

**THE FOURTEENTH MEETING OF THE COUNCIL  
OF THE CITY OF GREATER SUDBURY**

**C-11  
Tom Davies Square**

**Thursday, June 24, 2004  
Commencement: 6:24 p.m.**

**DEPUTY MAYOR DUPUIS, IN THE CHAIR**

Present Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Craig; Gainer; Kett; Reynolds; Rivest; Thompson; Mayor Courtemanche

City Officials M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; 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; R. Swiddle, City Solicitor/Director of Legal Services; T. Mowry, City Clerk; CJ Caporale, Council Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" 2004-320 Thompson-Berthiaume: That we move "In Camera" to deal with Property and Labour 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 7:02 p.m., Council recessed.

Reconvene At 7:10 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; 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; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Matheson, General Manager of Health & Social Services; D. Wuksinic, General Manager of Corporate Services; A. Stephen, General Manager of Emergency Services; R. Swiddle, Director of Legal Services/City Solicitor; P. Demers, Community Relations and Policy Advisor; M. Leduc, Deputy Fire Chief; B. Lautenbach, Director of Planning Services; G. Mazza, Director-Building Services/Chief Building Official;

City Officials  
(continued)

J. McKechnie, Executive Assistant to the Mayor; R. Hotta, Director of Pioneer Manor; K. Pelkman, Occupational Therapist - NODAC; T. Mowry, City Clerk; K. Bowschar-Lische, Planning Committee Secretary; CJ Caporale, Council Secretary

C.U.P.E.

D. Burke, CUPE National Representative; W. MacKinnon, President, CUPE Local 4705, F. Posadowski, Recording Secretary, CUPE Local 4705; G. Prieur, Vice President, CUPE Local 4705

News Media

Sudbury Star; MCTV; CIGM; Channel 10 News; Le Voyageur, Northern Life

Declarations of Pecuniary Interest

None declared.

Resignation - Member Board of Directors Sudbury & District Health Unit

Councillor Gainer expressed his appreciation to the Board of Directors of the Sudbury & District Health Unit for his time served as a Member. He then announced that he was submitting his resignation as a Member of the Board of Directors of the Sudbury & District Health Unit effective immediately.

**PRESENTATIONS/DELEGATIONS**

Item 2 Seniors Campus

Report dated 2004-06-17, with attachments, from the General Manager of Health & Social Services regarding Seniors Campus was received.

A report from KPMG Entitled "*Establishment of a Seniors Campus City of Greater Sudbury*" was received under separate cover.

Councillor Callaghan, Chair, Mayor and Council's Roundtable on Seniors' Issues and Seniors' Campus, introduced to Council the following:

- Mr. Randy Hotta, Director of Pioneer Manor
- Ms. Kim Pelkman, Occupational Therapist - NODAC
- Ms. Patricia Montpetit, Executive Director, Alzheimer Society of Sudbury-Manitoulin

An electronic presentation regarding Seniors' Campus - A Centre for Geriatric Excellence was presented to Council outlining the following:

- ▶ the vision for Northern Ontario
- ▶ members of Mayor and Council's Roundtable on Seniors' Issues and Seniors' Campus
- ▶ points of services (long-term care; research; semi-independent living/accommodation; children's day care centre; geriatric wellness centre; Alzheimer day centre and services)

Item 2  
Seniors Campus  
(continued)

- ▶ current status, evaluation & future of the Northeastern Ontario Dementia Assessment & Consultation Service
- ▶ new Alzheimer Centre located at Pioneer Manor
- ▶ overnight respite availability

The following resolution was presented:

2004-321 Berthiaume-Thompson: WHEREAS the City of Greater Sudbury has embarked upon the development and implementation of a seniors campus on the grounds of Pioneer Manor;

AND WHEREAS the proposed seniors campus will incorporate the highest standards of long term care, the northern Ontario Dementia Assessment and Consultation Services for northeastern Ontario, specialized research including best practices in long term care, the Alzheimer Society, and semi-independent living accommodation and a children's day care centre;

THEREFORE BE IT RESOLVED THAT the KPMG report entitled Establishment of a Seniors Campus for the City of Greater Sudbury be received;

