THE SEVENTY-SIXTH MEETING OF THE COUNCIL OF THE CITY OF GREATER SUDBURY

C-11
Tom Davies Square

Wednesday, July 14, 2010
Commencement: 11:53 p.m.

DEPUTY MAYOR DUPUIS, IN THE CHAIR

Present
Councillors Cimino; Barbeau (A11:55pm); Berthiaume; Dutrisac; Thompson; Craig; Caldarelli; Gasparini; Landry-Altmann (A11:55pm); Mayor Rodriguez

City Officials
Angie Haché, City Clerk

Declarations of pecuniary interest:
None declared.

Closed Meeting
2010-251 Barbeau-Berthiaume: THAT the Council of the City of Greater Sudbury move to Closed Meeting to deal with one Personal Matter an Identifiable Individual regarding in accordance with the Municipal Act, 2001, s.239(2).
CARRIED

Recess
At 12:30 p.m., Council recessed.

Reconvene
At 2:05 p.m., Council commenced the regular meeting in the Council Chamber.

Chair
HIS WORSHIP MAYOR JOHN RODRIGUEZ, IN THE CHAIR

Present
Councillors Cimino; Barbeau; Berthiaume; Dutrisac; Dupuis; Thompson; Callaghan; Craig; Caldarelli; Gasparini; Landry-Altmann (D4:27pm)

City Officials
Doug Nadorozny, Chief Administrative Officer; Greg Clausen, General Manager of Infrastructure Services; Luisa Valle, Acting General Manager of Community Development; Bill Lautenbach, General Manager of Growth & Development; Tom Isaia, Acting Chief of Emergency Services; Marc Leduc, Fire Chief; Frank Elsner, Chief of Police; Eliza Bennett, Acting Executive Director, Administrative Services; Lorella Hayes, Chief Financial Officer/Treasurer; Jamie Canapini, City Solicitor; Ron Norton, Drainage Engineer; Ed Stankiewicz, Manager of Financial Planning & Policy; Carmen Ouellette, Manager of Children Services;
City Officials
(continued)
Kevan Moxam, Manager of Parks Services; Cindy Dent, Manager of Recreation; Robert Blackwell, Co-ordinator of Quality Assurance & Performance Measurement; Ted Durbacz, Recreation Co-ordinator; Barb McDougall-Murdoch, Community Development Co-ordinator; Jeff Pafford, Community Development Co-ordinator; Kate Furlotte, Communications Officer; Brian Bigger, Auditor General; Carolyn Jodouin, Senior Auditor; Ian Wood, Chief of Staff to the Mayor; Martin Lajeunesse, Executive Assistant to the Mayor; Angie Haché, City Clerk; Curtiss Law, Clerk’s Services; Jason Nelson, Clerk’s Services Co-ordinator; Franca Bortolussi, Council Secretary

News Media
EastLink News; KICX; Le Voyageur; Northern Life; Sudbury Star

Moment of Silent Reflection
The Mayor requested that, during the Moment of Silent Reflection, Council remember Edgar Burton who recently passed away. Mr. Burton began the Business Employee Christmas Food Drive many years ago and was a leader in organizing the annual food drive in the City.

Declarations of Pecuniary Interest
None declared.

COMMUNITY DELEGATIONS

Item 1
2010 Ontario Summer Games City Council Update
John Roberts and Dan Lee, Co-Chairs of the 2010 Ontario Summer Games Organizing Committee, made an electronic presentation regarding the 2010 Ontario Summer Games being held on August 10 to 13, 2010 in Greater Sudbury.

Dan Lee advised the mission statement of the Games Organizing Committee is “The Greater Sudbury 2010 Ontario Summer Games is athlete-centered, community-based and volunteer-driven. The games are dedicated to promoting excellence in sport, high-level competition and a positive experience for Ontario’s amateur athletes, coaches, managers, and officials” and listed the Committee members. He provided statistics regarding the number of athletes, coaches and managers, officials, volunteers, meals, medals, etc. He provided information on volunteers, partners, Championship sponsors, Gold & Nickel sponsors, the sports, venues and athletes’ village. He advised the Opening Ceremonies will be on Tuesday, August 10, 2010.
COMMUNITY DELEGATIONS (continued)

Item 1
2010 Ontario Summer Games City Council Update (continued)

with local special emcees (Tessa Bonhomme, a 2010 Olympic Gold Medalist, and Nick Foligno, a member of the Ottawa Senators) and local entertainers (Attic Jack and Life Size Dream). He advised of commemorative pins which will serve as tickets and provide admission into all events. He outlined their plans to promote the Games and the economic impact the Games will have on the City.

PRESENTATIONS

Item 2
James Jerome Sports Complex Artificial Turf

Report dated July 7, 2010 was received from the General Manager of Community Development regarding James Jerome Sports Complex Artificial Turf.

