

Regular Council

Agenda

For The City Council Meeting
To Be Held On

TUESDAY, SEPTEMBER 23RD, 2003

COUNCIL CHAMBER

Tom Davies Square

7:00 p.m.



FOR THE REGULAR MEETING OF CITY COUNCIL
TO BE HELD ON **TUESDAY, SEPTEMBER 23RD, 2003** AT 7:00 P.M.
IN THE COUNCIL CHAMBER, TOM DAVIES SQUARE

- 5:00 P.M. COMMITTEE OF THE WHOLE - "IN CAMERA"**
COMMITTEE ROOM C-11, TOM DAVIES SQUARE
To deal with: Property, Litigation and Personnel Matters
- 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}

DELEGATION/PRESENTATIONS

4. Presentation regarding an annual update for the Northern Centre for Advanced Technology (NORCAT).
(RESOLUTION PREPARED)

- Mr. Darryl Lake, Executive Director/CEO, NORCAT

(Refer to Item R.11, motion presented by Councillor Callaghan. This motion was presented to Council on September 11, 2003.)

MATTERS ARISING FROM THE "IN CAMERA" SESSION

At this point in the meeting, the Deputy Mayor Portelance 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: 2003-09-22

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

PART 1 - 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. 57, City Council, Minutes of 2003-09-11.
(RESOLUTION PREPARED - MINUTES ADOPTED) **M1 - M13**
- C.2 Report No. 22, Priorities Committee, Minutes of 2003-09-22.
(RESOLUTION PREPARED - MINUTES ADOPTED) (MINUTES TABLED)

MINUTES (continued)

- C.3 Report No. 3, Finance Committee, Minutes of 2003-09-22.
(RESOLUTION PREPARED - MINUTES ADOPTED) (MINUTES TABLED)
- C.4 Report of Greater Sudbury Police Services, Minutes of 2003-05-21.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M14 - M18**
- C.5 Report of Greater Sudbury Police Services, Minutes of 2003-06-23.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M19 - M23**
- C.6 Report of Tender Opening Committee, Minutes of 2003-09-16.
(RESOLUTION PREPARED - MINUTES RECEIVED) **M24 - M25**

TENDERS

- C.7 Report dated 2003-09-17 from General Manager of Public Works regarding Contract 2003-24, Storm Drainage Improvements - Various Locations.
(RESOLUTION PREPARED) **1 - 2**

ROUTINE MANAGEMENT REPORTS

- C.8 Report dated 2003-09-09 from General Manager of Economic Development & Planning Services regarding Special Occasion Permit - Ukrainian National Federation Annual "Yarmarok".
(RESOLUTION PREPARED) **3 - 4**
- C.9 Report dated 2003-09-18 from General Manager of Economic Development & Planning Services regarding Special Occasion Permit - Northern Lights Festival Boréal - Welcome Back Block Party.
(RESOLUTION PREPARED) **5 - 6**
- C.10 Report dated 2003-09-17, with attachments, from General Manager of Public Works regarding Brunet Municipal Drain.
(RESOLUTION PREPARED) **7 - 11**
- C.11 Report dated 2003-09-16 from General Manager of Corporate Services regarding Sale of Surplus Land Parcel 30039 S.E.S. being Parts 1 & 2 Plan 53R-14270 - Normand Street, Chelmsford.
(RESOLUTION PREPARED) **(REFER TO BY-LAW 2003-236)** **12 - 13**

(The Planning Committee at its meeting of March 17, 2003 declared the subject land surplus. The property was listed with the Sudbury Real Estate Board's multiple listing service and we have received an offer on the property. It is recommended that the offer received be accepted and that an appropriately worded by-law be passed authorizing the sale.)

ROUTINE MANAGEMENT REPORTS (continued)

- C.12 Report dated 2003-09-16 from General Manager of Corporate Services regarding Sale of Surplus Land Lot 28 Plan M-31 - Harty Street, Sudbury. **14 - 15**
(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-235)

(The Planning Committee at its meeting of February 11, 2003 declared the subject land surplus. The property was listed with the Sudbury Real Estate Board's multiple listing service and we have received an offer on the property. It is recommended that the offer received be accepted and that an appropriately worded by-law be passed authorizing the sale.)