AND THAT the additional 30,000 square feet of space at Pioneer Manor be sought for occupancy in keeping with the original concept of the Seniors Campus and the Pioneer Manor Strategic Plan;

AND THAT a request for proposal be issued to identify potential semi-independent living accommodation operators for the 14,000 square feet of space available within the facility, and for the 2500 - 3600 square feet available for the children's day care centre;

AND THAT the remaining 12,000 square feet of space at Pioneer Manor be distributed as up to 10,000 square feet for the Sudbury Manitoulin Alzheimer Society and 2,000 square feet for the development of a geriatric wellness centre;

AND THAT the terms of reference for the Mayor and Council's Committee on Seniors Issues be amended to enable this committee to provide advice on the evolution of the campus and to advise Council on the same;

AND THAT the consulting contract with C.J. Stewart Consulting Services be extended for a final 6 months ending December 31, 2004 under the existing terms and conditions for the purpose of setting the action and implementation plan for the Mayor and Council's Committee on Seniors Issues and to research and seek alternative funding sources for a geriatric wellness centre within the seniors campus.

**CARRIED**

Item 3  
Bill 124 Building Code  
Statute Law  
Amendment Act

Report dated 2004-06-14, with attachments, from the General Manager of Economic Development & Planning Services regarding Bill 124 Building Code Statute Law Amendment Act - Impact on Administration & Enforcement of the Ontario Building Code by the City of Greater Sudbury - Progress Update was received.

A letter dated 2004-05-05 from Association of Municipalities of Ontario (AMO) regarding *Bill 124, the Building Code Statute Law Amendment Act, 2002* was tabled at the meeting.

Mr. Guido Mazza, Director-Building Services/Chief Building Official, gave an electronic presentation regarding the following:

- ▶ historical background regarding Bill 124
- ▶ implementation timeline
- ▶ public safety
- ▶ streamlining
- ▶ accountability
- ▶ Building Services' role

The following resolution was presented:

2004-322 Thompson-Berthiaume: THAT Council receive this report for information purposes and that the Chief Building Official be instructed to work with our development industry partners on DLAC to strike committees to provide Council Recommendations on:

- Building Permit Fees - Fee for Services
- Use of Registered Code Agencies
- New Mandated Inspection Regime & Personnel Resources Requirements

as mandated under the New Ontario Building Code Act.

**CARRIED**

**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 Property and Labour 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 no resolutions emanated therefrom.

**MATTERS ARISING FROM THE PRIORITIES COMMITTEE**

Rise and Report

Councillor Kett, Chair of the Priorities Committee, reported that the Priorities Committee met on 2004-06-23 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 2004-06-15 and there were no items requiring Council approval.

## **MATTERS ARISING FROM THE FINANCE COMMITTEE**

Rise and Report Councillor Gainer, Chair of the Finance Committee, reported that the Finance Committee met on 2004-06-23 and one matter remained outstanding and would be dealt with on 2004-07-13.

## **PART I CONSENT AGENDA**

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

2004-323 Thompson-Berthiaume: THAT Items C-1 to C-12 inclusive, contained in Part I, Consent Agenda, be adopted.

**CARRIED**

## **MINUTES**

Item C-1  
Report No. 13  
City Council  
2004-06-10 2004-324 Berthiaume-Thompson: THAT Report No.13, City Council Minutes of 2004-06-10 be adopted.

**CARRIED**

Item C-2  
Report No. 12  
Planning Committee  
2004-06-15 2004-325 Thompson-Berthiaume: THAT Report No. 12, Planning Committee Minutes of 2004-06-15 be adopted.

**CARRIED**

Council Concurrence  
Store Closing Hours With the concurrence of Council, the Chair requested that the matter regarding the regulation of Store Closing Hours be brought forward for Council's consideration at the Council meeting of 2004-07-13.

Item C-3  
Report No. 11  
Priorities Committee  
2004-06-23 2004-326 Berthiaume-Thompson: THAT Report No. 11, Priorities Committee Minutes of 2004-06-23 be adopted.

**CARRIED**

Item C-4  
Report No. 14  
Finance Committee  
2004-06-23 2004-327 Berthiaume-Thompson: THAT Report No. 14, Finance Committee Minutes of 2004-06-23 be adopted.

