

Request for Decision City Council



Type of Decision									
Meeting Date	Thursday, July 14, 2005				Report Date	Thursday, July 7, 2005			
Decision Requested	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title

**REQUEST FOR A NOISE BY-LAW EXEMPTION
T.A. CLARKE & ASSOCIATES INC. - NEW SUDBURY CENTRE**

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
Policy Implication:	
T.A. Clarke & Associates Inc. has requested an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law).	
Budget Impact:	
There is no financial impact associated with this Request for Decision.	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
<p>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 Walmart store at the New Sudbury Centre;</p> <p>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 underground services and subsequent construction of the parking field in this exact location;</p>	
<input checked="" type="checkbox"/>	Recommendation Continued

Recommended by

A. Haché

Caroline Hallsworth
Executive Director of Administrative Support Services

Recommended by the C.A.O.

[Signature]

Mark Mieto
Chief Administrative Officer

Date: Thursday, July 7, 2005

Report Prepared By



Corrie-Jo Caporale
Council Secretary

Division Review

RECOMMENDATION (continued):

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:

August 17, 2005 to November 30, 2005 between the hours 7:00 a.m. to 11:00 p.m. seven days per week;

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;

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

BACKGROUND:

The City Clerk's Office has received a request from Mr. Steve Smith, P.Eng. of T.A. Clarke & Associates Inc. for an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) for the period of August 17, 2005 to November 30, 2005 in order to demolish the existing Walmart store, and install underground services in this location, and subsequent construction of the balance of the Walmart parking field, at the New Sudbury Centre, 1349 Lasalle Boulevard, Sudbury.

Mr. Smith advised that the anticipated demolition would begin the first week of September, 2005 with the balance of the work immediately following demolition. He also advised that if Walmart vacates the old location earlier than the planned date of September 4, 2005, they would like demolition to start immediately following their vacant turnover and, therefore, are requesting exemption to be granted starting mid August, 2005.

As indicated by Mr. Smith, demolition and installation is scheduled to occur between mid August to the end of November, 2005 and do not anticipate overnight operations, but is requesting an exemption for the hours of 7:00 a.m. to 11:00 p.m., seven days per week.

A check of the By-law Office was conducted to determine if any noise complaints had been received. Mr. Satchwill, By-law Enforcement Officer, indicated that they have received no formal noise complaints regarding this project.

The Office of the Director of Engineering Services has indicated that all road construction for this area (Lasalle Boulevard and Belfry Avenue) has been deferred until next year.

Attach.

- 1) Email dated July 6, 2005 from Mr. Steve Smith, P.Eng., T.A. Clarke & Assoc. Inc.
- 2) Email dated July 7, 2005 from Mr. Steve Smith, P.Eng., T.A. Clarke & Assoc. Inc.

From: "Steve Smith" <ssmith@taclarke.com>
To: "Corriejo Caporale" <corriejo.caporale@greatersudbury.ca>
Date: 7/6/2005 7:40:26 AM
Subject: Noise Bylaw relief at New Sudbury Center

Corriejo,

We are writing at this time to request relief from the noise bylaw for demolition of the existing Walmart store, installation of underground services in this location, and subsequent construction of the balance of the Walmart parking field later this year.

We anticipate demolition starting the first week of September with the balance of the work following immediately behind. There is a chance that Walmart may vacate the old store earlier than the current planned date of Sept 4. If that happens we would start demolition immediately following their vacant turnover. As you can appreciate, there is a tremendous amount of work to do to establish the parking field prior to the close of asphalt plants (typically mid November) and obviously the Christmas shopping rush.

We would not anticipate overnight operations, but are hopeful of available work hours of 7:00 am to 11:00 pm 7 days per week.

Please contact me if you need further detail for this request.

Thank you for your consideration.

Steve Smith, P. Eng.
T A Clarke & Associates Inc.
ph 613-297-2331
fax 613-843-1293
Sudbury fax 705-566-0423
ssmith@taclarke.com

CC: "Curtis Fortowsky" <cfortowsky@redcliffrealty.com>

From: "Steve Smith" <ssmith@taclarke.com>
To: "CorrieJo Caporale" <CorrieJo.Caporale@city.greatersudbury.on.ca>
Date: 7/7/2005 3:05:56 PM
Subject: RE: Noise Bylaw relief at New Sudbury Center

Corriejo,

This request is meant for work where Walmart currently sits. We are asking for mid August to end November 05.

