

Request for Recommendation Priorities Committee



Type of Decision

Meeting Date	Wednesday, February 11, 2004				Report Date	Friday, February 6, 2004			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

ACCESSIBILITY ADVISORY COMMITTEE MEMBERSHIP

Policy Implications + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified

Adoption of this recommendation does not result on any budget/policy impact. The recommendation implements a resolution emanating from the previous Council.

Background attached

Recommendation

That the current members of the Accessibility Advisory Committee being: Elizabeth Lounsbury, Bob Bannister, Nancy Baron, Earl Black, and Shirley Childs be reappointed to the Accessibility Advisory Committee of Council for the term ending November 30, 2006 or until such later time as their successors are appointed:

Recommendation attached

Recommended by the General Manager

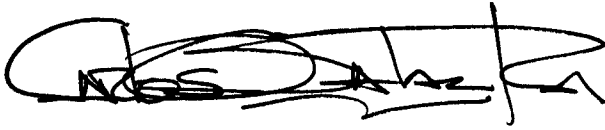
N/A

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Date: 2004-02-06

Report Prepared By



Carlos Salazar, Manager of Corporate Strategy and Policy Analysis

Division Review

N/A

RECOMMENDATION continued:

AND FURTHER THAT the Accessibility Advisory Committee be requested to recommend to Council four representatives from organizations which aid the physically disabled, representing the range of disabilities as required under the *Ontarians with Disabilities Act, 2001*, to sit as Members of the Committee.

BACKGROUND:

People with disabilities represent a significant and growing part of our population. According to Statistics Canada, about 1.9 million Ontarians have disabilities — about 16% of the population. Disability tends to increase with age. In two decades, it is estimated that 20% of the population will have disabilities. Enhancing the ability of people with disabilities to live independently and contribute to the community will have positive effects on future prosperity in Ontario and the City of Greater Sudbury.

According to different statistical sources, about 18,000 people in the City of Greater Sudbury have a long-term disability, of which about 900 are children and 8,000 Seniors 65+. The statistics also show that about 2,000 children are considered 'at risk' for physical disabilities, compounded by the fact that our seniors population is the fastest growing segment of our demographics.

The *Ontarians with Disabilities Act, 2001* (ODA) received Royal Assent on December 14, 2001. The purpose of the ODA is to improve opportunities for people with disabilities through identification, removal and prevention of barriers to participation in the life of the province.

Improving accessibility is a shared responsibility. The ODA requires the provincial and municipal governments and key broader public sector organizations to review their policies, programs and services through the development of annual Accessibility Plans.

Date: 2004-02-06

The ODA also requires municipalities to set up an Accessibility Advisory Committee. Pursuant to the Act, The Council of the City of Greater Sudbury established the City's Accessibility Advisory Committee in the fall 2002. The following members were appointed by Council.

Elizabeth Lounsbury (Vice-Chair)
Bob Bannister
Nancy Baron
Earl Black
Shirley Childs

The mandate of the Committee includes the development of two plans: the City's Accessibility Plan and the Transit Accessibility Plan. After extensive community consultation, Council approved the Transit Accessibility Plan on April of 2003 and passed By-law 2003-271 adopting the City of Greater Sudbury Accessibility Plan on October 23, 2003.

All the current community members of the Committee have expressed their interest in continuing serving in the Committee to work in the implementation of the Accessibility Plans they presented to Council. To this end, the previous City Council passed the following resolution at its meeting on November 11, 2003:

2003-590 WHEREAS the members of the Accessibility Committee have coordinated the preparation of both the Transit Accessibility Plan and the recent City's Accessibility Plan;

AND WHEREAS the current members of the Accessibility Committee have expressed their willingness to continue serving in the Committee to carry out the implementation of both Plans;

AND WHEREAS the Council adopted Accessibility Plan recommends to expand the Committee's membership in order to reflect the range of disabilities contemplated in the Ontarians with Disabilities Act;

THEREFORE BE IT RESOLVED THAT Council recommends to the newly elected Council the re-appointment of the current members of the Accessibility Advisory Committee, and that the membership be expanded by an additional four (4) representatives from organizations which aid the physically disabled.

Accordingly, the above recommendation appears on the Agenda for Council's consideration.

John Howard Society of Sudbury

Passi House

204 Pine Street, Sudbury, Ontario P3C 1X5

Telephone 705.673.9576 Facsimile 705.673.1543
www.johnhowardsudbury.com

John V. Rimore
Executive Director

*"Your donations are vital to our work.
Please remember us."*

January 16, 2004

Mr. Thom Mowry
City Clerk
City of Greater Sudbury
200 Brady Street
Sudbury, Ontario
P3A 5P3

Dear Mr. Mowry:

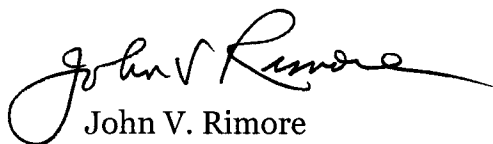
I have spoken to your office and tentatively booked the date of February 11, 2004, 7:00 p.m. to appear at the Priorities Committee to address the committee on the issues surrounding the Youth Criminal Justice Act.

The presentation of ten (10) – fifteen (15) minutes will focus on informing the Priorities Committee on the implementation of the new Youth Criminal Justice Act and the ramifications as we understand them for the City of Greater Sudbury.

The people presenting at the committee are Mr. Michael V. Sabo, Board President of the John Howard Society, Sergeant Rob Thirkill, Youth Liaison Officer of Greater Sudbury Police Services and myself.

Thank you for this opportunity. If you have any questions, please do not hesitate to contact me.

Sincerely,

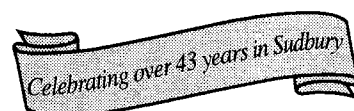


John V. Rimore
Executive Director

JVR:pmm

An affiliate of the
John Howard Society of Ontario

A United Way/Centraide
Member Organization



January 20th, 2004

City of Greater Sudbury
200 Brady Street
Sudbury, ON

Attention: Mr. Thom Mowry

Dear Mr. Mowry:

I am writing on behalf of five local Arts Organizations that are respectfully requesting the opportunity to make a presentation at the priorities meeting on the 28th of January 2004.

The five Arts organizations that are working collaboratively are as follows: Sudbury Theatre Centre, Cinefest, Art Gallery of Sudbury, Sudbury Symphony and Theatre Du Nouvel Ontario. We would like to have the opportunity to provide statistical information to the new Council about our individual organizations, and also provide economic impact detail.

Given the opportunity to speak to Council, I am certain that all members will be in agreement that the Arts are a vital component of our healthy community, and must be supported.

Thank you in advance for considering our request. Please contact me at 674-7788 if you have any questions.

Regards,

Kathy Heimbecker,
General Manager
Sudbury Theatre Centre

Request for Recommendation Priorities Committee

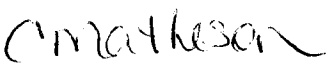


Type of Decision									
Meeting Date	February 4, 2004				Report Date	January 8, 2004			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title
National Child Benefit Workplan 2004

Policy Implications + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified
<p>This report outlines the implementation of the 2004 workplan based on the recommendations and responses put forth in the community consultation completed in November 2002. The workplan reflects a change in priorities from program funding to direct supports for individual family. Although this means that fewer City dollars will be available to fund targeted services, families will have more resources available to them to meet their basic needs. Thus programs will become less reliant on this unstable funding source.</p> <p>NCB funding is dedicated funding outside of the regular City budget. This report carries no budget impact.</p>	
<input checked="" type="checkbox"/>	Background attached

Recommendation	
<p>WHEREAS the National Child Benefit (NCB) reinvestment fund, created with municipal savings from the clawback of the National Child Benefit allowance from Ontario Works and ODSP families program; and</p> <p>WHEREAS the 2004 projected fund will be approximately \$800,000; and</p> <p>WHEREAS National Child Benefit funding is from outside of the regular City budget, and must be spent on child and family support programs in accordance with Provincial and Federal objectives and directives; and</p>	
<input checked="" type="checkbox"/>	Recommendation attached

Recommended by the General Manager
 Catherine Matheson Acting General Manager, Health and Social Service

Recommended by the C.A.O.
 Mark Viero Chief Administrative Officer

Date: January 7, 2004

Report Authored By

Stephanie Leclair
Policy/ Community Developer, Children Services

Division Review

Carmen Ouellette
Director, Children Services

WHEREAS the National Child Benefit Plan for 2004 has responded to the key recommendations put forth in the community consultation and outlines a plan for allocations for NCB dollars;

THEREFORE BE IT RESOLVED that the 2004 National Child Benefit Workplan as submitted be accepted.

Background

Purpose:

The purpose of this report is to seek approval for the attached "2004 NCB Workplan" which outlines the spending priorities for the National Child Benefit (NCB) reinvestment fund for 2004 estimated at \$800,000.

