

Location:	Tom Davies Square
Commencement:	3:06 PM
Adjournment:	4:57 PM

Minutes

Special City Council Minutes of 3/20/18

His Worship Mayor Brian Bigger, In the Chair

Present	Councillors Vagnini [A 3:14 p.m.], Montpellier, Dutrisac [A 3:11 p.m.], Kirwan, Lapierre, Jakubo, Sizer, McIntosh, Cormier, Landry-Altmann [A 3:11 p.m. D 3:48 p.m.], Mayor Bigger
City Officials	Ed Archer, Cheif Administrative Officer; Kevin Fowke, General Manager of Corporate Services; Eliza Bennett, Director Communications and Community Engagement; Ron Foster, Auditor General; Melissa Zanette, Chief of Staff; Joanne Kelly, Director of Human Resources and Organizational Development; Joseph Nicholls, Interim General Manager of Community Safety; Gabrielle Servais, Coordinator, Human Resources; Lynn Webster, Manager of Strategic and Business Services [D 5:31 p.m.]; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk
Closed Session	<p>The following resolution was presented:</p> <p>CC2018-68 McIntosh/Sizer: THAT the City of Greater Sudbury move to Closed Session to deal with Two (2) Labour Relations or Employee Negotiations Matters on the agenda, the first regarding negotiations with CLAC, Local 920 and the second regarding labour relations matters in the Community Safety Department, in accordance with the Municipal Act, 2001, s. 239(2)(d).</p> <p>CARRIED</p> <p>Council moved into closed session at 3:08 p.m.</p>
Recess	At 4:11 p.m., Council recessed.
Reconvene	At 4:19 p.m., Council commenced the Open Session in the Council Chamber.

His Worship Mayor Brian Bigger, In the Chair

Present	Councillors Vagnini, Montpellier [A 4:29 p.m.], Dutrisac, Kirwan, Lapierre, Jakubo, Sizer, McIntosh, Cormier, Reynolds, Landry-Altmann, Mayor Bigger
City Officials	Ed Archer, Chief Administrative Officer; Kevin Fowke, General Manager of Corporate Services; Tony Cecutti, General Manager of Infrastructure Services; Ed Stankiewicz, Executive Director of Finance, Assets and Fleet; Eliza Bennett, Director Communications and Community Engagement; Ron Foster, Auditor General; Melissa Zquette, Chief of Staff; Joseph Nicholls, Interim General Manager of Community Safety; Jason Ferrigan, Director of Planning Services; Melissa Riou, Senior Planner; Brigitte Sobush, Manager of Clerk's Services/Deputy City Clerk; Luisa Valle, Director of Children & Citizen Services; Franca Bortolussi Acting Administrative Assistant to the City Solicitor and Clerk; Lisa Locken, Clerk's Services Assistant

Declarations of Pecuniary Interest and the general nature thereof

None declared

Matters Arising from the Closed Meeting

Deputy Mayor Sizer, as Chair of the Closed Session, reported that Council met in Closed Session to deal with Two (2) Labour Relations or Employee Negotiations Matters on the agenda, the first regarding negotiations with CLAC, Local 920 and the second regarding labour relations matters in the Community Safety Department, in accordance with the Municipal Act, 2001, s.239(2)(d). Two (2) directions were provided to staff with respect to these matters.

Matters Arising From the Planning Committee

March 5, 2018

Councillor McIntosh, as Chair of the Planning Committee, reported on the matters arising from the Planning Committee meeting of March 5, 2018.

Rules of Procedure

Councillor McIntosh asked that resolution PL2018-38 be pulled and voted on separately.

The following resolution was presented:

CC2018-69 McIntosh/Sizer: THAT the City of Greater Sudbury approves the Planning Committee resolutions PL2018-36 to PL2018-37 and PL2018-40 to PL2018-42 inclusive from the meeting of March 5, 2018.

CARRIED

The following are the Planning Committee Resolutions:

Karli Laamanen – Application for rezoning in order to eliminate split-zonings, 62

Wuorinen Road, Lively

PL2018-36 Lapierre/Sizer: THAT the City of Greater Sudbury approves the application by Karli Laamanen to amend Zoning By-law 2010-100Z from "RS", Rural Shoreline to "RU", Rural and from "RS", Rural Shoreline to "R1-1", Low Density Residential One Zone on those lands described as Part of PIN 73374-0313, Part 10, Plan 53R-20054, Lot 5, Concession 1, Waters Township, as outlined in the report entitled "Karli Laamanen" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, subject to the following condition:

1. That the applicant provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending zoning by-law. The survey plan shall identify as separate parts on a plan those portions of the land which are to be zoned "R1-1", Low Density Residential One and "RU", Rural.