Kevan Moxam, Manager of Parks Services, made an electronic presentation entitled “James Jerome Sports Complex Renewal - Update to Council. He indicated that, prior to renewal of the complex, there were with over use of the fields, drainage problems and under supply of fields. He stated the first steps of the project were to obtain Council support and obtain funding. He advised that on September 23, 2009, Council approved the RFP for Phase I being the design build of the artificial turf and the renewal of existing playfields. He further advised that the design build was on time and on budget with construction beginning on October 12, 2009. He explained the process of installing the artificial turf on the North Field as well as the field colour and lines and signage. He also explained the South Field installation with new sod, lighting system, fencing, new scoreboard and bleachers for the North Field. He advised that Council has approved Phase 2 being the renovation of expansion of the existing site facility building as well as parking lot upgrades. He stated this project supports the Healthy Community Strategy through infrastructure renewal for active living.

MATTERS ARISING FROM THE “CLOSED MEETING”

Rise and Report

Deputy Mayor Dupuis, as Chair of the Closed Meeting, reported Council met to deal with on Personal Matter regarding an Identifiable Individual in accordance with the Municipal Act, 2001, s.239(2) and no resolutions emanated therefrom.
MATTERS ARISING FROM THE PLANNING COMMITTEE – July 13, 2010

Approval of Planning Committee Recommendations


CARRIED

The following are the Planning Committee recommendations:

Joan Henderson
31 Regional Road 3,
Whitefish

2010-253 Craig-Berthiaume: THAT the application by Joan Henderson to amend By-law 83-303 being the Comprehensive Zoning By-law for the (former) Town of Walden by changing the zoning classification of lands described as Lots 16, 17 & 18, Plan M-3 in Lot 1, Concession 1, Township of Denison, from "C2", General Commercial to "R1", Single Residential be approved.

CARRIED

Trustees of the Ukrainian Orthodox Church of St. Volodymyr
190 & 196 Baker Street,
Sudbury

2010-254 Craig-Berthiaume: THAT the application by the Trustees of the Ukrainian Orthodox Church of St. Volodymyr to amend By-law 95-500Z being the Comprehensive Zoning By-law for the (former) City of Sudbury by changing the zoning classification of lands described as PIN 02135-0074, Part of Lots 82 & 83, Plan 1-S in Lot 6, Concession 4, Township of McKim from "I", Institutional to "R2-Special", Double Residential Special and "I-Special", Institutional Special be approved subject to the following conditions:

a. That the amending by-law for the property to be zoned R2-Special contain the following site specific provisions:

i) The minimum easterly interior side yard width shall be 1.06 m;
ii) The minimum lot depth shall be 24.38 m;
iii) The minimum lot area shall be 371 m$^2$.

b. That the amending by-law for the property to be zoned I-Special contain the following site specific provisions:
MATTERS ARISING FROM THE PLANNING COMMITTEE – July 13, 2010 (continued)

Trustees of the Ukrainian Orthodox Church of St. Volodymyr
190 & 196 Baker Street, Sudbury (continued)

i) The size and location of the existing building and concrete steps shall be permitted

ii) No minimum parking spaces shall be required;

iii) The minimum lot area shall be 371 m².

CARRIED

Peter Churan
Martin Drive, Val Therese

2010-255 Craig-Berthiaume: THAT the application by Peter Churan to amend By-Law 83-300 being the Comprehensive Zoning By-Law for the (former) Town of Valley East as it applies to Parcel 37982 S.E.S., Lot 10, Concession 1, Township of Hanmer by changing the zoning classification from "A-18" Agricultural Reserve Special to "A-5" Agricultural Reserve Special be approved subject to the following:

1. That the applicant provide the Development Services Section with a registered plan of survey in order to enable the preparation of the amending by-law.

2. That the amending by-law specify that a minimum lot area of 58 acres shall be permitted.

CARRIED

Aspidis Leaseholds Limited
6807 Highway 17 East, Coniston

2010-256 Craig-Berthiaume: THAT the application by Aspidis Leaseholds Limited to amend By-law 83-304 being the Comprehensive Zoning By-law for the (former) Town of Nickel Centre by changing the zoning classification of lands described as PIN 73561-0099, Parcel 25448 S.E.S., Parts 1-4, Plan 53R-5082 in Lot 5, Concession 4, Township of Neelon from "RU", Rural to "M1-Special", Mixed Light Industrial/Service Commercial Special be approved subject to the following conditions:

a. That the amending by-law indicate the following:

   i) The only permitted use shall be a transport terminal/warehouse with accessory uses with a maximum gross floor area of 840 m².

b. That prior to the issuance of a building permit, the owner shall demonstrate that total wastewater production is less than 4,500 litres per day.

CARRIED
MATTERS ARISING FROM THE PLANNING COMMITTEE - July 13, 2010 (continued)

Nellie & James Langdon
Langdon Road, Whitefish

2010-257 Craig-Dutrisac: THAT the application by Nellie and James Langdon to amend the Official Plan for the City of Greater Sudbury by changing the land use designation of the lands described as PINs 73366-0275 & 73366-0174, Parcel 31050 S.W.S., being Block B, Plan M-1048, Part of Parcel 29576 being Parts 2, 3, 4, 5, 6, 7 and 8, Plan 53R-13156, Lot 8, Concession 1, Township of Fairbank, Langdon Road, Whitefish by introducing site specific policies to the Fairbank Lake Special Policy area in order to permit the creation of a waterfront lot having 27 metres of frontage be denied.

