

**THE TWENTY-THIRD MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY**

**C-11
Tom Davies Square**

**Thursday, December 16, 2004
Commencement: 1:00 p.m.**

DEPUTY MAYOR DUPUIS, IN THE CHAIR

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Dupuis; Gainer; Gasparini; Kett (A 1:50 pm); Reynolds; Rivest; Thompson (A 4:20 pm); Mayor Courtemanche (D 4:10 pm)

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; C. Matheson, General Manager of Health & Social Services; D. Nadorozny, General Manager of Economic Development & Planning Services; A. Stephen, General Manager of Emergency Services; D. Wuksinic, General Manager of Corporate Services; S. Jonasson, Director of Finance/City Treasurer; P. Thomson, Director of Human Resources; G. Lamothe, Manager of Corporate Communications & French Language Services; D. Donaldson, Fire Chief; B. Battison, Deputy Fire Chief; M. Leduc, Deputy Fire Chief; T. Mowry, City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2004-619 Bradley-Dupuis: That we move "In Camera" to deal with Personnel and Litigation 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)(f).

CARRIED

Recess At 6:15 p.m., Council recessed.

Reconvene At 7:00 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; Bradley; Caldarelli; Callaghan; Craig; Dupuis; Gainer; Gasparini; Kett; Reynolds; Rivest; Thompson

City Officials

M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; C. Matheson, General Manager of Health & Social Services; D. Nadorozny, General Manager of Economic Development & Planning Services; A. Stephen, General Manager of Emergency Services; D. Wuksinic, General Manager of Corporate Services; S. Jonasson, Director of Finance/City Treasurer; R. Swiddle, City Solicitor/Director of Legal Services; D. Tincombe, Manager of Community Development & Social Policy; J. McKechnie, Executive Assistant to the Mayor; D. Canniff, Risk Management/Insurance Officer; J. Cameron, Economic Development Officer - Technology; G. Lamothe, Manager of Corporate Communications & French Language Services; T. Mowry, City Clerk; F. Bortolussi, Planning Committee Secretary; CJ Caporale, Council Secretary

News Media

Sudbury Star; MCTV; Channel 10 News; Le Voyageur; CBC Radio

Declarations of Pecuniary Interest

Councillor Rivest declared a conflict of interest regarding Item C-26 (Sewer and Water Priority List for Unserviced Areas) which deals with sewer and water hook-ups along a portion of Dominion Drive, Hanmer, as he is a property owner in the area.

PUBLIC HEARINGS

Item 4
By-law 2004-316
Proposed Closure -
Portion of Alder Street,
Sudbury

Report dated 2004-12-10 from the General Manager of Corporate Services regarding 3rd Reading of By-law 2004-316 (Proposed Closure of Portion of Alder Street, Sudbury) was received for information only.

Mayor Courtemanche called for interested parties who wished to address Council regarding the permanent closure of that portion of Alder Street lying south of Victoria Street and north of the laneway south of Victoria Street, identified for survey purposes as Part 1 on Reference Plan of Survey 53R-17640.

Mr. Sirio Bacciaglia,
Resident

Mr. Bacciaglia asked Council to explain what “declare it surplus” meant when Alder Street has been in existence for decades. The General Manager of Corporate Services explained that if there was no compelling reason for the municipality to keep a property then it is declared surplus. He also advised that abutting property owners are notified and have the opportunity to purchase the property that has been declared surplus.

Mr. Bacciaglia also asked Council if access routes for fire and ambulance vehicles had been addressed. The General Manager of Emergency Services advised Council that there are three attack routes to this area. He will confirm this with staff and advise Mr. Bacciaglia.

Item 4
By-law 2004-316
Proposed Closure -
Portion of Alder Street,
Sudbury
(continued)

There being no further requests to address this matter, the Public Hearing concerning this matter was closed and the City Council meeting resumed in order to discuss and vote on the motion.

The following resolution was presented:

2004-620 Gainer-Bradley: WHEREAS the Council of the City of Greater Sudbury held a Public Hearing at its regularly scheduled meeting in its Council Chamber, Tom Davies Square, 200 Brady Street, Sudbury, on Thursday, December 16, 2004 respecting By-law 2004-316: 'BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE PART OF ALDER STREET SOUTH OF VICTORIA STREET, DECLARE IT SURPLUS, AND SELL IT TO THE ADJOINING PROPERTY OWNER';

AND WHEREAS the Council of the City of Greater Sudbury is still determined to proceed with the passage of By-law 2004-316;

NOW THEREFORE BE IT RESOLVED THAT By-law 2004-316: 'BEING A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE PART OF ALDER STREET SOUTH OF VICTORIA STREET, DECLARE IT SURPLUS, AND SELL IT TO THE ADJOINING PROPERTY OWNER' be read a third time and passed.

