

COST CENTRE REPORT PERIOD ENDING AUGUST 31, 2004

(000)

OUTSIDE BOARDS							
	Annual Budget	Y-T-D Budget	%	Y-T-D Actual	%	Year-end Projection	Year-end Surplus (Deficit)
N.D.C.A.	254	155	61	57	22	254	-
(12) PUBLIC HEALTH (HEALTH UNIT)	6,173	4,081	66	4,034	65	6,052	121
POLICE SERVICES	33,282	22,231	67	21,085	63	33,250	32
OUTSIDE BOARDS	39,709	26,467	67	25,176	63	39,556	153

Minutes

City Council	2004-10-14
Planning Committee	2004-10-19
Ad Hoc Committee - Council Auditor	2004-10-19
Priorities Committee {TO BE TABLED}	2004-10-27
Court of Revision	2004-10-20
2005 Budget Public Input & Information Session Wards 1 - 6	2004-10-18
Tender Opening Committee	2004-10-19
Greater Sudbury Police Services Board	2004-09-02
Board of Directors of Sudbury Metro Centre	2004-07-07

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

**Council Chamber
Tom Davies Square**

**Thursday, October 14, 2004
Commencement: 7:00 p.m.**

HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

Present

Councillors Berthiaume; Bradley; Caldarelli; Callaghan; Gainer; Gasparini; Kett; Reynolds; Rivest; Thompson

City Officials

M. Mieto, Chief Administrative Officer; D. Belisle, General Manager of Public Works; C. Hallsworth, General Manager of Citizen & Leisure Services; C. Matheson, General Manager of Health & Social Services; D. Nadorozny, General Manager of Economic Development & Planning Services; A. Stephen, General Manager of Emergency Services; D. Wuksinic, General Manager of Corporate Services; I. Davidson, Chief of Police, Greater Sudbury Police Service; R. Swiddle, City Solicitor/Director of Legal Services; J. McKechnie, Executive Assistant to the Mayor; T. Mowry, City Clerk; F. Bortolussi, Planning Committee Secretary; CJ Caporale, Council Secretary

C.U.P.E. Local 4705

W. MacKinnon, President; G. Prieur, Vice-President; F. Posadowski, Recording Secretary

News Media

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

**Declarations of
Pecuniary Interest**

Councillor Gasparini declared a conflict regarding By-law 2004-280F and By-law 2004-281F (Revised Allocation of Funding for Homelessness Projects/Programs) as this matter may be of pecuniary interest to her.

Councillor Rivest declared a conflict of interest regarding a Civic Petition concerning sewer and water hook-ups along a portion of Dominion Drive, Hanmer, as he is a property owner in the area.

MATTERS ARISING FROM THE PRIORITIES COMMITTEE

Rise and Report

Councillor Kett, Chair of the Priorities Committee, reported that the Priorities Committee met on 2004-10-13. He requested that Priorities Recommendations 2004-64 (Mental Health Advocates) and 2004-69 (Long-Term Care Facilities) be pulled and voted on by way of a recorded voted.

Priorities
Recommendation
2004-64 Mental Health
Advocates

2004-513 Dupuis: WHEREAS the Mental Health Advocates have addressed the need to review the current governance model of the Northeast Mental Health Centre(NEMHC);

AND WHEREAS the current governance of the NEMHC does not adequately represent the needs of mental health clients in their individual program areas of the Sudbury/Manitoulin/East Algoma District;

AND WHEREAS there is a need for a new model of governance that would ensure a seamless and integrated standing mental health care delivery model;

AND WHEREAS a resolution was passed by the City of Greater Sudbury on March 25, 2004 calling upon the Minister of Health and Long Term Care to immediately set in motion a review of NEMHC, the purpose to cease the amalgamation of NEMHC and North Bay Psychiatric Hospital and return governance control of the mental health services back to the local areas;

AND WHEREAS the former Network North governed and managed all mental health and addiction programs which included the children's psychiatric program and all acute and complex care beds for the Sudbury/Manitoulin/East Algoma Districts;

AND WHEREAS George Lund, lead member of the Health Services Restructuring Commission, and Peter Birney, Chair of the Northeast Mental Health Implementation Task Force, are recommending that mental health and addiction programs and services as well as the thirty-one (31) complex care beds should be governed and managed at a local level;

AND WHEREAS votes of non confidence pertaining to the governance and management of the current NEMHC have been submitted by The Standing Committee of the NEMHC, Ontario Nursing Association (ONA), Ontario Public Services Employees Union (OPSEU) and the Anishinabek Nation Special Assembly.

THEREFORE LET IT RESOLVED THAT the City of Greater Sudbury urge the Minister of Health and Long-Term Care to immediately revise the "Regional" model of governance to a local model of governance, as was submitted to the Honourable George Smitherman, that will ensure a strong continuum of mental health and addiction services at the local level;

AND FURTHER THAT the regional children's mental health beds (12) and acute care beds remain in the Sudbury/Manitoulin/East Algoma District under a local governance and administration, and that the thirty-one (31) complex psychiatric care beds be divested to

Priorities
Recommendation
2004-64 Mental Health
Advocates
(continued)

the local district, the precedence for which was set out by communities such as London who divested beds to the Windsor/Kitchener-Waterloo area as well as Hamilton to St. Catherine's, all under a local governance structure.

AND FURTHER THAT this motion be forwarded to the Federation of Northern Ontario Municipalities (FONOM), the Sudbury & District Health Unit and all Local Members of the Legislative Assembly.

RECORDED VOTE:

YEAS

NAYS

Berthiaume
Bradley
Caldarelli
Callaghan
Gainer
Gasparini
Kett
Reynolds
Rivest
Thompson
Mayor Courtemanche

CARRIED

Declarations of
Pecuniary Interest

Councillor Caldarelli declared a conflict regarding Priorities Recommendation 2004-69 (Long-Term Care Facilities) as this matter may affect a family member.

Priorities
Recommendation
2004-69 Long-Term
Care Facilities

2004-514 Dupuis: WHEREAS the Ministry of Health and Long-Term Care has declared a "Crisis 1A" situation for patients in hospital awaiting long-term care beds in Sudbury;

AND WHEREAS the Ministry of Health and Long-Term Care will now move patients to any vacant long-term care bed within the District to resolve the critical shortage of long-term care beds in the City;

AND WHEREAS vacated space as a result of the completion of the capital redevelopment of Pioneer Manor enables the conversion of up to 30 long-term care beds;

AND WHEREAS the needs of patients waiting acute care, the needs of patients waiting long-term care, and the needs of family and community can be satisfied through a local solution;

Priorities
Recommendation
2004-69 Long-Term
Care Facilities
(continued)

THEREFORE BE IT RESOLVED THAT the Minister of Health and Long-Term Care be requested to respond to the unique and immediate needs of our community by funding 30 interim long-term care beds at Pioneer Manor for up to six months;

AND THAT further discussions ensue amongst the City of Greater Sudbury, the Minister of Health and Long-term Care, and the Sudbury Regional Hospital to arrive at alternate solutions.

RECORDED VOTE:

YEAS

NAYS

Berthiaume
Bradley
Callaghan
Gainer
Gasparini
Kett
Reynolds
Rivest
Thompson
Mayor Courtemanche

CARRIED

Declaration of
Pecuniary Interest

Councillor Caldarelli, having declared a pecuniary interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

MATTERS ARISING FROM THE PLANNING COMMITTEE

Rise and Report

Councillor Thompson, Chair of the Planning Committee, reported that the Planning Committee met on 2004-09-21 and there were no items requiring Council approval.

MATTERS ARISING FROM THE INTERVIEW COMMITTEE (CONTRACT CA004-04)

Rise and Report

Councillor Kett, Chair of the Interview Committee, reported that the Interview Committee met on 2004-10-14 and one recommendation emanated therefrom.

Interview Committee
Recommendation
2004-02 Award of RFP
Contract CA004-04

2004-515 Reynolds-Berthiaume: THAT Contract CA004-04, Request for Proposal for a Review of the Organizational Structure and Practices of the City of Greater Sudbury be awarded to Berkley Consulting Group at an estimated fee of \$73,332.45, including GST;

AND FURTHER THAT the Chief Administrative Officer be authorized to enter into an Agreement with Berkley Consulting Group satisfactory to the Director of Legal Services.

CARRIED

PART I
CONSENT AGENDA

Item C-14
Traffic Signal
Installations

The Mayor advised Council that the original motion for Item C-14 (Traffic Signal Installations) had been withdrawn and removed from the Consent Agenda. A new motion for Item C-14 had been substituted. The following motion was then presented:

2004-516 Bradley-Kett: THAT the tender for the installation of traffic signals at MR #35 and Pilon Street, and MR #55 and Hillcrest Drive, be awarded to R. M. Belanger Construction at the amended bid price of \$278,000, with funding in the amount of \$198,000 to be provided from the 2004 Capital Roads Budget, and funding in the amount of \$80,000 to be provided from the Reserve Fund for Capital Roads Expenditures.

CARRIED

Planning Committee
Recommendation
2004-233
Proposed Clubhouse

Councillor Bradley asked that Planning Recommendation 2004-233 (Development of a Clubhouse, Martin Road, Hanmer - Peter Churan) be pulled from the Planning Committee minutes and voted on separately.

The following resolution was presented:

Dupuis-Caldarelli: THAT the application by Peter Churan 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 37982 SES, being Part of Part 1, Plan 53R-4813 in Lot 10, Concession 1, Hanmer Township from "A", Agricultural Reserve to "A-Special", Agricultural Reserve Special be approved subject to the following:

- a) That a golf course and related accessory uses be permitted in addition to normal agricultural uses;
- b) That prior to the passing of an amending by-law the applicant shall engage the services of a professional engineer and prepare a hydrogeological study indicating that the site can provide a potable water supply for the clubhouse to the satisfaction of the General Manager of Public Works and indicating that the site can accommodate private sewage disposal facilities to the satisfaction of the Sudbury and District Health Unit.
- c) That the amending by-law define the subject property as an area of site plan control pursuant to Section 41 of the Planning Act.

