

Location:	Tom Davies Square
Commencement:	4:06 PM
Adjournment:	9:11 PM

Minutes

City Council Minutes of 11/22/16

Deputy Mayor Landry-Altmann, In the Chair

Present	Councillors Signoretti, Vagnini, Dutrisac, Kirwan, Jakubo, Sizer, McIntosh, Cormier, Reynolds, Landry-Altmann, Mayor Bigger
Staff	Ed Archer, Chief Administrative Officer; Kevin Fowke, Director Human Resources and Organizational Development; Ron Foster, Auditor General; Tanya Thompson, Deputy City Clerk; Melissa Zanetti, Mayor's Chief of Staff

Declarations of Pecuniary Interests and the general nature thereof

None declared

Closed Session

The following motion was presented:

CC2016 - 363: Councillor Kirwan / Councillor Cormier: That the City of Greater Sudbury Council move into Closed Session to deal with two (2) Labour Relations / Employee Negotiations matters regarding collective bargaining and one (1) Personal Matters (Identifiable Individual(s)) matter in accordance with the Municipal Act 2001, s. 239(2)(b)(d)).

CARRIED

Recess At 5:07 p.m. Council recessed.

Reconvene At 6:00 p.m., Council commenced the Open Session in the Council Chambers

Deputy Mayor Sizer, In the Chair

Present	Councillors Signoretti, Vagnini, Montpellier, Dutrisac, Kirwan, Jakubo, Sizer, McIntosh, Cormier, Reynolds, Landry-Altmann.
City Officials	Ed Archer, Chief Administrative Officer; Tony Cecutti, General Manager of Infrastructure Services; Ron Henderson, General Manager of Assets, Transit and Fleet; Catherine Matheson, General Manager of Community Development; Ed Stankiewicz, Acting Chief Financial Officer/City Treasurer; Eliza Bennett, Manager, Communications & French Languages Services; Ron Foster, Auditor General; Tanya Thompson, Deputy City Clerk; Deanna Denis, Executive Assistant to the Executive Director of Administrative Services; Renee Stewart, Clerk's Services Assistant.

Declarations of Pecuniary Interests and the general nature thereof

None declared

Presentations

- 1 Akli Ben-Anteur, Projects Engineer and Michelle Albert, Director of Water and Wastewater Municipal Infrastructure from WSP provided an electronic presentation regarding the Water Wastewater Master Plan for information only.

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 two (2) Labour Relations / Employee Negotiations matters regarding collective bargaining and one (1) Personal Matters (Identifiable Individual(s)) matter in accordance with the Municipal Act 2001, s. 239(2)(b)(d)). One (1) direction was provided to staff.

Matters Arising From the Planning Committee

October 17, 2016

Councillor McIntosh as Chair of the Planning Committee, reported on the matters arising from the Planning Committee meeting of October 17, 2016.

CC2016-328 Kirwan/Bigger: THAT the City of Greater Sudbury approves Planning Committee resolutions PL2016-161, and PL2016-163 to PL2016-174 to PL2016-182 inclusive from the meeting of October 17, 2016.

CARRIED

The following are the Planning Committee resolutions:

Appointing Chair and Vice-Chair

PL2016-161 Landry-Altmann/Sizer: THAT the City of Greater Sudbury appoints Councillor McIntosh as Chair and Councillor Lapierre as Vice-Chair of the Planning Committee for the

term ending December 31, 2016 .

CARRIED

Downtown CIP

PL2016-163 Landry-Altmann/Bigger: THAT the City of Greater Sudbury directs staff to report to the November 21, 2016 Planning Committee meeting in regards to Municipal Best Practices for interest free loan Programs together with a recommended interest free loan program inclusion in the Downtown CIP.

CARRIED

PL2016-164 Landry-Altmann/Bigger: THAT the City of Greater Sudbury directs staff to start the process to review other Town Centre CIP's including, but not limited to, the Flour mill BIA. To include residential incentive programs and interest free loan programs and funding which is to be included in the 2018 budget process.

CARRIED

Rezoning and Draft Plan Dalron Construction Limited

PL2016-165 Jakubo/Lapierre: THAT the City of Greater Sudbury approves the application by Dalron Construction Limited to amend the Zoning By-law 2010-100Z to change the zoning classification from "FD", Future Development to "R1-5", Low Density Residential One, "R3-1", Medium Density Residential, and "OSC", Open Space Conservation in order to permit the development of a 27 lot residential subdivision and two (2) blocks for multiple residential development on those lands described as PINs 73602-0239 & 73602-0240, Blocks L & M, Plan M-1014, Lot2, Concession 6, Township of McKim subject to the following conditions:

1. That the owner provide the Development Approvals Section with a registered survey plan outlining the lands to be rezoned to enable the preparation of an amending by-law. The survey shall identify as parts on a plan the lands to be developed for single residential and medium density uses, as well as lands to be utilized for the stormwater management pond and open space purposes to the satisfaction of the Director of Planning Services.
2. That the lands on the draft plan of subdivision be rezoned as follows:
 - i) That Lots 1 to 27 and Block 28 located between Lots 25 and 26 be zoned "R1-5", Low Density Residential One;
 - ii) That Blocks 29 and 30 be zoned "R3-1", Medium Density Residential;
 - iii) That the balance of the lands be zoned "OSC", Open Space Conservation.

CARRIED

PL2016-166 Sizer/Lapierre: THAT the City of Greater Sudbury's delegated official be directed to issue the draft approval for the subject plan of subdivision not sooner than fourteen (14) days following the date of the public meeting in accordance with the requirements of Section 51 (20) of the Planning Act, and subject to the following conditions:

1. That this draft approval applies to the draft plan of subdivision of PINs 73602-0239, 73602-0240 & 73602-0187, Blocks L & M, Plan M-1014, Block 52, Plan 53M-1197, Lot 2, Concession 6, Township of McKim as shown on a plan of subdivision prepared by Tulloch Geomatics Inc. and dated March 2016.

2. Final approval for registration may be issued in phases to the satisfaction of the Director of Planning, 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 phase sought to be registered.
3. 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 Infrastructure Services.
4. That the street(s) shall be named to the satisfaction of the Municipality.
5. That any dead-ends or open sides of road allowances created by this plan of subdivision shall be terminated in 0.3 metre reserves, to be conveyed to the Municipality and held in trust by the Municipality until required for future road allowances or the development of adjacent land.
6. That prior to the signing of the final plan, the Planning Services Division shall be advised by the Ontario Land Surveyor responsible for preparation of the final plan, that the lot areas, frontages and depths appearing on the final plan do not violate the requirements of the Restricted Area By-laws of the Municipality in effect at the time such plan is presented for approval.
7. That the subdivision agreement be registered by the Municipality against the land to which it applies, prior to any encumbrances.
8. That such easements as may be required for utility or drainage purposes shall be granted to the appropriate authority.
9. That the owner agrees in writing to satisfy all the requirements, financial and otherwise, of the City of Greater Sudbury, concerning the provision of roads, walkways, street lighting, sanitary sewers, watermains, storm sewers and surface drainage facilities.
10. That the subdivision agreement contain provisions whereby the owner agrees that all the requirements of the subdivision agreement including installation of required services be completed within three (3) years after registration.
11. That this draft approval shall lapse three (3) years from date of draft plan approval.
12. The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced.
13. The owner agrees to enter into a design, construction and cost sharing agreement for a future communal downstream stormwater management pond in the location of stormwater management Block 28. This pond will be designed to serve the overall draft plan subwatershed area and shall include the major and minor storm drainage from the Royal

Oaks/Nickeldale Subdivision which is to be conveyed north along the future extension of Montrose Avenue to the existing north watercourse flowing to the Maley Reservoir area.

14. Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater management facilities, watermains, roads to a 20 year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.

15. The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization for the proposed lots as part of the submission of servicing plans. This plan must show finished grades around building envelopes, retaining walls, swales, slopes and lot corners. The plan must show sufficient grades on boundary properties to mesh the lot grading of the new site to existing properties and show the overland flow path.

16. The owner agrees to provide the required soils report, traffic report, 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. The proposed subdivision roadways are to be built to urban standards, including curb and gutter, storm sewers, maximum 8% road grades and related appurtenances to the City of Greater Sudbury Engineering Standards at the time of submission.

18. As part of the submission of servicing plans, the owner shall have rear yard slope treatments designed by a geotechnical engineer licensed in the Province of Ontario incorporated in to the lot grading plans if noted as required at locations required by the Director of Planning Services. Suitable provisions shall be incorporated into the Subdivision Agreement to ensure that the treatment is undertaken to the satisfaction of the Director of Planning Services.

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

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

21. The owner shall provide a utilities servicing plan showing the location of all utilities including City services, Canada Post, Greater Sudbury Hydro Inc. or Hydro One, Bell, Union Gas, and Eastlink (as applicable). This plan must be to the satisfaction of the Director of Planning Services and must be provided prior to construction for any individual phase.

22. The owner shall provide proof of sufficient fire flow in conjunction with the submission of

construction drawings for each phase of construction. All costs associated with upgrading the existing distribution system to service this subdivision will be borne totally by the owner.

23. The owner shall provide proof of sufficient sanitary sewer capacity in conjunction with the submission of construction drawings for each phase of construction. All costs associated with upgrading the existing collection system to service this subdivision will be borne totally by the owner.

24. Draft approval does not guarantee an allocation for water or sewer capacity. Prior to the signing of the construction drawings for each phase, the Director of Planning Services is to be advised by the General Manager of Infrastructure Services that sufficient sewage treatment capacity and water capacity exist to service the development.

25. The applicant/owner shall provide to the City, as part of the submission of servicing plans a Siltation Control Plan detailing the location and types of sediment and erosion control measures to be implemented during the construction of each phase of the project. Said plan shall be to the satisfaction of the General Manager of Growth and Development and Conservation Sudbury. The siltation control 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 and/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.

26. That prior to the signing of the final plan for any phase of the development and prior to any pre-servicing taking place on the site, an acoustical report shall be prepared by a qualified engineer to determine the noise levels on the site, and what noise attenuation features would be required in the construction of homes to reduce noise levels in accordance with Ministry of the Environment guidelines, to the satisfaction of the Director of Planning Services.

27. That if the acoustical report determines that noise attenuation features are required within the subdivision, suitable provisions be included in the subdivision agreement to ensure these measures are undertaken.

28. That the owner complete a watermain loop from the existing 200 mm diameter watermain along Agincourt Avenue to the proposed watermain along future Montrose Avenue.

29. The property will require a subdivision agreement and during that process, based on anticipated quantities of removal of rock through blasting, the following conditions will be imposed:

a) The developer will be required to provide a geotechnical report on how the work related to blasting shall be undertaken safely to protect adjoining structures and other infrastructure. The geotechnical report shall be undertaken by a blasting consultant defined as a professional engineer licensed in the Province of Ontario with a minimum of five (5) years experience related to blasting.

b) The blasting consultant shall be retained by the developer and shall be independent of the contractor and any subcontractor doing blasting work. The blasting consultant shall be required to complete specified monitoring recommended in his report of vibration levels and provide a report detailing those recorded vibration levels. Copies of the recorded ground vibration documents shall be provided to the contractor and contract administration weekly or upon request for this specific project.

c) The geotechnical report will provide recommendations and specifications on the following

activity as a minimum but not limited to:

- i) Pre-blast survey of surface structures and infrastructure within affected area
 - ii) Trial blast activities
 - iii) Procedures during blasting
 - iv) Procedures for addressing blasting damage complaints
 - v) Blast notification mechanism to adjoining residences
 - vi) Structural stability of exposed rock faces
- d) The above report shall be submitted for review to the satisfaction of the Chief Building Official prior to the commencement of any removal of rock by blasting.
- e) Should the developer's schedule require to commence blasting and rock removal prior to the subdivision agreement having been signed, a site alteration permit shall be required under the City of Greater Sudbury's By-law #2009-170 and shall require a similar geotechnical report as a minimum prior to its issuance.

30. The owner shall complete to the satisfaction of the Director of Planning Services of the City of Greater Sudbury and Canada Post:

- a) Include on all offers of purchase and sale, a statement that advises the prospective purchaser:
- i) That the home/business mail delivered will be from a designated Community Mail Box.
 - ii) That the developers/owners be responsible for officially notifying the purchasers of the Community Mail Box locations prior to the closing on any home sales.
- b) The owner further agrees to:
- i) Install concrete pads in accordance with the requirements of, and in locations to be approved by, Canada Post to facilitate the placement of Community Mail Boxes. Canada Post will need to be informed when the pads are in place.
 - ii) Identify the pads above on the engineering servicing drawings. The pads are to be poured at the time of the sidewalk and/or curb installation within each phase of the plan of subdivision. Provide curb depressions at the community mailbox site location(s). These are to be 2 meters in width and no higher than 25 mm.
 - iii) Determine the location of all centralized mail facilities in cooperation with Canada Post and to post the location of these sites on appropriate maps, information boards and plans.

31. That prior to the signing of the final plan, the Planning Services Division is to be advised by the Nickel District Conservation Authority that a storm water management plan has been submitted for their review.

32. Block 28 shall be transferred to the City for the purposes of stormwater management and open space conservation.

CARRIED

Marc & Louise Menard – Amend Zoning By-law 2010-100Z

PL2016-167 Jakubo/Lapierre: 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.

CARRIED

Streetwise Holding Inc.– Amend Zoning By-law 2010-100Z

PL2016-168 Lapierre/Jakubo: THAT the City of Greater Sudbury approves the application by Streetwise Holdings Inc. to amend Zoning By-law 2010-100Z to change the zoning classification from “R2-2”, Low Density Residential Two to “R3-1(S)”, Medium Density Residential Special in order to permit the development of a five-storey multiple dwelling containing 40 dwelling units on those lands described as PIN 73583-0073, Block A, Plan 70-S, Lot 4, Concession 3, Township of McKim subject to the following condition:

1. That the amending by-law contain the following site-specific provisions:

a. That the only permitted uses shall be as follows:

- one (1) multiple dwelling containing a maximum of 40 dwelling units;
- any use permitted in all zones under Section 4.40 of Part 4 of the Zoning By-law; and

b. That a minimum front yard setback of 3 metres be required..