CARRIED

PRESENTATIONS/DELEGATIONS

Item 5
2004-2006 Workplan -
Mayor & Council's
Roundtable on
Seniors' Issues

Report dated 2004-12-07, with attachments, from the General Manager of Health & Social Services regarding 2004-2006 Workplan of the Mayor & Council's Roundtable on Seniors' Issues was received for information only.

Councillor Ted Callaghan introduced Anadel Hastie, Pat O'Malley, and John Lindsay, members of the Mayor & Council's Roundtable on Seniors' Issues, to Council. The members presented an electronic presentation to Council regarding the background and accomplishments, and the 2004-2006 outcomes and initiatives of the Roundtable.

A work plan entitled "*Work Plan to Retain, Attract and Improve the Quality of Life of Seniors in Greater Sudbury*" was tabled at the meeting.

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report Deputy Mayor Dupuis, as Chair of the Committee of the Whole, reported Council met to deal with Personnel and Litigation 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)(f) and one resolution emanated therefrom.

CGS Hiring Policies 2004-621 Thompson-Bradley: BE IT RESOLVED THAT as required by the Municipal Act, 2001, and in accordance with Progressive Practices, that Council adopt the six (6) Hiring Policies as outlined in the report dated December 10, 2004 from the Director of Human Resources;

AND THAT the by-laws related to the hiring of employees from former municipalities be repealed, including but not limited to:

- a) The Town of Rayside-Balfour By-law 91-10;
- b) The Town of Nickel Centre By-law 99-30; and
- c) The Regional Municipality of Sudbury By-law 81-93.

CARRIED

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report Councillor Kett, Chair of the Priorities Committee, reported that the Priorities Committee met on 2004-12-15 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 2004-12-07 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:

2004-622 Rivest-Bradley: THAT Items C-1 to C-23 inclusive, contained in Part I, Consent Agenda, be adopted, with the exception of Item C-19 (Award of a General Insurance Program) and Planning Committee recommendation 2004-286 (Rezoning - Seniors Housing Complex - South Bay Road at Bethel Lake - Laurentian University - Dalron), as otherwise dealt with.

CARRIED

MINUTES

Item C-1
Report No. 22
City Council
2004-11-25

2004-623 Dupuis-Bradley: THAT Report No. 22, City Council Minutes of 2004-11-25 be adopted.

CARRIED

Item C-2
Report No. 21
Planning Committee
2004-12-07

After a brief discussion regarding Planning Committee recommendation 2004-286 (Rezoning - Seniors Housing Complex - South Bay Road at Bethel Lake - Laurentian University - Dalron), Council determined that there was a number of issues that the Planning Committee should look at: the number of proposed units to be developed, the fragility of Bethel Lake, traffic concerns and whether or not there should be another public hearing held.

Planning Committee
Recommendation
2004-286

With the concurrence of Council, Councillor Craig requested that Planning Committee recommendation 2004-286 be pulled for further review and referred back to the February 1, 2005 Planning Committee meeting and that another public hearing be held.

2004-624 Bradley-Dupuis: THAT Report No. 21, Planning Committee Minutes of 2004-12-07 be adopted.

CARRIED

Item C-3
Report No. 17
Finance Committee
2004-11-23

2004-625 Bradley-Dupuis: THAT Report No. 17, Finance Committee Minutes of 2004-11-23 be adopted.

CARRIED

Item C-4
Report No. 18
Finance Committee
2004-11-29

2004-626 Dupuis-Bradley: THAT Report No. 18, Finance Committee Minutes of 2004-11-29 be adopted.

CARRIED

Item C-5
Report No. 19
Finance Committee
2004-12-01

Councillor Berthiaume noted that the Finance Committee minutes of 2004-12-01, page 6, (Rayside Balfour Fitness Centre) should state that he, not Councillor Bradley, made the request to extend the hours of operation of the Fitness Centre. The City Clerk advised that the minutes would be corrected.

2004-627 Bradley-Dupuis: THAT Report No. 19, Finance Committee Minutes of 2004-12-01 be adopted.

CARRIED

Item C-6
Report No. 20
Finance Committee
2004-12-06

2004-628 Dupuis-Bradley: THAT Report No. 20, Finance Committee Minutes of 2004-12-06 be adopted.

