

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

Committee Room C-11  
Tom Davies Square

Tuesday, April 23, 2013  
Commencement: 4:00 p.m.

**DEPUTY MAYOR LANDRY-ALTMANN, IN THE CHAIR**

Present Councillors Cimino; Barbeau; Dupuis; Rivest; Belli; Craig; Caldarelli; Kett; Mayor Matichuk

City Officials Doug Nadorozny, Chief Administrative Officer; Tony Cecutti, General Manager of Infrastructure Services; Bill Lautenbach, General Manager of Growth & Development; Caroline Hallsworth, Executive Director, Administrative Services/City Clerk; Kevin Fowke, Director of Human Resources & Organizational Development; Jamie Canapini, City Solicitor

**DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None declared.

Closed Session CC2013-125 Barbeau/Dupuis: THAT the City of Greater Sudbury Council move to Closed Session to deal with one Labour Relations/Employee Negotiations Matter, one Personal Matter (Identifiable Individual) and one Solicitor-Client Privilege Matter in accordance with the *Municipal Act, 2001*, s.239(2).

**CARRIED**

Recess At 6:05 p.m., Council recessed.

Reconvene At 6:23 p.m., Council commenced the Open Session in the Council Chamber.

**HER WORSHIP MAYOR MARIANNE MATICHUK, IN THE CHAIR**

Present Councillors Cimino; Barbeau; Berthiaume; Dupuis; Rivest; Belli; Craig; Caldarelli; Kett; Landry-Altmann (A6:27pm)

City Officials Doug Nadorozny, Chief Administrative Officer; Tony Cecutti, General Manager of Infrastructure Services; Catherine Matheson, General Manager of Community Development; Bill Lautenbach, General Manager of Growth & Development; Tim Beadman, Chief of Emergency Services; Allan Lekun, Deputy Chief of Police; Caroline Hallsworth, Executive Director, Administrative Services/City Clerk; Kevin Fowke, Director of Human Resources &

City Officials (cont'd)

Organizational Development; Tony Derro, Manager of Taxation; Jamie Canapini, City Solicitor; Eliza Bennett, Manager of Communications & French Language Services; Franca Bortolussi, Council Assistant; Deanna Denis, Audio/Video Operator

**MOMENT OF SILENT REFLECTION**

**DECLARATIONS OF PECUNIARY INTEREST AND THE GENERAL NATURE THEREOF**

None declared.

**COMMUNITY DELEGATIONS**

Item 1  
Northern Water Sports Centre Thomas Merritt, Board Chair, Northern Water Sports Centre, and Sheila Mendes, Project Manager, Northern Water Sports Centre, made an electronic presentation providing an update on the Northern Water Sports Centre.

**MATTERS ARISING FROM THE CLOSED SESSION**

Rise and Report Deputy Mayor Landry-Altmann, as Chair of the Closed Session, reported that Council met in Closed Session to deal with one Labour Relations/Employee Negotiations Matter, one Personal Matter (Identifiable Individual) and one Solicitor-Client Privilege Matter in accordance with the *Municipal Act, 2001*, s.239(2) and that, pursuant to Section 239(6), direction was given regarding one item.

**MATTERS ARISING FROM THE OPERATIONS COMMITTEE MEETING**

Approval of Operations Committee Recommendations Councillor Barbeau, as Chair of the Operations Committee, reported on the matters arising from the Operations Committee Meeting of April 2, 2013.

Recommendation OP2013-07 was pulled and dealt with separately.

The following motion was presented:

CC2013-126 Kett/Dupuis: THAT the City of Greater Sudbury approve Operations Committee Recommendations OP2013-06, OP2013-08 and OP2013-10 to OP2013-15 inclusive from the meeting of April 2, 2013.

**CARRIED**

The following are the Operations Committee recommendations:

**MATTERS ARISING FROM THE OPERATIONS COMMITTEE MEETING (cont'd)**

Elm Street – On Street Parking

OP2013-06 Caldarelli/Landry/Altmann: THAT the City of Greater Sudbury not permit on-street parking on Elm Street between Lorne Street and Paris Street;

AND THAT the City's Transportation Study Report review the need and timing for the Ste. Anne Road extension and other road network improvements to reduce traffic volumes on Elm Street, in accordance with the report dated March 6, 2013 from the General Manager of Infrastructure Services.

**DEFEATED**

**Recommendation OP2013-07 was pulled and dealt with separately. See page 4 & 5.**

OP2013-08 Caldarelli/Kett: THAT the City of Greater Sudbury direct staff to provide a report to the Operations Committee regarding the method and rates for parking during the trial period and details of the trial.

**CARRIED**

Winter Control Operations Update – 2012

OP2013-10 Berthiaume/Kett: THAT the City of Greater Sudbury receive the report dated March 7, 2013 from the General Manager of Infrastructure Services regarding Winter Control Operations Update – 2012 for information only.

**CARRIED**

Winter Control Operations Update – January 2013

OP2013-11 Berthiaume/Kett: THAT the City of Greater Sudbury receive the report dated March 7, 2013 from the General Manager of Infrastructure Services regarding Winter Control Operations Update – January 2013 for information only.

**CARRIED**

Downtown Streetlight Partnership

OP2013-12 Kett/Berthiaume: THAT the City of Greater Sudbury receive the report dated March 6, 2013 from the General Manager of Infrastructure Services regarding Downtown Streetlight Partnership for information only.

**CARRIED**

Handi Transit Issues

OP2013-13 Kett/Berthiaume: THAT the City of Greater Sudbury receive the report dated March 7, 2013 from the General Manager of Infrastructure Services regarding Hindi Transit Issues for information only.