Planning Committee
Recommendation
2004-233
Proposed Clubhouse
(continued)

- d) That prior to the issuance of a building permit the applicant shall be required to enter into a Site Plan Control Agreement to deal with such matters as building location, entrance design, parking layout and treatment, drainage and stormwater management, the provision of a street light on Martin Road at the entrance, and waste disposal.

Motion for Deferral

Bradley: THAT Planning Committee Recommendation 2004-233 (Development of a Clubhouse, Martin Road, Hanmer - Peter Churan) be deferred until Councillor Dupuis is present in order to further discuss the matter.

DEFEATED

Planning Committee
Recommendation
2004-233
Proposed Clubhouse
(continued)

The following resolution was then presented:

2004-517 Dupuis-Caldarelli: THAT the application by Peter Churan 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 37982 SES, being Part of Part 1, Plan 53R-4813 in Lot 10, Concession 1, Hanmer Township from "A", Agricultural Reserve to "A-Special", Agricultural Reserve Special be approved subject to the following:

- a) That a golf course and related accessory uses be permitted in addition to normal agricultural uses;
- b) That prior to the passing of an amending by-law the applicant shall engage the services of a professional engineer and prepare a hydrogeological study indicating that the site can provide a potable water supply for the clubhouse to the satisfaction of the General Manager of Public Works and indicating that the site can accommodate private sewage disposal facilities to the satisfaction of the Sudbury and District Health Unit.
- c) That the amending by-law define the subject property as an area of site plan control pursuant to Section 41 of the Planning Act.
- d) That prior to the issuance of a building permit the applicant shall be required to enter into a Site Plan Control Agreement to deal with such matters as building location, entrance design, parking layout and treatment, drainage and stormwater management, the provision of a street light on Martin Road at the entrance, and waste disposal.

Planning Committee
Recommendation
2004-233
Proposed Clubhouse
(continued)

RECORDED VOTE:

YEAS

Callaghan
Gainer
Kett
Reynolds
Rivest
Thompson
Mayor Courtemanche

NAYS

Berthiaume
Bradley
Caldarelli
Gasparini

CARRIED

Consent Agenda

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

2004-518 Berthiaume-Bradley: THAT Items C-1 to C-13 inclusive and Item C-15, contained in Part I, Consent Agenda, be adopted, with the exception of Planning Committee Recommendation 2004-233 (Proposed Golf Course, Martin Road at Dominion Drive, Hanmer) as otherwise dealt with.

CARRIED

MINUTES

Item C-1
Report No. 18
City Council
2004-09-30

2004-519 Bradley-Berthiaume: THAT Report No. 18, City Council Minutes of 2004-09-30 be adopted.

CARRIED

Item C-2
Report No. 17
Planning Committee
2004-10-05

2004-520 Berthiaume-Bradley: THAT Report No. 17, Planning Committee Minutes of 2004-10-05 be adopted, with the exception of Planning Committee Recommendation 2004-233 (Proposed Golf Course, Martin Road at Dominion Drive, Hanmer) as otherwise dealt with.

CARRIED

Item C-3
Report No.1
COW
2004-10-05

2004-521 Bradley-Berthiaume: THAT Report No. 1, Committee of the Whole Minutes of 2004-10-05 be adopted.

CARRIED

Item C-4
Report No. 5
Ad Hoc Committee -
Council Auditor
2004-10-05

2004-522 Berthiaume-Bradley: THAT Report No. 5, Ad Hoc Committee - Council Auditor Minutes of 2004-10-05 be adopted.

CARRIED

C.C. 2004-10-14 (19TH)

(7)

<p>Item C-5 Report No. 5 Special Meeting of Council <u>2004-09-29</u></p>	<p>2004-523 Bradley-Berthiaume: THAT Report No. 5, Special Meeting of Council Minutes of 2004-09-29 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-6 Report No. 13 Priorities Committee <u>2004-10-13</u></p>	<p>2004-524 Berthiaume-Bradley: THAT Report No. 13, Priorities Committee Minutes of 2004-10-13 be adopted.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-7 TOC <u>2004-09-27</u></p>	<p>2004-525 Bradley-Berthiaume: THAT the Report of the Tender Opening Committee Minutes of 2004-09-27 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-8 TOC <u>2004-09-28</u></p>	<p>2004-526 Berthiaume-Bradley: THAT the Report of the Tender Opening Committee Minutes of 2004-09-28 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-9 TOC <u>2004-10-05</u></p>	<p>2004-527 Bradley-Berthiaume: THAT the Report of the Tender Opening Committee Minutes of 2004-10-05 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-10 NDCA <u>2004-09-22</u></p>	<p>2004-528 Bradley-Berthiaume: THAT the Report of the Nickel District Conservation Authority Minutes of 2004-09-22 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-11 Report No. 7 Sudbury & District Board of Health <u>2004-09-16</u></p>	<p>2004-529 Berthiaume-Bradley: THAT Report No. 7, Sudbury & District Board of Health Minutes of 2004-09-16 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-12 Report No. 5 CGS Public Library Board <u>2004-06-17</u></p>	<p>2004-530 Bradley-Berthiaume: THAT Report No. 5, City of Greater Sudbury Public Library Board Minutes of 2004-06-17 be received.</p> <p style="text-align: right;">CARRIED</p>
<p>Item C-13 Greater Sudbury Housing Corporation <u>2004-08-31</u></p>	<p>2004-531 Berthiaume-Bradley: THAT the Report of the Greater Sudbury Housing Corporation Minutes of 2004-08-31 be received.</p> <p style="text-align: right;">CARRIED</p>

C.C. 2004-10-14 (19TH) (8)

TENDERS

Item C-15
RFP - Uniform &
Safety Shoes -
Fire/Emergency
Services

Report dated 2004-10-14 from the General Manager of Emergency Services regarding Request for Proposal - Uniform and Safety Shoes Fire Services Division/ Emergency Services Department was received.

The following resolution was presented:

2004-532 Bradley-Berthiaume: THAT the Request for Proposal for a Contract to purchase Uniforms and Safety Shoes be awarded to Soucie Salo Safety Inc. in the amount of \$31,174.79 for uniforms and \$9,197.72 for safety shoes, annually, for a 4-year term.

CARRIED

BY-LAWS

THE FOLLOWING BY-LAWS APPEARED FOR THREE READINGS:

2004-279A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF OCTOBER 14TH, 2004

2004-282 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE 2004-2005 GREATER SUDBURY TRANSIT ACCESSIBILITY PLAN

Council Resolution 2004-505

2004-283 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE 2004-2005 GREATER SUDBURY ACCESSIBILITY PLAN

Council Resolution 2004-505

2004-284Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-300, THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF ONAPING FALLS AND THE FORMER CITY OF VALLEY EAST

Planning Committee Recommendation 2004-218

(This By-law rezones the subject property to Single Residential to permit the subdivision of the site into 89 lots for single residential. - C. Paquette (Dalron Construction Ltd.), 1439 Dominion Drive, Hanmer.)

BY-LAWS (continued)

2004-285 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF MUNICIPAL AFFAIRS AND HOUSING FOR RECEIPT OF FUNDING UNDER THE RENT BANK PROGRAM

Report dated 2004-10-05 from the General Manager of Health & Social Services regarding Provincial Rent Bank Program and Emergency Energy Fund.

(The report will provide details of the Provincial government's Rent Bank Program and Emergency Energy Fund with a recommendation that the Canadian Red Cross - Sudbury Branch, administers the funds as part of the existing Housing Registry and Rent Bank Program.)

2004-286 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE CANADIAN RED CROSS SOCIETY FOR THE ADMINISTRATION OF FUNDING UNDER THE RENT BANK PROGRAM

Report dated 2004-10-05 from the General Manager of Health & Social Services regarding Provincial Rent Bank Program and Emergency Energy Fund.

(The report will provide details of the Provincial government's Rent Bank Program and Emergency Energy Fund with a recommendation that the Canadian Red Cross - Sudbury Branch, administers the funds as part of the existing Housing Registry and Rent Bank Program.)

2004-287 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH THE CANADIAN RED CROSS SOCIETY FOR THE ADMINISTRATION OF FUNDING UNDER THE PROVINCIAL EMERGENCY ENERGY FUND

Report dated 2004-10-05 from the General Manager of Health & Social Services regarding Provincial Rent Bank Program and Emergency Energy Fund.

(The report will provide details of the Provincial government's Rent Bank Program and Emergency Energy Fund with a recommendation that the Canadian Red Cross - Sudbury Branch, administers the funds as part of the existing Housing Registry and Rent Bank Program.)

BY-LAWS (continued)

THE FOLLOWING BY-LAW APPEARED FOR FIRST AND SECOND READING:

2004-288 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2002-202, THE PROCEDURE BY-LAW FOR THE CITY OF GREATER SUDBURY

Council Resolution 2004-505

(This By-law amends the Procedure By-law to include the terms of reference for the Accessibility Advisory Committee as adopted by Council at its meeting of September 30, 2004.)

1ST & 2ND Reading

2004-533 Berthiaume-Bradley: THAT By-law 2004-279A to and including By-law 2004-288 be read a first and second time, with the exception of By-law 2004-280F and By-law 2004-281F, as otherwise dealt with.

CARRIED

3RD Reading

2004-534 Bradley-Berthiaume: THAT By-law 2004-279A to and including By-law 2004-287 be read a third time and passed, with the exception of By-law 2004-280F and By-law 2004-281F, as otherwise dealt with.

CARRIED

2004-280F 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE FUNDING FROM NATIONAL HOMELESSNESS INITIATIVE (NHI) PROGRAM FUNDING TO VARIOUS SOCIAL AGENCIES TO ASSIST IN DELIVERING COMMUNITY PROGRAMS DESIGNED TO REDUCE AND PREVENT HOMELESSNESS

Report dated 2004-10-06 from the General Manager of Health & Social Services Revised Allocation of Funding for Homelessness Projects/Programs.

(The report will provide details of revised allocations of funds from the National Homelessness Initiative (SCPI) funding and the Community Placement Target Fund. The revised allocation of funds is necessary due to an unforeseen delay in the approval of the City's contract with the National Secretariate on Homelessness.)

BY-LAWS (continued)

2004-281F 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 2004-10-06 from the General Manager of Health & Social Services Revised Allocation of Funding for Homelessness Projects/Programs.