CARRIED

Item C-7 Report No. 21 Finance Committee <u>2004-12-08</u>	2004-629 Bradley-Dupuis: THAT Report No. 21, Finance Committee Minutes of 2004-12-08 be adopted.	CARRIED
Item C-8 Report No. 6 Special Meeting of Council <u>2004-12-01</u>	2004-630 Dupuis-Bradley: THAT Report No. 6, Special Meeting of Council Minutes of 2004-12-01 be adopted.	CARRIED
Item C-9 Report No. 7 Special Meeting of Council <u>2004-12-08</u>	2004-631 Bradley-Gainer: THAT Report No. 7, Special Meeting of Council Minutes of 2004-12-08 be adopted.	CARRIED
Item C-10 Report No. 4 Business Licensing Committee <u>2004-11-30</u>	2004-632 Dupuis-Bradley: THAT Report No. 4, Business Licensing Committee Minutes of 2004-11-30 be adopted.	CARRIED
Item C-11 Report No. 3 Property Standards Appeal Committee <u>2004-12-07</u>	2004-633 Bradley-Gainer: THAT Report No. 3, Property Standards Appeal Committee Minutes of 2004-12-07 be adopted.	CARRIED
Item C-12 Report No. 4 Nomination Committee <u>2004-12-15</u>	2004-634 Berthiaume-Bradley: THAT Report No. 4, Nomination Committee Minutes of 2004-12-15 be adopted.	CARRIED
Item C-13 Report No. 19 Priorities Committee <u>2004-12-15</u>	2004-635 Dupuis-Bradley: THAT Report No. 19, Priorities Committee Minutes of 2004-12-15 be adopted.	CARRIED
Item C-14 NDCA <u>2004-11-17</u>	2004-636 Bradley-Berthiaume: THAT the Report of the Nickel District Conservation Authority Minutes of 2004-11-17 be received.	CARRIED
Item C-15 TOC <u>2004-11-23</u>	2004-637 Dupuis-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-11-23 be received.	CARRIED

Item C-16
Report No. 9
Sudbury & District
Board of Health
2004-11-18

2004-638 Bradley-Berthiaume: THAT Report No. 9, Sudbury & District Board of Health Minutes of 2004-11-18 be received.

CARRIED

Item C-17
Report No. 6
Greater Sudbury
Public Library Board
2004-09-23

2004-639 Dupuis-Bradley: THAT Report No. 6, Greater Sudbury Public Library Board Minutes of 2004-09-23 be received.

CARRIED

Item C-18
Report No. 7
Greater Sudbury
Public Library Board
2004-10-21

2004-640 Bradley-Berthiaume: THAT Report No. 7, Greater Sudbury Public Library Board Minutes of 2004-10-21 be received.

CARRIED

TENDERS

Item C-20
Contract Award -
Printing of Leisure
Guide

Report dated 2004-11-24 from the General Manager of Citizen & Leisure Services regarding Contract Award for the Printing of the Leisure Guide was received.

The following resolution was presented:

2004-641 Dupuis-Bradley: THAT the contract for the printing of the City's Leisure Guide Booklet be awarded to Journal Printing of Sudbury in the amount of \$33,199.15 per issue, this being the highest scoring proposal received that meets all proposal specifications.

CARRIED

Report Requested

With the concurrence of Council, Councillor Rivest requested that the General Manager of Citizen & Leisure Services provide an information report which would explain why the printing of the Leisure Guide is required to be contracted out.

Councillor Dupuis also requested that staff include which businesses advertise in the Leisure Guide and the amount of revenue that is generated.

The General Manager of Citizen & Leisure Services advised that the Purchase Order for the above contract would not be issued until the report was tabled at the next meeting of Council.

ROUTINE MANAGEMENT REPORTS

Item C-21
2005 Conferences -
Registrations

Report dated 2004-12-10 from the General Manager of Corporate Services Regarding Registrations - 2005 Conferences - AFMO, AMO, FCM, FONOM & ROMA/OGRA - Various Dates & Locations was received.

The following resolution was presented:

2004-642 Bradley-Berthiaume: THAT Members of Council for the City of Greater Sudbury be authorized to attend the following conferences:

2005 AFMO Conference to be held September 13-14, 2005 in Rouyn-Noranda, Quebec and September 15-17, 2005 in Kirkland Lake, Ontario;

Item C-21
2005 Conferences -
Registrations
(continued)

2005 AMO Annual Conference to be held August 14-17, 2005 at the Westin Harbour Castle, Toronto, Ontario;

2005 FCM Annual Conference to be held June 3-6, 2005 in St. John's, Newfoundland;

2005 FONOM/Northeastern Ontario Municipal Conference to be held May 11-13, 2005 at the St. Charles W. Stockey Centre, Parry Sound, Ontario;

2005 ROMA/OGRA Combined Conferences to be held February 20-23, 2005 at the Fairmont Royal York Hotel, Toronto, Ontario.

CARRIED

Item C-22
Extension - Noise
By-law - Nickel Rim

Report dated 2004-12-10 from the General Manager of Corporate Services regarding Request for an Extension of Noise By-law Exemption - Nickel Rim South Project - Falconbridge Limited was received.

