

MINUTES

Item C-1
Report No. 11
City Council
2004-05-13

2004-266 Bradley-Reynolds: THAT Report No. 11, City Council Minutes of 2004-05-13 be adopted.

CARRIED

Item C-2
Report No. 10
Planning Committee
2004-05-18

2004-267 Reynolds-Bradley: THAT Report No. 10, Planning Committee Minutes of 2004-05-18 be adopted, with the exception of Recommendation 2004-108 (OCL Custom Crushing), as otherwise dealt with.

CARRIED

Councillor Callaghan requested that Planning Committee Recommendation 2004-108 (OCL Custom Crushing) be pulled to vote on separately.

Planning
Recommendation
2004-108 (Planning
Minutes 2004-05-18)

Application for Rezoning - Planning Recommendation #2004-42:

Dupuis-Bradley: That the application by OCL Custom Crushing & Quarrying Ltd. to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Parcel 51141 SES, being Part 1, Plan 53R-15615, Part of Parcel 5202 SES and Part of Parcel 2678 SES, in Lots 9 and 10, Concession 4, Capreol Township from "RU", Rural to "M5-Special", Extractive Industrial Special be approved subject to the following:

- a) That the amending by-law require a minimum 150m setback from the nearest residential dwelling for any pit excavation.
- b) That the applicant provide the Development Services Section with a registered survey plan of the subject property to enable the preparation of an amending by-law.
- c) That prior to the passing of an amending by-law the applicant agree to undertake the necessary entrance improvements to the satisfaction of the General Manager of Public Works.
- d) That prior to the passing of an amending by-law, all requirements of the General Manager of Public Works with respect to the protection of the neighbouring municipal wells shall be satisfied.

Motion for Deferral

Councillor Bradley moved that the foregoing motion be deferred to the next Council meeting of 2004-06-10 when all members will be present.

CARRIED

C.C. 2004-04-29 (10TH)

(3)

Item C-3
Report No. 9
Priorities Committee
2004-05-26

2004-268 Bradley-Reynolds: THAT Report No. 9,
Committee Minutes of 2004-05-26 be adopted.

Priorities

CARRIED

Councillor Bradley's request to defer Priorities Committee Recommendation 2004-39 (Sudbury Northeast Ratepayers Association) to the next scheduled meeting for further debate, was defeated by a show of hands.

Item C-4
TOC
2004-05-11

2004-269 Reynolds-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-05-11 be received.

CARRIED

Item C-5
TOC
2004-05-18

2004-270 Bradley-Reynolds: THAT the Report of the Tender Opening Committee Minutes of 2004-05-18 be received.

CARRIED

Item C-6
Report No. 3
Sudbury Metro Centre
2004-04-27

2004-271 Bradley-Reynolds: THAT Report No. 3, Board of Directors, Sudbury Metro Centre Minutes of 2004-04-27 be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-7
Canada Day
Celebrations

Report dated 2004-05-19 from the General Manager of Citizen & Leisure Services regarding Canada Day Celebrations was received.

The following resolution was presented:

2004-272 Reynolds-Bradley: THAT the Council of the City of Greater Sudbury contribute \$10,000 towards fireworks for the Canada Day Celebrations to be held on July 1, 2004;

AND FURTHER THAT this special funding come from the Contingency Account.

CARRIED

The following resolution was required to be passed prior to the adoption of By-law 2004-151 and By-law 2004-152:

Community Placement
Target Fund Slippage
(formerly R-3)

The following resolution was presented:

2004-273 Reynolds-Bradley: WHEREAS Council for the City of Greater Sudbury placed into reserve specific allocations from the Community Placement Target Fund to provide direct and indirect services to Ontario Works participants;

C.C. 2004-04-29 (10TH)

(4)

Community Placement
Target Fund Slippage
(formerly R-3)
(continued)

AND WHEREAS the Social Services Division has identified several services that have not utilized their specific allocations;

AND WHEREAS additional resources are required for the Catholic Charities Soup Kitchen; the City's Extreme Cold Weather Alert initiative; First Steps; and the Mission;

THEREFORE BE IT RESOLVED THAT \$589,835, as outlined in this report, be returned to the uncommitted Community Placement Target Fund and \$222,048 be allocated from the uncommitted Community Placement Target Fund reserve for June 1st, 2004 to December 31st, 2005 for the programs noted above;

AND THAT the appropriate by-law be passed to expend these funds.

CARRIED

The following resolution was required to be passed prior to the adoption of By-law 2004-151:

Emergency Shelter
Bed Sustainability
Strategy
(formerly R-4)

The following resolution was presented:

2004-274 Bradley-Reynolds: WHEREAS the City of Greater Sudbury provides funding to support the operation of emergency shelter beds;

AND WHEREAS there are sufficient dollars available in the uncommitted Community Placement Target Fund Reserve;

AND WHEREAS an action plan and community model is being developed to address a viable long term solution for emergency shelter bed provision;

THEREFORE BE IT RESOLVED THAT Council approve Option #3 in the amount of \$330,670 from the uncommitted Community Placement Target Fund reserve from April 1st, 2004 to June 30th, 2005;

AND THAT the appropriate by-law be passed to expend these funds.

CARRIED

BY-LAWS

THE FOLLOWING BY-LAWS APPEAR FOR A THIRD AND FINAL READING:

2004-110 3RD BY-LAW OF THE CITY OF GREATER SUDBURY
TO DECLARE SURPLUS, STOP-UP, CLOSE A
PORTION OF THE LITTLE PANACHE SHORE
ALLOWANCE ABUTTING PARCELS 17242 'A' AND
18369 SUDBURY WEST SECTION

Planning Resolution 2004-84 - Notice of this By-law
was given and no comments were received.

2004-111 3RD BY-LAW OF THE CITY OF GREATER SUDBURY
TO DECLARE SURPLUS, STOP-UP, CLOSE A
PORTION OF AN UNNAMED LAKE SHORE
ALLOWANCE ABUTTING PARCEL 51174
SUDBURY EAST SECTION

Planning Resolution 2004-85 - Notice of this By-law
was given and no comments were received.

THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:

2004-141A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO CONFIRM THE PROCEEDINGS OF COUNCIL
AT ITS MEETING OF MAY 27, 2004

2004-142F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AUTHORIZE GRANTS FOR THE YEAR 2003
FOR VARIOUS COMMUNITY IMPROVEMENT
PROJECTS OR NEIGHBOURHOOD
PARTICIPATION PROJECTS

Council Resolution 2004-253

2004-143A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY
TO AUTHORIZE AN AGREEMENT WITH THE
SUDBURY CATHOLIC DISTRICT SCHOOL BOARD
FOR THE RECYCLING COLLECTION PILOT
PROJECT

Council Resolution 2004-245

2004-144A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A MULTICULTURALISM CONTRIBUTION AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF CANADA AS REPRESENTED BY THE MINISTER OF CANADIAN HERITAGE

Council Resolution 2004-254

2004-145A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO CINÉFEST SUDBURY

Report dated 2004-05-20 from the General Manager of Economic Development and Planning regarding Cinéfest Sudbury Film Industry Centre Year II.