CARRIED

1085937 Ontario Inc.– Official Plan

PL2016-169 Sizer/Lapierre: THAT the City of Greater Sudbury denies the application by 1085937 Ontario Inc. in order to provide an exception to Section 6.2.2. to permit a lot boundary adjustment resulting in a remainder having a lot area of less than 30 hectare in the Agricultural Reserve for the lands described as PINs 73345-0766 and 73345-0243, Part 1, Plan 53R-19093, and remainder of Parcel 234 SWS, Lot 4, Concession 5, Township of Rayside.

CARRIED

1085937 Ontario Inc.– Rezoning

PL2016-170 Lapierre/Sizer: THAT the City of Greater Sudbury denies the application by 1085937 Ontario Inc. to amend Zoning By-law 2010-100Z by changing the zoning classification of lands described as PINs 73345-0766 and 73345-0243, Part 1, Plan 53R-19093, and remainder of Parcel 234 SWS, Lot 4, Concession 5, Township of Rayside from “A”, Agricultural to “A(S)”, Agricultural Special with a special exception to allow a parcel that does not meet the 30.0 hectare minimum lot area and 90 metre minimum lot frontage required for lots in the Agricultural Zone.

CARRIED

Waive Application Fee

PL2016-171 Jakubo/Lapierre: THAT the City of Greater Sudbury directs staff to waive the application fee should the applicant submit a new application that includes PIN 73345-0770 and PIN 73345-0766, and PIN 73345-0243.

CARRIED

Sale of Part of Closed Ethel Street

PL2016-172 Sizer/Landry-Altmann: THAT the City of Greater Sudbury authorizes the sale of part of closed Ethel Street Sudbury, legally described as part of PIN 02129-0350(LT), being Parts 1,2 and 3 on Plan 53R-20663, City of Greater Sudbury;

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

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

CARRIED

City of Greater Sudbury –Amend the Conditions of Draft Approval File 780-5/12005

PL2016-174 Sizer/Lapierre: 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 Part of PINs 73348-0005 & 73348-0734 in Lots 2 & 3, Concession 2, Township of Balfour, City of Greater Sudbury, File 780-5/12005, as follows:

a) That Condition #10 be deleted and replaced with the following:

"10. That this draft approval shall lapse on December 12, 2019."

b) By amending Condition #32 by replacing "Growth and Development Department" with "Planning Services Division."

c) By adding the following as Condition #33:

"33. 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 phase sought to be registered."

d) By adding the following as Condition #34:

"34. 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 Infrastructure Services."

CARRIED

City of Greater Sudbury –Amend the Conditions of Draft Approval File 780-7/07001

PL2016-175 Landry-Altmann/Sizer: 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 (LT), 73508-1231 (LT) and part of PIN 73508-1217 (LT), Part of Parcel 1230 S.E.S., in Lot 11, Concession 3, Township of Capreol, City of Greater Sudbury, File 780-7/07001, as follows:

a) By deleting Condition #11 and replacing it with the following:

“11. That this draft approval shall lapse on December 10, 2019.”

b) By deleting Condition #16 and replacing it with the following:

Prior to the submission of servicing plans, the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20-year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.

c) By deleting Condition #18 and replacing it with the following:

The owner shall provide a detailed lot grading plan prepared, signed, sealed, and dated by a professional civil engineer with a valid certificate of authorization 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 the lot grading of the new site to existing properties and show the stormwater overland flow path.

d) By amending Condition #29 by replacing “Growth and Development Department” with “Planning Services Division.”

e) By amending Condition #30 by adding “Services” following the reference to the “Director of Planning.”

f) By amending Condition #31 by deleting the reference to the “General Manager of Growth and Development.”

City of Greater Sudbury –Amend the Conditions of Draft Approval File 780-6/97001

PL2016-176 Sizer/Landry-Altmann: 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 PINs 73508-1251 (LT), 73508-1231 (LT) and part of PIN 73508-1217 (LT), Parcels 760 N.W.S., and 2768 S.E.S., and Part of Block F, Plan M-1005 in Lot 11, Concession 6, Township of Neelon, City of Greater Sudbury, File 780-6/97001, as follows:

a) That Condition #10 be deleted and replaced with the following:

“10. That this draft approval shall lapse on December 4, 2019.”

b) By replacing Condition #15 with the following: 15. Prior to the submission of servicing plans,

the owner shall, to the satisfaction of the Director of Planning Services, provide an updated geotechnical report prepared, signed, sealed, and dated by a geotechnical engineer licensed in the Province of Ontario. Said report shall, as a minimum, provide factual information on the soils and groundwater conditions within the proposed development. Also, the report should include design information and recommend construction procedures for any proposed storm and sanitary sewers, stormwater management facilities, watermain, roads to a 20-year design life, the mass filling of land, surface drainage works, erosion control, slope stability, slope treatment and building foundations. Included in this report must be details regarding the removal of substandard soils (if any) and placement of engineered fill (if required) for the construction of homes. Also, the report must include an analysis illustrating how the groundwater table will be lowered to a level that will not cause problems to adjacent boundary housing and will, in conjunction with the subdivision grading plan, show that basements of new homes will not require extensive foundation drainage pumping. The geotechnical information on building foundations shall be to the satisfaction of the Chief Building Official and Director of Planning Services.

c) By amending Condition #17 by replacing "General Manager of Growth and Development" with "General Manager of Infrastructure Services."

d) By replacing Condition #25 with the following:

25. The owner shall be responsible to have a stormwater management report prepared to assess how the quality and quantity of stormwater will be managed for the subdivision development, in addition to the flows generated from upstream lands. The report shall establish how the quantity of stormwater generated within the subdivision will be controlled to pre-development levels for the 1:5, 1:100 and regional storm events. The owner shall be required to submit a comprehensive drainage plan of the subject property, and any upstream areas draining through the subdivision. The quality of the stormwater must meet an "enhanced" level of protection as defined by the Ontario Ministry of the Environment and Climate Change.

e) By adding the following as Condition #33:

3. 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 phase sought to be registered."

f) By adding the following as Condition #34:

34. 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 Infrastructure Services."

CARRIED

Non-Rooftop Solar Project

PL2016-177 Sizer/Lapierre: WHEREAS Sudbury Community Solar Projects LP (the “Applicant”) proposes to construct and operate a Non-Rooftop Solar Project (the “Project”) on PCL 3499 SEC SES SRO;PT LT 10 CON 3 CAPREOL AS IN LT14773 EXCEPT LT197864, UNIT 1 EXPROP PL D58, EXPROP PL D160 & PT1 & 2 53R15773; S/T EASEMENT IN GROSS OVER PTS 2, 3, 7 & 8 53R18545 AS IN SD150505; GREATER SUDBURY (the “Lands”), to be constructed upon receipt of a FIT Contract from the Independent Electricity System Operator (IESO) under the Province’s FIT Program;

AND WHEREAS the Applicant has requested that Council of the City of Greater Sudbury indicate by resolution its support for the construction and operation of the Project on the Lands;

AND WHEREAS, pursuant to the rules governing the FIT Program (the “FIT” Rules, Version 5.0), Applicants whose Projects receive the formal support of local municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT: Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands. This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