2004 marks the sixth year for the National Child Benefit (NCB) reinvestment initiative. Dollars are generated from the municipal portion (20%) of fund as a result of a claw back by the Province from each family in receipt of Ontario Works (OW) and Ontario Disability service Program (ODSP) eligible to receive the Federal - National Child Benefit Supplement allowance. Thus ensuring that OW and ODSP families are not receiving more allowance than those considered working poor families. Given that the fund is generated by the number of families on social assistance, the annual fund will vary from one year to the next. As well savings from this program must be reinvested and spent on child and family support programs in accordance with Provincial and Federal objectives and directives.

To this end the City of Greater Sudbury through the commitment and dedication of many community agencies has been successful in developing and funding programs that respond to the following provincial objectives:

- to help prevent and reduce the depth of child poverty; and
- to promote attachment to the workforce

In 2002 the City undertook a community consultation to determine which priorities should be highlighted for future NCB distribution. The consultation heard from both the "consumer" groups made up of parents in receipt of Ontario Works and "service provider" groups made up of directors and staff of agencies who work with low income families (including those agencies who currently receive NCB dollars to provide expanded services). The group discussions, gathered information on the views of all stakeholders regarding direct monetary support for clients as well as other strategies for spending on children's programs.

Based on the key recommendations made in the 2002 report entitled "NCB Community Consultation: Community Priorities for NCB Allocations," the NCB Advisory Committee, responded by setting a series of

Date: January 7, 2004

Community Priorities for NCB Allocations,” the NCB Advisory Committee, responded by setting a series of targets which would gradually increase over the next four years, the percentage of NCB Dollars to be flowed directly to families, through the NCB Emergency Trust Fund.

In 2003, the NCB workplan provided ongoing funding to some agencies for specific NCB services and programs. However, as a result of the consultation NCB dollars funded some programs at a reduced amount while others were discontinued completely. These decisions were based on the targets set by the NCB Advisory Committee. As it relates to increasing the direct monetary support to OW and ODSP families, about 25% of the annual dollars for 2003 or \$800,000 was set aside for the NCB Emergency Trust Fund held by the Social Planning Council. Through this, more direct monetary support was given to families. This initiative alone saw over 1200 families receive a Winter Supplement.

In keeping with the 2002 Community Consultation recommendations of providing more direct monetary support to OW/ODSP clients the NCB Advisory group recommended that each year a target be set outlining the percentage of NCB Dollars which would be sent directly to families exclusively. For the year 2004 the percentage target is set at 40% of the \$800,000 or \$320,000. The mail out will continue to be done via Social Planning Council through the NCB Emergency Trust Fund.

Internal services and programs managed by the City’s Ontario Works Division will be maintained since these services provide direct benefit to OW/ ODSP families. Community projects however, which are universal programs, will be reduced gradually corresponding with the increase to direct monetary supports to families.

Proposed Workplan 2004

The 2004 Workplan is based on a 2004 estimate for NCB fund of \$800,000. Following through on the recommendations and responses of the community consultation the workplan for 2004 includes an increase in direct monetary support to 40%. Thus \$320,000 will be sent to the Emergency Trust Fund held by the Social Planning Council. This funding will be distributed directly to families through a direct mail out in 2004.

Given that the direct monetary support will be increase over 2003, a 15% reduction has been made to existing programs and services funded under NCB. In the proposed 2004 workplan the Special Projects funding has been discontinued entirely.

The following Community Projects have been renewed with a corresponding reduction in funding levels. See attached Table 1

- **Infant Food Bank:**
a program operated by Our Children Our Future that meets the emergency needs of parents with very young children.
- **Healthy Eating: Good Food Program:**
through this funding, Our Children Our Future makes healthy food available to pregnant women and families with young children through a “Good Food Bag” program in partnership with Poulton’s Independent grocery store.

Date: January 7, 2004

- **Positive Leisure Activities for Youth (PLAY) Program:**
managed by the Human League Association, this program assists low income children with registration and equipment costs for sports, arts, culture and recreation programs.
- **Send-a-Kid-to-Camp Program:**
Sudbury Manitoulin Children's Foundation manages this program which sends over 600 disadvantaged children to summer camp each year.
- **Rideshare**
through GEODE, this program provides low income families with transportation to medical appointments and child development programs using a combination of bus tickets, volunteer drivers and taxis.
- **Breakfast Clubs;**
the Human League Association coordinates the many volunteer run Breakfast Clubs in many area schools and community centres.

Date: January 7, 2004

TABLE 1
National Child Benefit Workplan 2004

Proposed Project	Lead Agency	Amount received 2002 (annualized amounts)	Amount received 2003	Amount Allocated 2004	Issues Identified, Priority Used
Internal (Available for Ontario Works recipients with children under 18)					
LEAP/ Opportunities for Parents (supports for young parents to complete high school)	Ontario Works	70,000	70,000	46,000	Internal programs which directly serve only OW/ ODSP clients will be maintained as long as demand warrants.
Dental benefits to youth not included in dental plans	Ontario Works	20,000	10,000	10,000	
Discretionary Items (Cribs, children's beds, medical items, washing machine, stove, medically necessary orthodontic work for children)	Ontario Works	50,000	50,000	50,000	
New Discretionary Items (Infant Layette, Prenatal Vitamins, Trillium Drug)	Ontario Works	50,000	50,000	25,000	
Collaborative partnership with the Sudbury and District Health Unit; will cover cost of vaccines not covered under the regular immunization schedule for children 0-6.	-Ontario Works -Children Services -Sudbury and District Health Unit	0	0	unknown at this time	

Date: January 7, 2004

Proposed Project	Lead Agency	Amount received 2002 (annualized amounts)	Amount received 2003	Amount Allocated 2004	Issues Identified, Priority Used
Direct Support					
Emergency Fund Mailout	Trust Agreement with Social Planning Council	252,190 un-allocated NCB dollars.	210,000 budget to be paid in 2004	320,000 budget to be paid in 2005	At least 40% of total allocation to be directed to direct cash support for families.
Emergency Fund program costs	Social Planning Council	42,000	42,000	42,000	Funding is required to administer the mail outs and ongoing requests.
NCB Program Costs					
City administrative cost		65,000	65,000	65,000	
Marketing and outreach		45,000	15,000	5,700	Outreach will be done mostly with existing resources.
Community Projects					
Infant Food Bank	Our Children Our Future	10,000	10,000	8,500	15% reduction corresponding to the 2001 Community Consultation.
Healthy Eating: Good Food Bag	Our Children Our Future	54,960 (2001)	20,000	17,000	In past years, this funding has not been spent in-year.
School's Cool	Our Children Our Future	40,000	0	0	Not considered a basic need, opportunities for support through Early Years Centres
PLAY	Human League Association	78,000	75,000	63,750	Is a fast growing and is well used by OW clients. 15% reduction corresponding to the 2001 Community Consultation.
Send-a-Kid-to-Camp	Sudbury Manitoulin Children's Foundation	42,500	38,000	32,300	This agency has been successful at fundraising, committee is confident they can continue to operate well with a reduction

Date: January 7, 2004

Proposed Project	Lead Agency	Amount received 2002 (annualized amounts)	Amount received 2003	Amount Allocated 2004	Issues Identified, Priority Used
Jeunesse Action	Child and Family Centre	20,000	0	0	This program was deemed ineligible because it is not open to all/ most children on OW.
Rideshare	GEODE	73,333	70,000	59,500	Much community support for project, growing demand, identified as one of the communities barriers for low income families.
Breakfast Club	Human League Association	69,000	65,000	55,250	This agency has been successful at fundraising, committee is confident they can continue to operate well with a reduction. 15% reduction corresponding to the 2001 Community Consultation.
Teen Mom Pilot	Association des jeunes de la rue	12,568	0	0	Program has not had high use.
Special Projects	unallocated	10,000	10,000	0	Special Project funds are made available to fill specific project or program needs that arise during the year.
Totals		502,173	802,003	800,000	Projected allocation 800,000

Note:

2002 amounts paid are annualized for 12 months. Some programs may have received funding for part of the year.



Children First ~ Les enfants avant tout



National Child Benefit Reinvestment (NCB) Annual Report 2003

National Child Benefit Reinvestment

The National Child Benefit is a fund created each year with the municipal portion of social assistance savings created by the NCB Supplement. The City of Greater Sudbury has used this funding to develop and support programs for children and families in accordance with Provincial and Federal objectives. In September 2002, with the speculation about the eventual discontinuation of the NCB "Reinvestment" program, and several communities in Ontario starting to move toward the distribution of direct benefits to families on Ontario Works in place of continuing to fund programs with unstable NCB dollars. The Children Services Division contracted Carol Kauppi & Associates to undertake a community consultation to determine community priorities for the future allocation of NCB dollars.