- C.13 Report dated 2003-09-19, with attachments, from General Manager of Corporate Services regarding Tax Adjustments Under Sections 357 and 358 of the Municipal Act. **16 - 23**
(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-234F)

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

- C.14 Report dated 2003-09-19 from General Manager of Corporate Services regarding 2003 Omitted and Supplementary Tax Billing. **24 - 25**
(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-232F)

(This report deals with the 2003 omitted and supplementary tax billing.)

TELEPHONE POLLS

{NONE}

BY-LAWS (ALL BY-LAWS APPEAR FOR THREE READINGS)

- 2003-229A 3 A BY-LAW OF THE CITY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF SEPTEMBER 23, 2003

- 2003-230A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH VITALAIRE CANADA INC. FOR RESPIRATORY SERVICES FOR PIONEER MANOR

Council Resolution No. 2003-338

(This award was made by Council in July for a two year term.)

- 2003-231A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE SHAREHOLDER'S DECLARATIONS OF THE GREATER SUDBURY HOUSING CORPORATION ON BEHALF OF THE CITY

Report dated 2003-09-10 from General Manager of Economic Development & Planning Services.

49 - 50

(This By-law authorizes the Mayor and Clerk to act as the Shareholder's representatives and to execute the Shareholder's Declarations from time to time.)

2003-232F	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO LEVY AND COLLECT OMITTED AND SUPPLEMENTARY REALTY TAXES FOR THE YEAR 2003	
		Report dated 2003-09-19 from the General Manager of Corporate Services.	24 - 25
2003-233F	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO GRANT TO THE SUDBURY REGIONAL HOSPITAL CARDIAC REHABILITATION CENTRE	
		Report dated 2003-09-19 from the General Manager of Corporate Services.	55 - 57
2003-234F	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE CANCELLATION, REDUCTION OR REFUND OF REALTY TAXES	
		Report dated 2003-09-19 from the General Manager of Corporate Services.	16 - 23
2003-235	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF LOT 28, PLAN M-31, HARTY STREET, SUDBURY TO FRED MENS	
		Report dated 2003-09-16 from the General Manager of Corporate Services.	14 - 15
2003-236	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF PARTS 1 AND 2, PLAN 53R-14270, NORMAND STREET, CHELMSFORD TO SHAWN PETERSON AND JOANNE LECLAIR-PETERSON	
		Report dated 2003-09-16 from the General Manager of Corporate Services.	12 - 13
2003-237	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR INTEREST RATES ON CERTAIN CITY MATTERS	
		(This By-law updates and consolidates the various interest rate provisions of the former municipalities. It provides for interest to be charged on overdue accounts due and payable to the City, but does not cover tax issues.)	
2003-238L	3	A BY-LAW OF THE CITY OF GREATER SUDBURY TO REGULATE THE RIGHT OF AN OWNER TO ENTER UPON ADJOINING LAND TO MAKE REPAIRS, ALTERATIONS OR IMPROVEMENTS TO A BUILDING, FENCE OR OTHER STRUCTURE	
		(The City passed By-law 2001-36L in January, 2001. It authorizes owners of land to enter adjoining land for the purpose of performing repairs, subject to a number of conditions. The new Municipal Act that came into effect at the start of 2003 has changed some of these statutory conditions. This By-law updates the original By-law to reflect these changes.)	