CARRIED

PL2016-178 Jakubo/Lapierre: WHEREAS Sudbury Community Solar Projects LP (the “Applicant”) proposes to construct and operate a Non-Rooftop Solar Project (the “Project”) on SURFACE RIGHTS ONLY: SE 1/4 LT 3 CON 4 GARSON EXCEPT LT47667, LT48327, LT62827, LT70133, LT78996, LT78997, LT78998, LT78999, LT139400, LT158816, LT176035, PT 1 & 2 SR122, PT 1 SR372, PT 1 TO 3 SR3559, PT 1 TO 6 53R6540, PT 1 53R7988, PT 1 & 2 53R10064, PT 1 TO 4 53R15145; S/T EASEMENT IN GROSS AS IN LT83256; GREATER SUDBURY (the “Lands”), to be constructed upon receipt of a FIT Contract from the Independent Electricity System Operator (IESO) under the Province’s FIT Program;

AND WHEREAS the Applicant has requested that Council of the City of Greater Sudbury indicate by resolution its support for the construction and operation of the Project on the Lands; AND WHEREAS, pursuant to the rules governing the FIT Program (the “FIT” Rules, Version 5.0), Applicants whose Projects receive the formal support of local municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT: Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands. This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

CARRIED

PL2016-179 Jakubo/Sizer: WHEREAS Sudbury Community Solar Projects LP (the “Applicant”) proposes to construct and operate a Non-Rooftop Solar Project (the “Project”) on PCL 6919 SEC SWS; PT LT 1 CON 4 BALFOUR AS IN LT23317; S/T LT130837, LT5046;

GREATER SUDBURY (the “Lands”), to be constructed upon receipt of a FIT Contract from the Independent Electricity System Operator (IESO) under the Province’s FIT Program;

AND WHEREAS the Applicant has requested that Council of the City of Greater Sudbury indicate by resolution its support for the construction and operation of the Project on the Lands; AND WHEREAS, pursuant to the rules governing the FIT Program (the “FIT” Rules, Version 5.0), Applicants whose Projects receive the formal support of local municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT: Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands. This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

CARRIED

PL2016-180 Jakubo/Lapierre: WHEREAS C. Enfield Inc. (the “Applicant”) proposes to construct and operate a Non-Rooftop Solar Project (the “Project”) on PCL 6503 SEC SWS; E 1/2 LT 2 CON 5 BALFOUR; S/T LT76607; GREATER SUDBURY (the “Lands”), to be constructed upon receipt of a FIT Contract from the Independent Electricity System Operator (IESO) under the Province’s FIT Program;

AND WHEREAS the Applicant has requested that Council of the City of Greater Sudbury indicate by resolution its support for the construction and operation of the Project on the Lands;

AND WHEREAS, pursuant to the rules governing the FIT Program (the “FIT” Rules, Version 5.0), Applicants whose Projects receive the formal support of local municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT: Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands. This resolution’s sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

CARRIED

PL2016-181 Jakubo/Sizer: WHEREAS 2503903 Ontario Inc. (the “Applicant”) proposes to construct and operate a Non-Rooftop Solar PV Project (the “Project”) on 4404 Regional Rd 15 (the “Lands”) in the City of Greater Sudbury under the province’s FIT Program;

AND WHEREAS the Applicant has requested that Council of the City of Greater Sudbury indicate by resolution Council’s support for the construction and operation of the Project on the Lands;

AND WHEREAS, pursuant to the FIT Rules, Version 5.0, Applications whose Projects receive the formal support of local municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT: Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands. This resolution’s sole

purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

CARRIED

PL2016-182 Jakubo/Lapierre: WHEREAS 2503903 Ontario Inc. (the "Applicant") proposes to construct and operate a Non-Rooftop Solar PV Project (the "Project") on PIN: 73351-0114 (the "Lands") in the City of Greater Sudbury under the province's FIT Program;

AND WHEREAS the Applicant has requested that Council of the City of Greater Sudbury indicate by resolution Council's support for the construction and operation of the Project on the Lands;

AND WHEREAS, pursuant to the FIT Rules, Version 5.0, Applications whose Projects receive the formal support of local municipalities will be awarded Priority Points, which may result in the Applicant being offered a FIT Contract prior to other persons applying for FIT Contracts;

NOW THEREFORE BE IT RESOLVED THAT: Council of the City of Greater Sudbury supports the construction and operation of the Project on the Lands. This resolution's sole purpose is to enable the Applicant to receive Priority Points under the FIT Program and may not be used for the purpose of any other form of municipal approval in relation to the Application or Project, or for any other purpose.

CARRIED

November 21, 2016

Councillor McIntosh as Chair of the Planning Committee, reported on the matters arising from the Planning Committee meeting of November 21, 2016.

Rules of Procedure

Councillor Kirwan asked that resolution PL2016-191 be pulled and voted on separately.

The following resolution was presented:

CC2016-365 Jakubo/Kirwan: That the City of Greater Sudbury approves Planning Committee resolutions PL2016-184 to PL2016-190, PL2016-192 to PL2016-194 AND PL2016-196 to PL2016-200 inclusive for the meeting of November 21, 2016.

CARRIED

The following are the Planning Committee resolutions:

Dalron Construction Ltd. - Amend Zoning By-law

PL2016-184 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Dalron Construction Ltd. to amend Zoning By-law 2010-1 OZ to change the zoning classification from "I", Institutional to "R2-2", Low Density Residential on those lands described as PIN 02119-0026, Parts 1 & 2, Plan SR-845, Lots 48 to 63, Plan M-353, Lot 1, Concession 6, Township of McKim, subject to the following condition:

1. That prior to the enactment of the amending by-law the owner shall enter into an agreement with the City of Greater Sudbury agreeing to transfer to the City lands sufficient for cul-de-sac Arvo Avenue and a 6 m wide walkway block between Holland Road and Arvo Avenue along with any required easements and also agree to enter into a future servicing

agreement for the construction of Arvo Avenue cul-de-sac and related services to the satisfaction of the General Manager of Infrastructure Services.

And that the servicing agreement shall provide that the owner construct the Avro Avenue cul-de-sac at a rural standard and no upgrading of the existing portions of Arvo Avenue and Lamothe Streets abutting the subject lands to an urban standard shall be required.

CARRIED

Rene Ranger - Amend Zoning By-law

PL2016-185 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by Rene Ranger to amend Zoning By-law 2010-100Z by changing the zoning classification of lands described as PIN 73502-0436, Parcel 23053, Lot 25, Plan M-486, Lot 6, Concession 6, Township of Blezard from "R1-5", Low Density Residential One to "R3", Medium Density Residential subject to the following condition:

1. That prior to the enactment of the amending by-law the owner shall submit to the City a building permit application and plans to the satisfaction of the Chief Building Official.

CARRIED

Lamego Renovations Limited - Amend Zoning By-law

PL2016-186 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves the application by Lamego Renovations Limited to amend Zoning By law 2010-100Z by changing the zoning classification of lands described as PIN 73501 -0191, Parcel 49499, Part 8, Plan 53R-5680, Lot 9, Concession 5, Township of Blezard from "M1", Mixed Light Industrial/Service Commercial to "M1 (S)", Mixed Light Industrial/Service Commercial Special to permit a contractor's yard subject to the following condition:

1. That prior to the enactment of the amending by-law the owner shall:

a) enter into an agreement with the City to pave an area from the edge of pavement on White Street to a point 15 metres easterly to the satisfaction of the General Manager of Infrastructure Services; and,

b) obtain an occupancy permit for the existing building to the satisfaction of the Chief Building Official.