CARRIED

2010-258 Craig-Dutrisac: THAT the application by Nellie and James Langdon to amend By-Law 83-303 being the Zoning By-Law for the (former) Town of Walden as it pertains to lands described as Part of PIN 73366-0275 being part of Block B, Plan M-1048; and Part of Parcel 29576 being Parts 2, 3, 4, 5, 6, 7 and 8, 53R-13156, Lot 8, Concession 1, Township of Fairbank, by changing the zoning classification from "RU-2", Rural Special to "RU-S", Rural Special be denied.

CARRIED

2010-259 Craig-Dutrisac: That the application by Nellie and James Langdon to amend By-Law 83-303 being the Zoning By-Law for the (former) Town of Walden as it pertains to lands described as Part of PIN 73366-0275 being part of Block B, M-1048, Lot 8, Concession 1, Township of Fairbank, by changing the zoning from "RU-2", Rural Special to "R7.D1.25-1", Seasonal Residential Special be approved subject to the following:

1) The applicant provide the Development Services Section with a copy of the survey in order to enable the preparation of the amending by-law.

CARRIED

Real & Christine Perras
826 Bruno Street, Azilda

2010-260 Craig-Dutrisac: THAT the application by Real & Christine Perras to amend By-law 83-302 being the Comprehensive Zoning By-law for the (former) Town of Rayside-Balfour by changing the zoning classification of lands described as PINs 73346-1572 & 73346-0422, Parcels 84 & 14998 S.W.S., in Lot 2, Concession 2, Township of Rayside
MATTERS ARISING FROM THE PLANNING COMMITTEE - July 13, 2010 (continued)

Real & Christine Perras
826 Bruno Street,
Azilda (continued)

from "RU-5", Rural Special to a revised "RU-5", Rural Special
be approved subject to the following conditions:

a. That the existing site specific zoning be amended to include:
   i. A new 326 m$^2$ storage building; and
   ii. Reduce the setback provisions for fencing contractor's yard activities and the parking and storage of commercial vehicles from 183 metres (600 feet) to 137 metres (450 feet) from the south limit of Parcels 84 and 14998 S.W.S.

b. That prior to the issuance of a building permit, the owner shall amend the existing site plan control agreement.

CARRIED

Report #75
DLAC Minutes
May 20, 2010

2010-261 Craig-Berthiaume: THAT Report #75, Development Liaison Advisory Committee Minutes of May 20, 2010, be received.

CARRIED

Report #13
MHC Minutes
April 12, 2010

2010-262 Craig-Berthiaume: THAT Report #13, Municipal Heritage Committee Minutes of April 12, 2010, be received

CARRIED

Close Part of
Unopened Whittaker Street, Sudbury

2010-263 Craig-Berthiaume: THAT part of unopened Whittaker Street, Sudbury, legally described as part of PIN 73586-1187 (LT), part of Lot 7, Concession 3, Township of McKim, City of Greater Sudbury, be closed by by-law;

AND THAT a by-law be passed closing the subject portion of unopened Whittaker Street.

CARRIED

Sale of Part of
Unopened Whittaker Street, Sudbury

2010-264 Craig-Berthiaume: THAT Council of the City of Greater Sudbury authorize the sale of part of unopened Whittaker Street, Sudbury, legally described as part of PIN 73586-1187(LT), part of Lot 7, Concession 3, Township of McKim, City of Greater Sudbury;
MATTERS ARISING FROM THE PLANNING COMMITTEE – July 13, 2010 (continued)

Sale of Part of Unopened Whittaker Street, Sudbury (continued)

THAT a by-law be passed authorizing the execution of the documents required to complete the real estate transaction;

AND THAT the net proceeds of the sale to be credited to the Land Acquisition Reserve Fund.

CARRIED

MATTERS ARISING FROM THE POLICY COMMITTEE – July 14, 2010

Approval of Priorities Committee Recommendations


CARRIED

The following is the Policy Committee recommendation:

Toward Fiscal Sustainability

2010-266 Caldarelli-Cimino: THAT zero base budgeting be implemented, or alternatively another budget method adopted by Council, to be done department by department, starting in 2012, commencing with Infrastructure Services;

AND THAT a report be prepared by the beginning of the 2011 Budget process showing by what percentage each department has reduced their budget for 2011.

CARRIED

2010-267 Cimino-Barbeau: THAT Council receive the report dated July 8th, 2010 from the Chief Financial Officer/Treasurer entitled “Toward Fiscal Sustainability” and that staff report to the Finance Committee and present any recommendations for consideration and approval during the 2011 and future budget deliberations.

CARRIED

Preventative Plumbing Subsidy Program

2010-268 Cimino-Barbeau: THAT Council support and approve the Preventative Plumbing Subsidy Program as outlined in the report dated July 8, 2010 from the General Manager of Infrastructure Services and that funding Option 2(a) be approved from the 2010 and 2011 Wastewater Capital Annual Rehabilitation Program.

