but does not deal in incidental firearm owner incidents ie: target practice

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

Agenda Ordre du jour



For the
City Council
Meeting
to be held

Pour la réunion
du Conseil
municipal qui
aura lieu

Thursday, May 26, 2005

jeudi 26 mai 2005

at 7:00 p.m

à 19 h

Council Chamber
Tom Davies Square

dans la Salle du Conseil
Place Tom Davies

