

Minutes

City Council Minutes of 10/29/19

Location: Tom Davies Square -
Council Chamber

Commencement: 4:34 PM

Adjournment: 9:25 PM

His Worship, Mayor Brian Bigger, In the Chair

Present Councillors McCausland, Kirwan, Jakubo, McIntosh, Cormier, Leduc, Landry-Altmann, Mayor Bigger

City Officials Ed Archer, Chief Administrative Officer; Kevin Fowke, General Manager of Corporate Services; Eric Labelle, City Solicitor and Clerk; Kelly Gravelle, Deputy City Solicitor; Joanne Kelly, Director of Human Resources and Organizational Development; Barbara Dubois, Director of Housing Operations; Dan Saumer, Manager of Maintenance Services, Greater Sudbury Housing Corporation; Vicki Archibald, Human Resources Business Partner; Maria Saari, Human Resources Business Partner; Ron Foster, Auditor General; Melissa Zanette, Chief of Staff

Closed Session

The following resolution was presented:
CC2019-309 McIntosh/Cormier: THAT the City of Greater Sudbury moves to Closed Session to deal with one (1) Labour Relations or Employee Negotiations Matter regarding negotiations with CUPE in accordance with the Municipal Act, 2001, s. 239(2)(d).

CARRIED

Council moved into closed session at 4:35 p.m.

Recess At 4:47 p.m. Council recessed.

Reconvene At 6:02 p.m., Council commenced the Open Session in the Council Chamber.

His Worship Mayor Brian Bigger, In the Chair

Present	Councillors Signoretti [D 9:01 p.m., A 9:08 p.m.], Vagnini [A 6:08 p.m.], Montpellier [D 9:08 p.m.], McCausland [D 6:53 p.m., A 6:55 p.m.], Kirwan, Lapierre [D 6:30 p.m., A 6:35 p.m., D 8:53 p.m.], Jakubo, McIntosh, Cormier, Leduc [D 6:52 p.m., A 6:58 p.m., D 8:48 p.m.], Landry-Altmann, Mayor Bigger
City Officials	Ed Archer, Chief Administrative Officer; Kevin Fowke, General Manager of Corporate Services; Tony Cecutti, General Manager of Growth and Infrastructure; Ian Wood, Executive Director of Strategic Initiatives and Citizen Services; Ron Foster, Auditor General; Melissa Zanette, Chief of Staff; Kelly Gravelle, Deputy City Solicitor; Marie Litalien, Acting Director of Communications & Community Engagements; David Shelsted, Director of Engineering Services; Guido Mazza, Director of Building Services/Chief Building Official; Todd Tripp, CEO Greater Sudbury Airport; Joe Rocca, Traffic & Asset Management Supervisor; Barbara Dubois, Director of Housing Operations; Eric Labelle, City Solicitor and Clerk; Lisa Locken, Clerk's Services Assistant; Julie Lalonde, Clerk's Services Assistant

DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF

None declared.

Community Delegations

CKLU 96.7FM

Report dated October 11, 2019 from the General Manager of Corporate Services regarding CKLU 96.7FM.

Tannys Laughren, CKLU 96.7FM, Board of Directors Member, provided an electronic presentation regarding Laurentian University's CKLU 96.7FM community radio station for information only.

At 6:30 p.m., Councillor Lapierre departed.

Rules of Procedure

Councillor Kirwan moved that the order of the agenda be altered to deal with the Member's Motion regarding CKLU - Downtown Sudbury Community Radio Marketing Program at this time.

CARRIED BY TWO-THIRDS MAJORITY

At 6:35 p.m., Councillor Lapierre returned.

Members' Motions

CKLU - Downtown Sudbury Community Radio Marketing Program**Motion for Deferral**

Councillor Landry-Altmann moved to defer this item to the City Council meeting of December 10, 2019 in order to allow CKLU to explore other avenues of funding.

DEFERRED

Matters Arising from the Closed Session

Deputy Mayor Landry-Altmann, as Chair of the Closed Session, reported that Council met in Closed Session to deal with one (1) Labour Relations or Employee Negotiations Matter regarding negotiations with CUPE in accordance with the Municipal Act, 2001, s. 239(2)(d). Direction was given to staff regarding this matter.