(Cinéfest Sudbury's Industry Forum is now entering its second year of operation and with the festival expanding from 7 to 9 days - is looking to build on the successes of 2003.)

2004-146F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH PRO BAIT & TACKLE INC. FOR ROLL #070.008.125.00.0000

Report dated 2004-05-21 from the General Manager of Corporate Services regarding Tax Extension Agreement - Pro Bait & Tackle Inc.

(This report sets out the particulars of a proposed Tax Extension Agreement between the CGS and the above-named regarding taxes owing for 469 Kingsway, Sudbury.)

2004-147F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A TAX EXTENSION AGREEMENT WITH MARTIN CHARLES SAINIO FOR ROLL #070.022.015.00.0000

Report dated 2004-05-21 from the General Manager of Corporate Services regarding Tax Extension Agreement - Martin Charles Sainio.

(This report sets out the particulars of a proposed Tax Extension Agreement between the CGS and the above-named regarding taxes owing for 505 Melvin Avenue, Sudbury.)

2004-148A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT BY-LAW ENFORCEMENT OFFICERS FOR THE SUDBURY AIRPORT

(This By-law updates the list of By-law Enforcement Officers at the Sudbury Airport.)

2004-149 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE THE SALE OF 190 CHURCH STREET, GARSON TO 1264156 ONTARIO INC.

Planning Committee Recommendation 2004-94

2004-150F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ESTABLISH MISCELLANEOUS USER FEES FOR CERTAIN SERVICES PROVIDED BY THE CITY OF GREATER SUDBURY

(The existing Fees By-law is being repealed and replaced. The new Fees By-law consolidates the amendments which have been made to the Fees By-law since its passage in December of 2003, incorporates the changes to fees which were authorized during the budget process and makes some small housekeeping changes.)

RESOLUTIONS WERE PASSED BEFORE THE 1ST AND 2ND READING OF BY-LAWS 2004-151 AND 2004-152:

2004-151 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE FUNDING FROM COMMUNITY PLACEMENT TARGET FUNDING TO VARIOUS SOCIAL SERVICE AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS DESIGNED TO REDUCE AND PREVENT HOMELESSNESS

Report dated 2004-05-17 from the General Manager of Health & Social Services regarding Community Placement Target Fund Slippage.
(Formerly Item R-3)

(Community Placement Target Funds allocated for internal and external projects are reviewed, slippage identified, recommended to Priorities Committee to be redirected to emerging projects as required. This insures that valuable community based programming continues.)

Report dated 2004-05-18 from the General Manager of Health & Social Services regarding Emergency Shelter Bed Sustainability Strategy.
(Formerly Item R-4)

(This report outlines the current crisis in the emergency shelter bed system; the networking and cooperative spirit evolving from some interim strategies and the road ahead for strategic planning and implementation of a local solution that could be shared with other communities who are also struggling with similar problems.)

2004-152 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE FUNDING FROM COMMUNITY PLACEMENT TARGET FUNDING TO VARIOUS SOCIAL SERVICE AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS TO PROVIDE DIRECT AND INDIRECT SERVICES TO ONTARIO WORK PARTICIPANTS

Report dated 2004-05-17 from the General Manager of Health & Social Services regarding Community Placement Target Fund Slippage
(Formerly Item R-3)

(Community Placement Target Funds allocated for internal and external projects are reviewed, slippage identified, recommended to Priorities Committee to be redirected to emerging projects as required. This insures that valuable community based programming continues.)

THE FOLLOWING BY-LAWS APPEAR FOR THREE READINGS:

2004-153A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A FUNDING AGREEMENT WITH HUMAN RESOURCES SKILLS DEVELOPMENT CANADA (HRSDC) FOR THE NATIONAL HOMELESSNESS INITIATIVE

Report dated 2004-05-19 from the General Manager of Health & Social Services regarding Contract for National Homelessness Initiative Funding.
(Formerly Item R-2)

(Authorization for allocation of funds from the National Homelessness Initiative as recommended in the Updated Community Plan and endorsed by the Task Force on Emergency Shelters.)

2004-154 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE FUNDING FROM NATIONAL HOMELESSNESS INITIATIVE (NHI) PROGRAM FUNDING TO VARIOUS SOCIAL SERVICE AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS DESIGNED TO REDUCE AND PREVENT HOMELESSNESS

Report dated 2004-05-19 from the General Manager of Health & Social Services regarding Contract for National Homelessness Initiative Funding.
(Formerly Item R-2)

(Authorization for allocation of funds from the National Homelessness Initiative as recommended in the Updated Community Plan and endorsed by the Task Force on Emergency Shelters.)

2004-155Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-302, THE COMPREHENSIVE ZONING BY-LAW FOR THE (FORMER) TOWN OF RAYSIDE-BALFOUR

Planning Committee Recommendation # 2004-24

(This by-law rezones the subject property to "R1.D18", Single Residential to permit the creation of five (5) single residential lots. Further, this by-law establishes an "R1.D18-6", Special Single Residential zone which specifies the location for a main building on the remaining lands -Firnil Enterprises Ltd., Notre Dame Street, Azilda)

1ST & 2ND Reading

2004-275 Reynolds-Berthiaume: THAT By-law 2004-141A to and including By-law 2004-155Z be read a first and second time.

CARRIED

3RD Reading

2004-276 Re: THAT By-law 2004-110, By-law 2004-111, and By-law 2004-141A to and including By-law 2004-155Z be read a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-8
Healthy People for a
Healthy Tomorrow

Report dated 2004-05-14, with attachments, from the General Manager of Health & Social Services regarding Healthy People for a Healthy Tomorrow! Developing a Framework for Community Action on the Prevention of Obesity was received for information only.

C.C. 2004-04-29 (10TH)

(10)

Item C-9
NOGCC: Practical
Management

Report dated 2004-05-18, with attachments, from the General Manager of Health & Social Services regarding Northeastern Ontario Geriatric Care Conference: Practical Management was received for information only.

Item C-10
2004 Ontario Budget
The Plan for Change

Report dated 2004-05-21, with attachments, from the General Manager of Corporate Services regarding 2004 Ontario Budget - The Plan for Change was received for information only.

Community
Reinvestment Fund

Councillor Callaghan stated that the Community Reinvestment Fund (CRF) was not indexed and asked the Director of Finance if the CRF increase of \$30,000 would affect the Budget in any way. Ms. Jonasson advised Council that staff is concerned about the increase, but have little information regarding the issue.

Staff Update

With the concurrence of Council, Councillor Callaghan requested that staff keep Council up to date on the Community Reinvestment Fund.