CARRIED
Amendment to Sign By-law 2007-250

2010-269 Barbeau-Cimino: THAT Council accept the report dated June 30, 2010 from the General Manager of Growth & Development to complete and adopt the new proposed amendment to Sign By-law #2007-250 which addresses amendments required to consolidate the sign provisions from the existing seven Zoning By-laws which presently regulate commercial and advertising signs, and permit a more liberal regulation of signs as found in the former City of Sudbury By-law;

AND THAT staff review the suggested industry modifications to the established community standards as it relates to commercial and advertising signs and provide Council with recommendations by the end of this year.

CARRIED

CONSENT AGENDA

Consent Agenda

The following motion was presented to adopt the items contained in the Consent Agenda:

2010-270 Thompson-Dutrisac: THAT Consent Agenda Items C-1 to C-13 inclusive and Item C15 be adopted.

CARRIED

MINUTES

Item C-1 Report No. 75
City Council
June 23, 2010


CARRIED

Item C-2 Report No. 16
Special City Council
June 24, 2010


CARRIED

Item C-3 Report No. 17
Special City Council
July 7, 2010

2010-273 Dupuis-Gasparini: THAT Report No. 17, Special City Council Committee Minutes of July 7, 2010 be adopted.

CARRIED
### MINUTES (continued)

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<th>Audit Committee</th>
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<td>2010-274 Caldarelli-Gasparini: THAT Report No. 5, Audit Committee Minutes of June 24, 2010 be adopted.</td>
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<th>Finance Committee</th>
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<td>2010-275 Dupuis-Thompson: THAT Report No. 46, Finance Committee Minutes of June 28, 2010 be adopted.</td>
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<td>2010-276 Gasparini-Caldarelli: THAT Report No. 30, Sudbury Metro Centre Minutes of April 12, 2010 be received.</td>
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<td>2010-277 Berthiaume-Cimino: THAT Report No. 28, City of Greater Sudbury Public Library Board Minutes of May 26, 2010 be received.</td>
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<td>2010-278 Cimino-Berthiaume: THAT the Tender Opening Committee Minutes of June 8, 2010 be received.</td>
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<td>2010-279 Thompson-Berthiaume: THAT the Tender Opening Committee Minutes of June 15, 2010 be received.</td>
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<td>2010-280 Berthiaume-Thompson: THAT the Tender Opening Committee Minutes of June 22, 2010 be received.</td>
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<td>2010-281 Berthiaume-Dupuis: THAT the Tender Opening Committee Minutes of June 29, 2010 be received.</td>
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<tr>
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<td>2010-282 Dupuis-Berthiaume: THAT the Tender Opening Committee Minutes of July 6, 2010 be received.</td>
<td>CARRIED</td>
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ROUTINE MANAGEMENT REPORTS

Item C-13
Parkview Drive Reconstruction

Report dated July 6, 2010 was received from the General Manager of Infrastructure Services regarding Parkview Drive Reconstruction.

2010-283 Berthiaume-Dupuis: THAT Council accept the report from the General Manager of Infrastructure Services dated July 6, 2010 and give formal approval to the process and agreement that was developed to satisfactorily rebuild Parkview Drive.

CARRIED

Item C-14
Contract ENG 10-23 Desmarais Road Bridge Rehabilitation

See page 12.

Item C-15
2010-2011 Child Care Plan

Report dated July 7, 2010 was received from the General Manager of Community Development regarding 2010-2011 Child Care Plan.

2010-284 Gasparini-Dupuis: WHEREAS the Ministry of Children and Youth Services (MCYS) has requested a Child Care Service Plan and Child Care Stabilization Funding Plan from each Consolidated Municipal Service Managers (CMSM), to be submitted by June 30, 2010;

AND WHEREAS the Children Services Section has consulted widely with all Child Care Partners in developing the Plans which will provide direction for 2010-11 and beyond;

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury Council approve the Child Care Service Plan and Child Care Stabilization Funding Plan and direct staff to submit both Plans to the Ministry of Children and Youth Services;

AND FURTHER THAT Council authorize staff to implement the recommended strategies within the defined spending allocations.

CARRIED
REPORTS (continued)

Item C-14
Contract ENG 10-23
Desmarais Road
Bridge Rehabilitation

Report dated July 7, 2010 was received from the General Manager of Infrastructure Services regarding Contract ENG 10-23 Desmarais Road Bridge Rehabilitation.

2010-285 Dupuis-Berthiaume: THAT $350,000 be transferred from the 2008 Capital Roads Budget for the Allen Street Bridge project to cover the shortfall in the 2010 Capital Roads Budget, Desmarais Road Bridge Rehabilitation project funding and that funding for Allen Street Bridge project be included in the 2012 Capital Roads Budget.

CARRIED

REGULAR AGENDA

MANAGERS’ REPORTS

Item R-1
2010 Insurance Renewal

Report dated July 5, 2010 was received from the Chief Financial Officer/City Treasurer regarding 2010 Insurance Renewal.