In this consultation Ms. Kauppi heard from "consumer" groups made up of parents in receipt of Ontario Works and "service provider" groups made up of directors and staff of agencies who work with low income families. The report submitted was entitled "NCB Community Consultation: Community Priorities for NCB Allocations" and contained six key recommendations;

- 1) Recruit parents receiving OW/ODSP benefits for membership on the existing NCB Working Group in order to enable clients to participate in the establishment of criteria for future NCB allocations.
- 2) Examine strategies for providing more direct monetary support to OW/ODSP clients and for shifting NCB allocations to this type of support in a timely and orderly fashion;
- 3) Include an outreach component in the local NCB initiative to ensure that OW/ODSP families are aware of programs;
- 4) Develop targets for service levels to families in receipt of OW/ODSP benefits and ensure that future funding allocations for local NCB programs reflect these targets;
- 5) Disseminate an annual report to the community;
- 6) Consult with service providers currently receiving NCB funding to discuss alternate sources of funding;

The NCB Community Advisory Group felt that it was important to listen to the feedback provided in the community consultation. The group developed funding principles as a basis for making decisions about the allocation of NCB dollars for 2003 and beyond.

NCB 2003

Facts at a Glance

Total NCB Dollars in 2003:
\$800,000 (est.)

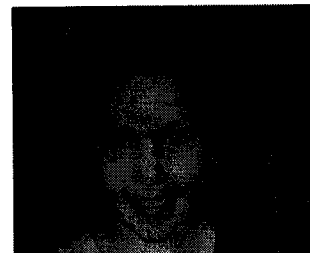
Number of Programs
Funded:
8

Number of Children Served:
**approximately
17584**

More than **\$350,000** NCB
funds were distributed
directly to families

What is NCB?

The National Child Benefit (NCB) program started in Sudbury in 1999. It is a fund created each year with the municipal portion of social assistance savings created by the NCB Supplement. The City of Greater Sudbury has used this funding to develop and support programs for children and families.



National Child Benefit Reinvestment NCB Programs 2003

The following programs were part of the Children First National Child Benefit ongoing program for 2003. The number of children served is based on a 10 month outcome. (Some programs receive additional funding from other sources)



Program Descriptions	Funded amount	Children Served
Ontario Works (OW) Internally funded programs: Funding for cribs, washing machines, children's beds, medical items, infant supplies, prenatal vitamins, orthodontic work for children, supports for young parents, dental benefits for families in receipt of OW and prescription drug benefits for families leaving OW.	180,000	2039
Infant Food Bank, Our Children Our Future Emergency assistance for families with very young children.	10,000	908
Healthy Eating Program, Our Children Our Future. Healthy food for pregnant women and families with young children through collective kitchens and the "Good Food Bag" program.	20,000	745
Send-a-Kid-to-Camp Program, Sudbury Manitoulin Children's Foundation. Opportunities for disadvantaged children to attend summer camp.	38,000	395
Rideshare, GEODE. Transportation assistance for low income families to attend medical appointments and child development programs.	70,000	7536
A Morning Start, Human League Support for volunteer-run Breakfast Clubs in many area schools and community centres.	65,000	4018 (three month period)
Emergency Fund for Families, Social Planning Council Emergency assistance for basic needs for families on Ontario Works.	252,000	1700
Positive Leisure Activities for Youth (PLAY) Program, Human League Association; Assistance for low income children for registration and equipment costs for sports/ arts/ recreation programs.	75,000	353

Principles for 2003 NCB Funding based on the six recommendations

New programs should not be approved.

Programs should not receive an increase over last year's allocation

Internal programs which serve only OW/ ODSP clients should be reduced only if demand decreases.

Programs funded should contribute to fulfilling clients' basic needs, including food, shelter, medical and household needs, recreation and transportation.

Programs funded should be available for all/ most OW/ ODSP recipients.

Reductions to core programs should be gradual and predictable.

Some programs' funding may need to be discontinued if the program does not fit within the criteria.

Request for Recommendation Priorities Committee



Type of Decision

Meeting Date	February 11, 2004				Report Date	February 3, 2004			
Recommendation	<input checked="" type="checkbox"/>	Yes	<input type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High	<input type="checkbox"/>	Low
	Direction Only				Type of Meeting	<input type="checkbox"/>	Open	<input type="checkbox"/>	Closed

Report Title

Physician Recruitment & Retention
Request for Alternate Funding Plan

Policy Implications + Budget Impact

This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified

Background attached

Recommendation

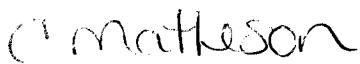
WHEREAS the City of Greater Sudbury has committed \$550,000 to the development of a number of turnkey clinics in the former Town of Nickel Centre, Rayside Balfour and Valley East and,

WHEREAS the City of Greater Sudbury in its recruitment and retention efforts recognizes the need to implement community based solutions and,

WHEREAS the City of Greater Sudbury encourages the Ministry of Health and Long Term Care(MOHLTC) to improve and expand it's Alternate Funding Plans (AFPs) for rural/outlying communities and,

Recommendation attached

Recommended by the General Manager



Catherine Matheson
General Manager, Health and Social Services

Recommended by the C.A.O.


Mark Metz
Chief Administrative Officer

15

Date: February 11, 2004

Report Authored By
 Kim Rossi Coordinator of Health Initiatives

Division Review
Name and Title

WHEREAS Community Sponsored Contracts have been successful in recruiting and retaining physicians in smaller communities such as Onaping Falls and Capreol,

THEREFORE let it be resolved that the City of Greater Sudbury, in its efforts to enhance the delivery of primary care, and through its commitment in its turnkey operations, request that the Ministry of Health and Long Term Care (MOHLTC) partner with the City of Greater Sudbury for additional Community Sponsored Contracts, or similar Alternate Funding Plans.

Background

The City of Greater Sudbury has been designated by the MOHLTC as an underserved community in Ontario. In Northern Ontario there are 38 communities designated as underserved and 96 in Southern Ontario. The MOHLTC over the years has developed a number of incentives to attract physicians to these underserved areas.

Incentives

Community Sponsored Contracts (CSO)

- guaranteed salary to physicians
- eligible communities require a complement of one or two physicians to meet needs of population
- physician remuneration ranges between \$174,000 to \$194,000 per year
- contracts are for one to three years
- physicians have access to replacement physicians (locums) for up to 37 days per year

Northern Group Funding Plan (NGFP)

- funds groups of three to seven GP/FPs in 13 northern communities located more than 80km from a major centre which is less than 10,000 in population.
- guaranteed remuneration of \$128,000, \$60,000 additional for overhead costs,
- access to locums for up to 37 days per year

In a recent discussion with the MOHLTC there is current effort by a group of physicians and the OMA to create a new "contract" by combining the CSO and the NGFP. However details are not available to its contents at the present time.

Community Health Centres

- guaranteed salary to physician
- multi discipline approach

Date: February 11, 2004

Underserved Area Incentives (Family Physician & Psychiatrists)

- incentive grant for up to \$40,000 over four years in exchange for a commitment to practice full time in a designated underserved community

In 2001 the MOHLTC announced the creation of the Ontario Family Health Network (FHN). The FHN was designed to enhance the currently delivery of primary care through:

- improved access
- improved quality, coordination and continuity of care
- population-based funding for physician services
- minimum of 5 physicians
- rate of \$96.85 per patient registered.

Currently in the City of Greater Sudbury there are no physicians enrolled in the Family Health Network(FHN).

The MOHLTC then introduced the Family Health Group (FHG)

- minimum of 3 physicians
- Fee for service plus Comprehensive Care Incentive

There are over 30 Family Medicine Practitioners enrolled in Family Health Groups (FHGs).

Alternate Funding Plan vs Family Health Networks/Family Health Groups

According to the MOHLTC, the City of Greater Sudbury does not qualify for a community sponsored contract nor for the Northern Group Funding, but is encouraged to have physicians enroll in either the Family Health Network (FHN) or Family Health Group (FHG). A recent survey of physicians working in rural/remote areas found that certain criteria for a FHN or FHG was not practical for small rural medical practises. Both the FHN & FHG's do require a minimum number of physicians sign together to form a group. However if you take the former town of Nickel Centre for an example, there are only 2 physicians servicing a population 13,000 and due to the remoteness of the community they service, will find it difficult to recruit that third required physician to form a group. Over the years there has been much success with the Community Sponsored Contracts (alternate funding plan) in rural/remote areas. Prior to the amalgamation the City of Greater Sudbury entered into two Community Sponsored Contracts which are located in Onaping and Capreol.

Current Need

The physician shortage in the City of Greater Sudbury primarily affects the outlying areas. In the past few months there have been three physicians who relocated their practice from the outlying area to the city core. Incentives need to be in place which will adequately compensate physicians for their commitment to practising medicine in rural or outlying areas.

In 2002, Council passed a resolution whereby capital would be used in the development of turnkey operations in the former towns of Valley East, Rayside Balfour and Nickel Centre. This initiative was undertaken to assist physician recruitment efforts.