PART II **REGULAR AGENDA**

REFERRED AND DEFERRED MATTERS

Item R-1
OMERS Outsourcing

The following resolution was presented:

Kett-Bradley: WHEREAS all Ontario municipal employees are contributors to the OMERS Pension Fund, and rely on this fund to finance their retirement;

AND WHEREAS Ontario municipalities have a duty and responsibility to speak out when they have concerns over Board oversight and investment practices by the Board and management of OMERS;

AND WHEREAS the Toronto *Globe & Mail* in a series of newspaper articles has raised serious questions and concerns regarding the investment and management practices of OMERS;

AND WHEREAS the OMERS (Ontario Municipal Employee Retirement System) outsourcing deal with Borealis Capital Corporation, involving nearly one third of its assets, has become an expensive and unnecessary escapade and has cost the plan almost \$100,000,000 in the past 12 months alone, in management fees and buyouts;

AND WHEREAS this deal ended up enriching a few investors and managers at the expense of 340,000 active and retired workers who are members of (OMERS);

Item R-1
OMERS Outsourcing
(continued)

AND WHEREAS the Toronto *Globe and Mail* in a newspaper article dated Monday, May 3, 2004 stated: "That the entire management of \$9-billion in assets was transferred to a third-party without board approval raises questions about the oversight of the pension fund, some sources say";

AND WHEREAS it is questionable that a large pension plan such as OMERS would benefit by paying to have its own assets managed by someone else;

AND WHEREAS there are also concerns that three new companies created by OMERS -- Borealis Infrastructure Corp., Oxford Properties Group, and OMERS' private equity group -- will run into the same problems that plagued the pension fund when it set up OMERS Realty Corp. in 1990 as a separate business;

AND WHEREAS Section 2 of the Public Inquiries Act provides that: "Whenever the Lieutenant Governor in Council considers it expedient to cause inquiry to be made concerning any matter connected with or affecting the good government of Ontario or the conduct of any part of the public business thereof or of the administration of justice therein or that the Lieutenant Governor in Council declares to be a matter of public concern and the inquiry is not regulated by any special law, the Lieutenant Governor in Council may, by commission, appoint one or more persons to conduct the inquiry."

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury hereby petitions the Province of Ontario to establish a Commission under the *Public Inquiries Act* (R.S.O. 1990, Chapter P.41) into the pension fund investment practices of OMERS, specifically the handling of the Borealis arrangement and that the mandate of the Commission include recommendations on ways to make the pension fund more accountable to its members and the taxpayer;

AND FURTHER THAT copies of this motion be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable John Gerretsen, Minister of Municipal Affairs and Housing and Minister responsible for the administration of the *Ontario Municipal Employees Retirement System Act*, the Honourable Rick Bartolucci, Minister of Northern Development and Mines, Ms. Shelly Martel, M.P.P. (Nickel Belt), Mr. Frederick Biro, Chair, Board of Directors of OMERS, Mr. Colin McNairn, Chair, Financial Services Commission of Ontario, the Municipal Retirees Organization Ontario;

AND FURTHER THAT this motion be forwarded to the Federation of Northern Ontario Municipalities (FONOM) and the Association of Municipalities of Ontario (AMO) for endorsement.

C.C. 2004-04-29 (10TH)

(12)

Motion for Deferral

Councillor Gainer moved that the foregoing motion be deferred to the next regular Council meeting of 2004-06-10 due to Councillor Kett's absence.

CARRIED

MANAGERS' REPORTS

Item R-2
Development Charges
Study Update

Report dated 2004-05-21 from the General Manager of Corporate Services regarding Development Charges Study Update was received.

The following resolution was presented:

2004-277 Reynolds-Bradley: THAT the City of Greater Sudbury hire Hemson Consulting Ltd. to provide a Development Charges Update Study, to be completed by July 31, 2004, at an upset fee not to exceed \$8,000 plus taxes and expenses;

AND THAT the study be funded from the Reserve for Future Development Charges Study.

CARRIED

Item R-3
Multi-Year Budgeting
Chair & Vice-Chair

Report dated 2004-05-20 from the General Manager of Corporate Services regarding Amendment to Procedure By-law - Appointment of Chair and Vice-chair for the Term of Council to Facilitate Multi-year Budgeting was received.

The following resolution was presented:

2004-278 Bradley-Reynolds: WHEREAS Council has decided it wishes to adopt the practice of multi-year budgeting;

AND WHEREAS in order to facilitate the practice of multi-year budgeting and provide continuity in the budget process it would be valuable for the Chair and Vice-Chair of the Finance Committee to be appointed for the full term of Council;

AND WHEREAS Council's Procedure By-law provides that any provision contained in the by-law may be repealed, amended or varied by a majority vote, provided that no motion for that purpose may be considered unless notice thereof has been given at a preceding regular Council meeting and such notice may not be waived;

AND WHEREAS Article 33.39 (Finance Committee - Appointment of Chair and Vice-Chair) of Procedure By-law 2002-202 provides that the Chair of the Finance Committee shall be appointed annually by Council and shall hold office for that year or until their successors are appointed in accordance with this by-law.

Item R-3
Multi-Year Budgeting
Chair & Vice-Chair
(continued)

NOW THEREFORE BE IT RESOLVED THAT Article 33.39 (Finance Committee - Appointment of Chair and Vice-Chair) of Procedure By-law 2002-202 be amended to provide for the appointment of the Chair and Vice-Chair of the Finance Committee for the full term of Council;

AND FURTHER THAT Notice of the proposed by-law to amend Procedure By-law 2002-202 be given in accordance with Notice By-law 2003-2.

CARRIED

Addendum

The following resolution was presented:

2004-279 Reynolds-Bradley: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

None declared.

BY-LAWS

2004-156Z 3

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

Planning Committee Recommendation 2004-60

(This by-law rezones the subject property to General Commercial Special to permit the use of the existing building on site for a make-your-own wine business. Special parking, landscaping and fencing provisions are included in the by-law. - Peter Churan, 3191 Highway 69 North, Val Caron)

2004-157 3

A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT TO SKEAD RECREATION COMMITTEE INC. OF PARCEL 5640 SUDBURY EAST SECTION, BEING PARTS 2 AND 3, PLAN 53R-17307, SKEAD ROAD

Planning Committee Resolution 2004-114

1st & 2nd Reading

2004-280 Bradley-Reynolds: THAT By-law 2004-156Z and 2004-157 read a first and second time.

CARRIED

C.C. 2004-04-29 (10TH)

(14)

3rd Reading

2004-281 Reynolds-Bradley: THAT By-law 2004-156Z and 2004-157 be read a third time and passed.

CARRIED

QUESTION PERIOD

Road Construction
Kingsway

Councillor Callaghan noted that the businesses along the Kingsway are being affected by the construction and asked the General Manager of Public Works when the construction on the Kingsway was scheduled to commence. He also asked what the additional cost would be for the contractor to work on Sundays, in order to get the work completed.

Mr. Belisle advised Council that the work was nearing completion. He stated that the grinding and paving was scheduled to be completed at nights. In order for the contractor to work on Sundays, Mr. Belisle advised that he required Council's approval and would email Council with the cost estimate.

With the concurrence of Council, Councillor Callaghan requested that a telephone poll be conducted in order to approve the extra cost associated with completion of the work on the Kingsway.

Barrydowne Road
Construction

Councillor Callaghan asked the General Manager of Public Works when the construction on Barrydowne Road was scheduled to start.

Mr. Belisle advised Council that the construction on Barrydowne Road is scheduled to start in the latter part of August 2004.

