

THE SIXTIETH MEETING OF THE COUNCIL
OF THE CITY OF GREATER SUDBURY

Council Chambers
Tom Davies Square

Thursday, October 23rd, 2003
Commencement: 7:00 p.m.

DEPUTY MAYOR LOUISE PORTELANCE, IN THE CHAIR

Present

Councillors Bradley; Callaghan; Courtemanche; Craig; Davey; Dupuis; Gainer; Kilgour; Lalonde; McIntaggart

City Officials

C. Hallsworth, Acting Chief Administrative Officer; D. Nadorozny, General Manager of Economic Development & Planning Services; C. Matheson, General Manager of Health & Social Services; D. Wuksinic, General Manager, Corporate Services; T. Beadman, Acting General Manager, Emergency Services; D. Belisle, General Manager of Public Works; B. Jarrett, Staff Inspector, Greater Sudbury Police Service; H. Salter, Deputy City Solicitor; S. Jonasson, Director of Finance/City Treasurer; P. Aitken, Government Relations/Policy Analyst; C. Riutta, Administrative Assistant to the Mayor; A. Haché, Deputy Clerk; K. Bowschar-Lische, Planning Committee Secretary; C. Caporale, Council Secretary

News Media

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

"In Camera"

No items were dealt with.

Declarations of
Pecuniary Interest

None

**PART I
CONSENT AGENDA**

The following resolution was presented to adopt Items C-1 to C-15 inclusive, contained in Part I, Consent Agenda:

2003-521 Bradley-Dupuis: That Items C-1 to C-15 inclusive, contained in Part I, Consent Agenda, be adopted with the exception of Item C-9 (Expression of Interest - Maintenance Development Plan Water and Wastewater Facilities) as otherwise dealt with.

CARRIED

MINUTES

Item C-1 Report No. 59 City Council <u>2003-10-09</u>	2003-522 Dupuis-Bradley: THAT Report No. 59, City Council Minutes of 2003-10-09 be adopted.	CARRIED
Item C-2 Report No. 24 Priorities Committee <u>2003-10-22</u>	2003-523 Bradley-Dupuis: THAT Report No. 24, Priorities Committee Minutes of 2003-10-22 be adopted	CARRIED
Item C-3 Report No. 25 Planning Committee <u>2003-10-21</u>	2003-524 Dupuis-Bradley: THAT Report No. 25, Planning Committee Minutes of 2003-10-21 be adopted.	CARRIED
Item C-4 Report No. 18 Board of Directors of Sudbury Metro Centre <u>2003-04-08</u>	2003-525 Bradley-Dupuis: THAT Report No. 18, Board of Directors of Sudbury Metro Centre Minutes of 2003-04-08 be received.	CARRIED
Item C-5 Report No. 19 Board of Directors of Sudbury Metro Centre <u>2003-06-11</u>	2003-526 Dupuis-Bradley: THAT Report No. 19, Board of Directors of Sudbury Metro Centre Minutes of 2003-06-11 be received.	CARRIED
Item C-6 Report of T.O.C. <u>2003-10-14</u>	2003-527 Bradley-Craig: THAT the Tender Opening Committee Minutes of 2003-10-14 be received.	CARRIED

TENDERS

Item C-7
Rental of One (1)
Operated Grader with
Wing Blade

Report dated 2003-10-15 from the General Manager of Public Works regarding Award of Tender - Rental of One (1) Operated Grader with Wing Blade was received.

The following resolution was presented:

2003-528 Craig-Gainer: THAT the Award of Tender for the Rental of One (1) Operated Grader with Wing Blade be awarded as follows:

Marquis Nadeau \$60.00/Hour

CARRIED

Item C-8
Rental of One (1)
Operated Loader with
Plow & Wing

Report dated 2003-10-15 from the General Manager of Public Works regarding Award of Tender - Rental of One (1) Operated Loader with Plow and Wing was received.

The following resolution was presented:

2003-529 Bradley-Dupuis: THAT the Award of Tender for the Rental of One (1) Operated Loader with Plow and Wing be awarded as follows:

R.M. Belanger Limited \$68.00/Hour

CARRIED

Item C-9
Expression of Interest
Maintenance
Development Plan
Water and
Wastewater Facilities

Report dated 2003-10-15 from the General Manager of Public Works regarding Expression of Interest - Maintenance Development Plan - Water and Wastewater Facilities was received.