**CARRIED**

Underground Infrastructure Notification System Act

OP2013-14 Kett/Berthiaume: THAT the City of Greater Sudbury authorize staff to proceed with Option 3 (Outsource and Join the Locates Alliance Consortium) to meet current service level

**MATTERS ARISING FROM THE OPERATIONS COMMITTEE MEETING (cont'd)**

Underground  
Infrastructure  
Notification System Act  
(cont'd)

deficiencies and the new legislated requirements for locate services during the spring of 2013 in order to be able to meet expected construction season peaks in 2013;

AND THAT the City of Greater Sudbury join the Locate Alliance Consortium (LAC);

AND THAT locate services be outsourced to an external service provider to meet the City of Greater Sudbury infrastructure locate obligations through a competitive acquisition process that fully complies with the purchasing bylaw;

AND THAT Staff be authorized to draw any deficit from the respective reserve funds.

**CARRIED**

Valley East  
Wastewater Treatment  
Plant - Dechlorination  
Project: Full Plant Trial

OP2013-15 Kett/Berthiaume: THAT the City of Greater Sudbury accept the report dated March 8, 2013 from the General Manager of Infrastructure Services regarding the Valley East Wastewater Treatment Plant - Dechlorination Project: Full Plant Trial;

AND THAT the City of Greater Sudbury approve the continuation of the full plant trial, including consulting engineering services to be provided by AECOM, for Paracetic Acid as an effluent disinfectant to meet Environment Canada regulations for the elimination of toxic effluent from the Valley East Wastewater Treatment Plant in accordance with the said report.

**CARRIED**

Elm Street – On Street  
Parking

Councillor Berthiaume requested that Recommendation OP2013-07 be pulled and dealt with separately.

The following recommendation was presented:

CC2013-127 Kett/Caldarelli: THAT the City of Greater Sudbury permit on-street parking on Elm Street between Elgin Street and Lisgar Street for a trial period of two (2) years with a review after one (1) year. Parking is permitted on the south side between 9:00 a.m. and 3:30 p.m.;

AND THAT weekend and overnight parking be permitted between 6:00 p.m. and 7:30 a.m. for a 4-hour maximum.

**MATTERS ARISING FROM THE OPERATIONS COMMITTEE MEETING (cont'd)**

Elm Street – On Street  
Parking (cont'd)

**RECORDED VOTE:**

**YEAS**

**NAYS**

Barbeau  
Dupuis  
Belli  
Craig  
Caldarelli  
Kett  
Landry-Altmann  
Mayor Matichuk

Cimino  
Berthiaume  
Rivest

**CARRIED**

**MATTERS ARISING FROM THE PLANNING COMMITTEE MEETING**

Approval of  
Planning Committee  
Recommendations

Councillor Kilgour, as Chair of the Planning Committee, reported on the matters arising from the Planning Committee Meeting of April 8, 2013.

Planning Committee Recommendation PL2013-54 was pulled and dealt with separately.

The following motion was presented:

CC2013-128 Dupuis/Kett: THAT the City of Greater Sudbury approve Planning Committee Recommendations PL2013-53, PL2013-56 and PL2013-57 from the meeting of April 8, 2013.

**CARRIED**

The following are the Planning Committee recommendations:

Energy Court, Sudbury  
- City of Greater  
Sudbury

PL2013-53 Craig/Belli: THAT the City of Greater Sudbury approve the application by the City of Greater Sudbury to amend the Zoning By-law 2010-100Z with respect to lands described as Part of PIN 73585-1049, Parts 37 & 43, Plan 53R-14343, Lot 6, Concession 3, Township of McKim in order to permit a retail store in accordance with Section 39 of the Planning Act for a temporary period of one (1) year.

**CARRIED**

Countryside Drive,  
Sudbury - Pagnutti  
Developments

**See pages 6 to 8.**

## **MATTERS ARISING FROM THE PLANNING COMMITTEE MEETING (cont'd)**

Consent Applications  
B14/2013 to B16/2013,  
77 Montee Genereux,  
Chelmsford – Donna  
Thibodeau

PL2013-56 Belli/Craig: THAT the City of Greater Sudbury permit Consent Applications B0014/2013, B0015/2013 and B0016/2013 on those lands described as PIN 73347-0890, Parcel 992, Part of Lot 11, Concession 2, Township of Rayside to proceed by way of the consent process.

**CARRIED**

Draft Plan of  
Condominium,  
Woodland Street,  
Sudbury – 2174113  
Ontario Limited

PL2013-57 Belli/Craig: That the City of Greater Sudbury Council's delegated official be directed to issue the draft approval for the subject condominium following Council's approval and subject to the following conditions:

1. That this approval applies to the draft plan of condominium of PIN 73579-0335, Parcel 23833 A S.E.S., Lot 1, Concession 3, Township of McKim, as shown on a plan prepared by D.S. Dorland, O.L.S. and dated December 18, 2012.
2. That the final Condominium Plan be integrated with the City of Greater Sudbury Control Network. Final plan coordinate listings and an AutoCAD simple line file of the resultant parcel fabric (with coordinated points labelled) are to be provided to this office as part of this requirement. Also, the final plan must be provided in AutoCAD.dwg format.
3. That prior to the signing of the final plan, Planning Services Division is to be advised by the City Solicitor that the cash payment in lieu of 5% parkland dedication has been satisfied in accordance with Section 51.1(3) of the Planning Act.
4. That prior to the signing of the final plan the owner shall satisfy Canada Post with respect to mail delivery facilities for the site.
5. If final approval is not granted within three years of the date of draft approval, the draft approval shall lapse in accordance with Section 51(32) of the Planning Act, unless an extension is granted by Council pursuant to Section 51(33) of the Planning Act.
6. That such easements as may be required for access, utility or drainage purposes shall be granted to the appropriate parties.