Matters Arising from Operations Committee

September 16, 2019

Councillor McIntosh, as Chair of the Operations Committee, reported on the matter arising from the Operations Committee meeting of September 16, 2019 which was deferred from the October 8, 2019 City Council meeting.

Motion for Deferral

Councillor Landry-Altmann moved to defer this item to coincide with the photo radar report to be presented by staff in 2020.

DEFERRED

Matters Arising from the Planning Committee

October 7, 2019

Councillor Cormier, as Chair of the Planning Committee, reported on the matters arising from the Planning Committee meeting of October 7, 2019.

At 6:52 p.m., Councillor Leduc departed.

At 6:53 p.m., Councillor McCausland departed.

The following resolution was presented:

CC2019-310 Cormier/McIntosh: That the City of Greater Sudbury approves Planning Committee resolutions PL2019-122 to PL2019-124 and PL2019-126 to PL2019-132 inclusive for the meeting of October 7, 2019

CARRIED

The following are the Planning Committee resolutions:

Marc & Louise Menard - Application to extend a temporary use by-law in order to continue the use of a mobile home as a garden suite, 1236 Gravel Drive, Hanmer

PL2019-122 McCausland/Kirwan: THAT the City of Greater Sudbury approves the application by Marc & Louise Menard to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73506-0067, Parcel 49847 S.E.S., Part 2, Plan 53R-12627 in Lot 5, Concession 4,

Township of Hanmer in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled "Marc & Louise Menard", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019.

CARRIED

Luc & Chantal Fournier - Application to extend a temporary use by-law in order to permit a second dwelling unit in the form of a garden suite, 5310 Deschene Road, Hanmer

PL2019-123 Kirwan/McCausland: THAT the City of Greater Sudbury approves the application by Luc & Chantal Fournier to amend Zoning By-law 2010-100Z with respect to lands described as PIN 73506-0008, Parcel 53605 S.E.S., Part 1, Plan 53R-16536 in Lot 4, Concession 4, Township of Hanmer in order to extend the use of a garden suite in accordance with Section 39.1(4) of the Planning Act for a temporary period of three (3) years, as outlined in the report entitled "Luc & Chantal Fournier", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019.

CARRIED

Luc Belanger - Application for Zoning By-Law Amendment, 350 Placide Street, Azilda

PL2019-124 McCausland/Kirwan: THAT the City of Greater Sudbury approves the application by Luc Belanger to amend Zoning By-law 2010-100Z by changing the zoning classification on the subject lands from "FD", Future Development to "FD(S)", Future Development Special on those lands described as PIN 73347-1782, Parcel 31537, Parts 1 & 2, Plan 53R-17311, Part 4, Plan 53R-19508, Lot 7, Concession 2, Township of Rayside, as outlined in the report entitled "Luc Belanger", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019, and that the amending zoning by-law include the following site-specific provisions:

- i. In addition to the uses permitted in the FD zone, a barn with a maximum gross floor area of 465m² (5000ft²) shall be permitted as a main building;
- ii. That the housing of livestock shall not be permitted; and
- iii. The minimum setback from all lot lines shall be 10 metres.

CARRIED

Vesting of Failed Tax Sale Properties

PL2019-126 McCausland/Kirwan: THAT the City of Greater Sudbury authorizes the vesting of ten vacant properties legally described as: (1) PIN 73507-0360(LT); (2) PIN 73369-0096(LT); (3) PIN 73369-0222(LT); (4) PIN 02130-0038(LT); (5) PIN 73369-0098(LT); (6) PIN 73560-0212(LT); (7) PIN 73481-0474(LT); (8) PIN 73469-0151(LT); (9) PIN 02136-0144(LT); and (10) PIN 73349-1361(LT);

AND THAT the outstanding taxes, penalties, interest and tax sale fees be written off as uncollectible as of the date of registration of the respective Notices of Vesting;

AND THAT a By-law be prepared authorizing the vesting and tax write-off as provided, as outlined in the report entitled "Vesting of Failed Tax Sale Properties", from the General Manager of Corporate Services, presented at the Planning Committee meeting on October 7, 2019.

