



City Council AGENDA

FOR THE REGULAR MEETING OF CITY COUNCIL
TO BE HELD ON **THURSDAY, NOVEMBER 27, 2003** AT 7:00 P.M.
IN THE COUNCIL CHAMBER, TOM DAVIES SQUARE

**7:00 P.M. REGULAR COUNCIL MEETING
COUNCIL CHAMBER, TOM DAVIES SQUARE**

(PLEASE ENSURE CELL PHONES AND PAGERS ARE TURNED OFF)

The Council Chamber of Tom Davies Square is wheelchair accessible. Please speak to the City Clerk prior to the meeting if you require a hearing amplification device. Persons requiring assistance are requested to contact the City Clerk's Office at least 24 hours in advance of the meeting if special arrangements are required. Please call (705) 671-2489, extension 2475. Telecommunications Device for the Deaf (TTY) (705) 688-3919. Copies of Agendas can be viewed on the City's web site at www.city.greatersudbury.on.ca.

1. Moment of Silent Reflection
2. Roll Call
3. Declarations of Pecuniary Interest

PUBLIC HEARINGS

{NONE}

DELEGATIONS/PRESENTATIONS

4. Letter dated 2003-11-06 from Music and Film in Motion regarding an Update on the Activities of Music and Film in Motion within the City of Greater Sudbury.
(VERBAL PRESENTATION) (FOR INFORMATION ONLY)

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- ▶ Mark Palumbo, President

MATTERS ARISING FROM THE "IN CAMERA" SESSION

At this point in the meeting, the Chair, Deputy Mayor Petryna, will rise and report any matters discussed during the "In Camera" session. Council will then consider any resolutions or by-laws.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE: 2003-11-26

At this point in the meeting, the Chair of the Priorities Committee, Deputy Mayor Courtemanche, will bring forward any matter requiring Council approval.

MATTERS ARISING FROM THE PLANNING COMMITTEE: 2003-11-25

At this point in the meeting, the Chair of the Planning Committee, Councillor Bradley, will bring forward any matter requiring Council approval.

PART I - CONSENT AGENDA

(RESOLUTION PREPARED adopting resolutions for Items C-1 to C-14 contained in the Consent Agenda)

(For the purpose of convenience and for expediting meetings, matters of business of repetitive or routine nature are included in the Consent Agenda, and all such matters of business contained in the Consent Agenda are voted on collectively.

A particular matter of business may be singled out from the Consent Agenda for debate or for a separate vote upon the request of any Councillor. In the case of a separate vote, the excluded matter of business is severed from the Consent Agenda, and only the remaining matters of business contained in the Consent Agenda are voted on collectively.

Each and every matter of business contained in the Consent Agenda is recorded separately in the minutes of the meeting.)

MINUTES

- C-1 Report No. 61, City Council, Minutes of 2003-11-13.
(RESOLUTION PREPARED - MINUTES ADOPTED)

M1 - M12

- C-2 Report No. 26, Priorities Committee, Minutes of 2003-11-26.
(RESOLUTION PREPARED - MINUTES ADOPTED)(MINUTES TABLED)

PART I - CONSENT AGENDA (continued)

MINUTES (continued)

- C-3 Report No. 27, Planning Committee, Minutes of 2003-11-25.
(RESOLUTION PREPARED - MINUTES ADOPTED)(MINUTES TABLED)
- C-4 Report No. 4, Property Standards Appeal Committee, Minutes of 2003-11-12.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M13 - M14**
- C-5 Report No. 20, Sudbury Metro Centre, Minutes of 2003-09-30.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M15 - M18**
- C-6 Report No. 7, Sudbury & District Health Unit, Minutes of 2003-09-18.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M19 - M25**
- C-7 Report No. 8, Sudbury & District Health Unit, Minutes of 2003-10-16.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M26 - M34**
- C-8 Report of the Tender Opening Committee, Minutes of 2003-11-14.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M35**

TENDERS

{NONE}

ROUTINE MANAGEMENT REPORTS

- C-9 Report dated 2003-11-19 from the General Manager of Public Works regarding Recommendations from the Technical Steering Committee (Waste Optimization Study).
(RESOLUTION PREPARED) **2 - 5**

(The Technical Steering Committee (for the Waste Optimization Study) has been given the responsibilities to function as Council's public liaison committee on current waste management issues. The attached report summarizes the various issues and what the Technical Steering Committee is recommending.)