**CARRIED**

Countryside Drive,  
Sudbury - Pagnutti  
Developments

Councillor Belli requested that Planning Committee Recommendation OP2013-07 be pulled and dealt with separately.

Planning Committee Recommendation OP2013-07 read:

## **MATTERS ARISING FROM THE PLANNING COMMITTEE MEETING (cont'd)**

Countryside Drive,  
Sudbury - Pagnutti  
Developments (cont'd)

Belli/Craig: THAT the City of Greater Sudbury approve the application by Pagnutti Developments to amend Zoning By-law 2010-100Z by changing the zoning classification from "FD", Future Development to "HC2(S)", Holding General Commercial Special on those lands described as Part of PIN 73475-1448, Part 1, Plan 53R-19206 in Lot 6, Concession 5, Township of Broder, subject to the following conditions:

- a. That the amending by-law indicates the following site-specific conditions:
  - i) The only permitted uses shall be offices and related accessory uses;
  - ii) The maximum building height shall be two (2) storeys;
  - iii) The minimum setback along the southeasterly lot line where it abuts Parts 2 to 10, Plan 53R-19206 and Lots 15 to 17, Plan 53M-1238 shall be 15 metres;
  - iv) A buffer comprising existing natural vegetation with a minimum depth of 8 metres shall be provided along the southeasterly lot line where it abuts Parts 2 to 10, Plan 53R-19206 and Lots 15 to 17, Plan 53M-1238, excluding any clearance required to address servicing and drainage.
- b. That an "H", Holding designation be included in the amending by-law, which provides that no development may take place on the lands until such time as the General Manager of Infrastructure Services has advised that municipal sanitary sewer services are adequate to service the development.
- c. That prior to the issuance of a building permit, the owner shall enter into a Site Plan Control Agreement with the City, which amongst other matters shall address the following:
  - i) The owner shall construct a 1.5 metre wide concrete sidewalk across the entire frontage of the property and will cost-share with the City to complete the sidewalk connection to the existing sidewalk on the residential section of Countryside Drive.

### Amendment

The following amendment to the motion was presented:

Belli/Kett: THAT the City of Greater Sudbury amend Planning Committee Recommendation PL2013-54 by deleting Paragraph b. That an "H", Holding designation be included in the amending by-law, which provides that no development may take place on the lands until such time as the General Manager of Infrastructure

**MATTERS ARISING FROM THE PLANNING COMMITTEE MEETING (cont'd)**

Countryside Drive,  
Sudbury - Pagnutti  
Developments (cont'd)

Services has advised that municipal sanitary sewer services are adequate to service the development and by removing the 'H - Holding' from "HC2(S)", Holding General Commercial Special references in the resolution.

**CARRIED**

Main Motion  
(as amended)

The main motion as amended was presented:

CC2013-129 Belli/Craig: THAT the City of Greater Sudbury approve the application by Pagnutti Developments to amend Zoning By-law 2010-100Z by changing the zoning classification from "FD", Future Development to "C2(S)", General Commercial Special on those lands described as Part of PIN 73475-1448, Part 1, Plan 53R-19206 in Lot 6, Concession 5, Township of Broder, subject to the following conditions:

- a. That the amending by-law indicates the following site-specific conditions:
  - i) The only permitted uses shall be offices and related accessory uses;
  - ii) The maximum building height shall be two (2) storeys;
  - iii) The minimum setback along the southeasterly lot line where it abuts Parts 2 to 10, Plan 53R-19206 and Lots 15 to 17, Plan 53M-1238 shall be 15 metres;
  - iv) A buffer comprising existing natural vegetation with a minimum depth of 8 metres shall be provided along the southeasterly lot line where it abuts Parts 2 to 10, Plan 53R-19206 and Lots 15 to 17, Plan 53M-1238, excluding any clearance required to address servicing and drainage.
- b. That prior to the issuance of a building permit, the owner shall enter into a Site Plan Control Agreement with the City, which amongst other matters shall address the following:
  - i) The owner shall construct a 1.5 metre wide concrete sidewalk across the entire frontage of the property and will cost-share with the City to complete the sidewalk connection to the existing sidewalk on the residential section of Countryside Drive.

**CARRIED**



**MATTERS ARISING FROM THE FINANCE AND ADMINISTRATION COMMITTEE MEETING**

Approval of Finance  
and Administration  
Committee  
Recommendations

Councillor Kett, as Chair of the Finance and Administration Committee, reported on the matters arising from the Finance and Administration Committee Meeting of April 16, 2013.

The following motion was presented:

CC2013-130 Kett/Dupuis: THAT the City of Greater Sudbury approve Finance and Administration Committee Recommendations FA2013-12 to FA2013-15 inclusive and FA2013-17 to FA2013-20 inclusive from the meeting of April 16, 2013.

**CARRIED**

The following are the Finance and Administration Committee recommendations:

Appointment of Vice-  
Chair – Finance and  
Administration  
Committee

FA2013-12 Craig/Cimino: THAT the City of Greater Sudbury appoint Councillor Frances Caldarelli as Vice-Chair of the Finance and Administration Committee for the term ending November 30, 2014.