The following resolution was presented:

2004-643 Berthiaume-Bradley: WHEREAS Council by Resolution 2004-258, 2004-05-13, granted Falconbridge Limited an extension to the exemption to Noise By-law 92-13 of the former Town of Nickel Centre for the period from May 30th, 2004 to and including December 31, 2004;

Item C-22
Extension - Noise
By-law - Nickel Rim
(continued)

AND WHEREAS Falconbridge Limited has requested an extension of the exemption for operational requirements at the Nickel Rim South Project to carry out intensive surface construction such as preparing the site, including moving the broken rock, drilling and excavating work for a six month period from January 1, 2005 to and including July 31, 2005;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury has no objection to the granting an extension of the exemption to Noise By-law 92-13, to Falconbridge Limited and its contractors for operational requirements at the Nickel Rim South Project to July 31, 2005;

AND THAT approval of this exemption be subject to the following conditions: 1) Restricting blasting to the daylight hours only. 2) That approval of this exemption be further subject to Falconbridge Limited and/or its contractors providing public notice of this construction activity prior to its commencement. 3) It is to be understood that this approval is given solely for the purpose of granting a noise exemption only and shall not be construed as an exemption or approval for any other purpose.

CARRIED

Item C-23
Endorsement -
National Guide to
Sustainable Municipal
Infrastructure

Report dated 2004-12-08, with attachments, from the General Manager of Public Works regarding Recommended Endorsement of The National Guide to Sustainable Municipal Infrastructure (InfraGuide) was received.

The following resolution was presented:

2004-644 Bradley-Rivest: THAT Council endorse the best practice concept from the National Guide to Sustainable Municipal Infrastructure (InfraGuide), and apply the practices when deemed appropriate, in accordance with the report from the General Manager of Public Works, dated December 8th, 2004, and

THAT copies of this resolution be forwarded to The Honourable John Ferguson Godfrey, Minister of State (Infrastructure and Communities), our local Members of Parliament, the Municipal Engineers Association and Canadian Public Works Association.

CARRIED

Item C-19
General Insurance
Program

Report dated 2004-12-10 from the General Manager of Corporate Services regarding Award of a General Insurance Program - Contract CPS04-13 was received.

The following resolution was presented:

2004-645 Berthiaume-Bradley: THAT the Treasurer be authorized to purchase the various insurance policies as set out with particulars in Appendix A (attached) from the insurers specified at an approximate total premium cost of \$2,078,972 inclusive of Provincial Sales Tax, as follows:

Frank Cowan Company	\$1,821,562
Parapet	\$ 240,000 (estimate)
AllSport	\$ 17,410 ;

THAT these policies be renewed in 2006 and 2007;

THAT the Treasurer be authorized to negotiate (both coverage and premium) and purchase insurance policies for Airport Owners/Operators Liability with coverage effective April 1, 2005, also to be renewed for the following two years;

AND THAT a report be sent to Council when the airport insurance is finalized.

CARRIED

BY-LAWS

Capreol Archives -
Local Land Registry
Records

The following resolution was presented:

2004-646 Bradley-Rivest: WHEREAS the Province of Ontario's Sudbury Land Registry Office is seeking to relocate the District of Sudbury Land Registry Records;

AND WHEREAS Land Registry Office records contains valuable historical information that should remain in the community;

AND WHEREAS there is an opportunity to establish a Land Registry Record Archive at the Capreol Citizen Service Centre using existing space and staff resources;

AND WHEREAS the Greater Sudbury Public Library Board is recommending that the City of Greater Sudbury establish a Local Land Registry Records Archive at the Capreol Citizen Service Centre;

Capreol Archives -
Local Land Registry
Records
(continued)

NOW THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury agrees to house the Land Registry Records for the District of Sudbury at the Capreol Citizen Service Centre;

AND FURTHER THAT staff be authorized to enter into the necessary agreements to implement this project;

AND FURTHER THAT the Ontario Genealogical Society be thanked for their efforts to ensure that local records remain in the community.

CARRIED

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2004-312 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AN EMERGENCY MANAGEMENT PROGRAM AND TO ADOPT AN EMERGENCY RESPONSE PLAN FOR THE CITY OF GREATER SUDBURY

(This By-law up-dates the existing By-law 2001-82. This former By-law was passed under the *Emergency Plans Act*, which has now been replaced by the *Emergency Management Act*. The replacement of this Act has meant some minor modifications were required to the By-law with respect to the Emergency Plan and adopts an Emergency Management Program as required by the Act).