Date: February 11, 2004

Community Based Solutions

Physicians providing primary care in rural/outlying areas need to be acknowledged for their commitment. The current incentives provided by the MOHLTC do not provide support to established physicians who have dedicated a number of years practising medicine in rural/outlying areas. There are physicians currently servicing some of the outlying areas in our community who have expressed an interest in participating in an alternate funding plan. The City of Greater Sudbury is therefore prepared, through its commitment to turnkey clinics to partner with the Ministry in that regard.

Request for Recommendation Priorities Committee



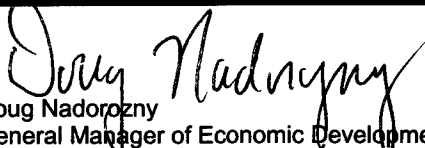
Type of Decision									
Meeting Date	February 11, 2004				Report Date	February 5, 2004			
Recommendation	<input checked="" type="checkbox"/>	Yes		No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Fortification By-law


Policy Implications + Budget Impact	
<input type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified
N/A	
<input checked="" type="checkbox"/>	Background attached

Recommendation	
Further to a request from the Chief of Police for the City of Greater Sudbury, an anti-fortification by-law has been drafted from an enforcement and public safety prospective and is recommended for Council's acceptance.	
<input checked="" type="checkbox"/>	Recommendation attached

Recommended by the General Manager


 Doug Nadorozny
 General Manager of Economic Development
 & Planning Services

Recommended by the C.A.O.


 Mark Mieto
 Chief Administrative Officer

Date: February 5, 2004

Report Authored By



Guido A. Mazza, P. Eng.
Director of Building Services/Chief Building Official

Division Review



Wm. Lautenbach
Director of Planning Services

Section 133 of the Municipal Act came into effect on December 12, 2001. The section permits municipalities that are responsible for the enforcement of the Building Code Act to regulate in respect of the fortification of and protective elements applied to land in relation to the use of the land, and to prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of the land.

A request was received (copy attached) by the Director of Building Services from the Chief of Police for the City of Greater Sudbury in favour of developing a local by-law to address building fortification concerns as it relates to public safety and enforcement concerns.

Subsequently, a committee was formed with participation from the Building Services Division, Legal Services, Fire Department, Emergency Medical Services, Police Services and By-law Enforcement. The committee reviewed both the Municipal Act and other existing legislation as well as other existing fortification by-laws from other municipalities such as London, Thunder Bay, Hamilton and Oshawa.

A by-law was drafted for the City of Greater Sudbury (copy attached) with the support of all the above stakeholders and is recommended for Council's approval. A letter of support and recommendation of acceptance has been provided from the Police Services group and enclosed for Council's information.

Attachments

Ian Davidson
Chief of Police
Chef de police



3 March 2003

190 rue Brady Street
Sudbury, Ontario
P3E 1C7

Mr. Guido Mazza, P. Eng.
Director of Building Services /
Chief Building Officer
Tom Davies Square
200 Brady Street
Sudbury, Ontario

Emergency **911** urgence

Tel/tél: Administration
705.675.9171

Fax: Administration
705.674.7090

Fax: Operations/
Opérations
705.675.8871

www.police.sudbury.on.ca

Address all
correspondence to the
Chief of Police

Prière d'adresser toute
correspondance au
Chef de police

RE: Fortification By-law

Dr. Mr. Mazza:

I have read documentation to the issue of anti-fortification by-laws, and from an enforcement and public safety perspective I am in favour of such governance.

I look forward to working with the City's Officers of the Economic Development and Planning Services Division in developing a local by-law to address building fortification concerns.

Inspector Susan Evans of the Criminal Investigations Division and Sgt. Peter Koop of the Biker Enforcement Unit will join you in your discussion on the exact details of the proposed legislation.

Thank you for you interest in this initiative.

Yours truly,

Ian Davidson
Chief of Police
/nc

RECEIVED

MAR 12 2003

OFFICE OF
CHIEF BUILDING OFFICIAL

21

**Being a By-law to Regulate the Fortification of Land
and Protective Elements applied to Land within
the City of Greater Sudbury**

WHEREAS Section 133 of the *Municipal Act*, 2001, Chapter 25 as amended, provides that a municipality that is responsible for the enforcement of the *Building Code Act*, 1992 may:

- (a) regulate in respect of the fortification of and protective elements applied to land in relation to the use of the land; and
- (b) prohibit the excessive fortification of land or excessive protective elements being applied to land in relation to the use of the land.

AND WHEREAS Section 133 provides that a By-law under this section:

- (a) may exempt land or classes of land, on such conditions as may be specified in the By-law; and
- (b) may require the owner of land, at the owner's expense, to perform remedial work in respect of the land so that it is in conformity with the By-law; and
- (c) may require remedial work under clause (b) to be done even though the fortifications or protective elements to which the By-law applies were present on the land before the By-law came into force.

AND WHEREAS the Council of the City of Greater Sudbury deems it necessary for the health, safety, and welfare of the inhabitants of the City of Greater Sudbury to enact a By-law providing for regulation of fortification of land and the application of protective elements as well as the prohibition of excessive fortification of land and the application of excessive protective elements to land within the City of Greater Sudbury.

AND WHEREAS access to, and/or egress from land or buildings may be required by By-law enforcement officials in the lawful execution of their duties and/or emergency services personnel in the event of fire or other emergencies;

AND WHEREAS the fortification of land or the application of protective elements to land may hinder or prevent law enforcement officials and/or emergency services personnel, acting in the lawful course of their duties and/or in response to emergency situations, from gaining access to and/or egress from land;

AND WHEREAS the fortification of land or the application of protective elements to land is likely to pose a serious health, safety and welfare risk to law enforcement officials and/or emergency services personnel when confronted with such land when acting in the course of their lawful duties or in response to emergency situations and as well to the occupants of land whose ability to escape an emergency situation is or may be hindered or prevented;

AND WHEREAS the fortification of land or the application of protective elements to land is likely to pose a serious threat to the safety and integrity of adjoining and abutting land and as well the owners and occupiers of those lands by restricting, limiting or preventing law enforcement personnel and/or emergency services personnel from responding to emergency situations effectively and in a timely manner;

NOW THEREFORE, THE COUNCIL OF THE CORPORATION OF THE City of Greater Sudbury Enacts As Follows:

1.0 SHORT TITLE

1.1 This By-law may be cited as the "Fortification of Land By-law".

2.0 DEFINITIONS AND INTERPRETATION

2.1 In this By-law,

- (1) **"Apply or Application"** means the erection, installation, extension or material alteration or repair of, maintenance or application to Land and includes to Construct;
- (2) **"Chief Building Official"** means the officer or his or her designate, appointed by Council as the Chief Building Official pursuant to the *Building Code Act*, S.O. 1992, c. 23, as amended, and includes an Inspector appointed pursuant to that Act;
- (3) **"City"** means the City of Greater Sudbury ;
- (4) **"Construct" and "Construction"** means to do anything in the erection, installation, extension or material alteration or repair of a building and includes the installation of a building unit fabricated or moved from elsewhere;
- (5) **"Council"** means the Municipal Council for the City of Greater Sudbury or any Committee of Council;

- (6) **“Emergency Services Personnel”** means any individual employed by a Police Service, Fire Service (including volunteer Fire-fighters), or Ambulance Service in Ontario who is acting in accordance with the obligations imposed upon them (whether by statutory or common law duty) by their position and includes any person who is directed by an emergency services personnel to do or to refrain from doing anything and who acts on these directions;
- (7) **“Excessive Fortification and Excessively Fortify”** means Fortification which is excessive and includes but is not limited to:
- i) The Application of grills, bars or plates made of metal or any other material, bullet-proof shutters or heavy gauge wire mesh applied to windows and other openings on any and all levels of any structures on Land with the sole exclusion of basement windows or openings;
 - ii) The Application of concrete block, brick, or other masonry or similar product which partially or completely obstructs or seals any doorway, window, or other exterior entrance or egress to Land;
 - iii) The Application of steel sheeting or plates or other similar products applied to the interior or exterior walls of Land such as to reinforce walls or create a secondary wall such as to protect against firearms artillery, explosives, vehicle contact, shock, and the like;
 - iv) The Application of laminated glass or any other form of break resistant / proof or bullet resistant / proof material applied to windows or doors;
 - v) Armour plated or reinforced doors (exterior or interior) designed to resist against impact of firearms artillery, explosives, battering rams, shock or vehicle contact;
 - vi) The Construction of pillars, cones or barriers made out of concrete, steel, or any other building material that are designed to obstruct, hinder, restrict, or deny access onto any Land by conventional means of access or modes of transportation;
 - vii) The Construction of an observation tower designed to enable the visual observation of surrounding areas beyond the perimeter of the Land actually owned or leased/ rented by the occupant whether the tower is occupied by an individual or a surveillance camera or like equipment and whether integrated or not, to a building;
 - viii) Any fence or gate constructed, installed or maintained or reinforced with metal or similar material in excess of 3 millimetres in thickness.