CARRIED

Brian Yanchuk – Application for Zoning by-law Amendment in order to permit a discussed rail car to be stored and used as accessory building for storage purposes

PL2018-37 Sizer/Lapierre: THAT the City of Greater Sudbury approves the application by Brian Yanchuk to amend Zoning By-law 2010-100Z from "RU", Rural to "RU(S)", Rural (Special) on those lands described as PIN 73366-0160, Part 1, Plan 53R-14199, Part 1, Plan 53R-10917, Part 1, Plan 53R-6951, Lot 10, Concession 1, Township of Fairbank, as outlined in the report entitled "Brian Yanchuk" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, subject to the following conditions:

1. That the permitted uses be amended to add a maximum of one rail car as being permitted as an accessory building for storage purposes; and,
2. The rail car shall be setback a minimum of 40 m from the front lot line and a minimum of 20 m from all side lot lines and 25 m from the high water mark of Fairbank Lake.

CARRIED

Bonaventure Development Company Limited – Request to extend a draft approved plan of subdivision (Maley Drive/Valley Stream), Sudbury

PL2018-40 Lapierre/Sizer: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft plan approval for a plan of subdivision on those lands described as Part of Parcel 6079 SES, Lot 12, Concession 3, Township of Neelon, as outlined in the report entitled "Bonaventure Development Company Limited (Maley Drive/Valley Stream)" from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, as follows:

1. Replacing the words, "General Manager of Infrastructure Services" with "General Manager of Growth and Infrastructure" in Conditions 10, 12, 13, 18 and 39.
2. By adding the following at the end of Condition 10. "A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor."
3. Deleting Condition 11 and replacing it with the following:

"11. The owner shall provide a detailed lot grading and drainage plan prepared, signed, sealed and dated by a professional civil engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario, to the satisfaction of the General

Manager of Growth and Infrastructure for the proposed lots, as part of the submission of servicing plans. This plan must show finished grades around new houses, retaining walls, side yards, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh with lot grading of the new site to existing properties. A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement.

4. Deleting Conditions 15, 16, 17, 19 and 21.

5. In Condition 23 deleting "May 19, 2018" and replacing it with "January 19, 2021".

6. In Condition 25 deleting reference to conditions "2", "19" and "21" and adding conditions "11" and "42".

7. Replacing the words, "General Manager of Growth and Development" with "General Manager of Growth and Infrastructure" in Condition 26.

8. That a new Condition 40 be added as follows:

"40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:

i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,

ii) all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phases sought to be registered."

9. That a new Condition 41 be added as follows:

"41. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure."

10. That a new Condition 42 be added as follows:

"42. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided lands after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development."

CARRIED

Cavdon Developments Ltd. – Request to extend a draft approved plan of subdivision, Black Lake Road, Lively

PL2018-41 Sizer/Lapierre: THAT the City of Greater Sudbury's delegated official be directed to amend the conditions of draft plan approval for a plan of subdivision on those lands described as Part of Parcels 1880 and 416, Part of Lot 6, Concession 4, Township of Waters, as outlined in the report entitled "Cavdon Developments Ltd." from the General Manager of Growth and Infrastructure, presented at the Planning Committee meeting of March 5, 2018, upon payment of City's processing fee in the amount of \$2848.75 as follows:

1. Replacing the words, "General Manager of Infrastructure Services" with "General Manager

of Growth and Infrastructure" in Conditions 10, 13 and 20.

2. By adding at the end of Condition 7, "sidewalks, stormwater management facilities and installation of services."

3. By adding at the end of Condition 11, "the report shall set out any necessary improvements to downstream storm sewers and water courses. The civil engineering consultant shall meet with the Development Approval Section prior to commencing the storm water management report."

4. By adding at the end of Condition 12, "A lot grading agreement shall be registered on title, if required, to the satisfaction of the Director of Planning Services and City Solicitor. The owner shall be responsible for the legal costs of preparing and registering the associated lot grading agreement."