(The report will provide details of revised allocations of funds from the National Homelessness Initiative (SCPI) funding and the Community Placement Target Fund. The revised allocation of funds is necessary due to an unforeseen delay in the approval of the City's contract with the National Secretariate on Homelessness.)

1ST & 2ND Reading

2004-535 Kett-Reynolds: THAT By-law 2004-280F and By-law 2004-281F be read a first and second time.

CARRIED

3RD Reading

2004-536 Kett-Reynolds: THAT By-law 2004-280F and By-law 2004-281F be read a third time and passed.

CARRIED

Declaration of Pecuniary Interest

Councillor Gasparini, having declared a pecuniary interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

**PART II
REGULAR AGENDA**

MANAGERS' REPORTS

Item R-1
Levack Water Supply
GA - Phase II

Report dated 2004-10-06, with attachments, from the General Manager of Public Works regarding Levack Water Supply - Groundwater Assessment - Phase II was received.

The following resolution was presented:

2004-537 Bradley-Berthiaume: THAT Council authorize the Phase II Groundwater Assessment work for the proposed new Levack Water Supply as outlined in the letter proposal from Dennis Consultants dated October 1st, 2004, at an estimated cost of \$400,000;

AND THAT Dennis Consultants be authorized to carry out this work as an extension of the City's Contract Number PWD04-29SP for the development of a New Water Supply Strategy for the Community of Levack.

CARRIED

Item R-2
New Traffic Signals

Report dated 2004-10-06, with attachments, from the General Manager of Public Works regarding New Traffic Signals: 1) Kingsway (MR 55) at Moonlight Avenue; 2) Falconbridge Hwy (MR 86) at Auger Avenue; 3) Regent Street at Armstrong Road/Remington Avenue was received.

The following resolution was presented:

2004-538 Berthiaume-Bradley: THAT new traffic signal locations be placed on a priority list;

AND THAT the locations which do not currently meet the warrants be monitored on an annual basis;

AND THAT when the warrants are satisfied;

AND THAT when funds become available, the locations be identified in the following order:

1. Kingsway (M.R. 55) at Moonlight Avenue
2. Falconbridge Hwy (M.R. 86) at Auger Avenue
3. Regent Street at Armstrong Street / Remington Avenue

CARRIED

Request to Monitor
Traffic Volumes

At the request of Councillor Callaghan, the General Manager of Public Works advised Council that staff will continue to monitor traffic volumes at all intersections.

Item R-3
Deaf Child Area Sign Program

Report dated 2004-10-06, with attachments, from the General Manager of Public Works regarding Proposed Discontinuance of Deaf Child Area Sign Program was received.

The following resolution was presented:

Bradley-Berthiaume: THAT in view of the fact this program was initiated at the request of the Canadian Hearing Society and based on input from our legal and insurance staff it is recommended that this program be discontinued for all new sign installations.

FURTHER IT IS RECOMMENDED THAT the City maintain the existing signs until such time as they are no longer required (ie. when either the child moves outside of the City or reaches the age of 15 years).

Motion for Deferral

Callaghan: THAT the foregoing motion be deferred to the next Priorities Committee meeting until further information is received from staff.

CARRIED

Item R-4
Explanation of
Shaughnessy Street
Parking Lot

Report dated 2004-10-06 from the General Manager of Public Works regarding Explanation of Shaughnessy Street (Theatre Centre) Parking Lot Reconstruction Cost Overrun and Allocation from Parking Reserve Fund was received.

The following resolution was presented:

Berthiaume-Bradley: THAT Council approve an additional allocation of One Hundred Thousand Dollars (\$100,000) from the Parking Reserve Fund to cover over-expenditures on the project and the costs for enhanced landscaping of the parking lot, as discussed in the report dated 2004-10-06.

Division of Item R-4

At the request of the Mayor, the foregoing motion was divided and voted on separately.

Item R-4
Landscaping -
Shaughnessy Street
Parking Lot Motion

The following resolution was presented:

Kett-Gasparini: THAT Council approve an additional \$41,000 to cover the costs of completing the landscaping on the Shaughnessy Street parking lot.

Friendly Amendment

With the concurrence of the mover, Councillor Gainer requested that the foregoing motion be amended to include the words "from the Parking Reserve Fund".

Item R-4
Landscaping -
Shaughnessy Street
Parking Lot Motion
(as amended)

2004-539 Kett-Gasparini: THAT Council approve an additional \$41,000 to cover the costs of completing the landscaping on the Shaughnessy Street parking lot from the Parking Reserve Fund.

RECORDED VOTE:

YEAS

Bradley
Gainer
Gasparini
Kett

NAYS

Berthiaume
Caldarelli
Callaghan
Reynolds
Rivest
Thompson
Mayor Courtemanche

DEFEATED

Item R-4
Over Expenditures -
Shaughnessy Street
Parking Lot Motion

The following resolution was presented:

2004-540 Berthiaume-Bradley: THAT Council approve an additional allocation of fifty-nine thousand (\$59,000) dollars to cover over-expenditures on the Shaughnessy Street parking lot;

AND THAT the allocation be funded from the Parking Reserve Fund.

CARRIED

Item R-5
Renaming of Lily
Creek Sports Complex

Report dated 2004-10-08 from the General Manager of Citizen & Leisure Services regarding Renaming of Lily Creek Sports Complex to Honourable James Jerome Sports Complex was received.

The following resolution was presented:

2004-541 Bradley-Berthiaume: WHEREAS the Sudbury Historical Preservation Association has requested that the City of Greater Sudbury re-name the Lily Creek Sports Complex the Honourable James Jerome Sports Complex;

AND WHEREAS the Honourable James Jerome served the community as the Member of Parliament for Sudbury for a period of eleven years, during which time he also served as Speaker of the House of Commons between 1974 - 1979;

AND WHEREAS the Honourable James Jerome served as the Associate Chief Justice in the Federal Court of Canada between 1980 - 1998;

AND WHEREAS the Honourable James Jerome is an individual of extraordinary prominence who has made lasting and significant contributions to public life in general, and to the City of Greater Sudbury;

AND WHEREAS the Honourable James Jerome was instrumental in securing the Taxation Data Centre for Sudbury;

AND WHEREAS the funds paid to the City of Sudbury by the Federal Government for the land on which the Sudbury Taxation Data Centre is situated were used to purchase and develop parks and playfields, including the Lily Creek property;

NOW THEREFORE BE IT RESOLVED THAT the Lily Creek Sports Complex be renamed the Honourable James Jerome Sports Complex.

CARRIED

Policy Review

With the concurrence of Council, Councillor Gasparini requested that By-law 2003-126 (Building, Property and Parks Naming Policy) be reviewed by staff so that a public consultation process could be incorporated into the Naming Policy.

Item R-6
Street Naming
Committee

Report dated 2004-09-23 from the General Manager of Corporate Services regarding Appointment to Street Naming Committee was received.

The following resolution was presented:

2004-542 Berthiaume-Bradley: THAT the Clerk be directed to advertise for three members of the public to be appointed as non-voting members to the Street Naming Committee for the term ending November 30, 2006.

CARRIED

Declarations of
Pecuniary Interest

Councillor Rivest declared a conflict regarding Item R-7 (Municipal Act Reform) as it involves appeals for topsoil and which his family owns and operates a sand and gravel business.

Item R-7
Municipal Act Reform

Report dated 2004-10-08 from the General Manager of Corporate Services regarding Municipal Act Reform was received.

Councillor Callaghan stated that there is a need to implement changes regarding slow moving vehicles using major roadways at peak traffic times and that the municipalities should be allowed to control the hours.

The following resolution was presented:

2004-543 Bradley-Berthiaume: THAT a resolution be passed endorsing the AMO paper on Municipal Act Reform and requesting the Minister of Municipal Affairs and Housing to consider the requests for amending legislation set out in this report.

CARRIED

Declaration of
Pecuniary Interest

Councillor Rivest, having declared a conflict of interest in the foregoing matter, did not take part in the discussion, vote on any matter or try to influence the vote in respect thereof.

Change of Chair

At 8:30 p.m., His Worship Mayor David Courtemanche vacated the chair.

COUNCILLOR GAINER, IN THE CHAIR

MOTIONS

Item R-8
Provincial Job
Postings

The following resolution was presented:

2004-544 Reynolds-Bradley: WHEREAS the Provincial government is moving one hundred twenty-two (122) net jobs to Sudbury from their Shared Services Bureau Operation from sixteen (16) municipalities across the Province;

AND WHEREAS these are excellent civil service positions;

AND WHEREAS since April 1, 2004, an **additional** fifty-five (55) Ontario Public Service ads have been posted for Sudbury;

AND WHEREAS these positions will have a positive economic impact on our community;

AND WHEREAS it is one of the priorities of this City to attract jobs to our community.

THEREFORE BE IT RESOLVED THAT this Council does formally acknowledge the benefits to our community by communicating its appreciation to the Member of Provincial Parliament for the riding of Sudbury, the Honourable Rick Bartolucci.

CARRIED

ADDENDUM

Addendum
Resolution

The following resolution was presented:

2004-545 Kett-Caldarelli: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of
Pecuniary Interest

None declared.

Item AD-1
Noise By-law
Exemption - Tesc
Contracting -
Allingham Subdivision

Report dated 2004-10-14, with attachments, from the General Manager of Corporate Services regarding Noise By-law Exemption - Tesc Contracting - Allingham Subdivision, Bancroft Drive, Sudbury was received.

The following resolution was presented:

Caldarelli-Kett: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to Tesc Contracting for operational requirements at the Allingham Subdivision site to carry out intensive

Item AD-1
Noise By-law
Exemption - Tesc
Contracting -
Allingham Subdivision
(continued)

surface construction such as preparing the site, including the moving of rock, drilling and excavating work;

AND THAT blasting be restricted to the following dates and times, October 13, 2004 to November 20, 2004 from 7:00 a.m. to 10:00 p.m.;

AND FURTHER THAT approval of this exemption be subject to Tesc Contracting providing public notice of this construction activity.

Friendly Amendment

With the concurrence of the mover, Councillor Caldarelli requested that the foregoing motion be amended by deleting "10:00 p.m." and inserting "9:00 p.m."