The following resolution was presented:

Bradley-Craig: THAT the maintenance engineering firm of Gastops Limited be appointed to implement the Maintenance Development Plan for the City of Greater Sudbury's Water and Wastewater Facilities, at a proposed cost of \$362,516.00 (including GST).

Motion for Deferral

Council concurred with a request by Councillor Courtemanche that the foregoing motion be **deferred** to the **November 13, 2003** meeting of Council in order that a detailed report and presentation from the General Manager of Public Works could be made.

ROUTINE MANAGEMENT REPORTS

Item C-10
School Bus Loading
Zone - Herve Ave.,
Immaculate
Conception School

Report dated 2003-10-15, with attachments, from the General Manager of Public Works regarding School Bus Loading Zone - Herve Avenue, Immaculate Conception School was received. Refer to By-law 2003-265T.

The following resolution was presented:

2003-530 Dupuis-Bradley: THAT a "School Bus Loading Zone" be designated on Herve Avenue, Valley East at the Immaculate Conception School.

THAT the existing "School Bus Loading Zone" on Pierre Street, Valley East at the Immaculate Conception School be removed.

THAT a By-Law be passed to amend the City of Greater Sudbury's Traffic and Parking By-Law 2002-1 to implement the recommended changes.

CARRIED

Item C-11
Property Acquisition
Bellevue Ave.,
Sudbury - Amendment
to By-law 2003-129

Report dated 2003-10-14 from the General Manager of Corporate Services regarding Property Acquisition - Part of Lot 180, Plan M-129, Bellevue Avenue, Sudbury - Amendment to By-law 2003-129 was received. Refer to By-law 2003-267.

The following resolution was presented:

2003-531 Bradley-Craig: THAT By-law 2003-129 be amended to read that the City of Greater Sudbury authorizes the Treasurer to issue a tax receipt in the amount of \$7,600 to Financial Decisions Inc. in exchange for a strip of land along the shoreline of Minnow Lake to accommodate a Pedestrian trail as outlined in the Minnow Lake Community Improvement Plan.

CARRIED

Item C-12
Bill 124

Report dated 2003-10-03 from the General Manager of Economic Development & Planning Services regarding Bill 124 - Legislation that will impact the Administration and Enforcement of the Ontario Building Code by the City of Greater Sudbury was received.

The following resolution was presented:

2003-532 Bradley-Dupuis: THAT Council receive this report for information purposes; and

THAT the Chief Building Official be instructed to prepare a report and presentation on the financial and resource implications of Bill 124 on the City of Greater Sudbury's Building Services' operations.

CARRIED

Item C-13
Electronic Data
Transfer Agreement

Report dated 2003-10-17 from General Manager of Economic Development & Planning Services regarding Electronic Data Transfer Agreement was received. Refer to By-law 2003-274A.

The following resolution was presented:

2003-533 Bradley-Dupuis: THAT Council authorize the General Manager of Economic Development & Planning Services and the Clerks Department to enter into an agreement with the Ministry's Electronic Data Transfer System and that a By-law be passed accordingly.

CARRIED

TELEPHONE POLLS

Item C-14
Renaming Ramsey
Lake Boardwalk

Report dated 2003-10-10, with attachments, from the General Manager of Citizen & Leisure Services regarding a Request to Rename the Ramsey Lake Boardwalk "Jim Gordon Boardwalk" was received.

The following resolution was presented:

2003-534 Bradley-Craig: WHEREAS the Science North Board of Trustees passed a resolution on September 16, 2003, requesting that the City of Greater Sudbury Council consider its request that the Ramsey Lake Boardwalk which links Science North to Bell Park be named in Mayor Gordon's honour;

AND WHEREAS Mayor Gordon has served this community in an elected capacity since 1967, including terms in both municipal and political office and has served as a Cabinet Minister in the Provincial Government and Mayor of both the former City of Sudbury and the first Mayor of the City of Greater Sudbury;

AND WHEREAS Mayor Gordon is an individual of extraordinary prominence who has made lasting and significant contributions to public life in general, to the City of Greater Sudbury and to the health of this community;

AND WHEREAS Mayor Gordon is a dedicated community volunteer who has served on a variety of boards and committees, including the Board of Science North;

AND WHEREAS Mayor Gordon has always promoted linkages between the City and its community partners;

NOW THEREFORE BE IT RESOLVED that the Ramsey Lake Boardwalk which links Science North to Bell Park be named the Jim Gordon Boardwalk.