**CARRIED**

**C.C. 2004-06-24 (14<sup>TH</sup>) (5)**

Item C-5  
Public Hearing  
Committee  
2004-06-21

2004-328 Berthiaume-Thompson: THAT the Report of the Public Hearing Committee Minutes of 2004-06-21, be adopted.

**CARRIED**

Item C-6  
Court of Revision  
2004-06-23

2004-329 Berthiaume-Thompson: THAT the Report of the Court of Revision Minutes of 2004-06-23 be adopted.

**CARRIED**

Item C-7  
Report No. 4  
Sudbury Metro Centre  
2004-05-10

2004-330 Thompson-Berthiaume: THAT Report No. 4, Sudbury Metro Centre Board of Directors Minutes of 2004-05-10 be received.

**CARRIED**

Item C-8  
T.O.C.  
2004-06-08

2004-331 Berthiaume-Thompson: THAT the Report of the Tender Opening Committee Minutes of 2004-06-08 be received.

**CARRIED**

Item C-9  
T.O.C.  
2004-06-15

2004-332 Gainer-Thompson: THAT the Report of the Tender Opening Committee Minutes of 2004-06-15 be received.

**CARRIED**

## **TENDERS**

Item C-10  
RFP - Advertising  
Services - Transit &  
Arenas

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding a Request for Proposal for Advertising Services - Contract CPS04-05 Section A - Greater Sudbury Transit and Section B - Greater Sudbury Arenas (excluding Sudbury Community Arena) was received.

The following resolution was presented:

2004-333 Gainer-Thompson: THAT the contract for the delivery of advertising services for Greater Sudbury Transit and for Community Arenas, be awarded to BK Corporate Marketing Services, these being the only proposals to meet the criteria outlined in the Request for Proposal.

The licence fee for advertising services for Greater Sudbury Transit is:

January 1, 2005 to December 31, 2005 - \$110,000  
January 1, 2006 to December 31, 2006 - \$115,000  
January 1, 2007 to December 31, 2007 - \$115,000  
January 1, 2008 to December 31, 2008 - \$117,000  
January 1, 2009 to December 31, 2009 - \$120,000

Item C-10  
RFP - Advertising  
Services - Transit &  
Arenas  
(continued)

FURTHER, BK Corporate Marketing will pay the City 35% of gross billings less direct sales expenses, or the licence fee described above, whichever amount is greater, with respect to advertising rights for Greater Sudbury Transit.

The licence fee for advertising services for Municipal Arenas, excluding the Sudbury Community Arena is:

August 1, 2004 to July 31, 2005 - \$21,500 + 5% of gross billings  
August 1, 2005 to July 31, 2006 - \$22,000 + 5% of gross billings  
August 1, 2006 to July 31, 2007 - \$23,000 + 5% of gross billings  
August 1, 2007 to July 31, 2008 - \$24,000 + 5% of gross billings  
August 1, 2008 to July 31, 2009 - \$25,000 + 5% of gross billings

FURTHER, BK Corporate Marketing will pay the City 35% of gross billings less direct sales expenses, or the licence fee described above, whichever amount is greater, with respect to all advertising rights granted to the fourteen (14) arenas, excluding the Sudbury Community Arena.

**CARRIED**

#### **ROUTINE MANAGEMENT REPORTS**

Item C-11  
Genevra House -  
Cost Sharing,  
WM Improvements

Report dated 2004-06-16 from the General Manager of Public Works regarding Genevra House, St. Raphael Street, Sudbury - Cost Sharing, Watermain Improvements was received.

The following resolution was presented:

2004-334 Berthiaume-Gainer: THAT an allocation of \$40,000 from the Capital Reserve Fund for Water be paid to Genevra House, St. Raphael Street, as the City's contribution for watermain improvements.

**CARRIED**

Item C-12  
Consulting  
Engineering Services  
Paris Street

Report dated 2004-06-16 from the General Manager of Public Works regarding Consulting Engineering Services, Paris Street Rehabilitation Project, Final Design Engineering and Construction Inspection was received.

The following resolution was presented:

2004-335 Berthiaume-Gainer: THAT the firm of Dennis Consultants, a division of R.V. Anderson Associates Limited, be appointed to complete the detailed engineering design and construction supervision for the Paris Street overpass bridge.