2003-239Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-302, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER TOWN OF RAYSIDE-BALFOUR

(The By-law rezones the subject property to Agricultural Reserve Special to recognize an existing non-conforming trailer and recreational vehicle sales business and to permit its expansion. This By-law also recognizes the existing ground sign and fascia signs on the site - Nickel Belt Boom Truck Ltd./J. & D. Berthiaume,Joanette Road/Highway 144)

2003-240Z 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

(This By-law permits a pit on the subject property for a temporary period of three years. Maley Developments Ltd., 2555 Maley Drive, Sudbury)

2003-241Z 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 FORMER TOWN OF ONAPING FALLS

(This By-law rezones the subject lands "A-14", Special Agricultural Reserve to permit the processing and retail sale of firewood. A specific area for firewood processing and retail sales is established, as well as additional front yard and west interior side yard setback requirements. George Solomon, Gravel Drive, Hanmer)

2003-242 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-47, BEING A BY-LAW TO REGULATE THE MAINTENANCE AND MANAGEMENT OF CEMETERIES IN THE CITY OF GREATER SUDBURY

Report dated 2003-09-17 from General Manager of Citizen & Leisure Services regarding Adult Cremation Section Lot Adornments and Plantings St. Joseph's Cemetery, Chelmsford.

33 - 39

2003-243 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO DELEGATE CERTAIN AUTHORITY TO THE CHIEF ADMINISTRATIVE OFFICER DURING THE ELECTION PERIOD

Refer to report dated 2003-09-16, with attachments, from General Manager of Corporate Services regarding Actions of Council Restricted after Nomination Day.

51 - 54

2003-244F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO MUSIC AND FILM IN MOTION

Council Resolution 2003-452.

- 2003-245R 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.)

- 2003-246 3 A 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 some of the Fire Department officials.)

CORRESPONDENCE FOR INFORMATION ONLY

{NONE}

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

{NONE}

MANAGERS' REPORTS

- | | | |
|-----|--|----------------|
| R.1 | Report dated 2003-09-19, with attachments, from Chief Administrative Officer regarding General Manager of Emergency Services.
(RESOLUTION PREPARED) | 26 - 32 |
| R.2 | Report dated 2003-09-17, with attachments, from General Manager of Citizen & Leisure Services regarding Adult Cremation Section, Lot Adornments and Plantings, St. Joseph's Cemetery, Chelmsford.
(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-242) | 33 - 39 |
| R.3 | Report dated 2003-09-17 from General Manager of Public Works regarding NIM Disposals: MOE Amendment Request.
(RESOLUTION PREPARED) | 40 - 41 |
| R.4 | Report dated 2003-09-17 from General Manager of Public Works regarding Relocating the Kukagami Waste Drop-off Depot.
(RESOLUTION PREPARED) | 42 - 44 |
| R.5 | Report dated 2003-09-05 from Acting General Manager of Emergency Services regarding purchase of Automated Vehicle Location and Digital Vehicle Operating Data Recorders for the Emergency Medical Services Fleet.
(RESOLUTION PREPARED) | 45 - 48 |

MANAGERS' REPORTS (continued)

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|------|---|----------------|
| R.6 | <p>Report dated 2003-09-10 from General Manager of Economic Development & Planning Services regarding Greater Sudbury Housing Corporation - Shareholder's Declaration.</p> <p>(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-231A)</p> <p>(This report requests that the Mayor and City Clerk be authorized to sign the Shareholder Declaration with respect to the Greater Sudbury Housing Corporation.)</p> | 49 - 50 |
| R.7 | <p>Report dated 2003-09-16, with attachments, from General Manager of Corporate Services regarding Actions of Council Restricted after Nomination Day.</p> <p>(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-243)</p> | 51 - 54 |
| R.8 | <p>Report dated 2003-09-19 from General Manager of Corporate Services regarding Contribution of Mayor Gordon's 2000 Campaign Surplus to the Sudbury Regional Hospital Cardiac Rehabilitation Centre.</p> <p>(RESOLUTION PREPARED) (REFER TO BY-LAW 2003-233F)</p> | 55 - 57 |
| R.9 | <p>Report dated 2003-09-19 from General Manager of Corporate Services regarding Appointment to the Board of the Northern Ontario Medical School.</p> <p>(RESOLUTION PREPARED)</p> | 58 - 61 |
| R.10 | <p>Report dated 2003-09-15, with attachments, from General Manager of Economic Development & Planning Services regarding the Feeding of Wild Birds Within the City of Greater Sudbury.</p> <p>(RESOLUTION PREPARED)</p> | 62 - 67 |

MOTIONS

R.11 Presented by Councillor Callaghan:

WHEREAS the City of Greater Sudbury believes that diversification and investments into technology are paramount for continued economic growth.