Main Motion
(as amended)

The following resolution was then presented:

2004-546 Caldarelli-Kett: THAT this Council has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to Tesc Contracting for operational requirements at the Allingham Subdivision site to carry out intensive surface construction such as preparing the site, including the moving of rock, drilling and excavating work;

AND THAT blasting be restricted to the following dates and times, October 13, 2004 to November 20, 2004 from 7:00 a.m. to 9:00 p.m.

AND FURTHER THAT approval of this exemption be subject to Tesc Contracting providing public notice of this construction activity.

CARRIED AS AMENDED

Item AD-2
Report No. 1
Interview Committee
(Contract CA004-04)
2004-10-14

The following resolution was presented:

2004-547 Kett-Gainer: THAT Report No. 1, Interview Committee (Contract CA004-04) Minutes of 2004-10-14 be adopted.

CARRIED

CIVIC PETITIONS

Councillor Reynolds

Councillor Reynolds submitted a petition to the City Clerk signed by approximately sixty-eight (68) residents along Dominion Drive, Hanmer (Ward 3), which will be forwarded to the General Manager of Public Works. The petition requests that the residents' names be removed from the current updated sewer and water priority list as they feel that the charges for sewer and water hook-ups are unreasonable.

C.C. 2004-10-14 (19TH)

(18)

Change of Chair

At 8:45 p.m., Councillor Gainer vacated the Chair.

HIS WORSHIP MAYOR DAVID COURTEMANCHE, IN THE CHAIR

QUESTION PERIOD

Canada Post - Courier Services

Councillor Berthiaume stated that he received complaints from taxi drivers regarding vehicles being used as transportation and courier service for Canada Post and whether or not these vehicles should be licensed as taxis.

The General Manager of Corporate Services advised Council that a taxi company was awarded a tender contract from Canada Post and will pick-up and deliver parcels and employees throughout the City of Greater Sudbury. The taxi company has purchased several vehicles for this purpose and do not require taxi licenses.

Removal of Hydro Poles - Paris Street Bridge Reconstruction

Councillor Berthiaume asked the General Manager of Public Works if the labour disruption with Greater Sudbury Hydro Plus Inc. has caused any delays or if there would be any potential cost increase for the removal of hydro poles on the Paris Street bridge.

Mr. Belisle indicated that the contractor has been working around the poles, some poles have been removed by Hydro, and that work may have to be contracted out to remove the remaining poles. He indicated that there have been no additional costs at this time.

Street Lights - Ramp - Lasalle Blvd at MR 35

Councillor Bradley asked the General Manager of Public Works what the status was regarding the installation of street lights on the ramp off Lasalle Boulevard at Municipal Road 35 (Highway 144).

Mr. Belisle advised Council that the concrete bases for the street lights have been constructed and will be completed this fall.

Topsoil By-law

Councillor Bradley asked the Chief Administrative Officer what the status was regarding the Topsoil By-law and when the Legal Department would have it finalized.

Mr. Mieto advised that the By-law is currently being revised in conjunction with the Planning and Development section. Mr. Swiddle advised Council that he will assign this task to the new solicitors.

Parking Lot - Paris Street and York Street Intersection

Councillor Caldarelli advised the General Manager of Public Works that the grassy knoll in the parking lot at the southwest corner of Paris Street and York Street intersection is in need of repair. She indicated that this be considered a Capital Budget item for 2005-2006.

C.C. 2004-10-14 (19TH)

(19)

Licensing Rest &
Retirement Homes
By-law

Councillor Callaghan asked the City Solicitor what the status was for the Licensing Rest and Retirement Homes By-law. Mr. Swiddle advised that this will be addressed by the Licensing Committee at the end of this year.

Taxi Driver Course

Councillor Kett asked the General Manager of Corporate Services how many times a taxi driver is required to take the Taxi Refresher Course at Cambrian College. Mr. Wuksinic advised Council that the course is to be taken only once and will contact Councillor Kett to confirm this.

Sidewalk/Trail -
Dominion Drive
between Notre Dame
& Frost Avenues,
Hanmer

Councillor Rivest requested that the General Manager of Public Works look into whether or not a sidewalk or trail could be constructed on Dominion Drive between Notre Dame Avenue and Frost Avenue, Hanmer. Mr. Belisle advised Council that there is no Capital Budget for sidewalks and that he would have to meet with the General Manager of Citizen & Leisure Services to determine whether or not a trail could be constructed. He indicated that he would have to report back to Councillor Rivest with a reply.

Sewer & Water Priority
List - Survey

Councillor Thompson indicated that he received numerous telephone calls with respect to a survey that was sent by registered mail to residents regarding the Sewer and Water Priority List. He advised that this survey was a result of a request made by Council during last year's Budget process and suggested that a flyer be sent out to residents indicating the results of the survey.

Rock Face - Kingsway
at Chapters

The General Manager of Public Works advised Council that two lanes will be closed on the Kingsway at Chapters due to some concerns regarding the vertical rock face and indicated that these repairs may entail blasting.

NOTICES OF MOTIONS

Province-Wide Ban on
Pit Bull Dogs

Presented by Councillor Bradley:

WHEREAS the Canada Safety Council estimates that there may be about 460,000 dog bites annually in Canada;

AND WHEREAS Health Canada's Injury Report states that:

- Injuries associated with dog bites and dog attacks were sustained more frequently by 5 to 9 year olds (28.5%).
- Of all injuries related to dog bites and dog attacks, 57.9% were to males.
- The majority of injuries occurred when the patient has no direct interaction with the dog, 28.9%:
- Overall, the most frequent types of injury were bites, 73.1%, and the body part most often affected was the face, 40.5%;

Province-Wide Ban on
Pit Bull Dogs
(continued)

AND WHEREAS according to the CBC's "Marketplace" Dangerous Dogs report, the City of Winnipeg was the first major Canadian city to ban pit bulls in 1990 and since the implementation of the ban, the number of serious dog attacks in Winnipeg has dropped from about 25 a year to one or two;

AND WHEREAS it has been reported that Ontario Attorney General Michael Bryant in the aftermath of several serious incidents involving pit bull dogs has started consultations to find out if the Province of Ontario should legislate the banning or restricting of pit bulls;

NOW THEREFORE BE IT RESOLVED THAT the Council of the City of Greater Sudbury hereby endorses legislation by the Government of Ontario which would impose a Province-wide ban on pit bull dogs and encourages the Government of Ontario to further legislate large minimum fines, including mandatory jail terms, for irresponsible owners of pit bulls and other vicious dog breeds, and to seek amendments to the Criminal Code of Canada which would require the laying of criminal negligence charges against owners in cases of vicious dog attacks;

AND FURTHER THAT copies of this resolution be forwarded to the Honourable Michael Bryant, Attorney General of the Province of Ontario, and to the Association of Municipalities of Ontario, the Federation of Northern Ontario Municipalities and all local Members of the Legislative Assembly of Ontario for their information.

Adjournment

2004-548 Bradley-Berthiaume: THAT this meeting does now adjourn. Time: 9:25 p.m.

CARRIED

Mayor

City Clerk

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

**Committee Room C-11
Tom Davies Square**

**Tuesday, October 19, 2004
Commencement: 5:00 p.m.
Adjournment: 9:50 p.m.**

COUNCILLOR LYNNE REYNOLDS PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis, Thompson

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services; R. Swiddle, City Solicitor/Director of Legal Services; G. Clausen, Director of Engineering Services; A. Haché, Deputy City Clerk; F. Bortolussi, Planning Committee Secretary

Declarations of Pecuniary Interest None declared.

"In Camera" **Recommendation #2004-240:**
Dupuis-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 5:17 p.m., the Planning Committee recessed.

Reconvene At 5:30 p.m., the Planning Committee reconvened in the **Council Chamber** for the regular meeting.

COUNCILLOR RUSS THOMPSON PRESIDING

Present Councillors Bradley, Caldarelli, Dupuis (D: 6:28), Reynolds

Staff B. Lautenbach, Director of Planning Services; A. Potvin, Manager of Development Services, G. Clausen, Director of Engineering Services; A. Haché, Deputy City Clerk; M. Burtch, Licensing & Assessment Clerk; F. Bortolussi, Planning Committee Secretary

News Media MCTV

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 a property matter and the following recommendation emanated therefrom:

Expropriation for Easement, Junction The following recommendation was presented:

Creek Waterway

Recommendation #2004-241:

Park Community

Improvement Plan

Thompson-Dupuis: THAT the Council of the City of Greater Sudbury authorize the application for approval to expropriate an easement over part of Parcel 7279 S.E.S., measuring 10 metres in width by approximately 460 metres in length for the purposes of a pedestrian trail as outlined in the Junction Creek Waterway Park Community Improvement Plan;

THAT the Property Negotiator / Appraiser be authorized to execute the required documents.

CARRIED

PUBLIC HEARINGS

APPLICATION FOR A TEMPORARY BY-LAW TO ORDER TO LEGALIZE THE USE OF THE SUBJECT LANDS BY A CONSTRUCTION COMPANY FOR A PERIOD OF THREE YEARS, 2600 KINGSWAY, SUDBURY - 1074112 ONTARIO LIMITED (AGENT: JEFF GLADU)

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

Report dated October 7, 2004, was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for a temporary by-law to order to legalize the use of the subject lands by a construction company for a period of three years, 2600 Kingsway, Sudbury - 1074112 Ontario Limited (Agent: Jeff Gladu).

Jeff Gladu, 2600 Kingsway, Sudbury, agent for the applicant, was present.

The Director of Planning Services outlined the application to the Committee. He indicated that Transportation Engineering Services are not opposed to the temporary use of the subject property for a small construction company, but feel the three year period is too long unless improvements are made to the entrance. It is recommended that the temporary use by-law be for a period of one year only.

APPLICATION FOR A TEMPORARY BY-LAW TO ORDER TO LEGALIZE THE USE OF THE SUBJECT LANDS BY A CONSTRUCTION COMPANY FOR A PERIOD OF THREE YEARS, 2600 KINGSWAY, SUDBURY - 1074112 ONTARIO LIMITED (AGENT: JEFF GLADU) (Cont'd)

Richard Harrison, 2728 Raymond Street, Sudbury, stated that his concern is traffic as this is a very busy stretch of highway with heavy vehicles and high speeds. He asked how much traffic would be going in and out of the site. He questioned the type of vehicles involved, would there be much turning onto the Kingsway and at what times. He also inquired whether this temporary use could be extended.