**CARRIED**

2013 Property Tax  
Policy

FA2013-13 Cimino/Caldarelli: WHEREAS as a result of the property reassessment in 2013 which phases in assessment increases over four years, there continues to be inter-class shifting of tax burdens;

AND WHEREAS the Ministry of Finance allows municipalities to set new tax ratios to mitigate the impact of tax shifts relative to the reassessment;

THEREFORE BE IT RESOLVED THAT THE CITY OF GREATER SUDBURY approve new revenue neutral tax ratios as calculated in the Online Property Tax Analysis System (OPTA) for the Multi-Residential, Commercial, Industrial and Pipeline property classes as follows:

Multi-Residential - 2.277450;  
Commercial - 2.214876;  
Industrial – 3.180053;  
Large Industrial - 3.604419;  
Pipeline – 2.096034;

AND THAT the necessary by-law be passed.

**CARRIED**

**MATTERS ARISING FROM THE FINANCE AND ADMINISTRATION COMMITTEE MEETING**  
**(cont'd)**

2013 Property Tax  
Policy (cont'd)

FA2013-14 Caldarelli/Cimino: WHEREAS the City of Greater Sudbury continues the practice of having as many properties as possible pay their fair share of property taxes based on the Current Value Assessment (CVA);

AND WHEREAS the Province of Ontario has provided tax tools to achieve this outcome;

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury use these tools to the maximum, resulting in more properties paying true CVA taxes, and the tools are as follows:

- a) Implement a 10% tax increase cap rather than the mandatory 5% minimum cap,
- b) Implement a minimum annual increase of 5% of CVA level taxes for capped properties,
- c) Move capped and clawed back properties within \$250 of CVA taxes directly to CVA taxes;
- d) eliminate properties that were at Current Value Assessment in 2012 from the capping exercise;
- e) eliminate properties that crossed between capping and clawback in 2013 from the capping exercise;

AND THAT the necessary bylaw be passed.

**CARRIED**

FA2013-15 Barbeau/Landry-Altman: WHEREAS the Province of Ontario under Bill 140 has a maximum tax increase policy (capping) for business properties (Multi-Residential, Commercial and Industrial);

AND WHEREAS the City of Greater Sudbury, through past practice, has funded this cap on taxes by clawing back from properties realizing reduced taxation;

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury adopt the following clawback percentages, as calculated by the Online Property Taxation Analysis (OPTA) System:

Multi-Residential – 16.2496%;  
Commercial – 46.4519%;  
Industrial – 29.1869%;

AND THAT the necessary bylaw be passed.

**CARRIED**

**MATTERS ARISING FROM THE FINANCE AND ADMINISTRATION COMMITTEE MEETING**  
**(cont'd)**

Development Charges  
– Treasurer's Annual  
Statement

FA2013-17 Barbeau/Landry-Altmann: THAT the City of Greater Sudbury receive the report dated April 8, 2013 from the Chief Financial Officer/Treasurer regarding Development Charges – Treasurer's Annual Statement for information only.

**CARRIED**

Information Report on  
Taxes Receivable

FA2013-18 Landry-Altmann/Barbeau: THAT the City of Greater Sudbury receive the report dated April 9, 2013 from the Chief Financial Officer/Treasurer regarding Information Report on Taxes Receivable for information only.

**CARRIED**

Section 391 Charges –  
Update of Existing  
Projects

FA2013-19 Barbeau/Landry-Altmann: THAT the City of Greater Sudbury receive the report dated April 8, 2013 from the Chief Financial Officer/Treasurer regarding Section 391 Charges – Update of Existing Projects for information only.

**CARRIED**

Proposed Revisions to  
Purchasing By-law  
2006-270

FA2013-20 Barbeau/Landry-Altmann: WHEREAS Section 270(1) of the *Municipal Act, 2001* imposes upon municipalities the obligation to adopt policies with respect to the procurement of Goods, Services and Construction;

AND WHEREAS the City of Greater Sudbury's Purchasing By-law establishes the authority and sets out the methods by which Goods, Services or Construction will be purchased and disposed of for the purposes of the City;

THEREFORE BE IT RESOLVED THAT staff prepares an amended purchasing by-law for Council approval, in accordance with the report dated April 10, 2013 from the Chief Financial Officer/Treasurer subject to the feedback received through consultation with the Sudbury Construction Association and the Sudbury Chamber of Commerce and consultation with the Auditor General.

**CARRIED**

**CONSENT AGENDA**

The following motion was presented:

CC2013-131 Kett/Dupuis: THAT the City of Greater Sudbury adopt Consent Agenda Items C-1 to C-4 inclusive and approve Items C-5 to C-7 inclusive.

**CARRIED**

## **CONSENT AGENDA (cont'd)**

The following are the Consent Agenda Items:

### **MINUTES**

- |   |   |                |
|---|---|----------------|
| Item C-1<br>Operating Committee<br><u>April 2, 2013</u>                         | CC2013-132 Dupuis/Kett: THAT the City of Greater Sudbury adopt the Operating Committee Minutes of April 2, 2013.                      | <b>CARRIED</b> |
| Item C-2<br>City Council<br><u>April 9, 2013</u>                                | CC2013-133 Barbeau/Dupuis: THAT the City of Greater Sudbury adopt the City Council Minutes of April 9, 2013.                          | <b>CARRIED</b> |
| Item C-3<br>Finance and<br>Administration<br>Committee<br><u>April 16, 2013</u> | CC2013-134 Dupuis/Barbeau: THAT the City of Greater Sudbury adopt the Finance and Administration Committee Minutes of April 16, 2013. | <b>CARRIED</b> |
| Item C-4<br>Planning Committee<br><u>April 8, 2013</u>                          | CC2013-135 Barbeau/Dupuis: THAT the City of Greater Sudbury adopt the Planning Committee Minutes of April 8, 2013.                    | <b>CARRIED</b> |