- (8) **“Excessive Protective Elements”** means devices, objects, material components, or any contrivance designed to control, hinder, restrict, or deny access to or from Land and includes but is not limited to:
- i) The Application of perimeter warning devices such as “laser eyes” or other types of advanced warning systems be it electronic or otherwise designed to forewarn of the encroachment onto the perimeter of Land from adjoining Lands or roadways but excluding similar applications to forewarn of entry into a structure located on Land;
 - ii) The Application of electrical fencing or any similar perimeter barrier including hidden traps, electrified doors or windows, Land mines or other explosive devices or any weapon or thing that may become a weapon when triggered or activated on encroachment to Land whether designed to, or by application in such manner is, likely to cause death or serious injury;
 - iii) The Application of visual surveillance equipment, including video cameras, ‘night vision’ systems, or electronic listening devices capable of permitting either stationary or scanned viewing or listening, by an operator or viewer or listener of that equipment, beyond the perimeter of the Land actually owned, leased or rented by the occupant.
- (9) **“Fortification and Fortify”** means the Construction, installation, assembly, Application or maintenance of devices, barriers, or materials in a manner designed to hinder, obstruct or prohibit access to or from Land and includes Excessive Fortification;
- (10) **“Land”** means Land, including buildings, mobile homes, mobile buildings, mobile structures, outbuildings, fences , erections, physical barriers and any other structures on the Lands or in any structure on the Land;
- (11) **“Law Enforcement Officer”** includes:
- i) a Police Officer as defined in Section2 of the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended;
 - ii) a Municipal Law Enforcement Officer appointed pursuant to subsection 15(1) of the *Police Services Act*, R.S.O. 1990, c. P. 15, as amended;
 - iii) the Chief Building Official;
 - iv) an Inspector appointed under subsection 3(2) of the *Building Code Act*, 1992, as amended;

- v) a Fire Inspector, the Fire Marshall, an assistant to the Fire Marshall or a Chief Fire Official appointed under the *Fire Protection and Prevention Act*, 1997, c. 4; as amended;
 - vi) a Property Standards Officer who has been assigned the responsibility of administering and enforcing by-laws under Section 15.1 of the *Building Code Act*, 1992, as amended.
- (12) **“Person”** means any natural Person, an individual, a firm, a corporation, an association or partnership and their heirs, executors, administrators or other legal representative of a Person to whom the context can apply according to the law;
- (13) **“Protective Elements”** means devices, objects, material components, or any contrivance designed to control, hinder, restrict or deny access to or from Land or have the effect of controlling, hindering, restricting or denying access to or from the Land and includes Excessive Protective Elements.

3.0 GENERAL PROHIBITIONS

3.1 No Person shall:

- (1) Excessively Fortify any Land; or
- (2) Apply Excessive Protective Elements to Land; or
- (3) In any manner hinder, obstruct or attempt to hinder or obstruct, any Person including without limiting the generality of the foregoing any Emergency Services Personnel or Law Enforcement Officers exercising a power or performing a duty under this By-law.

4.0 GENERAL EXEMPTIONS

4.1 Section 3.0 above does not apply to:

- (1) Financial institutions as identified and listed in Schedules I, II, and III of the *Bank Act*, S.C. 1991, c. 46 as amended;
- (2) Detention centres zoned for such use or otherwise permitted by law;
- (3) Lands, owned or occupied by the Federal Department of National Defence;
- (4) Lands, owned or occupied by the Ontario Provincial Police or the Greater Sudbury Police Service;

- (5) Lands, owned or occupied by the Royal Canadian Mounted Police;
- (6) Lands, owned or occupied by the City of Greater Sudbury;
- (7) Other commercial, business, industrial or institutional establishments as determined by the Chief Building Official where the nature of the undertaking necessitates particular elements of Excessive Fortification or Excessive Protective Elements and where such use is permitted by the Zoning By-law of the City or provided such use is otherwise lawfully permitted, but only to the extent necessary having consideration for the nature of the undertaking upon approval granted herein upon application for exemption in accordance with Section 6.0 of this By-law;
- (8) A lawful permitted private dwelling where the nature of the lawful use of the dwelling necessitates particular element of Excessive Fortification or Excessive Protective Elements, but only to the extent necessary having consideration for the nature of such use upon approval granted herein upon application for exemption in accordance in Section 6.0 of this By-law.

5.0 SCOPE AND LIMITATION OF BY-LAW

- 5.1 (1) Section 3 does not operate to prohibit:
 - (a) The use or application of commercially marketed household security devices designed and applied to provide reasonable Fortification and protection from theft or other criminal activity against the Person or property of a Person;
 - (b) The reasonable use of Protective Elements such as "laser eye" or other advanced warning devices on windows or doors of a dwelling house for the purpose of providing a warning to the occupants of that dwelling house or structure or to dispatch Emergency Service Personnel where an actual entry into a dwelling house has occurred;
 - (c) Common household alterations or renovations where the location or style of a door or window may be altered for purely aesthetic reasons and meets local Building Code and Fire Code requirements and have received any permit required to complete such alteration or renovation.
- (2) Nothing in this By-law shall be interpreted as restricting a normal farm practice connection as part of an agricultural operation pursuant to the *Farming and Food Protection Act*, S.O.1998, c. 1.

6.0 APPLICATION FOR PARTIAL OR COMPLETE EXEMPTION

6.1 Any Person wishing to make application for partial or complete exemption from the provisions of this By-law shall file with the Chief Building Official the following:

- (1) An application for partial or complete exemption from any provision(s) of this By-law shall be signed and in writing and directed to the Chief Building Official;
- (2) Complete details of the location of the Land, including Municipal address, type, number, and nature (residential, commercial, farm), and a recent survey of the Land and structures or scaled drawing acceptable to the Chief Building Official shall accompany the application;
- (3) A detailed explanation shall be included of the exemption(s) requested and the rationale for requesting such an exemption(s). This shall include details of proposed Fortification or Application of Protective Elements being considered along with an explanation of how that Fortification or Application of Protective Elements is rationally connected to the purpose for which the exemption is being sought.

6.2 All applications will be reviewed by the office of the Chief Building Official who may make any further inquiries deemed necessary and relevant and may require the provision of any additional information that shall be provided at the expense of the applicant, including, but not limited to:

- (1) Requests for further details or documentation from applicant;
- (2) Requiring the provision of any further or other documents considered by the Chief Building Official to be necessary or relevant to the investigation of the application;
- (3) Making inquiries of any department of local, Provincial or Federal Government considered necessary and/or relevant to the investigation of the application;
- (4) Making inquiries and requesting input from Local Police, Fire and Ambulance Services or any other department that may have an interest, issue, or concern with the application.

7.0 GROUNDS FOR EXEMPTION

7.1 Upon review of the documentation required or requested pursuant to Sections 6.1 and 6.2, the Chief Building Official may issue a complete or partial exemption if:

- (1) the applicant is a Person; and

- (2) there is proven to exist a rational connection between the necessity and rationale provided for the exemption and the nature and extent of exemption requested; and
- (3) the nature and extent of authorized exemption does not exceed that which is rationally proven to be necessary; and
- (4) the necessity of access to Emergency Services Personnel and/or Law Enforcement Officers is not unreasonably interfered with or limited considering the need, necessity and rationale provided for the exemption; and
- (5) the application would not result in any contravention of any other applicable law including, without limiting the generality of the foregoing, the Official Plan and Zoning By-law of the Municipality.

7.2 An authorized partial or complete exemption provided to a successful applicant will reference this By-law and bear the signature of the Chief Building Official.

7.3 A copy of any authorization issued under Section 7.2 shall be forwarded immediately by the office of the Chief Building Official to the attention of the Chief of Police, the Chief of Fire and the Director of Ambulance Services of the Municipality.

8.0 APPEAL OF DENIAL OF EXEMPTION

8.1 Where the Chief Building Official refuses an application for a complete or partial exemption made pursuant to the provisions of Section 6.0 herein, the Chief Building Official shall notify the applicant in writing of such decision and the said notice shall set out the grounds upon which the application for exemption has been refused and shall state that the applicant may appeal such decision to the Council by filing an appeal with the Chief Building Official within twenty (20) days of the date of such decision to refuse the application for exemption by the Chief Building Official.

8.2 Where there has been an appeal under the provisions of Section 8.1 herein, Council shall hold a meeting for the consideration of the appeal. The Chief Building Official shall provide notice to the applicant of the date of the Council meeting for the hearing of the appeal at least fifteen (15) days prior to the date of such Council meeting. The Chief Building Official shall also provide the notice to such other Persons, civic departments, boards commissions, authorities or agencies as appear to have an interest in the appeal.

8.3 Council shall conduct a hearing with respect to the appeal and shall consider whether the applicant meets all of the requirements of this By-law and whether the applicant is entitled to an exemption in accordance with the provisions of Sections 6.0 and 7.0 herein.