Jeff Gladu advised that there is minimal traffic going in and out of the subject property. It is mainly used to park vehicles, no heavy vehicles or equipment. The vehicles leave at approximately 7:00 a.m. and return approximately 5:00 to 6:00 p.m. He indicated he would prefer the three year approval but one year would suffice at this time.

The Director of Planning Services advised that the temporary use could be extended by another application which would require another public hearing and application fee.

The Chair asked whether there was anyone else in the audience who wished to speak in favour or against this application and seeing none:

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 #2004-242:

Caldarelli-Dupuis: THAT the application by 1074112 Ontario Limited (Agent: Jeff Gladu), the owner of Parcel 15596 S.E.S. in Lot 9, Concession 3, Township of Neelon, to permit a construction company for a temporary period pursuant to Section 39 of The Planning Act be approved subject to the following conditions:

1. The temporary use by-law shall be established for a period of one (1) year only.
2. The amending by-law establish that the storage of derelict machinery, trailers or waste materials shall be prohibited.

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

CARRIED

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A SHIPPING CONTAINER TO BE USED FOR STORAGE PURPOSES FOR A PERIOD OF THREE YEARS, 2208 LASALLE BOULEVARD, SUDBURY - 1368232 ONTARIO LTD.

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

Report dated October 12, 2004, was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for a temporary by-law to permit a shipping container to be used for storage purposes for a period of three years, 2208 LaSalle Boulevard, Sudbury - 1368232 Ontario Ltd.

Letter dated October 15, 2004 from Robert Martel, 1274 Will Street, Sudbury in objection to this application was circulated to the Committee Members at the meeting.

Letter dated October 19, 2004 from Wayne Piehl, 1214 Talon Street, Sudbury in objection to the application was circulated to the Committee Members at the meeting.

Letter dated October 19, 2004 from Ted Callaghan, Ward Councillor, advising no concerns were brought to him regarding this application was circulated to the Members at the meeting.

Bob McQuirter, 2208 LaSalle Boulevard, Sudbury was present on behalf of the applicant.

The Director of Planning Services outlined the application to the Committee.

Bob McQuirter advised this application is being made because of their requirement for additional storage space. Giant Tiger has been in Sudbury for approximately 3½ years and is within the top ten in volume of all Giant Tiger stores. They require the additional storage space in order to compete with current and proposed businesses. It will not be permanent as the head office of Giant Tiger is presently negotiating with the landlord and Bingo One for additional space. He added that the container will be painted, a burglar alarm installed and its location will not affect parking.

Russ Thompson, Ward Councillor, asked about the size of the container. He also stated he had some concern with a period of three years and asked if negotiations with the landlord could be completed within one year.

Mr. McQuirter advised the size of the container is 40 x 8 feet. A three year approval is being sought as the maximum but they will accept any period of time given them.

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A SHIPPING CONTAINER TO BE USED FOR STORAGE PURPOSES FOR A PERIOD OF THREE YEARS, 2208 LASALLE BOULEVARD, SUDBURY - 1368232 ONTARIO LTD. (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:

Reynolds-Caldarelli: THAT the application by 1368232 Ontario Limited, the owner of Parcel 23730 SES, in Lot 10, Concession 6, Township of Neelon, to permit the use of a shipping container for storage purposes for a maximum temporary period of three (3) years, pursuant to Section 39 of the Planning Act, be approved.

The following amendment to the recommendation was presented:

Recommendation #2004-243:

Reynolds-Caldarelli: THAT the words "three years" be deleted and replaced with the words "one year".

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillor Dupuis

CARRIED

The main motion as amended was presented:

Recommendation #2004-244:

Reynolds-Caldarelli: THAT the application by 1368232 Ontario Limited, the owner of Parcel 23730 SES, in Lot 10, Concession 6, Township of Neelon, to permit the use of a shipping container for storage purposes for a maximum temporary period of one (1) year, pursuant to Section 39 of the Planning Act, be approved.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

NON-CONCURRING MEMBERS: Councillor Dupuis

CARRIED

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 13 LOTS FOR SINGLE RESIDENTIAL USE, MUNICIPAL ROAD 55 OPPOSITE FROM EVE AND AGNES STREETS, LIVELY - WALDEN LANDS INC.

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

Report dated October 7, 2004, was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding applications for rezoning and a Plan of Subdivision to subdivide the property into 13 lots for single residential use, Municipal Road 55 opposite from Eve and Agnes Streets, Lively - Walden Lands Inc.

Andre Lacroix, 36 Elgin Street, Sudbury, Counsel for the applicant and Gerry Ceccarelli, principal of Walden Lands Inc., were present.

The Director of Planning Services outlined the applications to the Committee.

Andre Lacroix stated that the owner/developer is aware of the conditions imposed and generally accepts them. However, they are concerned with the request for a 2m high noise fence or wall requested along the south property line of Lots 1, 7, 8 and 13 as well as the request that all dwellings be built with forced air heating systems with future provision for air conditioning. This would result in future land owners being responsible for the maintenance of the fence or wall and having no choice in their heating system.

With respect to a significant portion of the subject property being situated in a flood plain, Gerry Ceccarelli advised that the engineers have already prepared an outline of where the buildings will be located. The houses will be at least 6m from the creek and will not go into the ravine. Their engineers, Denis Consultants, have met with the Nickel District Conservation Authority and an agreement will be registered on title outlining the lot grading plan. He spoke with the noise consultant and hopes to work with the City to do something that is aesthetically pleasing.

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

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:

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 13 LOTS FOR SINGLE RESIDENTIAL USE, MUNICIPAL ROAD 55 OPPOSITE FROM EVE AND AGNES STREETS, LIVELY - WALDEN LANDS INC. (Cont'd)

Recommendation #2004-245:

Caldarelli-Reynolds: THAT the application by Walden Lands Inc. to amend By-law 83-303 being the Zoning By-law for the former Town of Walden by changing the zoning classification of Parcel 13763 SWS in Lot 8, Concession 4, Waters Township from "HR3.D24", Holding Medium Density Residential to "R1.D18", Single Residential be approved subject to the following:

- a) That the amending By-law repeal By-law 99-184Z which placed the "H", Holding designation on the subject property.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recommendation #2004-246:

Caldarelli-Reynolds: THAT the City of Greater Sudbury Council's delegated official be directed to issue to Walden Lands Inc. the draft approval for the subject subdivision not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51 (20) of the Planning Act, and subject to the following conditions:

- a) That this draft approval applies to the draft plan of subdivision of Parcel 13763 SWS, thirdly, being Part 1, Plan 53R-8730, in Lot 8, Concession 4, Waters Township as shown on a plan of subdivision prepared by A. Bortolussi, O.L.S., and dated June 3, 2004.
- b) That the standard conditions of draft approval be imposed.
- c) That the final plan be provided in AutoCAD.dwg format to the satisfaction of the Coordinator of the Geographic Information, Surveys and Mapping Section.
- d) That 5% cash in lieu of parkland be paid to the City of Greater Sudbury in accordance with Section 51.1 (3) of the Planning Act to the satisfaction of the Director of Leisure, Community Development and Volunteer Services and the City Solicitor.
- e) That the subdivision agreement contain provisions whereby the owner will construct a right turn taper/parallel lane into the subdivision in accordance with engineering plans and specifications designed to City standards to the satisfaction of the General Manager of Public Works.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 13 LOTS FOR SINGLE RESIDENTIAL USE, MUNICIPAL ROAD 55 OPPOSITE FROM EVE AND AGNES STREETS, LIVELY - WALDEN LANDS INC. (Cont'd)

Recommendation #2004-246 (cont'd):

- f) That the subdivision agreement contain provisions whereby the owner will construct a pedestrian walkway between the two subdivision cul de sacs to the satisfaction of the General Manager of Public Works.
- g) The owner shall ensure that the corner radii for all intersecting streets is 9.0 m in a manner satisfactory to the General Manager of Public Works.
- h) The owner shall provide a detailed lot grading plan prepared by a consulting civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, sideyards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties. The grading plan shall be based on cross-sectional sketches reviewed by the site geotechnical engineer to ensure stability of slopes to original ground and to ensure a minimum 6.0m rear yard space.
- i) Prior to the submission of servicing plans, the applicant / owner shall, to the satisfaction of the General Manager of Public Works, provide a soils report prepared by a geotechnical engineer licenced in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommended construction procedures for the following items: storm and sanitary sewers, stormwater management facilities, watermains, roads, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official.
- j) As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the plans at locations required by the General Manager of Public Works. Suitable provisions shall be incorporated in the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the General Manager of Public Works.
- k) The applicant will be required to dedicate lot easements to the City of Greater Sudbury for municipal purposes.

APPLICATIONS FOR REZONING AND A PLAN OF SUBDIVISION TO SUBDIVIDE THE PROPERTY INTO 13 LOTS FOR SINGLE RESIDENTIAL USE, MUNICIPAL ROAD 55 OPPOSITE FROM EVE AND AGNES STREETS, LIVELY - WALDEN LANDS INC. (Cont'd)

Recommendation #2004-246 (cont'd):

- l) The applicant will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers, storm water management facilities and surface drainage facilities.
- m) Draft approval does not guarantee the allocation of either sewer or water capacity. Prior to the signing of the final plan, clearance is required from the General Manager of Public Works that sufficient sewage treatment capacity exists to service this development.
- n) If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51 (32) of the Planning Act, unless an extension is granted by Council pursuant to Section 51 (33) of the Planning Act.
- o) That the subdivision agreement contain provisions whereby the recommendations of the "Road and Railway Noise Impact Study" dated December 7, 1998, prepared by HGC Engineering and outlined in the Staff Report dated October 7, 2004, will be implemented to the satisfaction of the City Solicitor.
- p) That prior to the signing of the final Plan, the Planning Services Division is to be advised by the Nickel District Conservation Authority that their requirement for a soils report prepared by an engineer and dealing with issues of the placement of fill, slope stability and property owner responsibilities for dealing with future erosion and stability problems has been satisfied and that suitable provisions for the identification of suitable building locations have been incorporated into the subdivision agreement for registration on title of each lot to the satisfaction of the City Solicitor.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A GARDEN SUITE FOR A FURTHER TEN-YEAR PERIOD, SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - ROMAN KOZORIZ

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

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A GARDEN SUITE FOR A FURTHER TEN-YEAR PERIOD, SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - ROMAN KOZORIZ (Cont'd)

Report dated September 13, 2004, was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding an application for a temporary by-law to permit a garden suite for a further ten-year period, south side of Yorkshire Drive, Val Caron - Roman Kozoriz.