**CARRIED**

## **BY-LAWS**

### **THE FOLLOWING BY-LAW APPEARS FOR A THIRD AND FINAL READING:**

2004-113      3<sup>RD</sup>      A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE MAJCHER-PERRAS MUNICIPAL DRAINAGE WORKS IN THE CITY OF GREATER SUDBURY

Court of Revision - 2004-06-23

(This By-law now appears for third reading following the meeting of the Court of Revision and all appeals have been resolved.)

### **THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:**

2004-176A    3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF JUNE 24, 2004

2004-177F    3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO LEVY AND COLLECT OMITTED AND SUPPLEMENTARY REALTY TAXES FOR THE YEAR 2004

Report dated 2004-06-18 from the General Manager of Corporate Services regarding 2004 Omitted and Supplementary Tax Billing

(This report deals with the 2004 omitted and supplementary tax billing.)

2004-178T    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 2004-06-16, with attachments, from the General Manager of Public Works regarding Traffic Control - Covington Avenue, Garson.

(It was requested by the Councillor of Ward 4 to have the Yield sign changed to a Stop sign at the intersection of Covington Avenue and Parkview Drive, Garson, due to reduced visibility.)

Priorities Recommendation 2004-45

(This By-law also lowers the speed limit on Notre Dame Avenue fronting École Foyer Jeunesse in Valley East.)



**BY-LAWS (continued)**

2004-179      3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-209 TO ADOPT A MUNICIPAL ALCOHOL RISK MANAGEMENT POLICY

Council Resolution 2004-285

(This By-law updates the Municipal Alcohol policy as directed by Council at its meeting of 2004-06-10.)

2004-180F    3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT BY WAY OF LEASE AGREEMENT TO THE ONAPING FALLS LIONS CLUB FOR 31 STURGEON STREET, DOWLING

Planning Committee meeting of 2004-06-15

2004-181    3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-52 TO AUTHORIZE THE SALE OF LAND ON LOCKERBY MINE ACCESS ROAD, FAIRBANKS TOWNSHIP, TO ERIC BRETON

Planning Committee meeting of 2004-06-15

(This By-law changes the land to be transferred and the sale price to reflect the reduction in land found as a result of a survey.)

2004-182    3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PART OF PARCEL 23501"A" S.E.S., LOCKERBY MINE ACCESS ROAD, FAIRBANKS TOWNSHIP TO YVETTE LEROUX

Planning Committee meeting of 2004-06-15

2004-183A   3      A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH BELL CANADA TO SUPPLY LOCAL AND LONG DISTANCE PHONE SERVICES

Council Resolution 2004-299

**BY-LAWS (continued)**

2004-184F     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH 1141466 ONTARIO LIMITED FOR ROLL #010.018.011.00.0000

Report dated 2004-06-18 from the General Manager of Corporate Services regarding Tax Extension Agreement between the CGS and 1141466 Ontario Limited.

(This report sets out the particulars of a proposed Tax Extension Agreement between the CGS and the above-named regarding taxes owing for 0 Kingsway, Sudbury.)

2004-185G     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-331G DEALING WITH THE COLLECTION, REMOVAL AND DISPOSAL OF WASTE WITHIN THE CITY OF GREATER SUDBURY

Council Resolution 2004-301

(This updates the Waste Collection By-law in accordance with the recommendations of the Technical Steering Committee as adopted by Council.)

2004-186     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE VARIOUS CONDITIONAL GRANTS TO RAINBOW ROUTES ASSOCIATION FOR THE DESIGN AND CONSTRUCTION OF NON-MOTORIZED RECREATIONAL TRAILS WITHIN THE CITY OF GREATER SUDBURY

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding Agreement with Rainbow Routes for Trails Development.

(The City of Greater Sudbury has been working together with Rainbow Routes to develop trails over the past three years.)

**BY-LAWS (continued)**

2004-187A     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH RAINBOW ROUTES ASSOCIATION TO ADDRESS CONSTRUCTION OF A NON-MOTORIZED RECREATIONAL TRAILS ON LANDS OWNED BY THE MINISTRY OF TRANSPORTATION ONCE LICENCED TO THE CITY OF GREATER SUDBURY

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding Agreement with Rainbow Routes for Trails Development.