CARRIED

1854092 Ontario Ltd and Racicot Holding Ltd. - Amend Zoning By-law

PL2016-187 Jakubo/Sizer: THAT the City of Greater Sudbury approves the application by 1854092 Ontario Ltd. and Racicot Holdings Ltd. to amend Zoning By-law 2010-100Z by changing the zoning classification from "M1 -1", Business Industrial and "M1 -1(15)", Business Industrial Special to "R3", Medium Density Residential on lands described as PINs 02127 0146, 02127-0219 & 02127-0221 , Parcels 48238 & 48257 S.E. S., Parts 2 & 3, Plan 53R-13402, Block B, Plan M-930, Part 2, Plan 53R-6294, Part 5, Plan 53R-11457 in Lot 5, Concession 5, Township of McKim.

CARRIED

Greater Sudbury Housing - Official Plan Amendment

PL2016-188 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves the

application by Greater Sudbury Housing Corporation to amend the City of Greater Sudbury Official Plan to provide a site-specific exception from the policies of Section 3.2.1 of the Official Plan in order to permit a high density residential use with a maximum net density of 260 units per hectare on lands described as Part of PIN 02127-0182, Parts 1 & 2, Plan 53R-3813 in Lot 5, Concession 5, Township of McKim.

CARRIED

Greater Sudbury Housing – Amend Zoning By-law

PL2016-189 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves the application by Greater Sudbury Housing Corporation to amend Zoning By-law 2010-1 OOO by changing the zoning classification from "R4.D216", High Density Residential to "R4.D260(S)", High Density Residential Special on lands described as Part of PIN 02127-0182, Parts 1 & 2, Plan 53R-3813 in Lot 5, Concession 5, Township of McKim subject to the following conditions:.

1. That the amending by-law include the following site-specific provisions:
 - a. A minimum 0.5 parking space per dwelling unit shall be required for a multiple dwelling located on Part 1, Plan 53R-3813;
 - b. The required court shall be a minimum 11 metres between buildings;
 - c. The location of the existing multiple dwelling on Part 2, Plan 53R-3813 shall be permitted.

CARRIED

Oldenburg Inc. – Amend Zoning By-law

PL2016-190 Landry-Altmann/Sizer: THAT the City of Greater Sudbury approves the application by Oldenburg Inc. to amend Zoning By-law 2010-1002 to change the zoning classification from "M1-1", Business Industrial and "R2-3", Low Density Residential Two to "HR3-1 (S)", Medium Density Residential Special- Holding on those lands described as PINs 73585-0909 & 73585 1128 & Part of PIN 73585-1085, Lots 88 & 89, Plan M-31 S, Part of Alder Street Located South of Victoria Street & North of Willow Street, Lot 6, Concession 3, Township of McKim subject to the following conditions:

- A) That prior to the enactment of the amending zoning by-law the owner shall submit to the Planning Services Division a registered survey of the lands to be rezoned in order to allow for the preparation of the amending zoning by-law;
- B) That a holding provision be applied to the lands and that the holding provision not be removed from the lands until such time as:
 - i. The owner has entered into an agreement to acquire or has acquired the portion of Alder Street to be closed to the satisfaction of the City Solicitor;
 - ii. The owner has completed a Transportation Demand Management report addressing the approved reduction in parking space requirements to the satisfaction of the Director of Planning Services;
 - iii. The owner has completed and submitted noise and vibration studies relating to the development of the lands to the satisfaction of the Director of Planning Services; and,
 - iv. City of Greater Sudbury Council declares the lands a Class IV area under the Ministry of

the Environment's NPC -300- Environmental Noise Guideline for Stationary and Transportation Sources.

C) That the amending zoning by-law contain the following site-specific provisions:

- i. That the only permitted uses on the subject lands be a multiple dwelling with a maximum of 50 residential dwelling units and non-residential uses be limited to an art gallery, assembly hall, audio/visual studio, automotive sales establishment (electric vehicle), bake shop, banquet hall, business office, custom print or copy shop, financial institution, food processing plant in the form of a brewery, light industrial use, institutional use, medical office, office, personal service shop, pharmacy, private club, professional office, retail store, commercial recreation centre, restaurant, scientific or medical laboratory, commercial school and service trade.
- ii. That no residential units shall be permitted on the ground floor;
- iii. That all non-residential uses shall have a maximum net floor area of 1 673m²;
- iv. That the minimum parking requirements shall be 1.25 spaces per dwelling unit and 1 space per 30m² of net floor area for non-residential uses;
- v. That reduced setback requirements where required for the existing building and the addition be provided;
- vi. That the maximum building height for a mixed use building shall be 22 metres and the maximum building height for the accessory parking garage shall be 7 metres;
- vii. That the maximum lot coverage for the overall development shall be 60%;
- viii. That the minimum landscaped open space for the overall development shall be 27%;
- ix. That parking areas be permitted in the required front yard and corner side yard;
- x. That the only permitted use on Lots 88 and 89, Plan M31 S shall be a parking garage accessory to the permitted residential and non-residential uses;
- xi. That a minimum setback to the parking garage on Lots 88 and Lot 89, Plan M31 S from the westerly lot line shall be 1.2m, 0m from the lane to the south and 1.1 m from Victoria Street; and,
- xii. The minimum landscape strip abutting Victoria Street shall be 1.1 m next to the parking garage.

CARRIED

Sublease Extension and Amending Agreement - 199 Larch Street

PL2016-192 Lapierre/McIntosh: THAT the City of Greater Sudbury authorizes a Sublease Extension and Amending Agreement and any further subleases or extensions until March 30, 2023, with the Minister of Infrastructure for space located in 199 Larch Street, Sudbury;

AND THAT the appropriate by-law be presented to authorize the execution of the Sublease Extension and Amending Agreement and any further subleases or extensions;

AND THAT the annual rent be funded from the Provincial Offences' operating budget.

CARRIED

Lease Amending Agreement – Nickel District Conservation Authority

PL2016-193 Jakubo/Lapierre: THAT the City of Greater Sudbury authorizes a Lease Amending Agreement with Nickel District Conservation Authority for 1298 Bancroft Drive, Sudbury;

AND THAT the appropriate by-law be presented to authorize the execution of the Lease Amending Agreement.

CARRIED

Sublease Extension and Amending Agreement - 199 Larch Street

PL2016-194 Jakubo/Lapierre: THAT the City of Greater Sudbury authorizes the sale of 5 Westview Crescent, Lively, legally described as: part of PINs 73375-0936(L T), -0408(L T), and -0591 (L T), being part of Parts 2, 3 and 4 on Plan 53R-1 0782, excepting Parts 1, 3, 4, 6 and 7 on Plan 53R-20639, Township of Waters;

AND THAT the appropriate by-law be presented 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

Yvon & Aline Gagné –Extension of Rezoning Application

PL2016-196 Sizer/Landry-Altmann: THAT the City of Greater Sudbury approves the extension of rezoning application File# 751-7/14-14 by Yvon & Aline Gagne on lands described as Part of PIN 73501-0454, Part of Parcel 6953 S.E.S., in Lot 9, Concession 5, Township of Blezard for a period of six (6) months to April 7, 2017.