CARRIED

**2487893 Ontario Limited - Application to extend draft plan of subdivision approval
(Countryside Subdivision, Sudbury)**

PL2019-127 Kirwan/McCausland: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for the draft plan of subdivision on lands described as Remainder of Parcel 25851 S.E.S. in Lots 5 & 6, Concession 5, Township of Broder, City of Greater Sudbury, File 780 6/88016, as outlined in the report entitled "2487893 Ontario Limited", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019, as follows:

a) By replacing the references to "General Manager of Infrastructure Services" with "General Manager of Growth and Infrastructure" in Conditions #9, 30 and 40.

b) By replacing the references to "Nickel District Conservation Authority" with "Conservation Sudbury" in Conditions #30 and 31.

c) By adding the following to Condition #9:

"Included in this report must be details regarding removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of new homes."

d) By adding the following to Conditions #9 and 10:

"A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement."

e) By adding the following to Condition #13:

"A sound attenuation caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement."

f) By amending the draft plan lapsing date in Condition #28 to December 23, 2022.

g) By adding the following to Condition #30:

"A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement."

h) By adding the following to Condition #31:

"The Siltation Control Plan must show the location and types of sediment and erosion control measures to be implemented. The siltation controls shall remain in place until all disturbed areas have been stabilized. All sediment and erosion control measures shall be inspected daily to ensure that they are functioning properly and are maintained or updated as required. If the sediment and erosion control measures are not functioning properly, no further work shall occur until the sediment and/or erosion problem is addressed."

i) By deleting Condition #38.

j) By adding the following as Condition #41:

"The proposed internal subdivision roadways are to be built to urban standards, including curbs, gutters, sidewalks, storm sewers and related appurtenances."

k) By adding the following as Condition #42:

“Streetlights for this subdivision will be designed and constructed by Greater Sudbury Hydro Plus Inc. at the cost of the owner/applicant.”

l) By adding the following as Condition #43:

“The owner/applicant shall provide Master Servicing Plans for both the sanitary and storm sewer as well as watermain as they pertain to the new subdivision layout. Said plans are to show general alignment details, number of units and area serviced by individual runs, pipe diameter and flow direction. Said plan shall ensure that pipe diameters and alignments are established in order to support all phases of development.”

CARRIED

**1840388 Ontario Inc. - Application to extend draft plan of subdivision approval
(Nature's Haven Subdivision, St. Michel Street, Hanmer)**

PL2019-128 McCausland/Kirwan: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft approval for the draft plan of subdivision on lands described as PINs 73508-1251, 73508-1231 and part of PIN 73508-1217, Part of Parcel 1230 S.E.S., in Lot 11, Concession 3, Township of Capreol, City of Greater Sudbury, File 780-7/07001, as outlined in the report entitled “1840388 Ontario Inc.”, from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019, as follows:

a) By amending the draft plan lapsing date in Condition #11 to December 10, 2022.

b) By replacing the references to “General Manager of Infrastructure Services” with “General Manager of Growth and Infrastructure” in Conditions #9 and 31.

c) By adding the following to Condition #16:

“A soils caution agreement shall be registered on title, if required, to the satisfaction of the Chief Building Official and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.”

d) By replacing Condition #17 with the following:

“The owner/applicant is to provide proof of sufficient fire flow in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner/applicant.”

e) By adding the following to Condition #18:

“A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and the City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the agreement.”

f) By replacing the reference to “Nickel District Conservation Authority” with “Conservation Sudbury” in Condition #24.

g) By adding the following as Condition #32:

“The owner/applicant shall provide Master Servicing Plans for both the sanitary and storm

sewer as well as watermain as they pertain to the new subdivision layout. Said plans are to show general alignment details, number of units and area serviced by individual runs, pipe diameter and flow direction. Said plan shall ensure that pipe diameters and alignments are established in order to support all phases of development.”

h) By adding the following as Condition #33:

“The owner/applicant is to provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction to the satisfaction of the General Manager of Growth and Infrastructure. All costs associated with upgrading the existing collection system and/or sewage lift stations to service this subdivision will be borne totally by the owner/applicant.”

i) By adding the following as Condition #34:

“Draft approval does not guarantee an allocation of sewer or water capacity. Prior to the signing of the final plan, the Director of Planning Services is to be advised by the General Manager of Growth and Infrastructure that sufficient sewage treatment capacity and water capacity exists to service the development.”