Thanks,

Steve Smith, P. Eng.
T A Clarke & Associates Inc.
ph 613-297-2331
fax 613-843-1293
Sudbury fax 705-566-0423
ssmith@taclarke.com

-----Original Message-----

From: CorrieJo Caporale
[mailto:CorrieJo.Caporale@city.greatersudbury.on.ca]
Sent: Thursday, July 07, 2005 1:32 PM
To: ssmith@taclarke.com
Subject: Re: Noise Bylaw relief at New Sudbury Center

Steve

The current noise by-law exemption ends July 15, 2005. With this new request, would the dates be starting July 16 to the end of September, or longer? Please advise.

Thanks,

Corrie-Jo Caporale
Council Secretary

CC: "Curtis Fortowsky" <cfortowsky@redcliffrealty.com>

Request for Decision City Council



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Decision Requested	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
AMO - REQUEST FOR NOMINATIONS COUNCILLOR CRAIG - REGIONAL AND SINGLE TIER CAUCUS DIRECTORS

Policy Implication + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified.
<p><u>Policy Implications</u></p> <p>AMO is requesting nominations to the 2005-2006 Board of Directors. The election of the Directors will be held at its annual 2005 Conference.</p> <p>Councillor Craig has requested Council's endorsement of his nomination as a Director on the Regional & Single Tier Caucus.</p> <p><u>Budget Impact</u></p> <p>There is no budget impact associated with this Request for Decision</p>	
<input checked="" type="checkbox"/>	Background Attached

Recommendation	
<p>THAT the Council of the City of Greater Sudbury endorses the nomination of Councillor Doug Craig as a Director on the Regional & Single Tier Caucus of the Association of Municipalities of Ontario for the term 2005-2006.</p>	
<input type="checkbox"/>	Recommendation Continued

Recommended by the Department Head

Recommended by the C.A.O.
<p style="text-align: center;">  Mark Mieto Chief Administrative Officer </p>

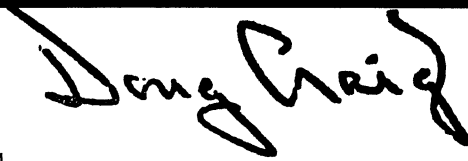
Date: July 6th, 2005

Report Prepared By



Manon Depatie
Administrative Assistant to Councillors

Division Review



Doug Craig
Councillor

Background

The Association of Municipalities of Ontario by letter dated May 31st, 2005 requested nominations to the 2005-2006 AMO Board of Directors. A photocopy of AMO's correspondence is attached to this Report for the information of Council.

Currently, Councillor Craig serves as a Director on the Regional & Single Tier Caucus of AMO.

Councillor Craig will be seeking re-election to the Regional & Single Tier Caucus and has requested Council's endorsement of his nomination.

AMO's May 31st, 2005 correspondence states that: "While candidates are not required to have the endorsement of their council to seek election to serve as a volunteer on the Board, given the time and financial commitment required, they are encouraged to do so."

Accordingly, the following motion appears on the Council's Agenda for consideration:

THAT the Council of the City of Greater Sudbury endorses the nomination of Councillor Doug Craig as a Director on the Regional & Single Tier Caucus of the Association of Municipalities of Ontario for the term 2005-2006.

Attachment

1. Letter dated May 31, 2005 from AMO and attachments.



REQUEST FOR NOMINATIONS

2005 – 2006 AMO Board of Directors

May 31, 2005

To: Head and Members of Council
From: Larry McCabe, Secretary-Treasurer, AMO
Kathy Zammit, Chief Returning Officer, AMO

Please be advised that in accordance with the Association's governing by-law, the Secretary-Treasurer is requesting nominations to the 2005-2006 AMO Board of Directors.

Attached please find:

- *A summary of the offices for each caucus for which elections will be held at the 2005 Annual Meeting;*
- *An estimate of the annual time commitment required to serve on the AMO Board of Directors and for those who will then serve on the AMO Executive Committee; and*
- *Nomination Form*

The names of all qualified individuals who are duly nominated will appear on the ballot for election to the Board. While candidates are not required to have the endorsement of their council to seek election to serve as a volunteer on the Board, given the time and financial commitment required, they are encouraged to do so. If your municipality wishes to nominate a person for election to the Board of Directors, it should submit a resolution and **Nomination Form** indicating the full name of the nominee, his or her municipal title, and the caucus for which the person is being nominated.

Please forward the Nomination Form to the Association of Municipalities of Ontario via fax at (416) 971-6191 or mail to the attention of Pat Vanini, Executive Director. **Nominations must be received no later than 4:30 p.m. Friday, July 22, 2005. Nominations will not be accepted beyond that date.**

All candidates will be contacted to confirm receipt of their nominations and to provide further information on the election process.