### **TENDERS AND REQUESTS FOR PROPOSALS**

- |   |   |                |
|---|---|----------------|
| Item C-5<br>Contract ISD12-18<br>Tender for Winter<br>Operations Snow<br>Plowing Services | Report dated April 11, 2013 from the General Manager of Infrastructure Services regarding Contract ISD12-18 Tender for Winter Operations Snow Plowing Services.   |                |
|   | CC2013-136 Dupuis/Barbeau: THAT the City of Greater Sudbury award Contract ISD 12-18 Tender for Winter Operations Snow Plowing Services Part "A" to Pioneer Construction Inc. in the amount of \$2,200,000 plus HST and Part "B" to R. M. Belanger Limited in the amount of \$3,187,500 plus HST; |                |
|   | AND THAT the 2014 Operating Budget be adjusted accordingly.   | <b>CARRIED</b> |

### **ROUTINE MANAGEMENT REPORTS**

- |  |   |  |
|--|---|--|
| Item C-6<br>Healthy Community<br>Initiative Fund Requests<br><u>for Approval</u> | Report dated April 9, 2013 from the Chief Financial Officer/ Treasurer regarding Healthy Community Initiative Fund Requests for Approval.           |  |
|  | CC2013-137 Barbeau/Caldarelli: THAT City of Greater Sudbury approval be granted for the Healthy Community Initiative Fund donations identified for: |  |

## **ROUTINE MANAGEMENT REPORTS (cont'd)**

Item C-6  
Healthy Community  
Initiative Fund Requests  
for Approval (cont'd)

Ward 11 - Grant and donation to Adamsdale Public School for the creation of a rain garden at Adamsdale Public School, up to the sum of \$1,000.00;

Ward 12 - Grant and donation to Nickel District Conservation Authority for the Fast-Flow Water Safety Program and its poster/video contest, up to the sum of \$5,000;

AND THAT the appropriate by-law be presented.

**CARRIED**

Item C-7  
Request for Noise  
By-law Exemption -  
Construction  
LaSalle/Notre Dame  
Intersection

Report dated April 11, 2013 from the Executive Director, Administrative Services/City Clerk regarding Request for Noise By-law Exemption - Construction LaSalle/Notre Dame Intersection.

CC2013-138 Dupuis/Barbeau: THAT the City of Greater Sudbury has no objection to the granting of an exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) to Infrastructure Services to allow construction operations at the LaSalle/Notre Dame intersection;

AND THAT exemption to Chapter 776 of the former City of Sudbury Municipal Code (Noise By-law) be granted from May 1, 2013 to December 15, 2013 with the condition that the exemption may be withdrawn at any time should serious complaints arise.

**CARRIED**

## **REGULAR AGENDA**

### **MANAGERS' REPORTS**

Item R-1  
Northern Water Sports  
Centre Lease  
Agreement

Report dated April 17, 2013 from the General Manager of Community Development regarding Northern Water Sports Centre Lease Agreement.

The following motion was presented:

CC2013-139 Caldarelli/Barbeau: WHEREAS the Council of the City of Greater Sudbury passed resolution 2007-272 resolving that: "the City of Greater Sudbury supports in principle the expansion of the Canoe/Rowing Club, Northern Aquatic Centre at Bell Grove, as a four-season facility, training centre and host for national and international sanctioned events and that funding of the City's portion be referred to the 2008 budget process and

## **MANAGERS' REPORTS (cont'd)**

Item R-1  
Northern Water Sports  
Centre Lease  
Agreement (cont'd)

whereas through the budget process the City has funded \$250,000 in 2008 and put in reserve from 2009 budget a further \$250,000 for this project";

AND WHEREAS presentations were made to Council on April 29th, 2009 outlining the original design and construction estimate of approximately \$6M (including all soft costs, contingencies and construction) and a follow up presentation occurred Sept. 11, 2011 presenting revised design details and a revised construction estimate of \$7M;

AND WHEREAS currently the project has been scaled down to the meet the forecasted fundraising of \$4.6M and includes all soft costs, construction costs and a contingency of 10%;

AND WHEREAS the major capital funding partners have committed \$4.2M, as follows: City of Greater Sudbury (\$516K), FedNor (\$1.14M), Northern Ontario Heritage Fund Corporation (NOHFC) (\$1.055M), Xstrata Nickel (\$1M) and community fundraising and Northern Water Sports Centre (NWSC) partners (\$491K), with \$400K left to be fundraised;

AND WHEREAS the NWSC has secured the majority (91%) of the required capital funding to develop a water sports facility, to be constructed on municipal land adjacent to the Municipal boat launch with the City as the owner of the building;

AND WHEREAS the construction is scheduled to commence in summer 2013.

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury authorize the establishment of a Lease Agreement between the City of Greater Sudbury and the NWSC, for a period of 5 years with an option to renew for 3 additional 5-year terms, with the City of Greater Sudbury maintaining ownership of the building;

AND THAT the City of Greater Sudbury manage the NWSC's capital account with a \$4.2M budget (less the expenses already incurred) to cover all hard and soft costs including a 10% contingency with separate pricing built into the tender documents to enable the project to realize the estimated \$4.6M in capital if they should receive a favourable tender or should they reach their additional fundraising goal of \$400,000;

**MANAGERS' REPORTS (cont'd)**

Item R-1  
Northern Water Sports  
Centre Lease  
Agreement (cont'd)

AND THAT the 2014 operating budget include an allowance for the annual building maintenance and operations for any costs exceeding the 2008 estimate of \$30,000;

AND FURTHER THAT a By-law be presented authorizing the execution of the required documents.