CARRIED

Update on Downtown Sudbury Community Improvement Plan 2019 Intake Period

PL2019-129 Kirwan/McCausland: THAT the City of Greater Sudbury directs staff to prepare a business case for eight (8) eligible and complete applications received under the Downtown Sudbury Community Improvement Plan as part of the 2020 Budget, as outlined in the report entitled "Update on Downtown Sudbury Community Improvement Plan - 2019 Intake", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019;

AND THAT the City of Greater Sudbury directs staff to return in Q1 of 2020 with an update report on the implementation of the Downtown Sudbury Community Improvement Plan.

CARRIED

Town Centre Community Improvement Plan and Main Street Revitalization Initiative Update

PL2019-130 McCausland/Kirwan: THAT the City of Greater Sudbury delegates approval authority for any remaining Main Street Revitalization Initiative Funds to the General Manager of Growth and Infrastructure, as outlined in the report entitled "Town Centre Community Improvement Plan and Main Street Revitalization Initiative Update", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019;

AND THAT the City of Greater Sudbury approves the application for 17-19 Main Street in Chelmsford in the amount of \$71,523 and directs staff to prepare a business case for \$25,344 which is the amount by which the application exceeds the remaining Town Centre CIP funds;

AND THAT the City of Greater Sudbury directs staff to return in Q1 of 2020 with an update report on the implementation of the Town Centre Community Improvement Plan.

CARRIED

Ghislain Bouchard & Chris Lamarche - Request to Amend Planning Committee Resolution PL2019-60, Zoning By-law Amendment Application # 751-6/19-1, 138-140 Albany Street, Sudbury

PL2019-131 Kirwan/McCausland: THAT the City of Greater Sudbury approves the request to amend City Council Resolution CC2019-177 which ratified Planning Committee Resolution PL2019-60 pertaining to Zoning By-law Amendment Application # 751-6/19-1, on those lands described as PIN 02128-0454, Lot 26, Plan M-539, Part 2, Plan 53R-16301, Lot 6, Concession 4, Township of McKim, as outlined in the report entitled "Ghislain Bouchard & Chris Lamarche", from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting on October 7, 2019.

CARRIED

At 6:54 p.m., Councillor McIntosh departed.

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

CC2019-311 McIntosh/Cormier: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-7 inclusive.

CARRIED

The following are the Consent Agenda Items:

Minutes

C-1 Planning Committee Minutes of September 9, 2019

CC2019-312 Cormier/McIntosh: THAT the City of Greater Sudbury adopts the Planning Committee meeting minutes of September 9, 2019.

CARRIED

C-2 City Council Minutes of September 10, 2019

CC2019-313 McIntosh/Cormier: THAT the City of Greater Sudbury adopts the City Council meeting minutes of September 10, 2019.

CARRIED

C-3 Operations Committee Minutes of September 16, 2019

CC2019-314 McIntosh/Cormier: THAT the City of Greater Sudbury adopts the Operations Committee meeting minutes of September 16, 2019.

CARRIED

C-4 Community Services Committee Minutes of September 16, 2019

CC2019-315 McIntosh/Cormier: THAT the City of Greater Sudbury adopts the Community Services Committee meeting minutes of September 16, 2019.

CARRIED

C-5 Audit Committee Minutes of September 17, 2019

CC2019-316 McIntosh/Cormier: THAT the City of Greater Sudbury adopts the Audit Committee meeting minutes of September 17, 2019.

CARRIED

C-6 Finance and Administration Committee Minutes of September 17, 2019

CC2019-317 McIntosh/Cormier: THAT the City of Greater Sudbury adopts the Finance and Administration Committee meeting minutes of September 17, 2019.