The following motion was presented:

2010-286 Dupuis-Cimino: WHEREAS the renewal of the City's insurance policy, which took effect July 1, 2010, reflects a slight premium decrease;

AND WHEREAS the insurer has provided options to reduce premiums through an increase to the City's property deductibles;

AND WHEREAS the insurer has provided an ability to provide the City with retroactive rebates if certain conditions are met;

THEREFORE BE IT RESOLVED THAT Council approve the policy renewal with an increase to the property deductible thereby lowering the premium;

AND THAT Council approve that the premium savings and potential retroactive rebates be credited to the Insurance Reserve Fund.

CARRIED
MANAGERS’ REPORTS (continued)

Item R-2
Coniston Arena to the Toe Blake Arena

Report dated July 8, 2010 was received from the General Manager of Community Development regarding Renaming of Coniston Arena to the Toe Blake Arena.

The following motion was presented:

Craig-Callaghan: WHEREAS the Coniston Community Action Network has requested that the City of Greater Sudbury consider the renaming of the Coniston Arena in recognition of well known hockey legend Hector “Toe” Blake;

AND WHEREAS there is tremendous community support for the proposed renaming;

AND WHEREAS Mr. Blake was an individual of extraordinary prominence who has made significant contributions to the hockey world;

THEREFORE BE IT RESOLVED THAT the Coniston Arena be named the Toe Blake Arena.

Friendly Amendment

With the consent of the Mover, the following friendly amendment was made: to add the word ‘Memorial’ after the word ‘Blake’ in the last paragraph.

Main Motion
(as amended)

2010-287 Craig-Callaghan: WHEREAS the Coniston Community Action Network has requested that the City of Greater Sudbury consider the renaming of the Coniston Arena in recognition of well known hockey legend Hector “Toe” Blake;

AND WHEREAS there is tremendous community support for the proposed renaming;

AND WHEREAS Mr. Blake was an individual of extraordinary prominence who has made significant contributions to the hockey world;

THEREFORE BE IT RESOLVED THAT the Coniston Arena be named the Toe Blake Memorial Arena.

CARRIED
BY-LAWS

THE FOLLOWING BY-LAWS WERE READ AND PASSED:

2010-141  A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF xx, 2010

2010-142  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A DEDICATED GAS TAX AGREEMENT WITH HER MAJESTY THE QUEEN IN RIGHT OF ONTARIO AS REPRESENTED BY THE MINISTER OF TRANSPORTATION

(This Agreement sets out the terms and conditions for the use of dedicated gas tax funds by municipalities for public transportation.)

2010-143  A BY-LAW OF THE CITY OF GREATER SUDBURY TO DECLARE CERTAIN PARCELS OF LANDS TO BE PART OF THE CITY ROAD SYSTEM

(This By-law is presented to Council from time to time. It provides for all the small “bits and pieces” of roadway that have been purchased or otherwise acquired by the City for road purposes to be formally declared as roads. A number of widenings, subdivision transfers, sight triangles, etc., are included.)

2010-144  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH CAMBRIAN COLLEGE FOR THE USE AND / OR RENTAL OF FACILITIES FOR THE 2010 ONTARIO SUMMER GAMES

Report dated July 7, 2010 was received from the General Manager of Community Development regarding 2010 Ontario Summer Games Lease Agreements.

(The City of Greater Sudbury is enthusiastically preparing for the delivery of the 2010 Ontario Summer Games to be held August 10 - 13, 2010. In keeping with the City's by-law for the acquisition and sale of land and the purchasing by-law, Council approval is required with respect to leases and purchased services in the delivery of the Ontario Summer Games. This by-law authorizes the use and / or rental of accommodations, parking lots and venues for the Ontario Summer Games.)
BY-LAWS (continued)

2010-145 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE AN AGREEMENT WITH LAURENTIAN UNIVERSITY FOR THE USE AND / OR RENTAL OF FACILITIES FOR THE 2010 ONTARIO SUMMER GAMES

Refer to Report under By-law 2010-144

(This by-law authorizes the use and / or rental of accommodations, parking lots and venues for the Ontario Summer Games to be held in August, 2010.)


Report dated July 7, 2010 was received from the Executive Director, Administrative Services regarding Election By-laws.

(This report requests that Council pass by-laws in accordance with the Municipal Elections Act for the 2010 Municipal Election to establish procedures and forms for the use of vote-counting equipment, provide for advance voting and reduced voting hours for institutions and retirement homes, authorize the use of the French language in notices, forms and other information and provide for mailing of notices of the day, time and location of voting places to each resident voter and authorize the use of proxies and proxy voting.)

2010-147 A BY-LAW OF THE CITY OF GREATER SUDBURY TO PROVIDE FOR AN ADVANCE VOTE AND REDUCED VOTING HOURS FOR VOTING PLACES LOCATED IN CERTAIN INSTITUTIONS AND RETIREMENT HOMES FOR THE 2010 MUNICIPAL ELECTION

Refers to Report under By-law 2010-146


Refer to Report under By-law 2010-146
BY-LAWS (continued)

2010-149Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-304, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF NICKEL CENTRE

Planning Committee Recommendation # 2010-256

(This by-law rezones the subject property to "M1-10", Mixed Light Industrial / Service Commercial Special in order to recognize an existing 840 m² transport terminal - Aspidis Leaseholds Limited, 6807 Highway 17 East, Coniston)

2010-150Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-302, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF RAYSIDE-BALFOUR

Planning Committee Recommendation # 2010-260

(This by-law modifies existing site specific zoning in order to permit a new 326 m² storage building accessory to a fencing contractor's yard - Real and Christine Perras, 826 Bruno Street, Azilda.)