CARRIED

Item C-15
Creation of the Award
"Order of Sudbury"

Report dated 2003-10-16 from the Chief Administrative Officer regarding the Creation of the Award "Order of Sudbury" was received. Refer to By-law 2003-272.

The following resolution was presented:

2003-535 Craig-Bradley: THAT the Order of Sudbury be created; and

FURTHER THAT the results of the Council telephone poll to name Mayor Jim Gordon as the first recipient of the Order of Sudbury be confirmed.

CARRIED

BY-LAWS

2003-275 2 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CLOSE A PART OF LONG LAKE ROAD, TO DECLARE SURPLUS AND TO AUTHORIZE THE SALE OF SAME IN ACCORDANCE WITH THE PURCHASING BYLAW

Planning Committee meeting of October 21, 2003

2003-262A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF OCTOBER 23, 2003

2003-263P 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AMENDMENT NUMBER 221 OF THE OFFICIAL PLAN FOR THE SUDBURY PLANNING AREA

Planning Committee Recommendation 2003-44

(This amendment is a site specific Official Plan amendment to permit the creation of 10 residential lots, from 0.4 to 0.8 ha in size and having a minimum frontage of 60 m along an existing public road, with respect to the subject property which is situated within the Agricultural Reserve of the Valley East Secondary Plan.)

2003-264Z 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 FORMER CITY OF VALLEY EAST

Planning Committee meeting of October 21, 2003

(This By-law permits a mobile home dwelling as a second dwelling unit ('garden suite') on the subject property for a maximum period of ten years. Maurice & Patricia Belzile, 111 Dominion Drive, Hanmer.)

2003-265T 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2001-1 TO REGULATE TRAFFIC AND PARKING ON ROADS IN THE CITY OF GREATER SUDBURY

Report dated 2003-10-15 from the General Manager of Public Works.

(This By-law removes the existing "School Bus Loading Zone" on Pierre Street in Valley East at the Immaculate Conception School and designates a new "School Bus Loading Zone" on Herve Avenue in Valley East at the Immaculate Conception School. This change has been requested by the Sudbury Student Services Consortium.)

2003-266Z 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, THE COMPREHENSIVE ZONING BY-LAW OF THE FORMER CITY OF SUDBURY

Planning Committee Recommendation 2003-178

(Application for rezoning by Vista Sudbury Hotel Inc. and Vista Sudbury Complex Inc. to permit an animated business identification and advertising wall sign on the Rainbow Outlet Centre at 40 Elm Street, Sudbury.)

2003-267 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-129 TO AUTHORIZE THE ACQUISITION FROM FINANCIAL DECISIONS INC. OF PART OF LOT 180, PLAN M-129, BELLEVUE AVENUE, SUDBURY FOR A PEDESTRIAN TRAIL

Report dated 2003-10-14 from the General Manager of Corporate Services.

2003-268A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A LEASE AGREEMENT WITH WALLBRIDGE MINING COMPANY LIMITED TO CONDUCT GEOLOGICAL EXPLORATION ON PARCEL 7473 SUDBURY WEST SECTION

Planning Committee meeting of October 21, 2003

2003-270A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO APPOINT MUNICIPAL LAW ENFORCEMENT OFFICERS TO ENFORCE THE PRIVATE PROPERTY AND DISABLED PARKING SECTIONS OF BY-LAW 2001-1 AND FIRE ROUTE BY-LAW 2003-30T

(This By-law updates the list of existing enforcement officers.)

2003-271 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT AN ACCESSIBILITY PLAN

Priorities Committee meeting of October 22, 2003

2003-272 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO CREATE THE ORDER OF SUDBURY

Report dated 2003-10-16 from the Chief Administrative Officer.

2003-273Z 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 FORMER CITY OF VALLEY EAST

Planning Committee meeting of October 21, 2003

(This By-law does not rezone the subject property. This By-law permits a 60.9m² real estate sales office with an accessory 2.23m² business identification roof sign on the subject property for a temporary period of three years. - Eva Lanctot-Landry and Omer Landry, 4804 Highway 69 North, Val Therese.)