CARRIED

Amend Conditions of Draft Approval

PL2016-197 Sizer/Jakubo: 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 those lands known as PINs 73561 -0258, 73561 -0261 & 73561-0264, Lots 9 & 10, Concession 4, Township of Neelon, File# 780-6/10002, upon payment of the City's processing fee of \$884.08 as follows:

a) By deleting Condition #1 0 and replacing it with the following:

"10.That this draft approval shall lapse on October 26, 2017."

b) By deleting Condition #27 and replacing it with the following:

"27.The final plan shall be integrated with the City of Greater Sudbury Control Network to the satisfaction of the Coordinator of the Surveying and Mapping Services. The survey shall be referenced to NAD83(CSRS) with grid coordinates expressed in UTM Zone 17 projection and connected to two (2) nearby City of Greater Sudbury Control Network monuments. The survey plan must be submitted in an AutoCAD compatible digital format. The submission shall be the final plan in content, form and format and properly geo-referenced."

CARRIED

Downtown Sudbury Community Improvement Plant

PL2016-198 Lapierre/Jakubo: THAT the City of Greater Sudbury directs staff to include the Downtown Sudbury Multi-Residential Interest-Free Loan Program, as outlined in the report from the General Manager of Infrastructure Services dated November 7, 2016, as part of the the Downtown Sudbury Community Improvement Plan (CIP).

CARRIED

PL2016-199 Landry-Altmann/Sizer: THAT the City of Greater Sudbury adopts the attached Community Improvement Plan for Downtown Sudbury from the General Manager of Infrastructure Services dated September 27, 2016.

CARRIED

Ontario Municipal Board

PL2016-200 Lapierre/Sizer: That the City of Greater Sudbury endorses the report from the General Manager of Infrastructure Services dated November 2, 2016, respecting review of the Ontario Municipal Board. That the report be forwarded to the Ontario Ministry of Municipal Affairs as the City of Greater Sudbury's response to the government's public consultation document, "Review of the Ontario Municipal Board".

CARRIED

Resolution PL2016-191 was dealt with separately.

Demolition of 586 Kingsway (PL2016-191)

CC2016-366 McIntosh/Lapierre: THAT the City of Greater Sudbury authorizes the purchase and demolition of 586 Kingsway, Sudbury, legally described as PIN 02132-0184(LT), Lot 44 on Plan M-42, Township of McKim, City of Greater Sudbury;

AND THAT a by-law be presented authorizing the purchase and execution of the documents required to complete the real estate transaction;

AND THAT the acquisition, demolition, designated substance survey and all other costs associated with the demolition be funded from the Capital Financing Reserve Fund - Roads.

Rules of Procedure

Councillor Kirwan requested a recorded vote.

Councillor Signoretti requested a simultaneous written recorded vote.

YEA: Councillors Signoretti, Jakubo, Sizer, McIntosh, Cormier, Reynolds and Landry-Altmann.

NAY: Councillors Vagnini, Montpellier, Dutrisac and Kirwan.

CARRIED

Matters Arising from Operations Committee

Councillor Kirwan as Chair of the Operations Committee, reported on the matters arising from the Operations Committee meeting of Nov 14, 2016.

The following motion was presented:

CC2016-367 Sizer/Jakubo THAT the City of Greater Sudbury approves Operations

Committee resolutions OP2016-26 to OP2016-28 inclusive for the meeting of Nov 14, 2016

CARRIED

The following are the Operations Committee resolutions:

Appointment of Temporary Chair

OP2016-26 Landry-Altmann/Lapierre: THAT the City of Greater Sudbury temporarily appoints Councillor Lapierre, as chair of the Operations Committee Meeting of November 14, 2016.

CARRIED

Traffic Control - Montee Genereux at Pilon Street

OP2016-27 Landry-Altmann/Lapierre: THAT the City of Greater Sudbury reassigns the right-of-way at the intersection of Montee Genereux and Pilon Street so that westbound traffic on Pilon Street is controlled by a Stop sign and the existing Stop sign facing southbound traffic on Montee Genereux is removed;

AND THAT a by-law be presented to amend Traffic and Parking By-Law 2010-1 in the City of Greater Sudbury to implement the recommended change all in accordance with the report from the General Manager of Infrastructure Services dated October 24, 2016.

CARRIED

Motion from Councillor Lapierre - MR 80

OP2016-28 Reynolds/Lapierre: WHEREAS MR80 and Philippe Street are roads that create an intersection in the City of Greater Sudbury in the former township known as Hanmer;

AND WHEREAS development of commercial stores on the south side of MR80 across from Philippe Street has increased over time;

AND WHEREAS in 2014 a second commercial building (restaurant) was added beside the other commercial developments on the south side of MR80;

AND WHEREAS Philippe street exits onto MR80 from the north side, but not directly in line with the exit to the commercial entrance on the south side;

AND WHEREAS this unaligned intersection and high vehicle volume causes traffic and safety concerns for all vehicles attempting to turn out of Philippe Street going eastbound as well as all vehicles from the commercial entrance attempting to proceed westbound on MR80;

THEREFORE BE IT RESOLVED that the City of Greater Sudbury directs Traffic and Transportation staff to undertake a traffic study and intersection analysis of MR 80 at Philippe Street as soon as possible, and report back to the Operations Committee no later than April 2017 with the results, analysis and possible resolution(s), together with estimated costs should changes be recommended.

CARRIED

Adopting, Approving or Receiving Items in the Consent Agenda

CC2016-368 Jakubo/Sizer: THAT the City of Greater Sudbury approves Consent Agenda Items C-1 to C-3 inclusive.

CARRIED

Minutes

C-1 Planning Committee Minutes of October 17, 2016

CC2016-369 Landry-Altmann/Reynolds: THAT the City of Greater Sudbury adopts the Planning Committee meeting minutes of October 17, 2016.

CARRIED

C-2 City Council Minutes of October 18, 2016

CC2016-370 Reynolds/Landry-Altmann: THAT the City of Greater Sudbury adopts the City Council meeting minutes of October 18, 2016.

CARRIED

Routine Management Reports

C-3 Tax Adjustments Under Sections 357 and 358 of the Municipal Act

Report dated October 24, 2016 from the Acting Chief Financial Officer/City Treasurer regarding Tax Adjustments Under Sections 357 and 358 of the Municipal Act.

CC2016-371 Reynolds/Landry-Altmann: THAT the City of Greater Sudbury strikes the amount of \$61,551.34 from the tax roll.

CARRIED

Correspondence for Information Only

C-4 Canada 150

Report dated October 28, 2016 from the General Manager of Community Development regarding Canada 150.

For information only.

C-5 Percy Field House Emergency Roof Repair

Report dated October 27, 2016 from the General Manager of Community Development regarding Percy Field House Emergency Roof Repair.

For information only.

C-6 Public Transit Infrastructure Fund

Report dated November 1, 2016 from the General Manager of Assets, Transit and Fleet regarding Public Transit Infrastructure Fund.