Letter dated September 14, 2004 was received from Dennis & Ann Mount in support of this application.

Henry Shepherd, 436 Gravel Drive, Hanmer, was present on behalf of the applicant along with the applicant's mother, Marilyn Kozoriz, 1626 First Street, Val Caron.

The Director of Planning Services outlined the application to the Committee. He indicated there is a significant amount of history associated with this application. He advised that in 1990 Regional Council denied an application by the current owners to rezone the subject property to permit a second dwelling unit. Subsequently, in 1998, because of an inquiry from By-law Enforcement Section concerning an illegal establishment of a mobile home, a temporary use application was submitted. The application was approved subject to conditions. The applicant failed to comply with the conditions and approval lapsed in May 1999. In June 1999, the owners were charged by By-law Enforcement Section for use of the second dwelling unit contrary to the zoning by-law. This precipitated another temporary use application which was approved as a garden suite to be occupied by the applicants' parents for a period of three years. The temporary use by-law expired in May 2003 and Mr. Kozoriz was advised that a further by-law would be required or the mobile home would have to be removed from the property. In December 2003, Mr. Kozoriz was served a "Notice of Violation" for having two dwelling units on the property. Mr. Kozoriz pleaded guilty to the zoning charge, fined \$500 and ordered to either remove the unit or apply for another rezoning before July 2004. Given the history of this property, staff are unable to assure that the second dwelling unit will be used as a granny flat and therefore recommend that the application be denied.

Henry Shepherd stated that the applicant could not attend due to a medical condition. He indicated there were some facts not included in the report. He advised that in 1998 the applicant's parents purchased a mobile home as their intent was to sell their home and move into the mobile home at retirement. At that time, the applicant's father became ill which illness has progressed to requiring constant care. The applicant's mother has been caring for her husband since that time. The applicant's parents live in their home in Val Caron as it is wheel chair accessible and have left their son and daughter in charge of the granny flat. The son resides in the main house of Yorkshire Drive. The daughter resides in the US and stays in the mobile home on occasion for maintenance purposes. He feels that the ten year extension should be granted as it is the intent that the applicant's mother to eventually move into the granny flat when the situation with her husband is resolved.

APPLICATION FOR A TEMPORARY BY-LAW TO PERMIT A GARDEN SUITE FOR A FURTHER TEN-YEAR PERIOD, SOUTH SIDE OF YORKSHIRE DRIVE, VAL CARON - ROMAN KOZORIZ (Cont'd)

With respect to hooking up to municipal water and sewer services, Mr. Shepherd advised that they presently have an approved sewage system and water and the applicant and/or his parents do not have the funds to hook up to municipal services.

Marilyn Kozoriz stated that, as she was caring for her husband, she left her son in charge and therefore was not aware of the conditions at the time of the application. She further stated that she does intend to move into the granny flat and, in the meantime, she would like to have someone there to maintain the property. She is concerned about the requirement to hook up to municipal water and sewer services and does not understand why there is pressure to hook up when the present system is working well.

The Manager of Development Services advised that at the time water and sewer services were installed in the area, the applicant was granted relief because of the distance of his house to the road and services. The normal practice is that a granny flat is serviced from the main dwelling. In this case, there are now two houses not connected to municipal services. The main dwelling does not have to be hooked up to municipal services because of the distance but the granny flat does have to be connected to the system. When asked if the matter could be put on hold until circumstances change, he advised that there is presently a Court Order requiring that the granny flat be removed or that a temporary use by-law be obtained. It is possible to grant a temporary use by-law to allow for the storage of the granny flat on the property and that it not be occupied.

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

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 #2004-247:

Bradley-Caldarelli: THAT the application by Roman Kozoriz for a Temporary Use By-law on Parcel 13366, Lot 7, Concession 6, Township of Blezard, in order to allow for the storage of a second dwelling unit on the property be approved and that the unit not be occupied by anyone for a period of three (3) years;

AND THAT the deferral fee and the fee for the next application be waived.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recess At 7:25 p.m., the Planning Committee recessed.

Reconvene At 7:35 p.m., the Planning Committee reconvened.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI)

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

Report dated October 8, 2004, was received from the Director of Planning Services and the General Manager of Economic Development and Planning Services regarding applications for Official Plan Amendment, rezoning and Plan of Subdivision to subdivide the lands into 153 lots for single detached dwellings, Mont Adam Street, Argyle Avenue & Kitchener Street, Sudbury - 920936 Ontario Inc. (Owner: Salvatore Biasucci).

Report dated October 13, 2004, was received from the General Manager of Corporate Services regarding a Front Ending/Cost Recovery Agreement with respect to the proposed development.

Dave Dorland, 298 Larch Street, Sudbury, agent, Peter Bortolussi, Counsel, Gerry Nicholls, project engineer, Merv Miller of Miller Engineering and Wendy McBride of EarthTech (Canada) Inc. were present on behalf of the applicant.

The Director of Planning Services outlined the applications to the Committee. With respect to the report from the General Manager of Corporate Services regarding a front ending/cost recovery agreement, he advised that this matter would not be dealt at this meeting.

The Director of Engineering Services made a presentation explaining grades which included various photos of different areas in the City showing road grades that are at or near recommended design grades and road grades which are higher than recommended design grades. He further explained how grades are calculated and the rationale used to establish the road grade standard. He stated that the standard for roads with a speed limit of 50 kph is between 6 and 8% grade. It has been documented that the steeper the grade, the higher the speed of vehicles, which has a definite effect on the safety of vehicles and pedestrians. He advised that the same standards have been used over the years, which standards are reviewed on a regular basis, and 8% grade is recommended for this subdivision. This will make the streets easier to maintain and safer for vehicles and pedestrians. If a steeper grade is approved, the street becomes part of the salt route and winter maintenance cost double per kilometre because of the use of salt and the frequency of application. If a steeper grade is approved, there will be no alternative but to go to bare pavement policy.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Dave Dorland advised that the subject property was sold by the City to the developer over ten years ago and the property was earlier approved for multi-family dwellings. He stated that this is the most important development that has come before the Committee for central core of the City in a whole generation. The developer wants to make this location a showplace in the City. He indicated that a meeting was held with the area residents this past summer. There were approximately 30 persons in attendance including Councillor Reynolds. Their biggest concern was drainage.

Wendy McBride stated that a storm water management study is currently underway and feels certain that it will meet conditions of approval by Public Works.

Gerry Nicholls stated he has looked at project with Miller Engineering and there have been numerous designs in order to meet general requirements and recommended grades. They have met the 8% grade objective in all areas except for two short sections of approximately 50m each which will have a grade approaching 9%. They are also providing an extra wide boulevard in this section. The difference between providing 8% grade and 9% grade is 6500 cubic metres of rock at a great cost to the developer. He therefore requested that the Committee Members, in considering this application, amend the condition by exempting the 8% grade requirement for 50m on Sunrise Ridge Drive and 50m on South View Crescent.

Peter Bortolussi requested clarification of the condition dealing with the 5% of lands for park purposes. He stated that the developer is aware of this requirement and is satisfied with providing 5% by way of land, cash or a combination of both. The Staff report specifically sets out Lots 123, 125, 126 & 127 while the condition in the recommendation is not specific. He requested that the wording in the recommendation be retained as it allows for negotiation on how the dedication of land is to occur between City staff and the developer. The four lots requested by Leisure Services for park purposes will have serious financial and logistical impediments on the proposed development. He indicated there are alternate means of satisfying the requirement.

The Director of Planning Services indicated the condition does not tie the developer to the lots Leisure Services have requested. Leisure Services are saying which lots are more suitable from their perspective. They are prepared to negotiate the condition in order to meet the objectives of both parties.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Mr. Bortolussi indicated that he was aware that the Front Ending/Cost Recovery Agreement would not be dealt with at this meeting. He is also aware that the City of Greater Sudbury does not currently have a policy regarding this matter and stated that it is incumbent on the City to make a policy decision in this regard. There will be considerable costs in relation to all components of the necessary infrastructure. As well, there will be additional costs because of what might happen downstream which will benefit abutting property owners who will be hooking on to the infrastructure which the developer has provided at his costs. In order for the developer to have potential relief when he incurs the extra costs, he is urging the Committee to support a Front Ending/Cost Recovery Agreement policy.

Dave Dorland stated that this has been a long process lasting at least 8 to 12 months and they are ready to move forward except for the one condition. He further stated that the 8% grade requirement is not a provincial standard but a City standard which is maintenance driven. He indicated that to arrive at the property the existing streets are 9% grade and 16% grade. Sudbury has a rugged topography and only this type of hill top property is available close to the downtown area. He feels that, as this is a \$45,000,000 project which will create tax revenue, the additional maintenance costs will be worth it. He indicated that added cost to the developer to change the grade to 8% on the two sections of road is approximately \$360,000. He indicated the developer accepts all other conditions and hopes the Committee will grant relief on the road grading.

When questioned, the Director of Engineering Services stated that there would be no additional cost for winter maintenance if the two sections had 9% grade rather than 8% grade but it is a safety factor.