2010-151Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation # 2010-254

(This by-law rezones the subject property to “R2-27”, Double Residential Special in order to permit the severance of a rectory from an existing church property - Trustees of the Ukrainian Orthodox Church of St. Volodymyr, 196 Baker Street, Sudbury)

2010-152Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation # 2010-254

(This by-law rezones the subject property to “I-27”, Institutional Special in order to permit the severance of a rectory from an existing church property - Trustees of the Ukrainian Orthodox Church of St. Volodymyr, 190 Baker Street, Sudbury)
BY-LAWS (continued)

2010-153ZZ  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 83-303, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER TOWN OF WALDEN

Planning Committee Recommendation # 2010-253

(This by-law rezones the subject property to “R1.D7.5”, Single Residential in order to permit a single detached dwelling on a vacant commercial property – Joan Henderson, Municipal Road 3, Whitefish)

2010-154Z  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation #2010-25

(This by-law rezones the subject property to “R2”, Double Residential in order to permit semi-detached dwellings on surplus institutional lands – Dalron Construction Limited, Bancroft Drive, Sudbury)

2010-155Z  A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Agenda of July 13, 2010

(This by-law does not rezone the subject property. The by-law permits a pit and accessory uses on the subject property for a maximum temporary period of three years – Maley Developments Ltd., Maley Drive and Falconbridge Road, Sudbury)

THIS BY-LAW WAS PULLED FROM THE AGENDA.

2010-156Z  BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation #2009-207

(This by-law rezones the subject property to “R4.D50-32”, Multiple Residential Special in order to permit a four-storey multiple dwelling with 24 apartment units and approximately 186m$^2$ of commercial space on the main floor – 823778 Ontario Inc., Copper Street, Sudbury)
BY-LAWS (continued)

2010-157Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

Planning Committee Recommendation #2010-121

(This by-law revises the existing site specific exception in the “R6-16”, Established Residential zone to add a trade school as a permitted use - Armand Charbonneau, 97 George Street, Sudbury)

2010-158 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT A DISPOSITION OF PARKLAND POLICY

Policy Committee Recommendation #2010-28

2010-159 AN BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2010-119, A BY-LAW TO AUTHORIZE THE PURCHASE FROM MACISAAC GOLD LIMITED OF PART OF PIN 73595-0052 AND PART OF PIN 73595-0223 AND PART OF PIN 73595-0224, BEING PARTS 1, 2 AND 3 ON PLAN 53R-19237

(This by-law corrects a clerical error.)

Read & Passed 2010-288 Cimino-Dupuis: THAT By-law 2010-141 to and including By-law 2010-154Z and By-law 2010-156Z to and including By-law 2010-159 be read and passed.

CARRIED

MOTIONS

Item R-3 William Street, Garson

The following motion was presented by Councillor Thompson:

2010-289 Thompson-Berthiaume: WHEREAS on June 10, 2009 a petition was submitted by a number of residents of William Street, Garson requesting that William Street be made into a one-way street;

AND WHEREAS the Traffic Committee passed Recommendation #2009-25 which was ratified by City Council designating William Street, Garson a one-way street;
MOTIONS (continued)

Item R-3
William Street, Garson
(continued)

AND WHEREAS on March 31, 2010 a further petition was submitted by a number of residents of William Street, Garson requesting that Council reverse their decision and return William Street to a two way street;

THEREFORE BE IT RESOLVED THAT Traffic Committee Recommendation #2010-25 be reconsidered and the matter be referred to the Traffic Committee for further consideration.

CARRIED

NOTICES OF MOTION

Rules of Procedure

Councillor Landry-Altmann requested that the following Motion be dealt with this evening. In accordance with Section 21 of the Procedure By-law, Council agreed to dispose of the notice requirement.

Sunrise Ridge Development

The following Notice of Motion was presented by Councillor Landry-Altmann:

2010-290 Landry-Altmann-Berthiaume: WHEREAS during the storms of July 26th, 2009 and June 28th, 2010 there was a significant amount of water that could be seen flowing from the retention pond at Sunrise Ridge, and in some areas, appeared as a waterfall;

AND WHEREAS there is a continual flow of water from this retention pond subsequent to any rain storm which produces continuous noise, and a standing water problem in the ditch situated behind certain properties on Mountain Street;

AND WHEREAS the significant water flow has greatly affected the quality of life for home owners and tenants residing on Mountain and Leslie Streets;

AND WHEREAS the resolution endorsing the creation of the Greater Sudbury Climate Change Consortium by the Nickel District Conservation Authority passed by Council on November 12th, 2009 indicates it is likely that these types of severe storm events will become even more frequent and larger in scale in the future;
NOTICES OF MOTION (continued)

Sunrise Ridge Development (continued)  
THEREFORE BE IT RESOLVED THAT Council direct City of Greater Sudbury staff to prioritize and develop a plan by September 2010, to divert the water from the Sunrise Ridge Development retention pond away from the Mountain and Leslie Street area.