(The City of Greater Sudbury has been working together with Rainbow Routes to develop trails over the past three years.)

2004-188A     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH RAINBOW ROUTES ASSOCIATION TO ADDRESS CONSTRUCTION OF A NON-MOTORIZED RECREATIONAL TRAILS ON LANDS OWNED BY THE CITY OF GREATER SUDBURY

Report dated 2004-06-16 from the General Manager of Citizen & Leisure Services regarding Agreement with Rainbow Routes for Trails Development.

(The City of Greater Sudbury has been working together with Rainbow Routes to develop trails over the past three years.)

2004-189P     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT OFFICIAL PLAN AMENDMENT NUMBER 225 FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2003-122

(This amendment is a site specific Official Plan amendment to establish rural land use policies, wherein additional uses being the storage, maintenance and sale of mobile homes, trailers, cargo containers and storage garages would be permitted. Valley View Mobile Homes Village Inc., Gravel Drive, Hanmer.)

**BY-LAWS (continued)**

2004-190A     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A MEMORANDUM OF UNDERSTANDING WITH THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR THE STRONG COMMUNITIES RENT SUPPLEMENT PROGRAM

Priorities Committee meeting of 2004-06-23

2004-191F     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES

Report dated 2004-06-18, with attachments, from the General Manager of Corporate Services regarding Tax Adjustments Under Section 357 and 358 of the Municipal Act.

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

**THE FOLLOWING BY-LAWS APPEAR FOR FIRST AND SECOND READING ONLY:**

2004-192     2     A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE THE REMAINDER OF THE LANE SOUTH OF VAN HORNE STREET ABUTTING LOTS 112 TO 117, PLAN 2-S, SUDBURY

Planning Committee meeting of 2004-06-15

2004-193     2     A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE FREDERICK STREET (UNOPENED) SOUTH OF VAN HORNE STREET ABUTTING LOTS 111 AND 112, PLAN 2-S, SUDBURY AND TO TRANSFER IT TO THE ROMAN CATHOLIC EPISCOPAL CORPORATION OF THE DIOCESE OF SAULT STE. MARIE

Planning Committee meeting of 2004-06-15

2004-194     2     A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE THE NICKEL LAKE SHORE ALLOWANCE

Planning Committee Recommendation 2004-147

## **BY-LAWS (continued)**

### 1<sup>ST</sup> & 2<sup>ND</sup> Reading

2004-336 Berthiaume-Gainer: THAT By-law 2004-176A to and including By-law 2004-194 be read a first and second time.

**CARRIED**

### 3<sup>RD</sup> Reading

2004-337 Berthiaume-Gainer: THAT By-law 2004-113, By-law 2004-176A to and including By-law 2004-191F be read a third time and passed.

**CARRIED**

## **CORRESPONDENCE FOR INFORMATION ONLY**

### Item C-13 ROMA Reciprocal Insurance Program Retro-Assessment

Report dated 2004-06-18, with attachments, from the General Manager of Corporate Services regarding ROMA Reciprocal Insurance Program Retro-assessment was received for information only.

### Item C-14 Azilda WWTP Status Update

Report dated 2004-06-16 from the General Manager of Public Works regarding Status Update, Azilda Wastewater Treatment Plant was received for information only.

### Item C-15 Working Hours - Road Construction Projects

Report dated 2004-06-16 from the General Manager of Public Works regarding Working Hours - Road Construction Projects - Contract 2004-17, Paris Street Widening and Resurfacing was received for information only.

### Report - Policy Review Road Construction

Councillor Callaghan stated that Council was funding a major road construction program during its term and that this has a potential of disrupting residents and businesses along these routes. He recommended that the General Manager of Public Works be directed to undertake a policy review on how the City can manage the concerns of businesses and residents affected by the road construction. The concurrence of Council for such a policy review was received.

**PART II**  
**REGULAR AGENDA**

**REFERRED AND DEFERRED MATTERS**

Item R-1  
Amendment - Open  
Air Burning Report dated 2004-06-18, with attachments, from the General Manager of Corporate Services regarding Amendment to By-law 2004-160 Regulate Open Air Burning was received for information only.