- C-10 Report dated 2003-11-18 from the General Manager of Corporate Services regarding Purchasing By-law Consequential Amendments.
(RESOLUTION PREPARED)(REFER TO BY-LAWS 2003-294, 2003-295 & 2003-296) **6 - 11**

(The City's present Purchasing By-law will be repealed effective January 1, 2004 and will be replaced by the new Purchasing By-law, By-law 2003-300, passed by Council in October, 2003.

As a result of the repeal, there are amendments to existing bylaws which are required in order to maintain certain powers, authorities and budget procedures. It was expected that these consequential amendments would follow the passing of the Purchasing By-law 2003-300.

A new Property By-law is required in order to ensure that the City has established procedures governing the acquisition and disposal of lands subsequent to January 1, 2004.)

PART I - CONSENT AGENDA (continued)

ROUTINE MANAGEMENT REPORTS (continued)

- C-11 Report dated 2003-11-14 from the General Manager of Citizen & Leisure Services regarding Rayside-Balfour Fitness Centre. **12 - 13**
(RESOLUTION PREPARED)

(The Rayside-Balfour Fitness Centre is operated in partnership between the Rayside-Balfour Fitness Association and the municipality. Under the terms of the agreement all revenues and fundraising from the Rayside-Balfour Fitness Centre are deposited to the Rayside-Balfour Fitness Centre Reserve Fund for the express purpose of completing capital projects at the centre. The Association and City staff are recommending that Council authorize the draw from reserve for the purpose of facility renovation and equipment acquisition.)

- C-12 Report dated 2003-11-13 from the General Manager of Citizen & Leisure Services regarding Contract for the Procurement, Cataloguing and Processing of Library Materials. **14 - 16**
(RESOLUTION PREPARED)

(The Greater Sudbury Public Library uses an agent for the ordering, cataloguing and processing of materials for the library collections. It is recommended that the current contract with the Library Services Centre (LSC) be extended for a period of three years, with an option to negotiate for an additional two year extension if pricing remains favourable. The proposed contract extension is good for the City of Greater Sudbury as prices remain at 2003 levels in 2004 and increase by less than the rate of inflation for 2005 and 2006.)

- C-13 Report dated 2003-11-17 from the General Manager of Citizen & Leisure Services regarding Sudbury Community Arena Agreement with Molson Canada. **17 - 18**
(RESOLUTION PREPARED) (REFER TO BY-LAWS 2003-295 & 2003-298A)

(The City of Greater Sudbury has been requested to enter into an agreement with Molson Canada so as to allow for minor renovations at the Sudbury Community Arena to facilitate the introduction of a special promotion entitled "The Best Seats in the House".)

- C-14 Report dated 2003-11-20, with attachments, from the General Manager of Citizen & Leisure Services regarding Accessible Transportation Christmas and Other Statutory Holidays. **19 - 21**
(RESOLUTION PREPARED)

(Accessible transportation service on statutory holidays in the commuter areas has been provided only by a privately run accessible taxi company which will not be operating this holiday season. To ensure that citizens who require accessible transportation can visit with their families this holiday season and on other statutory family holidays, it is recommended that Council amend the harmonization of Handi-Transit service in commuter areas by immediately implementing service prior to this Christmas season.)

TELEPHONE POLLS

{NONE}

PART I - CONSENT AGENDA (continued)

BY-LAWS

THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:

2003-287A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO CONFIRM THE PROCEEDINGS OF COUNCIL
AT ITS MEETING OF NOVEMBER 27, 2003

2003-288 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AUTHORIZE THE SALE OF LAND IN THE
INDUSTRIAL PARK, WALDEN TO SANDVIK
TAMROCK CANADA INC.

Planning Committee meeting of November 25, 2003

2003-289Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 95-500Z, THE
COMPREHENSIVE ZONING BY-LAW OF THE
FORMER CITY OF SUDBURY

Planning Committee Recommendation 2003-199

(This By-law revises the "C2-33", Special General
Commercial zone with respect to the subject lands to
permit a commercial dance studio and service trades as
additional land uses within the "C2-33" zone - Henry
Crocco Company Limited, 887 Notre Dame Avenue,
Sudbury.)