CARRIED

Rules of Procedure  
Councillor Callaghan requested that the following Motion be dealt with this evening. In accordance with Section 21 of the Procedure By-law, Council agreed to dispose of the notice requirement.

Former Sudbury General Hospital Site  
The following Notice of Motion was presented by Councillor Callaghan

2010-291 Callaghan-Caldarelli: WHEREAS the City of Greater Sudbury has been advised that the lands on which the Sudbury General Hospital operated for many years are currently the subject of an agreement of purchase and sale;

AND WHEREAS the lands abut Bell Park and the City would appreciate the opportunity to purchase the lands should the existing transaction fail to close;

THEREFORE BE IT RESOLVED THAT the Chief Administrative Officer be directed to advise the owners of the lands on which the former Sudbury General Hospital is located and described as PINs 73584-0653 and 73591-0047 that, should the existing transaction not close, the City would like an opportunity to negotiate for the purchase of the lands, in an ‘as is’ condition;

AND THAT staff be directed to identify possible funding sources which could be relied on should the opportunity arise to purchase the said lands.

CARRIED

Mayor Rodriguez agreed to send a letter to the Sisters of St. Joseph advising that, in the event the existing transaction did not close, the City is still interested in purchasing the property ‘as is’.

It was suggested that a tentative Special City Council meeting be arranged on July 29, 2010 should the transaction not be completed.
ADDENDUM

Addendum to Agenda

2010-292 Barbeau-Berthiaume: THAT the Items on the Addendum to the Agenda be dealt with at this time.

CARRIED

Declarations of Pecuniary Interest

None declared.

Item ADD-1
Request for Noise By-law Exemption - Summerfest

Report dated July 12, 2010 was received from the Executive Director, Administrative Services regarding Request for Noise By-law Exemption - Summerfest.

The following motion was presented:

Barbeau-Berthiaume: THAT the Council of the City of Greater Sudbury has no objection to granting relief to Chapter 776 of the former City of Sudbury Municipal Code (Noise) to Summerfest 2010 which will be taking place in Downtown Sudbury in the Lisgar and Elgin Streets area on Friday, August 27, 2010, Saturday, August 28, 2010 and Sunday, August 29, 2010 from 12:00 noon to 12:00 midnight.

CARRIED

Friendly Amendment

With the consent of the Mover, the following friendly amendment was made: amend the time for Sudbury August 29, 2010 to indicate 12:00 noon to 11:00 p.m.

Main Motion
(as amended)

The main motion as amended was then presented:

2010-293 Barbeau-Berthiaume: THAT the Council of the City of Greater Sudbury has no objection to granting relief to Chapter 776 of the former City of Sudbury Municipal Code (Noise) to Summerfest 2010 which will be taking place in Downtown Sudbury in the Lisgar and Elgin Streets area on Friday, August 27, 2010 and Saturday, August 28, 2010 from 12:00 noon to 12:00 midnight and on Sunday, August 29, 2010 from 12:00 noon to 11:00 p.m.

CARRIED
BY-LAW

THE FOLLOWING BY-LAW WAS READ AND PASSED:

2010-160Z  
A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 95-500Z, BEING THE COMPREHENSIVE ZONING BY-LAW FOR THE FORMER CITY OF SUDBURY

(Planning Committee Recommendation #2010-84)

(This by-law rezones the subject property to "M2-6", Light Industrial Special in order to permit the retailing, wholesaling and warehousing of automotive batteries - Dalron Construction Ltd., Algonquin Road, Sudbury)

Read & Passed  
2010-294 Berthiaume-Barbeau: THAT By-law 2010-160 be read and passed.

CARRIED

CIVIC PETITIONS

Radar Road  
Councillor Thompson submitted a petition to the City Clerk signed by approximately 70 residents of Radar Road which will be forwarded to the General Manager of Infrastructure Services. The petition is requesting that the speed be lowered and that there be an increase in Police presence on Radar Road. It also requests that the road be made structurally sound and able to accommodate large ore and gravel trucks or that an alternative route be used.

QUESTION PERIOD

Water Main Break on MR80  
Councilor Dupuis stated that last year there was a water main break on MR80 and it took until a week ago to have everything fixed (pavement, sidewalk, etc.). He indicated that now the same spot has been dug up for the same reason, affecting 250 houses. He asked if anything could have been done to prevent it from happening again. He stated that residents spoke to the contractor who indicated that if a pressure regulating valve was installed on auxiliary water pump, this could have been prevented. He asked, if this was the case, why was the valve not installed and will it be done now. He also asked when the current repairs will be completed.
QUESTION PERIOD (continued)

Water Main Break on MR80 (continued) The General Manager of Infrastructure Services indicated that there is a pressure regulating value on the booster station at the Val Caron water tank; however, during the power outage last week, the valve malfunctioned which contributed to the second break. He advised staff is in the process of repairing the valve which was installed in the 1980s and has worked until last week. He stated that the water main break which occurred last fall was a result of the aging and deteriorating of the pipe. He indicated that the current repair should be completed in the next few days.