2003-274A 3 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF THE PROVINCE OF ONTARIO AS REPRESENTED BY THE MINISTER OF TRANSPORTATION FOR THE ELECTRONIC DATA TRANSFER SYSTEM

Report dated 2003-10-17 from the General Manager of Economic Development & Planning Services

1st & 2nd Reading

2003-536 Bradley-Craig: THAT By-law 2003-262A to and including By-law 2003-268A, By-law 2003-270A to and including By-law 2003-275 be read a first and second time.

CARRIED

3rd Reading

2003-537 Craig-Dupuis: THAT By-law 2003-262A to and including By-law 2003-268A, By-law 2003-270A to and including By-law 2003-274A be read a a third time and passed.

CARRIED

CORRESPONDENCE FOR INFORMATION ONLY

Item C-16
Development Liaison
Advisory Committee
Status Report to City
Council

Report dated 2003-10-10, with attachments, from the General Manager of Economic Development & Planning Services regarding Development Liaison Advisory Committee Status Report to City Council was received.

Item C-17
Physician Recruitment
and Retention - Third
Quarter Report

Report dated 2003-10-14 from the General Manager of Health & Social Services regarding Physician Recruitment and Retention - Third Quarter Report was received.

Item C-18
Henri and Cawthorpe
Streets, Watermain
Project

Report dated 2003-10-16, with attachments, from the General Manager of Public Works regarding Henri and Cawthorpe Streets, Watermain Project was received.

PART II
REGULAR AGENDA

MANAGERS' REPORTS

R-1
Durham Village
Downtown
Rejuvenation Initiative

Report dated 2003-10-16 from the General Manager of Economic Development & Planning Services regarding the Support for Architectural Drawings of Durham Village, a Downtown Rejuvenation Initiative was received.

The following resolution was presented:

2003-538 Dupuis-Craig: WHEREAS a vibrant downtown is a key component to economic development and a key priority of the Economic Development Strategic Plan; and

WHEREAS the Downtown Village Corporation has presented a plan to drive further development of Greater Sudbury's downtown core;

BE IT RESOLVED THAT City Council support the Downtown Village Corporation proposal to a maximum of 75% of the proposed budget (maximum contribution of \$9,375) from the 2003 Economic Development Capital Envelope, upon agreement the Greater Sudbury Development Corporation and the Downtown Village Corporation on the finalized terms of reference for the project.

RECORDED VOTE:

<u>YEAS</u>	<u>NAYS</u>
Callaghan	Bradley
Courtemanche	Davey
Craig	
Dupuis	
Gainer	
Kilgour	
Lalonde	
McIntaggart	
Portelance	

CARRIED

The Chair noted that staff would ensure the Corporation was non-profit and terms of reference were in place before any funds flowed to the Downtown Village Corporation.

MOTIONS

Item R-2
Building the City of Tomorrow

2003-539 Callaghan-Gainer: WHEREAS the City of Greater Sudbury, like most Cities in Ontario, is facing significant funding pressures; and

WHEREAS the City of Greater Sudbury must cope with these difficult fiscal pressures; changing demographics; slow and/or negative growth in population and assessment; loss of senior levels of government funding; deteriorating infrastructure; and issues related to continuing complexities associated with municipal service delivery; and

WHEREAS Cities of the future need to individually reflect on their abilities and capacities to meet all challenges associated with the widening gap between their service delivery responsibilities and the financial resources needed to deliver them; and

WHEREAS the private sector has recognized and identified the importance of change in order to be financially sustainable and have the abilities to move into the future; and

WHEREAS like the private sector, Cities of the future will need to recognize the importance of developing unique and innovative ways and means of delivering their core services, generating new revenues and being more accountable to their taxpayers.

THEREFORE BE IT RESOLVED THAT the principles, tools and ideas contained within "Building the City of Tomorrow", a discussion paper, be presented to the new Mayor and Council at a regular Council meeting in January of 2004.

FURTHER BE IT RESOLVED this report be forwarded in a timely manner to then coming Mayor and Council so they can incorporate its principles, tools and recommendations into 2004 budget deliberations.