The Chair asked whether anyone in the audience wished to speak in favour or against this application and seeing none:

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:

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation #2004-248:

Reynolds-Bradley: THAT the application by 920936 Ontario Inc. (Owner: Salvatore Biasucci) to amend the Sudbury Secondary Plan from "Private Open Space - Hill Top/Comprehensive Planned Unit Development (C.P.U.D.)" to "Low Density Residential District" in order to permit development of the subject lands as a conventional residential subdivision comprised of single detached dwellings with respect to those lands described as being P.I.N. 02132-1085, P.I.N. 02132-0264 & P.I.N. 02132-1104 and Part of Lot 19, Plan M-7B in Lot 4, Concession 4, Township of McKim be recommended for approval.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recommendation #2004-249:

Reynolds-Bradley: THAT the application by 920936 Ontario Inc. (Owner: Salvatore Biasucci) to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury from "FD", Future Development, "RR.D26.2", Row Dwelling and "R4.D8.3", "R4.D21.1", "R4.D25.5", "R4.D25.7" & "R4.D43.2", Multiple Residential, as the case may be, to "R1", Single Residential with respect to those lands described as being P.I.N. 02132-1085, P.I.N. 02132-0264 & P.I.N. 02132-1104 and Part of Lot 19, Plan M-7B in Lot 4, Concession 4, Township of McKim be recommended for approval.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

Recommendation #2004-250:

Reynolds-Bradley: THAT the Draft Plan of Subdivision approval dated September 30th, 1996 of Part of Lot 19, Plan M-7 in Part of Lot 4, Concession 4, Township of McKim, as shown on a plan prepared by D.S. Dorland, O.L.S., and dated May 25th, 1995 be withdrawn prior to the enactment of any subsequent draft plan of subdivision approval.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

The following recommendation was presented:

Reynolds-Bradley: THAT the City of Greater Sudbury Council's delegated official be directed to issue to 920936 Ontario Inc. (Owner: Salvatore Biasucci) the draft plan approval for the subject subdivision not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51 (20) of the Planning Act, and subject to the following conditions, but that this draft approval shall not be deemed to have been granted until such time as the required Official Plan Amendment is in effect:

1. That this draft approval applies to the draft plan of subdivision of P.I.N. 02123-1085, P.I.N. 02132-0264 & P.I.N. 02132-1104 and Part of Lot 19, Plan M-7B in Lot 4, Concession 4, Township of McKim as shown on a plan of subdivision prepared by D.S. Dorland O.L.S., dated April 28th, 2004.
2. That the standard conditions of draft approval be imposed.
3. That the registered Plan be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Geographic Information, Surveys and Mapping Section; provision of the final plan coordinate listings and an AutoCAD file of the resultant parcel fabric shall formulate part of this requirement.
4. That cash in lieu of, and/or lands representing 5% of the lands included in the plan of subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 of The Planning Act.
5. A corner radius for all intersecting streets of 9.0 m shall be provided and rock removed from all site triangles to the satisfaction of the General Manager of Public Works.
6. The owner shall provide a detailed lot grading plan for all proposed lots as described in comments from the Public Works Department Item # 2 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.
7. Prior to the submission of servicing plans the owner shall, to the satisfaction of the General Manager of Public Works and the Chief Building Official, provide a soils and ground water report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in comments from the Public Works Department Item # 3 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation (cont'd)

8. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the servicing plans as described in comments from the Public Works Department Item # 4 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.
9. Prior to the submission of servicing plans, the owner shall have a storm water management report, and plan, prepared by a consulting engineer with a valid certificate of authorization as described in comments from the Public Works Department Item # 5 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works. All storm water management facilities shall be approved, constructed, and lands for said facilities dedicated to the City, prior to the initial acceptance of roads and sewers.
10. The proposed roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
11. The owner will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers, storm water management facilities and surface drainage facilities.
12. The owner shall provide a water booster station to supply sufficient water pressure, and a dual watermain connection from the booster station through the proposed street titled Sunrise Ridge Drive so as to provide a continuous watermain loop system to the satisfaction of the General Manager of Public Works.
13. The owner shall undertake to design and locate permanent safety fencing on the subdivision grading plan in locations, and as necessary, to the satisfaction of the General Manager of Public Works and the Director of Legal Services/City Solicitor. Temporary site safety fencing shall be in place during construction of the subdivision, as necessary, at rock faces and at steep slopes in accordance with provincial safety standards and requirements.
14. The proposed street titled Sunrise Ridge Drive shall be constructed as a divided urban collector roadway complete with a centre median boulevard and sidewalk along the north side. The proposed street titled North View Crescent shall be constructed to urban collector standards and designed to accommodate a future easterly connection to the Kingsway.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation (cont'd)

15. A 1.5 metre wide concrete sidewalk shall be constructed on the proposed streets titled Sunrise Ridge Drive and North View Crescent.
16. A 23 metre wide road allowance will be established for the proposed street titled Sunrise Ridge Drive to provide for two six (6) metre wide roadways, and a three (3) metre wide boulevard, to the satisfaction of the General Manager of Public Works.
17. No exposed rock cuts will be allowed within the subdivision, and all exposed rock will be removed from the road allowances to the satisfaction of the General Manager of Public Works.
18. The owner shall undertake to retain a geotechnical engineer licensed in the Province of Ontario to inspect the New Sudbury Rock Tunnel and prepare a report on the potential effect of blasting rock on said tunnel, as described in comments from the Public Works Department Item # 17 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.
19. The owner shall be required to have a clause in all purchase and sale agreements for Lots 5, 6, 7, 8, 28, 29 and 30 and a notice on title for said lots that the New Sudbury Sanitary Rock Tunnel traverses underneath the subject lot to the satisfaction of the Director of Legal Services/City Solicitor.
20. The owner shall undertake to conduct pre-blasting surveys on all residences and infrastructure at the boundary of the subdivision adjoining the Kingsway, Brock Street, Mountain Street, Kitchener Street and the unopen portion of Argyle Avenue, and provide copies of the said survey to the City, all to the satisfaction of the General Manager of Public Works.
21. The owner shall, to the satisfaction of the General Manager of Public Works, provide a report from a consulting engineer with a valid certificate of authorization that stormwater management, provision of water and sanitary sewer service, lot grading and drainage and the protection of in place housing and infrastructure from blasting can be accomplished as one (1) continuous phase, or for each of the proposed four (4) phases.
22. Prior to the submission of servicing plans for any phase of the subdivision the owner shall provide required soil, stormwater, water, sanitary sewer and lot grading master planning reports, and plans, to the General Manager of Public Works.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation (cont'd)

23. Prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the subdivision.
24. If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51 (32) of The Planning Act, unless an extension is granted by Council pursuant to Section 51 (33) of The Planning Act.
25. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.

The following amendment to the recommendation was presented:

Recommendation #2004-251:

Reynolds-Caldarelli: THAT the following words be added to Condition 2 "with the exception of permitting road construction on Sunrise Ridge Drive and South View Crescent at 9% maximum grade. Each 9% section shall have a maximum length of approximately 50 metres"

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

CARRIED

The main motion as amended was presented:

Recommendation #2004-252:

Reynolds-Bradley: THAT the City of Greater Sudbury Council's delegated official be directed to issue to 920936 Ontario Inc. (Owner: Salvatore Biasucci) the draft plan approval for the subject subdivision not sooner than 14 days following the date of the public meeting in accordance with the requirements of Section 51 (20) of the Planning Act, and subject to the following conditions, but that this draft approval shall not be deemed to have been granted until such time as the required Official Plan Amendment is in effect:

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation #2004-252 (cont'd):

1. That this draft approval applies to the draft plan of subdivision of P.I.N. 02123-1085, P.I.N. 02132-0264 & P.I.N. 02132-1104 and Part of Lot 19, Plan M-7B in Lot 4, Concession 4, Township of McKim as shown on a plan of subdivision prepared by D.S. Dorland O.L.S., dated April 28th, 2004.
2. That the standard conditions of draft approval be imposed with the exception of permitting road construction on Sunrise Ridge Drive and South View Crescent at 9% maximum grade. Each 9% section shall have a maximum length of approximately 50 metres.
3. That the registered Plan be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Geographic Information, Surveys and Mapping Section; provision of the final plan coordinate listings and an AutoCAD file of the resultant parcel fabric shall formulate part of this requirement.
4. That cash in lieu of, and/or lands representing 5% of the lands included in the plan of subdivision be dedicated to the City of Greater Sudbury for municipal parks purposes in accordance with Section 51.1 of The Planning Act.
5. A corner radius for all intersecting streets of 9.0 m shall be provided and rock removed from all site triangles to the satisfaction of the General Manager of Public Works.
6. The owner shall provide a detailed lot grading plan for all proposed lots as described in comments from the Public Works Department Item # 2 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.
7. Prior to the submission of servicing plans the owner shall, to the satisfaction of the General Manager of Public Works and the Chief Building Official, provide a soils and ground water report prepared by a geotechnical engineer licensed in the Province of Ontario, as described in comments from the Public Works Department Item # 3 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation #2004-252 (cont'd):

8. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated into the servicing plans as described in comments from the Public Works Department Item # 4 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.
9. Prior to the submission of servicing plans, the owner shall have a storm water management report, and plan, prepared by a consulting engineer with a valid certificate of authorization as described in comments from the Public Works Department Item # 5 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works. All storm water management facilities shall be approved, constructed, and lands for said facilities dedicated to the City, prior to the initial acceptance of roads and sewers.
10. The proposed roadways are to be built to urban standards, including curbs, gutters, storm sewers and related appurtenances.
11. The owner will be required to enter into a written agreement to satisfy all requirements of the City of Greater Sudbury concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers, storm water management facilities and surface drainage facilities.
12. The owner shall provide a water booster station to supply sufficient water pressure, and a dual watermain connection from the booster station through the proposed street titled Sunrise Ridge Drive so as to provide a continuous watermain loop system to the satisfaction of the General Manager of Public Works.
13. The owner shall undertake to design and locate permanent safety fencing on the subdivision grading plan in locations, and as necessary, to the satisfaction of the General Manager of Public Works and the Director of Legal Services/City Solicitor. Temporary site safety fencing shall be in place during construction of the subdivision, as necessary, at rock faces and at steep slopes in accordance with provincial safety standards and requirements.
14. The proposed street titled Sunrise Ridge Drive shall be constructed as a divided urban collector roadway complete with a centre median boulevard and sidewalk along the north side. The proposed street titled North View Crescent shall be constructed to urban collector standards and designed to accommodate a future easterly connection to the Kingsway.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation #2004-252 (cont'd):