**CARRIED**

Item R-2  
Travel Expenses for  
Former Employee

Report dated April 17, 2013 from the Chief Financial Officer/  
Treasurer regarding Travel Expenses for Former Employee.

The following motion was presented:

Belli/Rivest: THAT the City of Greater Sudbury authorize the reimbursement of travel expenses, in the estimated amount of \$2,300 for Carolyn Jodouin to attend the Association of Local Government Auditors Annual Conference in Nashville, Tennessee.

Friendly Amendment

With the consent of the Mover, the following friendly amendment was made: change 'estimated amount of \$2,300' to 'in the amount of up to \$2,300'.

Main Motion  
(as amended)

CC2013-140 Belli/Rivest: THAT the City of Greater Sudbury authorize the reimbursement of travel expenses, in the amount of up to \$2,300 for Carolyn Jodouin to attend the Association of Local Government Auditors Annual Conference in Nashville, Tennessee.

**DEFEATED**

**BY-LAWS**

Read & Passed

The following motion was presented:

CC2013-141 Barbeau/Caldarelli: THAT the City of Greater Sudbury read and pass By-law 2013-92 to and including By-law 2013-107Z.

**CARRIED**

The following are the By-laws:

2013-92

A BY-LAW OF THE CITY OF GREATER SUDBURY TO CONFIRM THE PROCEEDINGS OF COUNCIL AT ITS MEETING OF APRIL 23RD, 2013

**BY-LAWS (cont'd)**

2013-93 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2012-242 BEING A BY-LAW TO SUBMIT CERTAIN QUESTIONS TO THE ELECTORS IN THE 2014 MUNICIPAL ELECTION

(By-Law 2012-242 to submit questions to the electors regarding store hours has been ordered to be amended following a hearing on the questions which was held earlier this year.)

Report dated April 17, 2013 from the Executive Director, Administrative Services/City Clerk regarding By-Law to Amend By-Law 2012-242 to Submit Questions to the Electors.

2013-94 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2006-277A, A BY-LAW TO DESIGNATE CERTAIN LANDS AS THE DOWNTOWN SUDBURY COMMUNITY IMPROVEMENT PLAN AND TO AMEND BY-LAW 2007-32A A BY-LAW TO ADOPT THE DOWNTOWN SUDBURY COMMUNITY IMPROVEMENT PLAN

Planning Committee Recommendation #PL2013-46

2013-95 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2003-67A, A BY-LAW TO DESIGNATE CERTAIN LANDS AS THE METRO CENTRE COMMUNITY IMPROVEMENT PLAN AND TO AMEND BY-LAW 2003-68A A BY-LAW TO ADOPT THE METRO CENTRE COMMUNITY IMPROVEMENT PLAN

Planning Committee Recommendation #PL2013-46

2013-96 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT FROM THE HEALTHY COMMUNITY INITIATIVE FUND FOR WARD 11 AND WARD 12

(This By-law authorizes a grant to the Adamsdale Public School for the creation of a rain garden at Adamsdale Public School in Ward 11 and a donation to Nickel District Conservation Authority for the Fast-Flow Water Safety program and its poster / video contest in Ward 12. These grants will be funded through Ward 11 and Ward 12 Healthy Community Initiative Fund as Community Event expenses.)

Refer to Item C-6

2013-97 A BY-LAW OF THE CITY OF GREATER SUDBURY TO AUTHORIZE A GRANT BY WAY OF LEASE WITH THE NORTHERN WATER SPORTS CENTRE



**BY-LAWS (cont'd)**

2013-97 (cont'd) (This By-law authorizes the Director of Asset Services to execute a lease.)

Refer to Item R-1

2013-98 A BY-LAW OF THE CITY OF GREATER SUDBURY TO LEVY A SPECIAL CHARGE UPON PERSONS IN THE FLOUR MILL IMPROVEMENT AREA ASSESSED FOR COMMERCIAL AND INDUSTRIAL TAXES TO PROVIDE FOR THE PURPOSES OF THE BOARD OF MANAGEMENT OF THE FLOUR MILL IMPROVEMENT AREA FOR THE YEAR 2013

(This By-law implements the levy necessary to support the approved Business Improvement Area's budget.)

Report dated April 12, 2013 from the Chief Financial Officer / Treasurer regarding 2013 Tax Rates - Flour Mill Improvement Areas.

2013-99 A BY-LAW OF THE CITY OF GREATER SUDBURY TO LEVY A SPECIAL CHARGE UPON PERSONS IN THE CENTRAL BUSINESS DISTRICT IMPROVEMENT AREA ASSESSED FOR COMMERCIAL AND INDUSTRIAL TAXES TO PROVIDE FOR THE PURPOSES OF THE DOWNTOWN SUDBURY BOARD OF MANAGEMENT FOR THE YEAR 2013

(This By-law implements the levy necessary to support the approved Business Improvement Area's budget.)

2013-100 A BY-LAW OF THE CITY OF GREATER SUDBURY TO LEVY THE RATES OF TAXATION FOR CITY PURPOSES AND SET DUE DATES FOR THE YEAR 2013

(This report requests that the By-law that sets out the 2013 municipal tax rates for the City of Greater Sudbury be enacted.)

Report dated April 16, 2013 from the Chief Financial Officer / Treasurer regarding 2013 Tax Rates.