Potholes

Councillor Bradley asked the General Manager of Public Works what method was being used when filling potholes. His concern was whether or not the loose gravel and asphalt was removed from the pothole before it was refilled.

Mr. Belisle advised Council that the contractor is required to remove any loose debris and refill it with proper material. He advised that his staff is required to inspect the contractors' work, but that they cannot inspect every pothole.

Draft Master Leisure
Plan

Councillor Bradley advised Council that he had received telephone calls from the public regarding the Draft Master Leisure Plan and the possible closure of arenas in Ward 2. He advised that this was only a draft report and that there will be public meetings scheduled in order to hear any concerns from the residents before any recommendations are adopted by Council.

C.C. 2004-04-29 (10TH)

(15)

Highway 144
Sidewalks

Councillor Bradley advised Council that he received a letter from the Ministry of Transportation (MTO) advising Council that they would be repairing the highway in the Dowling Flats area. He stated that sidewalks would not be constructed and that they were still required for safety reasons.

With the concurrence of Council, Councillor Bradley requested that the General Manager of Public Works schedule a meeting with MTO in order to establish whether or not the City and MTO could work together in constructing sidewalks on Highway 144.

Solutions Team

Councillor Berthiaume asked the Chief Administrative Officer if Council was to be advised of the meeting dates for the Solutions Team.

Mr. Mieto advised Council that his office will email the schedules to the Members of Council once the dates have been established.

South End Rock
Tunnel

Councillor Berthiaume asked staff if the funding from the Federal government had been approved for the construction of the South End Rock Tunnel.

The Chair advised Council that there has been no funding received but that it has been confirmed that the Millennium Partnership Program application is still in good standing. He also stated that the Rural Funding Program is still being dealt with by the Province and the Federal government.

Councillor Berthiaume asked the General Manager of Public Works when the construction is scheduled to start.

Mr. Belisle advised Council that it was going to tender shortly.

NOTICES OF MOTIONS

Definition of
"Northern Ontario"

Submitted by Mayor Courtemanche:

WHEREAS past Ontario Governments have funded initiatives such as the Northern Ontario Heritage Fund and the Northern Transportation Program in order to promote economic growth and community infrastructure to meet the unique needs of the residents of Northern Ontario;

AND WHEREAS in 2000, the Ontario Government decided to add the District Municipality of Muskoka in its definition of Northern Ontario and thereby made Muskoka eligible for grants through the Northern Ontario Heritage Fund and Northern Transportation Program;

Definition of
"Northern Ontario"
(continued)

AND WHEREAS a Report prepared for the Northern Ontario Local Training and Adjustment Boards, dated April, 2002, stated that the inclusion of the District Municipality of Muskoka was "problematic in that the socio-economic characteristics of the Muskoka District Municipality differ from that of the other Districts in Northern Ontario";

AND WHEREAS the Provincial Liberal Government in its 2004 Budget document, which included "A Plan to Promote Northern Prosperity" stated:

"Finally, a concentrated effort and a clear focus are needed to overcome the special challenges facing Northern Ontario. As a result, we propose to return the definition of Northern Ontario, for the purposes of government policy and program delivery, to what it was before September 2000. The ministries of Northern Development and Mines and of Municipal Affairs and Housing will work with other affected ministries to implement this change in the fall of 2004";

AND WHEREAS the Northern Ontario Mayors' Coalition, in its 2003 brief entitled: "A New Vision for Northern Ontario: Embracing the Future", stated that the "people of Northern Ontario deserve to share the prosperity that Ontario has enjoyed for the last decade" and set out specific proposals to achieve that end;

AND WHEREAS, as a first step, it is necessary that the definition of what constitutes "Northern Ontario" be clearly established once and for all time;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury petitions the Government of Ontario to amend Section 1 of the *Representation Act, 1996* by adding the following definition:

"Northern Ontario" means the Territorial Districts of Algoma, Cochrane, Kenora, Manitoulin, Nipissing, Parry Sound, Rainy River, Sudbury, Timiskaming and Thunder Bay."

AND THAT copies of this resolution be forwarded to the Honourable Dalton McGuinty, Premier of Ontario, the Honourable Rick Bartolucci, Minister of Northern Development and Mines, the Honourable John Gerretsen, Minister of Municipal Affairs and Housing, the Honourable David Ramsay, Minister of Natural Resources, Ms. Shelly Martel, M.P.P. (Nickel Belt), and to the Federation of Northern Ontario Municipalities (FONOM), the Thunder Bay District Municipal League and all Municipal Associations in Northern Ontario for endorsement.

Public Input Meeting
Store Closing Hours

Submitted by Councillor Bradley:

BE IT RESOLVED THAT in accordance with Article 37 of Procedure By-law 2002-202, a Public Input Meeting be held on Thursday, June 17th, 2004 for th purpose of receiving public comment on the issue of store closing hours in the City of Greater Sudbury;

AND FURTHER THAT the Clerk be directed to provide Public Notice of this meeting in accordance with Council Policy.

Adjournment

2004-282 Bradley-Reynolds: THAT this meeting does now adjourn.
Time: 8:02 p.m.

CARRIED

Mayor

City Clerk

**THE ELEVENTH MEETING OF THE PLANNING COMMITTEE
OF THE CITY OF GREATER SUDBURY**

Committee Room C-12
Tom Davies Square

Tuesday, June 1, 2004
Commencement: 6:30 p.m.
Adjournment: 9:55 p.m.

COUNCILLOR REYNOLDS PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis (A: 6:35 p.m.), Thompson

Staff D. Braney, Property Negotiator / Appraiser; R. Henderson, Director of Citizen & Leisure; Angie Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2004-117:**

Bradley-Thompson: That we move "In Camera" to deal with property 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 7:00 p.m., the Planning Committee recessed.

Reconvene At 7:15 p.m., the Planning Committee reconvened in the **Council Chambers** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Reynolds

Staff A. Potvin, Manager of Development Services; G. Clausen, Director of Engineering Services; R. Henderson, Director of Citizen & Leisure; A. Haché, Deputy City Clerk; K. Bowschar-Lische, Planning Committee Secretary; M. Burtch, Licensing & Assessment Clerk

News Media MCTV; Sudbury Star

Declarations of Pecuniary Interest None declared

MATTERS ARISING FROM THE "IN CAMERA" SESSION

Rise and Report Councillor Reynolds, reported the Committee met in closed session to deal with property matters and the following resolutions emanated therefrom:

MATTERS ARISING FROM THE "IN CAMERA" SESSION (cont'd)

Application for
Approval to
Expropriate Lands,
Part of Parcel 19338
S.E.S., being Part of
Part 1, Plan SR-37,
323 Second Avenue
- formerly L'Heritage
School

Report dated May 26th, 2004, was received from the General Manager, Corporate Services regarding Application for Approval to Expropriate Lands, Part of Parcel 19338 S.E.S., being Part of Part 1, Plan SR-37, 323 Second Avenue - formerly L'Heritage School.