CARRIED

Routine Management Reports

C-7 Downtown Sudbury Business Improvement Area (BIA) Board of Management - Resignation

Report dated June 23, 2017 from the General Manager of Corporate Services regarding Greater Sudbury Public Library Board - Resignations.

CC2019-318 McIntosh/Cormier: THAT the City of Greater Sudbury appoints Rob Jones (Horizon Partners) to the Downtown Sudbury Business Improvement Area (BIA) Board of Management for the term ending November 30, 2022 or until such time as their successor is appointed, as outlined in the report entitled "Downtown Sudbury Business Improvement Area (BIA) Board of Management - Resignation", from the General Manager of Corporate Services, presented at the City Council meeting on October 29, 2019.

CARRIED

At 6:55 p.m., Councillors McCausland and McIntosh returned.

Rules of Procedure

Mayor Bigger moved that the order of the agenda be altered to deal with presentation 2, Update on Event Centre at Kingsway Entertainment District, at this time.

CARRIED BY TWO-THIRDS MAJORITY

At 6:58 p.m., Councillor Leduc returned.

Presentations

2 Update on Event Centre at Kingsway Entertainment District

Ian Wood, Executive Director of Strategic Initiatives, Communications and Citizen Services, provided an electronic presentation regarding an Update on Event Centre at Kingsway Entertainment District for information only.

1 City of Greater Sudbury Comprehensive Sign By-law Review, Recommendations and New By-law

Guido Mazza, Director, Building Services/Chief Building Official, and Martin Rendl, Principal, Martin Rendl Associates, provided an electronic presentation regarding City of Greater Sudbury Comprehensive Sign By-law Review, Recommendations and New By-law.

Report dated October 16, 2019 from the General Manager of Growth and Infrastructure regarding City of Greater Sudbury Comprehensive Sign By-law Review, Recommendations and New By-law.

The following resolution was presented:

CC2019-319 Kirwan/Leduc: THAT the City of Greater Sudbury approves the recommendations as outlined in the report entitled "City of Greater Sudbury Comprehensive Sign By-law Review, Recommendations and New By-law", from the General Manager of Infrastructure Services, presented at the City Council meeting on October 29, 2019;

AND THAT staff be directed to finalize the draft by law presented.

Rules of Procedure

Councillor Cormier presented the following amendment:

CC2019-319-A1 Cormier/McIntosh: THAT the resolution be amended as follows:

THAT staff be directed to incorporate provisions for portable electronic signs into the draft by-law and that staff bring back a report prior to final approval of the by-law.

CARRIED

Rules of Procedure

Councillor Jakubo presented the following amendment:

CC2019-319-A2 Jakubo/Cormier: THAT the draft bylaw be amended to include a provision which prohibits candidates in municipal and school board elections from erecting election signs outside of the ward or area in which they have been nominated.

DEFEATED

The resolution as amended was presented:

CC2019-319 Kirwan/Leduc: THAT the City of Greater Sudbury approves the recommendations as outlined in the report entitled "City of Greater Sudbury Comprehensive Sign By-law Review, Recommendations and New By-law", from the General Manager of Infrastructure Services, presented at the City Council meeting on October 29, 2019;

AND THAT staff be directed to finalize the draft by law presented;

AND THAT staff be directed to incorporate provisions for portable electronic signs into the draft by-law and that staff bring back a report prior to final approval of the by-law.

CARRIED

Recess

At 8:09 p.m., the Committee recessed.

Reconvene

At 8:25 p.m., the Committee reconvened.

Managers' Reports

R-1 Greater Sudbury Community Development Corporation Board (GSDC) - Resignation

Report dated October 8, 2019 from the General Manager of Corporate Services regarding Greater Sudbury Community Development Corporation Board (GSDC) - Resignation.

Nominations were held for the **Greater Sudbury Community Development Corporation Board (GSDC)**.

Councillor Signoretti nominated Councillor Montpellier.

Councillor Landry-Altmann nominated Councillor Leduc.

Councillor Vagnini nominated Councillor McCausland.

There being no further nominations, nominations were closed.

Councillor Montpellier accepted the nomination.

Councillor Leduc accepted the nomination.

Councillor McCausland declined the nomination.