2013-101 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ADOPT THE PROVINCIAL TOOLS FOR 2013 PROPERTY TAX POLICY

Finance and Administration Committee Recommendation #FA2013-14

2013-102 A BY-LAW OF THE CITY OF GREATER SUDBURY TO ESTABLISH 'CLAWBACK' PERCENTAGES FOR THE 2013 TAXATION YEAR FOR THE COMMERCIAL, INDUSTRIAL, AND MULTI-RESIDENTIAL PROPERTY TAX CLASSES

Finance and Administration Committee Recommendation #FA2013-15

**BY-LAWS (cont'd)**

2013-103 A BY-LAW OF THE CITY OF GREATER SUDBURY TO SET TAX RATIOS FOR THE YEAR 2013

Finance and Administration Committee Recommendation #FA2013-13

2013-104Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2010-100Z BEING THE COMPREHENSIVE ZONING BY-LAW FOR CITY OF GREATER SUDBURY

Planning Committee Recommendation #PL2013-29

(This by-law rezones the subject lands to "C2(96)", General Commercial Special in order to facilitate the development of a three-unit multiple dwelling on the southerly portion of the lands described as Parts 1 and 2, Plan 53R-19999 and provides a reduced lot area for the northerly portion of the lands described as Parts 3 and 4, Plan 53R-19999 - Michel Nault & Jo-Anne Bradley, 63 Notre Dame Avenue West, Azilda)

2013-105Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2010-100Z BEING THE COMPREHENSIVE ZONING BY-LAW FOR CITY OF GREATER SUDBURY

Planning Committee Recommendation #PL2013-53

(This by-law does not rezone the subject property. Pursuant to Section 39 of the Planning Act, Council has approved a temporary use by-law in order to permit a retail store for a period on one (1) year - City of Greater Sudbury, Energy Court, Sudbury)

2013-106Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2010-100Z BEING THE COMPREHENSIVE ZONING BY-LAW FOR CITY OF GREATER SUDBURY

Planning Committee Recommendation #2011-21

(This by-law rezones the subject property to "I(39)", Institutional Special in order to permit a dog training facility in a former church - Tammy St. Louis, 26 Garson-Coniston Road, Garson)

2013-107Z A BY-LAW OF THE CITY OF GREATER SUDBURY TO AMEND BY-LAW 2010-100Z BEING THE COMPREHENSIVE ZONING BY-LAW FOR CITY OF GREATER SUDBURY

Planning Committee Recommendation #PL2012-238

(This by-law rezones the subject property to "R2-2", Low Density Residential Two and to "R2-2(19)", Low Density Residential Two Special in order to facilitate the development of two semi-detached dwellings fronting Fourth Avenue. The southerly lot requires site-specific relief to recognize a reduced minimum lot frontage for a semi-detached dwelling - Lifestyle Homes Inc., 68 Fourth Avenue, Sudbury)

## **MOTIONS**

Item R-3  
Ontario College of  
Trades Licensing Fee  
Structure

The following motion was presented by Councillor Rivest:

CC2013-142 Rivest/Belli: WHEREAS the Ontario government passed the Ontario College of Trades and Apprenticeship Act, 2009 to establish the College of Trades – a regulatory body that will help modernize the province’s apprenticeship and skilled trades system, which, as of 2013, is now fully operational;

AND WHEREAS the Ontario College of Trades is to be funded on the basis of its own revenues, which are to come from membership fees;

AND WHEREAS the City of Greater Sudbury employs trades people for which it may be required to pay membership fees to the Ontario College of Trades;

THEREFORE BE IT RESOLVED THAT City of Greater Sudbury Council direct staff to provide a report which will identify the annual financial impact, if any, the new licensing fee structure for trades people will have to the City.

**CARRIED**

Item R-4  
Rayside Balfour City of  
Lakes Family Health  
Team Ministry Funding

The following motion was presented by Councillor Berthiaume:

Berthiaume/Craig: WHEREAS in April of 2005, the Ministry of Health and Long Term Care announced that the City of Lakes Family Health Team’s expression of interest for the City of Greater Sudbury had been approved;

AND WHEREAS Valley East, Rayside Balfour, Pioneer Manor and Walden sites reflect the city’s commitment to enhancing the delivery of primary care to those areas most affected by the shortage of family medicine practitioners;

AND WHEREAS Rayside Balfour and its neighbouring communities have 5 practicing family physicians, but based on their population and the benchmark of 1380 people per physician there is a need for 10.5 family physicians in that community;

AND WHEREAS the Family Health Team model of delivering primary health care is popular among new physicians and is likely to be more successful in attracting physicians to these areas;

AND WHEREAS the Valley East, Walden and Pioneer Manor hub are now all fully operational;

**MOTIONS (cont'd)**

Item R-4  
Rayside Balfour City of  
Lakes Family Health  
Team Ministry Funding  
(cont'd)

AND WHEREAS building renovations to establish the Rayside Balfour Family Health Team is estimated at \$1.3 million, to be shared 50/50 between the Ministry of Health and Long Term Care and the City of Greater Sudbury;

AND WHEREAS in the 2013 Capital Budget, Council approved their 50% contribution in the sum of \$650,000 for the Rayside Balfour Family Health Team site requirements;

AND WHEREAS approval of the Ministry of Health and Long Term Care's capital funding contribution has yet to be granted;

THEREFORE BE IT RESOLVED that the City of Greater Sudbury Council urge the Minister of Health and Long Term Care to allocate the Ministry's capital funding contribution for the Rayside Balfour City of Lakes Family Health Team in order that the project can proceed, and in order that the physicians be recruited to work from that site.