2004-347A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF DECEMBER 16, 2004

2004-348A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO, AS REPRESENTED BY THE MINISTER OF CONSUMER AND BUSINESS SERVICES FOR THE STORAGE OF REGISTRY OFFICE RECORDS

Report dated 2004-12-08 from the General Manager of Citizen & Leisure Services regarding Establishment of Capreol Archives for Local Land Registry Records was received.

(The Land Registry Office for Sudbury will cease to house Local Land Registry Records in its office early in 2005. There is an opportunity to transfer these records to the City of Greater Sudbury and retain these valuable historical records in the community by locating them at the Capreol Citizen Service Centre.)

BY-LAWS (continued):

2004-349 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT THE CHAIR AND VICE-CHAIR OF THE PLANNING COMMITTEE

Report dated 2004-12-10 from the General Manager of Corporate Services regarding Appointment of Chair and Vice-Chair, Planning Committee - Term Ending November 30, 2005 was received.

Planning Committee Resolutions 2004-277 and 2004-278

(This By-law reappoints Councillor Thompson as Chair and Councillor Reynolds as Vice-Chair.)

2004-350 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO LICENSE AND REGULATE VARIOUS BUSINESSES

Licensing Committee Resolution 2004-07

(This By-law and the following five By-laws update the existing licensing requirements of the City. The existing By-laws expire at the end of the year, and the new By-laws update and streamline the existing licensing provisions. Public hearings were held on the subject on November 30th, and the By-laws have been amended in accordance with direction from the Licensing Committee as detailed in the Committee's Minutes.)

2004-351 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REGULATE AND LICENSE TRAILERS, TRAILER CAMPS AND TRAILER PARKS IN THE CITY OF GREATER SUDBURY

Licensing Committee Resolution 2004-07

(See annotation under By-law 2004-350.)

2004-352 3 A BY-LAW OF THE CITY OF GREATER SUDBURY RESPECTING THE LICENSING, REGULATING AND GOVERNING OF ADULT ENTERTAINMENT PARLOURS

Licensing Committee Resolution 2004-07

(See annotation under By-law 2004-350.)

2004-353 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO LICENSE, REGULATE AND GOVERN BODY-RUB PARLOURS

Licensing Committee Resolution 2004-07

(See annotation under By-law 2004-350.)

BY-LAWS (continued):

- 2004-354 3 A BY-LAW OF THE CITY OF GREATER SUDBURY RESPECTING THE LICENSING, REGULATING, AND INSPECTING OF RETAILERS OF SECOND HAND GOODS, INCLUDING PAWNBROKERS AND SALVAGE YARDS

Licensing Committee Resolution 2004-07

(See annotation under By-law 2004-350.)

- 2004-355 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO REQUIRE THE REGISTRATION OF CERTAIN BUSINESSES

Licensing Committee Resolution 2004-07

(See annotation under By-law 2004-350.)

- 2004-356 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT HIRING POLICIES

(This By-law adopts hiring policies for the City of Greater Sudbury as required by the *Municipal Act, 2001*.)

- 2004-357A 3 BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-165A TO APPOINT OFFICIALS FOR THE CITY OF GREATER SUDBURY

(This By-law updates the list of Clerks at Citizen Service Centres and Licensing Officers.)

- 2004-358R 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO DECLARE CERTAIN PARCELS OF LANDS TO BE PART OF THE CITY ROAD SYSTEM

(This By-law is presented to Council from time to time. It provides for all the small "bits and pieces" of roadway that have been purchased or otherwise acquired by the City for road purposes to be formally declared as roads. A number of widenings, subdivision transfers, sight triangles, etc., are included.)

- 2004-359Z 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 meeting of 2004-12-07.

(This By-law rezones the subject property to "C2", General Commercial to permit a 'commercial' building under construction to be occupied by the uses permitted in a "C2" zone subject to the standard provisions of the zoning By-law. - 1574845 Ontario Inc. - Lorne Investments Inc., 1390 Kingsway, Sudbury.)

BY-LAWS (continued):

- 2004-360Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-303, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF WALDEN

Planning Committee Recommendation 2004-57

(This By-law rezones the subject property to "R7.D1.25-1", Special Seasonal Residential Zone to permit lot additions to three existing seasonal residential lots which result in providing lot frontage along Wickie Road, Fairbank Lake. - Falconbridge Limited, Wickie Road, Fairbank Lake.)

- 2004-361Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304 THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE

Planning Committee Recommendation 2004-272

(This by-law rezones the subject property to "R1.D22", Single Residential to establish that only single detached dwellings will be constructed within a revised draft plan of subdivision. - 630411 Ontario Inc., Cedargreen Drive, Garson.)