Councillor Cormier advised of his intention to resign from the GSDC due to other commitments. Accordingly, the following resolution was presented:

CC2019-320 Leduc/Kirwan: WHEREAS Councillor Cormier has also expressed his intent to resign from the Greater Sudbury Community Development Corporation;

BE IT RESOLVED THAT the City of Greater Sudbury appoints Councillors Leduc and Montpellier to the Greater Sudbury Community Development Corporation (GSDC) Board for the term of this Council, as outlined in the report entitled "Greater Sudbury Community Development Corporation Board (GSDC) - Resignation", from the General Manager of Corporate Services, presented at the City Council meeting on October 29, 2019.

CARRIED

R-2 Greater Sudbury Airport Staffing

Report dated October 11, 2019 from the General Manager of Corporate Services regarding Greater Sudbury Airport Staffing.

The following resolution was presented:

CC2019-321 Kirwan/Leduc: THAT the City of Greater Sudbury approves the addition of three (3) full time AFFS/Service Persons and one (1) full time Technician II mechanic to the complement of staff at the Greater Sudbury Airport as outlined in the report entitled "Greater Sudbury Airport Staffing", from the General Manager of Corporate Services, presented at the City Council meeting on October 29, 2019.

CARRIED

At 8:48 p.m., Councillor Leduc departed.

Referred & Deferred Matters

R-3 Tenant Engagement Update

Report dated October 8, 2019 from the General Manager of Community Development regarding Tenant Engagement Update.

For Information Only.

R-4 *At 8:53 p.m., Councillor Lapierre departed.*

At 9:01 p.m., Councillor Signoretti departed.

Resolution to proceed past 9:02 p.m.

CC2019-322 Kirwan/Leduc: THAT this meeting proceeds past the hour of 9:02 p.m.

CARRIED BY TWO-THIRDS MAJORITY

At 9:08 p.m., Councillor Signoretti returned.

At 9:08 p.m., Councillor Montpellier departed.

The following resolution was presented:

CC2019-323 Leduc/Kirwan: THAT the City of Greater Sudbury, in its capacity as Shareholder and Board of Directors for the Greater Sudbury Housing Corporation, approves the Tenant Complaint Process as outlined in the report entitled "Tenant Complaint Process" from the General Manager of Community Development, presented at the City Council meeting on October 29, 2019.

Rules of Procedure:

Councillor Landry-Altmann presented the following amendment:

CC2019-323-A1 Landry-Altmann/Cormier: THAT the resolution be amended as follows:

THAT staff report back within one (1) year on the success, challenges and recommended changes to the tenant complaint and engagement process.

CARRIED

The resolution as amended was presented:

CC2019-323 Leduc/Kirwan: THAT the City of Greater Sudbury, in its capacity as Shareholder and Board of Directors for the Greater Sudbury Housing Corporation, approves the Tenant Complaint Process as outlined in the report entitled "Tenant Complaint Process" from the General Manager of Community Development, presented at the City Council meeting on October 29, 2019.

AND THAT staff report back within one (1) year on the success, challenges and recommended changes to the tenant complaint and engagement process.

CARRIED

By-Laws

The following resolution was presented:

CC2019-324 Kirwan/Leduc: THAT the City of Greater Sudbury read and pass By-law 2019-169 to and including By-law 2019-181Z.

CARRIED

The following are the By-laws:

By-Laws

- 2019-169 A By-law of the City of Greater Sudbury to Confirm the Proceedings of Council at its Meeting of October 29th, 2019
- 2019-170 A By-law of the City of Greater Sudbury to Authorize a Grant to the Sudbury Winter Tennis Club
City Council Resolution #CC2019-285
(A by-law to authorize a grant up to \$61,000 to Sudbury Winter Tennis Club to pay arrears of property taxes and to authorize the Treasurer to execute any contribution agreement to set out the terms of the grant.)
- 2019-171 A By-law of the City of Greater Sudbury to Authorize the Sale of Vacant Land West of Suffolk Lane, Sudbury, Described as PIN 02129-0368(LT) being Part Lot 10 on Plan M-53 to Sonya Baird
Planning Committee Resolution #PL2018-120
(This by-law authorizes the sale of vacant land to an abutting land owner and delegates authority to sign all documents necessary to effect the sale.)
- 2019-172 A By-law of the City of Greater Sudbury to Authorize the Sale of Vacant Land on the East Side of Marion Street, Chelmsford, Described as Part of PIN 73349-0225(LT) being Part 1 on 53R-21210 to Daniel Forget
Planning Committee Resolution #PL2019-52
(This by-law authorizes the sale of vacant land to an abutting land owner and delegates authority to sign all documents necessary to effect the sale.)
- 2019-173 A By-law of the City of Greater Sudbury to Authorize the Sale of Vacant Land on the East Side of Marion Street, Chelmsford, Described as Part of PIN 73349-0225(LT) being Part 2 on 53R-21210 to Cleo Lavallee
Planning Committee Resolution #PL2019-52
(This by-law authorizes the sale of vacant land to an abutting land owner and delegates authority to sign all documents necessary to effect the sale.)
- 2019-174 A By-law of the City of Greater Sudbury to Authorize the Sale of Vacant Land on the East Side of Marion Street, Chelmsford, Described as Part of PIN 73349-0225(LT) being Part 3 on 53R-21210 to Paul Patry and Carole Adam
Planning Committee Resolution #PL2019-52
(This by-law authorizes the sale of vacant land to an abutting land owner and delegates authority to sign all documents necessary to effect the sale.)

- 2019-175 A By-law of the City of Greater Sudbury to Authorize the Purchase of an Easement Over Part of 510 Whissel Avenue in Sudbury, Described as Part of PINs 02245-0321(LT) and 02245-0322(LT), Being Parts 1, 2 and 3 on Plan 53R-21242, from Norbury (Sudbury) Limited
Planning Committee Resolution #PL2017-94
(This by-law authorizes the purchase of easement as required for the St. Charles lift station Project.)
- 2019-176Z A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury
Planning Committee Resolution #PL2019-108
(This by-law rezones the subject lands to "C2", General Commercial in order to permit a broader range of commercial and industrial uses – Dumas, Alexander – 1663 Kingsway, Sudbury.)
- 2019-177Z A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury
Planning Committee Resolution #PL2019-123
(This by-law does not rezone the subject property. Pursuant to Section 39.1(4) of the Planning Act, Council has extended a temporary use by-law in order to continue the use of a garden suite for a maximum period of three (3) years - Luc & Chantal Fournier - 5310 Deschene Road, Hanmer.)
- 2019-178Z A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury
Planning Committee Resolution #PL2019-122
(This by-law does not rezone the subject property. Pursuant to Section 39.1(4) of the Planning Act, Council has extended a temporary use by-law in order to continue the use of a mobile home as a garden suite for a maximum period of three (3) years – Marc & Louise Menard -1236 Gravel Drive, Hanmer.)
- 2019-179Z A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury
Planning Committee Resolution #PL2019-124
(This by-law rezones the subject lands to "FD(S)", Future Development Special in order to permit the construction of a barn for crop and machinery storage - Luc Belanger - 350 Placide Street, Azilda.)
- 2019-180Z A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury
Planning Committee Resolutions #PL2019-60 & #PL2019-131
(This by-law rezones the subject lands to "R2-2(41)", Low Density Residential Two Special in order to allow for the development of a duplex or semi-detached dwelling - Chris Lamarche and Ghislain Bouchard - 138-140 Albany Street, Sudbury.)

2019-181Z A By-law of the City of Greater Sudbury to Amend By-law 2010-100Z Being the Comprehensive Zoning By-law for the City of Greater Sudbury
Planning Committee Resolution #PL2019-72
(This by-law repeals and replaces By-law 2019-118Z updating the Zoning By-law to reflect the legalization of recreational cannabis in Canada.)

Members' Motions

Rules of Procedure

Councillor McIntosh presented a Motion regarding Insurance Cost - Joint and Several Liability and asked that the notice be waived.