For information only.

C-7 Seniors Advisory Panel Endorsements

Report dated November 2, 2016 from the General Manager of Community Development regarding Seniors Advisory Panel Endorsements.

For information only.

Recess

At 7:31 p.m. Council recessed.

Reconvene

At 7:43 p.m. Council reconvened.

Managers' Reports

R-1 Increase Borrowing for the Sudbury Airport Community Development Corporation

Report dated October 21, 2016 from the Acting Chief Financial Officer/City Treasurer regarding Increase Borrowing for the Sudbury Airport Community Development Corporation.

The following resolution was presented:

CC2016-372 Sizer/Jakubo: WHEREAS the Sudbury Airport Community Development Corporation will be undertaking some major capital projects over the next five years; and

WHEREAS the Sudbury Airport Community Development Corporation Board authorized the accumulation of permanent long term debt up to \$7.5 million through Board resolution 2014-533;

THEREFORE BE IT RESOLVED that the City of Greater Sudbury approve the increase to the Airport's current borrowing arrangement with the City from \$3.0 million to \$7.5 million; and

THAT this \$7.5 million limit may be exceeded temporarily to act as bridge financing in order to complete subsidized projects, where approved by the Sudbury Airport Community Development Corporation Board; and

THAT terms regarding the interest rate remain unchanged at 1% above the City's average investment rate in accordance with the City's Investment Policy; and

THAT the appropriate by-law be presented.

CARRIED

R-2 Downtown Sudbury Business Improvement Area Board of Management and Nickel District Conservation Authority Board - Resignation

Report dated October 24, 2016 from the Executive Director, Administrative Services/City Clerk regarding Downtown Sudbury Business Improvement Area Board of Management and Nickel District Conservation Authority Board - Resignation.

The following resolution was presented:

CC2016-373 Sizer/Jakubo: THAT the City of Greater Sudbury accepts the resignation of Councillor McIntosh on the Downtown Sudbury Business Improvement Area Board of Management as well as on the Nickel District Conservation Authority Board as outlined in the

report dated October 24, 2016 from the Executive Director, Administrative Services/City Clerk.

CARRIED

Appointment to Nickel District Conservation Authority Board:

Nominations were held for the position on the Nickel District Conservation Authority Board

Councillor McIntosh nominated Councillor Cormier

There being no further nominations, nominations were closed.

Councillor Cormier accepted the nomination

The following resolution was presented:

CC2016-374 Jakubo/Sizer: THAT the City of Greater Sudbury appoints Councillor Cormier to the Nickel District Conservation Authority Board for the term ending December 31, 2017 and the Councillor shall hold office until the first meeting after his or her term expires.

CARRIED

R-3 Establishment of Regulations for Use and Installation of Outdoor Hydronic Heaters

Report dated November 2, 2016 from the General Manager of Infrastructure Services regarding Establishment of Regulations for Use and Installation of Outdoor Hydronic Heaters.

The following resolution was presented:

CC2016-375 Landry-Altmann/Dutrisac: Option B - THAT the City of Greater Sudbury directs staff to proceed with Option B as outlined in the Establishment of Regulations for Use and Installation of Outdoor Hydronic Heaters report dated November 2, 2016 from the General Manager of Infrastructure Services, in order to schedule a Public Hearing in 2017, with respect to amending the City of Greater Sudbury Zoning By-law 2010-100Z for potential changes to the General Provisions for Outdoor Furnaces, the definition under which hydronic heaters fall.

Rules of Procedure

Councillor Landry-Altmann requested a recorded vote.

Councillor Signoretti requested a simultaneous written recorded vote.

YEA: Councillors Signoretti, Vagnini, Montpelier, Dutrisac, Kirwan, Jakubo, Sizer, McIntosh, Cormier, Reynolds and Landry-Altmann.

CARRIED

By-Laws

The following resolution was presented:

CC2016-376 Dutrisac/Kirwan: THAT the City of Greater Sudbury read and pass By-law 2016-217 to and including By-law 2016-226Z.

CARRIED

The following are the By-laws:

By-Laws

- 2016-217 By-law of the City of Greater Sudbury to Confirm the Proceedings of Council at Its Meeting of November 22nd, 2016.
- 2016-218 A By-law of the City of Greater Sudbury to authorize the Neighbourhood Playground Association Grants for the year 2016. (This report to Council requests approval of the 2016 Neighbourhood Playground Association Annual Grant and that the appropriate by-law be passed in order to allocate the grants.)
- Report dated October 28, 2016 from the General Manager of Community Development regarding 2016 Neighbourhood Playground Association Annual Grant Allocation By-Law.
- 2016-219 A By-law of the City of Greater Sudbury to Amend By-law 2011-235 being a By-law of the City of Greater Sudbury to Establish Procedures for the City of Greater Sudbury Audit Committee Resolution #AC2016-12
- 2016-220 A By-law of the City of Greater Sudbury to Amend By-law 2015-217 being a By-law of the City of Greater Sudbury to Establish the Position and Duties of the Auditor General of the City of Greater Sudbury Audit Committee Resolution #AC2016-12
- 2016-221 A By-law of the City of Greater Sudbury to Authorize the Cancellation, Reduction or Refund of Realty Taxes Refer to Item C-3 (This By-law provides for tax adjustments under Sections 357 and 358 of the Municipal Act, 2001 for properties eligible for cancellation, reduction or refund of realty taxes.)
- 2016-222 A By-law of the City of Greater Sudbury to Amend By-law 2007-161 Respecting the Appointment of Officials of the City of Greater Sudbury (This by-law updates certain appointments to reflect staff changes.)
- 2016-223Z 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 Recommendation #PL2015-68 (This by-law rezones the subject properties to "R1-5", Low Density Residential One in order to permit single detached dwellings on surplus institutional lands - 1789682 Ontario Limited, 52 Gill Street, Sudbury.)
- 2016-224Z 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 #PL2016-168 (This by-law rezones the subject lands to "R3-1(26)", Medium Density Residential Special in order to permit the development of a multiple dwelling containing a maximum of 40 dwelling units with a reduced front yard setback on the subject lands - Streetwise Holdings Inc., 411 St. Raphael Street, Sudbury.)

- 2016-225Z 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 (This by-law amends By-law 2010-100Z and repeals By-law 2015-80Z pursuant to an Ontario Municipal Board Decision issued October 6, 2016. The by-law rezones the subject lands to “R1-5”, Low Density Residential One in order to permit the development of single-detached dwelling lots fronting Countryside Drive in Sudbury - Hautamaki Estates Ltd., Countryside Drive, Sudbury.)
- 2016-226Z A By-law of the City of Greater Sudbury to Amend By-Law 2014-273Z being a By-law to Amend the Comprehensive Zoning By-Law for the City Of Greater Sudbury (This by-law corrects the description of the property being rezoned under By-law 2014-273Z to incorporate a part inadvertently omitted. By-law 2014-273Z permits a maximum of 26 dwelling units within two multiple dwellings containing 12 dwelling units and 14 dwelling units - 1763988 Ontario Inc., 336 Pine Street, Sudbury.)