2003-290T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 2003-195T, BEING A BY-LAW
TO AMEND BY-LAW 2001-1 TO REGULATE
TRAFFIC AND PARKING ON ROADS IN THE CITY
OF GREATER SUDBURY

(This By-law corrects a typographical error in By-law
2003-195T.)

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

2003-291Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 95-500Z, THE
COMPREHENSIVE ZONING BY-LAW OF THE
FORMER CITY OF SUDBURY

Planning Committee Recommendation 2003-504

(This By-law rezones the subject property to a revised General Commercial Special which deletes an automobile repair shop, an automobile service station and a recreational vehicle sales business as permitted uses and adds a commercial school, an office, an eat-in restaurant, a scientific or medical laboratory, a service trade and an automobile dealership to the uses permitted. 2752280 Canada Inc. (Agent: Robert Lefebvre), 1133 Notre Dame Avenue, Sudbury.)

2003-292Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 95-500Z, THE
COMPREHENSIVE ZONING BY-LAW OF THE
FORMER CITY OF SUDBURY

Planning Committee Recommendation 2003-197

(This by-law rezones the subject property to Single Residential to permit an expansion to an existing draft approved subdivision plan. The subject property, being approximately 3.25 acres in size will accommodate 10 new lots and 8 part lots all for single residential use. Dalron Construction Limited, Part of Parcels 48646 and 50208 SES in Lots 4 and 5, Concession 6, Broder Township (Algonquin II) Trail Ridge to Mist Hollow.)

2003-293Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AMEND BY-LAW 95-500Z, THE
COMPREHENSIVE ZONING BY-LAW OF THE
FORMER CITY OF SUDBURY

Planning Committee meeting of November 25, 2003

(This By-law rezones the driveway which provides access to 1361 Paris Street in order to correct a 1 metre encroachment onto the subject lands. Part of Parcel 7935, being Parts 2, 3, 4 & 5, Plan 53R-13342, in Lot 6, Concession 2, Township of McKim - Prime Properties/Dalron Construction.)

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

2003-294	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY GOVERNING PROCEDURES FOR THE ACQUISITION AND SALE OF LAND</p> <p>Report dated 2003-11-18 from the General Manager of Corporate Services.</p>	<p>6 - 11</p>
2003-295	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO DELEGATE SPECIFIC AUTHORITY TO CITY OFFICIALS TO CARRY ON CERTAIN MATTERS ON BEHALF OF THE CITY OF GREATER SUDBURY</p> <p>Report dated 2003-11-18 from the General Manager of Corporate Services and report dated 2003-11-17 from the General Manager of Citizen & Leisure Services.</p>	<p>6 - 11 17 - 18</p>
2003-296	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE CONTINUATION OF CERTAIN PROVISIONS OF PURCHASING BY-LAW 2001-2</p> <p>Report dated 2003-11-18 from the General Manager of Corporate Services.</p>	<p>6 - 11</p>
2003-297	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE SHAREHOLDER DECLARATION FOR THE GREATER SUDBURY UTILITIES INC. AND SUBSIDIARY COMPANIES</p> <p>(This By-law updates the size and composition of the Boards as directed by Council at its meeting of November 27, 2003.)</p>	
2003-298A	3	<p>A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH MOLSON CANADA FOR THE BEST SEATS IN THE HOUSE PROMOTION</p> <p>Report dated 2003-11-17 from the General Manager of Citizen and Leisure Services.</p>	<p>17 - 18</p>

PART I - CONSENT AGENDA (continued)

CORRESPONDENCE FOR INFORMATION ONLY

- C-15 Report dated 2003-11-18 from the General Manager of Health & Social Services regarding Sunset Review - Mayor and Council's Children First Roundtable. **22 - 24**
(FOR INFORMATION ONLY)

(This report provides a rationale for the continuation of the Mayor and Council's Committee on Children's issues, its operational Terms of Reference, and a review of the activities of the Committee since its inception.)

- C-16 Report dated 2003-11-19 from the General Manager of Public Works regarding 9-1-1 House Numbering Identification Program. **25 - 26**
(FOR INFORMATION ONLY)

(As part of the 2003 Budget, Council approved a one time expenditure as a Modified Budget Level in the amount of \$235,000 for the fabrication and installation of green driveway markers to complete the 9-1-1 house number program. During the summer of 2001, a field review of all rural roads within the new City identified approximately 4272 outstanding locations requiring 9-1-1 driveway markers.