8.4 During the hearing conducted with respect to the appeal, Council:

- (1) shall afford the applicant an opportunity, at the meeting, of making submissions in respect of the matter that is the subject of Council's proceedings;
- (2) shall afford any Person, civic department, board, commission, authority or agency given notice under Section 8.2 herein and in attendance at the meeting, an opportunity to make submissions in respect of the matter that is the subject of Council's proceedings;
- (3) may close a portion of the meeting to the affected applicant only for the purposes of receiving confidential legal advice;
- (4) may close all or a portion of the meeting to the public if Council is of the opinion that intimate, financial or personal matters may be disclosed of such nature, having regards to the circumstances, that the desirability of avoiding disclosure thereof is in the interests of any Person affected or in the public interest, outweighs the desirability of adhering to the principle that meetings be open to the public;
- (5) shall give due consideration to the submissions made to it;
- (6) shall, by resolution, take such action to either allow the application for exemption and the appeal or to deny the application for exemption and the appeal any may impose such terms and conditions to such decision in accordance with the provisions of this By-law, as Council considers proper in the circumstances;
- (7) shall give written notice of it's decision to the Chief Building Official, the applicant and to any other Person, civic department, board, commission, authority or agency in attendance at the meeting, together with the reasons for it's decision.

8.5 The decision of Council herein is final and binding upon the applicant and there is no appeal therefrom.

9.0 POWER OF ENTRY

9.1 A Law Enforcement Officer or the Chief Building Official may, at any reasonable time, enter and inspect any Land to determine whether this By-law, or an order under this By-law, is being complied with.

9.2 No Person shall exercise a power of entry under this By-law to enter a place, or a part of a place, that is being used as a dwelling unless;

- (a) The occupier of the dwelling consent to entry, having first been informed of his or her right to refuse consent; or
- (b) If the occupier refuses to consent, a warrant issued pursuant to Section 158 of the *Provincial Offences Act* is obtained.

10.0 ORDERS

- 10.1 Where a Law Enforcement Officer or the Chief Building Official is satisfied that a contravention of this By-law has occurred or that Excessive Fortification or Excessive Protection Elements have been established on any Land before this By-law came into force, the officer may make an order requiring work to be done to correct the contravention or to remove such Excessive Fortification or Excessive Protective Elements established before this By-law came into force, and the order shall set out:
- (1) The municipal address or the legal description of the Land;
 - (2) Reasonable particulars of the contravention and the work to be done and the period within which there must be compliance with the order; and
 - (3) A notice stating that if the work is not done in compliance with the order within the period if specifies, work done may be at the expense of the owner.
- 10.2 If the work required by an order is not completed within the specified period, a Law Enforcement Officer or the Chief Building Official may, at any reasonable time, enter upon the Land or may make arrangements for municipal employees or a contractor retained for that purpose, to enter upon the Land to do the work at the expense of the owner and the City may recover the expense incurred in doing such work by action or the same may be recovered in like manner as municipal taxes against the Land.
- 10.3 The period described in Section 10.1 shall not be less than three months if the Excessive Fortification or Excessive Protective Elements were present on the Land on the day this By-law is passed.

11.0 PENALTY AND ENFORCEMENT

- 11.1 Every Person who contravenes any provision of this By-law is guilty of an offence and upon conviction is liable to the penalties specified in accordance with the *Provincial Offences Act*, R.S.O. 1990, c. P. 33, as amended or any successor legislation thereto.
- 11.2 The Chief Building Official shall be responsible for the administration of this By-law and Persons who are employed or appointed as Law Enforcement Officers, or

Building Inspectors, and the Chief Building Official are all deemed appointed and entitled to enforce the provisions of this By-law.

12.0 CONFLICT

12.1 Subject to Section 12.2, where a provision of this By-law conflicts with the provision of any other By-law of the City or any applicable government regulation, the provision that establishes the higher standard to protect the health, safety and welfare of the general public shall prevail.

12.2 Notwithstanding Section 12.1, and despite Section 35 of the *Building Code Act, 1992*, if there is a conflict between the Building Code and the *Building Code Act, 1992* and this By-law, the Building Code prevails.

13.0 SEVERABILITY

13.1 Should a Court of competent jurisdiction declare a part or whole of any provision of this By-law to be invalid or of no force and effect, the provision or part is deemed severable from this By-law and it is the intention of Council that the remainder survive and be applied and enforced in accordance with its terms to the extent possible under law.

14.0 EXEMPTION LIMITED BY ACT OF LAW

14.1 Any exemption authorized by this By-law in any manner shall in no way be construed or interpreted as an exemption, limitation or excuse from a Person's requirement to abide by and comply with any other Federal, Provincial or Municipal Law.

15.0 ENACTMENT

15.1 This By-law comes into force and takes effect on the day it is enacted and passed by Council.

Request for Recommendation Priorities Committee

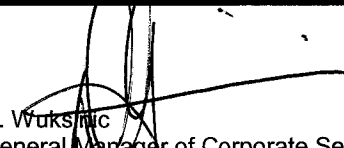



Type of Decision									
Meeting Date	February 11, 2004				Report Date	February 6, 2004			
Recommendation		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
2003 Preliminary Reserve Fund Balances

Policy Implications + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified
<input checked="" type="checkbox"/>	Background attached

Recommendation	
FOR INFORMATION ONLY	
<input type="checkbox"/>	Recommendation attached

Recommended by the General Manager
 D. Wuksinic General Manager of Corporate Services

Recommended by the C.A.O.
 M. Mieto Chief Administrative Officer

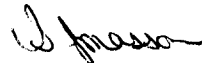
Date: February 6, 2004

Report Authored By



C. Mahaffy
Manager of Financial Planning & Policy/Deputy Treasurer

Division Review



S. Jonasson
Director of Finance / City Treasurer

BACKGROUND

Attached is a spreadsheet listing each of the City of Greater Sudbury Reserves and Reserve Funds. This a preliminary listing only. Many year-end journal entries have not been made. A final report will go to Council in April or May.

Reserves

The first section lists the reserves which total just over \$8 million. The two largest amounts being:

- \$3 million for Various Expenses is fully committed for items that were reserved in 2003 and for the utility shares; and
- \$1.7 million for Community Placement which has been allocated over the next two years. If this amount is not spent, it will be returned to the Province.

Reserve Funds - Various

These reserves total just over \$24 million and the purpose of each reserve fund is listed. Many of these funds are not sufficient to cover the related liability. For example, the two Sick Leave Reserve Funds total just over \$2 million, while the liability is close to \$10 million. The Equipment Replacement Reserve Fund is needed for the 2004 capital program, and the Social Housing and Ambulance Reserve Funds must be used in those areas.

Capital Financing Reserve Funds

This section, totalling \$21 million relates to Capital projects and has been taken into consideration in the Long Term Financial Plan.

Obligatory Reserve Funds

This section, which totals \$10 million is comprised of mandatory reserve funds. The money in these funds must be spent on the specific projects and can be used for no other purpose.

2004 Contributions to Reserves

The second attachment to this report is a listing of budgeted contributions to capital and reserves for 2004.

Council has previously received a report on the 2004 contribution to capital. The 2004 contribution to reserves and reserve funds is \$7.4 million. A brief explanation is beside each item. For the most part, these are working reserves, required annually. Some are mandatory (e.g. parking) and some are required for capital. For example, the contributions to equipment replacement are required to fund the 2004 equipment and fleet requirements.

**City of Greater Sudbury
Unaudited Reserve and Reserve Fund Balances
as at December 31, 2003**

Reserves	Purpose	Preliminary Balance
		\$
30010 Election Reserve	to offset election expenses in election years	\$0.00
30030 Employee Health Benefits Reserve	to cover health benefits costs related to ASO	791,269.74
30031 Library/Citizen Service Centre Reserve	to avoid major library fluctuations & fund deficits	107,653.03
30035 Tree Purchases Reserve	funds tree purchases for Land Reclamation	156,013.97
30045 Reserve for Various Expenses	2003 funds reserved at year end, per Council resolutions, including purchase of utility shares	3,028,968.87
30050 Reserve for Ex-Gratia Grants	provide grants for sewer backups	93,875.00
30055 W.I. Claims Reserve	for Weekly Indemnity claims related to ASO	594,929.46
30060 Water Meter Installation Reserve	funds water meter installs in new homes	223,505.08
30070 Official Plan Reserve	for new Official Secondary Plan	4,050.13
30074 Ontario Works Reserve	to offset funding fluctuations in programs and / or funding from Province	340,000.00
30075 O/W Community Placement Reserve	specific to Ontario Works program - community placement - must be used for OW or returned to Prov	1,753,596.04
30080 O/W Emerg Housing Reserve	specific to Ontario Works program - emergency housing	22,541.42
30095 Pioneer Manor Fundraising Reserve	specific to Pioneer Manor fundraising efforts to be used at Pioneer Manor only	23,490.46
30105 Future Development Charges Study Reserve	to fund future Development Charges study	58,500.00
30110 Tax Rate Stabilization Reserve	to avoid major levy fluctuations & fund deficits	681,199.51
30140 V.E. Heritage Committee Reserve	for Valley East Heritage celebration	42,903.13
30145 Agricultural Drains Reserve	for municipal share of agricultural drain costs - required for capital projects	100,000.00
30150 Cultural Exchange Reserve	funds cultural exchanges expenses, at Mayor's discretion	2,518.46
	Total Reserves	\$8,025,014.30