CARRIED

Addendum to Agenda

The following resolution was presented:

2003-540 Craig-Gainer: THAT the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

None

ROUTINE MANAGEMENT REPORTS

Item AD.1
Noise By-Law
Exemption - Canadian
National Railway -
Operational
Requirements

Report dated 2003-10-21 from the General Manager of Corporate Services regarding Noise By-law Exemption - Canadian National Railway - Operational Requirements was received.

The following resolution was presented:

2003-541 Gainer-Craig: 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 the Canadian National Railway for operational requirements to carry out structural steel repairs on the rail trestle at 6.1 Sudbury spur that traverses Frood Road and Beatty Street, Sudbury.

The schedule for activity within the City limits is as follows:

- ▶ November 11 to November 18, 2003 - 07:30 until 17:30 shift
- ▶ November 25 to December 2, 2003 - 07:30 until 17:30 shift
- ▶ December 9-16, 2003 - 07:30 until 17:30 shift where at this time the bridge gang will go for scheduled days off and Christmas break
- ▶ During January 6 through February 10, 2004 Canadian National Railway will have two bridge gangs working back-to-back work cycles for continuous coverage working the 8&6 Tuesday-to-Tuesday cycle - 07:30 until 17:30 shift

CARRIED

CIVIC PETITIONS

Councillor Dupuis

Councillor Dupuis submitted a petition to the Deputy Clerk, signed by approximately two hundred sixty (260) customers of the Airport Shuttle service. The petition requests that the City of Greater Sudbury officials correct the new Taxi By-law to permit those who may need a ride from the Sudbury Airport on the Airport Shuttle whether or not they have made any prior booking arrangements.

Councillor Dupuis asked that a condensed version of the petition and documentation be circulated to City Council and appropriate staff.

QUESTION PERIOD

Survey - Quality of Education - Universities

Councillor Courtemanche reported that the Globe and Mail published a survey of 26,000 University students, across Canada, showing Laurentian University ranking twelfth out of 38 Universities, under the heading, "Quality of Education". Councillor Callaghan suggested that a letter be sent to the Laurentian University President offering City Council's congratulations on this achievement.

Group Homes

Councillor Dupuis asked the General Manager of Economic Development & Planning Services what the requirements were for the establishment of group homes in the City of Greater Sudbury area. Mr. Nadorozny advised Council that he will provide a report with the details.

Seniors' Crossing Signs

Councillor Dupuis also requested that the General Manager of Public Works look into signs being installed where senior citizens are required to cross the areas of heavy traffic, such as seniors' housing complexes. Mr. Belisle indicated that he will provide a report at the next Council meeting.

No Smoking By-law - Outside Structures

Councillor Davey requested a report be prepared from the General Manager of Economic Development & Planning Services regarding the petition that was submitted at the Council meeting of October 9, 2003 for the noise stemming from outside patios at local bars. He also requested that the regulations regarding partially enclosed structures being constructed for smoking outside, at the Casino, bingo halls, etc. be incorporated in the report.

NOTICES OF MOTION

Mandatory Retirement Policy

Submitted by His Worship Mayor Gordon:

WHEREAS the concept of mandatory retirement violates the spirit of Canada's Charter of Human Rights, and the Charter has been successfully challenged on the issue; and

WHEREAS no Ontario legislation requires retirement at age 65; and

WHEREAS the City of Greater Sudbury encourages citizens of all ages to fulfill their personal and vocational goals; and

WHEREAS the Mayor and Council have recognized the accumulated knowledge, skills and wisdom of Sudbury's growing seniors population by instituting the Mayor and Council's Committee on Seniors' Issues; setting the goal of promoting "the well-being of our citizens in a healthy, safe and stimulating community;" and adopting other senior-friendly policies; and

Mandatory Retirement
Policy
(continued)

WHEREAS some City employees may have the desire, ability and experience to continue working after 65;

NOW THEREFORE the Mayor and Council hereby set aside the mandatory retirement policy initiated by the Transition Board and direct the Chief Administrative Officer to bring a new employee retirement policy before the new City Council as soon as possible.

Rules of Procedure

Council **defeated** a motion by Councillor Callaghan to dispose of notice requirements in order that the foregoing motion could be dealt with this evening.

The motion will be dealt with at the **City Council** meeting of **November 13, 2003**.

Adjournment

2003-542 Craig-Gainer: THAT this meeting does now adjourn.
Time: 8:47 p.m.

CARRIED

Mayor

Deputy City Clerk