Between June and October 2003, the installation of the driveway markers along public roadways within the City of Greater Sudbury, was conducted by six summer students.)

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

{NONE}

MANAGERS' REPORTS

- R-1 Report dated 2003-11-20, with attachments, from the General Manager of Economic Development & Planning Services regarding Seed Funding for the Development of Sudbury and Area Mining Supply and Services Association (SAMSSA). **27 - 33**
(RESOLUTION PREPARED)

(At its meeting on November 12, 2003 the GSDC board approved the recommendation of the CED Committee to support the Sudbury Area Mining & Supply Services Association (SAMSSA) with one time seed funding in the amount of \$48,750.

With the approval of the strategic plan, work started right away on the mining cluster. A Mining Cluster Coordinating Committee (MCCC) has been established to guide and communicate the work of this cluster. Several community groups were already very active in this sector and they were anxious to move forward with their individual efforts. Two specific activities require action immediately to move forward in a timely manner.)

PART II - REGULAR AGENDA (continued)

MANAGERS' REPORTS (continued)

- R-2 Report dated 2003-11-20 from the General Manager of Economic Development & Planning Services regarding Development of a Post Graduate Diploma Program in Science Communications at Laurentian University. **34 - 36**
(RESOLUTION PREPARED)

(Science North and Laurentian University wish to create a centre of excellence in science communication by developing a post graduate diploma in this field. A first for North America, this year-long program would prepare individuals with a science background for careers in raising public awareness for science.)

MOTIONS

- R-3 **Presented by Councillor Davey:**

WHEREAS it is recognized by all levels of government that reliance on property taxes by municipalities is inherently flawed as an instrument for funding the long-term needs of municipalities based as they are on assessable property values and not the ability to pay;

AND WHEREAS the regressive nature of the property tax means it is a poor match for funding in the area of income redistribution, a responsibility that is increasingly being laid at the door of municipal governments as the Province of Ontario has moved to download responsibilities in the area of social-services delivery;

AND WHEREAS the commercial/industrial portion of the property tax impedes Canada's international competitiveness;

AND WHEREAS property values do not rise in tandem with the cost of municipal programs and services;

AND WHEREAS municipalities' power to raise and spend revenue is limited to what is granted to them in provincial legislation;

AND WHEREAS it is agreed at all levels of government that the erosion of municipal infrastructure is a significant threat to the quality of life in Canada and that merely maintaining existing roads, bridges, transit systems and other types of infrastructure is not enough - modernization is also required and therefore municipalities in Canada need access to new sources of ongoing revenue;

AND WHEREAS giving municipalities the power to design and administer their own sales taxes would be expensive and cumbersome to operate;

AND WHEREAS the Government of Canada has within its ability to save municipalities money by eliminating the tax transfer that presently goes from municipalities to the Federal Government;

PART II - REGULAR AGENDA (continued)

MOTIONS (continued)

AND WHEREAS eliminating the existing reduced Goods and Services Tax (GST) would realize an additional \$450 million a year for Canada's municipalities and an estimated \$2.7 million (net of rebates) to the City of Greater Sudbury;

AND WHEREAS the elimination of the GST would produce additional savings because the administrative requirement for accounting for the GST would also be eliminated;

AND WHEREAS zero rating the GST charged to municipalities is entirely within the legislative power of the Government of Canada and does not require any consultation or negotiation with other levels of governments but could be achieved by the passing of a Regulation under the Excise Tax Act thereby returning much need tax dollars to work for Canadian communities;

AND WHEREAS if such a re-balancing were to be implemented then the overall tax burden of all Canadians would not be increased, and the funds represented by GST could be invested in replacing and repairing the municipalities' deteriorating infrastructure.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury hereby calls upon the Government of Canada to immediately exempt all municipalities from the Goods and Services Tax.

AND FURTHER THAT copies of this resolution be forward to the Right Honourable Jean Chrétien, Prime Minister of Canada, the Honourable John Manley, Deputy Prime Minister and Minister of Finance, the Honourable Elinor Caplan, Minister of National Revenue, the Honourable Allan Rock, Minister of Industry and Minister responsible for Infrastructure, FONOM, AMO, FCM, and all local members of Parliament.