The following recommendation was presented:

Recommendation #2004-118:

Bradley-Thompson: That the Council of the City of Greater Sudbury authorize an application for approval to expropriate part of Parcel 19338 S.E.S., measuring approximately 8 acres in size for cemetery purposes; and further

That staff be authorized to proceed with the expropriation and also continue to negotiate a settlement with Le Conseil scolaire catholique du Nouvel-Ontario.

CARRIED

Sale of Land
- Valley East
Industrial Park

Report dated May 26th, 2004, was received from the General Manager, Corporate Services regarding Sale of Land - Valley East Industrial Park.

The following recommendation was presented:

Recommendation #2004-119:

Thompson-Bradley: That the Council of the City of Greater Sudbury authorize the sale of Parcel 53486 S.E.S., being Part 17, Plan 53R-16329 to Nor-Tech Power & Controls, subject to the terms and conditions outlined in the report dated May 26th, 2004, from the General Manager of Corporate Services;

That the Property Negotiator/Appraiser and the Clerk be authorized to execute the required documents; and

That the net proceeds of the sale be credited to the Industrial Park Reserve Fund.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR REZONING FOR APPROVAL OF A TEMPORARY USE TO PERMIT THE SUBJECT PROPERTY TO BE USED FOR PARKING OF TAXI CABS FOR A MAXIMUM OF THREE (3) YEARS, BLOOR STREET - SERBIAN CHURCH OF ST. PETER AND PAUL

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

PUBLIC HEARINGS

APPLICATION FOR REZONING FOR APPROVAL OF A TEMPORARY USE TO PERMIT THE SUBJECT PROPERTY TO BE USED FOR PARKING OF TAXI CABS FOR A MAXIMUM OF THREE (3) YEARS, BLOOR STREET - SERBIAN CHURCH OF ST. PETER AND PAUL (cont'd)

Report dated May 20th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application for approval of a temporary use to permit the subject property to be used for the parking of taxi cabs for a maximum of three (3) years, Bloor Street - Serbian Church of St. Peter and Paul.

The agent for the applicant, Mike Brujic, was present.

The Manager of Development Services outlined the application to the Committee. He indicated that the By-law Enforcement Department has received three separate complaints with respect to ABC Taxi storing unlicensed and inoperative vehicles on this property. He advised that a condition has been included in the recommendation stating that should future by-law enforcement action be required, staff bring forward a report to the Planning Committee recommending that the temporary use by-law be rescinded.

Mr. Brujic advised that he has asked ABC Taxi on numerous occasions to move their derelict, unlicensed vehicles from the subject property but this was not done. He also indicated that there has been a problem in the past with parking vehicles on this site because of kids walking on the railway tracks throwing rocks and breaking windshields on the vehicles. Currently, they lease the property on a month-to-month basis and when they receive Council's approval it will be leased on an annual basis. He will ensure the new lease agreement includes a clause to keep the derelict, unlicensed vehicles off the property. He asked the Committee to approve the application and stated that he would ensure that the property is kept in order.

Councillor Bradley, Ward Councillor, advised that he travels this area quite often. He has received complaints about garbage in laneways in the area and is working with the By-law Officers to get this cleaned up. He is aware of the complaints regarding derelict vehicles being parked on the subject property and will monitor the area to ensure the problem is rectified.

Mr. Paul Ivey, 445 Pine Street, was present voicing his concerns regarding this application. He said that he owns 12 properties in the area and has spent a considerable amount of money to rejuvenate his properties. He indicated that he has called By-law Enforcement on numerous occasions regarding the derelict vehicles parked on the site. At one point last year in January there were 17 abandoned vehicles on the property. He realizes the Serbian Club has tried to maintain the property and say they are doing their best to deal with the problem. He pointed out that they also own property on the corner which is in disrepair and there are 5 cars parked at that location in the same derelict condition. He is concerned for the safety of children and knows of two children playing on the subject property that were injured. He indicated that they basically have a wrecking yard on the subject property, it is a danger and a major issue. He did not object to the first rezoning application three years ago and does not object to this one provided the property is properly maintained.

PUBLIC HEARINGS

APPLICATION FOR REZONING FOR APPROVAL OF A TEMPORARY USE TO PERMIT THE SUBJECT PROPERTY TO BE USED FOR PARKING OF TAXI CABS FOR A MAXIMUM OF THREE (3) YEARS, BLOOR STREET - SERBIAN CHURCH OF ST. PETER AND PAUL (cont'd)

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following recommendation was presented:

Recommendation #2004-120:

Bradley-Caldarelli: 1. That the application by the Serbian Church of St. Peter and St. Paul for a temporary use by-law in accordance with Section 39 of The Planning Act to permit "the parking of taxi cabs for a maximum temporary period of three (3) years" on Parts 3 to 6, Plan 53R-15512 in Lot 6, Concession 4, McKim Township, as an exception to the "R4-23", Multiple Residential Special zoning that applies to the subject property under By-law 95-500Z, be approved.

2. That should future By-law Enforcement action be required to ensure conformity with the By-law, staff are directed to bring forward a report to Planning Committee, recommending the rescinding of the temporary use by-law.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATIONS FOR REZONING AND REFERRAL OF CONSENT APPLICATIONS TO PERMIT THE CREATION OF FOUR LOTS FOR SINGLE RESIDENTIAL USE, ST. MICHEL STREET EXTENSION, HANMER - PHILIPPE AND LOUISE LANDRY

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated May 25th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning and referral of consent applications to permit the creation of four lots for single residential use, St. Michel Street extension, Hanmer - Philippe and Louise Landry.

One of the applicants, Philippe Landry, was present representing himself and his wife, Louise Landry, owners of Parcel 1230 S.E.S..

The Manager of Development Services outlined the application to the Committee.

Councillor Dupuis, Ward Councillor, indicated that the cul de sac is not going to be changing all that much from what currently exists. It is currently being used by City crews and other vehicles to turn around. He advised that at the last Planning Committee meeting, another development in Valley East was permitted to proceed by way of consent rather than through the subdivision process - so this does not set a precedent. He requested the Committee approve the application.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR REZONING AND REFERRAL OF CONSENT APPLICATIONS TO PERMIT THE CREATION OF FOUR LOTS FOR SINGLE RESIDENTIAL USE, ST. MICHEL STREET EXTENSION, HANMER - PHILIPPE AND LOUISE LANDRY (cont'd)

Mr. Landry indicated that he is looking for the support and approval of the application. He stated that the cul-de-sac currently exists and now will have streetlights and be paved.

No objectors were present.

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following recommendations were presented:

Recommendation #2004-121:

Dupuis-Bradley: That Consent Applications B60/2004 to B63/2004 be allowed to proceed through the Consent process.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

Recommendation #2004-122:

Dupuis-Bradley: That the application by Philippe and Louise Landry to amend By-law 83-300 being the Zoning By-law for the former Town of Valley East by changing the zoning classification of Part of Parcel 1230 SES in Lot 11, Concession 3, Capreol Township from "RU", Rural to "R1.D18", Single Residential be approved subject to the following:

1. That prior to the passing of an amending by-law the owners shall provide a registered survey plan describing the property to be rezoned.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT PROFESSIONAL OFFICES TO OCCUPY 100% OF THE BUILDING ON SITE, IN ADDITION TO THE USES ALREADY PERMITTED UNDER THE "M1-47" ZONING, 205 DOUGLAS STREET, SUDBURY - SUDBURY REGIONAL CREDIT UNION LTD.