**2004-160 3<sup>RD</sup> A BY-LAW OF THE CITY OF GREATER SUDBURY  
TO REGULATE OPEN AIR BURNING**

(At the Council meeting of 2004-06-10, Council deferred By-law 2004-160 in order for staff to make amendments.)

Amendment to  
By-law 2004-160 Councillor Rivest requested that By-law 2004-160 be amended as follows:

Rivest-Reynolds: THAT burning for slaughtering purposes in agriculturally designated areas be exempt from total fire bans.

Motion to Withdraw With the consent of the majority of Members present, Council agreed to withdraw the foregoing amendment.

By-Law 2004-160  
3<sup>RD</sup> Reading 2004-338 Berthiaume-Gainer: THAT By-law 2004-160 be read a third time and passed.

**CARRIED**

**MANAGERS' REPORTS**

Item R-2  
2004 Tourism  
Development Plan Report dated 2004-06-16, with attachments, from the General Manager of Economic Development & Planning Services regarding Economic Development Capital Envelope - 2004 Tourism Development Plan was received.

The following resolution was presented:

2004-339 Berthiaume-Gainer: WHEREAS tourism development is one of five engines of growth identified in Coming of Age in the 21<sup>st</sup> Century - An Economic Development Strategic Plan for Greater Sudbury 2015;

AND WHEREAS the Greater Sudbury Development Corporation has approved support for the 2004 Tourism Development Plan;

THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury support the plan with a contribution of \$147,000 from the 2004 Economic Development Capital Envelope.

**CARRIED**

## **ADDENDUM**

### **Addendum Resolution**

The following resolution was presented:

2004-340 Berthiaume-Gainer: THAT the Addendum to the Agenda be dealt with at this time.

**CARRIED**

### **Declarations of Pecuniary Interest**

Councillor Rivest declared a conflict of interest regarding By-law 2004-199Z (OCL Custom Crushing & Quarrying Ltd.) as his family is involved in the sand and gravel business.

### **Item AD-1 Sudbury Bluesfest**

Report dated 2004-06-22, with attachments, from the General Manager of Corporate Services regarding Special Occasion Permit & Noise By-law Exemption - Sudbury Bluesfest was received.

The following resolution was presented:

2004-341 Berthiaume-Gainer: 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) and the issuance of a Special Occasion Permit to Sudbury Bluesfest which will be held at the Laurentian University, 936 Ramsey Lake Road, Sudbury, Ontario for their 1<sup>st</sup> Annual Sudbury Bluesfest on July 23-25, 2004. The hours of operation are 11:30 a.m. to 11:30 p.m. with an anticipated attendance of 8000 people over the weekend.

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

**CARRIED**

### **Item AD-2 Les Scouts du Canada**

Report dated 2004-06-22, with attachments, from the General Manager of Corporate Services regarding Special Occasion Permit - Les Scouts du Canada was received.

The following resolution was presented:

2004-342 Berthiaume-Gainer: THAT this Council has no objection to the issuance of a Special Occasion Permit to Marc Forget on behalf of Les Scouts du Canada which will be held at the Chelmsford Golf Course at 99 Golf Course Road, Chelmsford, Ontario for the Annual Flour Mill Golf Tournament on July 10-11, 2004. The hours of operation are 11:00 a.m. to 8:00 p.m. with an anticipated attendance of 200 people each day.

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

**CARRIED**

## **BY-LAWS**

2004-196A     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A LICENCE AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTRY OF TRANSPORTATION FOR ONTARIO

(Refers to report on page 48 of Council Agenda dated 2004-06-24.)

2004-197     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.)

2004-198Z     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 2004-59.

(This by-law rezones the property to "R1.D18", Single Residential to permit the creation of four single residential lots. These lands are the subject of concurrent Consent Applications B0027/2004 to B0030/2004 inclusive. - Dalron Construction, Niemi Road, Lively)

2004-199Z     3     A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER CITY OF VALLEY EAST AND TOWN OF ONAPING FALLS

Planning Committee Recommendation 2004-108

(This By-law rezones the subject property to "M5-5" to permit a pit, provided that no part of the excavation shall be located closer than 150 metres from the nearest residential dwelling. - in Lots 9 & 10 Concession 4, Township of Capreol - OCL Custom Crushing and Quarrying Limited.)