WAIVED BY TWO-THIRDS MAJORITY

The following resolution was presented:

CC2019-325 McIntosh/Cormier: WHEREAS Municipal governments accept responsibility for damage awards against them where the Courts find that they have not met required standards or obligations;

AND WHEREAS the concept of joint and several liability results in municipalities, even if found only one percent responsible by the Courts, being responsible for the payment of entire damage awards to plaintiffs in situations where multiple defendants are found to be negligent and such other defendants are impecunious;

AND WHEREAS it is challenging for municipalities and property taxpayers alike to accept calls for municipal accountability when it appears the municipality is being asked to assume financial responsibility for the negligence of third parties;

AND WHEREAS Municipal governments should not be the insurer of last resort, but for municipalities in Ontario, the principle of joint and several liability ensures that they are just that;

AND WHEREAS joint and several liability means higher insurance costs, diverts property tax dollars from delivering public services and transforms municipalities into litigation targets while others escape responsibility;

AND WHEREAS there must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone;

THEREFORE BE IT RESOLVED that the City of Greater Sudbury endorses the Association of Municipalities of Ontario's call for the provincial government's review of the principle of joint and several liability to produce changes that provide additional protection for municipalities, such as the adoption of a model of full proportionate liability, among other measures;

AND THAT the City Clerk be directed to forward a copy of this resolution to the Association of Municipalities of Ontario and the Attorney General for Ontario.

Rules of Procedure

Councillor Cormier presented a friendly amendment to include that a copy of the resolution be forwarded to the MPPs for Sudbury and Nickel Belt and the MPs for Sudbury and Nickel Belt. The friendly amendment was accepted by Councillor McIntosh.

Motion for Deferral

Councillor Vagnini moved to defer this item to the November 12, 2019 City Council meeting.

DEFEATED

The following is the resolution with the inclusion of the friendly amendment:

CC2019-325 McIntosh/Cormier: WHEREAS Municipal governments accept responsibility for damage awards against them where the Courts find that they have not met required standards or obligations;

AND WHEREAS the concept of joint and several liability results in municipalities, even if found only one percent responsible by the Courts, being responsible for the payment of entire damage awards to plaintiffs in situations where multiple defendants are found to be negligent and such other defendants are impecunious;

AND WHEREAS it is challenging for municipalities and property taxpayers alike to accept calls for municipal accountability when it appears the municipality is being asked to assume financial responsibility for the negligence of third parties;

AND WHEREAS Municipal governments should not be the insurer of last resort, but for municipalities in Ontario, the principle of joint and several liability ensures that they are just that;

AND WHEREAS joint and several liability means higher insurance costs, diverts property tax dollars from delivering public services and transforms municipalities into litigation targets while others escape responsibility;

AND WHEREAS there must be a better way to help ensure those who suffer losses are made whole again without asking municipalities to bear that burden alone;

THEREFORE BE IT RESOLVED that the City of Greater Sudbury endorses the Association of Municipalities of Ontario's call for the provincial government's review of the principle of joint and several liability to produce changes that provide additional protection for municipalities, such as the adoption of a model of full proportionate liability, among other measures;

AND THAT the City Clerk be directed to forward a copy of this resolution to the Association of Municipalities of Ontario and the Attorney General for Ontario, as well as the MPPs for Sudbury and Nickel Belt and the MPs for Sudbury and Nickel Belt.

Rules of Procedure

Councillor Vagnini requested a Simultaneous Written Recorded Vote.

YEAS: Councillors McCausland, Kirwan, Jakubo, McIntosh, Cormier, Landry-Altmann, Mayor Bigger

NAYS: Councillors Signoretti, Vagnini

CARRIED

Correspondence for Information Only

I-1 Association of Municipalities of Ontario (AMO) Board Meeting of September 27, 2019

Report dated October 11, 2019 from the Chief Administrative Officer regarding Association of Municipalities of Ontario (AMO) Board Meeting of September 27, 2019.

For Information Only.

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petitions were submitted.

Question Period

No Questions were asked.

Adjournment

CC2019-326 Leduc/Kirwan: THAT this meeting does now adjourn. Time 9:25 p.m.

CARRIED

Mayor Brian Bigger, Chair

Eric Labelle, City Solicitor and
Clerk