**City of Greater Sudbury
Unaudited Reserve and Reserve Fund Balances
as at December 31, 2003**

		Preliminary Balance \$
Reserve Funds - Various		
35005	Sick Leave Reserve Fund	\$1,854,336.44
35010	Police Sick Leave Reserve Fund	373,471.23
35030	HR Management Reserve Fund	170,812.51
35035	WSIB Schedule 2 Reserve Fund	2,874,537.80
35036	WSIB Reserve Fund Committed	900,000.00
35050	Insurance Reserve Fund	2,483,850.08
35070	Equipment & Vehicle Replacement Reserve Fund	2,287,145.19
35071	Police Vehicle and Equipment Reserve Fund	635,552.18
35075	Recycling Equipment Replacement Reserve Fund	1,260,512.85
35085	Land Acquisition Reserve Fund	1,578,138.53
35200	Pioneer Manor Reserve Fund	428,410.22
35210	Pioneer Manor Donations Reserve Fund	47,312.92
35220	Social Housing Capital Reserve Fund	2,893,199.59
35250	Industrial Park Reserve Fund	237,369.58
35251	Industrial Park Reserve Fund Committed	354,123.59
35260	Economic Development/Community Loan R.F.	1,012,978.25
35265	Business Centre Reserve Fund	146,245.12
35420	Centennial Drive Booster Station Reserve Fund	8,093.12
35440	Roads Winter Control Reserve Fund	737,718.03
35500	V.E.T.A.C. Reserve Fund	3,517.64
35522	Fitness Centre Reserve Fund	8,978.47
35523	Museum Reserve Fund	21,294.94
35530	South Branch Library Reserve Fund	57,649.15
35601	Police Services Donations Reserve Fund	5,303.58
35820	Gazebo Concert Series Reserve Fund	824.73
35850	Cemeteries Reserve Fund	629,923.44
35602	Greater Sudbury Police Services Board R. F.	0.00
35985	Emergency Services Ambulance Reserve Fund	2,561,862.57
35991	199 Larch St Building Maintenance Reserve Fund	605,767.79
	Reserve Funds - Various	\$24,178,929.54
	Purpose	
	funds employees' sick leave liability - total liability approximately \$5 million	
	funds Police employees' sick leave liability - total liability approximately \$5 million for shortfalls in Life & LTD costs related to ASO	
	to cover WSIB costs under Schedule 2	
	committed to outstanding liability	
	to pay deductible portion of claims & adjuster fees	
	to replace vehicles & equipment - required for capital 2004	
	to replace police vehicles & equipment - required for capital 2004	
	to replace recycling equipment	
	some specific commitments (front-end financing)	
	specific to Pioneer Manor Capital project	
	donations specific to Pioneer Manor improvements per policy on donations	
	specific to Social Housing purposes - future capital costs	
	to maintain and service industrial parks	
	specifically committed for Economic Development projects	
	set aside for Economic Development Loan Fund	
	can be used only by Regional Business Centre	
	can be used only for Centennial Booster (contributions from developers)	
	to be used to fund overexpenditures in winter control	
	fundraising specific to VETAC incentives	
	fundraising for Rayside-Balfour Fitness Centre	
	fundraising for Rayside-Balfour Museum	
	for future renovations to library	
	set aside excess donation proceeds for crime initiatives deemed suitable by the Board	
	donations specific to Gazebo concert series expenses	
	funds cemetery capital projects	
	for purposes that serve the public interest and for charitable events deemed suitable by Board	
	funds ambulance capital requirements such as fleet and equipment - per Provincial guidelines	
	funds building repair and maintenance costs	

**City of Greater Sudbury
Unaudited Reserve and Reserve Fund Balances
as at December 31, 2003**

		Preliminary Balance \$
Capital Financing Reserve Funds (R/F)		
35060 Cap Fin R/F - Information Technology	for Information Technology capital projects	\$1,172,449.02
35410 Cap Fin R/F - Replace S/W Systems	for water/wastewater capital projects	408,987.92
35450 Cap Fin R/F - Solid Waste	for future Solid Waste projects	6,477,645.35
35900 Cap Fin R/F - General	funds capital and operating deficits	1,067,117.41
35901 <i>Cap Fin R/F - Committed</i>	committed - outstanding liability and \$50,000 Clock Tower Market Sq.	950,000.00
35910 Cap Fin R/F - Corporate Infrastructure	for Corporate Infrastructure capital projects	237,156.98
35920 Cap Fin R/F - P/W Buildings	for Building projects	137,966.47
35930 Cap Fin R/F - Police	for Police projects	122,776.61
35940 Cap Fin R/F - Roads	for Road projects	465,074.02
35950 Cap Fin R/F - Waste Water	for wastewater capital projects	2,441,437.84
35951 Cap Fin R/F - Waste Water-Committed	South End Rock Tunnel Project	1,165,000.00
35960 Cap Fin R/F - Water	for water capital projects	6,646,655.56
35970 Cap Fin R/F - H & S.S.	for Health & Social Services projects	33,142.61
35980 Cap Fin R/F - Fire	for Fire projects	113,299.73
35990 Cap Fin R/F - Citizen/Leisure	for Citizen & Leisure projects	107,643.88
	Capital Financing Reserve Fund	\$21,546,353.40
Obligatory Reserve Funds		
35095 Parking Improvement Reserve Fund	mandatory reserve fund for parking improvements	\$1,185,022.88
35300 Capital Lot Levies Reserve Fund	can be used only for water / wastewater projects	73,619.29
35415 Waste Water & Water Payments Reserve Fund	for specific waste water and/or wastewater projects	285,882.31
35430 Road Levy Payments Reserve Fund	for specific roadways	535,939.99
35435 Municipal Road 80 Reserve Fund	provincial funds received to complete Municipal Rd 80	4,698,477.46
35510 Parks (Sect 50) Reserve Fund	obligatory reserve fund for use in new park projects	615,258.55
35800 Subdivision Deposit Reserve Fund	non-refundable deposits for subdivision work required	1,289,768.97
35805 Site Plan Deposits Reserve Fund	non-refundable deposits for site plan work required	585,317.16
35810 Tree Planting Reserve Fund	mandatory reserve fund for subdivision tree planting	658,399.06
	Obligatory Reserve Funds	\$9,927,685.67
	Total Reserve Funds	\$55,652,968.61
	Total Reserves and Reserve Funds	\$63,677,982.91