## **BY-LAWS (continued)**

By-Law 2004-196A to  
By-Law 2004-198Z  
1<sup>ST</sup> & 2<sup>ND</sup> Reading

2004-343 Gainer-Berthiaume: THAT By-law 2004-196A to and including By-law 2004-198Z be read a first and second time.

**CARRIED**

By-Law 2004-196A to  
By-Law 2004-198Z  
3<sup>RD</sup> Reading

2004-344 Gainer-Berthiaume: THAT By-law 2004-196A to and including By-law 2004-198Z be read a third time and passed.

**CARRIED**

By-Law 2004-199Z  
1<sup>ST</sup> & 2<sup>ND</sup> Reading

2004-345 Berthiaume-Bradley: THAT By-law 2004-199Z be read a first and second time.

**CARRIED**

By-Law 2004-199Z  
3<sup>RD</sup> Reading

2004-346 Berthiaume-Bradley: THAT By-law 2004-199Z be read a third time and passed.

**CARRIED**

Declaration of  
Pecuniary Interest

Councillor Rivest, having declared a conflict of 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.

## **CIVIC PETITIONS**

Councillor Kett

Councillor Kett submitted a petition to the City Clerk, signed by approximately seventy (70) members of a fitness group in Walden. The petition requests that the City of Greater Sudbury reinstate their fitness instructor, an employee of the City of Greater Sudbury, who was recently given Notice of Termination, due to age.

Councillor Reynolds

Councillor Reynolds submitted a petition to the City Clerk, signed by approximately sixty-four (64) residents of Ward 6. The petition requests that traffic lights be installed at Moonlight Avenue and Highway 17 East, and that Bancroft Drive from Levesque Street to and including Moonlight Avenue and Ridgemount Avenue be repaired.

## **QUESTION PERIOD**

Highway 144  
Sidewalks

Councillor Bradley asked the General Manager of Public Works what the status was concerning the negotiations with the Ministry of Transportation regarding the construction of sidewalks on Highway 144. Mr. Belisle advised that MTO will construct the sidewalks if the City paid for the work.

Street Lights at  
Lasalle Blvd and  
MR 35

Councillor Bradley asked the General Manager of Public Works if street lights could be installed at the intersection of Lasalle Boulevard and MR 35. Mr. Belisle advised Council that staff will take light level readings and if street lights are warranted then they will be installed.

Topsoil Stripping

Councillor Bradley, in his opinion, stated that if the City were to wait for the new Official Plan to be approved the topsoil in Ward 3 would be stripped. The City Solicitor advised Council that because existing mapping can be used, they could proceed with the By-law without having to wait for the approval of the new Official Plan.

Street Lights at  
MR 35 and  
Whitewater Lake Road

Councillor Bradley asked the General Manager of Public Works if a light level reading could be taken at the intersection of MR 35 and Whitewater Lake Road to determine if street lights are required. Mr. Belisle informed Council that this could be done in conjunction with MR 35 and Lasalle Boulevard intersection.

Building Permits for  
Group Homes

Councillor Kett stated that there is a second group home being built on Clemow Street, in the Gatchell area, and the residents are inquiring why they did not receive notice. The General Manager of Economic Development & Planning Services advised Council that notices are only sent if there is a rezoning application and stated that these group homes only require residential zoning. Mr. Nadorozny also advised that these group homes are mandated by the Provincial government and that the City has no jurisdiction.

Councillor Kett requested that the Building Services Department send an informal notice to the Ward Councillors affected. Mr. Nadorozny will communicate this to staff to verify our legal rights.

Legal Ramifications -  
Item C-12 (Paris St.  
Rehabilitation)

Councillor Rivest asked the City Solicitor that once an agreement has been entered with a contractor, without a tender, is it possible to re-tender. The City Solicitor advised that in such a circumstance, the City is legally bound to honour the agreement.

Adjournment

2004-347 Gainer-Berthiaume: THAT this meeting does now adjourn.  
Time: 9:59 p.m.

**CARRIED**

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Mayor

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City Clerk