5. By adding the following at the end of Conditions 16 and 17. "A soils caution agreement, if required, shall be registered on title to the satisfaction of the Chief Building Official and City Solicitor."

6. In Condition 22 deleting reference to Conditions "2", "11", and "14" and adding Condition "43".

7. In Condition 23 deleting "March 31 2018" and replacing it with "December 31, 2020".

8. By adding the following at the end of Condition 28. "The utilities servicing plan must be designed by a consulting engineer with a valid Certificate of Authorization from the Association of Professional Engineers of Ontario. The owner/applicant shall be responsible for all costs associated with the installation of said services."

9. In Condition 30 deleting reference to "Ministry of Natural Resources " and "MNR" and replacing them with "Ministry of Natural Resources and Forestry" and "MNRF"

10. That a new Condition 35 be added as follows:

"The owner shall be required to ensure that the corner radius for all intersecting streets is to be 9.0 m."

11. That a new Condition 36 be added as follows:

"36. The owner will be required to provide permanent site and erosion control drainage works to the subdivision's storm water outlet to the satisfaction of the General Manager of Growth and Infrastructure."

12. That a new Condition 37 be added as follows:

"37. The owner/applicant shall be responsible for the design of any required stormwater management facility as part of the servicing plans for the subdivision and the owner shall provide the lands for the stormwater management facility as a condition of this development."

13. That a new Condition 38 be added as follows:

"38. The owner shall be required to have all stormwater management facilities constructed and approved by the City prior to initial acceptance of roads and sewers or at such time as the Director of Planning Services may direct."

14. That a new Condition 39 be added as follows:

"39. The owner shall provide sodded rear yard drainage swales as a condition of the initial acceptance of the subdivision infrastructure to the satisfaction of the Director of Planning Services."

15. That a new Condition 40 be added as follows:

"40. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning Services, provided that:

- i) Phasing is proposed in an orderly progression, in consideration of such matters as the timing of road improvements, infrastructure and other essential services; and,
- ii) all agencies agree to registration by phases and provide clearances, as required, for each phase proposed for registration; furthermore, the required clearances may relate to lands not located within the phases sought to be registered."

16. That a new Condition 41 be added as follows:

"41. The owner shall provide the required soils report, stormwater, water, sanitary sewer and lot grading master planning reports and plans to the Director of Planning Services prior to the submission of servicing plans for any phase of the subdivision."

17. That a new Condition 42 be added as follows:

"42. That the owner shall have completed all major outstanding infrastructure deficiencies that are critical to the overall function of the subdivision in previous phases of the plan that have been registered, or have made arrangements for their completion, prior to registering a new phase of the plan, to the satisfaction of the General Manager of Growth and Infrastructure."

18. That a new Condition 43 be added as follows:

"43. That in accordance with Section 59(4) of the Development Charges Act, a notice agreement shall be registered on title to ensure that persons who first purchase the subdivided lands after registration of the plan of subdivision are informed, at the time the land is transferred, of all development charges related to development."

CARRIED

Part of Alder Street, Sudbury – Road Closure and Declaration of Surplus Land

PL2018-42 Lapierre/Sizer: THAT the City of Greater Sudbury declares surplus to the City's needs part of Alder Street, Sudbury, south of Victoria Street and north of Willow Street, excepting a 13 metre by 13 metre block of land, legally described as part of PIN 73585-1085(LT), part of Alder Street, Plan 31SA, City of Greater Sudbury;

AND THAT the land be offered for sale to the abutting owner pursuant to the procedures governing the sale of limited marketability surplus land as outlined in Property By-law 2008-174;

AND THAT a by-law be prepared to authorize the closing of the road, as outlined in the report entitled "Part of Alder Street, Sudbury - Road Closure and Declaration of Surplus Land" from the General Manager of Corporate Services dated February 9, 2018, presented at the Planning Committee meeting on March 5, 2018.

CARRIED

Resolution PL2018-38 was dealt with separately.