If you have any questions regarding this information, please contact Lorna Ruder, Executive Assistant at (416) 971-9856, ext. 341, or via e-mail at lruder@amo.on.ca.



ANNUAL TIME COMMITMENT AMO Board of Directors and Executive Committee

The following is an estimate of time individuals can normally expect to devote for service on the AMO Board of Directors and Executive Committee (i.e. Chair of each Caucus).

Executive Meetings And Memorandum of Understanding Meetings	10 days 10 days
Board Meetings	6 days
AMO Conference	3 days
Other Commitments (task forces, other meetings)	6 days

Board meetings:

Board meetings are normally held on the Sunday prior to the AMO Annual Conference in August, and on the fourth Friday in September, November, January, March and June. The June meeting is normally held in the President's home municipality. In addition to the six Board meetings, many Board members also serve on AMO Task Forces.

Executive meetings:

Executive meetings are held on the Thursday before a scheduled Board meeting and on the fourth Friday of the month when there is no Board meeting. Memorandum of Understanding (MOU) meetings are specifically scheduled monthly.



SUMMARY OF OFFICES AMO Board of Directors 2005 – 2006

Elections will be held for the 2005 – 2006 AMO Board of Directors consistent with the AMO By-law No. 1:

- **6 County Caucus Directors.** Three elected officials and one municipal employee to be elected by constituency at the conference. *Appointed to the County Caucus: the Chairs of the Eastern and Western Ontario Wardens Groups*
- **7 Large Urban Caucus Directors.** Five elected officials and one municipal employee to be elected by constituency at the conference. *Appointed to the Large Urban Caucus: the Chair of LUMCO (Large Urban Mayors' Caucus of Ontario)*
- **6 Northern Caucus Directors.** Three elected officials and one municipal employee to be elected by constituency at the conference: two from the Northeast and two from the Northwest. *Appointed to the Northern Caucus: the Chairs of FONOM (Federation of Northern Ontario Municipalities) and NOMA (Northern Ontario Municipal Association)*
- **7 Regional and Single Tier Caucus Directors.** Six elected officials to be elected by constituency at the conference. *Appointed to the Regional and Single Tier Caucus: the Chair of MARCO (Mayors and Regional Chairs of Ontario of Single Tier Cities and Regions)*
- **6 Rural Caucus Directors.** 4 elected officials and one municipal employee to be elected by constituency at the conference. *Appointed to the Rural Caucus: the Immediate Past Chair of ROMA (Rural Ontario Municipal Association)*
- **6 Small Urban Caucus Directors.** 4 elected officials and one municipal employee to be elected by constituency at the conference. *Appointed to the Small Urban Caucus: the Chair of OSUM (Ontario Small Urban Municipalities)*

Each of the above members shall serve a one-year term.

The President and Secretary-Treasurer are presently in the middle of their two-year terms, so elections for these positions are not required.



NOMINATION FORM

2005 – 2006 AMO Board of Directors

It is the responsibility of the person being nominated to file a complete and accurate Nomination Form. Send completed forms to Attention: Pat Vanini, Executive Director - by mail to: Association of Municipalities of Ontario, 393 University Avenue, Suite 1701, Toronto, ON M5G 1E6 or by FAX to: 416-971-6191

Nominations will be accepted no later than 4:30 PM July 22, 2005.

Nominated for the office of: <i>(specify)</i> _____	Nominee's Name as it is to appear on the ballot: _____ <i>(subject to agreement of Chief Returning officer)</i>		
Office Type: <i>(check one ONLY)</i> Elected Official <input type="checkbox"/> Municipal Employee <input type="checkbox"/>			
Nominee's municipality: _____			
Is Nominee's municipality presently a member of AMO? Yes <input type="checkbox"/> No <input type="checkbox"/>			
Nominee's Municipal Title: Nominee's Full Address: _____ _____			
Business Phone:	Fax:	Home Phone:	Email:

CONSENT OF NOMINEE AND STATEMENT OF QUALIFICATION

I _____ the Nominee mentioned in this Nomination Form do hereby consent to such nomination and declare that I am qualified to be elected and to hold the office for which I am nominated.

Dated: _____ Signature: _____
(Signature of Nominee)

CERTIFICATE

Date Nomination Form Received at AMO offices: _____

I, the Chief Returning Officer, appointed by the Association of Municipalities of Ontario to officiate over these elections, do hereby certify that I have examined the Nomination form of the aforementioned Nominee, filed with me, and am satisfied that such Nominee is qualified to be nominated to the office indicated above.

Dated: _____ Signature: _____
(Chief Returning Officer)