R-4 Presented by Councillor Davey:

WHEREAS it is recognized by all levels of government that reliance on property taxes by municipalities is inherently flawed as an instrument for funding the long-term needs of municipalities based as they are on assessable property values and not the ability to pay;

AND WHEREAS the regressive nature of the property tax means it is a poor match for funding in the area of income redistribution, a responsibility that is increasingly being laid at the door of municipal governments as the Province of Ontario has moved to download responsibilities in the area of social-services delivery;

AND WHEREAS the commercial/industrial portion of the property tax impedes competitiveness;

PART II - REGULAR AGENDA (continued)

MOTIONS (continued)

AND WHEREAS property values do not rise in tandem with the cost of municipal programs and services;

AND WHEREAS municipalities' power to raise and spend revenue is limited to what is granted to them in provincial legislation;

AND WHEREAS it is agreed at all levels of government that the erosion of municipal infrastructure is a significant threat to the quality of life in Ontario and that merely maintaining existing roads, bridges, transit systems and other types of infrastructure is not enough - modernization is also required and therefore municipalities in Ontario need access to new sources of ongoing revenue;

AND WHEREAS giving municipalities the power to design and administer their own sales taxes would be expensive and cumbersome to operate;

AND WHEREAS the Province of Ontario has within its ability to immediately lessen the burden and strain on municipal finances by exempting municipalities from the Provincial Sales Tax (PST);

AND WHEREAS the elimination of the provincial sales tax for municipal government's purchase of services and goods would return an estimated \$3.8 million per year to the City of Greater Sudbury alone and an estimated \$180 to \$210 million per year to all Ontario municipalities;

AND WHEREAS eliminating the charging of PST to municipalities is entirely within the legislative power of the Province of Ontario and does not require any consultation or negotiation with other levels of governments but could be achieved by the passing of a Regulation under the Retail Sales Act thereby returning much need tax dollars to work for Ontario communities;

AND WHEREAS if such a re-balancing were to be implemented then the overall tax burden of Sudburians, and Ontarians, would not be increased, and the funds represented by PST could be invested in replacing and repairing the municipalities' deteriorating infrastructure.

NOW THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury hereby petitions the Government of Ontario to immediately exempt by regulation all Ontario municipalities from the Provincial Sales Tax.

AND FURTHER THAT copies of this resolution be forward to the Honourable Dalton McGuinty, Premier of the Province of Ontario and Minister of Intergovernmental Affairs, the Honourable Greg Sorbara, Minister of Finance, the Honourable John Gerretsen, Minister of Municipal Affairs, the Honourable Rick Bartolucci, Minister of Northern Development and Mines, FONOM, AMO, and all local members of the Legislative Assembly of Ontario.

PART II - REGULAR AGENDA (continued)

MOTIONS (continued)

R-5 Presented by Councillor Petryna:

WHEREAS the members of the Accessibility Committee have coordinated the preparation of both the Transit Accessibility Plan and the recent City's Accessibility Plan; and

WHEREAS the current members of the Accessibility Committee have expressed their willingness to continue serving in the Committee to carry out the implementation of both Plans; and

WHEREAS the Council adopted Accessibility Plan recommends to expand the Committee's membership in order to reflect the range of disabilities contemplated in the Ontarians with Disabilities Act;

THEREFORE BE IT RESOLVED THAT Council recommends to the newly elected Council the re-appointment of the current members of the Accessibility Advisory Committee, and that the membership be expanded to include persons with disabilities as nominated by the following three organizations:

- Canadian National Institute for the Blind, CNIB
- Canadian Hearing Society
- The Canadian Mental Health Association

and a parent of a disabled child.

ADDENDUM

CIVIC PETITIONS

QUESTION PERIOD

NOTICES OF MOTIONS

"IN CAMERA" (Incomplete Items)

10:00 P.M. ADJOURNMENT (RESOLUTION PREPARED)

{TWO-THIRDS MAJORITY REQUIRED TO PROCEED PAST 10:00 P.M.}

2003-11-21

**THOM M. MOWRY
CITY CLERK**

**CORRIE-JO CAPORALE
COUNCIL SECRETARY**