- 2004-362Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST

Planning Committee Recommendation 2004-247

(This By-law does not rezone the subject property. This By-law permits the *storage* of an unoccupied second dwelling, being a mobile home dwelling, on the subject property for a maximum temporary period of three years. -Roman Kozoriz, Marilyn Kozoriz and Charlotte Hohner, 1743 Yorkshire Drive, Val Caron.)

- 2004-363Z 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 2004-242

(This By-law does not rezone the subject property. This temporary use By-law permits a construction company to be established on the subject property for a maximum period of one year. Further, the By-law prohibits the storage of derelict machinery, trailers or waste materials. - 1074112 Ontario Limited/Jeff Gladu, 2600 Kingsway, Sudbury.)

BY-LAWS (continued):

- 2004-364F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPROVE THE PAYMENT OF THE 2004 NEIGHBOURHOOD ASSOCIATION GRANTS

Report dated 2004-12-08, with attachments, from the General Manager of Citizen and Leisure Services regarding 2004 Neighbourhood Association Grants was received.

(The primary goal of the Neighbourhood Association Grant is to recognize and respond to individual neighbourhood needs, promote neighbourhood uniqueness and to encourage neighbourhood participation.)

- 2004-365F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE PAYMENT OF GRANTS TO VARIOUS NON-PROFIT ORGANIZATIONS TO REDUCE HOMELESSNESS AND PROVIDE EMERGENCY SHELTER

Priorities Committee Recommendation 2004-79

- 2004-366A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AGREEMENTS WITH THE GOVERNING COUNCIL OF THE SALVATION ARMY IN CANADA, AND ASSOCIATION DES JEUNES DE LA RUE FOR PROVISION OF HOSTEL SERVICES

Priorities Committee Recommendation 2004-79

- 2004-367 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This By-law updates the list of enforcement officers.)

- 2004-368T 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 2004-12-08 from the General Manager of Public Works regarding School Bus Loading Zone - Davidson Street Sudbury Secondary School was received.

(This By-law provides for a school bus loading zone on Davidson Street for Sudbury Secondary School, Sudbury.)

BY-LAWS (continued):

- 2004-369T 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 2004-12-08 from the General Manager of Public Works regarding Recommended Speed Limit, Horseshoe Lake Road was received.

(This By-law provides for a recommended speed limit on Horseshoe Lake Road.)

- 2004-370 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF LOT 5, CONCESSION 5, TOWNSHIP OF WATERS, BEING PARTS 1 AND 2 ON PLAN 53R-6848, PARCEL 25997 SUDBURY WEST SECTION TO GUSE CARRIERS INC.

Planning Committee Recommendation 2004-281

(This By-law authorizes the sale of a two acre parcel of land on Magill Street in the Walden Industrial Park.)

- 2004-371 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO TRANSFER TO WESMAK LUMBER COMPANY PARTS 15 AND 30 ON PLAN 53R-11941 IN EXCHANGE FOR PARTS 1, 3, 5, AND 6 ON PLAN 53R-17141 AND AN EASEMENT OVER PART 2

Planning Committee Recommendation 2004-290

- 2004-372 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 2004-242

(This By-law rezones the subject property from "C2-60", General Commercial Special to a revised "C2-Special", General Commercial Special, to add an automotive dealership to the uses permitted on the property at 1400 Kingsway, Sudbury - PD2 Developments Inc.)

BY-LAWS (continued):

- 2004-373F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION, OR REFUND OF REALTY TAXES

Report dated 2004-12-10, with attachments, from the General Manager of Corporate Services regarding Tax Adjustments Under Section 357 and 358 of the Municipal Act was received.

(This report provides the quarterly tax adjustments under Sections 357 & 358 of the Municipal Act.)

- 2004-374F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2004-108F, BEING A BY-LAW TO ESTABLISH AND CONTINUE RESERVES, RESERVE FUNDS, AND TRUST FUNDS

Report dated 2004-12-10 from the General Manager of Corporate Services regarding Police Reserve Funds was received.

(The revisions to the Police Reserve Fund will provide greater efficiencies in managing Police resources and improving the availability of financing.)

- 2004-375 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-295 TO DELEGATE SPECIFIC AUTHORITY TO CITY OFFICIALS TO CARRY ON CERTAIN MATTERS ON BEHALF OF THE CITY OF GREATER SUDBURY

Report dated 2004-12-09 from the General Manager of Economic Development and Planning regarding GIS Spatial Data Agreements was received.

(This By-law authorizes the General Manager of Economic Development and Planning to negotiate and execute Agreements on behalf of the City with third parties for the exchange of sale of spatial data in a form acceptable to the Director of Legal Services/City Solicitor.)