Friendly Amendment

Councillor Berthiaume, as the mover of the motion, requested the following friendly amendment be included at the end of the motion: AND THAT a copy of this resolution be forwarded to Rick Bartolucci, MPP Sudbury, and France G  linas, MPP Nickel Belt.

Main Motion  
(as amended)

CC2013-143 Berthiaume/Craig: WHEREAS in April of 2005, the Ministry of Health and Long Term Care announced that the City of Lakes Family Health Team's expression of interest for the City of Greater Sudbury had been approved;

AND WHEREAS Valley East, Rayside Balfour, Pioneer Manor and Walden sites reflect the city's commitment to enhancing the delivery of primary care to those areas most affected by the shortage of family medicine practitioners;

AND WHEREAS Rayside Balfour and its neighbouring communities have 5 practicing family physicians, but based on their population and the benchmark of 1380 people per physician there is a need for 10.5 family physicians in that community;

AND WHEREAS the Family Health Team model of delivering primary health care is popular among new physicians and is likely to be more successful in attracting physicians to these areas;

AND WHEREAS the Valley East, Walden and Pioneer Manor hub are now all fully operational;

**MOTIONS (cont'd)**

Item R-4  
Rayside Balfour City of  
Lakes Family Health  
Team Ministry Funding  
(cont'd)

AND WHEREAS building renovations to establish the Rayside Balfour Family Health Team is estimated at \$1.3 million, to be shared 50/50 between the Ministry of Health and Long Term Care and the City of Greater Sudbury;

AND WHEREAS in the 2013 Capital Budget, Council approved their 50% contribution in the sum of \$650,000 for the Rayside Balfour Family Health Team site requirements;

AND WHEREAS approval of the Ministry of Health and Long Term Care's capital funding contribution has yet to be granted;

THEREFORE BE IT RESOLVED that the City of Greater Sudbury Council urge the Minister of Health and Long Term Care to allocate the Ministry's capital funding contribution for the Rayside Balfour City of Lakes Family Health Team in order that the project can proceed, and in order that the physicians be recruited to work from that site;

AND THAT a copy of this resolution be forwarded to Rick Bartolucci, MPP Sudbury, and France G elinas, MPP Nickel Belt.

**RECORDED VOTE:**

**YEAS**

**NAYS**

Cimino  
Barbeau  
Berthiaume  
Dupuis  
Rivest  
Belli  
Craig  
Caldarelli  
Kett  
Landry-Altmann  
Mayor Matichuk

**CARRIED UNANIMOUSLY**

Councillor Dupuis requested that Council invite David Courtemanche from the Family Health Team to make a presentation to Council.

**CARRIED**

## **QUESTION PERIOD**

### **Pot Hole Repairs**

Councillor Cimino asked for an explanation as to why cold patch pot hole repairs are done now and when hot patch repairs, being the permanent solution, will be done.

The General Manager of Infrastructure Services indicated that cold patch repairs are done now because of the sub grade conditions of the ground (i.e. frozen ground, slush, water) and the mix plants not yet being open. Permanent hot patch repairs will be done when ground conditions permit and the mix plants are open.

### **Subdivision Sidewalks**

Councillor Dupuis asked about the status of a petition he submitted last December regarding a subdivision in Valley East wherein the residents did not want sidewalks.

The General Manager of Growth & Development indicated he will look into the matter and advise the Councillor.

### **Construction at Lasalle/ Notre Dame Intersection**

Councillor Dupuis asked what is being done to alleviate long line-ups when construction begins at the Lasalle/Notre Dame intersection.

The Director of Roads & Transportation Services indicated that several things are being done to mitigate congestion including: traffic staging plans, intersection work to be done at night and on Sundays, incentive clauses in contracts, meeting with Vale regarding use of Turner Avenue and weekly traffic update for the public.

Councillor Rivest asked if staff can look at keeping the intersection open between 6:00 a.m. and 9:00 a.m.

### **Robert Street Drainage**

Councillor Rivest asked if staff can look into the Robert Street drainage as there have been problems for a few years.

### **Speed Limit at former St. Joseph's Health Centre Location**

Councillor Caldarelli asked if additional enforcement can be provided in the area of the former St. Joseph's Health Centre as she is receiving many complaints regarding speeding and also if an increase in the 40 km/h speed limit at that location can be reviewed.

### **Attlee Street Traffic Calming**

Councillor Kett asked about the status of the Attlee Street traffic calming project.

The General Manager of Infrastructure Services indicated that the work could not be completed last season; however, as soon as the weather if favourable, the contractors will be on site.

**NOTICES OF MOTION**

**Sub Watershed Studies**

The following Notice of Motion was presented by Councillor Kett:

WHEREAS there is concern and uncertainty about the cumulative effects of stormwater on our area lakes;

AND WHEREAS the impact of any proposed development near area lakes must be properly quantified and addressed in the light of the other proposed developments in a watershed and not considered as individual developments as presently occurs;

AND WHEREAS this type of development must be considered as one of many contributors to phosphorus, salt and pollution in a watershed;

AND WHEREAS sub watershed studies are required in order to make an informed decision on any development application within a watershed;

THEREFORE BE IT RESOLVED THAT the necessary sub watershed studies be included in council's priorities and that staff be directed to immediately begin these studies and to prepare the necessary budget options for the 2014 budget.

Council noted that the above motion will be dealt with at the next Council meeting.

**Adjournment**

Rivest/Belli: THAT this meeting does now adjourn. Time: 8:42 p.m.

**CARRIED**

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Mayor Marianne Matichuk, Chair

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Caroline Hallsworth, Executive Director,  
Administrative Services/City Clerk