Sale of Vacant Land – Main Street, Sudbury

The following resolution was presented:

PL2018-38 Lapierre/Sizer: THAT the City of Greater Sudbury authorize the sale of 4614 Desmarais Road, Val Therese, legally described as: PIN 73504-2278(LT), formerly Parcel 14128, SES, and part of PIN 73504-1661 (L T), formerly Parcel 35202, SES, being Part 1, Plan SR-2975, part of Lot 6, Concession 3, Township of Hanmer;

AND THAT the appropriate by-law be prepared to authorize the sale and execution of the documents required to complete the real estate transaction;

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

Councillor McIntosh presented the following amendment:

CC2018-70A McIntosh/Sizer: THAT resolution PL2018-38 be amended to replace the first paragraph with the following:

“THAT the City of Greater Sudbury authorizes the sale of vacant land on Main Street, Sudbury, legally described as: PIN 02123-0363(LT), part of east half of Lot 4, Concession 5, Township of McKim;”

CARRIED

The resolution as amended was presented:

Rules of Procedure

With the concurrence of members of Council, the reading of the resolution was waived.

CC2018-70 Lapierre/Sizer: THAT the City of Greater Sudbury authorizes the sale of vacant land on Main Street, Sudbury, legally described as: PIN 02123-0363(LT), part of east half of Lot 4, Concession 5, Township of McKim.

AND THAT the appropriate by-law be prepared to authorize the sale and execution of the documents required to complete the real estate transaction;

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

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

The following resolution was presented:

CC2018-71 Sizer/McIntosh: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-4 inclusive.

CARRIED

The following are the Consent Agenda items:

Minutes

C-1 CC2018-72 McIntosh/Sizer: THAT the City of Greater Sudbury adopts the Planning Committee meeting minutes of February 12, 2018.

CARRIED

- C-2 CC2018-73 Kirwan/Sizer: THAT the City of Greater Sudbury adopts the City Council meeting minutes of February 13, 2018.
CARRIED
- C-3 CC2018-74 Sizer/Kirwan: THAT the City of Greater Sudbury adopts the Special City Council meeting minutes of February 21, 2018.
CARRIED
- C-4 CC2018-75 Kirwan/Sizer: THAT the City of Greater Sudbury adopts the Planning Committee meeting minutes of February 26, 2018.
CARRIED

Correspondence for Information Only

- C-5 By-laws 87-340 and 87-341 Requiring Owners to Connect Water and Wastewater Works 2018 Exemption Amount
Report dated February 8, 2017 from the Executive Director of Finance, Assets and Fleet regarding By-laws 87-340 and 87-341 Requiring Owners to Connect Water and Wastewater Works 2016 Exemption Amount.
For Information Only.
- C-6 2017 Water Works Summary Report
Report dated March 2, 2018 from the General Manager of Growth and Infrastructure regarding 2017 Water Works Summary Report.
For Information Only.

Managers' Reports

- R-1 Development Charges Rebate Program
Report dated March 2, 2018 from the General Manager of Growth and Infrastructure regarding Development Charges Rebate Program.

The following resolution was presented:

CC2018-76 Sizer/Kirwan: THAT the City of Greater Sudbury endorses the Expression of Interest (EOI) for the Development Charges Rebate Program submitted to the Ministry of Housing in accordance with the program guidelines as outlined in the report entitled "Development Charges Rebate Program" from the General Manager of Growth and Infrastructure, presented at the Special Council meeting of March 20, 2018;

AND FURTHER THAT Council authorizes the City of Greater Sudbury to enter into a Transfer Payment Agreement with the Ministry of Housing (MHO) should the application be successful.
CARRIED

By-Laws

The following resolution was presented:

CC2018-77 Kirwan/Sizer: THAT the City of Greater Sudbury read and pass By-law 2018-43 to and including By-law 2018-51Z.

CARRIED

The following are the By-Laws:

- 2018-43 A By-law of the City of Greater Sudbury to Confirm the Proceedings of Council at its Meeting of February 21st, 2018

- 2018-44 A By-law of the City of Greater Sudbury to Confirm the Proceedings of Council at its Meeting of March 20th, 2018

- 2018-45 A By-Law of the City of Greater Sudbury to Establish a Water and Wastewater Policy and Water and Wastewater Rates and Charges in General and for Special Projects (This by-law implements the 2018 water and wastewater charges replacing By-law 2018-2, to correct a clerical error.)

- 2018-46 A By-law of the City of Greater Sudbury to Authorize the Payment of Grants from the Healthy Community Initiative Fund, Wards 1, 2, 3, 4, 5, 6, 9, 11 and 12 City Council Resolution #CC2018-40 (This by-law authorizes grants funded through the Healthy Community Initiative Fund for Wards 1, 2, 3, 4, 5, 6, 9, 11 and 12.)