- 2004-376F 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

(This By-law shows the automatic inflationary increase coming into effect on January 1st, 2005 for the following two items. 1) transportation expenses rise from \$0.39 per kilometre (\$.62 per mile) to \$0.40 per kilometre (\$.64 per mile). 2) Per diem for meals and expenses rises from \$66 per day to \$67.)

BY-LAWS (continued):

2004-377A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT FENCE VIEWERS AND PROVIDE FOR THEIR REMUNERATION

Council Resolution 2004-14.

THE FOLLOWING BY-LAW APPEARED FOR FIRST AND SECOND READING ONLY:

2004-378 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-202, THE PROCEDURE BY-LAW FOR THE CITY OF GREATER SUDBURY

(This By-law amends the Procedure By-law to establish the purpose, objectives, membership and term of the Bicycle Advisory Panel. It is necessary that this By-law be advertised before final reading.)

1ST & 2ND Reading

2004-647 Bradley-Dupuis: THAT By-law 2004-312, By-law 2004-347A to and including By-law 2004-378 be read a first and second time.

CARRIED

3RD Reading

2004-648 Rivest-Bradley: THAT By-law 2004-312, By-law 2004-347A to and including By-law 2004-377A be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-24
Hospital Expenditures
per Capita

Report dated 2004-12-09 from the General Manager of Health & Social Services regarding Hospital Expenditures per Capita was received for information only.

Item C-25
Basic Transition
Funding - Pioneer
Manor

Report dated 2004-12-07 from the General Manager of Health & Social Services regarding Basic Transition Funding - Pioneer Manor - Information Only was received for information only.

Item C-26
Sewer & Water
Priority List

Report dated 2004-12-08, with attachments, from the General Manager of Public Works regarding Sewer & Water Priority List for Unserviced Areas was received for information only.

Declaration of
Pecuniary Interest

Councillor Rivest, having declared a pecuniary interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

Item C-27
Capital Budget - 2005
Citizen & Leisure
Services

Report dated 2004-12-10 from the General Manager of Corporate Services regarding Capital Budget - 2005 Citizen and Leisure Services was received for information only.

PART II REGULAR AGENDA

MANAGERS' REPORTS

Item R-1
Diversity Thrives Here!

Report dated 2004-12-08, with attachments, from the Chief Administrative Officer regarding Diversity Thrives Here! Report was received.

The following resolution was presented:

Rivest-Bradley: WHEREAS the Mayor's Working Group on Diversity being Chaired by Councillor Callaghan has been consulting with the community over the last two years;

AND WHEREAS more than three hundred (300) people have attended the various community engagement events of the Working Group;

AND WHEREAS at the Diversity Summit held on November 26-27, 2004, more than twenty-five (25) Community Leaders volunteered to prepare a diversity plan for our community;

NOW THEREFORE BE IT RESOLVED THAT Councillor Callaghan be appointed as Council's representative on the proposed Community Diversity Advisory Panel in recognition of his leadership role;

AND FURTHER THAT Councillor Callaghan, together with staff, prepare a report for the January 13, 2005 meeting of Council containing recommendations to finalize the proposed membership structure and workplan of the Community Diversity Advisory Panel.

Friendly Amendment

With the concurrence of Council, Councillor Callaghan requested that the foregoing motion be amended to include the words "the community and" in the last paragraph.

Main Motion
(as amended)

2004-649 Rivest-Bradley: WHEREAS the Mayor's Working Group on Diversity being Chaired by Councillor Callaghan has been consulting with the community over the last two years;

AND WHEREAS more than three hundred (300) people have attended the various community engagement events of the Working Group;

AND WHEREAS at the Diversity Summit held on November 26-27, 2004, more than twenty-five (25) Community Leaders volunteered to prepare a diversity plan for our community;

Item R-1
Diversity Thrives Here!
(continued)

NOW THEREFORE BE IT RESOLVED THAT Councillor Callaghan be appointed as Council's representative on the proposed Community Diversity Advisory Panel in recognition of his leadership role;

AND FURTHER THAT Councillor Callaghan, together with the community and staff, prepare a report for the January 13, 2005 meeting of Council containing recommendations to finalize the proposed membership structure and workplan of the Community Diversity Advisory Panel.

CARRIED

Item R-2
Junction Creek -
Creosote Clean-Up

Report dated 2004-12-08, with attachments, from the General Manager of Public Works regarding Junction Creek, Authorization to Enter into an Agreement with CPR and Domtar for the Hiring of a Consultant was received.

The following resolution was presented:

2004-650 Bradley-Gainer: THAT the City's one-third share of the costs to remediate Junction Creek as a result of creosote contamination, be funded as follows:

\$250,000 from the Tax Rate Stabilization Reserve
\$250,000 from the Capital Financing Reserve Fund-General.

