
FOR THE **REGULAR MEETING OF CITY COUNCIL**
TO BE HELD ON **THURSDAY, MAY 27, 2004 AT 7:00 P.M.**
IN THE **COUNCIL CHAMBER, TOM DAVIES SQUARE**

MAYOR DAVID COURTEMANCHE, CHAIR

- 5:30 P.M. **COMMITTEE OF THE WHOLE - "IN CAMERA"**
COMMITTEE ROOM C-11, TOM DAVIES SQUARE
To deal with: Personnel and Property 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.greatersudbury.ca.

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

PUBLIC HEARINGS

{NONE}

PRESENTATIONS/DELEGATIONS

{NONE}

MATTERS ARISING FROM THE "IN CAMERA" SESSION

At this point in the meeting, the Chair, Deputy Mayor Craig, 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: 2004-05-26

At this point in the meeting, the Vice-Chair of the Priorities Committee, Councillor Caldarelli, will bring forward any matter requiring Council approval.

MATTERS ARISING FROM THE PLANNING COMMITTEE: 2004-05-25

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

PART I - CONSENT AGENDA

**(RESOLUTION PREPARED adopting resolutions for
Items C-1 to C-7 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.)

PART I - CONSENT AGENDA (continued)

<u>MINUTES</u>	<u>PAGE NO.</u>
C-1 Report No. 11, City Council, Minutes of 2004-05-13. (RESOLUTION PREPARED - MINUTES ADOPTED)	M1 - M23
C-2 Report No. 10, Planning Committee, Minutes of 2004-05-18. (RESOLUTION PREPARED - MINUTES ADOPTED)	M24 - M43
C-3 Report No. 9, Priorities Committee, Minutes of 2004-05-26. (RESOLUTION PREPARED - MINUTES ADOPTED)(MINUTES TABLED)	
C-4 Report of the Tender Opening Committee, Minutes of 2004-05-11. (RESOLUTION PREPARED - MINUTES RECEIVED)	M44
C-5 Report of the Tender Opening Committee, Minutes of 2004-05-18. (RESOLUTION PREPARED - MINUTES RECEIVED)	M45 - M47
C-6 Report No. 3, Board of Directors of Sudbury Metro Centre, Minutes of 2004-04-27. (RESOLUTION PREPARED - MINUTES RECEIVED)	M48 - M50

TENDERS

{NONE}

ROUTINE MANAGEMENT REPORTS

C-7 Report dated 2004-05-19 from the General Manager of Citizen & Leisure Services regarding Canada Day Celebrations. (RESOLUTION PREPARED)	1 - 2
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(The City of Greater Sudbury has been requested to join community partners in contributing to the fireworks for the Canada Day Celebrations.)

TELEPHONE POLLS

{NONE}

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.

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

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 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

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

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.

3 - 8

(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.

9 - 10

(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.

11 - 12

(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.)

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

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. Additionally, a report
by the General Manager of Citizen and Leisure Services
will address some requested amendments to the By-law.)

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

Priorities Committee meeting of May 26, 2004

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

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

Priorities Committee meeting of May 26, 2004

PART I - CONSENT AGENDA (continued)

BY-LAWS (continued)

PAGE NO.

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

Priorities Committee meeting of May 26, 2004

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 -Firnill Enterprises Ltd., Notre Dame Street, Azilda)

CORRESPONDENCE FOR INFORMATION ONLY

C-8 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. **13 - 15**
(FOR INFORMATION ONLY)

(Information report to Council regarding the upcoming forum on the community prevention of Obesity.)

C-9 Report dated 2004-05-18, with attachments, from the General Manager of Health & Social Services regarding Northeastern Ontario Geriatric Care Conference: Practical Management. **16 - 18**
(FOR INFORMATION ONLY)

(Announcement for a Northeastern Ontario Geriatric Care Conference for health professionals hosted by Pioneer Manor.)

C-10 Report dated 2004-05-21, with attachments, from the General Manager of Corporate Services regarding 2004 Ontario Budget - The Plan for Change. **19 - 47**
(FOR INFORMATION ONLY)

(This report outlines the highlights of the 2004 Ontario budget which affect municipalities.)

PART II - REGULAR AGENDA

REFERRED AND DEFERRED MATTERS

R-1 The following motion by was presented Councillor Kett:

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);

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."

PART II - REGULAR AGENDA (continued)

REFERRED AND DEFERRED MATTERS (continued)

PAGE NO.

R-1 **The following motion was presented by Councillor Kett (continued):**

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.

(That Council at its meeting of 2004-05-13 concurred the request of Councillor Kett that the foregoing motion be deferred to the next regularly scheduled meeting of Council when a representative of CUPE could address Council.

Councillor Kett will not be in attendance at the 2004-05-27 Council meeting. As well CUPE has indicated that it is unable to attend as well. Councillor Kett has therefore requested that Council agree to refer this matter to the 2004-06-10 meeting of City Council.

In order to do this a motion of referral will be required.)

MANAGERS' REPORTS

- R-2 Report dated 2004-05-19 from the General Manager of Health & Social Services regarding Contract for National Homelessness Initiative Funding. **48 - 50**
(RESOLUTION PREPARED)

(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.)

PART II - REGULAR AGENDA (continued)

MANAGERS' REPORTS (continued)

PAGE NO.

- R-3 Report dated 2004-05-17 from the General Manager of Health & Social Services regarding Community Placement Target Fund Slippage. **51 - 53**
(RESOLUTION PREPARED)

(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.)

- R-4 Report dated 2004-05-18 from the General Manager of Health & Social Services regarding Emergency Shelter Bed Sustainability Strategy. **54 - 61**
(RESOLUTION PREPARED)

(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.)

- R-5 Report dated 2004-05-21 from the General Manager of Corporate Services regarding Development Charges Study Update. **62 - 64**
(RESOLUTION PREPARED)

(By-law 99-200F, being a by-law of the former Region with respect to Development Charges, will expire on August 31, 2004. Under the Development Charges Act, a new study must be undertaken and a new by-law passed in order for the City to continue to collect Development Charges related to qualifying capital projects.)

- R-6 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. **65 - 67**
(RESOLUTION PREPARED)

(Councillor Callaghan at the May 13th, 2004 meeting of Council submitted his resignation as Chair of the Finance Committee effective that date. Councillor Gainer, as Vice-Chair, is now the Acting Chair of Finance until such time as Councillor Callaghan's resignation is formally accepted by Council and a Council election is held to appoint his successor.

Due to the anticipated absence of some Members of Council at the May 27th, 2004 Council meeting, the selection of Chair of Finance will be put over to the June 10th, 2004 Council meeting.)

PART II - REGULAR AGENDA (continued)

MOTIONS

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.}

2004-05-21

**THOM M. MOWRY
CITY CLERK**

**CORRIE-JO CAPORALE
COUNCIL SECRETARY**