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT PROFESSIONAL OFFICES TO OCCUPY 100% OF THE BUILDING ON SITE, IN ADDITION TO THE USES ALREADY PERMITTED UNDER THE "M1-47" ZONING, 205 DOUGLAS STREET, SUDBURY - SUDBURY REGIONAL CREDIT UNION LTD. (cont'd)

Report dated May 21st, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding Official Plan Amendment and rezoning applications to permit professional offices to occupy 100% of the building on site, in addition to the uses already permitted under the "M1-47" zoning, 205 Douglas Street, Sudbury - Sudbury Regional Credit Union Ltd.

The solicitor for the applicant, M.D. Sinclair, Q.C., and Dr. Scott Barr, the proposed purchaser and occupant of the property, were present.

The Manager of Development Services outlined the application to the Committee.

Mr. Sinclair indicated that the building has a main floor off Douglas Street and a basement off Cross Street and both floors will be utilized by the proposed purchaser. He agrees with the staff recommendations. He advised that the building has been vacant for a while and for sale for approximately 2-3 years. This new venture is an opportunity to enhance the area.

Councillor Caldarelli, Ward Councillor, pointed out that at certain times of the day there is a lot of traffic on Douglas Street and it is not a location that could be easily accessed which would not make it a good fit for certain businesses. She indicated that a medical use would probably be a really good fit for the building .

No objectors were present.

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following recommendations were presented:

Recommendation #2004-123:

Bradley-Caldarelli: That the application by Sudbury Regional Credit Union Ltd. to amend the City of Sudbury Secondary Plan by deleting Official Plan Amendment #218 and by changing the land use designation of Parcel 51409 SES, Lots 101, 102 & 103, Plan M-95, Lot 6, Concession 3, McKim Township from "Light Industrial/Service Commercial District" to "Linear Mixed Use District" be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

PUBLIC HEARINGS (cont'd)

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT AND REZONING TO PERMIT PROFESSIONAL OFFICES TO OCCUPY 100% OF THE BUILDING ON SITE, IN ADDITION TO THE USES ALREADY PERMITTED UNDER THE "M1-47" ZONING, 205 DOUGLAS STREET, SUDBURY - SUDBURY REGIONAL CREDIT UNION LTD. (cont'd)

Recommendation #2004-124:

Caldarelli-Bradley: That the application by Sudbury Regional Credit Union Ltd. to amend By-law 95-500Z being the Zoning By-law for the former City of Sudbury by changing the zoning classification of Parcel 51409 SES, being Lots 101, 102 & 103, Plan M-95, in Lot 6, Concession 3, McKim Township from "M1-47", Mixed Light Industrial/Service Commercial Special to a revised "M1-Special", Mixed Light Industrial/Service Commercial Special be approved subject to the following:

- a) That the amending by-law shall specify permitted uses as being either any use permitted under the M1-47 zoning or professional offices including medical offices and related accessory uses.
- b) That a minimum of 22 parking spaces shall be required for professional and/or medical office uses.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF ONE RESIDENTIAL LOT BEING A MINIMUM OF ONE (1) ACRE IN SIZE, 2962 VERN DRIVE, BLEZARD - COLLEEN FROST

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated May 25th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding an Official Plan Amendment application to permit the creation of one residential lot being a minimum of one (1) acre in size, 2962 Vern Drive, Blezard - Colleen Frost.

Letter dated May 21, 2004, from the Ministry of Municipal Affairs and Housing in opposition to the above application was distributed to Committee members at the meeting.

The applicant, Colleen Frost, 2962 Vern Drive, Blezard, and Richard Beaudry, speaking on behalf of Ms. Frost, were present.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF ONE RESIDENTIAL LOT BEING A MINIMUM OF ONE (1) ACRE IN SIZE, 2962 VERN DRIVE, BLEZARD - COLLEEN FROST (cont'd)

The Manager of Development Services outlined the application to the Committee. He indicated that the provisions of the Official Plan permit only one severance to the registered owner as of the adoption date of the Official Plan in 1978. In this case, the owner purchased the property in 2002 and would not qualify for a land severance.

He also advised that the Ministry of Municipal Affairs and Housing in their commenting letter have advised that as the decision maker on exempted Official Plan amendments the City must have regard to Provincial interests as outlined in the Planning Act and the Provincial Policy Statement. As well, the Official Plan contains policies that discourage development outside of the settlement area particularly in the agricultural reserve. The City is in the process of Official Plan review and one of the background studies being undertaken is the Agricultural and Rural Study. This study will provide for an overall review of land use and economic issues and implications of continued scattered rural residential development. The Planning Department share the views of the Ministry and therefore does not support this application.

Councillor Dupuis, Ward Councillor, referred to the Ministry of Municipal Affairs and Housing letter and asked if Ministry staff visit the sites.

The Manager of Development Services replied that the Ministry does have a Planner that visits most of the sites.

Mr. Beaudry advised that prior to purchasing this property, Miss Frost, a horse lover, dreamed of owning a farm. For 10 years she travelled from the Donovan area to Valley East to take care of her horses. In 2002, she purchased the farm to raise and board horses which she continues to do. She realized after she purchased the property that the topsoil had been stripped and she would have to buy feed. The current residence on the property occupies 3,000 square feet and Miss Frost did not anticipate the high costs of hydro and heat. She finds it difficult to make ends meet because she can't grow anything on the land, she has to purchase feed and because of the high costs of hydro and heat for her current home. She hopes to sever 1 acre of land and build a smaller 1,000 square foot house for herself. She acknowledges the proposed one acre lot will not be used for agricultural purposes but it will allow for the successful agricultural operation to continue. He indicated if the property is sold, it cannot be used for an agricultural type operation because the topsoil has been stripped. He asked the Committee to approve the application since the applicant will not only be able to maintain her business but provide a valuable service to clients who own horses. He indicated that the property is kept very clean and the boarders have never complained.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR OFFICIAL PLAN AMENDMENT TO PERMIT THE CREATION OF ONE RESIDENTIAL LOT BEING A MINIMUM OF ONE (1) ACRE IN SIZE, 2962 VERN DRIVE, BLEZARD - COLLEEN FROST (cont'd)

Councillor Dupuis, Ward Councillor, advised that the property was previously used as a sod farm. A sod farm takes one to one and one half inches of topsoil every time the sod is harvested. He has concerns when it comes to the comments from the Ministry of Municipal Affairs and Housing. He indicated there seems to be a different set of rules for the North. The Province does not seem to care about agriculture in the South when you see what they are doing with some very fertile land in Southern Ontario. The Ministry does not see what the soil is like at this location. Potato growers in Northern Ontario pick up every piece of land they can to grow potatoes but can't do it on this property because there is no topsoil. What Ms. Frost is trying to do is not earn a living on the property, only fulfill her passion for horses. He said that he visited the site and noted that the applicant takes excellent care of her horses. He spoke with the neighbours who are very supportive of getting rid of the old building at the front of the property. He encouraged his colleagues to vote against the recommendation as presented.