**2004 CURRENT BUDGET
CONTRIBUTION TO RESERVE/CAPITAL**

Cost Centre #	Cost Centre Name	Description	2003	2004	2004	2004	Comments
			Contr. Capital /Reserve	Contr. Capital Envelope	Contr. Other Capital	Contr. Reserve	
A.A.20.00.00.00	Corporate Revenue/Capital	Transfer to Capital-Transition	1,100,000		600,000		
A.A.25.00.00.00	Capital Levy	Contribution to Capital	-		2,914,820		
	Debt & Contribution to Capital	Corporate Infrastructure	305,230	311,340			
		Community Support Projects	1,000,000	1,020,000			
		Information Technology	100,000	102,000			
C.F.45.00.00.00	Debt & Contribution to Capital	Contr. To Res. Water-Waste Water (Frontage)	153,038			152,890	per policy on frontage
C.F.50.00.00.00	Financial & Corp. Expenditure	Prov. To Insurance Reserve Fund	1,050,000			950,000	working reserve
		Contr. To Sick Leave Reserve Fund	212,220			217,520	inadequate re liability
		Contribution Reserves - Property Valuation	-			100,000	working reserve
C.S.06.05.00.00	Properties	199 Larch St. Prov. To Reserve	70,000			100,000	for future repairs
C.S.08.00.00.00	Clerks Services	Provision to Election Reserve	200,000			280,000	to fund election years
E.A.15.00.00.00	Debt & Contribution to Capital	Economic Development Envelope	622,633	839,090			
H.A.10.00.00.00	Debt & Contribution to Capital	Health & Social Services Envelope	680,136	693,740			
L.A.10.00.00.00	Debt & Contribution to Capital	Citizen & Leisure Envelopes	1,024,099	1,044,580			
L.C.01.00.00.00	Cemetery Administration	Provision to Cemetery Reserve	87,431			82,738	net proceeds of cemeteries
L.P.05.40.20.00	South End District Library	Contr. To CWIP (Loan for purchase of bldg)	108,000		108,000		
		Contr. To Reserve	49,200			-	
L.R.55.10.00.00	Rayside Fitness Centre	Provision to Recreation Reserve	6,358			-	
L.T.15.05.00.00	Parking Administration	Transfer to Parking Reserve Fund	323,812			243,746	mandatory reserve
P.E.15.00.00.00	Municipal/Agricultural Drains	Contr. To Capital	70,000		152,000		
		Contr. To Reserve	50,000			51,250	required for projects
P.E.40.00.00.00	Debt & Contribution to Capital	Public Works Buildings Envelope	1,903,516	1,940,850			
P.M.15.10.00.00	Water Debt & Cont. to Capital	Water Envelope	4,610,275	5,098,480			
		Water Upgrading-Capital	1,915,364	1,953,670			
P.M.20.10.00.00	W/W Debt & Cont. to Capital	Waste Water Envelope	4,237,507	4,758,670			
		Waste Water Upgrading-Capital	1,915,364	1,953,670			
P.M.25.05.00.00	Roads Debt & Cont. to Capital	Roads Envelope (Incl.\$1.5M for M.R 35)	10,635,534	11,409,250			
P.M.35.10.00.00	Depots-Frobisher, St. Clair	Contr. To Reserve Fund (Equipment)	3,352,869			3,573,350	replacement of fleet & equip.
P.W.07.00.00.00	Solid Waste Debt & Cont to Capital	Waste Management Envelope	2,760,655	1,020,000			
		Contr. To Res Fund (Equipment)	63,160			63,160	to replace equipment
Q.A.10.00.00.00	Debt & Contribution to Capital	Emergency Services Envelope (Fire)	181,783	185,420			
Q.L.10.00.00.00	E.M.S. Field Operations	Contr to Reserve Fund (Vehicles)	528,053			588,444	per Prov. Guidelines
		Contr to Reserve Fund (Equipment)	200,000			200,000	per Prov. Guidelines
R.P.05.20.00.00	General Personnel	Police Sick Leave	100,000			200,000	inadequate re liability
R.P.10.05.00.00	Fleet	Police Fleet Reserve	550,000			566,500	required for fleet replacement
R.P.10.20.00.00	Debt & Contribution to Capital	Police Envelope	478,689	488,260			
R.P.10.35.10.00	Voice Radio System	Transfer To Capital - Transition	70,000		70,000		
			40,714,925	32,819,020	3,844,820	7,369,598	
Grand Total			40,942,890			44,033,438	

Request for Recommendation Priorities Committee




Type of Decision									
Meeting Date	February 11, 2004				Report Date	February 6, 2004			
Recommendation		Yes	<input checked="" type="checkbox"/>	No	Priority	<input checked="" type="checkbox"/>	High		Low
	Direction Only				Type of Meeting	<input checked="" type="checkbox"/>	Open		Closed

Report Title
Assessment and MPAC

Policy Implications + Budget Impact	
<input checked="" type="checkbox"/>	This report and recommendation(s) have been reviewed by the Finance Division and the funding source has been identified
<input checked="" type="checkbox"/>	Background attached

Recommendation	
FOR INFORMATION ONLY	
<input type="checkbox"/>	Recommendation attached


Recommended by the General Manager


 D. Wukstajic
 General Manager of Corporate Services



Recommended by the C.A.O.


 M. Mieto
 Chief Administrative Officer

Report Authored By


E. Stankiewicz
Co-Ordinator of Current Budget

Division Review

 
S. Jonasson
Director of Finance / City Treasurer

BACKGROUND

History of Property Assessment

Property in Ontario has been assessed for municipal taxation purposes for more than 200 years. Property assessment originally came under the jurisdiction of Upper Canada. In 1849 the function was transferred to municipalities, and each municipality developed its own assessment system and methods of valuating properties. This led to many inconsistencies between properties throughout the Province. Many municipalities had not been reassessed for 50 years.

In 1970, the Province of Ontario assumed responsibility to create a uniform assessment system based on market value and this was offered to municipalities on a volunteer basis. Only a limited number of municipalities took part in these reassessment cycles.

The Regional Municipality of Sudbury went through a reassessment in 1985 and was on a reassessment cycle of every three to four years after that. Sudbury was on a modified market value system that did not allow for inter-class shifts but did reflect shifts between properties within the same class.

In 1997, the Province passed the Fair Municipal Finance Act, 1997, that provided substantial amendments to the Assessment Act, the Municipal Act, and other related legislation.

The main function that this legislation provided was that every property in Ontario would now have its assessments updated to current value, using a common valuation date. This is the first time in recent history that all properties in Ontario would be evaluated based on current market values.

Components of Assessment and Taxation

The four components of the assessment and taxation cycle are:

- (1) Provincial Government passes legislation that sets assessment and taxation policies,
- (2) MPAC determines current value assessments and classifications for all properties in Ontario,
- (3) Municipalities determine their revenue requirements, set tax rates and collect property taxes, and, when applicable
- (4) The Assessment Review Board (an independent tribunal) rules on appeals from both property owners and municipalities.

History of MPAC

Prior to 1999, the assessment function was under the control of the Ministry of Finance. On December 31, 1998, responsibility for property assessment was transferred to a new non-profit corporation called the Ontario Property Assessment Corporation (OPAC), later renamed the Municipal Property Assessment Corporation (MPAC). Every municipality in Ontario is a member of MPAC, which is governed by a fifteen-member Board of Directors comprised of five taxpayers, eight municipal representatives and two provincial representatives.

In 2003, MPAC assessed over 4.3 million properties across Ontario totaling \$1.15 trillion. The current budget for MPAC is \$156 million to be paid for by 418 lower and single tier municipalities and twenty-eight upper tier municipalities. The amount each municipality is required to fund MPAC is based on a formula, which takes into account the number of properties in the municipality and the assessed value of these properties. Currently, the City of Greater Sudbury is funding MPAC \$1.5 million.

What does MPAC assess?

MPAC assesses all real property, which is land and buildings.

Assessment falls into three categories:

- 1) Tax Assessable Properties - these properties are subject to municipal taxation.
- 2) Payment in Lieu Properties - these properties are government-owned entities that provide the municipality payment in lieu of taxation.
- 3) Exempt Properties - these properties include churches, educational institutes, and public hospitals, conservation lands, and property owned by some non-profit organizations - such as Boy Scouts.

The City of Greater Sudbury uses the taxable assessment to set tax rates.

How does MPAC assess property?

MPAC uses a Current Value Assessment system that values a property based on what an unencumbered sale would bring to a property owner. All properties are valued based on a common date for each reassessment. The valuation is based on a true market value and it is expressed as a true dollar value for the property.

- ▶ For the residential class, the CVA calculation is the least complex which has the main driver dealing with home sales as it uses the sales comparison approach.
- ▶ The cost approach usually deals with industrial properties such as manufacturing and it values the land, building, plus the cost of improvement less the depreciation to attain the CVA. This is called the bricks and mortar approach and there may be various adjustments required to achieve the fair value.
- ▶ The last valuation process is the Income Approach which is used for valuating hotels, apartments and office buildings. The CVA is calculated by analysing the income producing potential.

What are the assessment update cycles?

Since the Ontario Fair Assessment System was introduced in 1997, every property has been reassessed four times, based on one common valuation date.

Valuation Date	For Taxation Years
June 30, 1996	1998, 1999, 2000
June 30, 1999	2001, 2002
June 30, 2001	2003
June 30, 2003	2004
Average June 30, 2003 and June 30, 2004	2005
Average June 30, 2003, June 30, 2004 and June 2005	2006

It was the Province’s intent that after the June 30, 2004 reassessment that MPAC would move to an annual reassessment that would incorporate a three-year rolling average.

What are municipal concerns?

Municipalities are questioning the quality control of MPAC. For example, the Market Change Profile (MCP) file did not provide sufficient information to determine our assessment growth for the municipality. The City has to rely on monthly hard copy control total reports to determine the growth. Changes to property values in 2003 were not accounted for in the 2004 returned roll for a number of properties that received a reconsideration of their CVA in 2003. Major shifts in property classes such as the multi-residential class (25% decrease for 2003) have affected all other classes. A municipality should not experience such significant shifts from one assessment cycle to the next.

In the past few years, MPAC has reduced its workforce by approximately 15%, while the in the same time frame, it has also moved from a three year reassessment cycle to annual reassessments. This substantial increase in workload, coupled with a staff reduction contributes in a large way to municipal dissatisfaction with quality control at MPAC.

The City of Greater Sudbury has appealed 156 property valuations that have reflected drastic reductions in their Current Value Assessment (CVA) in the past two years. Many municipalities are hiring tax agents to review assessments and to appeal property assessments. The City is currently contracting the services of an assessment agent who is reviewing our tax rolls for errors and inconsistencies. He also represents the City at Assessment Review Board (ARB) Hearings.