CARRIED

Item R-3
Athletic Field User
Fee Harmonization

Report dated 2004-12-08, with attachments, from the General Manager of Citizen & Leisure Services regarding Athletic Field User Fee Harmonization was received.

The following resolution was presented:

2004-651 Rivest-Berthiaume: WHEREAS the Council of the City of Greater Sudbury directed that a committee be formed to make recommendations for fair and harmonized user fees for athletic fields;

AND WHEREAS the Athletic Field User Review Committee has reviewed athletic field user fees and made recommendations as to how these user fees can be harmonized for both minor and adult athletic field users;

NOW THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury adopt the recommendations of the Athletic Field User Review Committee as presented in the attached report dated December 8, 2004;

Item R-3
Athletic Field User
Fee Harmonization
(continued)

AND FURTHER THAT the necessary changes be made to the By-Law of the City of Greater Sudbury which establishes User Fees for services provided by the City of Greater Sudbury;

AND FURTHER THAT the members of the Athletic Field User Review Committee be thanked for their contributions to the community.

CARRIED

Item R-4
Bicycle Advisory Panel

Report dated 2004-12-08 from the General Manager of Citizen & Leisure Services regarding Bicycle Advisory Panel was received.

The following resolution was presented:

2004-652 Bradley-Rivest: THAT Council enact an appropriate by-law to confirm the purpose, objectives, membership and term of the Bicycle Advisory Panel;

AND THAT Councillors Gasparini and Dupuis be appointed as the Council representatives on the Bicycle Advisory Panel.

CARRIED

Item R-5
2005 Appointment -
Chair & Vice-Chair -
Priorities Committee

Report dated 2004-12-10 from the General Manager of Corporate Services regarding the Appointment of Chair and Vice-Chair, Priorities Committee - 2005 was received.

Nominations for the appointment of **Chair**, Priorities Committee were opened.

Councillor Reynolds nominated Councillor Caldarelli

There being no further nominations, nominations were closed.

The Mayor announced Councillor **Caldarelli** as Chair, Priorities Committee.

Nominations for the appointment of **Vice-Chair**, Priorities Committee were opened.

Councillor Berthiaume nominated Councillor Rivest
Councillor Gainer nominated Councillor Gasparini

There being no further nominations, nominations were closed.

Following a vote by paper ballot, the Mayor announced Councillor **Rivest** as Vice-Chair, Priorities Committee.

Item R-5
2005 Appointment -
Chair & Vice-Chair -
Priorities Committee
(continued)

The following resolution was presented:

2004-653 Bradley-Reynolds: THAT Councillor Caldarelli be appointed as Chair and Councillor Rivest be appointed as Vice-Chair of the Priorities Committee of Council for the term ending December 31, 2005, or until such time as their successors are appointed.

CARRIED

ADDENDUM

Addendum Resolution

The following resolution was presented:

2004-654 Bradley-Reynolds: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

BY-LAWS

2004-379A

3A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A CLEAN-UP COST-SHARING AGREEMENT WITH DOMTAR INC. AND CANADIAN PACIFIC RAILWAY COMPANY REGARDING THE JUNCTION CREEK CREOSOTE CONTAMINATION

Report dated 2004-12-08, with attachments, from the General Manager of Public Works regarding Junction Creek, Authorization to Enter into an Agreement with CPR and Domtar for the Hiring of a Consultant was received.

1ST & 2ND Reading

2004-655 Reynolds-Bradley: THAT By-law 2004-379A be read a first and second time.

CARRIED

3RD Reading

2004-656 Reynolds-Bradley: THAT By-law 2004-379A be read a third time and passed.

CARRIED

CIVIC PETITIONS

Brookside Road,
Chelmsford - No
Parking Zone

Councillor Bradley submitted a petition to the City Clerk signed by approximately seventy (70) residents of Brookside Road, Chelmsford which will be forwarded to the General Manager of Public Works. The petition requests that the City of Greater Sudbury declare the north side of Brookside Road, Chelmsford, across from E.S. Champlain, a no parking zone.

C.C. 2004-12-16 (23RD)

(22)

QUESTION PERIOD

Policy - Arena Ice
Availability

Councillor Callaghan asked the General Manager of Citizen & Leisure Services for an information report on the policies regarding arena ice availabilities. He stated that there have been complaints received from residents regarding the cancellation of public skating due to hockey tournaments.

Snow Plowing Delays

Councillor Dupuis stated that he received many complaints due to the fact that Ward 3 was plowed late in the day after the last snow storm. He asked the General Manager of Public Works to advise Councillors when there is a problem, so that Councillors can address complaints accordingly.

Adjournment

2004-657 Bradley-Reynolds: THAT this meeting does now adjourn.
Time: 9:00 p.m.

CARRIED

Mayor

City Clerk