No objectors were present.

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

The following recommendation was presented:

Recommendation #2004-125:

Reynolds-Bradley: That the application by Colleen Frost to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 16824 S.E.S. being in Lot 12, Concession 1, Township of Hanmer, City of Greater Sudbury to permit the creation of a one acre residential lot be denied.

NON-CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

DEFEATED

The following alternate recommendation was presented:

Recommendation #2004-126:

Dupuis-Caldarelli: That the application by Colleen Frost to amend the Official Plan for the Sudbury Planning Area by introducing a site specific exemption to the "Agricultural Reserve" policies that apply to Parcel 16824 S.E.S. being in Lot 12, Concession 1, Township of Hanmer, City of Greater Sudbury, to permit the creation of a one acre residential lot be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Dupuis, Reynolds, Thompson

CARRIED

Recess At 8:35 p.m., the Planning Committee recessed.

Reconvene At 8:50 p.m., the Planning Committee reconvened.

APPLICATION FOR REZONING TO PERMIT THE "PORTABLE LIVING UNIT FOR SENIORS" (P.L.U.S.) DWELLING UNIT TO BE MAINTAINED AS A PERMANENT SECOND DWELLING ON THE SUBJECT LANDS, 4514 CARL STREET, HANMER - DOUGLAS & PATRICIA MOORE

The Planning Committee meeting was adjourned and the Public Hearing was opened to deal with the following application.

Report dated May 25th, 2004, was received from the Director of Planning Services and the General Manager, Economic Development and Planning Services regarding a rezoning application to permit the "Portable Living Unit for Seniors" (P.L.U.S.) dwelling unit to be maintained as a permanent second dwelling on the subject lands, 4514 Carl Street, Hanmer - Douglas & Patricia Moore.

The applicants, Douglas and Patricia Moore, 4514 Carl Street, Hanmer, were present.

The Manager of Development Services outlined the application to the Committee. He pointed out that in 1985, the Province of Ontario P.L.U.S. demonstration home was located on the site. There were 4 such homes in the Sudbury area. This unit was occupied by a parent until the late 1990's. In 2000, the Moores purchased the unit from the Province but the use of the portable dwelling as a garden suite had been discontinued and it was only to be used as a 'storage structure'. The Moores want to use this unit as a permanent second dwelling. He indicated that the application clearly conflicts with the intent of the Secondary Plan since it does not comply with the description of City Council's intent of "Garden Suites". These units are not intended to be permanent nor a way of permanently allowing two detached units in areas zoned for single detached dwellings. Granny flats or garden suites evolved as a form of accommodation for elderly parents who wished to maintain independent living while being in proximity to family members. In June of 2000, before the Moores purchased the unit, they were advised by Planning Staff that the unit would have to be converted to another land use. If the unit had not been purchased by the Moores, the Province would have removed it from the property. Planning Services cannot support 2 separate dwellings on one property in a single family zone.

Councillor Dupuis, Ward Councillor, questioned staff if this application could be construed as a granny flat application to the Planning Committee.

The Manager of Development Services advised that if the unit was for a parent of the property owner then it would be considered a granny flat application but that the applicants wish to rent it to someone else. They did not make an application to permit a granny flat and that is not what the notice which was advertised and mailed to the area residents indicated. A temporary use for a granny flat would require new notices.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE "PORTABLE LIVING UNIT FOR SENIORS" (P.L.U.S.) DWELLING UNIT TO BE MAINTAINED AS A PERMANENT SECOND DWELLING ON THE SUBJECT LANDS, 4514 CARL STREET, HANMER - DOUGLAS & PATRICIA MOORE (cont'd)

A copy of Mrs. Moore's presentation was distributed to Members of the Committee at the meeting. She indicated that they are present tonight because they received notification from the Planning Department that their temporary rezoning for R1 Special to permit a granny flat would lapse on May 10th, 2004. This was one of four properties which were part of the Provinces Portable Living Unit for Senior's Program which had been set up to provide affordable housing for seniors in need of a residence close to their family. They purchased the property in 2000 from the Province. The government evaluation of the building at that time was \$45,000.00 and has since appreciated. The sale agreement with the Province says the unit cannot be moved. Her 97 year old mother lived in the unit for 15 years. The plan is for their daughter and her family to take over the main house and either one of them will move into the flat when the appropriate time arrives. The Planning Department stated that most neighbouring properties are single detached dwellings, however there are two Community Living Group Homes, a school, Golden Age Club and many apartment buildings in the area. There has never been any objections from the neighbours in the 19 years that the granny flat has been in place and some never even knew it was there. The granny flat is only 500 square feet in size and the reason they have not moved into it is because it is a single unit for one person and would be too small for two people. She indicated the problem is the building is deteriorating and will need a lot of repairs and is expensive for them to keep it as a shed at it needs to be heated. They would like to rent it out. They did rent it to a senior who was not related to them. The unit has been empty since the middle of April. The income received would pay for the heat, hydro and upkeep of the building.

Councillor Dupuis advised he visited the granny flat and it is a beautiful little bachelor apartment. It is difficult to see the building when you drive by. He hasn't received any calls in opposition to the application. He thinks the Committee would not be breaking the rules if this application is approved but only bending them to show compassion to someone who wants to maintain their independence and make sure there is someone to look after them. Sometime in the future, their daughter will take over the main house and one of them will move into the granny flat. This application will not increase traffic and will not be detrimental to the neighbourhood. The Moores have spoken with the neighbours and the neighbourhood will not deteriorate because of this application. He said that should the application be denied, the \$1,000.00 fee that the applicants have already paid should be considered if they reapply for a granny flat in the future. He knows that this will be precedent setting but we must look at each case individually.

No objectors were present.

The Public Hearing concerning this matter was closed and the Planning Committee resumed in order to discuss and vote on the application.

PUBLIC HEARINGS (cont'd)

APPLICATION FOR REZONING TO PERMIT THE "PORTABLE LIVING UNIT FOR SENIORS" (P.L.U.S.) DWELLING UNIT TO BE MAINTAINED AS A PERMANENT SECOND DWELLING ON THE SUBJECT LANDS, 4514 CARL STREET, HANMER - DOUGLAS & PATRICIA MOORE (cont'd)

The following recommendation was presented:

Recommendation #2004-127:

Bradley-Reynolds: That the application by Douglas & Patricia Moore to amend By-law 83-300 being the Comprehensive Zoning By-law for the (former) City of Valley East from "R1.D18", Single Residential to "R2.D14-Special", Special Double Residential with respect to those lands described as Parcel 28482 S.E.S. being Lot 14, Plan M-638 in Lot 12, Concession 3, Township of Capreol be denied.