- 2018-47 A By-law of the City of Greater Sudbury to Amend By-law 2017-2 being a By-law of the City of Greater Sudbury Respecting the Appointment of Officials of the City (This by-law updates certain appointments to reflect staff changes.)

- 2017-48 A By-law of the City of Greater Sudbury to Authorize the Sale of 4614 Desmarais Road in Val Therese Described as PIN 73504-2278(LT) and Part of PIN 73504-1661(LT), being Part 1 on Plan SR-2975 to 2541528 Ontario Limited Planning Committee Resolution #PL2018-29

- 2018-49Z 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 #PL2018-26 (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 motion picture staging and equipment rental company - Nickel District Conservation Authority, 828 Beatrice Crescent, Sudbury.)

- 2018-50Z 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 #PL2017-52 (This by-law rezones the subject property to "RS(4)", Rural Shoreline Special in order to permit seasonal dwellings with an enhanced shoreline buffer area on Whitson Lake - James Muir, Charity Muir and Sean Goodwin, 370-405 Fire Road 3, Val Caron.)

2018-51Z 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 #PL2018-19 (This by-law rezones the subject lands from "R1-5", Low Density Residential One to "R3(65)", Medium Density Residential Special to permit six (6) dwelling units, four in the former church building and two in the former rectory - Huu Nguyen Tran, 1815 & 1821 Paris Street, Sudbury.)

Addendum

No Addendum was presented.

Civic Petitions

Councillor Landry-Altmann submitted a petition to the City Clerk which will be forwarded to the General Manager of Infrastructure Services. The petition is regarding installing sidewalks on Montrose Avenue.

Question Period and Announcements

Road Projects

Councillor Dutrisac asked about the status of road projects around the City.

Tony Cecutti, General Manager of Growth and Infrastructure advised that they are utilizing social media to communicate to the public all the capital work that is occurring. They hope to release a package to the media on April 16th that will provide an update for all ongoing projects for the year. Also, the public can use the webpage interface where residents can click on a map to get an update of construction that is occurring or scheduled.

Councillor Dutrisac asked what type of construction notification the residents of Bonin Street will receive.

Tony Cecutti, General Manager of Growth and Infrastructure advised that notification will vary for every capital project. Letters will be delivered door to door for residents that live in the immediate area of Bonin Street. For certain projects, an information session will be held where residents can drop in and get more information.

Line Painting

Councillor Reynolds asked when line painting will occur.

Tony Cecutti, General Manager of Growth and Infrastructure advised that street cleaning takes place usually in May once the snow banks are gone, and line painting will follow, typically in June.

Notice of Motion

Rules of Procedure

Councillor Landry-Altmann presented a Notice of Motion in regards to a CPTED audit of the Tom Davies Square Courtyard construction project and asked that the notice be waived.

WAIVED BY SEVEN VOTES

The following resolution was presented:

CC2018-78 Landry-Altmann/Cormier: WHEREAS Crime Prevention Through Environmental Design (CPTED) is based on the belief that the proper design and effective use of the built environment can lead to a reduction in the fear and incidence of crime, can influence certain desired human behavior, as well as an improvement in the quality of life;

AND WHEREAS CPTED is recognized as a proactive, effective, and economical planning tool adopted by Police, Emergency and Building Services within municipalities across Canada;

AND WHEREAS during its 2018 Budget Deliberations, Council approved a business case for an additional ongoing operational budget of \$50,000 to conduct audits related to significant capital projects, town centres, etc., including municipal building retrofits;

AND WHEREAS the City has one trained CPTED auditor as does the Police Service;

AND WHEREAS the Tom Davies Courtyard construction project is ongoing and it would be beneficial to conduct a CPTED audit as the project progresses with regard to matters such as landscape selections, etc.;

THEREFORE BE IT RESOLVED THAT the City of Greater Sudbury direct staff to conduct a CPTED audit of the Tom Davies Square Courtyard construction project for upcoming components such as, but not limited to, public art, landscape selections, etc.

CARRIED

Adjournment

Sizer/Kirwan THAT this meeting does now adjourn. Time: 4:57 p.m.

Mayor Brian Bigger, Chair

Brigitte Sobush, Deputy City Clerk