AND WHEREAS Canada is internationally recognized as a leader in mining technology, and Sudbury is recognized as the largest and most active mining city in Canada.

AND WHEREAS NORCAT is such an example of an investment into technology and currently is bringing our community's expertise to an international level with partnerships such as MD Robotics, Electric Vehicle Controllers Ltd. (EVC), Laurentian University Mine Automation Laboratory (LUMAL), University of New Brunswick (UNB) and the Canadian Space Agency.

AND WHEREAS Canada's participation in the 2009 Mars mission is now in doubt because the Canadian Space Agency did not receive the expected funding commitment in last spring's Federal Budget.

MOTIONS (continued)

R.11 Presented by Councillor Callaghan (continued):

AND WHEREAS Canada was invited by NASA to be a very active participant in the 2009 NASA's MARS SCIENCE LABORATORY mission, supplying such things as robotic arms, precision landing systems, and a specially designed drill intended to collect samples of Martian rocks.

AND WHEREAS in Sudbury more than \$1 million has already been spent developing a drill that can be mounted to the lander or a rover in anticipation of the 2009 mission.

AND WHEREAS the opportunities for Sudbury's drill are immense, being that virtually every planetary mission envisioned beyond 2025 includes drilling for one reason or another, sampling, and mining.

AND WHEREAS locally, being that NORCAT's partnership in relation to this 2009 Mars mission and the development of a revolutionary drilling technology are in jeopardy.

AND WHEREAS the development of a space drill will continue regardless of where it is made, it is important that we as a community support NORCAT in keeping this prestigious, innovative technology local.

THEREFORE BE IT RESOLVED that City Council petition the Federal Government to fund the Canadian Space Agency and its partners, which include NORCAT.

(See Item 4, Delegation/Presentations - presentation regarding an annual update for the Northern Centre for Advanced Technology (NORCAT). The above motion was presented to Council on September 11, 2003 by Councillor Callaghan.)

R.12 Presented by Councillor Bradley:

WHEREAS the residents of Beatty Street were evacuated from their homes on September 11th, 2003, after a fuel truck became stuck on the hill, posing a risk to those residents;

AND WHEREAS similar incidents have been reported over the years of heavy vehicles rolling back down the Beatty Street hill;

AND WHEREAS such incidents pose a potential risk to the residents of the area, particularly if the vehicle involved is a heavy vehicle transporting dangerous goods;

AND WHEREAS residents of the area are requesting that the Traffic and Parking By-law be amended by deleting Beatty Street as a designated truck route;

R.12 **Presented by Councillor Bradley (continued):**

NOW THEREFORE BE IT RESOLVED THAT the General Manager of Public Works be directed to undertake a traffic study of that portion of Beatty Street between Elm Street and Frood Road to examine alternative truck routes which would avoid that portion of Beatty Street, to recommend the erection of the appropriate signage, and to report back to Council at its next meeting;

AND FURTHER THAT the City Solicitor be directed to prepare a by-law amending Schedule "Q" of the Traffic and Parking By-law 2001-1, by deleting Beatty Street between Elm Street and Frood Road, Sudbury, as a designated truck route.

ADDENDUM

Tender - Emergency
Services - Purchase of
Three (3) Tankers

A report from the General Manager of Emergency Services regarding tender item for the purchase of three (3) tankers for the Fire Department.

(RESOLUTION PREPARED) (BY-LAW PREPARED)

Connect Ontario -
Smart Sudbury Project

A report from the General Manager of Economic Development & Planning Services regarding Connect Ontario - Smart Sudbury Project.

(RESOLUTION PREPARED) (BY-LAW PREPARED)

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.}

2003-09-19

**THOM M. MOWRY
CITY CLERK**

**CORRIE-JO CAPORALE
COUNCIL SECRETARY**