CONCURRING MEMBERS: Councillors Bradley, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillors Caldarelli, Dupuis

CARRIED

The following additional recommendation was presented:

Dupuis-Caldarelli: That fees for a subsequent application by Douglas and Patricia Moore for a temporary use by-law for a granny flat for a ten-year period be waived.

The following amendment to the above recommendation was presented.

Recommendation #2004-128:

Reynolds-Bradley: That the following words be added to the end of the preceding motion:

"with the exception of the public notice fees."

CONCURRING MEMBERS: Councillors Bradley, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillors Caldarelli, Dupuis

CARRIED

The recommendation as amended was then presented:

Recommendation #2004-129:

Dupuis-Caldarelli: That fees for a subsequent application by Douglas and Patricia Moore for a temporary use by-law for a granny flat for a ten-year period be waived with the exception of the public notice fees.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillor Dupuis

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Item C-1 contained in Part 1 of the Consent Agenda:

Recommendation #2004-130:

Caldarelli-Dupuis: That Item C-1 contained in Part 1, Consent Agenda, be adopted.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-1 Report dated May 14th, 2004, was received from the General Manager, Subdivision Referral Economic Development and Planning Services regarding Subdivision Request for Consent Referral Request for Consent Applications B58/2004 & B59/2004, Applications Lammi's Road, Sudbury - S., E. & E. Heikkila. B58/2004 & B59/2004

Lammi's Road,
Sudbury - S., E. & E.
Heikkila

Recommendation #2004-131:

Caldarelli-Dupuis: That Consent Applications B58/2004 and B59/2004 with respect to Parcel 5134 S.E.S. in Lot 11, Concession 4, Broder Township be permitted to proceed by way of the consent process.

CARRIED

OTHER BUSINESS

Press Release
Properties Sold in
the Valley East and
Walden Industrial
Parks

The Committee agreed that a press release or communication be issued regarding the City selling properties in the Valley East and Walden Industrial Parks because of improved real estate sales in Greater Sudbury.

Adjournment

Recommendation #2004-132:

Dupuis-Caldarelli: That we do now adjourn.
Time: 9:55 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING

NICKEL DISTRICT CONSERVATION AUTHORITY

Minutes of General Board Meeting

Wednesday, May 19, 2004

Room C-11
Tom Davies Square

Commenced: 7:00 p.m.
Adjourned: 7:56 p.m.

PRESENT: Ron Bradley, Chairman
Aaron Beaudry
Gerard Dalcourt
Ron Dupuis
Bob Rogers, Vice-Chairman

ALSO PRESENT: A. Bonnis
P. Sajatovic
D. Lenzi
Todd Gerling (Citizen)

COMMUNICATIONS: R. Thompson

1. Chair Bradley opened the meeting.
2. No declarations of conflict were declared.
3. Adoption of Minutes

a) April 21, 2004

Resolution 2004-32

Rogers - Beaudry

That the minutes of the April 21, 2004 General Board meeting, as duplicated and circulated, be approved, subject to the correction noted on Page 3 of the minutes.

Carried.

4. Delegation

With the concurrence of a majority of the members present, a citizen from St. Onge Street in Chelmsford was given the opportunity to make a presentation related to a problem on his property which is next to Tributary IV of the Whitson River. Mr. Todd Gerling has a wooden retaining wall which is failing. The retaining wall may extend out into an easement across the property and Tributary IV crosses near the base of the retaining wall. N.D.C.A. Board members had a number of questions for Mr. Gerling. However, it was determined that before the N.D.C.A. could consider the matter further, more detailed background information had to be collected. N.D.C.A. staff will gather up the

reviewed the draft Powerpoint presentation and indicated that the N.D.C.A. should make future presentations on issues of mutual interest. Chair Bradley encouraged Board members to try to attend on June 9th in order to show support for the strong working relationship we have with the City.

d) Conservation Ontario Update

Members were given a comprehensive information package dealing with Conservation Ontario's recent launch of the new brand identify. Members discussed how this will be implemented provincially and locally. Members congratulated Conservation Ontario for taking this initiative as it will benefit all 36 Conservation Authorities.

6. New Business

a) Next Meeting

The next General Board meeting is scheduled for Wednesday, June 16, 2004, at 7:00 p.m., in Room C-11, Tom Davies Square.

b) 2004 Ontario Budget Highlights

Members were given an information package outlining announcements contained within the Ontario budget released on May 18th, which relate directly to Conservation Authorities. It was pointed out that Conservation Ontario, on behalf of all Authorities, is pursuing more detailed information on certain components of the budget announcements and will make this available to all Authorities shortly. This information will then be distributed to N.D.C.A. General Board members.

c) Property Complaint - 21 William Street, Coniston

An information package was distributed to Board members. The issue was raised by a relative of the property owner and was directed to both the N.D.C.A. and City of Greater Sudbury. The N.D.C.A.'s involvement dealt with bank stabilization work done in 1983 by the Authority, adjacent to the property. After discussing the matter thoroughly, staff was directed to prepare a letter to be sent back to the City, indicating that the N.D.C.A. is not in a position to do any restorative works at this time. It was pointed out, however, that the citizen who raised the issue, could request to appear before the General Board if he so desires.

d) Watershed Conditions

As a result of heavy, continuous rainfall since the beginning of May, water levels and flows around the watershed are very high. It was noted that media releases are being sent out to keep the general public informed. As well, the N.D.C.A. is continuously communicating with all the agencies involved in managing and monitoring the conditions. No major overland flooding problems had been reported to the N.D.C.A. at the time of the report. Members will be kept informed as will the general public, until more normal flows and levels are experienced on the rivers and lakes around the watershed.

No other business was transacted.

7. Adjournment

Resolution 2004-35

Dalcourt - Rogers

That we do now adjourn.

Carried.

RECEIVED
JUN - 3 2004
CLERKS - DEPT.

MINUTES OF THE TENDER OPENING COMMITTEE MEETING

Committee Room C-14
Tom Davies Square
2004-05-25

Commencement: 2:30 p.m.
Adjournment: 2:32 p.m.

DARRYL MATHÉ, MANAGER OF SUPPLIES & SERVICES, IN THE CHAIR

Present

L. Poulin, Building & Facilities Technician; M. Hauta, Accountant; K. Lessard, Law Clerk; L. Lesar, Secretary to the Manager of Supplies & Services

Contract PWD04-25
Arena Plant Upgrades

Contract PWD04-25, Tenders for Arena Plant Upgrades, Various Locations {estimated at a total cost of \$130,000.00} were received from the following bidders:

BIDDER	TOTAL AMOUNT
Cimco Refrigeration	\$118,467.19
Metal Air Mechanical Systems Ltd.	\$103,358.79
Kane Mechanical Inc.	\$142,947.42

A bid deposit in the form of a certified cheque in the amount of \$10,000.00 accompanied each tender.

The foregoing tenders were turned over to the Building & Facilities Technician for review and recommendation. A report outlining the recommendations would be prepared and forwarded to the General Manager of Public Works for approval. A copy of this report would be provided to the Manager of Supplies & Services.

Adjournment

The meeting adjourned at 2:32 p.m.

Chairman

Secretary

T.O.C. 2004-05-25 (1)