Motions

The following motion was presented:

As presented by Councillor Jakubo,

CC2016-377 Jakubo/McIntosh: WHEREAS Canadian Railways are now permitted to operate trains as long as 14,000 feet;

AND WHEREAS Canadian Railway Operating Rule 103(d) continues to permit trains to stop on public crossings at grade for up to 5 minutes while passing over said crossings;

AND WHEREAS trains operated by Railways in Canada are permitted to occupy public crossings at grade for an indefinite period of time providing they stop for no more than 5 minutes and continue to move at any speed during the remainder of said occupation;

AND WHEREAS trains operated by Railways in Canada now occupying public crossings at grade for much greater periods of time, with no legal time limit to said occupation, presents a danger to the public especially where the movement of emergency vehicles is concerned;

THEREFORE BE IT RESOLVED that the Council of the City of Greater Sudbury does hereby request that the Minister of Transport direct that a maximum time limit of 12 minutes be established with regard to Railway occupation of public crossings at grade in Canada which includes both time stopped and time moving, and that it be enforced with fines payable to the Municipality where such public crossings at grade exist;

AND BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to The Honourable Marc Garneau, Minister of Transport, The Honourable David Orazietti, Minister of Community Safety and Correctional Services for Ontario, Marc Serré, MP for Nickel Belt, Paul Lefebvre, MP for Sudbury, The Honourable Glenn Thibeault, Minister of Energy and MPP for Sudbury, France Gélinas, MPP for Nickel Belt as well as CN, CP and Huron Central Railways.

CARRIED

Addendum

No Addendum was presented.

Civic Petitions

No Civic Petition was submitted.

Question Period and Announcements

Pumper in Beaver Lake

Councillor Vagnini asked for an update on the water pumper in Beaver Lake.

Graham Campbell, Deputy Fire Chief, stated that all trucks are City Fleet and trucks are being serviced at this time. The first truck is being serviced on Friday. He apologized for the delay and states that City Fleet is doing their best to keep up.

Councillor Vagnini asked is there is timing on when Beaver Lake would have the pumper back.

Graham Campbell, Deputy Fire Chief, stated that the Beaver Lake pumper would be back as soon as possible, there is a billiard affect, as one truck goes in for servicing another truck will be moved. They are hoping to have Beaver Lake's truck back very shortly.

Councillor Vagnini asked if they could address the rumors regarding some of the fire halls being closed.

Graham Campbell, Deputy Fire Chief, stated he is not aware of those rumors, however they are waiting for the release of the Optimization Project before anything like that is considered.

Four Laning MR35

Councillor Montpellier asked about 4 Laning MR 45, what is a normal timeline for a decision from the provincial government for funding and if the provincial government does not answer would a discussion on debt financing occur.

Ed archer, Chief Administrative Officer, stated if there is an amendment that Council wishes to make in regards to debt financing of MR 45 if funding from the government is not available, a discussion would occur at the up coming Finance and Administration Committee meeting.

Tony Cecutti, General Manager of Infrastructure Services, stated that there is no specific answer to the timeline.

Councillor Dutrisac stated that they had \$7 millions set aside for work on MR 35 and asked if there was a timeline to utilize that money.

Tony Cecutti, General Manger of Infrastructure, stated that they allocated money in 2016 to do a portion of the road project. They started with the design and have been doing surveys and technical work, which led to a more detailed designed that outline the the project was going to cost more than expected. Therefore, that had to come before Council to discuss other options for funding. He also stated, that a portion of the budget is going to work on MR15 to ensure work is being done while processes for MR35 are taking place.

Policy for Debit Card

Councillor Kirwan asked about the City's policy on debit card as form of payment.

Ed Stankiewicz, Acting Chief Financial Officer/City Treasurer, stated that they accept debit

cards as a form of payment. He also specified that credit cards are not accepted as a form of payment in some facilities.

Transportation Master Plan

Councillor Landry-Altmann asked if the questions from the transportation master plan be included in the agenda.

Tony Cecutti, General Manager of Infrastructure, stated that he does not have the answer at this time but they will work on a way to have them available.

2017 Budget

Councillor Sizer asked for a review of the next steps for the 2017 Budget.

Archer, Chief Administrative Officer, stated that over the next several weeks Councillors will be reviewing the document and that staff will be receiving questions. Those questions will be directed to the appropriate people in order to ensure that the meeting regarding the 2017 Budget proceeds appropriately.

Water Levels in Ramsey Lake

Councillor Sizer asked if the water levels in Ramsey Lake are regulated.

Tony Cecutti, General Manager of Infrastructure Services, stated he is not aware of the exact level of water on Ramsey Lake. He also stated that construction was done on the dam and that could explain the lower levels.

Notices of Motion

Rules of Procedure

Councillor Signoretti presented a Notice of Motion regarding provincial funding/resources to the management of wildlife for and asked that the notice be waived.

WAIVED BY TWO-THIRDS MAJORITY

The following Motion was presented:

As presented by Councillor Signoretti,

CC2016-378 Signoretti/Montpellier: WHEREAS the Ministry of Natural Resources (MNR) is the only organization with the exclusive mandate to manage wildlife, including black bears;

AND WHEREAS the MNR has been operating the Bear Wise program since 2004 to educate the public on how to manage bear problems, including running the Bear Wise reporting line, and is the primary contact and source of information on bears in a non-emergency situation;

AND WHEREAS changes to the Bear Wise Program in 2012 transitioned the MNR's role from an active management model to one that places a greater emphasis on personal responsibility;

AND WHEREAS there are increasing numbers of incidents of human/bear interactions and a higher volume of calls to the Ministry of Natural Resources and Forestry (MNR), the City of Greater Sudbury, the Greater Sudbury Police Service and the media;

AND WHEREAS a Bear Committee comprising of representatives from the City of Greater

Sudbury, the Greater Sudbury Police Service, the Northern Policy Institute, and the MNRF was formed as it became apparent that a coordinated effort to address and respond to the increased incidents of human/bear interactions was needed;

AND WHEREAS despite the great recommendations and strategies developed by the Bear Committee to work within existing resources, human/bear interactions continue within urban and rural areas of the City of Greater Sudbury at a rate which has been described as unacceptable by some members of the community;

CARRIED

Councillor Kirwan presented a Notice of Motion

Kingsway Widening Project

WHEREAS the 2006 Environmental Assessment which was done on the Kingsway Widening Project is now expired, or is about to expire;

AND WHEREAS the fundamental principles behind the Kingsway Widening Project when it was first introduced in the early 1990's may no longer be applicable;

AND WHEREAS the current measures being taken to lay the groundwork for the project seem to be in conflict with a several other priorities that have been identified by City Council;

THEREFORE BE IT RESOLVED that no further action be undertaken in relation to the Kingsway Widening Project until staff can present a full report to the Finance and Administration Committee on the feasibility of the Kingsway Widening Project and direction can be given to staff on how or if, to proceed.

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

Continuation of Closed Meeting

The Continuation of the closed meeting was not required.

Matters Arising from Continuance of Closed Meeting

Matters Arising from the Continuance of the Closed Meeting was not required.

Adjournment

Dutrisac/Kirwan: THAT this meeting does now adjourn. Time: 9:11 p.m.

Deputy Mayor Sizer, Chair

Tanya Thompson, Deputy City Clerk