15. A 1.5 metre wide concrete sidewalk shall be constructed on the proposed streets titled Sunrise Ridge Drive and North View Crescent.
16. A 23 metre wide road allowance will be established for the proposed street titled Sunrise Ridge Drive to provide for two six (6) metre wide roadways, and a three (3) metre wide boulevard, to the satisfaction of the General Manager of Public Works.
17. No exposed rock cuts will be allowed within the subdivision, and all exposed rock will be removed from the road allowances to the satisfaction of the General Manager of Public Works.
18. The owner shall undertake to retain a geotechnical engineer licensed in the Province of Ontario to inspect the New Sudbury Rock Tunnel and prepare a report on the potential effect of blasting rock on said tunnel, as described in comments from the Public Works Department Item # 17 in the staff report of October 8, 2004, to the satisfaction of the General Manager of Public Works.
19. The owner shall be required to have a clause in all purchase and sale agreements for Lots 5, 6, 7, 8, 28, 29 and 30 and a notice on title for said lots that the New Sudbury Sanitary Rock Tunnel traverses underneath the subject lot to the satisfaction of the Director of Legal Services/City Solicitor.
20. The owner shall undertake to conduct pre-blasting surveys on all residences and infrastructure at the boundary of the subdivision adjoining the Kingsway, Brock Street, Mountain Street, Kitchener Street and the unopen portion of Argyle Avenue, and provide copies of the said survey to the City, all to the satisfaction of the General Manager of Public Works.
21. The owner shall, to the satisfaction of the General Manager of Public Works, provide a report from a consulting engineer with a valid certificate of authorization that stormwater management, provision of water and sanitary sewer service, lot grading and drainage and the protection of in place housing and infrastructure from blasting can be accomplished as one (1) continuous phase, or for each of the proposed four (4) phases.
22. Prior to the submission of servicing plans for any phase of the subdivision the owner shall provide required soil, stormwater, water, sanitary sewer and lot grading master planning reports, and plans, to the General Manager of Public Works.

APPLICATIONS FOR OFFICIAL PLAN AMENDMENT, REZONING AND PLAN OF SUBDIVISION TO SUBDIVIDE THE LANDS INTO 153 LOTS FOR SINGLE DETACHED DWELLINGS, MONT ADAM STREET, ARGYLE AVENUE & KITCHENER STREET, SUDBURY - 920936 ONTARIO INC. (OWNER: SALVATORE BIASUCCI) (Cont'd)

Recommendation #2004-252 (cont'd):

- 23. Prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the subdivision.
- 24. If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51 (32) of The Planning Act, unless an extension is granted by Council pursuant to Section 51 (33) of The Planning Act.
- 25. Draft approval does not guarantee an allocation of water or sanitary sewer capacity. Prior to the signing of the final plan, the Planning Services Division is to be advised by the General Manager of Public Works that sufficient water and sanitary sewer capacity exists to service the development.

CONCURRING MEMBERS: Councillors Bradley, Caldarelli, Reynolds, Thompson

CARRIED

PART I - CONSENT AGENDA

The following recommendation was presented to adopt Items C-1 to C-2 contained in Part 1 of the Consent Agenda:

Recommendation #2004-253:

Reynolds-Bradley: THAT Items C-1 to C-2 contained in Part 1, Consent Agenda, be adopted.

CARRIED

MINUTES

Item C-1 **Recommendation #2004-254:**
Report #7
VETAC Minutes Reynolds-Bradley: That Report #7, Vegetation Enhancement
September 8, 2004 Technical Advisory Committee Minutes of September 8th, 2004, be received.

CARRIED

ROUTINE MANAGEMENT REPORTS

Item C-2 Report dated October 8, 2004 was received from the General Manager of
Declaration of Surplus Corporate Services regarding declaration of surplus land, Parcel 44996"A"
Land, Parcel SES, Township of Neelon, Coniston.

44996"A"
SES

Recommendation #2004-255:

Bradley-Reynolds: THAT the City of Greater Sudbury declare surplus and sell in accordance with the procedures governing the sale of land, the property legally described as Parcel 44996'A', S.E.S., Lot 4, Concession 3, Township of Neelon, Coniston, along with existing decommissioned 200' communications tower and shelter.

CARRIED

NEW BUSINESS

The Committee discussed the meeting dates for the months of July and August of 2005 and the following recommendation was presented:

Recommendation #2004-256:

Reynolds-Caldarelli: THAT in 2005 the Planning Committee meet on July 12th, 2005 and August 9th, 2005.

CARRIED

ADJOURNMENT

Recommendation #2004-257:

Reynolds-Caldarelli: That we do now adjourn.
Time: 9:50 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR RUSS THOMPSON PRESIDING

**THE SIXTH MEETING OF THE AD HOC COMMITTEE
- COUNCIL AUDITOR OF THE CITY OF GREATER SUDBURY**

Tom Davies Square
Committee Room C-12

Thursday, October 19, 2004
Commencement: 4:35 p.m.
Adjournment: 4:50 p.m.

COUNCILLOR CLAUDE BERTHIAUME, PRESIDING

Present

Councillors Caldarelli; Callaghan, Kett, Reynolds

Staff

C. Matheson, General Manager of Health & Social Services/Acting Chief Administrative Office; D. Mathé, Manager of Supplies & Services; A. Haché, Deputy City Clerk, F. Bortolussi, Planning Committee Secretary

Declarations of Pecuniary Interest

None declared.

Awarding of Contract CA004-05 Request for Proposal for a Council Auditor

The Evaluation Group met prior to the Ad Hoc Committee to receive a presentation from the consultant of the proposal. The Evaluation Group recommended that the Request for Proposal be awarded to BMA Management Consulting Inc.

Recommendation #2004-10:

Kett-Reyolds: THAT Contract CA004-05, Request for Proposal for a Council Auditor be awarded to BMA Management Consulting Inc. at an estimated fee of \$40,660.00 including GST;

AND THAT the cost be included in the 2005 budget;

AND FURTHER THAT the Chief Administrative Officer be authorized to enter into an Agreement with BMA Management Consulting Inc. satisfactory to the Director of Legal Services.

CARRIED

The Committee directed the CAO to prepare a news release regarding the hiring of a performance auditor for winter roads and sidewalks.

PLANNING COMMITTEE SECRETARY

COUNCILLOR CLAUDE BERTHIAUME, CHAIR

**THE SECOND MEETING OF THE COURT OF REVISION
OF THE CITY OF GREATER SUDBURY**

Tom Davies Square
Committee Room C-11
200 Brady St., Sudbury

Wednesday, October 20, 2004
Commencement: 1:10 p.m.
Adjournment: 1:20 p.m.

COUNCILLOR ANDRÉ RIVEST PRESIDING

Present Councillors Bradley

Staff R. Webb, Acting Manager of Technical Services; A. Haché, Deputy City Clerk, F. Bortolussi, Planning Committee Secretary

Land Owners None

Others K. Smark and R. Sheach, K. Smart Associates Limited

Declarations of Pecuniary Interest None declared.

Procedure - Court of Revision - Trillium Centre Drain, Drain D Report dated October 14th, 2004 was received from the General Manager of Corporate Services regarding Procedure - Court of Revision (Trillium Centre Drain, Drain D Municipal Drainage Works).

Received for the information of the Committee.

The Chair ask whether there were any assessed owners in attendance and, seeing none, the following resolution was presented:

2004-06 Bradley-Rivest: THAT the Court of Revision for the Trillium Centre Branch D Municipal Drainage Works hereby confirms the assessment schedule as fixed by the Engineer's Report dated May 18, 2004, from K. Smart Associates Limited, and recommends that the Council of the City of Greater Sudbury give third and final reading to BY-LAW 2004-260, "A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR THE TRILLIUM BRANCH "D" MUNICIPAL DRAINAGE WORKS IN THE CITY OF GREATER SUDBURY".

CARRIED

Adjournment 2004-07 Bradley-Rivest: THAT the Court of Revision for the Trillium Centre Branch D. Municipal Drainage Works is now herewith closed.
TIME: 1:20 p.m.

CARRIED

DEPUTY CITY CLERK

COUNCILLOR ANDRE RIVEST, CHAIR

**2005 BUDGET PUBLIC INPUT AND INFORMATION SESSION
OF THE CITY OF GREATER SUDBURY**

**T. M. Davies Community Centre/Arena
325 Anderson Drive, Lively
Ward 1**

**Monday, October 18, 2004
Commencement: 7:05 p.m.**

<u>Chair</u>	<u>COUNCILLOR ELDON GAINER, IN THE CHAIR</u>
<u>Present</u>	Councillor Kett
<u>City Officials</u>	C. Matheson, General Manager, Health and Social Services; J. Cameron, Senior Budget Analyst, Corporate Services; L. Rinaldi, Executive Assistant to the General Manager of Health and Social Services
<u>News Media</u>	MCTV
<u>Welcome and Opening Remarks</u>	Councillor Terry Kett welcomed the seventeen (17) people in attendance and advised the purpose of the meeting was to provide an opportunity for the public to comment prior to the start of formal budget deliberations. Councillor Eldon Gainer advised meetings were being held in each Ward on this night and that a second city-wide meeting is scheduled for Monday, October 25, 2004 in the Council Chambers of Tom Davies Square.
<u>2005 Budget and Budget Process</u>	Catherine Matheson, General Manager of Health and Social Services, gave an electronic presentation outlining the 2005 budget, its challenges, opportunities, actions taken to date, budget process and budget schedule. A speakers' list was available and submissions were heard in the order that they appeared.
<u>Al Nesseth</u>	Al Nesseth is requesting that funding for the spay/neuter program be continued in the 2005 and 2006 budget in an effort to keep the animal population under control; recommended reinvesting licensing monies to the program.
<u>David Pearson</u>	David Pearson presented a map of the District with 69 pins on it, each pin demonstrating a lake which has been surveyed as part of the Lake Water Monitoring Program. As a result of this work, the group feels there is sufficient information on the improvement in the biology and water quality in Sudbury lakes that can be widely communicated as part of Sudbury's "Healthy Community" story. This will be the counterpart to the "before and after" of revegetating the Sudbury landscape. The request is for increase to the program for someone to work on writing Sudbury's lake improvement story. Councillor Kett requested David Pearson make a presentation at Priorities so that Council may be informed. This will be booked for mid November.