Sidewalk Repairs Councillor Barbeau asked for clarification regarding sidewalk repairs with black asphalt rather than cement pads.

The General Manager of Infrastructure Services indicated that sidewalk repairs are done with black asphalt for one winter season to allow for settlement.

Giant Hogweek Councillor Gaspaini indicated that a press release advised residents to call 311 if they found giant hogweek on property other than their own. When they called 311 they were advised to call the Ministry of the Environment, the Ministry of Natural Resources and the Invasive Species Hotline. She indicated one caller particularly asked about Junction Creek. She asked if Junction Creek is city property. She requested that 311 and Councillors be provided with a clear and consistent response.

The General Manager of Infrastructure Services indicated that Junction Creek is partly owned by the City and that Nickel City Conservation Authority; however, the largest part is owned by private property abutting owners.

Chelmsford Citizen Service Centre Councillor Callaghan stated that a City owned road allowance at the Chelmsford Citizen Service Centre has been blocked off and asked for the history. He also asked that the Citizen Service Centre staff be advised of the history in order to answer questions from customers.

The General Manager of Growth & Development advised that this refers to a road (Mona Avenue) and a former town property sold to four doctors in 1987 who in 2009 sold it to Mr.
QUESTION PERIOD (continued)

Chelmsford Citizen Service Centre (continued)

Beausoleil. The doctors had a joint parking arrangement with the Citizen Service Centre which encumbered the town road property to provide parking for the doctors’ office. Mr. Beausoleil agreed that he would remove the encumbrance from the property and requested that the City sell him that portion of Bonin Avenue. The property was sold to Mr. Beausoleil following usual process for declaring the property surplus and selling to an abutting owner. The sale was on the condition that he make a rezoning application; which is currently being processed. He indicated that the Citizen Service Centre will be advised of the history if they have not already been advised.

Vale Inco By-law Violations & Charges

Councillor Berthiaume asked about the status of the Vale Inco by-law violations and charges. He feels that even though there has been a settlement, the City must proceed to the end with the charges for the credibility of the City by-laws.

The City Solicitor advised that prior to the last Court appearance in July, Vale Inco’s Legal Counsel asked for further disclosure (above the original 80 documents) involving 150 documents which were delivered shortly before the July hearing date. Vale Inco requested time to review the additional documents and were granted until August 4 by the Court. The City will have a better idea of what will happen on that date between now and then.

Parking on Street

Councillor Berthiaume asked about a by-law stating that vehicles cannot park on a street for more than four hours.

The City Solicitor advised that this by-law is now being revisited.

Countryside Arena

Councillor Craig asked if the matter of the second ice pad at Countryside Arena will be coming back to Council.

The Chief Administrative Officer advised that council has decided to install a second ice pad at Countryside Arena and move ahead with Cambrian Arena renovations.
QUESTION PERIOD (continued)

Countryside Arena
(continued)

Councillor Craig stated he reviewed the architectural drawings of the Countryside Arena where there is 5,000 square feet set aside for a Sports Hall of Fame at a cost of $500,000. He indicated there is a lack of soccer fields in the area which is quickly expanding. He asked that these funds be used for two soccer fields which would promote a healthy community and which is what the area residents want.

The Chief Administrative Officer advised that this matter will come back to Council to be finalized for direction on what is possible within the existing budget to include the Hall of Fame. He stated that there will be one more level of consultation with Council and perhaps the tender will come to Council when it is awarded. He will follow up on what the consultation will be and get back to Council.

Driveway Culverts

Councillor Callaghan stated that the cost of driveway culverts increased in the last few weeks. He asked why this increase was not presented to Council.

The General Manager of Infrastructure Services advised he will look into the matter and get back to Council.

Street Parking

With respect to parking on the street for four hours, Councillor Dutrisac advised that one person was ticketed and one person was only given a notice as there was only one complaint. She feels this is unfair and requested that this be reviewed now that the by-law is being revisited. She asked if there is anywhere in Greater Sudbury where residents are allowed to park on the street.

The Chief Administrative Officer advised that he is aware of one area off Drinkwater where the residents do not have adequate parking because of the bridge and Paris Street expansion and they are permitted to park on the street. He indicated that an extensive overview of the by-law will have to be done as there are many issues to deal with.

Construction on Regent Street

Councillor Cimino advised of reckless driving through neighbourhoods due to the construction on Regent Street and asked for a joint press release from Police Service, the City and himself as Councillor.

Mayor Rodriguez indicated that this will be done.
QUESTION PERIOD (continued)

Grace Hartman Amphitheatre

Mayor Rodriguez asked if the tender has been issued for the construction at the Grace Hartman Amphitheatre and when it will be announced.

The Acting General Manager of Community Development advised that the tender has closed and information will be provided next week.

Adjournment

2010-279 Dutrisac-Berthiaume: THAT this meeting does now adjourn. Time: 4:56 p.m.

CARRIED

Mayor John Rodriguez, in the Chair

Angie Haché, City Clerk